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Electoral Bill And Electoral Security In Nigeria: Interrogating The Narratives

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Abstract

Among the many expectations from every electoral bill, electoral security can be said to be of paramount importance. Any electoral bill that cannot guarantee electoral security is nothing but a futile legislative exercise, for it is the presence and feeling of electoral security that midwives free and fair elections which is the hallmark democratic sustainability. Discourse on electoral security has serious implications on the survival of democracies as this helps to guarantee the stability of the political system which in turn create an enabling environment for the a stable economy. In the wake of the repeated refusal of the president to sign the electoral bill into law, this paper examined the challenges to electoral security, bearing in mind the stability of the polity during and after the general elections. The paper employed an exploratory research design and adopted qualitative method of data collection and analysis. Findings from our discourse which is based on the Political Economy Approach, revealed that, the electoral bill did not add anything new concerning electoral security; and that the major bone of contention between the members of the National Assembly and the Executives over the electoral bill is the section that re-ordered the sequence of the elections placing the election of the president last. Also, the establishment of the Inter-Agency Consultative Committee on Election Security (ICCES) as the main framework for managing electoral security made the ICCES a consultative platform instead of having a strong legal backing that should be enshrined in the electoral act. The paper recommends amongst others that, for the placement of national interest before personal interest, eschewing political affiliation when

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considering matters like electoral bill that is expected to enhance electoral security, increases cooperation between the legislative and executive arm, thereby leading to stable polity.

Keywords: Election, Electoral Security, Electoral Bill, Political Economy, ICCES

1. Introduction

The quality of elections is part of the criteria for assessing the level of consolidation of democracies. Therefore, elections are considered as vital and indispensable for determining the democratic nature of a political system, as elections mark the beginning of a democratic era or the end of a democratic era over conflicts that most times arise through disagreement over electoral outcomes. In fact, poor management of elections is a real and prolific source of conflicts, violence, insecurity and instability (Hounkpe & Gueye, 2010). The cornerstone of competitive democracy is free and fair election, which is guided by the presence of workable electoral rules and regulations as contained in the electoral act. Consequently security is integral to the electoral process; therefore, the issue of electoral security comes up at all stages of the electoral process that is the pre-electoral, electoral and post-electoral phases (Hounkpe & Gueye, 2010). In other words, electoral security has to do with the transparency of the whole of the electoral process.

Electoral security guarantees and enhances the credibility of not only the electoral process, but has serious positive implications for democratic consolidation of any polity, while absence of electoral security portend danger to the whole democratic process. As Kerry (2015) stated, "A free, fair and peaceful presidential election does not guarantee a successful democracy, but it is one of the most important measuring sticks for progress in any developing nation". Electoral Security which is guaranteed through the proper enactment and implementation of electoral act help reduce to a reasonable extent the challenges of threats, bitterness, lawlessness, killing and destruction of lives and properties that have become inherent in most elections in Nigeria (Jega, 2015).

Elections in Nigeria continue to witness growing disappointments and apprehension due to the inability of the government through the many electoral management bodies that have been constituted over the years, to conduct peaceful, free and fair, open elections whose results are widely accepted and respected across the country (Igbuzor, 2010; Osumah & Aghemelo, 2010, Ekweremadu, 2011). All the elections that have ever been conducted in Nigeria since independence have generated increasingly bitter controversies and grievances

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on a national scale because of the twin problems of mass violence and fraud that have become central elements of the history of elections and of the electoral process in the country (Gberie, 2011; Oni, Chidozie & Agbude, 2013). Despite the marked improvement in the conduct of the 2011 and 2015 general elections, the process was not free from malpractices and violence (National Democratic Institute, 2012). Thus over the years, electoral processes in the history of Nigeria's democratic governance have continued to be marred by extraordinary displays of rigging, dodgy, "do or die" affair, ballot box stuffing, ballot snatching at gun points, violence and acrimony, thuggery, boycotts, threats and criminal manipulations of voters' list, brazen falsification of election results, the use of security agencies against political opponents and the intimidation of voters (Omotola, 2010, Bekoe, 2011; Oni, Chidozie & Agbude, 2013).

The sheer logistics of elections in Nigeria requires that the electoral process is guaranteed adequate security as should be contained in the electoral act that is supposed to govern the whole process; from the delineating of constituencies, party registration, party primaries, campaign rallies and debates, movement of electoral materials to the deployment of staff, the manning of the polling booths to the movement of cast ballots to the collation centres. Including the protection of voters at the polling booths, the safety of the candidates, the party agents and even the media that cover the election, each of the processes requires adequate security. According to (Jega, 2012), adequate security enhances the free movement of staff, voters, candidates, observers and other stakeholders thus ensuring the credibility of the process. The centrality of electoral security to credible, free and fair election makes the roles of security agencies very vital in every democratic election. They are required to protect all eligible citizens participating in the electoral process (Ayoade, 1999; Akpan, 2008, Ozon, 2009; Oni, Chidozie & Agbude, 2013).

