

THE ELECTORAL PROCESS AND SUCCESSION CHALLENGES IN NIGERIA: THE CASE OF 2007 GENERAL ELECTION IN ENUGU STATE: Francisca Nkemdilim Onah

ABSTRACT

This study looked into the relationship between the electoral process and succession challenges in Nigeria. The 2007 general election in Enugu State was used as a case study. The specific objectives of the study were to find out the problems related to the 2007 voters registration in Enugu State; analyse the extent to which voters' registration exercise affected the 2007 the election; and make suggestions towards improving the electoral process in Nigeria. The elite theory was used as the explicatory framework. Both primary and secondary data were collected and analysed using content analysis. It was found out that the voters' registration exercise was manipulated clearly to favour the ruling party. The registration exercise was used to influence the 2007 general election unduly. The massive rigging of the election was traceable to the manipulations of the voters' registration exercise. The registration exercise therefore constituted the major obstacle to smooth succession in 2007. Among other salient recommendations, this paper feels that subsequent registration exercises should be the business of INEC and not left for all and sundry as was the case in 2007.

1.0 Introduction

Free and regular elections are part of the criteria for evaluating whether a nation is democratic or otherwise. Elections provide opportunities for political participation in any political system. Elections are avenues for concrete expression of the citizens' right to choose, participate and engender accountability. These are salient features of democratic government and processes. When an election is rigged, choices of the citizens are invariably annulled and the government that emerges cannot represent, protect, and effect the interests and aspirations of the people.

Nigeria operates a democratic system of government. The process of electing representatives into political offices is entrenched in the constitution of the Federal Republic of Nigeria. The 1999 constitution created the body known as Independent National Electoral Commission (INEC) and this body was charged with the responsibility of conducting elections in Nigeria. The previous electoral commissions in Nigeria did not have "Independent" prefixed to their names. We had in the past electoral commissions namely Federal Electoral Commission (FEDECO), National Electoral Commission

(NEC) and National Electoral Commission of Nigeria (NECON) charged with the same responsibility. The present commission is called Independent National Electoral Commission (INEC). This body known as INEC conduct, elections following the guidelines as laid down in the Electoral Act. For elections to be peaceful, free and fair depends on whether these rules and guidelines were strictly adhered to.

Nigeria like many other countries in Africa, has not been immune against the succession crisis in the continent. Succession in the first and second Republic has been politically disastrous and problematic. It is within this evaluative perspective that the 2007 voters' registration and elections could be considered as a watershed in Nigeria's political history. This is considered so because of lack of credibility of electoral succession.

This incredibility of electoral succession, therefore, calls for the examination of electoral process and the roles played by voters' registration exercise and how it influenced 2007 general election in Nigeria.

It would be recalled that from the era of Mr. E.E. Esua's First Republic Electoral Commission of Nigeria in May 1, 1964 to January 15, 1966, through Chief Michael Ani led Federal Electoral Commission (FEDECO) 1976 to 1976 and Justice Victor Ovie Whiskey (FEDECO) July 29, 1980 to December 31, 1983 of the second Republic, the story remain the same. Equally, if a review is made of the Professor Eme Awa's National Electoral Commission (NEC) 1987 – February, 28 1989, Professor Humphery Nwosu, March 17, 1989 to 1992, Professor Okon Edet Uya, July 1993 to October 1993, Dr. Dagogo Jack, National Electoral Commission of Nigeria (NECON) 1994 to 1998, Justice Ephraim Akpata's Independent National Electoral Commission (INEC) of 1998 to 2000 and Dr. Abel Guabadia of May 25, 2000 to May 25, 2005. Prof. M. Iwu took over thereafter, and Performed as the electoral umpire up till 2010. The common outcry among the citizenry had been that the managers of our electoral system are corrupt and have done a shoddy job. The problem of Nigeria's electoral system worsened with successive military regimes especially as a consequence of inconsistencies, uncertainties and insincerity on the part of the government.

The general objective of this study is to examine the electoral process and its effect on the 2007 general election in Nigeria. The specific objectives are to: Find out the problems related to the 2007 voters registration in Enugu State; Analyse the extent to which voters registration exercise influenced 2007 general election in Enugu State; and make suggestions towards improving voters registration and electoral process in Enugu state.

