

## Democracy and Electoral Corruption in Nigeria: Strategies for Engendering Credible Elections

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Received 19 January 2022; accepted 25 March 2022

Published online 26 April 2022

### Abstract

Periodic and credible elections are regarded as a key component for enhancing the legitimacy of a government and strengthening the social contract between citizens and their governments. Peaceful, transparent and regular competition for political power through elections is a defining feature of stable democracy. In Nigeria, the credibility of the electoral process and consequently, acceptability of election outcomes, are contentious because they are always accompanied with acrimony, widespread irregularities, violence, and all forms of malpractices such as vote buying, thuggery, rigging, among others. This article focuses on the nature and dynamics of electoral corruption in Nigeria and how these have impacted on democratic governance. It essentially recommends strategic ways of combating the menace of electoral corruption with a view to consolidating democracy in Africa's most populous country.

**Key words:** Election; Corruption; Democracy; Strategies; Governance

Omilusi, M., & Daisi, S. A. (2022). Democracy and Electoral Corruption in Nigeria: Strategies for Engendering Credible Elections. *Canadian Social Science*, 18(2), 64-71. Available from: <http://www.cscanada.net/index.php/css/article/view/124932>  
DOI: <http://dx.doi.org/10.3968/12492>

### INTRODUCTION AND CONCEPTUAL NOTE

In representative democracies, which have been aspired to and achieved to varying degrees across Africa, elections

are the means or mechanisms by which people make choices about who should represent and lead them, as well as express preference for given policies. Elections are instruments of legitimation for a body politic. They facilitate changes in leadership from one party to another in a way that is structured, competitive, transparent, and within a legal framework (International Peace Institute, 2010:x). Elections are about choosing leaders or public representatives based on, among others, a country's electoral laws, electoral system and legislation. Ideally, democratic elections are about openness and transparency, but also competition among the different candidates and parties in order to produce a legitimate outcome that reflects the will of the electorate. Within the context of a representative democracy, elections must be perceived and managed as a process and not as a one off event that happens only on a given day or over a limited number of days. It is rather a process, known as electoral process or electoral cycle which can evolve in a continuous manner almost without interruption between two elections.

Since in a democracy, the ideal is seeking the consent and mandate of the citizens for any leader to be accepted as legitimate, citizen participation in the choice of their leaders is important. Elections as the 'means of filling public offices by competitive struggle for the people's vote' (Heywood, 1997:211) has become synonymous with democracy as it empowers the common citizens with the right to choose their leaders. As a result, elections have become one of the yardsticks for measuring how democratic a country is. Thus, holding transparent and credible elections is a critical component of the democratization process. Genuine elections enhance the legitimacy of the government and increase trust between the government and its people. Elections can also serve as a channel to express differences through debate. Thus, periodic and genuine elections are seen as a key component for enhancing the legitimacy of a government and strengthening the social contract between citizens

and their governments (Universal Declaration of Human Rights, 1948). Conventionally, democratic politics regards periodic elections as an instrumental value which must be institutionalized. This is because, without them being held regularly and seen to be conducted in a transparently free and fair manner, democracy remains a sham (Enojo, 2010). Free and fair elections promote accountability in elected officials, socialize political activity and expand citizens' involvement. However, while critical to building democracies, elections are only one component of the democratic and legitimization process.

Election is the most important political project on the basis of democracy because it is the basis for the creation of structures of authorities. An appointment of representatives of the executive in terms of free, democratic elections is a welcome tool for politics. Electing authorities according to the rules of the adopted electoral system is the essence of democracy. The appointment of representatives of the authorities and, under certain circumstances, the exchange is fair only if it is followed through elections and voluntary returning the positions by the current government. Candidates participating in parliamentary and local elections are representatives of different social groups (Bil, 2016, p.82).