However, election security is an issue that cannot be left to Security Agencies and Electoral Management Bodies alone; all other stakeholders such as the media, the National Orientation Agency, Community Leaders, CSOs etc. have a significant role to play in the task of securing the electoral environment (Jega, 2012). Deriving from the above, the paper examined the intertwining impact or effect of electoral act and electoral security in enhancing democratic stability in Nigeria. The paper employed an exploratory research design and adopted qualitative method of data collection and analysis. However, the paper is divided into seven sections namely; introduction, theoretical framework, conceptual clarification and review of related literature, INEC and electoral security in Nigeria, INEC and Inter-Agency

Consultative Committee on Election Security, challenges of electoral security in Nigeria, and conclusion and recommendations.

2. Theoretical Framework

Our discourse in this paper is anchored on the political economy approach as elucidated in the works of Marx (1977); Ake (1981); and Aja (1998). The political economy approach is based on dialectical materialism. Marx in his theory of dialectical materialism places emphasis primarily on material conditions of society. It is premised on the belief that man is dominantly motivated by material needs. Labour is the essence of material existence; hence economic activity is man's primary concern. Ake (1981: 9), corroborated the above assertion by positing that 'man above all else is a worker or a labourer. Work is the essence of man. Similarly, Aja (1980) cited in Oddih (2005: 459), opines that "the understanding of a society's politics and culture depends primarily on the understanding of its economic structure as defined by the relations between employers of labour and the working class in the process of production. According to Marx (1977), also cited in Oddih, 2005: 459), 'every political system corresponds and reflects its kind of economic structure'. Marx places emphasis and premium on the production base, i.e., the Sub-structure, since this determines the super-structure which is made up of the political, cultural and ideological bases of the society. Thus an understanding of the sub-structure enables one to understand easily how a society organizes, manages and reproduces itself. Also, the cause of tensions, conflicts or contradictions in any given society give bearing to, or direction of social change. Thus, Marx believes that the primary cause of tension and other social dislocation in a society is economic factor. In the words of Aja (1998); "If one understands the economic structure of a society, the relations between the people in the production process, it is easier to understand the nature of politics, culture, national security (of which electoral security is part of), socio-psychological consciousness, ideological inclinations, etc. of the society."

Scholars like Claude Ake, Bade Onimode, Julius Inhovbere and others have impressively employed this approach to explain why the Nigerian political class holds unto political power so tenaciously, not minding the means or methods used and the threat to the security of the process involved in acquiring the political power. Among the reasons given by these scholars for this political altitude is that the political class relies heavily on political power in order to accumulate wealth fraudulently, and since the political class has no economic base, everything, ranging from elections rigging to assassination of political rivals must be done to remain in power (Olu & Odeyemi, 2014). To this end, Areo and Ngwu' (2017) noted that:

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The political economy of Nigeria is characterised by distribution of the nation's wealth rather than developing the productive forces to create wealth and generate employment. Thus, the control of mode of production is not a factor among the political class but instead distribution of state resources has become the contentious issue. Thus, competition for political power and struggle over distribution of the wealth of the nation rather than development of the productive forces are the main pre-occupation of the political class in Nigeria. Consequently, the politics of distribution of Nigeria's resources with little emphasis on wealth creation and non development of productive forces that can generate employment breed serious intra-class conflicts through manipulation of ethnic, religion, regional identities and playing of identity politics. The Nigeria ruling class has practically ignored the development of the productive forces and the relations of production and have instead prioritized politics in terms of who get what, when and how.

Hence in Nigeria today, the struggle for or the pursuit of political power which gives access to economic wealth and a guarantor of general well-being, is now seen as total warfare or what Obasanjo (2007), cited in Awofeso & Odeye (2014) called 'do or die' affair due to the fact that all kinds of weapons and instruments are used to kill, intimidate, threaten and harass their opponents (especially those among the elite class) and the larger society into submission out of fear. Under such a situation, one never expects observance to the rule of law as contained in the electoral act, or the presence of formal institutions such as the independent national electoral commission and other governmental agencies to be neutral, as all state institutions are often deployed for office holders' benefit, giving room for suspicion from members of the opposition who are also hell-bent on acquiring political power by all means, thereby throwing the whole polity into chaos in most cases.

3. Conceptual Clarification and Review of Related Literature

3.1 Election

Heywood (1997:211) noted that; election is a device for filling an office or post through choices made by a designated body of people "the electorate". This definition is in accord with the opinion advanced by the Nigeria Court of Appeal as "the process of choosing by popular votes a candidate for political office in a democratic system of government". Heywood (1997) submits that election aims to perform specific functions in any democratic setting. These include political recruitment, representation, making government, influencing policy, building legitimacy, shaping public opinion and helping to strengthen the elite. Given

these essential functions of election in contemporary democratic states, it is logical to argue that election is not just an Election Day activity, though a crucial component. Rather, election encompasses political activities before, during and after the election days. This explains why the phenomenon of election in modern democracy is an institution rather than a mere terminal composition of an electoral committee (Ojo & Ademowo, 2015).

