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Abstract

Elections, electoral processes, and election administration are critical components of every nation's democratic process, including Nigeria's. These elections serve as mechanisms for political representation, accountability, and the peaceful transfer of power. Nigeria, Africa's most populous nation, boasts a diverse political landscape and has made significant strides toward democratic governance since transitioning from military rule in 1999. This article critically examines Nigerian elections, electoral institutions, and election administration, focusing on understanding the country's democratic trajectory. It examines the complexities of Nigeria's electoral process and administration, shedding light on the key factors contributing to its successes and potential areas for improvement. The essay explores how electoral systems and election administration promote inclusivity, accountability, and political stability in Nigeria. Additionally, it addresses the challenges and opportunities Nigeria faces in enhancing its democratic processes. Employing a qualitative research methodology and a critical legal scholarship model, the article argues that the administration of electoral justice—particularly the protection of individual democratic rights under the Nigerian legal framework—is at risk. It also contends that the electoral challenges plaguing Nigeria stem from institutional issues and the power dynamics among political parties and actors.

Keywords: Elections, Election Administration, Electoral Process, Democracy, Electoral reforms.

Introduction

Nigeria is presently at a crossroads in its democratic experiment. After seven general elections in the Fourth Republic, Nigeria is yet to get her electoral process right. The electioneering process has always been fraught with huge institutional and credibility challenges. The late 1990s were a watershed moment in Nigeria's democratic journey. After years of military control, the nation began its transition to multi-party democracy. The first democratic elections in the Fourth Republic were conducted in 1999, resulting in a peaceful transfer of power from military to civilian government. This event was a significant milestone in Nigeria's democratic path, signifying the country's commitment to democratic values and the rule of law.

Since its transition from military control in 1999, Nigeria, the most populous nation in Africa, has made significant progress in establishing its democracy. Elections are vital instruments and critical in shaping the political scene. Bormann and Golder (2013) state that elections are central to contemporary democratic governance, serving as factors influencing the direction of democratic government in any country. This article aims to provide a thorough examination of Nigerian elections, electoral methods, and election administration while noting the difficulties and advancements the nation has seen in its democratic transition.

Nigeria, the most populous and economically prosperous country in Africa, has a complicated past that has complicated its transition to a stable democratic government. Since winning independence from British colonial authority in 1960, the nation has experienced a turbulent political environment marked by military coups and counter-coups, civil unrest, and fraudulent elections. Unufe (2019) reiterates that Nigerian elections have been characterized by a lack of credibility, visibly evident through the official declaration of results and the consequential rejection of these results. Hardly has there been an election at any level without resultant electoral litigation. The only exception was the 2015 presidential election in which the incumbent hastily congratulated the winner before the official declaration of results. This congratulatory message could be considered from another perspective as a way of dousing the palpable tension that emerged due to prevailing ideas that results would be rigged as usual. The author also postulates that the history of democratic experiments in Nigeria demonstrates that elections and electoral politics have generated so much animosity that the corporate existence of the country is under serious threat.

A similar view is expressed in Ekundayo (2015) that the history of elections in Nigeria has been a chequered one due to the manner in which elections are conducted, often marred by malpractices. Ogbeidi (2015) opines that elections in Nigeria have been historically violent and fraught with bitterness. To this scholar, previous elections in the country, without exception, were ravaged by violence, fraud, intimidation, manipulation by electoral officials, and falsification of results. This scholar further stated that available records have revealed that the greatest challenge to democracy is credible elections.

Conducting an election of internationally acceptable standards has remained elusive and constituted a major challenge to the democratic process in the country (Ogbeidi, 2010). However, through a number of electoral reforms and advancements in election administration, Nigeria has made tremendous progress in recent years in consolidating its democratic course. This article examines the development of electoral processes, electoral systems, and election administration in Nigeria, illuminating the difficulties encountered and the steps taken to promote a more robust democratic process.

