DEMOCRATIC CONSOLIDATION AND CIVIL SOCIETY IN NIGERIA: AN OVERVIEW OF THE FOURTH REPUBLIC [1999-2011]

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Abstract
Over the years, it has been man’s quest to live in a socially plural society anchored on freedom, rights, human dignity, security, among other benefits of a just society. Since the emergence of democracy in Greece, it has been seen as a platform through which political happiness can be secured as it involves popular participation and the enthronement of the will of the majority. The above attributes appeared to be a mirage in Nigeria till the emergence of the fourth republic in 1999 which was enthroned among others with the support of a vibrant civil society that challenged the excesses of the military and fought for the democracy or civil rule we have today. It is also believed that civil society plays a key role in the consolidation of democracy, in checking abuses of state power, preventing the assumption of power by authoritarian governments and encouraging wider citizen participation and public scrutiny of state related activities. This paper is anchored on the above premise as we evaluate the roles played by the civil society on the emergence of the Fourth Republic and efforts towards the consolidation of our democratic adventure. Systems Theory of David Easton (1965) was the theoretical basis of this work while the methodology deployed was quantitative. We also recommended that democratic institutions like the Independent National Electoral Commission should enjoy both administrative and institutional autonomy as its funding by the presidency negates the virtues of transparency and therefore questions their independence in the conduct of elections.

Keywords: Democratic consolidation, Civil societies, Fourth Republic, System theory, Nigeria

Introduction
Nigeria’s journey back to democracy in 1999 was seen as signs of good days ahead politically, economically and socially after decades of military dictatorship which rendered the polity unattractive and the country redundant in the comity of nations. There were no major elections in Nigeria for almost two decades except the aborted Third Republic of 1993 and from a minimalist perspective, elections are the first and most basic indicator of democracy (Osaghae, 1999:4).

In Nigeria, elections have been one of the main problems of the democratization process as various electoral umpires like the Federal Electoral Commission (FEDECO), National Electoral Commission of Nigeria (NECON), National Electoral Commission (NEC) and the Independent National Electoral Commission (INEC) were all set up to ensure a seamless transition to civil rule at one point of our national life as efforts to achieve sustainable democracy, development and good governance appeared as herculean task. The collapse of the First (1963-1966), Second (1979-1983) Republics, and the abortion of the Third Republic through the annulment of the June 12, 1993 presidential election, were clear indicators of the
failure of previous attempts at democratization which could have culminated to democratic consolidation. After prolonged military rule spanning close to two decades (1983-1999), characterized by the wanton violation and repression of the political, economic, and social rights of the people, the re-democratization process begun in 1999, elicited renewed expectations for the consolidation of democracy in the country (Osaghae, 1999:4).

Though, Nigeria returned to democratic governance in 1999 after 16 years of direct military rule ranging from 1983 to 1999, it is important to state that the civil society in Nigeria played a major role towards this democratic attainment. For instance, the Church in Nigeria played a crucial role towards the democracy we have today. The desire of the Church in Nigeria in particular and Africa in general made the universal Catholic Church to proceed and assemble some of its leading Church men and women from all over Africa with representatives from all over the world where they dedicated one full month to discussing the future of the Catholic faith in the political and economic transformations of Africa (John Paul 11, 1996:3). Some Churches in Nigeria made it compulsory for their members to register to vote as failure to do so will result in such persons being denied of Holy Communion. In fact, members of these Churches were required to present their voters card while coming to the priest for Holy Communion. Sequel to the above, during the April 26th, 2011 gubernatorial elections in Nigeria, the Catholic Archbishop of Owerri diocese, Archbishop Anthony J. V. Obinna, having waited for winner of the election to be announced by electoral commission moved into the office of the Independent National Electoral Commission (INEC), with some clergymen, demanding that the election result should be announced or he will sleep in their office.

Secondly, the Nigerian media which is a part of the civil society played visible roles to ensure that democracy survived in Nigeria. For instance, during voting in the Federal Legislature for constitutional amendment which was perceived to be a tenure elongation for former president of Nigeria, media owners volunteered to air the debate and voting live on television which made it impossible for the tenure elongation to be successful as people were watching from their homes to see who will vote for and against the initiative; they mounted pressure on the international community to suspend Nigeria from certain international organizations like the Commonwealth of Nations, the removal of a perceived corrupt electoral board chairman which paved way for an improved election, Save Nigeria Group also prevented break down of law and order in Nigeria when they galvanised the masses to protest that the then vice president be sworn in as acting president through the invocation of the “Doctrine of Necessity” by the National Assembly when the former president Umaru Yar’ Adua was in Saudi Arabia for five months on medical grounds with no one having executive powers in the country. The National Democratic Coalition (NADECO), Campaign for the Defence of Human Rights, Civil Liberties Organization (CLO), etc. were all created to oust the military from power and to usher in civil rule (Vanguard, November 15, 2016, and www.commonwealth.org).

Similarly, the civil society in Nigeria was able to demand for a reduction in the remuneration of federal law makers. For instance, it was reported in the Guardian of June 20, 2011, that 469 Federal Lawmakers received the sum of N339 billion in four years, N42m per
Senator per Quarter (N720m in four years), N42m Per House Member Per Quarter (N672m in four years) as the civil society believe that some of these funds should be channelled to good governance where the dividends of democracy will be evident.

The general election in Nigeria which took place between April 9 to 26th, 2011 which most groups and observers believed to be a shift from the usual electoral and democratic trends in Nigeria usually characterised with widespread violence, electoral malpractice and an usual interference by the executive of which these factors were attested to be absent in the 2011 polls in Nigeria, can we say that this sudden paradigm shift is as a result of the pressure from the civil society on the government to ensure free and fair elections?

**Concept Clarification: Civil Society**

Diamond (1995:10) sees Civil Society as the realm of organised social life that is voluntary, self-generating, largely self-supporting, autonomous from the state and bound by a legal order and a set of shared rules. He further stated that it is distinct from society in general and that it involves citizens acting together and collectively in the public sphere to express their interest, passion and ideas, exchange information, achieve mutual goals, make demands on the state and hold local state officials accountable. He argues that, it is defined interest that makes members to collectively act in actualizing their goals, aims and objectives. These interests in some cases run contrary to government policies.