Election is the most foundational element of modern day representative democracy. It is a means through which the electorates at periodic times choose their representatives into different positions of governance; it refers to institutionalized procedures for recruiting political office holders by the electorates of a country or groups. Thus, how a state arranges and conducts its elections is emblematic of the level of political development of that particular state. The institutional medium provided by elections also allows different interest groups within a state to stake and resolve their claims to power through peaceful means. It, therefore, determines the manner and methods by which changes in the social order may be brought about in a democratic society. Consequently, the procedures adopted must be recognised by law in order to give it legitimacy, thus, it is necessary that in conducting such procedures it must be acceptable to those who participate, by being seen as fair and credible. These processes must take place under conditions that are peaceful and non- intimidating such that participation is without let or hindrance (Igini, 2013).

Kambudzi (2008 cited in Ugbudian, 2015) postulated that through the mechanism of election citizens seek to improve their lives by listening to views and options offered by political candidates on vital issues of national life and making weighted choices among them. Citizens use elections to keep government up to task of providing for basic societal needs and pursuing unrelenting improvement of the country. This is how properly conducted elections play a role as a development asset in any given country (Ugbudian, 2015).

3.2 Security

In its broad sense, security has been defined as an atmosphere of guaranteed protection, and the condition of feeling happy and safe from danger and harm. Security gives meaning to human existence in time perspective. Hence, Nwolise (2009) cited in (Ojo & Ademowo, 2015, p.6) submits that the security of a person, identity group, nation, or the world is not only a sacred and strategic value, it is the utmost value. This is because unless one can be assured of his physical security or safety, everything else will be meaningless. Security is critical to the conduct of free and fair elections and it involves the provision of safety for voters and election management bodies (INEC) personnel, and extends to the management of logistics and coordination during elections. Security is critical for the protection of the

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electoral staff, voters, candidates, agents, parties, civil society organisations, domestic and international observers as well as personnel of security agencies. Security is critical in the protection of electoral personnel, and processes, in ensuring that voters exercise their civic duties without fear or hindrance, in creating a level playing field for all political parties and candidates to canvass for support of the electorate and in maintaining overall integrity of the democratic and electoral process (Jega, 2012).

3.3 *Electoral Act*

Electoral Act is a regulatory instrument that prescribes the dos and don'ts for the conduct of free, fair and credible elections in Nigeria. This goes a long way to assist election administration in Nigeria, if complied with in a strict sense. Obviously, there is need for establishing a legal framework to guide the conduct of election bearing in mind that without law the entire society may break down leading to a situation where disorderliness and lawless behaviour prevail (Osita, 2002). The Federal Republic of Nigerian Constitution (1999) as amended, being the ground norm, is the first legal document that authorizes INEC to organise free, fair and credible elections to fill every electable positions in the country. Electoral Acts form the legal framework that guides the conduct of INEC officials, the Electorates, the Political parties, the Judiciary, Executive, the Legislature, and the security agencies towards organising credible elections in the country.

The rationale for enactment of the Electoral Act is simplicita, to create good atmosphere and legal framework to guarantee electoral system that embraces essential elements of democratic process, such as relatively equal electoral constituency, freedom and right to vote, designing register of voters, regulation of parties and their activities, balloting procedures, transparency in counting of votes, enforcement of electoral rights, and pronouncement of result of the candidate winning the election. In other word, legal framework for the conduct of election covers issues specific to rules and regulations that are essential for free and fair election. The electoral act is supposed to assists tremendously in election administration in Nigeria if complied with strict senso. The Electoral Act serve to assist election administration and conduct of election in Nigeria if the instrument is respected, enforced and complied with voluntarily by the parties involved (Omoleke & Fayomi, 2015).

3.4 *Electoral Security*

Electoral security implies protection or safety from any form of impediment that can distort the conduct of credible election within the context of acceptable democratic tradition and culture (Ojo & Ademowo, 2015). Fisher (2002) quoted in Albert (2007: 134); defines electoral security as “the process of protecting electoral stakeholders such as voters,

candidates, pool workers, media, and observers; electoral information such as vote results, registration data, and campaign material; electoral facilities such as polling stations and counting centres; and electoral events such as camping rallies against death, damage, or destruction”. As Albert (2007) also cited in (Ojo & Ademowo, 2015:7), has aptly noted, the bodies expected to perform this task include security agencies, political parties, INEC, judicial officials, the media, electoral observers and the academia, among others. This implies that electoral security has both coercive and non-coercive dimensions, spanning across the three stages of election process, namely; pre-election period, Election Day and post-election period.

Thus, electoral security is all about securing the holistic integrity of the electoral process, especially now that elections are increasingly seen as a key component of peace-building process and a cornerstone of dynamic social interaction. Hence, electoral security must address protection from the physical, psychological and structural threats against the electorate and the citizenry at large, without undue consideration for party affiliation, ethnic sentiment, historical antecedent, religious divide, or any other form of social differences. The bottom line is that a political environment that is free from threat to electoral security is determined by ensuring that political parties and their candidates win in the scheme of power without jeopardizing the safety of rivals and the citizenry, and without distorting the sanctity of the electoral process (Ojo & Ademowo, 2015).

