SPEECH BY
THE CHIEF SERVANT, DR. MU’AZU BABANGIDA ALIYU, CON, fspp (TALBAN MINNA), THE GOVERNOR OF NIGER STATE, NIGERIA, AT THE LAUNCHING OF WANEP’S ELECTION DISPUTE MANAGEMENT PRACTICE GUIDE FOR WEST AFRICA, AT THE GRAND MENSVIC HOTEL, EAST LEGON, ACCRA-GHANA; ON TUESDAY, 14 FEBRUARY 2012

Topic: PEACEFUL ELECTIONS AND DEMOCRATIC STABILITY IN NIGERIA

PROTOCOL:
2. Thank you very much Mr. Emmanuel Bombande, fspp, the Executive Director and Co-founder of the West Africa Network for Peace-building (WANEP) and Professor Isaac Albert, Lead Consultant on the development of the publication for launch today and Professor of Peace and Conflict Studies, for this invitation and the opportunity to come along to share this platform with distinguished scholars, peace builders and peace facilitators in West Africa and beyond. Let me congratulate WANEP on this historic launch of the publication Election Dispute Management Practice Guide for West Africa.
3. The topic I have been asked to speak on today is: *Peaceful Elections and Democratic Stability in Nigeria*, which is very significant in deepening our appreciation of the central place of elections in the democratic process, especially when we look at the election dynamics in Nigeria over time. Nigeria occupies a very pre-eminent position in Africa in many respects; a close examination of the characteristics of elections in Nigeria and their implications for the stability and development of democracy in Africa is therefore imperative. The country has been having direct or indirect encounters with the ballot box since 1922, which is suggestive that by now issues of peaceful elections would have been taken for granted in Nigeria. Unfortunately that is not exactly the case, and this is attributable to illiteracy, ignorance, poverty, corruption and years of prolonged military incursion into politics (for about 33 out of 52 years of independence) as well as other complex variables associated with the nation’s democratic evolution.

4. Each nation gives meaning to democracy in its own way, and in line with its own historical circumstances and political culture, even though the key to stable democracy remains free, fair and credible elections, which of necessity determines those who will be entrusted with the sovereignty of the people. Indeed, the stability of democracy is premised on the credibility of elections, just as the integrity of the electoral process has major implications for the level of social and economic development of a democratic society. Moreover, peaceful, fair and credible elections often determine the legitimacy of the leaders such elections throw up.
5. Elections could be regarded as a complex process beyond voting and results, but that involves many elements such as the participation of the people before, during and after voting, the constitutional and legal arrangements, political party activities (their registration, manifestos, campaigns), agencies and institutions (the mass media, the security agencies, the Judiciary), local and foreign observers, Non-Governmental Organisations (NGOs)/Civil Society Organisations (CSOs), and the Electoral bodies. Others include the financing arrangements, voters register and the political environment created by the interested parties, among others. A weakness or failure of any one of the above directly or indirectly affects the credibility of the electoral process.

6. What therefore constitutes a peaceful, credible and acceptable election may be the absence of negative political behaviours and tendencies in the form of violence, thuggery, intimidation, and the manipulation of the process by the stakeholders, among others. The absence of peaceful elections threatens the stability of democracy and invites chaos, anarchy or warfare, which in time past was the major invitation of the military in many African countries. Unfortunately, traces of these negative elements can be found in many African democracies.

7. It may be instructive to analyse the elections so far held in Nigeria in five different phases that include: Elections in the colonial period (1922 – 1959); Elections in the early years of independence (1960-1965); Elections during the years of military rule; Elections under civilian regimes in-between the years of military rule; and lately Elections during civilian to civilian transition (1999 to-date).
Elections in the Colonial Period:
8. A number of elections were held in Nigeria in the colonial period, the first set being the elections in Lagos and Calabar in September 1923 after the introduction of Sir. Hugh Clifford Constitution in 1922. Series of elections took place between that period and the 1954 General Elections that granted universal adult suffrage to Nigerians. Scholars have posited that that the colonial administrators compromised the electoral processes of that period. Instances of direct involvement of the colonial masters were reported. For example, the Residents of each Province were the Returning Officers in the 1951 elections to the regional legislature thus influencing those who ended up in the legislative houses.

First Republic Elections
9. The December 12, 1959 general elections into Local Councils, Regional and Federal Legislatures ushered in Nigeria’s political independence in 1960. The most notable feature of that year’s election was the entrenchment of tri-regional party system reflecting the dominant ethnic group in each region - Northern Peoples’ Congress (NPC): Northern Nigeria; Action Group (AG): Western Nigeria and National Council of Nigeria and Cameroons (NCNC): Eastern Nigeria, and the emergence of three prominent Political leaders for the three-dominant regional and ethnic-based political parties: (Sir Ahmadu Bello – NPC, Dr. Nnamdi Azikiwe – NCNC and Chief Obafemi Awolowo – AG).