He further ascribes certain functions to civil society in a democratic set-up, these include providing the basis for limitation of state power. It is supposed to supplement the role of political parties by stimulating political participation, it also promotes the development of political attributes and creating channels other than political parties to articulate, aggregate and represent their interest. I am of the opinion that Civil Society groups do not necessarily supplement the role of political parties as argued by Diamond because in the case under review, I am of the view that Civil Society groups make input into the political system as most political parties have no ideology which they follow. Second, political parties in Nigeria are beneficiaries of the existing political status quo and will not be willing to allow, initiate or embrace any change except as they may be compelled to do by Civil Society Groups. For instance, it was the Save Nigeria Group (SNG) that mounted pressure on the Nigerian Senate to confirm the former Vice President, Dr. Goodluck Jonathan as the acting president due to the absence of the late president Yar’ Adua which almost threatened the stability of the Nigerian State. Diamond (1991:11) identified six functions of civil society in shaping democracy which include:

- Civil society as a reservoir of political, economic, cultural and moral resources to check the powers of the state. Civil society can play a role in checking, monitoring, and restraining the exercise of power by the state and holding it accountable. This function can reduce political corruption, which is pervasive in Nigeria. It can force the government to be more transparent, accountable and responsive to the public, which strengthens its legitimacy.
Civil society will eventually stabilize the state because citizens will have a deeper stake in social order. Furthermore, while civil society may multiply the demands on the state, it may also multiply the capacity of groups to improve their own welfare.

Civil society also resists authoritarianism.

One can deduce from the above that Nigerian civil society groups, international agencies like the European Union, United States Agency for International Development, Department for International Development among others mounted consistent pressure on Nigeria to return to civil rule. For instance, Nigeria was suspended from the Commonwealth of Nations after the state sponsored execution of Ken Saro Wiwa and the others from Ogoni in Rivers State, Nigeria. General Sani Abacaha, a former Head of State of Nigeria, tried to emerge as civilian leader after he must have been adopted by all the existing political parties as a sole candidate especially between 1997 and 1998. The civil society groups in Nigeria like NADECO, CLO and other notable organizations fought against his desire and succeeded (Paul, 1998).

The likes of Gani Fawehinmi, Beko Ransome Kuti, Alfred Rewane, Kudirat Abiola, Moshood Abiola and few others contributed significantly to what we have as democracy in Nigeria today as some paid the supreme sacrifice and even media houses like the TELL Magazine, the Newswatch, NEWS, etc fought hard against despotic regimes we had in Nigeria prior to 1999 (Africa Research Bulletin, 1996). Although some scholars argue that political parties constitute part of civil society since they relate with and aggregate the interests of a broad section of civil society. Shils (1991:3) supports this view by arguing that civil society among other factors requires the competition of political parties seeking the support of universal suffrage with periodic elections. This assertion is not entirely correct, or, this assertion can be faulted as the groups that contributed to the democracy in Nigeria today were independent of state support like the Churches, media, among other groups.

**Democratic Consolidation**

The term democratic consolidation can be seen as the deliberate political process in a polity by which democracy is so broadly and profoundly legitimized among its citizens that it is very unlikely to break down. It means a democratic dispensation cannot come to an end suddenly or abruptly through unconstitutional acts such as military coups or dictatorship. It implies established stability in governance. Dode (2010:189) argues that this consolidation of democracy involves behavioural and institutional changes that normalise democratic politics and narrow its uncertainty. He argues that the concept of Democratic Consolidation is meant to describe the challenge of making new democracies secure, of extending their life expectancy beyond the short term, making them immune against the threat of authoritarian regression. This normalization requires the expansion of citizens’ access, development of democratic citizenship and culture, broadening of leadership recruitment and training, the functioning of a mature civil society and political institutionalization. He further asserts that consolidation requires that habituation to the norms and procedures of democratic conflict regulation will be developed.
Schedler (1997:11) argues that once a transition from authoritarian rule in a given country has reached a point where (more or less) free, (more or less) fair, and (more or less) competitive elections are held, democratic actors often cannot afford to lean back, relax, and enjoy the bounded uncertainty of democratic rule as more often than not, regime threatening unbounded uncertainties persist and the democrats fundamental anxieties do not recede but only shift from establishing democracy’s core institution to securing what they have achieved. For these actors, consolidating democracy means reducing the probability of breakdown to a point where they can feel reasonably confident that democracy will persist in the near future. This preoccupation with regime survival describes, so to speak, the classical meaning of democratic consolidation. In as much as the assertion might be true, we argue that as will be seen later in our analysis, it is not only democratic actors that should ensure the survival of democracy but, democratic progressives as some political actors are always involved in governance, whether in a democratic or non-democratic setting. The core values of upholding the democratic tenets should be the responsibility of progressive democrats who have preference to democratic system of governance than any other option that might appear.

It has been argued that the principal indicator of democratic consolidation on the percentage of voters in a country who consider democracy as an indispensable way of life are willing to go all lengths to defend it. Establishing democratic electoral arrangements is one thing, sustaining them over time without reversal is quite another as not all who make the transition will be able to sustain it. This is the reason why this paper is important and peculiar on how the civil society groups have contributed towards the survival of democracy in Nigeria. Schedler (1997:11) posed a question on how we can recognise a consolidated democracy when we see one; two avenues were proposed. The first is the two-election test or more properly the transfer of power test which states that democracy is consolidated when a government that has itself been elected in a free and fair contest is defeated at a subsequent election and accepts the result. The point of this criterion is that it is not winning elections that matters much but losing it and accepting the verdict demonstrates that powerful players and their supporters are prepared to respect the rules of the game above the continuation of their power. This can be seen to be very evident in elections in Nigeria as the opposition won many elective positions of which the ruling party did not challenge in court as a result of the relatively transparent nature of the elections. David Easton’s political system model will be used to analyse how the CSOs made inputs into the system which resulted to the output of improved, better, credible and more globally recognised 2011 general elections.