Electoral security has to do with the transparency of the whole of the electoral process; the independence of the electoral management body; the proper and adequate funding of the whole electoral process from an independent source; the electoral management body being free from unnecessary interference from both the government and other stakeholders within the polity; the level of confidence the electorates have toward the whole electoral process; the observation and implementation of all the electoral laws that are guiding the whole process; the protection of lives and properties throughout the electoral process; and the high level of professional conduct displayed by the personnel of security agencies.

Three kinds of electoral security are very crucial; first is the physical security which concerns securing facilities and materials. These include the electoral commission offices, registration and polling stations, political party offices, election observer offices, media organizations, ballot boxes, ballot papers (voted and un-voted), voters’ register, computers and communication systems employed in voter registration and vote tabulation among others (USAID, 2010). The second is personal security. This concerns the protection of all electoral stakeholders, including candidates, voters, public officials, election workers, security forces,

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party agents, election observers and media representatives (Fischer, 2008). Personal security is very important because people can be victims of assassination, torture, sexual assault, strategic displacement, physical injury, blackmail or intimidation in attempts to influence their involvement and choices in an election. The third is electoral events. Events can be official in nature, such as voter registration programs or Election Day activities, but also associated events such as campaign rallies, debates, and political party and coalition meetings (Fischer, 2008; USAID, 2010; Oni, Chidozie & Agbude, 2013).

The significance of electoral security is crucial for creating the proper environment which electoral staff require to carry out their duties; for voters to freely and safely go to their polling units to vote and for candidates and political parties to organize rallies and campaigns, and for other numerous stakeholders to discharge their responsibilities under the Constitution and the Electoral Act of Nigeria. Security is indispensable to the conduct of free, fair and credible elections. From the provision of basic security to voters at political party rallies and campaign grounds, to ensuring that result forms are protected, the whole electoral process is circumscribed by security considerations (Jega, 2012).

3.5 Election Management Body (EMB)

The institution legally responsible for managing and overseeing all elements necessary for the conduct of elections – from determining who is eligible to vote to conducting balloting, counting votes, and tabulating results.

4. INEC and Electoral Security in Nigeria

The risk of violence is present in nearly every election. It can inhibit voter turnout, limit political campaign movements and push candidates to drop out-all of which call into question the credibility of an electoral process (Olurode, 2013). Not having its own security personnel, INEC has to fall back on the conventional police for election security. The existing legal regime is inadequate in the context of present day realities. The existing legal regime could not have contemplated the present security challenges of kidnapping, abductions and other dastardly acts of terrorism. Security preparations for the elections are a critical factor in the general acceptability of elections. More than ever before, there was an effective coordination of security agents involved in elections under the auspices of the Inter Agency Consultative Committee on Election Security (ICCES), itself an outcome of the security challenges of election workshops. Through this, the power of incumbency is expected to be contained and sundry malpractices checkmated to some extent.

The Independent National Electoral Commission (INEC) in June 2010 gave priority to security. Hence, it organized an international workshop on the phenomenon which

culminated in a publication “Security challenges of Election Management in Nigeria” which set the agenda for securing the 2011 general elections (Olurode & Jega, 2011), as cited in Igini (2013, p.48). To enhance election security in the Nigerian context several policies at the National level have been put in place. As part of the executive policies to facilitate election security in the pre, peri and post-election phases through the legislative framework, the Nigerian Constitution clearly identified conducts or actions that would not allow for peaceful elections and thus prohibited same in section 227. Similarly, the Electoral Act 2010 (as amended) at sections 117-132 provides for measures which guide the conduct of participants during every election cycle.

To implement these provisions of the law to secure elections, the national Election Management Body (EMB) in Nigeria exercising its power to make 'rules and regulation' as provided in paragraph 15 of the Third Schedule of the Constitution, articulated in its election manual the strategic requirements for securing elections and the resources necessary to operationalise the security guidelines. For instance, INEC's manual for elections requires that during elections the following provisions must be made for the security of elections; that the provision of security agents in every polling station will be part of required personnel and such security agent's functions are clearly indicated in the manual as follows;

4.2 Responsibilities of Security Agents during Elections

To ensure that the conduct of the poll, collation and declaration of results are carried out without any disturbance or threat to peace, security agents shall:

- Provide security at the Polling Stations and collation centres to ensure that polling, counting of ballots, collation and declaration of results are conducted without breach of peace.
- Take necessary measures to prevent violence or any activity that can threaten or disrupt elections.
- Comply with any lawful directive issued by or under the authority of INEC.
- Ensure the safety and security of all election materials by escorting and guarding the materials as appropriate.
- Protect election officials at the polling stations and collation centres.
- Arrest, on the instruction of the Presiding Officer or other INEC officials, any person(s) causing any disturbance or preventing the smooth conduct of proceedings at the polling stations and collation centres.

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- Ensuring that all security personnel are in the right places and, therefore, avoid role conflicts at all registration centres or polling stations.
- Mapping of areas where elections would be conducted in order to determine flashpoints, violent prone youth's places, polarized political group communities (INEC, 2011).