2. The Electoral Process in Nigeria

Elections as a process comprises a number of apparatuses, activities and stages. These include the inauguration of an electoral commission, carving up the community into electoral constituencies, compilation of voters registers, nomination of party candidates, electioneering campaigns, voting and declaration of election results.

Inauguration of Electoral Commission

The 1999 constitution of the federal Republic of Nigeria, under section 153 (1) provides for the establishment of the independent National Electoral Commission (INEC), among other Federal Executive bodies. The Independent National Electoral Commission (INEC) was established by Decree 17 of 1998 and was inaugurated by the then Head of State, General Abulsalam Abubakar on August 11, 1998. The legal existence of the electoral body which was incorporated into the 1999 constitution became operational on May 29, 1999.

Also in section 154(1) of the 1999 constitution, the power to appoint the chairman and members of the commission is vested in the president, whose action is subject to confirmation by the senate. Each state of the federation and the Federal capital territory has a Resident Electoral Commissioner (REC) who heads the INEC office there.

The functions of the commission are as stipulated in part 1 of the third schedule of the 1999 constitution and well documented by INEC in its report of activities (1998 – 1999). They are to:

- i) Organize, undertake and supervise all the elections to the offices of the president and vice president, the Governor and Deputy Governor of a state, and to the membership of the senate, the House of Representatives and the House of Assembly of each state of the federation.
- ii) Register political parties in accordance with the provisions of the constitution and an act of the National Assembly.
- iii) Monitor the organization and operation of the political parties including their finances.
- iv) Arrange for the annual examination and auditing of the funds and accounts for political parties, and publish a report on such examination and audit for public information.
- v) Arrange and conduct the registration of persons qualified to vote, and prepare, maintain and revise the register of voters for the purpose of any election under this constitution.
- vi) Monitor political campaigns and provide rules and regulations which shall govern the political parties.
- vii) Ensure that all Electoral Commissioners, Electoral and Returning Officers take and subscribe to the oath of office prescribed by law;
- viii) Delegate any of its powers to any Resident Electoral Commissioners; and
- ix) Carry out such other functions as may be conferred upon it by an Act of the National Assembly.

As a neutral, non-partisan electoral agency, INEC is expected to exhibit impartiality in its administrative oversight of the political parties.

Demarcation of Electoral Constituencies

Elections as an aspect of representative democracy is all about choosing person or

persons to represent a given population of people drawn from a defined geographical area. Constituency demarcation is a process in which the entire political community including its total population is carved up into electoral units in such a way that each is represented by one or more electoral representatives.

c. Compilation of Voters' Register

Central to any election is that of establishing the eligibility of those expected to cast vote at elections. Therefore, registration of voters is considered a very important aspect of the electoral process. It entails compiling a comprehensive list known as electoral register used by polling officials for clearing voters before actual voting commences on the election day.

d. Choice of Candidates by Political Parties

Among each of the political parties contesting most general elections, members who desire to contest for the few vacant positions are usually far greater in number than the vacant positions. Each of the parties is therefore, compelled to select or choose the candidates to contest the election under its banner out of its members wishing to fill the vacant seats.

Political parties can make this choice of candidates in two principal ways

- i) One method is that in which the leadership of a political party appoints a member who is a party loyalist to contest election on behalf of the party. However, this method is usually criticized as being prone to abuse by a clique which may not represent the interest of the majority of the members of the party or the electorate in general.
- ii) The second method is primary election within the party. In this method, the rank and file of the party vote to decide who to represent the party as candidate(s) in the election.

e. Electioneering Campaign

Electioneering campaign involves a carefully constructed messages or a communication process designed by a candidate contesting for election to convince the mass of voters to cast their votes for him. It is a period whereby the candidate present his manifestoes or programmes to the voters.

f. Casting of Vote

Voting entails casting ballots in favour of one's preferred candidates on the day of the election by qualified voters under the supervision of the electoral officers and security agents such as the police and other accredited observers. The voting process in use in Nigeria is simple casting of ballot papers into a box.

g. Declaration of Election Result

Immediately actual voting is concluded what follows is counting, collating and adding up of votes cast in each polling station, constituency by constituency. After the collation process, the results are announced by the electoral body. In certain cases, electoral malpractices do occur at the stage of compilation of election results. At times, vote counting may become a contentious issue. There are cases where election results sheets may be doctored such that the election results declared do not represent the actual votes cast during the voting exercise. This reason can lead to rejection of declared election results by candidates and parties, hence the defeated candidates refuse to accept defeat. In certain cases, election results may be a subject of court litigation by a defeated candidate.