Historical Overview of Nigerian Elections

Understanding the historical backdrop of Nigerian elections is crucial before getting into the current scenario. Nigeria had passed through periods of democratic administration interspersed with protracted military dictatorships after obtaining independence from British colonial authority in 1960. The general elections of December 12, 1959 could be described as the elections that ushered the country to her independence and rigorous political and democratic practice. Out of the 26 registered political parties, 3 political parties emerged as the dominant parties. The parties were Northern People's Party (NPC), Action Group (AG) and National Convention of Nigerian Citizens (NCNC). The elections administration body at independence was Federal Electoral Commission (FEC). The electoral process was abused and at the same time was characterised by electoral violence. These consequently created constitutional crises which undermined the legitimacy of the new civilian government (Ogbeidi, 2010). The 1964 federal election and the 1965 regional elections were both ended in controversy which was accompanied by violence. The FEC which was expected to be an unbiased umpire was enmeshed in crises of partiality. The crises that followed and the attendant worsened socioeconomic conditions led to the military intervention.

This first military incursion into politics was barely six years after the celebrated independence. The military later lifted ban in political activities after 13 years of ruling on 21st September 1978. A new electoral body Federal Electoral commission (FEDECO) was put in place. In order to ensure smooth transition, certain electoral reforms were effective such that a presidential candidate must poll 25% of the votes in at least 2/3 of the 19 states. During the commencement of the second republic, five political parties were registered. The parties were Unity Party of Nigeria (UPN), National Party of Nigeria (NPN), Nigerian Peoples Party (NPP), People's Redemption Party (PRP) and Great Nigerian's People Party (GNPP). Though, the 1979 presidential election was adjudged peaceful, it was not crisis free. It

was marred by high level of political apathy with a range of 25-35% of registered voters actually participated in the voting exercise (Ogbeidi, 2010). The 1983 general elections were ridden with crises and the electoral body was considered incompetent due to the prevalence of electoral malpractices in the conduct of the elections. This consequently led to military intervention and the end of the second republic. The third republic spanned between 1989 and 1993 in which the results of presidential election was annulled overnight. There were national and international pressures on the military dictator to declare the winner of the election and to subsequently hand over power to the winner. Instead of handing over to a democratically elected president, the military Junta headed by General Ibrahim Babangida opted for an Interim Government headed by Chief Ernest Shonekan. General Sanni Abacha who had already picked interest swiftly removed the Interim Government barely six months after installation. Up until 1999, when the Fourth Republic took office and ushered in a new age of democracy, the political landscape of the nation was tarnished by frequent coups and authoritarian administrations.

Nigeria struggled to sustain stable civilian rule after gaining independence, with many military coups destabilizing democratic transitions. In addition to undermining democracy, these coups fostered a mistrust of the electoral process. Early elections in the country were characterized by fraud, intimidation of voters, and a lack of transparency, which fueled a cycle of ineffective institutions and political violence. It was unambiguously stated by Majekodunmi and Adejuwon (2012) that the elections in the past were marked with controversy just in the manner at which their outcomes faced the crises of credibility and legitimacy. In which it was also argued that the various elections conducted in the since independence in 1960 exhibited characteristics of fraud, corrupt inducements, violence and other pervasive governmental manipulations. These authors went further in their assertions that the history of elections and democracy in Nigeria depicts an open confrontation to the machinations by a repressive and cynical leadership. The political class capitalise on the prevailing socioeconomic of the people already ravaged by poverty to monetize the electoral process.