Having taken the above mentioned steps, the security agencies for elections must operationalise the goals of securing the electoral process by instituting a joint security strategy, training and deployment of security personnel after ensuring that a credible and reliable electoral system and process design is in place, and that effective statutes of deterrence are known to all role players, while also monitoring and coordinating security challenges involved during campaigns and rallies, by effectively using communication channels, and clarifying rules of engagement. Additionally, the established codes of conducts for stakeholders were reviewed at meetings purposely convened for stakeholders to understand and appreciate what the laws are and what constitutes breaches and punishments (Igini, 2013).

INEC and SIECs have generally been adjudged as appendages of the ruling party and the Executive arms of government. This perception stems mainly from the mode of appointment of key officials of the EMBs and their funding which rest exclusively with the Executive branch of government. The perception of INEC and SIECs as being partial, ineffective and inefficient affects other institutions, especially the security agencies, critical for the successful conduct of credible, free, fair and acceptable elections that meet international standards and best practices. Since 1999, the personnel of the various security agencies have been mobilised to provide security during elections. Until then, the police were largely responsible for ensuring security during elections. The increasing involvement of other security agencies in election duty is attributed to the high incidence and threat of violence at various stages of the electoral process. However, the deployment of security agencies has in most cases, been associated with irregularities by incumbent authorities such as intimidation (especially of opponents of the ruling parties at the national and state levels), electoral fraud, incompetence in handling problems at polling stations, and collusion with politicians to undermine free and fair elections (FGN, 2008).

5. INEC and Inter-Agency Consultative Committee on Election Security (ICCES)

Events over the years have given rise to the need for security agencies to be involved in the electoral process, as it is in many advanced countries. In response to the rising

challenge of electoral insecurity, INEC in 2011 collaborated with security agencies to establish the Inter-Agency Consultative Committee on Election Security (ICCES) as the main framework for managing electoral security. ICCES was a new approach to the containment of electoral insecurity. As the name suggests, ICCES is a consultative platform, not a legal structure. It was designed to increase the level of consultation, coordination, harmonization and managed decentralization of election security/risk management. It is an advisory body to support INEC to ensure effective security around elections, which is critical to the conduct of free, fair and credible elections in 2011 and beyond. Through ICCES, INEC sought to give a greater role to security agencies to provide well-coordinated plans for securing elections. It was also intended to bring local perspectives of security agencies in the States into planning and implementing election security.

The ICCES deliberations and decisions have been largely responsible for the smooth conduct of elections in a peaceful and conducive atmosphere. There are about 18 Ministries, Department and Agencies (MDAs) constituting the ICCES, these are. The Office of the National Security Adviser, Ministry of Police Affairs, Nigeria Police Force, Police Service Commission, Ministry of Interior, Nigeria Immigration Service, Nigeria Prisons Service, Nigeria Army, Nigerian Navy, Nigeria Air force, State Security Service, National Intelligence Agency, National Drug Law Enforcement Agency, Nigeria Customs Service, Federal Road Safety Corps, Nigerian Security and Civil Defense Corps, Federal Fire Service and National Youth Service Corps. The INEC team to the ICCES is led by the INEC Chairman, who is also the chairman of the ICCES at the Federal Level. It consists of INEC National Commissioners and INEC directors as well as INEC officers connected with election security. The general format of the ICCES meetings is to review past elections, towards lessons learnt, discussion of forth coming elections, to prepare a general plan for all the security challenges anticipated at such election. All security issues are deliberated upon and strategies for combating security challenges are formulated towards having a violence free election. Security agencies would before each election, provide to the ICCES a security assessment, location of hot spots, as well as steps taken to deal with identified hot spots (Laseinde, 2015).

Each security agency provides an operational plan, which is jointly reviewed by ICCES and sometimes amended to ensure the best results are achieved. The table below describe the specific task of ICCES which include to:

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Table 3: Specific tasks of Some of ICCES Participating Agencies

S/No.	Agency	Specific Task
1	Office of the National Security Adviser	<ul style="list-style-type: none"> •Contact the Service Chiefs to assist INEC and get their buy in for ICCES •Increase security surveillance during registration/election •Coordinate the activities of ICCES •Monitor the performance of security agencies during voter registration and elections •Dissuade public officials from misusing security details attached to them for political ends
2	Ministry of Police Affairs	<ul style="list-style-type: none"> •Provide support to Police to perform their role during registration/election – vehicles, communication, etc
3	Nigeria Police Force	<ul style="list-style-type: none"> •Provide adequate personnel to man/keep order at polling units, registration area centres and other INEC facilities •Provide security for registration/election equipment and other materials during delivery, registration/election and retrieval. •Apprehend law breakers and prosecute them •Dissuade public officials from misusing police security details. •Bind over suspected trouble makers to keep the peace •Conduct pre-emptive raids on criminal hideouts •Work with recognized local/community security outfits to monitor illegal activities during the registration/election. •Enforce restriction on movement of persons that may be in force during registration/election.
4	Police Service Commission	<ul style="list-style-type: none"> •Monitor the registration/election process, particularly the performance of police officers on election duties. •Train police officers on conduct during elections •Develop a reward system for police officials who perform creditably during election. •Develop and share with the police a template for monitoring activities of police officers on election duties, including likely disciplinary and reward measures.
5	Nigerian Army	<ul style="list-style-type: none"> •Provide surveillance in the vicinities of registration/election