It should be emphasised that free, fair and credible elections are not just about events that take place on Election Day alone. They relate to the totality of the electoral cycle and consist of important issues as the provision of credible and updated voters' register, a functioning party system, nomination of candidates, conduct of violence-free party campaigns, adequate provision of voting materials, the actual conduct of the voting, speedy counting and declaration of results and post-election activities including election petitions and the fair and speedy resolution of all litigations emerging from the conduct of the election (INEC 2006: 49). However, elections alone do not mean democracy. Elections need to effectively translate citizens' preferences into representative institutions and governmental policies. Consequently, effective electoral democracy depends on certain enabling conditions. At least four such conditions can be identified: (1) peaceful competition for power (competition); (2) effective citizen representation and participation in politics (representation); (3) stable government and effective lawmaking (stability); and (4) political accountability of government (accountability). Frau (2008) argues that for free, fair and equitable elections to be achieved, certain acceptable elements must be put in place and these include: an equitable and fair electoral framework; a professional, neutral and transparent election administration; a generally accepted code of ethical behaviour in political and press freedom; accountability of all participants; integrity safeguard mechanism and the enforcement of the election laws and other relevant laws.

In recent decades, there has been a rapidly expanding reliance on electoral processes as the principal way to legitimize governance at national, regional, and local levels. Today, most governments in the world claim legitimacy through some form of electoral processes. When elections meet global standards of fairness, administrative professionalism and respect for human rights, they provide popular support and legitimacy for both the sitting and elected governments. While elections in themselves are only one element of democracy, they create the basis for democratic governance by ensuring that leaders have credible and accepted mandates to govern. When people have the opportunity to participate freely in public life and to choose their leaders through a free and open process, they are less likely to feel a need to resort to violence to resolve their differences or to make their voices heard.

Elections empower people to participate in the selection of their political representatives. Protecting and promoting the integrity of elections is, therefore, a top policy priority. Troubled electoral processes and their fall-out have challenged the credibility of democracy in recent years. Elections that are recognized as free and fair result in a peaceful transition of power, while electoral processes that are deemed fraudulent or violent, or to have been manipulated, can either lead to or exacerbate political instability. As a matter of fact, when election is not managed quite satisfactorily, it can pave the way for deeper ethnic and regional divisions, loss of legitimacy of elected authorities, protest, violent contestation, social explosion, doubt about institutions and instability or even threaten the entire democratization process. In fact, poor management of elections is a real and prolific source of conflicts, violence, insecurity and instability (Hounkpe & Gueye, 2010).

In Nigeria, the first major step on the restoration of democracy occurred in 1999 with the end of military rule and the election of a civilian government. Thereafter, five general elections have taken place. With the relative exception of the 2015 elections- that marked the transfer of power, at the Federal level, from a ruling party to the opposition party- all elections since 1999 have been characterized by electoral fraud. Rather than elections to be embraced as one of the important processes that strengthen democratic institution and facilitate peaceful transition of power, they are seen as a violent means of acquiring the spoils of democracy (Sule, 2009).

The trajectory of Nigeria's politics and electoral democracy has not been any different from the track and character of Nigeria's national life in its over sixty years of existence as a sovereign state. As rightly observed by Bariledum (2013, p.142), election has been characterized by absence of popular participation in the political process, corruption, lack of responsiveness and accountability by those who rule. Thus, elections are merely used to rationalize existing disempowerment,

and the ballot box now becomes a symbolic means of legalizing illegality which renders participating democracy ineffectual. This article majorly focuses on the dynamics and strategies of electoral corruption in Nigeria and how these have impacted on democratic governance. It also recommends ways of combating the menace in the nation's electoral process with a view to consolidating democracy in Africa's most populous country.