Theoretical Framework

This study is anchored on critical legal scholarship model which is often referred to as critical legal scholarship. The model involves analysis of law and institutions through a lens that highlights power dynamics, social inequalities and the influence of political and powers (Tushet, 1986). One of the arguments of this school of thought is that law is not neutral as it often reflects and reinforces the existing power structures in the political system. It therefore, indicates that the law tends to favour the wealthy and powerful, while marginalising the weak and disadvantaged groups. The model also posits that legal doctrines are inherently ambiguous and open to interpretation which allows the judges and lawyers to manipulate the law to achieve their personal objectives. Critics of the model pointed however to the fact that the pessimistic view of the school of thought does not always stand as there are some instances where law has been used to achieve progressive social change. The theory is relevant in that it provides insights into how electoral system, election administration and electoral process in Nigeria are shaped and operated. It provides grounds to question the Independence of the Independent National Electoral Commission (INEC) in the areas such as; the perceived influence of the ruling party, appointment of officials, accountability mechanisms, logistical challenges, etc. It also provides a framework through which the independence of the Judiciary could be critically analysed and how institutions can perpetuate existing power dynamics in Nigeria. The critical legal model provides a basis to advocate electoral reforms and create a more equitable and just electoral system.

Methodologies

The study utilises descriptive and qualitative methods to provide a comprehensive analysis of Nigeria's electoral systems, administration and democratic processes in Nigeria. Descriptive and qualitative methods can provide deep insights and context that could enhance the understanding of the subject-matters. The study examines the historical and contemporary electoral administration and processes since the commencement of the fourth republic in 1999. It reviewed extant literature of the subject-matters to further establish the argument that Nigeria is at electoral crossroads and the imperativeness to channel a democratic path to credible electoral process.

Electoral systems in Nigeria

Electoral system is considered a pivotal of democratic operation as it encapsulates the laws structuring the manner through which political officers are elected. It denotes any set of rules whereby the votes of citizens determine the selection of executives and/or legislators. Scholars are of the opinion that there is no electoral system that is considered best (Bowler et.al., 2005). In this regard, the choice of electoral system of a country should be based on adequate consideration historical, cultural and other peculiar endogenous factors. In assessing any electoral system, the first issue is to understand the goals the system seeks to achieve in the political sphere taken cognisance of peculiar political and cultural configuration of the country. According to Horowitz (2003), there is no electoral system that reflects political cleavages, voters' preferences and configuration of political parties. Electoral system functions simply to aggregate preferences and generate results. Horowitz (2003) lay emphasis on the impossibility of any electoral system to translate individual choices to collective choice due to the prevailing inbuilt biases. Nigeria has used a variety of election methods throughout the years. A majoritarian electoral system also known as first-past-the-post voting was used in the early years, and the candidates who received the most votes in a particular constituency were considered the victors. Bormann and Golder (2013) describe majoritarian electoral system as one in which the candidates or parties that poll the highest votes win. While this method was straightforward, it often resulted in biased representation and prevented minor parties from having a significant political impact.

Nigeria shifted to a mixed electoral system in 1979 to encourage inclusion and representation. With this system, seats were distributed to parties based on their total share of the vote, combining aspects of first-past-the-post and proportional representation. However, the complex and disjointed political terrain of the nation was not entirely addressed by this hybrid paradigm. This is in alignment with the postulation of Ray (2004) that the electoral law of a country undoubtedly a factor determining the nature of the political system but is not the only determining factor. Besides, there are other socio-economic cum political factors which affect the people and the entire democratic operations in a country.

In contemporary political systems, there is a wide and perplexing variety of electoral systems which are generally grouped into majoritarian and proportional representation. Based on the structure of government, Nigeria adopts a federal form of government, and both federal and state elections are held variantly. The majority of the nation's elections, including the presidential, gubernatorial, and legislative ones, use the majoritarian type often called first-past-the-post (FPTP) electoral system. In this system, the candidates who get the most votes—regardless of whether they received an absolute majority of the vote—win the seats.

The FPTP system is criticized for having a tendency to favour powerful parties, which may sometimes leave minority views unrepresented. Additionally, it could promote regionalism, when politicians prioritize winning over their ethnic or regional constituency above tackling global challenges. It was pointed out in Mohammed (2013)) that the electoral system in practice in the country is a factor in the failure of governance in most of the parts of state of the federation. The scholar further his arguments that most of the political problems ravaging the country stemmed from the type of electoral system being operated in the country (Mohammed, 2013). Therefore, there is need to put in place an electoral system that promote transparency and credibility, devoid of electoral system and acceptable in all operations. Modern technology could be adopted in such electoral system as a way of enhancing the credibility of the system. According to Okediran and Ganiyu (2015) electronic voting is the future and it has the propensity to facilitate political participation.

