



The Politics of Electoral Reform in Nigeria

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Abstract: Unarguably, elections are the bedrocks of any democratic institution. Elections in Nigeria have been marred with various malpractices. This is evident in the report of both national and international observers. As a result of this, electoral reform becomes an imperative for democratic consolidation in Nigeria. President Yar'Adua set up an electoral review committee headed by a former Chief Justice of Federation to examine the entire electoral process with a view to ensuring that Nigeria raises quality and standard of general elections and thereby deepen her democracy; having accepted that elections that brought him into power were marred with irregularities. The thrust of this paper starts with introductory overview of the topic. It proceeds to the need for electoral reform in Nigeria taking into consideration, core recommendations of electoral reform committee and federal government white paper. The part three dwells in Nigeria's electoral management body while part four reviewed 2007 general elections and need for electoral reform. Part five examined some models from other democratic countries such as South Africa, Ghana, Botswana, United States and United Kingdom. The final section provides way forward and conclusion. This paper examined critically the politics of electoral reform in Nigeria and recommendations of electoral reform committee.

Keywords: Elections, Electoral Malpractices, Electoral Reforms.

INTRODUCTION

Nigeria is the most populous country in Africa. A country of about over 150 million people is divided into 250 ethnic/linguistic groups. Nigeria is always associated with poor governance, corruption and social injustice manifestations that are apparent in all facets of Nigerian society (Oтите 1990). With all these manifestations, Nigerians often appreciated the essence of good governance, transparency and accountability. Despite all these blessings, corruption has pervaded

all spheres of public and private life with serious implications for service delivery without concrete efforts from the government to fight this menace. After four decades of military rule, Nigeria returned to civil rule on 29th May, 1999. Since then there have been serious challenges such as bad governance, election manipulation, etc. But by far what appears to be the greatest challenge is the issue of conducting free, and fair, credible and generally acceptable elections that is acknowledged locally and

internationally. The Nigerian situation is depicted by Olisa Agbakoba, in his speech at the “Water Dialogue” organized by THISDAY Newspapers held in Lagos where he described Nigeria as a liability company owned by over 140 million shareholders. The company’s shareholders elect the company’s employees at the Annual General Meeting (AGM). Tasks are shared among the elected employees, tenure of offices are established with a provision for re-election at the next AGM based on the performance of the elected employees. The problem in Nigeria context is that the elected employees of company have subverted the electoral process. They do not want to go. Another problem confronting the company is that of how the shareholders reclaim their company? This is the clear indication of Nigerian electoral process in contemporary times. Political office holders do seldom want to leave office, they will manipulate the electoral process and subvert the electoral process and electoral laws. An allusion to this phenomenon is linked with Obasanjo’s aborted third term agenda where he made every effort to subvert the electoral process so that he could stay in office beyond May 29th, 2007, whereas his tenure would have expired on 29th May 2007.

In this scenario, two things were the only available options open to the Nigerian electorates. The first was to abnegate their right and tolerate those manipulations. The second was

to contest issues with the political leaders and insists on political and electoral reforms that would safeguard their interests. These two options really showed that Nigerians were tired of election manipulation and they were highly interested in any legitimate way that can help to sustain democratic values in the country.

The electoral reform being articulated by well-meaning Nigerians centres on the following issues: independent candidacy, membership of political party to contest election, restriction on political party formation, campaign finance, election funding, the immunity and overbearing powers of Independent National Electoral Commission (INEC) and issue of gender.

Former President Umaru Musa Yar’Adua recognized these pathologies in Nigeria’s electoral process in his inaugural speech on 29th May 2007 at the Eagle Square in Abuja immediately he took the oath of office. “He admitted that Nigerian elections most especially the one that brought him into power were flawed. He also believed that the experiences represent an opportunity to learn from our past mistakes”. He accordingly promised to set up a panel to examine the entire electoral process with a view to ensuring that the quality and standard of general elections in Nigeria is raised, thereby deepening democracy in the country, (See Yar’Adua inaugural speech 29th

May, 2007, Abuja: Nigeria). This indicates that even the beneficiary of bad electoral process recognize the menace of unwholesome electoral process. Another point that can be responsible for this is that public officials may lay emphasis on reforming the electoral process so as to legitimize their election. Former Governor of Delta State, James Ibori pleaded guilty to 12-count charges preferred against him by London Metropolitan Police and investigation revealed that Ibori was a criminal thereby he ought not to have become Governor in the first instance, (Punch 28 February, 2012:1-2).