Nigeria’s civil society organizations contributed to the preparations of the 1999, 2003, 2007 elections and we will add the 2011 general elections was also a success as result of the inputs made into the political system by them. They have rightly devoted considerable attention to electoral violence either on their own or in collaboration with international partners International Foundation for Electoral Systems (IFES), Institute for Democracy in South Africa (IDASA), and Amnesty International (Crisis Group Africa Report, 2007).
Alliance for Credible Elections

(ACE) On August 6, 2006, fourteen mass-based organizations and NGO coalition formed the Alliance for Credible Elections (ACE) (www.Africaportal.org). Formally launched in Lagos on September 18, 2006, its membership was open to every organized social platform willing to mobilise its constituency against electoral malpractice among other noble roles played towards democratic sustenance in Nigeria.

Sequel to our framework of analysis, it can be seen that the following were the outputs as a result of the inputs made by the civil society groups:

- Free and fair elections
- Freedom of the Press
- Gender promotion
- Minority rights

Save Nigeria Group (SNG)

The Save Nigeria Group (SNG) was founded in January 2010. It is a non-profit political society committed to creating a political environment that guarantees only the best, brightest, fittest and most competent Nigerians are democratically elected into public office, bound by a credible constitution that promotes and protects the rights of every Nigerian.

The core beliefs and thrusts are as follows:

- Unblocking and enlightening the minds of Nigerians with the message of political participation
- Restoring the voices of the voiceless
- De-freezing social mobility
- Restoring sovereignty to Nigerians

This group believes that the time has come for purposeful and visionary Nigerians to lead the country rather than the current situation where the worst of the people continue to rule most of the people. They galvanized a critical mass of men and women, boys and girls, old and young in the days and weeks ahead to challenge and change the status quo and say enough is enough as we join hands to demand a Nigeria that befits Nigerians. During the period when the late president Yar’ Adua was incapacitated, they met and called on the National Assembly to make the former vice president Dr. Goodluck Jonathan the acting president and on another occasion called on the Federal Executive Council to declare the late president Yar’ Adua incapacitated as contained in section 144 (a) of the 1999 constitution of the Federal Republic of Nigeria which states that “The President or Vice-President shall cease to hold office if by a resolution passed by two-third majority of all the members of the executive council of the Federation it is declared that the President or Vice-President is incapable of discharging the functions of his office” (1999 Constitution of the Federal Republic of Nigeria, Section 144, subsection 1a).

The above provision was used by the Save Nigeria Group (SNG) on February 15, 2010 when it made the following proclamation:
That the SNG’s protest marches to Abuja, Lagos, London, and New York were motivated by the need to restore the dignity of Nigeria and its people through a constitutional resolution of the power hijack by a cabal which kidnapped a sick man who is incapable of knowing what is going on and acting on his name to subvert the will of the people and orderliness in our country.

That it has become imperative that a logical and constitutional process of installing Dr. Jonathan as President with a Vice-President must commence immediately with the Executive Council of the Federation passing a resolution declaring Yar’ Adua incapacitated in compliance with section 144 of the constitution. We insist that the session where the resolution would be taken must be beamed live on National Television.

That the invocation of section 144 will not only permanently resolve the logjam but will restore the esteem of Nigerians which has been badly damaged by all sort of lies which the criminal cabal has fed them within the last 80 days on the health of the President as we press for the prosecution of those involved in the forging of the signature of the president on the supplementary budget.

That the failure by the Executive Council of the Federation to carry out this demand by its next two sittings (February 17 and 24, 2010) will attract the wrath of Nigerians and SNG and its allies will storm Abuja in a big way to insist on doing the right thing to save our country from the snare of the cabal programming Nigeria for avoidable disaster (Press Statement issued by the Save Nigeria Group on February 15, 2010).

The above position taken by the SNG was what partly contributed to the survival of democracy in Nigeria as the National Assembly (Nigerian Senate and House of Representatives) immediately invoked the Doctrine of Necessity by making the former Vice-President Dr. Jonathan Goodluck the Acting President of which he held until the death of Yar’ Adua on May 5, 2010.

Similarly, the SNG, on February 24, 2010 issued a statement on the return of the former president Yar’ Adua who was brought into the country in the night without public knowledge. The SNG states “The Save Nigeria Group (SNG) comprising human beings with blood flowing in our veins welcome President Umaru Yar’ Adua back to the country after 93 days of a medical trip to Saudi Arabia. But as citizens of Nigeria, we deplore in the strongest terms the way President Yar’ Adua was smuggled into the country like a piece of contraband in the dead of the night and through mafia tactics by his kidnappers. Nigeria is portrayed like a medieval society where stone age (wo)men preside if a president who was away for 93 days could be brought back in secrecy and journalists and airport workers were hounded by armed soldiers” (Press Statement by Save Nigeria Group, Insisting on section 144, February 24, 2010). Creation of public awareness like this will put the government on its toes and we believe that the Save Nigeria Group, a civil society group, has helped in the consolidation of democracy in Nigeria.

Save Nigeria Group did not limit its activities to the operations or activities of the Federal Government alone as it had oversight function in democratic activities or governance in States of the Federation. For instance, in a press statement issued by the Save Nigeria Group (SNG) which states that “on September 6, 2010, news emanated from Ogun State about the dawn “sitting” of 9
members out of the 26-member Ogun State House of Assembly, sacking the leadership of the House and suspending all members of the G-15. The “new” leadership immediately approved the N100 billion bond proposed by the Executive arm of the State Government, cleared a Commissioner nominee, ratified the nominees of the State Independent Electoral Commission, passed the supplementary budget and revoked the earlier suspension of two Honourable members of the House among other resolutions at the meeting. Most of these issues have been at the heart of the protracted disagreement between the executive and legislative arms of the State Government.