Election Administration and Challenges

Election is an indispensable element of democratic practice as it affords the electorates opportunities to exercise their franchise and at the same time vests an element of legitimacy on the decision-makers. Similarly, it promotes political consciousness and sensitivity towards political rights. According to Clark and James (2021), the conduct elections depend on the thousands of people who give up their time to administer this crucial public service. The electoral officials are crucial to the effective

administration and implementation of electoral laws (Clark & James, 2021) The officials play critical and central roles in the administration of election. Often, there are concerns which undermine the conduct and administration of the elections and the electoral process. These concerns revolve around the electoral integrity and malpractices which in most cases result in legal battle. Therefore, election administration is critical and fundamental to sustainable democratic practice and in discouraging voters apathy in any country.

Election administration entails the structure and processes for the selection of political office holders by an unbiased electoral body (Osabiya, 2014). The structure implies the the electoral body which has the responsibility majorly to conduct elections while processes imply the rules and procedures as dictated by the electoral legislation. The organization in charge of organizing and overseeing elections in Nigeria is known as the Independent National Electoral Commission (INEC). The integrity and openness of the election process are crucially dependent on INEC. Electoral administration involves compliance with electoral laws, staffing and training of specialist and non-specialist workers as permanent or adhoc for the purpose of the conduct of elections. Besides, electoral register must be complied and ensure it is up to date, polling stations to be located and supplied with adequate electoral materials. The election administration is incomplete until the polls close, the counting and tabulation process take place securely and transparently (Clark, 2016). Election administration is the art of upholding the integrity of an election and promote the transparency of the process with the goal of discouraging potential manipulations. It was unambiguously stated that the integrity, fairness and transparency of the electoral process can be challenged in tensed political situations (Clark, 2016). Through a number of electoral reforms, INEC has worked to improve its operations and increase public confidence throughout the years. However, the electoral reforms have not yielded the envisaged results due to the machinations of the political class and corrupt electoral officials. In the view of Majekodunmi and Adejuwon (2012), democratic consolidation in Nigeria is complicated by the apparent malfeasance of the electoral management body (INEC). In essence, election administration is sine qua non to Democratic sustainability.

In addition, INEC encounters a number of hurdles, including such as logistical problems, insufficient budget, and political intervention. The effectiveness and legitimacy of the election process have sometimes been harmed by these difficulties. Osabiya(2014) contends that there has been a linear relationship between the history of election administration and the inability achieve democratic. This is an interesting issue that needs to be further researched. The cultural diversity of the country has engendered the sensitivity of Nigerians to tribal and ethnic politics which weakened the election administration and undermined the electoral process. Despite its achievements, Nigeria's electoral administration has experienced various obstacles throughout the years. Electoral malpractices, such as voter fraud, ballot box theft, and vote manipulation, have long harmed the integrity of elections. Election violence and irregularities are among the major problems Nigeria's voting institutions face. Vote rigging, ballot stuffing, and voter intimidation incidents have been documented in a number of elections, which has caused residents' confidence in the democratic process to decline.

Furthermore, questions regarding the impartiality and inclusivity of the political process have been raised due to the prominence of money politics and the influence of affluent people in elections. Unufe (2019) alluded that election violence is induced by factors such as irregularities during the electoral process, imposition of candidates and complicity of security agencies. There is frequently an unfair advantage for wealthy political candidates over their less wealthy rivals, creating an unlevelled playing field. Furthermore, insufficient electoral infrastructure, a lack of voter education, and logistical issues in holding elections across wide and different areas have all caused substantial obstacles to the democratic process.