Nwabueze (1993: 358), opined that electoral process embraces within its ambit all the institutional procedures, arrangements and actions involved in the elections. Specifying, he said:

It includes the suffrage, the registration of voters, delimitation of constituencies, the right to contest elections, electoral competition between rival political parties, the body charged with the conduct and supervision of election, the method of selection of candidates within the political parties, nomination of candidates, method of voting, the actual conduct of elections, the determination of election results, trial and determination of election disputes, electoral malpractice and their consequences.

Furthermore, Chukwu (2004) explained that electoral process includes election observation and verification of activities carried out by local and international bodies or both. It also includes according to Chukwu, the establishment of institutions and structures that will mobilize the populace towards involvement in the electoral process and provides the rules and regulations that govern the process. Indeed, the electoral process is an all encompassing process, which involves many issues and operations. Therefore, the electoral process is a defining and regulating process in a democratic contest.

It should be noted that manual registration of voters had been in existence in Nigeria before the 2007 electronic registration. Under the manual registration system, the electorates, go to their registration centres to supply information to registration officers as the case may be. The registration officers provide the electorates with registration cards after the electorate might have supplied the needed information. This card qualifies an electorate to vote in general elections.

However, there are numerous problems associated with manual registration of voters, which actually affected the electoral transition in Nigeria. Jinadu (1987:22) remarked that the 1983 register had been mired in controversy over inaccuracies and accusations of manipulation to favour some political parties. Thousands of electorates could not locate their names in the voters register, and as a result, they were deprived of

the rights to vote. In view of these conditions under which previous elections was held, through manual registration of voters, it was generally believed that the outcome of electoral context cannot be justified. Smith (1960) holds the view that the franchise and the method of registering electors are all crucial in determining the political shape of national elections. The 2007 electronic voters registration system was adopted to prevent a repeat of problems associated with manual registration of voters widely acknowledged to be faulty.

2006 Electoral Act of Nigeria

In order to improve and strengthen the electoral process, the 2006 Electoral Act of Nigeria was initiated a major outcome of the 2003 post election review process. A number of proposals for reforms of the electoral process were made after the 2003 elections. These proposals included institutional and legislative reforms aimed at amending the 1999 constitution and Electoral Act. The Bill Received Presidential assent on the 6th of June 2006 and is now Electoral Act 2006.

Certain provisions were reviewed and these include the introduction of Electronic voting system. Also, provision for funding limits for political parties and candidates were equally reviewed. Section 53 (2) of the Electoral Act 2006, banned the use of electronic voting machine at the present time. However, the use of electronic voters registration system for registering the electorates was adopted.

A major outcome of this Electoral Act was the added responsibility of the INEC, to increase awareness among the electorates to know their rights and responsibilities. This need for increased public awareness on the Act according to Electoral Act (2006) informed the decision of the Electoral Reform Network (ERN) to design a public education programme through which all stakeholders will be aware of their rights and responsibilities.

The 2007 Voters Registration Exercise in Nigeria

The independent National Electoral Commission (INEC) chairman, Prof. Maurice Iwu announced the commencement of the voters registration and re-validation exercise which started on 25th October, 2006. As part of preparations for the 2007 general elections according to Mohammed (2006), the Nigerian Union of Journalists (NUJ) inaugurated an 11-man Election Survey Team, headed by Gbenga Ononiyon of Federal Radio Co-operation of Nigeria to observe and monitor the exercise.

The INEC Chairman announced that the electronic system of voters registration will be adopted throughout the country. He stressed the need to capture the images of voters to assist the commission in identifying genuine voters, so that there would be no room for ghost voters. Elekwa (2007), saw the reasons with him when he wrote that the introduction of a computerized Data capturing machine, was to modernize the voters registration exercise and also to prevent abuses of process through multiple registration.