10. Other sets of elections in post independence Nigeria (1960-65) were marked by crises resulting from the disputed census figures
released in March 1961, the 1964 general elections which were marked by boycotts in the East, Midwest, Lagos and parts of the Western Region, political violence, physical intimidation of opposition politicians and their campaigners, procedural violations, disagreements from alliances forged between the dominant parties and some minority parties in the regions, and the tension that followed the October 1965 elections into the Regional Government of the West. These developments, among others, set the stage for the first military coup of January 15, 1966, which led to the assassination of some prominent politicians of the first republic.

Elections Under the Military

11. The 1966 military coup had far reaching implications for the stability of democracy in the country as it introduced some trends that were antithetical to development, such as the suspension of the Constitution, the introduction of unitary system of government (the federal government became stronger than the federating units), the arbitrary creation of States (three regions in 1960- colonial era, 12 States in 1967-Gowon’s government, 19 States in 1976 –late Murtala’s government, 21 and 30 States in 1987 and 1991 respectively by Babangida’s government, and 36 States in 1996 by late Abacha’s administration). Other consequences of the military incursion are the surge in the cost of running government with the attendant manifestation of greed and excessive corruption in the political process and the destruction of the ethos of the public service. However, the military organised or supervised three elections during their period of dictatorship. These were (i) the
elections of 1979 that brought Alhaji Shehu Shagari, under the General Obasanjo regime, (ii) the 1992-1993 elections under General Babangida and (iii) the 1999 elections under General Abdusalami Abubakar. Thereafter we had elections in the post-military era – which we may call democracy consolidation period in Nigeria. These elections came with their unique characteristics even as they had carried over some features of earlier elections, and they include the elections of 2003, 2007 and 2011.

12. The electoral process in 1999 was not too contentious due to the overwhelming anxiety by Nigerians to return to liberal democracy hence their acceptance of some of the imperfections of that transition programme, including a military drafted Constitution and some flaws in the Electoral Act. The 2003 elections however produced different characteristics and new trends in the electoral process. The most notable features of the electoral process from 2003 onwards include: the increasing wave of electoral disputes, as Electoral disputes and litigations became very pronounced and people began to prepare for winning two sets of elections – one at the polls and the other at the law courts or tribunals. Interestingly, our jurisprudence has been enriched since then by litigants who would go to any extent to pursue their cases in fulfilment of their political ambitions. There was also heightened inter and intra party disagreements/disputes – the classical example being the dispute between former President Olusegun Obasanjo and then Vice President Atiku Abubakar, which came to a climax during the exit of that administration with the VP going to a different Party to contest against his own Party in the 2007 elections.
Elections During Civilian to Civilian Transitions

13. By 2007 and 2011 the democratic experience in Nigeria had been further consolidated even with flaws in the electoral process. Despite the imperfections in the electoral process, new trends began to emerge to stabilize the polity. For the first time in Nigeria’s political history, the elected President in 2007, Late Umaru Musa Yar’adua admitted during his inauguration on 29th May, 2007 that the elections that brought him to power had shortcomings. He therefore set up a panel (The Electoral Reform Committee) on 28th August 2007 (three months into his Presidency) to examine the entire electoral process with a view to ensuring that we raised the quality and standard of our general elections, to enhance the integrity of elections and democratic stability in Nigeria. The report of the ERC has had a tremendous impact on the conduct of credible elections in Nigeria since 2007, as it has influenced the amendment of sections of the Constitution to pave way for the peaceful General elections of 2011 and the Local Government elections in the States.

14. For instance, the report of the ERC acknowledged *inter alia* that “the lack of independence of the electoral commissions at the National and State levels as a key deficiency of the electoral process” and therefore made “appropriate recommendations to address the focal issues of the composition, administrative autonomy and funding of the electoral commissions”. Similarly, the ERC Report made recommendations on the time limit on election petitions to address the mischief of politicians and lawyers who go
to the courts for frivolous reasons even where there was no need to do so.