## **DYNAMICS, MANIFESTATIONS AND STRATEGIES OF ELECTORAL CORRUPTION IN NIGERIA**

The main aim of election rigging or malpractice is to frustrate the democratic aspirations of citizens who have voted or would have voted into office someone instead of the victor. Corruption during the general elections, in Nigeria has been so open to the extent that suggests no need of an extra energy for its detection. For instance, the problem is common during the intra-party nominations of candidates across the major political parties in which candidates have to openly use money to solicit for votes. Electoral fraud in Nigeria has served the ignoble purposes of weakening the people's confidence and support for democratic institution in Nigeria. Institutions of democracy strengthen and stabilize democratic development since they encourage and legalize wider popular participation in the democratic and development process. As a result of the several decades of organized electoral fraud perpetrated at the national, state and local levels of governance people have lost faith in governance, institutions and experienced mass alienation and exclusion from the process of governance. This has weakened the development programs, projects and prospects of Africa's most populous country.

All the elections that have ever been conducted in Nigeria since independence have generated increasingly bitter controversies and grievances on a national scale because of the twin problems of mass violence and fraud that have become central elements of these elections (Gberie, 2011). Put differently, elections in Nigeria have never gone without serious doubt over its credibility. Beginning from 1979 to date, elections have been conducted without recourse to democratic requirements. It is clear that elections in Nigeria share common features of fraud and irregularities masterminded by overzealous political charlatans and hatched by an unreliable electoral umpire. A retrospective look at the Nigeria's electoral process shows a country with no regards for the votes of the people. It has become very difficult to enthrone the culture of making votes count in Nigeria. In other words, the votes of the electors do not determine who emerges as a winner in elections conducted in Nigeria (Agbor, et al 2011).

Electoral corruption is subsumed in political corruption, with the main aim of illegally providing resources to the political party (ies) and candidates to win or retain power in competitive elections. However, many ordinary citizens perceive electoral corruption as mainly involving the exchange of money or in kind for buying peoples' rights and entitlement to vote. However, electoral corruption as a form of political corruption, has been defined to be inclusive of different forms of illegal activities in which potential voters are subjected to by external forces for the purpose of getting their vote in lieu of what they have been subjected to or given against their free choice. Thus electoral corruption is inclusive of monetary and nonmonetary subjects of control (PORIS, 2005, p.12). Some political leaders tell voters to accept bribes and gifts from candidates, but urge voters not to vote for those who give bribes (PORIS, 2005, p.22). Electoral corruption, which is a serious violation of the right of choice, is considered here as any action that contravenes the law in favour of a candidate or list of candidates to the detriment of other candidates. It is also seen as any manipulation or interpretation of the law in order to favour a political party's candidate or list of candidates during an election.

Electoral processes can be divided into three key phases: pre-voting, voting, and post-voting (International Peace Institute, 2010). Each individual phase has several elements:

(a) Pre-voting: In the pre-voting phase, electoral frameworks may be developed or refined. Boundaries are defined to ascertain voter eligibility. During this phase, voter and civic education, voter registration, party nominations, and electoral campaigns also take place.

(b) Voting: In addition to the casting of votes, this phase also includes vote counting and the verification of results.

(c) Post-voting: The post-voting period includes all of the activities that ideally occur between elections. Voter lists may be updated. Postelection reviews may take place in which electoral laws and institutions are analyzed to determine how they can be strengthened. Finally, procedures may then be put in place to strengthen those laws and institutions.

Electoral corruption can take place at any of these phases as regularly demonstrated in Nigerian elections. For instance, there are a variety of strategies employed to manipulate the electoral campaign, and many actors make use of such strategies, including incumbent power-holders, but also opposition forces. The principal tools used to manipulate electoral campaigns tend to fall into one of two categories: (1) the illicit use of resources of various kinds (state resources, private funds, information) and (2) obstruction (violence and intimidation, the obstruction of opposition campaign activities, the obstruction of information dissemination, etc.) (Birch and Carlson, 2012). For voting day operations, techniques in use in

the manipulation of electoral procedures in the aim of altering who votes and how they vote vary widely. There are also a large number of different actors engaged in such activities, from parties to EMBs and other state officials as well as voters themselves while in case of vote count and tabulation, the abuse of counting and aggregation processes appears to be more tightly controlled by incumbent power-holders and electoral administrators than is the case with polling day operations (Birch and Carlson, 2012).