		<p>areas as determined by engagement rules to be developed by ICCES</p> <ul style="list-style-type: none"> •Assist in restricting movement during the registration / election exercise •Assist in protecting registration/election materials where police and other agencies are not able to do so •Establish as standby rapid deployment squads in all States in case of serious crisis •Assist in delivery of INEC materials where necessary •Assist in retrieving INEC registration/election equipment, materials and personnel after registration/election where necessary •Prepare to assist and evacuate civilians in the case of serious crisis
6	Nigerian Navy	<ul style="list-style-type: none"> •Increase surveillance of Nigeria’s seaports and continental shelf during the elections •Assist in the deployment of INEC equipment and personnel where necessary. •Assist the Navy in restricting movement along waterways during the registration/election exercise •Assist in protecting registration/election equipment/materials where police and other agencies are not able to do so •Establish as standby rapid deployment squads in all States in case of serious crisis •Assist in delivery of INEC materials where necessary •Assist in retrieving INEC registration/election equipment, materials and personnel after registration/election where necessary •Prepare to assist and evacuate civilians in the case of serious crisis during registration / election
7	Nigerian Air force	<ul style="list-style-type: none"> •Increase surveillance of Nigeria’s airspace and airports during the elections •Assist in the deployment of INEC equipment and personnel

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		<p>where necessary.</p> <ul style="list-style-type: none"> •Assist in restricting movement along waterways during the registration/election exercise •Assist in protecting registration / election equipment / materials where police and other agencies are not able to do so •Establish as standby rapid deployment squads in all States in case of serious crisis •Assist in delivery of INEC materials where necessary •Assist in retrieving INEC registration/election equipment, materials and personnel after registration/election where necessary •Prepare to assist and evacuate civilians in the case of serious crisis
8	State Security Service	<ul style="list-style-type: none"> •Monitor the registration/election closely and alert INEC and other security agencies, especially in the framework of ICCES on security problems. •Develop a framework for sharing intelligence regularly with other agencies during the registration / election. •Enforce restriction on movement of persons that may be in force during registration/election.

Source: Jega, M. A. (2012). The Electoral Process and Security Sector Synergy

To achieve these objectives, clear tasks are specified for each security agency while collective responsibilities and coordination are also made clear. Despite the success of ICCES and the security agencies since 2011, there still remain some security challenges; such as behaviour or utterances of politicians who are bent on winning by any means possible, and late deployment of electoral materials to polling units on election day. This problem has gotten better from one election to the other instigation or hiring of youths to constitute public nuisance at some locations. This problem is not of a generalized nature but still persists in some inaccessible riverine areas and remote locations, where adequate security may also not be available, and where electoral materials tend to arrive late (Laseinde, 2015).

6. Challenges of Electoral Security in Nigeria

6.1 Electoral Act and Constitutional Provisions

The electoral act and the constitutions provide the legal framework for the conduct of elections in Nigeria's democracy. The process for the enactment of Electoral Act leads to controversies and manipulation by political forces to curry favour and limit the democratic space. Poor handling of the electoral act process and the politics associated with its passage exacerbates or heightened tension in the polity and continue to pose a threat to national security. Ambiguities in the 1999 constitution of Nigeria such as the provision that give powers to incumbent chief executives as chief security officers of their state complicates matters in an election period. At pre-election, during and after elections, this provision is abused to the point of decimating opponents with attendant national security implications (Abubakar, Olaniy & Ibrahim, 2015). A clear example is section 215 (4) of the 1999 constitution as amended which provides:

Subject to the provisions of this section, the governor of a state or such Commissioner of the government as he may authorize in that behalf, may give to the Commissioner of Police of that state such lawful directions with respect to the maintenance and security of public safety and public order within the state as he considers necessary and the Commissioner of Police shall comply with those directions or cause them to be complied with (Federal Republic of Nigeria, 1999:84).

Instances where governments in power used the police and other security agencies to commit electoral offences are prevalent. The flagrant abuse of security forces and the manner security personnel are hijacked by powers that be, has led to opposing parties to devise counter strategies in an endless game of wits. Endless competition by warring parties have heightens tension and anxiety on the eve of, and during elections as voters are wary of what to expect (Abubakar, et al., 2015). The table below shows the section of the 2015 electoral act that was amended by the national assembly re-ordering the sequence of the general elections. It also gives a time frame for the conducting of elections for the National Assembly and State Houses of Assembly. It provides that elections into the offices of Chairman and Vice-Chairman and membership of an Area Council should be held on dates to be appointed by the Independent National Electoral Commission (INEC). It is unclear why the National Assembly seeks to change the sequence of election as it might interfere with INEC's already published timetable for the 2019 elections.

