

# The Regime Types Assessment and Democratic Transition in Nigeria

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## Abstract

*In Nigeria, democratic transitions and elections have been intermittently managed and conducted by both military and civilian administrations, however, there are have been a recurrent debates on which of these two administrations have best conducted democratic transition and acceptable election in Nigeria? This debate has further challenged the efficacy and essence of democracy as a viable tool for the advancement of socio-economic and political aspirations of the 'common man' in Nigeria. This study argues that, it is erroneous to assume that civilian administration has performed credibly well in terms of democratic transition and conduct of credible election as against their military counterpart in Nigeria: that given the account of democratic transition/election conduct under the military regime, it is quite obvious that the challenges during military is not on their inability to manage transition or to conduct election. The major problem is the self-succession ambition and*

*personification of political office syndrome of the military leaders. Unlike the transition and election conduct under the civilian administrations in 1964/65, 1983 and 2007 which was highly characterized by inability to manage transition programmes, conduct free, fair and credible election, self-succession ambition, coupled with pervasiveness of ethnicity, religion cleavages and centrifugal politics. By implications, the challenges to democratic transition/election conduct were enormous in the First, Second and to some extent Fourth Republic under the civilian administrations.*

**Keywords:** Election, democratic transition, regime types, performance-assessment, Nigeria

## Introduction

The gory account of democratic transition and election conduct in Nigeria's First, Second and to some extent the Fourth Republics were abysmal. However,

there were recorded history of sanity and transparency in the transition programmes and elections supervised by the military regimes, unfortunately, the success recorded during military period were eventually truncated by the self-succession ambition, personification of political offices and vulnerability of the military leaders to corruption made possible by civilian politicians' infiltration.

The Nigeria's Fourth Republic experience in transition of political marked a watershed. Unlike the previous experiments to transfer power from one democratically elected government to another which collapsed midway like First and Second Republics) or the transition that was truncated at the threshold of its completion (the aborted Third Republic (Yahaya, 2009). In 2007 and 2015 democratic transition were all completed regime transition: at the least, the elected government uninterrupted transited power to another democratically elected government in both cases.

By and large, the Nigeria attempts at regime transition and electoral conduct have been influenced by both military and civilian experience and disposition toward political power. The puzzling question is which of these two regime types has better managed transition process and electoral

conduct in Nigeria? To provide analytical answer to the question raised, on must take into consideration the account of general elections in 1964/65, 1979, 1983, 1993, 1999, 2003, 2007 and 2015 in Nigeria.

In an attempt to provide a robust discussion to some of the issues raised in this paper, the paper is therefore divided into sections which includes; introduction, conceptual clarification, the interrogation of numbers of transitions and elections conducted by both military and civilian administrations with the purpose of providing a cross-sectional analysis democratic transition of the regimes types' assessment in Nigeria, conclusions were drawn and some recommendations were made in order to channel pathways for democratic consolidation and good governance in Nigeria.

### **Conceptual Clarification**

#### **Regime Types/Political Leadership**

Generally speaking, regime has been categorized into different types depending on the scholars' background, the prevailing social cultural environment, and past experiences. For instance, one can easily differentiate democratic from authoritarian and vice versa, authoritarian from totalitarian regime. However, even within democratic regime there could be sub-types of regime: such as presidential

or parliamentary regime. Meanwhile, democratic regime could also produce autocratic or authoritarian leaders vice versa; a military system of government which is generally associated with authoritarian and autocratic regime could also embrace some aspects of democratic virtues. Given the foregoing juxtapositions, it is more difficult to define regime types but rather to identify the attributes associated with each regime and its political leaders at a given time.

According to Skaaning (2006: 13-14), any definition of political regimes should encompass the group's access to political power, the way political power structure the interaction within a political system such as horizontal relation: the relationship between the executive, legislative and judicative on one hand, and its relations with the broader society on the other hand. Vertical relation: method of access to the principal political posts. Finally, the fourth element is the character of the ruler(s), which allows us to differentiate between autocratic and democratic regimes and their behavior (Skaaning, 2006:14; Van den Bosch, 2013).

Skaanning further posited that, a political regime designates the institutionalized set of fundamental formal

and informal rules, identifying the political power holders (character of the possessor(s) of ultimate decisional sovereignty) and it also regulates the appointments to the main political posts (extension and character of political rights) as well as the vertical limitations (extension and character of civil liberties) and horizontal limitations on the exercise of political power (extension and character of division of powers—control and autonomy). In summary, the regime type definition above points out four defining principles which includes; character of rulers, access to power, vertical power limitations, and horizontal power limitations.

To Michael Mann (1993: 18), political regime is “an alliance of dominant ideological, economic, and military power actors, coordinated by the rulers of the state. In the same vein, Peter Calvert cited in Pempel, (1998: 224) stressed that regime is “the name usually given to a government or sequence of governments in which power remains essentially in the hands of the same social group”. However, the institutional school of thought links the concept of regime with institutionalized rules: rules that demand, forbid, or allow certain act constitutes a regime (Ostrom 1986: 5). Moreover, Linz (2000) argued

that it appears more appropriate to deal with social, cultural, economic and other aspects as causes or effects of the political regime type instead of as an integrated part of it.