As rightly observed by Omotola (2008, p.57), while elections are now being held periodically, they are everything but truly competitive, free and fair. Electoral processes are severely compromised, which partly explains why elections are still being boycotted and/or the results are being rejected outright by opposition elements, creating deep-seated legitimacy crises for governments. The plethora of electoral malpractices such as ballot box stuffing, snatching of electoral materials and smashing of ballot boxes, inflation of votes and other dimensions of electoral fraud, and the high incidences of electoral violence, once more rekindled the old fears that the basic institutional weaknesses associated with Nigeria's electoral system could bring the democratic experiment to grief. There are three phases in election rigging: pre-election, election-day, and post-election rigging. Electoral corruption can be manifested in the following ways:

- 1) Compilation of fictitious names on voters' registers.
- 2) Illegal compilation of separate voters' list.
- 3) Abuse of the voters' registration revision exercise.
- 4) Illegal printing of voters' cards.
- 5) Illegal possession of ballot boxes.
- 6) Stuffing of ballot boxes with ballot papers.
- 7) Falsification of election results.
- 8) Illegal thumb-printing of ballot papers.
- 9) Voting by under-age children.
- 10) Printing of Form EC 8 and EC 8A used for collation and declaration of election results.
- 11) Deliberate refusal to supply election materials to certain areas.
- 12) Announcing results in places where no elections were held.
- 13) Unauthorised announcement of election results.
- 14) Harassment of candidates, agents and voters.
- 15) Change of list of electoral officials.
- 16) Box-switching and inflation of figures.

According to the Coalition for Democratic Governance (2013), electoral corruption is often considered innocuous acts but with serious consequences on the clarity and legality of the electoral process and strengthening democracy. Electoral corruption has three types which are (i) manipulation of rules (the legal framework): the manipulation of rules involves the distortion of electoral laws so as to benefit one party or contestant in an election; (ii) manipulation of voters (preference-formation and expression): the efforts to distort voters, preferences

and efforts to sway preference expression and variety of illicit forms of campaign tactics that are deceptive, activities that violate campaign finance laws (typically through over-spending), the use of state resources to support the campaign of a particular candidate or party, or severe bias in media coverage of the election and (iii) the manipulation of voting (electoral administration): the manipulation of voting takes place through a variety of different forms of electoral maladministration, from classical acts of fraud –ballot-box stuffing, mis-reporting – to other more subtle acts that skew the conduct of an election in favour or against a particular contestant. It suffices to note that when elections go wrong, democracy and governance can suffer considerable damage that often takes a very long time to remedy.

As earlier observed, Nigeria electoral system, over time, has been clouded by corrupt practices. The fraudulent subversion of electoral process has made it difficult for the conduct of participatory, competitive and acceptable conduct of free and fair elections in Nigeria. Indeed, the political parties are culpable of corrupt practices at all levels of electioneering. The distribution of cash and other material inducements – rather than compelling political visions, ideas and programs - in exchange for the votes of Nigerians seems to be the modus operandi of major political parties. Political rallies are no longer vehicles of transmitting party platforms and engaging voters, but more of popular theatre with the dance, chants and flamboyant attires (Azah, 2015:3). As a matter of fact, Transparency International (TI), a global coalition fighting against corruption has stated that Nigeria's political parties are the most corrupt in the world. The assertion was made in a graph that was published on its Twitter account. In a graph titled: "Where most people think political parties are corrupt" Nigeria ranked number one with 94 per cent leading the way for nations with corrupt political parties in the world. On the graph, Nigeria is followed by Mexico and Cyprus both with 91 per cent. Nepal and Greece are placed third with 90 per cent each while Italy is fourth with 89 per cent. In Africa, only Nigeria's political parties ranked amongst the top 11 (The News, 2015).