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S/No.	Section	Current Provision	Provision Amended by the NASS
	Section 25	This provides for the elections into each House of the National Assembly, House of Assembly of a State and Presidential and Gubernatorial elections to be held on a date appointed by the Independent National Electoral Commission (INEC) in accordance with the Constitution and the Electoral Act-section 25(1)	This amendment provides for elections to be held in the following order: a. National Assembly Elections b. State Houses of Assembly and Governorship Elections c. Presidential election It provides for elections on the dates as appointed by INEC under the proposed 25(2)

Source: PLAC, (2018). Factsheet on the Electoral Act Amendment Bill, 2018 As Passed by the National Assembly.

There was a serious contestation between the legislative and the executive arms of government over the repeatedly refusal of the president to give assent to the amended version of the electoral bill into law, due to the perceived re-ordering of the order of general elections that would have seen the Presidential election taking place after the conduct of Governorship, National Assembly, and State House of Assemblies elections. The amendment of the electoral act and the refusal of the president to assent to it are all a manifestation of selfish interests of the political elite who are more interested in self survival than the interest of the generality of Nigerians. This re-ordering of the election sequence came after the INEC had released the time-table for the 2019 general elections. The president refused assent to the bill for the three times it was sent to him, reason being that of regime survival. The presidency felt that if the National Assembly elections come first, followed by the Governors and State House Assembly elections, there is the tendency that those that emerge victorious would likely abandon their presidential candidates, especially in a situation where the candidates harbour some ill-feeling towards one another.

6.2 *Elite Manipulation*

The elite over the time have succeeded to influenced or manipulate the electoral processes to their advantage and have in the process created avoidable problems for Nigeria. Political rancour and violence have, regrettably, become permanent features of Nigeria politics. This phenomenon, however, has always been elite-inspired as key political stalwarts, political patrons, business men and money bags constitute the group of people that instigate the violence behind the scene and also make resources available for sustaining same. They deliberately do this so as to realise their selfish, parochial motives at the expense of democratic development. For instance, as earlier indicated former president Obasanjo once declared that the 2007 presidential election was going to be a do-or-die affair, meaning that the PDP government was determined to win elections at all cost. It is this kind of dear devil attitude on the part of the political elite that leads the masses out of frustration, to take the law into their its own hands and resort to violence.

6.3 *Lack of Ideological-Based Political Parties*

Since independence, one of the major challenges confronting democratic experimentation in Nigeria is the absence of ideologically driven political party system. As a result, formation and administration of political parties have been subjected to personality or ethnic influence rather than reflecting national outlook. To a large extent, this has encouraged electoral violence in the polity as politicians mobilize populations for voting by asserting group sentiments such as ethnic consciousness and cultural distinctiveness, provoking their kinsmen to take to arms if need be, just to ensure victory at all cost. Moreover, Sheer disregard for the principles and practice of multi-party system in Nigeria has not encouraged effective power sharing among the constituent units of the country. As a result, political gladiators have not allowed the sustenance of conditions that guarantee electoral security in the country. This has contributed to high degree of electoral violence at the three stages of election process across the country as those involved are always hell-bent on winning at all cost and against all odd.

6.4 *Economic Influence in Nigeria*

Political power translates into unlimited access to public fund. Hence, Politicians and prospective office holders see elections as a war to be won at all cost, as that determines their chances of participation in the scheme of governance at any level of government in the country. Rather than embracing the rules of the game with a view to promoting the ideals of power-sharing in the interest of national integration, politicians and political parties are organized to secure group interest within the scheme of governance. In an attempt to control public treasury in perpetuity, successive regimes have always opposed the quest for structural

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adjustment and reformation of core institutions that could promote political legitimacy and transparent electoral system. These desires for aggrandisement in turn breed greed and corrupt tendencies and have in the long run created and cesspit of corruption in Nigeria.

6.5 Weak Institutional Framework

The weakness of key institutions and architectures associated with democratic culture and practice in Nigeria, account for the high intensity of electoral insecurity and violence. The electoral body, (INEC), the police and the judiciary have always been alleged of playing politics with their respective constitutional and statutory responsibilities in terms of unequal representation of the interests of the political parties at one time or the other. Specifically within the current dispensation, these institutions are severally indicted of complicity with the ruling party at the centre. Key institutions of democratic development in the country have always being manipulated to distort the sanctity of multi-party democracy. Political predators have always manipulated the weakness inherent in institutions to their advantages thereby provoking violent reactions to systemic mis-governance by members of the public, which has caused avoidable internal crises of unmitigated proportions, thereby crippling the promising pathway to democratic consolidation.

6.6 Complicity of Law Enforcement Agencies

As indicated earlier, electoral security has both coercive and non-coercive dimensions. The application of force for managing electoral insecurity has remained the exclusive statutory responsibility of security agencies. However, empirical evidence has shown that security agencies in Nigeria have failed to discharge their statutory responsibility with utmost sense of patriotism, commitment and impartiality. On many occasions, the law enforcement agents have been alleged of taking part in intensifying electoral violence in favour of particular party, parties and some candidates.