### **Election**

According to Badmus (2017: 34) the essential role of election in a democratic system cannot be overemphasized, because it influence the manner of political competition and function as a major determinant of who get what, when and how. In the same vein, Rokkan (1970: 147) describe election as the institutionalized procedure for the choosing of office holders (representatives) by some or all of the recognized members of a society. In the same vein, Joseph (1987: 18) election is describe as important starting point for the existence of democracy, making it possible for democratic government to be ‘by person freely chosen by and responsible to the governed. To Wanyande (1987: 80) elections represent a way of making a choice that is fair to all - one that leaves each member of the electorate reasonable hope of having his alternative elected. An election is therefore an empirical demonstration of a citizen’s liberty and political choice. As Villalon (1998: 16) rightly argue, elections themselves may be

a strategy for maintaining power and many African elections- have been clearly intended to forestall change, or even strengthen the status quo. Properly conducted election can promote peace, boost the confidence of electorates and lead to development. Unfortunately, the evidence suggests that elections in Nigeria are the opposite of what election should represent in the democratic system.

According to Dickerson, M. et al (1990) election is defined as a post mortem that investigate the record of office holders whose actual performance may have little to do with promises made when they were previously elected. (Nwokeke P. Osinakachukwu 2011). Globally, election is conceived as the heart of representative democracy. In this regard, a credible election did not only confer legitimacy on political leadership, it is also crucial to the sustenance of democratic order. Thus election offers citizens the freedom to choose their rulers and to decide on public policies (Animasahun, 2010).

### **Democratic Transition**

In the words of Michael Bratton and Nicolas van de Walle (1997) a regime transition is described as a switch from one set of political procedures to another: from an old pattern of rule to a new one.

According to them, regime transition may occur by means of a short, sharp transformation. For instance, when a coercive autocracy collapses and gives way to an elected democracy. However, Linz and Stepan (1996) further argued that, in regime transition it is not enough for an authoritarian system to give way to elected democracy. It has to be completed and consolidated. They stressed further that “a democratic transition is complete when adequate understanding has been attained on political processes to produce an elected government in which such government acquire power through the peoples’ consent as a result of a free and fair election. In that manner, the *de facto* government has the authority to develop new programmes, and when the executive, legislative and judicial power generated by the new constituted democratic government does not share power with other bodies *de jure*”.

### **An Overview of Democratic transition under the Military Regimes**

No doubt, military incursion into politics had proven disastrous for Nigeria. According to Olurode (2004), none of the promises of the military had materialized after decades of its involvement in politics in Nigeria. In spite of the fact that military

involvement in the country’s politics has been calamitous and elongated, the military was not in a haste to transfer power to a democratically elected government.

The military era was characterized with several shilly-shally and changes in transition dates by the military government to institutionalized democratically elected government. For instance, the first attempt at the transition of power from military to civilian government after the military intervention into Nigerian politics in 1966 were made under General Yakubu Gowon. As early as 1967, the military administration of Gowon had appointed civilians to head most ministries: Chief Awolowo was appointed as Gowon’s own deputy during the civil war, but he left the government after the war because of disagreement over the timing of the military’s departure from politics: he wanted it to come before 1976 as Gowon was promising (Iroanusi, 2000). On October 1974, when Nigeria had expected Gowon to lift the ban on party politics, instead he announced the indefinite postponement of the date to handing over of power to civilians. Consequentially, the government was ousted in a coup by a group of young officers on July 29, 1975 (ibid:74).

Then new Head of State, General Murtala Ramat Muhammed, on the Independence Day broadcast of October 1, 1975; mapped out a 5-stage return to civil rule programmes. The government appointed a 49-men panel to draft a new constitution. The constitution drafting committee under the chairmanship of Chief F.R.G. Williams, submitted its draft in September 1976 to General Olusegun Obasanajo, who succeeded Muritala after his assassination in February 13, 1976. A public debate on the draft constitution began instantly. In August 1978, the Constituent Assembly sent its draft to the Supreme Military Council (SMC), and General Obasanjo lifted the ban on politics on September 21, 1978, the first election to be held after a decade of military incursion into the country's politics came in December 1976 after ten years of military interregnum with the establishment of new local government councils. Elections to the Consistent Assembly followed the next August. Out of the 232 members of the Assembly, 203 were elected, directly and others indirectly (Iroanusi, 2000).

By December 1978, about 52 political associations had applied to the Federal Electoral Commission (FEDECO) to be registered as parties. In the end only five political parties met the conditions set

by FEDECO under electoral degree, the registered parties includes;: the Nigerian Peoples Party (NPP), Great Nigeria People's Party (GNPP), People's Redemption Party (PRP), National Party of Nigeria (NPN) and Unity Party of Nigeria UPN). Awolowo was the presidential candidate of the United Peoples Party (UPN), Azikiwe for the Nigerian Peoples Party (NPP), Waziri Ibrahim for Great Nigeria People's Party (GNPP), Aminu Kano for People Redemption Party (PRP) and Alhaji Shehu Shagari for the National Party of Nigeria (NPN) (Iroanusi, 2000:93).