INEC had acquired, according to Iwu, a total of 15,000 electronic machines for the exercise to take-off. Mohammed (2007) noted that the Independent National Electoral commission altogether deployed a total of 34, 070 units of direct Data capturing machines

for the voters registration exercise throughout the country. These machines were distributed to 36 states of Nigeria including the FCT according to the registration units. The INEC designated January 15 to 30, 2007 as 'special voters' registration days throughout the country. This idea is to mobilize all eligible Nigerians working under the three tiers of government and the private sector to participate in the voters revalidation exercise.

Prof. Maurice Iwu vowed that the commission would not revert to the manual register for the conduct of 2007 election. The existing voters register was widely acknowledged to be faulty. Many voters had been disenfranchised in 2003 elections when their names did not appear on the polling station lists. The flawed rolls also facilitated underage voting, multiple voting, exclusion of opposing voters, and other types of fraud. Ogbodo (2006), in his support, of Prof Maurice Iwu's electronic voters' registration observed that this was to prevent a repeat of alleged large-scale rigging of 2003 elections.

However, a lot of flaws have been identified with the electronic voters' registration. Elekwa (2007), indicated that the exercise was poorly executed due to inadequate provision of the necessary equipment and materials to facilitate it, machine hijacking by political bigwigs and epileptic power supply as well as manpower problems. The situation was amply demonstrated in Lagos where potential voters were subjected to a long wait, occasioned by repeated breakdown of the electronic registration machines due to battery problems (Obong 2006). Also the former chairman of Kaduna North Local Government, Alhaji Shehu Ahmed Giant, who spoke with the Sunday Independent October 29, (2006) on the exercise complained that the machines they brought were not enough to take care of the number of people that are to be registered.

Equally, in Enugu North and West zones, the exercise started behind schedule as a result of late arrival of officials of INEC. Much progress could not be made as the DPC machine brought for the centre had to be recharged at intervals of one hour, thereby delaying the registration process. A resident of government residential area Enugu Ugwu Aloysius, told the Sunday Independent October 29, (2006) that there were lots of problems with the equipment as the process attracted undue interruptions with the frequent recharging of the DDC machines. Due to inadequacy of the necessary equipment for the registration exercise, the machines have to be moved from one registration centre to another thereby delaying the registration process.

As a result of these delays the registration exercise which was billed to last between October 25, 2006 to December 14, 2006, had to be extended till January 31st 2007 because it was discovered that many eligible voters could not register. This extension as Adeoye (2006), pointed out has contravened section 10 of the electoral law 2006 which specified that the registration exercise should be held for 40 days. However, the Independent National Election Commission (INEC) had to rely on section II of the same law which states that all political parties should be given the voter list 60 days before general election. The National Assembly as a matter of urgency had to amend the Electoral Act 2006 section 10(5) by reducing the period for the cessation of the voters' registration from 120 days to 60 days. This step is necessary to ensure that millions of

qualified Nigerians who will evidently not be able to register because of the shoddy arrangements by INEC, have another opportunity to register.

At the end of the exercise, INEC claimed that they had registered about 61 million voters (Eme and Ede 2007), thereby declaring the exercise a "huge success" despite criticisms from the civil society organizations and National Assembly. However, preliminary reports from those monitoring voters registration exercise in 19 states of the federation and adhoc monitoring of the process in other states as summarized by Chukwuma (2006), indicate clearly that the use of the direct Data capture machine for the voters' registration has been a resounding failure. At the end of the exercise, INEC failed to display the voters register as provided for in the Electoral Law.

It is clear from the foregoing that the Nigerian electoral process is replete with a lot of irregularities. This development has created a lot of distrust in the electoral process. The 2006 Electoral Act was a review aimed at reforming the electoral process as a way of achieving a credible election in the country. The fact remains that if the peoples vote cannot be protected in the previous electoral system the situation will be worse as those who will man these electronic gadgets used for registration can be easily bought over by politicians to manipulate the registration process to their own advantage, thereby making the people to loose confidence in the electoral system and even democracy. It is having this in mind that one is always quick to add that any new system introduced should be such that allow for transparency in order to build the peoples confidence in the process.

3. Theoretical Discourse

For the purpose of this study, the framework we have adopted is the Elite theory. Leading proponents of this theory according to Mba (2006) include Robert Michaels, Pareto, Mosca and St Simon as well as Laswell. As an analytical tool, the concept of elite was popularized by V. Pareto. In its general sense, the elite denotes a group of persons who in any society hold positions of eminence. In politics it denotes specifically those who exercise preponderant political influence in a community. They are designed as the power elite, the ruling class, the governing minority etc.