The Role of the Church in Democratic Consolidation

Pope Gregory (1974) asserts that the Church has a role to play in the consolidation of democracy in any nation. He opines that:

A religious leader should be careful in deciding when to remain silent and be sure to say something useful when deciding to speak. In this way, he will avoid saying things that would better not be said, or leaving unsaid things that ought to be said…ill advised silence can leave people in error when they could have been shown where they were wrong. Negligent religious leaders are often afraid to speak freely and say what needs to be said for fear of losing favour with people…. they are acting like hirelings, because hiding behind the wall of silence is like taking flight at the approach of a wolf…. If a religious leader is afraid to say what is right, what else can his silence mean but that he has taken flight? Whereas if he stands firm in defence of his flock, he is building up a wall for the house against its enemies (Pope Gregory, 1974: 609)

From the foregoing assertion, it is correct to say that the Church in Nigeria was instrumental to the democratization process and consolidation of democracy in Nigeria. Kukah (1999:114) posits that “the Christian Association of Nigeria (CAN) and the Catholic Bishop’s Conference have always tried to play the role of a watch-dog by calling on Nigerians to live up to their patriotic duties, enjoining them to go out and vote”. In situating this to annulled June 1993 Presidential election, won by late M.K.O. Abiola, the Catholic Bishop’s Conference, in their quest for democracy in Nigeria issued a Pastoral Statement in 1983 entitled, “Civic and Political Responsibility of the Christian”. In this document, the Bishops traced the history of the struggle for justice and established a linkage between socio-political responsibility and citizenship. In a country where years of military rule and oppressive governments had reduced citizens to pawns in the hands of the ruling classes, the Bishops sought to strengthen the confidence of the citizens by asking them to courageously assert their rights through the ballot box as Nigerians had often fallen prey to the intimidation of politicians and their thugs and as such, there had been reports of massive riggings in the 1979 elections (Kukah, 1999:114).

Similarly, in the run up to the 1983 elections, the Catholic Bishops pointed out that the most potent weapon a citizen had was his voter’s card. They therefore, warned that it was a crime to: “sell or buy votes and a bigger crime to rig elections or declare elected a candidate who certainly was not elected. Nigerians must remember that both the individual and nation have suffered the consequences of public corruption and dishonesty…There are far too many selfish
people really in search for money and name, who are exploiting politics for their own end” (Catholic Secretariat of Nigeria Publications, 1985: 10-11 in Kukah, 1999:114). Despite the above call or plea by the Bishops, the civilian government was overthrown on December 31, 1983. A blanket of fear descended on the nation due to the brutality of the new administration as Nigerians were harassed, detained without trial, and there were various shades of humiliations and human rights violations. Silence was loud in the land, but the Catholic Bishops remained unbowed (Kukah 1999). The Bishops now issued a Pastoral Statement in which they stated:

*It will not be in the lasting interest of our country to confirm the impression that we can never rule ourselves well enough through elected leadership. That many of the politicians betrayed the trust placed in them does not make politics any less a sacred duty to the service of the people...Detentions without trial of previous office holders is an extreme measure which should be applied with the greatest caution and for as short a duration as possible. In the name of this nation, and for the sake of future generations, we request that you ensure that no unnecessary obstacles be put in our carrying out our role as a Christian Church* (Kukah, 1999: 144)

The Church in Nigeria played a significant role in the consolidation of democracy. As a group that is concerned with democratic consolidation in Nigeria, when the military government of General Ibrahim Babangida annulled the June 12, 1993 elections, the Catholic Bishops fought off the annulment and presented it as an evil curse on the nation. This made the Bishops to quickly meet on June 27 and 28, 1993 and issued the following statement:

*We are profoundly disturbed at how the sacred trust of governance is subject to ridicule before the entire world. We find it incomprehensible that a national election held before the prying eyes of local and international monitors and generally pronounced to be the freest and fairest in the nation’s history can become so deeply flawed in the eyes of the authorities as to deserve outright cancellation. We appeal to Nigerians who have so far maintained commendable calm in the face of excruciating tension and anxiety to continue to exercise patience* (Catholic Bishops Conference of Nigeria, August 28, 1993).

Based on the above facts, it is evident that the Church in Nigeria has contributed meaningfully to the consolidation of democracy in Nigeria as the Church was used judiciously in the consolidation of democracy in Nigeria especially in the processes, plans and conduct of the concluded 2011 general elections. Some of the other roles played by the Church include the organizing of political debate for political aspirants which gave the electorates the opportunity to know the plans of the aspirants if eventually elected. Prior to the elections, the Church mandated its members to register for voting as it was a requirement to receive Holy Communion in Church. Based on this, members of any Church where this policy was enforced were required to present their voters card while coming to partake of the communion or risk being denied the Eucharistic Feast. The Church had reasons why its members were encouraged to register to vote as it is the only way bad leaders could be voted out of office as the Church use the electioneering periods as moment to settle scores with politicians perceived or seen not to be working or rather embezzling public funds.
For instance, in Imo State of Nigeria where a sitting governor humiliated a Catholic priest, the Catholic Church swore to vote him out during the next election of which they achieved. The Governor’s convoy was ‘believed’ to have been delayed by the car of the priest, Reverend father Eustace Okorie on August 8, 2010; the security agents attached to the governor’s convoy had to drag the priest out of his car and flogged him. This made the Catholic community unhappy with the governor and in a statement by the Archbishop of Owerri Archdiocese, His Grace A.V.J Obinna, on August 30, 2010, said:

The challenge remains for the governor and his government to express directly to the Imo people especially to the Catholic faithful and other Christians an apology over this sad incident, sanction, redeploy or remove those responsible for the violent humiliation of the priest. In addition, the governor should ensure that in future our people, whether priest or not, be treated with respect and the fear of God even when the governor’s convoy is on the highway, especially on our gullied and narrow highways (Vanguard, September 4, 2010.)

To buttress our position that the civil society in Nigeria has helped in the consolidation of democracy, on Tuesday, March 16, 2010, when the former Chairman of Nigeria’s electoral body INEC launched his dubious timetable for the 2011 general elections; MAKEYOURVOTESCOUNT (MYVC) an organization committed to credible elections was on hand to protest Professor Maurice Iwu’s new ploy to continue in office as INEC Chairman. The group argued that “People blame the attitude of politicians and Nigerians in general for the ineffectiveness of our INEC under Iwu; our position is that Iwu lacks the capacity to conduct credible elections”. They continued that “when you have an electoral umpire who is not committed to democracy or the rule of law, nobody will be inclined to obey the rules of the game; to this effect, we have resolved to continue our protest until Iwu is sacked or resigns honourably. So, from Monday, March 22, 2010, MYVC shall embark on a daily two-hour (10am-12noon) protest at INEC headquarters, Plot 436, Zambezi Crescent, Maitama District, FCT, Abuja until Iwu is sacked and to this effect, all those committed to democracy, free, fair, and credible elections are invited to join us as Iwu cannot be trusted to hold free and fair elections” (Onuma, 2010:1)