THE NEED FOR ELECTORAL REFORM IN NIGERIA

The electoral reform is very necessary in Nigeria, if Nigeria wants to continue to enjoy dividends of democracy and achieve tremendously in her quest for development. According to Thomas R. Pickering, the under Secretary of State for Political Affairs, United State Department of State at the Council on Foreign Relations Conference on Nigeria in 1998, he said, “enduring stability can come to Nigeria only from a representative government that is accountable to its citizens, respects their rights, and guided by the rule of law. There has been struggle over the years to find ways to engender confidence in the conduct of free and fair elections in Nigeria. This struggle can be said to be two-sided; first is how to design and ensure an efficient, effective,

and politically non-partisan election management body; and second is on how to re-orient the country’s political culture so that the political elite and general public (Nigerians) will show a genuine commitment to the rules and regulations governing the electoral process in Nigeria in order to ensure free, fair, credible, and competitive elections. The problems of credible election have occupied the mind of Nigerians, Africans and international communities due to the strategic position of Nigeria in the African continent. On the part of Nigerians, people have appreciated the tenets of democracy and they believe that it is only through democracy that they can directly participate in the affair of their country. International community also believes in strategic position of Nigeria owing to her potentials, be it human, material, and non-material.

We need at this point to draw attention to some of the deficits in the country’s electoral process that necessitated the need to reform Nigerian electoral process. Among these deficits are:

- (1) The abuse of the power of incumbency;
- (2) Severe financial and logistical constraints on the work of electoral management bodies thereby making these bodies to depend on state and local governments for field offices of the electoral bodies.

- (3) Unreliability of voters' registers, failure to deliver them on time, and viability to receive claims and objections against them, in conformity with the laid down regulations;
- (4) Failure of the political parties, electoral management bodies or their agents to accept nomination papers or manipulate them or prohibit nomination papers from the opposition;
- (5) Ballot boxes stuffing or ballot paper manipulation within polling units or other places;
- (6) Surrogate voting or multiple voting;
- (7) Results falsification or manipulation;
- (8) Electoral violence, before, during and after the elections;
- (9) The unwholesome role of security agencies to favour the ruling party;
- (10) Finally, the time-consuming and complicated adjudication process which at times can encourage impunity in our electoral process.

These and many more necessitated the need to reform Nigerian electoral process so as to have credible election devoid of international condemnation. It should be noted that the need to reform electoral system has begun even before independence. This connotes that Nigeria has been having problems

with her electoral system since the colonial era. The question that arises at this juncture is that how did we come about these problems in our electoral system? Was it an age long problem with Nigeria? The answer is no. This is simply because we have been having peaceful and transparent transition of power from one king to the other. This problem really started with the introduction of elective principle in 1922 where three (3) seats were created for Lagos and the remaining one was created for Calabar. We are therefore tempted to conclude that the problem came with the so-called civilizing mission of the whites.

Nigeria's Electoral Management Body: An Overview

Nigeria got independence on October 1, 1960. This Constitution established Federal Electoral Management Body called Electoral Commission of the Federation. The 1979 Constitution also gave birth to Federal Electoral Commission. Abacha's administration established National Electoral Commission of Nigeria. The 1999 Constitution established Independent National Electoral Commission. It should be noted that each change in name was an attempt by various successive administrations to distance each Electoral Commission from the ill-repute and controversy surrounding its predecessor and to create the impression that the successive electoral commission would be independent and insulated from governmental control.

There had been twelve (12) appointed Chairmen of Nigerian electoral management bodies from 1958-2010. The current person in the saddle of electoral commission is Professor Attahiru Jega who was appointed by President Goodluck Jonathan in 2010 following the expiration of the term of the last occupant Professor Maurice Iwu.

The 1999 Constitution currently in use in Nigeria allows for the creation of federal and unit-level electoral bodies to oversee the affair of elections in the country. This means that Nigeria has two levels of electoral management bodies. One is to conduct the general elections into offices of President, Members of National Assembly (Senate and House of Representative), Governors and State House of Assembly. While the other one is to conduct the elections into various wards and local governments of each states of the Federation. The Federal electoral body is known as Independent National Electoral Commission (INEC) while that of state is known as State Independent Electoral Commissions (SIECs), (1999 Constitution, Electoral Act, 2006). We will now look at the 2007 general elections and the need for electoral reform.

The 2007 General Elections and the need for Electoral Reform

Traditionally, elections in Nigeria provoke reactions ranging from verbal attacks on the election management bodies to outright

violent protests. From testimonies of the general public which are corroborated in reports by domestic and international observers, the 2007 elections were marred by irregularities. There were some initial protests and agitations by a section of civil society, including labour unions, over the outcomes and results of the elections.

The 2007 general elections were conducted in Nigeria within the provisions of 1999 Constitution and Electoral Act, 2006. The elections were generally condemned both locally and internationally. Both local and international observers agreed that the elections did not meet the national and international standard of fairness and creditability. However, perceptions of many Nigerians changed with the expectation that President Umaru Yar'Adua's administration would move the country toward a path of national reconciliation. Also, regular public pronouncements by President Yar'Adua in favour of 'government of national unity' enhanced the new administration's public image. . These shortcomings as admitted by President Yar'Adua in his inaugural speech, (See Yar'Adua's inaugural speech May 29th, 2007), actually led to the setting up of the Electoral Reform Committee.

President Yar'Adua inaugurated a 22-man Electoral reform committee on the 29th August 2007. The committee had a year to present its report to Federal Executive Council

for onward transfer to National Assembly for appropriate action. This action further endeared President Yar Adua to civil society and a section of the international community who welcomed and supported the reform agenda of President Yar Adua. After setting up this committee there were mixed reactions that electoral review committee should not be made up of non-politicians only but rather politicians should be included so as to solve the problems once and for all. In response to these mixed reactions, President Yar'Adua set up the Inter-Party Consultative Committee on Electoral Reform (2008) which was chaired by Vice-President of Federal Republic of Nigeria Ebele Goodluck Jonathan. The Inter-Party Consultative Committee in its report identified the following as the key factors responsible for the problems of conducting free and fair elections in Nigeria. Among these factors were:

- (1) Conflict of law guiding the electoral process;
- (2) The use of the power of incumbency to the detriment of other political parties and interest;
- (3) Lack of real independence of electoral management bodies;
- (4) Electoral violence and recruitment of criminal gangs to terrorize the voters;
- (5) Selfish interest of the politicians and influence of money in politics.

Inter-Party Consultative Committees submitted its report to the Electoral Reform Committee for consideration. The Electoral Reform Committee consulted widely with individuals; institutions and governments. The committee received a total number of 1466 memoranda from the general public. Also, the committee conducted public hearings in two capital cities in each of the six geo-political zones and the federal Capital Territory during which a total number of 907 presentations were made (See Uwais Report on electoral Reform, 2008). Although the committee shunned overseas travels as a matter of principle, it benefited from foreign expertise by inviting for interaction, experts from Botswana, Cameroon, Canada, Cote I' Ivore, France, Ghana, India, Lesotho, Mexico, Niger Republic and South Africa. The committee eventually submitted its report to President Yar'Adua in December, 2008.

In the report, the Committee examined the strengths and weaknesses of the present electoral process of the country in relation to electoral best practices in countries similarly placed as Nigeria and consequently the committee made appropriate recommendations aimed at promoting greater inclusiveness and minimizing both pre-and post-election tension in the country. The Committee was of the opinion that some of the recommendations in its Report require changes in existing electoral procedures, reallocation of

electoral functions or even creation of new institutions in situation, where such changes require new legislation or amendment to-existing laws. The Committee prepared appropriate drafts such as Draft of a Bill for an Act to Amend the Electoral Act, 2006; and Draft of a Bill for an Act to establish the Electoral Offences Commission, in order to facilitate and speed up the implementation process.

However, the Uwais Report on electoral reform has taken the centre stage in the Nigerian electoral reform debate, but what exactly does it contain. The Justice Mohammed Uwais-led Electoral Reform Committee (ERC) recommended the introduction of independent candidates even as it called for the trial and sentencing of electoral fraudsters during elections.

The core recommendations of the report of the Electoral Reform Committee are that independent National Electoral Commission should be unbundled and some of its functions transferred to a Political Parties Registration and Regulatory Commission; an Electoral Offences Commission and a Constituency Delimitation Commission, The Board of the Electoral Management Body should be appointed by the Council of State on the recommendations of the National Judicial Council and subject to confirmation of the Senate.

The Committee formally submitted its report to President Umaru Musa

Yar'Adua, in Aso Villa on the 11th of December 2008, also advised the government to establish new legislative bodies to deal with the problem of election rigging and irregularities in the country. Specifically, the Committee recommended that several bodies be created to deal with problems of election frauds. They include, Electoral Offences Commission (EOC), Constituency Delimitation Commission (CDC), and Political Parties Registration and Regulatory Commission (PPRRC).

The Committee's report also recommended the "re-introduction of independent candidature in all elections". The Chairman of the Committee disclosed that the new electoral regulating bodies would help tackle the problems associated with electoral fraud in the country.

Some of the recommendations in our report will require changes in existing electoral procedures, reallocation of functions which are presently performed by the Independent Electoral Commission (INEC) and States Independent Electoral Commissions (SIEC), and necessitated the creation, by legislation, new bodies, that is Electoral Offences Commission (EOC), Constituency Delineation Commission (CDC), and Political Parties Registration

*and Regulatory Commission
(PPRRC)*

According to him, in order to facilitate and speed up the implantation of the recommendations, "we have annexed to the main report three draft bills for the amendment of the 1999 Constitution and Electoral Act, 2006 as well as the establishment of the EOC".

Giving insight into how the Committee arrived at its decision on some recommendations, he said the Committee has established that the Independent National Electoral Commission (INEC) and the State Independent Electoral Commission (SEICs) lack the requisite independence." "This is a key deficiency of our electoral process. Accordingly, the Committee has made appropriate recommendations to address the focal issues of their composition, administrative autonomy and funding."

The Committee chairman said the Committee has equally made recommendations aimed at improving the performances of various election related institutions especially the national assembly, the executive, the judiciary, the political parties, security agencies, civil society organizations, the media and the general public.

The Chairman said the Committee during its work found that "election mind-sets are part of the elements that determine the success of election practices; and the mind-sets of

Nigerians are not only generally negative but also irrational. "Therefore, appropriate recommendations have been made aimed at changing this attitude so as to minimize electoral violence and rigging and enhance the building of lasting democratic institutions and culture."

The Electoral Reform Committee, he noted, was "firmly convinced that the acceptance and implementation of the recommendations in the report will significantly restore credibility to the Nigeria electoral process and usher in an era of free, fair and credible elections that will conform to international best practices."

While acknowledging the recommendations by the Inter-party Consultative Committee, to the Committee's work, Uwais said the reform Committee has "where appropriate, incorporated to a large extent, the aspects of the recommendations by the Inter-party Consultative Committee, which accord with its reasoning and decisions."

Arriving at their recommendations, he stressed that the Committee examined the strength and weaknesses of past and present electoral process in relation to electoral best practices in countries similarly placed as Nigerian and made appropriate recommendations aimed at "promoting greater inclusiveness and minimize both pre- and post-election tension." "In this regard, the committee has

recommended proportional representation in elections to the legislatures and local government councils. The advantages of the proportional representation system are its inclusiveness, simplicity and accountability. It promotes universal suffrage by ensuring that all votes are of equal value, that no valid vote cast is rendered useless, ineffective or wasted as all votes cast nationwide or statewide or local government area wide, as the case may be, are taken into account. It also facilitates representation of women and other disadvantaged groups in the legislature and the local government councils."

- That the Electoral Management Body should be delisted from the list of Federal Executive Bodies;
- That election to the House of Representatives and State House of Assembly should be on the basis of mixed member proportional representation.

It should be noted that these recommendations of Electoral Reform Committee would have put Nigeria's feet on a solid and sound electoral system, if federal government had accepted everything it recommended. But the President of the Federal Republic of Nigeria presented the Report of the Electoral Reform Committee to the Federal Executive Council which later set up a White paper Committee to examine the recommendations. The Draft

White Paper Committee on February 2009, having studied and analyzed the findings and recommendations contained in the Report of the Electoral Reform Committee presented its views to Federal government for consideration. The Draft White Paper Committee in its report to Federal Executive Council rejected the core recommendations of the Electoral Reform Committee. Acting on this premise, the Federal Executive Council rejected the following core recommendation of Electoral Reform Committee:

- The issue of Proportional Representation;
- The re-composition of the Independent National Electoral Commission;
- The mode of appointment of the Board of the Independent Electoral Commission;
- The conclusion of all electoral disputes before swearing-in;
- The shifting of the period for the holding of elections in Nigeria; and
- Finally, the creation of a Constituencies Delimitation Commission.

President Yar'Adua later presented the decision of Federal Executive Council to the Council of State which further rejected the re-organization and integration of the States Independent Electoral Commission into structure of INEC. The questions that arise now is that, is the rejection of some of the recommendations justified? Is it self-serving? Was it meant to favour the

ruling oligarchy? Having critically examined the core recommendations that were rejected, we safely conclude that the issue of Proportional Representation would have probably affected the ruling party and of course the ruling party was not ready to lose grip in the National Assembly. The issue of conclusion of all electoral disputes before swearing-in was self-serving considering the number of cases in court against the ruling party, but if ruling party got to power, it could easily subvert the adjudication of justice using incumbency power. All the rejected core recommendation of Electoral Review Committee was not justified and they were self-serving. Let us now examine some models from other democratic countries in order to know whether we have conformed with the norms of international standards and credibility or we have demonstrated seriousness in our bid to reform electoral process in Nigeria.

Electoral Reform in South Africa: An Overview and Assessment

South Africa, even before independence, had used the British first-past-the-post (FPTP) system of electing representative for parliament for more than eighty years. It remained essentially unchanged since its implementation at unification in 1910 until its replacement by a new electoral system with the 1993 Greek constitution and the subsequent election of April 1994. South Africa freed from Apartheid system in 1991

and got her independence in the same year there has been a lot of serious and accelerated debates on electoral options for the new South Africa. Many of the debates for electoral reform during this period were different with respect to technical details. The core of the debate was that the old FPTP system was patently unfair since it overrepresented large parties, and especially the ruling party in the system. The second point was that some form of proportional representation was highly desirable. After using this system for April 1994 elections in South Africa, the electoral reform debate once again sparked off. The Nigerian citizens clamored for electoral reform in country were justified based on this assertion because advanced country like South Africa also sought the need to reform her electoral process.

The South Africa's constitutional arrangements provide for a Parliament composed of a 90-member indirectly elected into "National Council of Provinces (NCOP) which later replaced the former senate elected in 1994 and a 400-member National Assembly, (cf. Faure, 1994a: 1145-121 & 1994b: 31-50). In South Africa, each voter is accorded with two ballots, one to be used for the election of members of the National Assembly, and other one is to be used for electing members of provisional legislatures. Voters are only accorded the opportunity to choose between competing parties lists. In spite of

high levels of illiteracy, there is evidence to suggest that voters generally understood the purpose of the double ballots, and that ballot differentiation was used as a conscious voting strategy by many supporters of especially the smaller parties who voted for these parties on the provisional level (Cf. Faure, 1999:19). Similarly in Nigeria, most especially during the 2011 general elections, where the time-table of election was highly separated, voters were given one ballot paper during the Presidential election while two ballots were given to voters during the National Assembly, governorship and State Houses of Assembly elections. But due to the inability of Electoral Management body and political parties to properly educate the electorates as well as their supporters before the election, Nigeria recorded quite large numbers of voided votes during the election, (INEC Report, 2011).

The party lists system in South Africa uses both national and sub-national (regional, provincial) party lists. That of Nigeria, party lists according to Electoral Act, 2006, requires that presidential aspirant must win 25% of total votes in the $\frac{2}{3}$ two-third of all the states of the Federation. This is aimed at making sure that candidates are nationally accepted and that of governor must win 25% of total votes in $\frac{2}{3}$ of entire local governments in the state.

The allocation system provides seats proportionally at both a regional and

a national level in terms of Droop quota. While the regional allocation is not the conventional allocation in terms of small MMCs, the national allocation has to take account of regional allocation. Smaller parties with regional support are not disadvantaged by this method, while smaller parties with a country-wide level of support i.e. not regionally based support, can benefit from this method of national allocation. This could have been more beneficial to Nigeria, if the federal government had not rejected Proportional Representation in the Electoral Reform Committee's report (see Uwais Electoral Report, 2008). The electoral reform in South Africa has gone through a remarkable period of activity for the past decade. This has really helped South Africa in re-shaping her electoral system for good and we recommend that Nigeria should emulate this gesture by always removing politics from electoral reform.

It is noteworthy to look at Botswana Electoral Reform, if we can actually draw any experience from it. Botswana is always characterized as the longest serving multi-party democracy in Africa. It has a track record of holding free and fair elections regularly since independence in 1966. It has continued to hold elections under the First-Past-the-Post (FPTP), electoral system, which it inherited from colonialism just like any other Africa country. But it is worthy of mention that this system has not led to

electoral violence or political instability unlike other African countries. However, democracy goes beyond casting a vote, it entails empowerment of people and ensuring that institutions that are formed from the election results are reflective of popular vote and will of the people. With the First-Past-the-Post, Botswana has performed very well in producing a stable form of government, but there are noticeable deficiencies and inadequacies in electoral system as regard accountability and representation in some African countries.

One of the major deficiencies in Botswana has been the under-representation of women in government structures. Despite the approval of international protocol and SADC regional conventions for a more balanced gender representation in national legislature, women remain insufficiently represented in the legislature in Botswana. Another major deficiency is that Botswana politics is controlled by one party, the Botswana Democratic Party (BDP) which has consistently won each and every election with a landslide victory. There is a weak opposition that is well known for splits and factional problems. Changing the electoral system is not easy in Botswana just like in Nigeria, and politicians have difficulty in reforming the system under which they have been elected.

Botswana's electoral system also provides for Proportional

Representation (PR) which also encourages the growth of political parties while its major disadvantage is that accountability is considered minimal. There are considerable levels of internal democracy and inter-party democracy in the opposition in Botswana. This is worthy of emulation by Nigeria where internal democracy of our so-called political parties is nothing to write home about.

Electoral Reform in Ghana: An Overview and Assessment

Another country's electoral reform that needs to be examined is that of Ghana. In a region beset by electoral inconstancy, Ghana is a role model for African politics and elections. However, to ensure that an encouraging track record is maintained and strengthened, the European Commission is engaged in a programme of electoral reform support. The action will be implemented via an innovative approach— for an Electoral Assistance programme— through the signature of grant contracts, directly awarded to the three Independent Government Institutions: The Electoral Commission, the National Median Commission and the National Commission for Civic Education. According to Daria Fane of the European Union Delegation to Ghana, continued donor support to electoral reform was considered important to ensure that Ghana was able to build on the positive advances made in recent years. "On the one hand, Ghana has run its

elections so well that it is somehow setting a best practice example for the continent,” said Ms. Fane. “On the other hand, it was still felt the elections were quite tight and there was a very strong underlying tension.” “If there was not sufficient mobilization of mechanisms and resources to make the elections more successful, then it could also slip into something more negative,” she added. George Sarpong Executive Secretary of the National Media Commission echoed that message, adding that it was important that the EC’s support programme included a media monitoring component. “In the last election, everybody was concerned about how the media had behaved,” said Mr. Sarpong, explaining that the EC programme includes a media element. However, Ghanaian electoral reform becomes worthy of emulation to Nigeria where our political class do not want to leave office and subvert the electoral process.

Electoral Reform in the United States: An Overview and Assessment

The basic thrust of electoral reform in the United States is to make voting easier and affordable. In the past three decades a series of electoral reforms have been enacted in United States that are designed to increase turnout by easing restrictions on the costing of ballots including Voting-by-Mail (VBM), early voting, the relaxing of stringent absentee balloting procedures, and Internet voting. There had been

mixed reactions between the proponents and opponents that these reforms should increase the demographic representatives of the electorate by reducing the direct cost of voting, thereby increasing turnout among groups of lower socio-economic status who, presumably, are most sensitive to the costs of coming to the polls.

Many states in United States, made use of “permissive absentee balloting” which restricts the use of absentee ballots to those citizens who cannot make it to the polls on elections Day because of occupation, business, studies, trades, or other reasons, while other States have liberalized the use of absentee ballots. Although States now make an absentee ballot available to any registered voter that requests one, (Berinsky, consequences of electoral reform) without need to show cause (Hensen, 2001).

Since 1988, voters in Texas and 13 other States has been permitted to cast ballots, in person, up to 3 weeks before the election at designated polling sites (Hensen, 2001; Stein, 1998). This system is referred to as early voting. In addition, in certain states- such as Texas, citizens do not have to vote in their own districts. Instead, they can vote at any early voting site they find convenient. Like absentee balloting, early voting is used widely, when available. In 2000, for instance 39% of the Presidential vote in Texas were cast early (Hansen, 2001).

Another significant reform in United States is the introduction of voting-by-mail where every registered voter in a given jurisdiction receives a ballot that can be dropped off or mailed back to the proper election official. Voting-by-mail elections began at the local level in the late 1970s and have grown increasingly popular. By statistics, 19 states have used voting-by-mail for at least one election and, since 1998; Oregon has conducted all its elections by mail (Berenksy, Burns, & Traugott, 2001). Also, United States electoral reform allows internet voting system that would enable voters to cast a secure and secret ballot over the internet. Internet voting has not been adopted in any voting jurisdiction in the United States, but proponents of this method point to its promise in easing the cost of voting, especially for military personnel and the disabled (Alvarez & Hall, 2004).

The dynamics of voting process in United States have become a thing of emulation for developing countries. United States took the interest of the electorates into consideration and made sure that their votes were counted. Nigeria's effort towards having holistical or robust electoral reform should emulate this model of the United States so that her elections would meet international standards.

Electoral Reform in United Kingdom

The efforts of United Kingdom began with the coalition programme

of May 2010 which included a commitment to introduce a Referendum Bill on electoral reform. The Parliamentary voting system and constituencies Act 2011 made provision for the introduction of the Alternative vote system for the House of common, if there was a positives result in a referendum. 67.9% of voters opposed changing the voting system to alternative vote in the referendum held on 5 May, 2011. It should be noted that before this time, United Kingdom had already introduced these electoral systems; the Single Transferable Vote System, the Additional member system, the Closed Party List system and supplementary Vote system.

A modified form of Alternative vote system was used for the election of the London Mayor. This system is referred to as Supplementary Vote. It restricts the voters to two preferences so as to prevent the very weak preferences at the bottom of the ordering scale influencing the result unduly. For a well exposed country like United Kingdom, this form of electoral process is not that good. United Kingdom should avoid partisan politics in her electoral process so that votes of the electorates would be counted and preserved.

However, for the purpose of this paper, it is incumbent on us to make certain clarification having critically examined electoral reform in Nigeria and its antecedent effects on 2011 general elections.

Electoral Reform in Nigeria: Is it all about Reform?

Meanwhile, it can be deduced from the above that it is not all about reform that can guarantee free, fair and credible election in Nigeria considering the kind of environment we are and the kind of do to die politicians operating within our system. It is on this premise that this paper tends to put forward intellectual debate that will form bedrock for way forward as far as Nigerian electoral reform is considered.

There is no gainsaying in the fact that electoral reform in Nigeria most especially in 2007 as enunciated by former President Umar Yar'Adua spearheaded by Justice Uwais has tremendously brought significant changes to electoral process to Nigerian elections. This is evidenced in the general elections in 2011. For instance in Oyo State, the cases of electoral disputes drastically reduced to two cases for governorship election. Be that as it may be, there was improvement in 2011 general elections. It should be noted that for electoral reform to be successful, there are things that need to be done so as to achieve more beyond elections. Elections are just the mere blocs in the system but there are other things that need to be done if visible achievements are to be made in electoral process in the country. It is not all about electoral reform that can guarantee free and fair elections in the country, there should be other reforms such as institutional reform.

Electoral Reform in Nigeria: Way Forward

Having critically studied various electoral reforms by different administrations in Nigeria with particular reference to Yar'Adua's administration and having studied the report of Uwais Electoral Reform Committee, I want to state that the only way out to electoral problems in Nigeria is Institutional Reform. The institutions that are competent the reformation are The Police, Executive, Legislature, Judiciary, Army, Naval, Air Force, Religion Organizations, Civil Society Groups and Independent National Electoral Commission, etc. Let me start analyzing these institutions one by one and bring out necessary areas where reform is needed. The bedrock of any free and fair election is competent, unbiased and effective policing. If Nigeria could have credible elections the police need to be reformed. With the present security agencies in the country controlled by Federal Government that is also a gladiator or major player in elections even if we adopt Uwais report holistically, there may not be significant changes in electoral process in the country. This is so simply because the Nigerian Police are corrupt and ineffective to properly monitor elections in the country where money could be used to even bribe and influence their behaviour. All the security agencies need to be reformed to achieve the desired aims of free and fair elections in the country.

Also, the religions in the country have become tools of oppression and identification. There should be religious reform so that incompetent people would not unnecessarily affiliate themselves with the religion for political relevance rather competence should be the order of the day. Religious leader should also admonish their followers of good behaviour before, during and after the elections. The executive, legislature and judiciary need reform so that as gladiators they would not be unnecessary interfering with electoral; process for personal reasons. Most of these institutions are most affected during the elections so they would want to use their powers to subvert electoral process. The civil society also needs to be reformed so that those ones being sponsored by politicians to tactically subdue electoral process would be outlawed. For any electoral reform to be successful in Nigeria there must be institutional reform because only INEC cannot ensure free and fair elections in the country. Media also need to be reformed that is freedom of information should be ensured so as to remove barriers to information. There is the need to institutionse the need to know and the right to know so as to ensure violent free elections in Nigeria.

Conclusion

The key issues that emerged from the research of this paper are the five critical issues in relation to electoral reform in Nigeria. The first has to do

with the need to unbundle election Management Body that is Independent National Electoral commission INEC as provided in the report of Electoral Review Committee, 2008, by creating other agencies such as Political Parties Registrations and Regulatory Commission, Electoral Offences commission and Constituency Delimitation commission. This adjustment would help INEC to be more properly focused and paid total attention to elections per se. The Political Parties Registration and Regulatory Commission would see to the affairs of registration of political parties and monitor their finances properly. The Electoral Offences commission would be dealing with electoral offences and arraign electoral offenders for judicial prosecution, while the Constituency Delimitation commission would divide this country into proper constituencies for adequate representation of people. But to the dismay of many Nigerian, Federal Government rejected these recommendations.

Secondly, the issue of appointment of chairman of election management body stands out in relation to electoral reform. The Uwais Electoral committee recommended that the Chairman of INEC should be nominated by National Judicial Council upon the recommendation of Council of State, subject to the confirmation of the Senate. This is to safeguard the office from unnecessary interference from the

executive arm of government. The Federal Executives Council rejected this recommendation and later appointed a member of Electoral Review Committee, Professor Attahiru Jega as the chairman of INEC. The question that arises here is that why it is that president wants to retain this power? Why did the president appoint the same member of electoral committee? Why did Jega accept the offer? This is clearly politics of electoral reform in the country.

Thirdly, the issue of how to have effective electoral management body also stands out in relation to electoral reform in Nigeria. The people envisaged the effective electoral management body that would be devoid of favouritism, biasness and ensure free, fair and credible election. This became imperative for our elections in Nigeria to be acceptable both at national and international levels.

Fourthly, the issue of internal democracy within our political parties stands out in relation to electoral reform in Nigeria. Most of our political parties including the ruling party do not have the instrument of internal democracy within instead; they tend to impose candidates on their party members. This is even more evident in 2011 general election where most governorship candidates and members of National Assembly were imposed on their party members. This is clearly against the rule of law

which encourages fairness in any political game. If this trend is not urgently arrested, it may have attendant effect on our electoral system.

Finally, the issues of party financing and campaign funding serve as major consequences of ending democratic values in the country. It is very unfortunate that incumbents at times use state resources to fund his/her party and fund campaigns. This will have attendant effect on our enduring democracy. (See the Punch, editorial, 9 June, 2006). It is even very difficult to monitor the finances of political parties in Nigeria. It may interest to know that the apex bank in the country that is central Bank of Nigeria does not even know the volume of money in circulation let alone the finances of political parties. This paper suggests that elements of electoral reform should include political finance reform, in order to have robust electoral reform. Efforts at electoral reform should also consider the need for scientific research which requires data and information analysis and re-analysis.

All said, even if the electoral reform ideas are put together, one thing is still crucial. There must be the readiness and willingness on the part of both the political class and the general populace to accept the changes that one likely to come with the reforms. It is this attitudinal change that is lacking that is making it extremely difficult to achieve the desired results. But with

determination and doggedness this

objective will be achieved.

REFERENCES

- Adele Jinadu, (2008). The Problems of Electoral Reform in Nigeria: Context and Possibilities, Proceedings of a National Workshop, organized by Nigeria Institute of Social and Economic Research (NISER), Ibadan.
- Alvarex, E.M.L. & Hall, T.E. 2004. Point, Click, and Vote: The Future of Internet Voting. Washington, DL: Brookings Institution.
- Barkan, J.O. (1995): Elections in Agrarian Societies. See Journal of Democracy. Chap. 6, pg (4).
- Berinsky, A.J. 2002. Silent Voices: Social Welfare Policy Opinions and Political Equality in America. *American Journal of Political Science*, 46, 276-287.
- Berinsky, A.J., Burns, N. & Traugott, M.W. 2001. Who Votes by Mail? A Dynamic Model of the Individual Level of Consequences of Vote-by-Mail system. *Public Opinion Quarterly*, 65, 178-197.
- Blaii, A. & Dion, S. (1990). Electoral Systems and the Consolidation of New Democracies. In Ether, D. (ed), *Democratic Transition and Consolidation in southern Europe, Latin America and South East Asia*, London: Macmillian Press.
- Blainey, G. (1957). Review of Voting system: The Experience of New Voting Systems in the United Kingdom since 1997.
- Botswana Democratic Party 2001. Botswana Democratic Party. Primary Elections Rules. Gaborone.
- Constitution of the Republic of South Africa. 1996 Cronin, T.E. (1989): *Direct Democracy: The Politics of Initiative, Referendum and Recall*. Cambridge, MA: Harvard University Press.
- Dayo, O. Kusa, 2007. In *Development Policy Management. Network Bulletin*. Vol. XIII, No. 3, Lagos.
- Democracy: Seminar Paper, Centre for Democracy and Development, London: 21 April, 2006.
- Federal Constitution of Nigeria 1960: The Independence Constitution of the Federation Lagos: Federal Government Printer.
- Federal Republic of Nigeria 1979. The Constitution of the Federal Republic of Nigeria. Lagos: Federal Government Printer.
- Federal Republic of Nigeria 1999. The Constitution of the Federal Republic of Nigeria. Lagos: Federal Government Printer.
- Federal Republic of Nigeria 1999. The Constitution of the Federal Republic of Nigeria (First Alteration), Act 200, amending Section 156 of the 1999 Constitution.

- General Elections, Abuja, 2003: All cited in Jibrin Ibrahims; Elections and their implication for democratic government: A new electoral system. Melbourne: George Roberston & Co.
- Good, K. 1999. Enduring Elite Democracy in Botswana, Democratization. Vol. 6.1
- Hansen, J.M. 2001. Early Voting, Unrestricted Absentee Voting, and Voting by Mail. Unpublished Report of the Task Force on the Federal Election System.
http://www.electoral_reform.org.uk/articlephp?id=55, accessed at 5:320pm on 16 Feb. 2002.
- http://www.ipsos_mori.com/Assets/Doc/Ph/s/Rm_AvarticlePDF accessed at 5:40pm on 16 Feb.
- Ibrahim, J. 2006. "Legislation and the Political Process: The Third Term Agenda and the Future of Nigerian Democracy. Seminar Paper, Centre for Democracy and Development. London: 21 April, 2006, National Civil Society Coalition against Third Term Agenda, Don't destroy our unity with Third Term Agenda. Abuja.
- INEC (Independent National Electoral Commission (2005). Reports of 2011 General Elections Handbooks: Abuja, INEC.
- Magleddy, D. (1987). Participation in Mail Ballot Elections. Western Political Quarterly. pp. 40-79.
- Momoh (eds.) 1995. The Political Economy of Nigeria under Military Rule, 1984-1993, Harare SAPES Books.
- Osaghae, E. 1998. Cripple Giant: Nigeria Since Independence. London: Hurst & Company, pg 265.
- Otite O. 1990. Ethnic Pluralism and Ethnicity in Nigeria (with Comparative Materials), Ibadan: Shaneson C.I Ltd.
- Team Editorial 2010. Electoral Reform in Ghana. The Punch Newspaper, February 28, 2012. Pg. 1&2
- The Punch Editorial, June 9, 2006.
2006. Electoral Act 2006. Lagos: Federal Government Printer.
2008. Report of Inter-Party Consultative Committee. Lagos: Federal Government Printer.
2008. Report of Justice Mohammed uwais Electoral Reform Committee. Lagos: Federal Government Printer.
2007. President Umaru Musa Yar'Adua's Inaugural Speech. May 29, 2007. Abuja: Nigeria.