There were about 2,000 elective offices comprising 49 members of the House of Representatives, 95 Senators, 19 state governors,<sup>1</sup> and 1,347 Members of State Assemblies. FEDECO was accused by all parties, claiming rigging and manipulation. Shagari of NPN had the largest number of votes cast (about 772,000) and over a quarter in 12 states, but in Kano, the 13<sup>th</sup>, he had received on 20 percent. One of the provisions of the constitution was that, to be elected president, a candidate must receive "one quarter of the votes cast in each of at least two thirds of all the states in the federation". From the results announced by FEDECO in 1979 Shagari won in 12

states, the thirteenth state was not sure. FEDECO however announced that since two-thirds of nineteen was not thirteen but twelve, Shagari was elected President. In October 1<sup>st</sup> 1979, General Olusegun Obasanjo then military president handed over power to Alhaji Shehu Shagari the elected president (Federal Electoral Commission, 1997).

However, as a result of democratic experimental failure due to unprecedented level of corruption, electoral violence, intimidation/harassment of opposition and inability of the democratic government to successfully managed transition of power by Shagari administration, the military under Muhammadu Buhari seized power in a bloodless coup. However, Buhari regime was equally truncated by a counter coup that saw to the emergence of Babangida regime in 1985.

Thereafter, General Ibrahim Babangida regime had changed with ease the handing-over date many times between 1990 and 1993. After several changes in the handing-over date, eventually, local government council's elections were held in December 1990, Governorship and National Assembly elections were held in 1991 and 1992 respectively (Olurode, 2004). Later on, the presidential election was held in June 12 1993, which turned

out to be largely free and fair according to both local and international observers. However, Babangida's regime annulled the presidential election with the hope that, the ensuing political crisis would provide him with an alibi for staying on in power. Unfortunately for him and in spite of contrived political impasse, the top military brass had refused to give him the needed muscle to continue in office which led to Babangida's decision to "stepped side" from office on 27 August, 1993. While leaving office he handed power over to an Interim National Government (ING), headed by Chief Ernest Shonekan and composed mainly of civilian politicians and technocrats but with General Abacha his right hand man, as minister of defense (Eyinla, 2000:72). Not only did the highly public oppositions undermine the ability of the ING to function, its legitimacy to govern was circumscribed when a High Court Judge who ruled on 10 November, 1993 that, the regime is illegal and invalid. The Shonekan led ING was however faced with legitimacy problem, which the military junta of General Sanni Abacha took the advantage to seized power through a bloodless coup without resistance from the Shonekan led administration (Eyinla, 2001).

### **Making of Nigeria's Fourth Republic under the Military Regimes**

Consequently, the confusion surrounding the legitimacy of the ING was exploited by the military when General Sani Abacha took over power through bloodless coup that unseated the ING under Ernest Shonekan on November 17 1993. Between November 1993 and June 1998, Nigeria came under the firm grips of a ruthless military dictatorship. Abacha perfected the act of "warlord politics" by building a narrow class of powerful civilians and military allies around himself (Reno, 1998).

According to Olurode (2004) in a move to ensure its legitimacy and stability, the military government co-opted certain eminent and progressive Nigerians into its administration. However, before those co-opted could settle down in the Abacha's government, those of them outside the government constituted themselves through various socio-cultural and political platforms into opposition to the regime. Political and pro-democracy groups such as the National Democratic Coalition (NADECO), the Afenifere, the Joint Action Council of Nigeria (JACON) which was formed by leading human rights associations, all emerged as opposition to the Abacha's military junta. Nigeria's

democratic transition history would not be complete without the recognition of the contributions of NADECO and Afenifere, particularly their clamour for the enthronement of democracy after the annulment of the June 12 presidential election in 1993.

To Olurode (2004) in May 1994, NADECO gave an ultimatum to the military to relinquish power to a democratically elected government. Indeed, NADECO refused to have anything to do with the Abacha's self succession transition programme as wide as the military's constituted constitutional conference. Although efforts were made in some parts of the country to counter the pro-democracy activities of NADECO and the Campaign for Democracy (CD), there were resolute in their clamour for the enthronement of democracy in Nigeria. As part of General Sanni Abacha's Self-succession programme, some political parties were organized and registered. Even though the five political parties: Democratic party of Nigeria (DPN), the Committee for National Consensus (CNC), the Grassroots Democratic Movement (GDM), the United Nigeria Congress Party (UNCP), and the National Centre Party of Nigeria (NCPN)- were registered and patronized by government officials at all

levels, the UNCP happened to be the most favoured party and the closest to Abacha (Ibid:4). In spite of all these moves, individuals and groups continued to put up a determined fight to defeat the pro-Abacha groups and their self-succession agenda.