Similarly, the international community was also committed to the progress of democratic governance in Nigeria. Johnnie Carson, Assistant Secretary of State for African Affairs, during his visit to Nigeria on Monday, March 15, 2010, in an unusually blunt remark, stated that “the President Obama’s administration is recommending that the head of Nigeria’s Election Commission be replaced on grounds that he cannot oversee a credible vote”. He continued “Maurice Iwu’s performance in running Nigeria’s deeply flawed 2007 elections should lead to his removal as Chairman of the Commission” (Johnie Carson quoted in Transparency for Nigeria, Tuesday, April 06, 2010)

Elections, Electoral Reforms and Impacts on Democratic Consolidation in Nigeria

Nigeria’s journey back to democracy in 1999 was seen as signs of good days ahead politically, economically and socially after decades of military dictatorship which rendered the
polity unattractive in terms of attracting foreign direct investment (FDI) among others. From a minimalistic perspective, elections are the first and most basic indicator of democracy. In Nigeria, however, elections have been one of the main problems of the democratization process. The country’s struggles for sustainable democracy, good governance, and development have been so daunting that all previous attempts at democratic transition have been futile. The collapse of the First (1960-1966) and Second (1979-1983) Republics, and the abortion of the Third Republic through the annulment of the June 12, 1993 presidential election, are clear indicators of the failure of previous attempts at democratization. After prolonged military rule spanning close to two decades (1983-1999), characterized by the wanton violation and repression of the political, economic, and social rights of the people, the re-democratization process begun in 1999 elicited renewed expectations for the consolidation of democracy in the country (Osaghae, 1999:4).

Elections are also central to the institutionalization of orderly succession in a democratic setting, creating a legal-administrative framework for handling inter-elite rivalries. They also provide a modicum of popular backing for new rulers (Hughes and May, 1988: 20). Implicit in these assumptions is that elections are important for the institutionalization of popular participation, competition, and legitimacy, three core foundations of democracy (Lindberg, 2004 quoted in Omotola, 2010: 537).

The 1999 General Elections in Nigeria

The first election under the current democratization process in Nigeria took place in 1999. Founding elections in Africa, usually the first in a democratic transition process, have been found to exhibit certain features that tend to inhibit the democratization process. These features include the landslide victory, rejection of results by losers, and poor administration of elections (Bratton, 1998: 55). Nigeria’s 1999 election had its share of these issues.

The 1999 General Election held within a space of three months (December 1998 to February 1999), as Nigeria held four sets of elections. It includes the Local Government council elections of December 5, 1998, State House of Assembly and gubernatorial elections of January 9, 1999, National Assembly elections of February 20, 1999, and the presidential election which held on February 27, 1999. The elections were contested by three registered political parties: The People’s Democratic Party (PDP); the All People’s Party (APP), later All Nigerian People’s Party (ANPP); and the Alliance for Democracy (AD). At the end of the election, Chief Olusegun Obasanjo of the PDP was declared the winner and the duly elected President of Nigeria. He was believed to have won with a total of 18,738,154 votes (62.78 per cent) while Olu Falaye, who
contested under the platform of an alliance between the APP/AD, had 11,110,287 (32.22 per cent) (Akinboye, in Olurode and Anifowoshe, 1999: 146-147).

The results of the elections were challenged as those who lost filed cases at the various Electoral Tribunals contesting the result of the polls. Most election observers agreed that the elections were not credible as shown in the reports of groups like the European Union Election Monitoring Team, Transition Monitoring Group (TMG), International Republican Institute (IRI), the Carter Center, National Democratic Institute (NDI) among others. The various agencies reported widespread irregularities, violence among other electoral vices. (Carter Center Report quoted in Omotola, 2010: 543).

The allegations of electoral malpractices and corruption in the 1999 elections can be linked to active connivance of the INEC and the Transition Military Government. It has been argued that INEC rigged the 1999 elections in favour of Obasanjo as a form of military solidarity; but more importantly, the elections were rigged in order to avoid a coalition government and the pitfalls of the First Republic, where no party had enough seats to form government. As a source puts it, the reason for major rigging was to ensure that the party had absolute majority in order to avoid the coalition and subsequent weak take off of a new government, which was part of the crisis of the transition of governments of 1959 and 1979 (Onuoha, quoted in Anifowoshe and Babawale, 2003: 54). It can be seen that INEC’s susceptibility to political manipulation can be seen as a result of its inability to enjoy financial autonomy hence it was dependent on the Presidency as all its principal officers, starting from the Chairman, National Electoral Commissioners, and Resident Electoral Commissioners, were, as mandated by the Constitution of the Federal Republic of Nigeria, to be appointed by the President (1999 Nigerian Constitution: Section 154).

The 2003 General Elections

Second elections have been regarded as a crucial step towards democratic consolidation. The democratization process is seen to be on course, especially when elections come at regular intervals. Consequently, more attention is usually paid to the preparation, conduct, and credibility of the second election at all levels. The road to the 2003 was full of potholes, which were either left unfilled or filled haphazardly before the elections were held. The registration of more political parties (increased from three to thirty) and a review of the voter’s register were alarm signals amid palpable fears and tension across the country. A lot of manipulation went into the build up and the influence of the Presidency was obviously visible as the incumbent Present modified the electoral procedures through the Electoral Bill of 2001 which ensured that the Presidential election comes first before other elections (Omotola, 2003: 130).

This was interpreted by the opposition as a calculated step by the ruling PDP to facilitate a bandwagon effect in the subsequent elections should the Obasanjo’s PDP win the first elections. The actual conduct of the election was marred by the militarization of the process through the deployment of security agents to all nooks and crannies of the society to ‘ensure law and order’ which Ajayi (2006: 57-66) said “provided cover for the INEC to rig the election in
favour of the ruling party”. The electoral results showed that PDP emerged winner at all levels with very wide margins. For instance, President Obasanjo won the Presidential election with a total of 24,109,157 (61.80 percent) of total votes cast, while General Muhammadu Buhari, the ANPP candidate, emerged runner-up with 12,495,326 (32.3 percent). The PDP also had a landslide victory in the National Assembly elections, winning 75 of the 109 Senatorial seats, leaving the ANPP and AD with 28 and 6 seats respectively. The PDP’s massive victory was due largely to the power of incumbency, which enabled it to substantial and unhindered access to state machineries, including the treasury, mass media, INEC, and the security forces (Omotola, 2010: 546).