15. In the 2007 Governorship election in Niger State from which I became the Governor, I had both intra and inter party cases instituted against me and each went to the Supreme Court, which returned judgement in my favour. On the one hand, a candidate of my party who willingly withdrew from the race suddenly filed a motion against my candidacy after I had won the election in April 2007. On the other hand however, one of the defeated opponents in the election - the candidate of the All Nigeria Peoples Party (ANPP) went up to the Supreme Court to challenge my election even when by the subsisting Electoral Act such matters should have be finalised and closed at the Appeal Courts. In dismissing the case, the Supreme Court saved the Judiciary from ridicule when it said, *inter alia*

> “Although by virtue of the provisions of section 233 of the 1999 Constitution this Court has exclusive jurisdiction to entertain all appeals from the decision of the Court of Appeal, that jurisdiction does not include decisions of that Court arising from election petitions which came to that Court on appeal from decisions of election Tribunals”). Delivered: FEBRUARY 23 2011 (Cited by E.O. Jakpa).

16. It is important to note however that Nigeria was faced with unprecedented Constitutional challenges in the run up to the 2011 elections created by the illness and subsequent death of President Umaru Musa Yar’adua. The major challenge was how to resolve difference between the ruling Peoples’ Democratic Party’s (PDP) rotation of the Presidency between the North and South of Nigeria
and the Constitution of the Federal Republic of Nigeria which entitles every citizen to aspire to the Presidency irrespective of place of origin, creed or religion, upon the fulfilment of certain conditions. The Constitutional lacuna that followed the ‘Presidency in limbo’ was however resolved by the National Assembly which adopted the ‘doctrine of necessity’ principle to confirm the then Vice President as the acting President to move the nation forward until the death of the President on May 5, 2010 when the acting President was sworn in as the President to complete the term of office of the deceased President.

17. However despite some of the challenges examined in the foregoing discussion, Nigeria has grown stronger in the conduct of peaceful elections; as vital amendments have been made to sections of our Constitution which incorporated aspects of the Report of the Electoral Reform Committee; we have also improved in the organisation of our elections, applying the appropriate technology – data capturing equipment, and adopting more efficient election administration procedures to enhance the credibility of the elections. The National Assembly has also risen to its responsibility by ensuring the amendments of sections of the Constitution that have bearing on elections.

18. Similarly, our jurisprudence continues to be enriched by the complex electoral cases that are being handled by our courts. The recent Supreme Court judgement of 27 January 2012 that terminated the tenure of five Governors who had earlier won lower Courts judgements in relation to constitutional interpretations will
continue to be of interest to political scientists, constitutional lawyers and scholars for a very long time.

19. Some of the issues precipitating electoral violence and other negative political behaviours could be poverty, ignorance, illiteracy, corruption and the inequities in the allocation of resources are some of the constant variables influencing and perpetuating the dominance of certain regions over the others, leading to socio-economic dislocations and frustration by some people while others live in air of arrogance because of their economic advantages in the new order. The statistics of how federal resources are shared amongst the various regions of the country are revealing and insightful in this regard. Figures from the Federal Ministry of Finance (FMOF), Office of Accountant General of the Federation (OAGF) and National Population Commission (NPC) highlight the disproportionate allocation of the national revenues.

20. For instance, the sources indicate that between 2008 and 2010, the Northern region with 53% of the nation’s population received 40% of the total national revenue allocation while the derivation and statutory revenues of Bayelsa, Rivers and Akwa Ibom states in the same period is far more than the total allocation of the entire 19 States in the Northern region. These are indeed some of the stark realities in the nation’s political economy. This, among others, could probably explain the violent reactions in some States in the North following the recent fuel subsidy removal by the Federal Government, while the other regions were undisturbed as they appear to be living in the comfort zones.
21. We therefore need to do more in addressing some of the inequities and imbalances in the political economy to lay the foundation for sustainable peace in the nation, as peace in the views of Aliyu (2009)

"is not simply the absence of war while stability is not merely the absence of conflicts and differences. Indeed, peace may be seen as a state of safety in matters of social or economic welfare and acknowledgement of equity and fairness in political relationships and world matters”.

In other words, just like the Arabic word salam, peace symbolizes safety, welfare, prosperity, security, fortune and friendliness and is characterized by a non-violent lifestyle, respect, justice and goodwill.

22. Finally, we must continue to pursue peaceful, credible and acceptable elections in order to have democratic stability in West Africa and beyond. Indeed, both are two sides of the same coin, there cannot be one without the other. We must also continue to encourage NGOs like WANEP and similar country-specific CSOs for the excellent job in promoting not only peaceful and credible elections but good governance and the ideals of liberal democracy. Most importantly, we need to build very strong middle class in our societies to shock absorbers for the social and economic pressures caused by the dynamics of democratic development.

23. Once again, I thank the organizers for this invitation and commend them especially for the remarkable work going on at WANEP for the promotion of peace and management of conflicts in West Africa. I thank you all for your attention.
REFERENCES AND FURTHER READING:
