

Opinion Paper

Election Postponement and the Future of Democracy in Nigeria

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Election remains the most peaceful means of instituting and institutionalizing democratic government. Liberal democratic theorists argue on the primacy of election as an essential element of democracy. Since the commencement of the Fourth Republic, Nigeria had conducted six successive elections to deepen democratic rule. However, election postponement is fast becoming a recurring decimal in the political landscape. Taken 2019 General election as a unit of analysis, this paper examined the implication of election postponement on the future of democracy in Nigeria. Data were generated from secondary sources, including Textbooks, Journals and Internet, to provide information on the concept of Democracy and 2019 elections. These were subjected to descriptive and content analysis. 2019 Election postponement had cost Nigeria political, economic and social fortunes. It had undermined

the integrity of the electoral process resulting in voter apathy. Nigeria lost billions of naira as a result of shutdown of businesses. It resulted in additional financial burden in the conduct of the election. The paper recommends that Nigeria's Electoral Management body needs to be re-engineered to be able to cope with responsibility of conducting election on schedule. Private institutions should be strategically employed to engage in election logistics such as handling of sensitive materials and on-time delivery of these materials. Also, there is need to give a thoughtful consideration to electronic voting, that should take care of the logistics problem of conducting election in Nigeria.

Keywords: Election, election postponement, democracy, independent national electoral commission

INTRODUCTION

Election remains the most peaceful means of installing and institutionalizing democratic government. This is given to the fact that in a democracy, the authority of government is expected to be derived solely from the consent of the people. Election is thus the mechanism for obtaining and translating people consent into government authority. Liberal democratic theorists agree that while there may be election without democracy, it is inconceivable to have democracy without election (Bratton, 1999; Diamond, 2008). This further stresses the importance of election in any democratic process. Regular conduct of transparent, credible elections has contributed to the institutionalization and consolidation of

democratic governance in advanced Capitalist countries of the world including the United States of America, Germany and some other European Nations (Diamond, 2008). Since the beginning of the third wave of Democracy, Election (though not without challenges) remained the popular means of enthroning civilian administrations in many parts of Africa (Huntington, 1991; Diamond, 2008). However, the relevance of Election as an important institutional device of peaceful enthronement of democratic governance is a function of a transparent electoral process that provides a conducive environment and level playing ground for stakeholders, viz:- Political parties and the citizenry to actively participate

in the electoral process. The emergence of a democratic government is therefore dependent on an efficient Electoral Management Body responsible for election administration (Nwabueze, 1993).

Nigeria, since the commencement of the Fourth Republic in 1999 had conducted six general elections to install and consolidate its fledgling democracy. However, for three consecutive times, 2011, 2015 and 2019, Elections had been postponed majorly by the country's Electoral Management body. This new trend in Nigeria's political process deserves attention, as it is adding to the overwhelming burden on Nigeria's democratic process. This paper attempts to answer the following questions. What are the justifications for Election postponements? What roles have the Electoral Management Body played in contributing to this ugly development. What are the socio-economic implications of 2019 Presidential elections on Nigeria's democratic future? What are policy measures to be engaged to ensure the trend is curtailed.

Conceptual discourse and interconnections between electoral institution, election and democracy

Election is regarded as a major facilitating institution in the institutionalization of a democratic government. Liberal democratic theorists have therefore attached an importance to the efficiency of election in bringing about democracy. To them, a democratic society is that which gives rightful recognition to periodic elections in selecting who presides over the governance of the polity. This means, one of the hallmarks of a democratic society is its ability to observe, accept and respect electoral processes as the only noble means of choosing political leadership (Adesiyani, 2012).

In justifying the relevance of election in the democratic project, Schumpeter 1947 (cited in Adesiyani, 2012) informs that democracy means only that people have the opportunity of accepting or refusing who are to rule them. This becomes a reality in an organized election. Schumpeter therefore sees democratic method as the institutional arrangement for arriving at political decisions in which individuals acquire the power to decide by means of competitive election.

To further corroborate this view on the important linkage between Election and Democracy. Huntington, (1991) therefore measures a democratic society on the basis of regularity of elections. A political society to a large extent can thus be regarded as democratic when its most powerful decision makers are selected through honest and periodic elections in which nationally all the qualified voting population is able to vote.

It has been argued by Norris (cited in Adesiyani, 2012), that of all the strategies adopted by international agencies in promoting democracy, free and fair election through ballot box seems to be the viable option. This is because only the ballot box provides regular opportunities

for the public to select representatives, to hold government to account and to kick rascals out where necessary. In Africa, Election has served as an important facilitating institution in the promotion of democratic government. It is seen as the most, if not the only organized method of peaceful democratic transition and the principal means for large numbers of people to participate peacefully in forming and changing democratic government afterwards (Mozaffar, 2002).

The above assertion on the primacy of election in the democratic process is not to foreclose the fact that democracy is not all about elections. In fact, Elite scholars have argued that election is not the best means of measuring democracy. They hold the view that in any society, it is the minority that always emerges in the governance of the state. As such election in most cases do not reflect or express popular will as masses rarely determine the range of choices available to them or how those choices were arrived at (Adejumobi, 2006).

However, in spite of the reservation on the primacy of election in arriving at democratic decision, a free and fair election still remains a minimum sufficient condition (Bratton, 1998). We need to emphasize that competitive, periodic, inclusive, definitive, free and fair election is a 'sure qua non' to any meaningful take off of democratic rule and even its institutionalization. This requires a competent, well organized Electoral Management body (Nwabueze, 1993). Electoral bodies are critical agencies of electoral competition: What they choose to or not to do has significant and far reaching consequences on the stability not only of the electoral process but also of a democratic regime (Adesina, 1994). Effective electoral governance is obviously crucial in securing credible elections in Africa and indeed Nigeria.

Electoral institution and election postponement in Nigeria's democratic experience

Electoral Institution as already adverted plays a crucial role in the electoral process to bring about democratic government. In Nigeria, Nigeria's Electoral Management Body in charge of election administration is known as Independent National Electoral Commission. To show its importance in bringing about democratic rule through election, its establishment and functions are clearly spelt out in the country's 1999 constitution.

In a clear term, the 1999 constitution for the Federal Republic of Nigeria, under section 153(1) provides for the establishment of the Independent National Electoral Commission, among other federal agencies. This body is presently presided over by a Professor of History, Mahmoud Yakoub. The 1999 constitution under Part 1 of the Third schedule specify the numerous responsibilities of INEC in presiding over the affairs of the country's political future through the conduct of election. The Schedule provides that INEC shall have among others, powers to:

- (i) Organize, undertake and supervise all elections to the office of the President and Vice President, the Governor and Deputy Governor of a State, and to membership of the Senate, the House of Representatives and the House of Assembly of the Federation.
- (ii) Register Political Parties in accordance with the provision of the constitution and an act of National Assembly.
- (iii) Monitor the organization and operations of the political parties including their finances.
- (iv) Monitor political campaigns and provides rules and regulations which govern the political parties.
- (v) Arrange and conduct the registration of persons qualified to vote and prepare, maintain and revise the register for the purpose of election under this constitution.

The foregoing responsibilities no doubt put the Electoral Management body in a crucial position in determining the future of democracy in Nigeria.

Election postponement and Nigeria's democratic process in the fourth republic

One emerging issue, though unwholesome in Nigeria's political history especially since the beginning of the Fourth Republic is the spate of election postponements. As earlier observed, it is the responsibility of INEC to organize, undertake, and supervise all elections into various political offices. This also implies the Electoral Management Body is to determine the date and time table for this various elective offices. Specifically Section 5(1) of 2010 Electoral Act provides that Election shall hold on a date appointed by INEC in accordance with the constitution. Section 26(1) of the Electoral Act also confers on INEC the power to postpone election under certain circumstances:

- (i) A serious breach or violence is likely to occur
- (ii) On account of natural disaster or other emergencies

The saga of election postponement in Nigeria's Fourth Republic started in 2011 during the National Assembly Election, after voting had started in parts of the country. The Chairman of the Electoral Management Body, Professor Attahiru Jega announced the postponement of the Elections by two days. This was attributed to logistical problems such as late arrival and non deployment of election materials. He further rationalized the postponement to what he described as faulty implementation. He explained that things have not proceeded smoothly as expected with the election. Election observers also reported that INEC officials failed to report at polling units, making it difficult to implement Open Modified Ballot System (The Nation, February 17, 2017).

In 2015, when another general election (National Assembly) designed to consolidate Nigeria's fledgling democracy in the Fourth Republic was about to commence, Nigeria's Electoral Management Body, the Independent National Electoral Commission through its Chief Electoral Umpire, Professor Attahiru Jega announced yet its postponement by Six weeks. The postponement according to Jega was due to mounting pressure from the Military through the Chief of Defence Staff, who claimed the military could not guarantee security of lives and property especially in the North West which was ravaged by Boko Haram insurgency. The military had earlier claimed it needed at least six weeks to fight the insurgents who had illegally seized and occupied 14 local governments in Borno state (The Nation, February, 2017). This decision is in line with Section 6 of the 2010 Electoral act and Section 105 of the constitution that empowers INEC to postpone election is if a breach of peace or violence is likely to occur.