The most troubling dimension of the electoral trend or fraud, however, was the almost total eclipse of the AD in its traditional stronghold, the South-West. This region, historically, has been known or identified with oppositional politics. This was truncated in the 2003 elections when the PDP won the gubernatorial seats in five of the six states, as well as majorities in the State Houses of Assembly and National Assembly elections in the zone.

The 2007 General Elections

The 2007 general elections were the third in the series that maps Nigeria’s democratization since 1999 (Omotola, 2010: 548). It was another opportunity for change and power turnover in the country, given the seeming popular disenchantedness with the ruling PDP (Unger, 2007: 1). The expectation of the electorate was squandered as a result of the ugly outcome of the election which gave victory to the ruling PDP in landslide victory and the subsequent legal battles which followed the electoral outcome showed how displeased and unsatisfied the major political contestants were to the whole process.

Nigerians had enthusiastically gone to the polls for the gubernatorial and State Houses of Assembly elections on April 14, and the Presidential and National Assembly elections on April 21. The award of most of the electoral victory to the ruling PDP was highly questionable as “the last eight years of PDP leadership had not improved the living conditions of average Nigerians in any fundamental sense as unemployment, inflation, poverty, insecurity, and violence were on the rise and the much-orchestrated reform agenda was predicated on neo-liberal ideologies of the free market, where the rich profit at the expense of the poor” (Omoweh and Van den Boom, 2005 quoted in Omotola, 2010: 549). Under the above situation, it is evident that victory for the Peoples Democratic Party (PDP) was not feasible, despite which they emerged victorious from the polls.

The 2011 General Elections

Nigerians went to the polls in April 2011 to vote for members of the National Assembly, President and Governors in the fourth nationwide elections since the return to civil rule in 1999. The elections have been deemed to be the most organized, free and fair in the country’s history (Gberie, 2011: 1). Both local and international observers commented on the historic impact and significance of this election. For instance, Johnie Carson, United States of America’s Assistant
Secretary of State for African Affairs, speaking on April 17, 2011, a day after the election won by Dr. Goodluck Jonathan said,

“the 2011 Presidential, National Assembly, Gubernatorial, and State Assembly elections provided an historic opportunity for Nigeria to become a model for the rest of Africa and the world, especially for citizens demanding democracy in their countries. All Africans deserve smooth, peaceful, transparent and credible elections and I challenge all Nigerians to work together with even more patience and determination this weekend to produce leaders elected by the people”

The general acceptance of the election seen from the very low post election petition cases seen at the Tribunals as against the previous elections held in the Fourth Republic. As a result of the high sensitization campaign undertaken by civil society groups like the Save Nigeria Group (SNG) among others on why the electorates must vote and ensure that their votes count and on the pressure mounted on the Independent National Electoral Commission (INEC) to ensure the conduct of a credible election, INEC decided to adopt the modified open ballot system used in the 1992-1993 elections, unlike the previous elections since 1999 where voters were asked to leave the polling centres immediately after casting their votes, a situation which Igberie (2011:3) argues was responsible for the changing of poll numbers and massive rigging. The above scenario was not applicable in the 2011 elections as INEC allowed voters to stay behind and witness the counting of votes and the announcement of the scores at the polling centres.

The 2011 election was seen as the best election in Nigeria so far. The Economist called it “the first credible election in Nigeria since the end of military rule 12 years ago (The Economist, April 28, 2011). This was further supported by the Johnnie Carson, the US Assistant Secretary of State for African Affairs, when he said “it is a good start, we have to acknowledge the good work of Jega and the work of Nigerian Youth Corp Members”. He continues, “Nigeria should be extraordinarily proud of these young men and women who managed this process in a fair way” he concludes. The testimony of this election was also certified by Festus Mogae, the former president of Botswana, also, the chair of Commonwealth Observer Group monitoring the polls, “in our experience, the National Assembly election generally took place in a peaceful and orderly manner, the required staff and stakeholders were present and the various stages of the electoral process on polling day-including accreditation, voting, counting, tabulation and declaration of results broadly proceeded smoothly and transparently; we believe that an important step forward has been taken in Nigeria with the successful conduct of the National Assembly election”.

Justice Uwais Electoral Reform

After the widely rigged and disputed 2007 elections, late president Yar’ Adua appointed a 22-member Electoral Reform Committee (ERC), presided by Honourable Justice Muhammadu Uwais (rtd) and mandated to “examine the entire electoral process with a view to ensuring that we raise the quality and standard of our general elections and thereby deepen our democracy”. In its final report of December 2008, the ERC commented on several shortcomings impacting on
the quality and credibility of elections, such as inter alia, the weaknesses of the constitutional and legal framework, the lack of financial autonomy and administrative independence of the Electoral Management Bodies, the need for revising the provision for independent candidature and establishing intra-party democracy, and the necessity to address the prevailing atmosphere of impunity with regard to electoral offences. The ERC also made additional proposals to improve the performance of the government, security agencies, civil society organizations (CSO), the media and the general public and further suggested the establishment of three independent entities, a Constituency Delimitation Commission, a Political Party Registration Commission and an Electoral Offences Commission. Among a series of important recommendations, the ERC prepared three draft bills to implement the constitutional, statutory, administrative and institutional changes, namely: a bill to amend the 1999 Constitution, a bill to amend the 2006 Electoral Act and a bill to establish the Electoral Offences Commission (Report of the Electoral Reform Committee, Volume 1 Main Report, 2008).

Based on the above, the main recommendations of the Electoral Reform Committee include:

- **Independent Candidacy:** it stipulates that Section 65(2) (b) and 106 of the 1999 Constitution should be amended to make provision for an individual to run as an independent candidate without political party affiliation or without belonging to any political party.

- **Procedure for the appointment of the Chairman and members of INEC Board:** it recommends that for the above positions, the National Judicial Council should do the following: A. Advertise the positions, spelling out requisite qualifications, B. Receive applications/ nominations from the general public, C. Shortlist three persons for each position, D. Send the nominations to the National Council of State to select one for each position and forward to the Senate for confirmation.

- **Removal from office of INEC Chairman and Board Members:** The ERC recommends that the Chairman and members of the INEC Board may only be removed by the Senate on the recommendations of the National Judicial Council (NJC), by two-third of the Senate which shall include at least 10 members of the minority parties in the Senate.

- **Funding:** the ERC Committee recommends that Election Expenditure and the Recurrent Expenditure of the INEC offices in addition to salaries and allowances of the Chairman and Board members shall be charged on the Consolidated Revenue Fund of the Federation.

- **Dates of election:** the ERC recommends that Section 132 (2) and 178 (2) of the 1999 Constitution should be amended to appoint a single date for Presidential and Gubernatorial elections which should be held at least six months before the expiration of the term of the current holders of the office and that Section 64(1) and 105(1) of the 1999 Constitution should be amended to appoint a single date for national and state Assembly elections which should hold two years after the Presidential and Gubernatorial elections.

- **Election Tribunals:** The ERC recommends that the number of Election Tribunals should be increased by reducing the number of Judges that sit on the Tribunal from five to three, so that more Election Tribunals can be established per state. Second, in order to minimise the filing of
frivolous petitions, the Electoral Act of 2006 should be amended to provide that if a petitioner loses a case, he should be ordered by the Court or Tribunal to bear the full expenses of the Respondent.

- **Determination of election petition:** The ERC also recommends that the 1999 Constitution should be amended to specify the period for considering petitions as follows: That the determination of cases by Tribunals should take four months and appeals on such judgements should take only four months resulting to six months in total (Report of the Electoral Reform Committee, Volume 1, Main Report, 2008).

  It can be deduced from the above that the relative credibility seen in the 2011 general elections is as a result of the inputs made by civil society groups in Nigeria which made the creation of the Electoral Reform Committee possible. The recommendations made above should have, in a great way, helped the consolidation of our democratic progress. For instance, prior to the setting up of the Electoral Reform Committee (ERC), it was evident that an election result can be contested in court of law for almost four years which makes most of the incumbents to spend state funds, time and other human resources in the pursuit of the outcome of the electoral suit as against channelling the years or days he or she has to stay in office to democratic development or the provision of democratic dividends to the electorates.

**Gender Promotion in Democratic Consolidation in Nigeria**

The pressure mounted on the polity by various civil society groups among who are the womens rights groups has led to the allocation of more positions for women in political appointments in Nigeria. The National Council of Women Society (NCWS), Women Right Groups and other pro-women rights groups have made this possible.

As early as the colonial era, the marginalization of women has been a standard practice in Nigeria’s patriarchal political system. Until 1976, women were not even allowed to vote in Northern Nigeria (Tribune, May 28, 2010). This marginalization continued until the Fourth Republic which commenced in 1999 as the negligible presence of women in institutionalized politics is equally apparent in their low participation as party executives, elected officers and political appointees. This trend was reversed in Nigeria in the democratic transition which created openings that politicised gender identity as fifteen percent of public appointments were given to women as contained in the political campaign promises of former President Olusegun Obasanjo; though, a far cry from the thirty per cent in the Beijing Declaration as this was the first time in history that women will enjoy such high level of recognition in public appointment at the Federal level. The place of women in appointed government establishments are increasing as a result of pressure and organized women led civil society groups. In Obasanjo’s government, we had nine women in the Federal Executive Council, the late President Yar’ Adua had nine and President Goodluck Jonathan increased it to 14 positions or allocations to the women.

It can be seen that the women are finding their footings politically as some of them do not have to wait for an appointment as they are now presenting themselves for elective political positions. For instance, “only 631 women stood for a total of 11, 881 electable positions during
the 1999 elections. Those who won constituted a mere 1.62 per cent (Tribune, May 28, 2010). Nigerian Tribune argues that “women have continued to gain with most recent elections”. For instance, in the Nigerian 2007 general elections, there was a total of 1,200 women aspirants to 1,532 offices, with 660 of them winning their primaries; ninety-three finally emerged as winners with six deputy governors as against one in 1999, nine senators, 27 members of the House of Representatives, and 52 in various State Houses of Assembly. The 2007 general elections were also significant for Nigerian women as the first female Speaker of the Federal House, the Honourable Patricia Olubunmi Etteh. (Nigerian Tribune, May 28, 2010).

Dr. Goodluck Jonathan promised to increase the slot for women in strategic government positions from thirty per cent to thirty-five per cent. We have had more women in elective offices across the country. For instance, Mrs. Titi Oseni was the Speaker of the Ogun State House of Assembly between May 29, 1999 and 2005. In the Federal Executive Council (FEC) we had more Women ministers unlike what we had in the pre-democratic era. Modern democracies particularly in Africa have continued to grapple with the uphill task of uniting their diverse constituent units. From Burundi through the Democratic Republic of Congo to Cote D’Ivoire, Sierra Leone and Liberia etc, the story is seemingly the same., it can be seen that the low level of litigations from the 2011 elections which is seen to be the lowest since the inception of the Fourth Republic will be attributed to the vibrant roles played by the civil society ranging from voter registration, sensitization, demonstration by civil society groups asking for the removal of perceived corrupt electoral boss and the appointment of a renowned social crusader as the INEC boss, gave credibility and general acceptance to the elections.

Second, the role played by the Church in encouraging its members to register and vote and also threat to deny members of Holy Communion which made most members of the Church to vote resulted in the Church contributing to democratic consolidation in Nigeria as we cited in the case between the governor of Imo State and the Catholic Church where the Church encouraged its members to vote out a ruthless governor.

Third, we discovered that the role played by the SNG helped in saving the Nigerian democratic project from collapse especially when the late President Yar’ Adua was sick in Saudi Arabia before his death. The SNG galvanised the critical mass to ensure that former Vice President Dr. Goodluck Jonathan is made the Acting President. Ethnic oriented conflicts and wars constitute serious threats to their efforts at democratization. In Nigeria, the task of uniting the over 250 ethno-linguistic groups have been enormous. Apart from experiencing a thirty-month fratricidal war between 1967 and 1970, she has had a fair share of ethnic conflicts since the last three decades. Thus, ethnic consciousness has permeated the very fabric of many nation states in parts of Africa. This has culminated in the weak democracies that dot around the continent (Onuoha and Okpoko, 2004: 1).

The origin of the above problem has often been traced to the colonial period. But, there are also post-colonial predisposing factors some of which has been linked (in) directly to colonialism. Colonialism has been blamed for placing economic factors over and above historical and/or socio-cultural considerations when most African nations were amalgamated into
national states. A situation whereby “a culturally distinct people loses its identity due to policies to erode its land and resource base, the language of its institutions, its own social and political institutions…, religious practices and cultural values etc., cannot but create room for the in-breeding of conflicts (Nkwi, cited in Onuoha and Okpoko, 2004:1)

Deductions can be made from the assertions above that the Nigerian state like many other countries are living in a forced union. That is, they were compelled to become one country as a result of perceived gains by the colonial masters. Since the departure of the colonialists, the problems they created are still starring Nigeria in the face today. The fusion of people with different ideological, cultural, sociological and religious persuasion together has further made the Nigerian state unstable. This is evident in the emergence of many ethnic based civil society groups who, instead of joining hands to ensure that democracy is built and sustained, they are busy fighting for the socio-economic and political interest of their regions or geo-political zone thereby threatening the stability of the Nigerian state. That is why we have the likes of the following representing sectional interest in the country: Arewa Consultative Forum (North), Ohaneze Ndigbo (East) Afenifere (South West), Ijaw Youth Council (South South), etc.

Agbodike (1998, quoted in Onuoha and Okpoko, 2004: 197) argues that “ethnicism has become a tendency by which each of the diverse ethnic groups in the country demands and struggles for a recognized and equitable place under the Nigerian sun”. They do not only compete for the control of the political space, they seek autonomy for themselves and the control of their resources under the orgies of democratic rights.

Whatever name we might call the various ethnic based civil society groups, except their grievances are addressed ranging from fiscal federalism to the least meaningful demand of the people, the issue of consolidation will be an illusion to us. One can commend the government for the amnesty programme initiated for the former agitators of the Niger-Delta through skill acquisition and other forms of training as the erstwhile members of the Movement for the Emancipation of the Niger-Delta (MEND), Niger-Delta Peoples Volunteer Force, etc have been integrated into the society even as the hostilities and disruption of oil facilities and activities in the region is at a minimum now.

The electoral body charged with the conduct of elections in Nigeria should be a corruption free establishment. It is a body charged with the responsibility of ensuring that there is smooth transition from one government to the other. It is indeed a great responsibility.

However, from what was evident since the inception of democratic government of 1999 till after the conduct of the 2007 general elections, most Nigerians, civil society groups and many other professional bodies have argued that the Independent National Electoral Commission is infested with corrupt personnel. Most of these arguments are based on the fact that most of the elections were upturned at the election tribunals, a proof of compromise among the staff of the Electoral Commission. No wonder, when Professor Jega, a strong activist and member of the civil society was appointed to head the electoral body, most Nigerians were happy and his competence and hate for corruption was evident in the 2011 general elections in Nigeria, recognised globally to be free, fair and credible.
Conclusion

The journey to democratic consolidation in Nigeria is on and the civil society groups have a major role to play. As seen in this work, we argued that the democracy which is present in Nigeria today was made possible by civil society groups. They achieved this through constant confrontation with anti-democratic forces in Nigeria represented by the military which has ruled the country longer than democratic government. Results showed that the Church in Nigeria played major roles in democratic consolidation in Nigeria especially in the heat of the military dictatorship as was seen during the annulment of the June 12, 1999 Presidential Election in Nigeria. The Catholic Bishops were very vocal and visible and even made it compulsory for their members to present their voters card before they can partake of Holy Communion in the Church.

Results also showed that the Save Nigeria Group (SNG) played major roles in sustenance of democracy in Nigeria today. They achieved this through their call for the making of President Jonathan an Acting President when the late president Yar’ Adua was sick in Saudi Arabia which almost led to military intervention as there was no executive power exercised in the country. The SNG was also involved in creating voters awareness on why the people must register and vote and on why they must make sure that their votes count. The 2011 general election in Nigeria received global acceptance, we argued as a result of change of personnel in the leadership of INEC, the implementation of the recommendations of the Electoral Reform Committee, the high political education done in the country by media houses among other groups.

Recommendations

We are optimistic that a more vibrant democratic set-up is realizable if the following steps are taken and also implemented absolutely. They are:

Election Administration

- To further improve the transparency of the process, official results should be published, broken down to polling unit levels. There should be publication of results per polling unit, collation centres, wards and constituencies. From the publication of the winners, such results should be available to the public, by using among other means the INEC website.
- Improved learning programmes should be put in place for timely training of all election staff. INEC should design and implement mock election exercise to practice procedures, such as exercise in filling out result sheets.
- An independent audit should be undertaken of INEC staff performance at all levels. The Commission should review employment policies, removing underperforming employees and legally prosecuting those who committed electoral offences. INEC should consider retaining NYSC staff who gained considerable experience and expertise during the past elections.
- INEC should devise a more robust and swifter inter results verification mechanism to be put in place before the official proclamation of the winners.
- INEC should inform all parties on the details of postponed or cancelled elections.
Strengthening of procurement, logistics and operational capacity, and thorough planning should be a priority to INEC. The will help in avoiding the lapses we saw which led to the postponement of the kick off of the 2011 elections.

INEC should envisage improving the quality of voters’ register by eliminating double registration entries and making adjustments. Updating the register should be a continuous process and the voters’ register should be made available to political parties, other stakeholders as well as the larger public.

Civil Society Organizations
- There should be harmony among civil society groups which will enhance their opportunity for meaningful contribution in the consolidation of democracy in Nigeria.
- The Civil society should have a grassroot base so that the vast majority of Nigerians who are rural dwellers can know how to contribute to its activities.
- Ethnic based CSOs should be discouraged as they have hampered democratic progress in the past.
- The CSOs should also commend the government in power when adequate feats are accomplished by the state.

The path to democratic consolidation is bright if the recommendations above are incorporated into our democratic journey plan. The quest for a sustainable political system is a task for all Nigerians. The CSOs and the State must work together to ensure that our democratic objective is achieved.

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