Similarly, the links between party financing and corruption are so important that to ignore party financing is simply to open wide the door for corruption, in addition to the betrayal of public trust and the escalating cost of politics in the country. Today in Nigeria, 'money politics', 'vote buying', 'godfatherism', 'share the money' have become regular household phrases and slogans in Nigeria to portray the moral decadence of politicians. These usages adequately describe the rent-seeking behaviour of politicians, political parties and voters. Such include the practices of accepting bribes from patrons and distributing money to buy votes. This has implication for governance process including political participation (Adetula, 2008). Indeed, the undue influence of political money on voters'

behaviour and electoral outcome highlights one of the central dilemmas of representative democracy. Money is central to the organization of political activity, yet its uncontrolled and unregulated use can undermine the central value of liberal democracy underpinned by the logic that the political market place should decide who holds public power on behalf of the people (Egwu, 2008).

## IMPLICATIONS OF ELECTORAL CORRUPTION

The electoral corruption is a criminal action, which in the most important negative way, impacts on the quality of election decisions. It should be noted that individuals who earn the mandate of trust as a result of corrupt practices are involved in the lawmaking process at the same level of decision-making as candidates elected in accordance with the law. The votes of the electorate are treated as a commodity on the market of the political struggle (Bil, 2016:84). In Nigeria, the issue of electoral corruption is rooted in the “do or die” politics being practised by some Nigerian politicians and political parties. Unfortunately, as a large number of those that engage in electoral fraud and irregularities get away with it, it becomes the norm rather than the exception (Okoye, 2013). As rightly observed by Kurfi (2005 - 97):

This sad history of electoral fraud or rigging has serious implications for our democratic future because the phenomenon is growing rather than declining. As the elections go by, the principal forms of rigging and fraud are increasing and are being perfected in successive elections since 1964... The result is that elections have become turning points in which the outcome has been the subversion of the democratic process rather than its consolidation. Not surprisingly, major political conflicts have emerged around rigged elections.

The effects of electoral corruption can be especially devastating in new democracies since serious fraud is likely to result in instability and an immediate erosion of the new government’s tenuous credibility. Electoral corruption, according to Onodugo et al (2015, p.14), also creates the condition for political instability. This is because unrestricted corruption makes the state an unlimited allocator of wealth to individuals and groups. This character of the state makes it possible for the politics of do-or-die to take root, with politicians struggling to out-compete one another sometimes in violent manner. It must be recalled that the various military regimes that took over power from democratically elected representatives of the people had always justified their intervention on the ground of grand corruption and looting of state treasury by political state actors.

Electoral malpractices appear to plant the incandescent seed of political apathy. Political apathy is a socio-political situation where the masses lose interest or show total or partial unwillingness to participate in the electoral process and politics. The irregularities and malpractices that

characterize elections in Nigeria proceed to unimaginable conflicts that consume lives and properties. During election, the ruling parties employ all devices using their incumbent power to suppress any opposition from other parties. They commit the national resources especially finance using it to influence the security agents to protect and safeguard their manipulations during elections.

According to Umar (2003), the involvement of traditional rulers, electoral commissioners as well as the cohesive agents of the state as prime factor to election rigging constitutes subversion of the constitution which is the source of the legitimacy of any government in Nigeria. With Umar’s (2003) assertion on the illegal use of public funds by the political office holders in order to win or rig an election, it shows that political offices holders focus on looting public treasury in order to use such to force themselves back to power in an election period.

Through corrupt means, many political office holders acquire wealth and properties in and outside Nigeria; and many display their wealth (which is beyond the means), but the society does not blink. This has made politics a big business in Nigeria, because anything spent to secure a political office is regarded as an investment, which matures immediately one gets into office (Onodugo et al 2015). It is important to point out that the level of electoral corruption has affected the cognitive perception of Nigerians, first about the ability of the state to organise a free and fair electoral contest; and second, perception that political appointments are one sure way to wealth and elevation of social status; and third, perception that the political office holders cannot be responsive and accountable to the citizens. The impact of this on democratic stability is clear. Electoral contest has become a ‘do or die’ affair, turning Nigeria’s political milieu to a Hobbesian state of nature- war of all against all (Ogundiya, 2010, p.236), characterised by what Ibeanu (cited in Ogundiya, 2010, p.236) aptly described as the “primitive accumulation of votes” or “machine politics”.

In a country like Nigeria that is democratizing, frequent recourse by politicians to fraud to win elections defeats the *raison d’être* of elections as the basis for legitimizing the occupation of political office, and the exercise of political power and authority that accompanies it. Elected political office-holders who won elections through rigging will, for instance, be lethargic about accountability to the electorate or voters (Aluaigba, 2016, p.150). Invariably, the Nigerian political leaders as it is presently constituted lack the moral fibres to champion the cause of the Nigerian society. When political leaders are perceived to be pursuing their personal interests excessively, citizens become disenchanted, questioning the legitimacy of leaders and the state, and even the legitimacy of the process and system that produced them (Ogundiya, 2010, p.236). Transparency and accountability in state institutions has also been adversely affected by political corruption. Decisions have been taken and

enforced in a manner that does not follow established rules and regulations. State institutions have not, therefore, been accountable to the public as well as to their stakeholders, making them unresponsive. This in turn has eroded the legitimacy of such institutions and the state at large. Such institutions facing legitimacy crises include the legislature, the judiciary and other state institutions that are meant to play a key role in the fight against corruption (Mwangi, 2008, p.280).

Also, electoral corruption which undermines democratic governance generates an enormous insecurity in societies that tremendously has a negative impact on individuals, groups and the nation in general: disruption of family and communal life, hostilities between indigene and settlers, social tension, loss of lives and property, an atmosphere of mistrust, increasing hunger and poverty, and all sorts of human rights abuses as well as creating an atmosphere of political insecurity that can lead to declining confidence in the political leadership and the entire system. These and many more lay the key source of threat to Nigeria's democracy and national security.

## COMBATING ELECTORAL CORRUPTION

To ensure the broadest possible participation of the population in the political life of the country, foster peace and social harmony, enhance economic and social development and promote the emergence of new leaders with innovative ideas, it will be necessary to organize free and fair elections in Nigeria whose outcome would reflect the will of the people (the electorate). While no measure clearly stood out as the most effective, there was a tendency to view institutional reforms as a better means of reducing electoral malpractice than other measures. Following such reforms, domestic election observation and measures to protect media freedom appear to also be effective.

For elections to be credible, the various stakeholders must play by the rules of the game and must have some level of fidelity to the law. In other words, the laws regulating the conduct of elections and the conduct of all the political actors must be clear and not subject to arbitrary ambiguity and self-contrived lacuna. The Electoral Commission and its officials must also have both financial and administrative independence to function effectively. The Constitution and the law accordingly, regulate electoral behaviour. There is therefore, a rebuttable presumption that in the conduct of elections, the electoral management body, the candidates, political parties and all the major stakeholders comply with the law and the Constitution (Okoye, 2013).

An election management environment with key role players who have a track record of high integrity that draws confidence in their ability to maintain the integrity of the electoral process (aceproject, 2015) is vital to the elimination of electoral corruption. The management

of elections is a complex undertaking. In designing the systems, particular attention must be paid to the following: (i) electoral systems that optimise real participation, particularly of minorities and marginalised groups; (ii) electoral boundaries that are equitable and electoral sites that are accessible to voters; (iii) proper registration of voters and management of the process of voting; (iv) an efficient and transparent method of counting of votes and the announcement of results; and (v) predetermined and legitimate process for the resolution of disputes.

An Organized Civil Society that acts independently, but in partnership with other role players as observers and monitors to the whole electoral process is also a fundamental factor in combating electoral corruption. According to Susan Hyde of Yale University, nearly 80% of elections come under scrutiny from at least some sort of international observers, up from less than 30% in 1989 (Cited in *The Economist*, 2012). Domestic election observers are also getting more numerous and more professional. Such local monitors are better placed to record pre-election manipulations than small groups from overseas. And more observers on election day (especially those toting smartphones and tablets) make possible more comprehensive fraud-detection techniques, including the "quick count"—an effective but resource-intensive practice which compares results declared at polling stations with those tabulated centrally by election officials (*The Economist*, 2012).

Prosecution of electoral offenders is also very crucial to curbing electoral corruption. Stringent audit of electoral expenses among political parties and candidates should be implemented as stipulated in the electoral act. Although it is not desirable, in principle, to limit electoral expenses, it is important that if the country imposes such limits, that these are strictly monitored. It is therefore, recommended that stringent audit of electoral funding and vigorous punishment of those who break electoral funding limits are regularly carried out particularly during electioneering. If corrupt politicians cannot gain an electoral advantage through use of huge amounts of black money (which is what the established, big political parties use), then barriers against good candidates will further reduce. As noted by Okoye (2013), there are debates revolving around the refusal, inability or incapacity of the Independent National Electoral Commission to prosecute electoral offenders which encourages electoral impunity, voter apathy and the gradual disengagement of the Nigerian people from the electoral process as some of them believe that electoral fraud and malpractices render their votes meaningless and even if they vote, their votes may not count. The debates are also hinged on the fact that if nobody is prosecuted successfully, it may then be more profitable to engage in electoral fraud and malpractices.

Establishment of an Electoral Offences Commission was part of broader reforms recommended by the presidential Electoral Reform Committee in December

2008. President Yar'Adua presented the Electoral Offences Commission Bill to the National Assembly in April 2009, along with six other electoral reform bills. The National Assembly amended the Electoral Act in August 2010 to include some of the presidential committee's recommendations and has since adopted other amendments. The proposed commission would have the principal responsibility for investigating and prosecuting electoral offenses under the Electoral Act, including incitement, the use or threat of violence, bribery of voters or election officials, theft of ballot materials, and falsification of election results. It would have investigative powers to summon individuals for questioning, to request documentation and other evidence, and to search premises where reasonable cause exists. Time and experience, especially in the past 22 years, have proved that INEC is simply not in a position to pursue and prosecute electoral criminals. As a matter of fact, the Commission was not even able to prosecute one per cent of the 870,000 and 900,000 electoral offenders apprehended after the 2015 and 2019 general elections respectively. The National Assembly however, on July 13, 2021 passed the Bill seeking to establish the National Electoral Offences Commission to provide adequate restrictions and sanctions for violations of electoral laws.

Interestingly, a new Electoral Act was signed into law on the 25th of February, 2022. This Act repeals the Electoral Act No. 6, 2010 and enacts the Electoral Act 2022, to regulate the conduct of Federal, State and Area Council elections, to make provisions for the restriction of the qualification for elective office to relevant provisions of the Constitution of the Federal Republic of Nigeria 1999. The general objective of the new Act is to give clarity, effectiveness, ensuring free and fair elections, dignity of the citizens, opportunity and justice to all political participants whether they are voters or candidates and ensure utmost transparency of the election process.

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## CONCLUSION

It is established in this article that in whatever context the process of election is used, certain basic elements must be present. An election usually entails the selection of a few people by a larger number to fill predetermined political vacancies. Elections imply an element of choice in that the electors have an option to select either from a number of individuals or a political parties range of programmes. Also, election implies the fact that each elector exercises his or her right to choose independently or without consultation with other electors. This is because a genuine democratic election remains the vehicle through which the people of a country freely express their wishes, on a basis established by law, as to who should have the legitimacy of governance (Thorpe, 2009). For election to be genuinely democratic, other internationally recognised human rights must also be broadly exercised

in the electoral context among which include right to associations, expression, opinion and peaceful assemblies and freedom of opposition (Patrick, 2008). It is also affirmed that for democracy to be effective – to have a significant, long-lasting and beneficial relationship with human development and economic growth – elections must be clean and competitive. When elections are hindered by nefarious or corrupt tactics, democracy contributes little – if anything – to development or growth.

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