2019 Election postponement and Nigeria's electoral institution

2019 General Elections is seen as another step in Nigeria's political history to take a leap forward in proving to the outside world of its ability to conduct credible elections and building on the general acknowledgement by the International community of improvement in the conduct of 2015 General election. The expectations of the international community and even the citizens were high in seeing the Electoral agencies especially the Independent National Electoral Commission to provide necessary enabling environment for credible election, given its wholesome responsibilities as spelt out in the country's 1999 constitution.

2019 General Election is the fifth in the Nigeria's Fourth Republic and first to be conducted by Professor Mahmoud led Independent National Electoral Commission. The Professor of History had earlier assured the Nation of its preparedness to conduct a credible transparent election on time schedule. To show its eagerness and readiness, the Chairman INEC released the dates of Election for the next 36 years, from 2019 to 2055. According to INEC's arrangement, the general elections from 2019 to 2055 will hold in two days respectively as opposed to the proposal of the National Assembly which holds in three days. This is how it is done in other developed democracies, the dates for the elections were fixed; therefore it was time for Nigeria to follow suit (The Punch, March 18, 2018).

In furtherance of its preparation for the 2019 Election, INEC had strategic plan 2017-2021, thereafter was Election Management System, Election project plans, and Election project plan and Elections Operations centre. Sufficient funds were also made available ahead of the conduct of the election. It was officially reported

that N180bn was approved by the Government for the conduct of the election which was released on time (Premium Times, 2019).

Given the repeated assurances from the Independent National Electoral Commission and the heightened expectation of the public, it came as a big surprise when around 3:00am in the early morning of the Election Day that Prof. Yakubu announced the postponement of the General Election and subsequent alteration of Election time table. Accordingly the Presidential Election and National Assembly were shifted from February 16 to February 23, and the governorship and House of Assembly elections from March 2 to March 9.

The Chief Electoral Officer explained that the postponement was due to certain factors INEC could not handle. He listed sabotage as one of the reasons. According to him, we face what may well be attempts to sabotage our preparations. He cited the cases of disruptions occasioned by five incidents in three of the offices of INEC in Abia, Plateau and Anambra States. In this incidents, hundreds of PVCs were burnt necessitating the recompiling of the affected cards and reprinting in time to ensure that the affected voters are not disenfranchised.

He also attributed the postponement to certain operational constraints and logistical impediments threatened to abort the exercise. He admitted that the decision to postpone the election was entirely that of INEC. He further stated that it has nothing to do with insecurity, political influence, or non-availability of sensitive material" (The Nation, 2019). With this admittance of operational logistics, the postponement as expected attracted barrage of criticism, from the public. The postponement by the election management is seen as an admittance of operational deficiency. Indeed the postponement is a predictor and attestation of general incompetence on the part of the Umpire. The excuse of bad weather is not even tenable, given that the meteorological department is there for advice (Oladosu, 2017).

Since INEC admitted that it was neither due to war or insecurity, nor outbreak of epidemics, moreover, INEC was not starved of fund and had enough time to prepare for the general election, the argument for postponement is therefore more of incompetence on the part of the electoral body (The Nation, February, 2019). A Human rights activist, Falana chided INEC, and asserted that there is no legal basis for the postponement of the election.

He reasoned that the postponement of election for logistical and operational reasons cannot be justified under the electoral law applicable in Nigeria. Since the country is not a banana republic, the law never envisaged a situation whereby elections would be shifted on account of inadequate preparations by the Electoral Management Body (Falana, 2019). He attributed the postponement to the prevalent systemic corruption in the country. To him,

"INEC can postpone election at will, since the country is operating in an atmosphere of impunity, where election postponement has become an integral part of the country's electoral system and where the officials will neither be sanctioned or surcharged for the huge financial loss suffered by the country, the political parties, voters and even election observers"(Falana, 2019).

Implications of 2019 election postponement on Nigeria's democracy

The postponement of the 2019 election has grave political, economic and social implications on Nigeria's fledgling democratic experiment. In an importance sense, the deferment has reinforced and complicated one of Nigeria's problems of democracy which is voter apathy. The postponement has resulted in voter fatigue, it has created an impression that hardly can credible, transparent election be conducted at the scheduled time, since the saga of election postponement is becoming a recurring decimal. Voter fatigue sets in after the citizens had gone through the rigor of registering and collecting PVC card, only to hear that election had been shifted five hours to the commencement of election. The unexpected shift of elections a few hours to voting by INEC on account of flimsy logistics excuses really alarmed many Nigerians who had to travel to the respective places to vote, but were forced to return to their bases, could not make a second time. This has dampened the morale of the voting population, resulting in Voter apathy. The impact of Voter apathy is really evident in the 2019 general elections. Youth Initiative for Advocacy, Growth and Advancements, YIAGA Africa, one of the accredited civil society organizations by INEC for the 2019 election noted that the turn out for the 2019 General elections falls below the bar set in 2015. Wilmot, (2019) also observed that by some estimates, the 2019 elections had the lowest turnout since the country emerged from Military rule in 1999 and the lowest in the continent. In 2015, the average turnout was 42 percent during the Presidential elections, in 2019; the average turnout was 34.7%. This was attributed to initial cancellation of the 2019 polls (The Nation, February 2019).

Moreover, the extension of the election forced the political parties to extend the period of campaign for mobilization of votes, with the implication of additional spending.

In such a circumstance, politics becomes more monetized and only few political parties with financial muscle could actively get involved. This has negative implication for the development of party system needed for the growth of democracy in Nigeria. The postponements had its toll on the economic fortune of the country. Counting the economic cost, the Director General, Lagos Chamber of Commerce and Industry (LCCI), Mr. Muda Yussuf observed that Nigeria lost about \$1.5billion as a result of partial and total shutdown of

business including the closure of borders (Lawal, 2019). In a related manner, the postponement brought about additional burden on the Federal Government on the cost of the 2019 General elections. The electoral body's budget before the cancellation was put at about N189billion. However, with the saga of postponement, INEC prepared extra-budgetary allocation. At the social level, it affected individuals and groups within and outside Nigeria. The postponement complicated things for those that fixed their social events in line with the time table of the election. Shifting of the election therefore forced them to adjust or fully cancel the dates with its attendant social and financial consequences. Relatedly, the group of accredited observers who had earlier booked hotel accommodations for their assignment had to cope with the shift and spend more days in the country with additional cost, in time, material and finance.

Conclusion

The issue of election postponement and implication on Nigeria's fledging democratic experiment is the focus of this paper. The postponement of 2019 elections as witnessed has put a big question especially in the minds of majority of Nigerians and more importantly the voting population, on the credibility of Nigeria's Electoral Management body to conduct free fair election on schedule. The resultant effect of voter apathy has undermined the potency of Nigeria's democratic experience. Its implication on Nigeria's economy is far-reaching as the country lost billions of Naira with the closure of borders and total shut down of business activities. At the same time, the toll on individuals concerning social events is mind boggling. All these interlacing implications of election deferment cannot strengthen efforts at consolidating democracy in Nigeria. Indeed Democracy cannot thrive in an environment where there is instability and unpredictability of the electoral process.

Recommendations

In order to improve the lots of election management and to take care of its postponement with grave implication on the future of democracy in Nigeria, the following recommendations are considered important:

(a) There is the need to reduce the overburdened responsibilities saddled with the Nigeria's Electoral Umpire, the Independent National Electoral Commission, as can be gleaned from the 1999 Constitution and the Electoral act. It is suggested that some other responsibilities such as registration and monitoring of political parties should be assigned to other established agency, so as to enable INEC focus mainly on election

management. In this regard, the recommendation of Uwais' Panel set up by the late President Umaru Yar'Adua should be revisited for possible consideration.

(b) Nigeria's Electoral Management Body should be patriotic and committed enough to ensure that the issue of sensitive election materials is handled by competent local contractors instead of foreign firms for earlier arrival of materials as this has always constituted one of the logistics challenges in Nigeria's electoral history.

(c) The security of election materials to avoid arson and sabotage should be paramount in the preparation for future elections. To this end, government should be more alert to its responsibility by reforming the security architecture of the country.

(d) INEC should device more effective means in logistics for the distribution of election materials. In this direction, there can be the engagement of private logistics companies to carry out the delivery and distribution of election materials. Such private companies could include commercial banks in housing and safeguarding of sensitive materials.

(e) Nigerian politicians should be more disciplined and allow internal democracy for quick resolution of dispute during primaries as this is contributing to the problem of election management.

(f) For a long term solution, Nigeria should begin to give thoughtful consideration to Electronic Voting as it is done in advancing democracies. This will reduce the cost of election materials and the issue of late arrival of such materials at the election venue.

Authors' declaration

We declare that this paper is a study by our research team and we agree to publish it in the journal.

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