By May 1997, the anti-Abacha groups had become united under the United Action for Democracy, which was a coalition of 26 pro-democracy and human rights groups. The pro-Abacha campaign efforts reached a climax in 1998, when, a 2 million March Rally was held in Abuja. However, as the pro-Abacha rally was being organized, the pro-democracy activists and groups were also organizing a ten million March rally in Ibadan and Lagos. Despite threats and intimidation from the military government, the anti-Abacha rally was held in Ibadan, and the pro-democracy activities began to gain more support and momentum across geo-political and religious divides in the country.

### **Democratic Transition under General Abdulsalami Abubakar**

Nigeria's transition from military to civil democratic rule in 1999 was the result of military disengagement from politics, not out of their own free volition,

but because of the pressure from civil society organizations, pro-democracy groups, democracy promoters, and the push by the international community for political liberalization. Consequently, following the sudden demise of General Abacha in June 1998 and taken over of power by General Abdulsalami Abubakar who later institutionalized the transition process that ushered in Nigeria's Fourth Republic with democratically elected government in May 1999 (Yakubu, 2004).

Following Abacha's sudden death in June 8, 1998 General Abdulsalam Abubakar took over the mantle of leadership. As part of his commitment for a transition to civil democratic rule, the administration of Abubakar released several political detainees, including General Olusegun Obasanjo. General Abubakar's commitment towards the transition programme and his positive international posture and outlook attracted the attention of the global community. There were various meetings between the government and members of the international community on how to transfer political power to a democratically elected government. It was during one of such meetings with a U.S. delegation led by then under-secretary of state, Thomas

Pickering on July 7, 1998 that the acclaimed winner of the June 12, 1993 presidential election, Chief M.K.O. Abiola suffered a heart-attack and died. As a result of the conflicting claims about the cause of Abiola's sudden death, the international community became actively involved, and the autopsy report was monitored by an independent team of Canadian, American and British Doctors, who confirmed that Abiola died due to long standing heart attack.

The transition programme as observed by Agugua (2004) was instituted shortly after the regime had settled down in power. The most prominent feature of the Abdulsalami Abubakar's transition programme was the termination of the National Electoral Commission of Nigeria (NECON) in June 1998, and the inauguration of the Independent National Electoral Commission (INEC), under which the 1999 elections were, conducted. In addition, a committee was set up to design and recommend a constitution to guide the transition, which eventually led to the promulgation of the 1999 constitution of the Federal Republic of Nigeria. There were also the registration of political parties, the holding of elections and the handover of power to a

democratically elected civilian government in May 1999.

The global community had a high stake in the transition programme in Nigeria. As a result, the Nigerian political class has been very sensitive to the global community and the recognition given to its democratic governance. International recognition as an important means of democratic transition has often been used to confer legitimacy on governments, and it has also become a vital tool by the international community to advance economic and other strategic interests (Elklit and Svensson, 1997). The international community was most active in the provision of financial, technical and logistic support to the Independent National Electoral Commission (INEC), such assistance come from European Union, Canada, Germany, Japan, the United Kingdom and the United States.

Thus, the largest contribution to the electoral process as at the inception of democratic transition in Nigeria's Fourth Republic amounting to 4million US dollar come from European Union, and it was mainly used for the provision of computers, vehicles, civic education as well as for hiring and training of local and international election observers and monitors.<sup>ii</sup> Also important to note was the

contributions of the Association of African Electoral Authorities (AAEA) and the International Foundation of Electoral System (IFES) they both served as consultant to INEC, providing it with technical assistance from the commencement of the voters registration exercise to the computation of the result of the presidential election. Another critical area of international community's intervention was their role in helping to resolve the face-off between INEC and Transition Monitoring Group (TMG) over its self-imposed electoral observance and monitoring role. This was because government through INEC was determined to make observing and monitoring of the election open only to the international election observers not to local observers.

As part of the transition programme, the Abdulsalam Abubakar administration outlined a specific time table for the transition to civilian rule, with local council polls scheduled for December 5, 1998, gubernatorial and state polls for January 9, 1999, followed by National Assembly polls on February 20, 1999, and the presidential polls fixed for February 27, 1999. He fixed the official hand over date for May 29, 1999, and dismissed the National Electoral Commission (NEC) that was established

by Abacha, and replaced it with the Independent National Electoral Commission (INEC). Registration of political parties for the elections began and ended after an extension on October 12, 1998, and the names of nine registered parties including the People's Democratic Party (PDP), the All People's Party (APP), and the Alliance for Democracy (AD), were released on October 19, 1998 (Dane Ted, 2006).

In the opinion of Iroanusi (2000) the global community carefully welcomed the transition programme of the General Abubakar military administration. Donor governments and agency in Europe expressed their support. In this regard, French, British and German delegations met with the Nigerian leadership in Abuja in late July 1998, and General Abubakar made several official trips abroad in an effort to improve relations with African and world leaders, and redeem the country's dented image abroad. As part of its support for the transition programme, the European Union (EU) relaxed some of its sanctions against Nigeria by October 1998, and visa ban was officially lifted.

The 1998/1999 elections elicited a lot of interest from within and outside Nigeria because they were the main avenues for the transfer of power from the

military to democratically elected civilians. Having been a pariah state since 1993, Nigeria was very keen to get global approval and legitimacy for its democratic transition programme (Cyril, 2000). On May 31, 1999, the European Union restored full economic cooperation with Nigeria, and the Commonwealth of Nations also readmitted Nigeria as a member, after three years of suspension. Thus, the sincerity of the General Abubakar transition programme opened the doors wide to both local and international monitors and observers to scrutinize its elections, and accord them credibility on the basis of such elections being free and fair. In this regard, international observers came from organizations such as the European Union, the commonwealth, the organization of Africa Unity (now the African Union), the National Democratic Institute (NDI), the International Republican Institute (IRI), the United Nations (UN), and the International Foundation for Electoral Systems (IFES), among others

### **An Overview of Democratic Transition under the Civilian Administrations**

#### **The 1964/1865 Elections in Nigeria's First Republic**

The democratic experiment in Nigeria's First Republic was marred with irregularities, civil unrest, violence, ethnicity, religion bifurcate and high level of acrimony. For instance, the three dominant political parties were regionally based and to some extent religiously configured. According to Ojibo (1980:18) there was aggressive competition among the NCNC, the NPC: most of the politicians in the dominant parties had no idea about the art of politics and the existence of a weak constitution contributed greatly to the electoral violence experienced in the first republic.

The 1964/1965 federal elections were the first democratic election after Nigerian political independence in 1960. In the built up toward the 1964/65 elections two major alliances were formed: the first alliance was the Nigerian National Alliance (NNA) made up of the NPC, NNDP, the Midwest Democratic front and Dynamic Party. While the second alliance was named the United Peoples Grand Alliance (UPGA) made up of NCNC, AG, NEPU and United Middle Belt Congress (UMBC).

The 1964 election generated a lot of pandemonium and as a result, the broad-based government was suggested as a panacea. However, due to the rejection of

election results by the opposition and the crisis thereafter, in November 1965 another election took place to elect the members of the Western House of Assembly. The Nigerian National Democratic Party (NNDP) which was the ruling party in the region manipulated the electoral process in favour of its members against the opposition. In the aftermaths of the announcement of election results, violence and arson engulfed the Western Region through a popular slogan of “Operation we tie” which implies setting people and property ablaze alive by spraying of petroleum on them.

The uncontrollable nature of the post electoral violence as a result of perceived rigging and vendetta politics got to its peak and the military seized the opportunity to seize power for the first time in 15 of January, 1966 through bloody coup that led to assassination of many political leaders from the ruling party: majority of whom were from the Northern enclave. The coup eventually led to the emergence of the first military regime under General Aguiyi Ironsi.

### **The 1983 Election in Nigeria’s Second Republic**

The emergence of Shehu Shagari as the elected president in 1978 signaled

the Second Republic in Nigeria. However, after the completion of of Shagari’s first tenure, his re-election bid guided by electoral manipulation, pervasive corruption, high level of tribalism, and mobilization of voters along religion lineage eventually thwarted the Second republic transition programme. In many places the 1983 elections were blatantly rigged by the ruling National Party of Nigeria (NPN) and the announcement the official results of elections by the Federal Electoral Commission (FEDECO), generated uproar particularly in the Southwest; the opposition stronghold.

According to Tijani (1986:15) notes: A massive collusion involving the NPN, the FEDECO (The Federal Electoral commission), the police and some sections of the judiciary had produced governments that could not claim legitimacy by dint of even the most rudimentary requirement of a bourgeois democracy. However, federal might was used to dislodge state governors in Anambra, Oyo, Kaduna, Gongola and Borno states, thus raising NPN’s tally of governorships from seven to twelve states, reversing the power structure existing before the election when opposition parties had twelve against NPN’s seven governors.

Notable and the most volatile among the cases of election rigging in 1983 as observed by Nwabueze (2005) was the cases of Oyo and Ondo states: in Ondo state election between Chief Akin Omoboriowo the governorship candidate of National Party of Nigeria (NPN) and Chief Micheal Ajasin governorship candidate of the Unity party of Nigeria (UPN). Chief Omoboriowo was declared the winner by FEDECO for polling 1,228,891 votes as against 1,015,385 votes polled by Chief Ajasin. However, base on the election count, the verdicts from the Federal court of Appeal and the Supreme Court as shown in the certificates of results duly signed by the assistant returning officers, party agents as well as oral witnesses from returning officers indicated that the true results were 1,563,327 votes for Chief Ajasin and Chief Omoboriowo scored 703,592. Evidence from these verdicts showed that Chief Omoboriowo's scores were inflated by 523,389 votes leaving that of Chief Ajasin decreasing by 547,942 votes. Report showed that the fabrications of the figures were carried out by the deputy returning officer

Like the 1964/965 elections, the NPN which was the ruling party was declared the winner of the federal elections amidst public/opposition's protest,

agitation and unprecedented post electoral violence. The mayhem and uncontrollable violence that dominated the post election environment particularly in the Southwest, widespread of corruption at all levels of government and the lack of prospect for reconciliation gave impetus to military intervention and the eventual termination of the Second Republic in December, 1983.

It is instructive to note from the foregoing account of democratic transition under the military regimes and the civilian administrations in both First and Second Republics as presented. It is quite obvious that the challenges faced by military regimes are not in their inability to transfer power to elected government: the major problems are 'self-succession' ambition and 'personification' of political office syndrome of the military leaders. Unlike the 1964/1965 and 1983 attempts at transition of power by one elected government to another elected government which was highly characterized by inability to conduct free, fair and credible election, self-succession ambition, coupled with pervasiveness of ethno-religious politics and distribution of national resources and benefits along centrifugal pattern. Thus, the challenges to democratic transition were enormous in the First and

Second Republics under the civilian administration under which much were expected in terms of consolidation of democracy and socio-economic development.

### **The 1999 General Elections**

One of the most pertinent issues in electoral democracy in Nigeria relate to the nature and content of the transition to democracy and the nature of the struggle over the democratic project. In this regard, it is important to analyze post 1999 elections in Nigeria in relation to whether the international election observers have contributed towards democratic consolidation, or have been hijacked by the governing elite, which have subverted such elections as well as the will of the people and defrauding the electorate. In addition, an analysis of post 1999 elections is relevant, given the background of long years of military dictatorship since 1966, which were only temporarily broken by a civilian interregnum between 1979 and 1983, before the country finally returned to elected civilian rule in May 1999. Equally important and worthy of note, is the role played by the military, political parties, media, civil society groups, and the international community particularly through sending of international election monitoring and observers groups in either

subverting or advancing democratic consolidation in Nigeria.

Although the 1999 General elections marked the formal termination of military authoritarianism in Nigeria's political life, the democratic opening is not wide enough to allow Nigerians the right to choose their representatives and leaders. Central to this political trend, according to Obi, are the roles played by political parties, the political class, public institutions, the Independent National Electoral Commission (INEC) and International Election Monitors and Observers (Cyril, 2000). The voting pattern in the February 27, 1999 presidential election did not change much from the previous local government, governorship, state assembly and national assembly elections.

However, there was disagreement over the People's Democratic Party (PDP) nomination process in which Obasanjo defeated six other presidential aspirants. They were Dr. Alex Ekwuneme, Chief John Nwobodo, Chief Don Etiebet, Chief Philip Asiodu Abubakar Rimi and Chief Tonye Graham-Douglas. In the same vein, in February 20, 1999 National Assembly elections, the PDP won 59 Senatorial seats out of the 109-member senate. The PDP also won 206 seats out of the 360-member

federal house of representative. The All Peoples Party (APP) came second far behind the PDP with 24 senatorial seats and 74 House of Representatives seats. While the Alliance for Democracy (AD) came third, and trailed behind with 20 Senatorial Seats and 68 House of Representatives Seats (Iroanusi, 2000). In the gubernatorial elections, PDP won 21 out of the 36 states of the federation including the Federal Capital Territory (FCT). APP won 9 states, while the AD won the 6 states of the South-West. In the December, 6, 1998 local government elections that came up first, the PDP won 460 chairmanship seats and 4,787 councillorship seats, while APP won 188 chairmanship seats and 2,653 councillorship seats. On its part, the AD won 100 chairmanship seats and 1,092 councillorship seats. In all, the PDP took control of all the local government councils in 28 states of the federation. The presidential elections were contested between the PDP and the APP/AD Alliance. General Olusegun Obasanjo contested on the PDP ticket, while Chief Olu Falae ran on the joint ticket of the APP/AD alliance.

There were reactions from Nigerians and the concern members of international community after

announcement of 1999 presidential election result by the INEC chairman Justice Ephraim Akpata in which retired General Olusegun Obasanjo of the PDP was declared the winner with a total votes of 18,738,154 representing 62.78 percent of the total votes cast; against Chief Olu Falae of the APP who scored 11,110,287 votes representing 37.22 percent of the total votes cast (INEC 1999 Post Electoral Report).

According to Daren, Kew (1999), who observed the 1999 elections, both the presidential and National Assembly polls “in a third (1/3) of Nigeria’s states, observed massive electoral fraud, primarily in the South-South, South-East, and selected states in the North-East and North-Central”. The views of Kew on the 1999 elections were supported by the reports from the Carter Centre and the National Democratic Institute (NDI), and other local and international election monitors.

On the other hand, the Transition Monitoring Group (TMG), a coalition of local democratic non-governmental organizations (NGOs) said electoral malpractice was widespread. According to TMG report, both parties (PDP and APP) were involved in electoral malpractices although, “it is difficult to say the extent to

which the effect of the parties cancelled each other out” it also accused electoral officials of widespread collusion with party agents (Cyril, 2009).

However, in spite of widespread malpractices noticed during the elections, the international community accepted the flawed elections in so far as this precluded the military from having an excuse not to hand over power. For instance, Britain and Japan applauded the presidential election. While the All Peoples Party (APP) presidential candidate, Chief Olu Falae and his running mate, Alhaji Umaru Shinkafi lamented that electoral fraud such as the inflation of figures and ballot stuffing was so widespread to the extent allegedly affecting the wishes of the Nigerian people (Iroanusi, 2000).

### **3.6 The 2003 General Elections**

In April 2003, Nigerians went to the polls for the second time under a civilian government. Expectations for the election process were higher for the 2003 polls, both in and outside Nigeria. The elections were seen as an opportunity to further advance democratic gains. The elections did not result in the transfer of power to a new set of leaders, but marked a significant step towards the consolidation of democracy given that previous civilian regimes did not survive beyond the second

election. Although, the widespread believe that the democratic process had entered the crucial stage of consolidation, fears were expressed regarding the fragile nature of democracy in Nigeria (Egwu, 2008).

In the April 2003 presidential elections, president Obasanjo, representing the PDP, ran against another former military leader, General Muhammadu Buhari, a former rebel leader, Emeka Odumegwu Ojukwu; and a former foreign minister Ike Nwachukwu. Obasanjo won, and the PDP also won majority of seats in the legislative elections. As reported by Ploch (2011) Obasanjo won 62% of votes, while his nearest rival, General Buhari, won 32% of votes cast. While the 2003 elections were successful in many respects, there were major problems that compromised the integrity of the election process. The elections tested the viability and reliability of many of Nigeria’s weak public institutions, particularly the Independent National Election Commission (INEC). In the elections, INEC was criticized for its perceived lack of independence from the executive branch of government, and for its institutional and professional weaknesses.

Moreover, there were delays and lack of transparency in the voter registration process that disenfranchised

many eligible voters, high level of political violence and incidence of stuffed ballot boxes, as well as altered results during the collation process, all of which took place against the large scale replacement by the executive branch of government, of state Resident Electoral Commissioners (RECs) in 2003. Besides, there were allegations of lack of fiscal autonomy and independence for INEC (National Democratic Institute 2003).

The 2003 elections were characterized by serious irregularities and fraud, according to both domestic and international election observers. Controversy arose over voter registration process, the certification of candidates, and poor logistical preparations. In its report on the 2003 elections, the TMG noted that the overall credibility of the election was in doubt and that the elections fell short of minimum national and international standard. According to the report, there were several cases of under-age voting, ballot box stuffing and snatching, inflation of votes and thugary.

### **The 2007 General Elections**

The April 2007 general election was Nigeria's third national election since the return to civilian rule in May 1999. The elections were held amid widespread

allegations of electoral mismanagement and fraud. Before the election, the senate had rejected a bid by Obasanjo's supporters in 2006 to amend the constitution to allow him run for a third term. Having failed in his third term bid, Obasanjo backed Umaru Musa Yar'Adua, a Northern governor largely unknown to many Nigerians, as the ruling People's Democratic Party (PDP) presidential candidate. Yar'Adua's running mate, Goodluck Jonathan, was then a governor of Bayelsa state in the Niger Delta who is not also a popular candidate. Thereafter, the then President Olusegun Obasanjo, openly described the 2007 general elections as a "do or die affair" for the ruling People's Democratic Party (PDP) during their party presidential campaign in Ondo State (Ashiru, 2009).

In a statement credited to Ikubaje (2009) prior to election, the Independent National Electoral Commission (INEC) was accused of being part of a plan for programming the 2007 elections for failure. In the run-up to the elections there were reports of the discovery of a number of INEC data capturing equipment (DDC machine) in the private residence of a popular political godfather in Ibadan. Cyril (2008b) argued that in some parts of the country, some eligible voters could not be

registered in spite of the extension of the registration period. Before the election day, pro-democracy groups and the opposition raised the alarm on the plans of the incumbent ruling People's Democratic Party (PDP) to subvert the electoral process.

Elections for State Governors and 990 legislators in the 36 State Houses of Assembly were held on 14 April 2007 and elections for the president took place on 21 April 2007. After the presidential elections, Yar'Adua was declared the winner with over 24.6 million votes, representing 70% of the total votes cast. The country's major opposition parties, the All Nigeria Peoples Party (ANPP) and the Action Congress (AC), rejected the election results. The ANPP's presidential candidate, General Buhari received an estimated 6 million votes, while the AC candidate, former Vice President Atiku Abubakar, came third with an estimated 2.6million votes.