Electoral Reforms

The potential for manipulation and the integrity of the electoral process has for a long time been a major concern to the political class and all stakeholders in Nigeria. The Nigerian government and numerous stakeholders have launched steps to enhance the democratic process after realizing the

necessity for thorough election reforms. The Independent National Electoral Commission (INEC) was established in 1998, and this was a significant step in improving the legitimacy and independence of election administration. All election processes in Nigeria were to be monitored and governed by INEC.

Following the unreliable 2007 elections, a comprehensive electoral reform was implemented in 2010, which resulted in considerable modifications to the voting system. To increase transparency and decrease election fraud, biometric voter registration, electronic voter card scanners, and result collation technologies were introduced. The general elections in 2007 and 2011 were extremely troublesome, with significant irregularities and violence. In the view of Omotola (2011), there was belief that the quality of elections in Nigeria continued dwindling unabated. Electoral reforms encourage genuine political competition and accountability on the part of political leaders. Electoral reforms without commitment to effect such might increase the rate of electoral litigations and these occurrences damaged public faith in the election process and prompted questions about Nigeria's democracy's durability.

Despite the difficulties, Nigeria has strengthened its voting systems significantly. Election legitimacy has increased to some degree with the implementation of electronic voter cards and biometric verification, which has decreased multiple voting and impersonation instances.

Additionally, there were positive indicators of change in how the general elections were conducted in 2015 and 2019. The elections were mostly peaceful, and INEC deserves praise for its efforts to engage and educate voters.

The 2023 general election was anticipated to avoid the anomalies that characterised the previous elections with the view that electronic transmission of results would be in real-time. Many Nigerians applauded the innovations introduced by INEC as formidable electoral reforms. The hope of Nigerians was quashed when it was apparent that there was no commitment on the part of the electoral body to adhere strictly to the guidelines. Omotola (2011) opined that electoral reform enhances public trust in the electoral institution. Electoral reform should therefore be accompanied with corresponding attitudinal change to further build public trust. Reforms must continue in order to improve the election process. Some of the issues that need immediate attention include bolstering INEC's independence, reducing voter apathy, and advancing civic education.

The Independent National Electoral Commission, INEC, introduced the Bimodal Voter Accreditation System (BIVAS) which is an electronic device designed to read permanent voter cards. Additionally, initiatives have been undertaken to improve civic participation and voter education, enabling residents to take an active role in the election process and hold politicians responsible. Greater openness and scrutiny have also been a result of increased participation of media outlets, foreign observers, and civil society groups in election monitoring. The innovations brought into the electoral process were aimed at increasing the voting confidence of the electorate. However, it is still a matter of long journey to improve the quality and depths of electoral process in Nigeria due to the prevalence of open intimidation of voters and high magnitude of vote-buying.

Conclusion

Elections, electoral processes, and election management are essential elements of Nigeria's democratic development. Since gaining its independence, the nation has gone a long way, and the current advancements are admirable. To guarantee free, fair, and credible elections in the nation, problems still exist, thus further efforts are required.

Nigeria may develop a stronger democratic foundation by addressing concerns with election violence, money politics, and political meddling, ensuring that the people's will continues to be the primary factor informing its government. The active involvement of individuals, a dedication to democratic ideals, and a sincere desire to enhance the election process will be crucial in determining Nigeria's democratic course for the better as the country continues to develop.

Nigeria's path towards a stable and strong democratic government has been difficult, fraught with obstacles and failures. Nevertheless, the nation has made substantial strides recently because of the adoption of electoral reforms, enhanced election administration, and a dedication to bolstering democratic institutions.

The government and the populace must not waver in their efforts to safeguard the values of democracy, the rule of law, and good governance even as Nigeria continues to experience challenges on its route to democracy. Only by ongoing discussion, inclusion, and the shared commitment to build a stronger, more open, and more responsible democratic Nigeria will lasting progress be made. Steps must be taken to develop a functional electoral system that promotes competitiveness, participation, inclusiveness and confidence building with the focus of democratic sustainability through free, fair and credible election.

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