6.7 Inadequate Punitive Measures for Electoral Offences

The Nigerian state is implicated in electoral insecurity as has shown by years of repeated occurrences of this violence and the apparent inability of the state to fully address the menace. The prevailing challenges on the way of effective enforcement of the law in Nigeria include weak penalties against electoral violence, as it applies to other social vices in the country; the laws are not specific on certain criminal offences including threats to electoral security. For instance, section 174, sub-section 211 of the constitution confers on the Attorney-General of the Federation or his counterparts at the state level, the authority to withdraw a criminal case from the court on account of the interest of the state in the matter. The clause invariably encourages electoral insecurity as certain individuals or groups who

hobnob with those at the helm of affairs could perpetrate electoral violence and still go unpunished (Ojo & Ademowo, 2015).

6.8 *The presence of a Docile Followership or Masses*

The Nigerian masses have allowed themselves to be manipulated by the elite to a point of docility whereby they (the masses of followers) now see everything from an ethnic or religious view, hence they are handicapped into taking appropriate steps towards holding the elite accountable or voting them out when they are no longer comfortable with them.

6.9 *Electoral Insecurity*

One of the most depressing epithets of elections in Nigeria is that they are said to be 'akin to war'. Indeed, the heat and passion associated with elections in Nigeria often make elections appear like war. Pre-election violence has led to the death of many politicians, their supporters and innocent citizens. Widespread intimidation of voters persists and organized thugs spread fear across communities in the build up to elections. Part of the problem could be because elections in Nigeria are a winner-takes-all affair; in effect, the loser loses everything, akin to payment of reparations by an enemy defeated in a war. In fact, election security has become a lasting issue facing the management of elections in Nigeria. Several security threats now characterize the electoral process. These include physical attacks on INEC staff and facilities, attacks on security personnel on election duty, misuse of security orderlies by politicians, attacks on political opponents, cyber-attacks targeting INEC's databases, especially the register of voters, violence at campaigns, intimidation of voters, snatching and destruction of elections materials, among others. These threats are now exacerbated by insecurity in some parts of the country, making the conduct of elections in those parts even more insecure.

6.10 *Attitude of the Political Class*

Another key challenge facing the Nigerian electoral process is a widespread absence of moderation among politicians. We are concerned about this because even if the management of elections meets the highest standards, insofar as the contestants are unwilling to play by the rules, there will be grave problems. The Commission remains deeply concerned about growing conflicts within political parties and between contestants. The use of language is in most cases indecorous, encouraging supporters to follow suit with more intemperate language and ultimately fuelling violence. Political parties even find it difficult to elect candidates, creating a situation in which practically every nomination process in Nigeria ends in a court case. In most instances, the Commission gets either directly or vicariously involved in these

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conflicts and court cases. Electioneering is dominated by attacks on the personality of opponents, rather than a debate of ideas and programmes. Electors have little or no space to interrogate the campaign promises made by office-seekers and are left to rely on whims or, indeed, primordial sentiments in exercising their choice of representatives. Of particular note is the spate of ex parte injunctions that have been issued against the Commission. One would expect that parties should have clear rules and procedures for selecting candidates and resolving issues therefrom to the satisfaction of all their members. It seems to me that a primary source of the problem here is lack of internal party democracy, resulting from lack of commitment to party rules (Ojo & Ademowo, 2015).

7. Conclusion and Recommendations

Election has been recognized as one of the salient determinant of the quality of democracy. Electoral security entails the broad concept of ensuring protection to the integrity of the electoral process. Integrity here refers to the consistency of actions, values, methods, measures, principles, expectations, and outcomes of the elections. The security of the electoral process must proceed from the observance and implementation of all legal norms that are prescribed for the elections as contained in the electoral act. However, elections in Nigeria continue to suffer wanton abuses and gross violation of its sanctity. While it has been argued that the roles of security agencies are very critical to the success of election as credible election requires among others high degree of neutrality, alertness, and commitment of the major stakeholders including security personnel to maintaining law and order, ensuring security of voters, candidates and election materials. The security agencies has shown that they are not effective in carrying out the function of ensuring security of voters, candidates and election materials and peaceful elections as they are found to continuously show nonchalant attitudes to stealing of ballot boxes and papers during elections in the country. Deriving from our discourse above, the paper suggests the following recommendations.

1. A national strategic policy for the purpose of providing election security in Nigeria should be put in place and the strengthening of ICCES for every election.
2. The Nigerian Elite should facilitate an enabling environment for ‘good politics’ and participatory democracy within the context of multi-party ideology, thereby ensuring political stability and sustainable development.
3. There is the urgent need for government and other stakeholders to evolve an enabling environment for the emergence of responsible and responsive leadership within the context of democratic culture as this will enhance a more secure atmosphere during elections.

4. The government must endeavour to evolve a grand strategy towards ensuring electoral security for the conduct of democratic elections which must be in tandem with international best practices.
5. There should be a proper execution of all phases of election process as designed in the Electoral Act, including delineation and registration exercises, voting exercise, and collation and declaration of results, with a view to promoting political legitimacy on the part of the elected public officials.
6. The electoral body (INEC), security agencies and the judiciary should be insulated from partisan politics so as to discharge their statutory responsibilities with a deep sense of responsibility, commitment and patriotism.
7. Electoral rules, regulations and legislation should be placed above sentiments and prejudice to command the confidence of all actors and offer a level playing ground and equal opportunity for all.

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