However, Atiku Abubakar was initially not among the 24 presidential contestants approved by INEC, because of pending alleged corruption charges against him. His exclusion heated up the polity, during the pre-election period, when his supporters claimed that he was unjustly excluded by INEC because of his open

opposition to Obasanjo third term bid (Ploch, 2011). At the end of the elections the PDP won the majority of the state and federal elections, including 28 of the 36 state governorships. Domestic and international observer groups were highly critical of the 2007 elections. Media reports also documented widespread incidents of thuggery and coercion at polling units (British Broadcasting Corporation, 2007).

At the end of the elections, president Obasanjo reportedly acknowledged some electoral irregularities such as logistics failures, violence and ballot box theft, but stated that elections would not be re-conducted, because "the magnitude of election irregularities does not make the results "null and void" (Radio Nigeria, 2007).

The results of many elections were challenged in the electoral tribunal and in the courts, based on allegations of fraud, threats of violence, and the inability of voters to cast their votes. As a result, the results of almost a third of the gubernatorial elections were annulled, and in most cases, elections were rerun. By 2009, the PDP had 25 governorships, and the oppositions were awarded governorships in two states after the PDP victories were overturned by the election

tribunals (Ploch, 2011). The PDP gubernatorial victory in Anambra State was nullified by the Supreme Court, which made the way for the incumbent governor, from an opposition party (APGA) to keep his seat. In addition, the elections of several legislators, including Senate President David Mark, were annulled. But the Appeal Court later overturned the ruling on Mark's election and allowed him to keep his seat.

The tribunal hearing the legal challenges to President Yar'Adua's victory reached its verdict in February 2008. The court found the evidence provided to be insufficient to overturn the presidential elections. Finally, in a December 2008 ruling, the Nigeria's Supreme Court upheld the verdict of the electoral tribunal, thereby granting victory to the candidate of the People's Democratic Party (PDP) Umaru Musa Yar'Adua. However, one of the major beneficiaries of the 2007 elections, president Umaru Musa Yar'Adua, openly admitted that the elections that brought him to power as president were flawed, and promised to reform the country's electoral process (Egwu, 2008).

### **The 2015 General Elections**

Nigeria's 2015 general elections were the fifth elections since democratic

transition in 1999. As a result of alarming perceived security threat, the dates of 2015 elections were changed from 14th and the 28th of February to 28th of March for the presidency and the National Assembly elections and 11th of April for state governors and State Houses of Assembly elections. Essentially, there were grave concerns over the conduct and possible outcome of the elections by concerned citizens and the international community. For instance, a former Minister of Foreign Affairs, Prof. Bolaji Akinyemi appealed to the major contestants of the presidential election to sign a Memorandum of Understanding (MOU) that will commit them to control their supporters against violence after the 2015 general elections (Punch, December 22, 2014).

In the same vein, the National Peace Committee for the 2015 General Elections led by former military ruler, General Abdulsalami Abubakar (rtd) facilitated peace accord between President Jonathan and General Muhammadu Buhari (rtd) (Punch, March 26, 2015). The peace accord was based on the concerned that there is likelihood of outburst of violence in Nigeria if the results of elections were not favourable to wary parties. America's Secretary of State, John Kerry flew to

Lagos to discuss about the 2015 elections with President Jonathan and General Buhari (retd) respectively (New York Times, January 25, 2015). The election fever got to its peak after the Independent National Electoral Commission (INEC) announced the postponement of the general elections due to security challenges in the Northeastern zone. According to INEC, Nigeria's electoral body, 68, 833, 476 Nigerians will be eligible to vote in the 2015 general elections (This Day, 2015). Out of the over 68 million registered voters, about 56, 431, 255 people collected their Permanent Voters Cards (PVCs) as indicated by INEC (Vanguard, March 24, 2015).

Jonathan tolerated the opposition parties and openly declared that he was willing to accept the outcome of presidential election irrespective of the winner. In the end, Jonathan openly conceded the defeat to his opposition as incumbent president for the first time in Nigeria political history and even before the official announcement of the presidential election result; he had congratulated his opponent, the winner of the election Muhamadu Buhari with a total number of 15,424,921 votes as against Goodluck Jonathan's 12,853,162 votes (INEC website).

The 2015 Presidential election marked a turning point in the history of democratic transition and election conduct under the civilian administration: not only did INEC was given free hand to operate without much undue interference, the incumbent president then, openly accepted the defeat and conceded power to the opposition without resulting into violence, arson, and manipulation of the election result. The 2015 also stand as the only time in which presidential election result was not contested at the election tribunal.

### **Conclusion**

The account of democratic transition and election conduct have suffered tremendous setback under the civilian administration in the First, Second and to some extent the Fourth Republics particularly in 2007 attempt to transfer power from one elected government to another: the process which was seriously marred with rigging, violence, acrimony, "do or die" syndrome and other features of the 1964/65 and 1983 elections which led to the collapse of the both republics respectively. However, in 1979, 1993, and 1999 general elections, the military despite their inexperience in democratic governance were able to record some relative success in terms of credible

transition programmes and election conduct during those periods mentioned. However, the military democratic inexperience, self-succession ambition, corruption, human rights abuse and personification of public office by the military leaders eventually thwarted the military efforts.

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