The elite theory and approach to politics according to Mba (2006: 284) stated as follows:

That politics is seen in terms of a small group dominating the whole society and taking the important decisions (big decisions) which make the mark and history in politics. Even when there is a mass participatory democracy, consensus is generally brought about by a few or supported by few people who constitute an informal exclusive group. By dint of repetition, custom or personal push, such elements articulate themselves as a distinct group, more or less coherent and exploiting man's instinct for deference. They soon sell themselves and are accepted as leaders of thought, decisions or action.

As an analytical tool, the concept of elite was popularized by Pareto (1976) and he states that for every desirable unevenly distributed social quality, there exists an 'elite'

who possess that quality in abundance whether it be economic, political, social, sporting or even sex appeal" and consequently, a usually more numerous 'mass who suffer from a relative lack of that quality.

Mills (1956) categorized his discussion on elites under three main models. The first is the elite theorists who see the main political division as being between the holders of political power and the rest. The second model is the Marxists who see political and social divisions as reflecting economic divisions with political classes as the fundamental political entities. The third model of elite theorists are the pluralists who regard the divisions between elites and masses as only one of a series of non-coincidental lines of division within society.

Tansey (2001:119) pointed out that writers supporting different models tend to discuss different types of evidence. Thus elite theorists such as Pareto (1976), Mosca (1939), Michaels (1915) and Mills (1956) focus on who rules. They often lay great stress on alleged universal traits of human nature (eg the desire for power, status and wealth) and their consequences for politics.

The elite approach to politics comes in when there is conscious effort and practice to exercise exclusive decision making as a pre-rogative of social position or class. Elitism is discriminatory, preemptive, preventive and saviour of a divine right to say what politics ought to be. The elites claim the political office and tend to disregard and snob mass opinion and competence. The elite claim and retain powers by perpetuation until circumstances eject them from power.

Elite theorists suggest that the political process is organized and ordered in order to make genuine widespread participation a rarity.

The views of the above authors on the Elite theory is directly relevant to the issues discussed in this paper and they may be summarized and follows:

- ♦ That those who exert strategic control at the head of the government have official autonomy to direct the rest of the membership,
- ♦ They have informal interconnections with others that combine their formal authority with informal, effective power.
- ♦ Such people are enablers: they shape, direct, manipulate and migrate.
- ♦ They concentrate power where those below seek to restrain them, and they suppress issues or try to defuse their impact if they are likely to undermine the status quo.
- ♦ All decisive political actions emanate from a small group of individuals

4. Method of Data Collection and Analysis

The researcher made use of documentary research design. This involves the examination of various documents on electoral process and voters' registration.

Basically, two sources of data collection were used namely primary and secondary sources of data. In the primary sources, we made use of unstructured interviews. In the course of this study, the researcher interviewed selected members of the public to know their perception on the newly adopted electronic voters' registration.

We interviewed some voters' registration officers. Members of the traditional

rulers were also interviewed. These include the traditional ruler representing Ozalla community in Igbo-Etiti L.G.A., Umuitodo in Igbo-Eze North L.G.A; Ovoko Community in Igbo-Eze South L.G.A., Obimo Community in Nsukka L.G.A., Umuagu Community in Udi L.G.A. For the secondary sources, we made use of data collected from books, journals, newspapers, magazines, government documents, conferences proceedings, workshop papers and internet materials.

Data from primary sources were analyzed using frequency and simple percentages while the secondary data was analyzed systematically, by adopting the content analysis method; In content analysis method, contents of documents, books, etc are scientifically assessed and reviewed to know the level of reliability and validity.

5. Findings and Discussion

i. The Challenges of Electoral Transition in Enugu State

There are fundamental flaws associated with the INEC. Adejurnobi (2007) pointed out that there are structural dimensions to the problem of electoral management in Nigeria. These relates to its establishment (composition) and funding, which question its independence. The 1999 constitution, section 154(1) and (2) empowers the president (often a member of the ruling party) to appoint anyone into the office as chairman, secretary and commissioner subject to the ratification of the National Assembly. This interference applies not only at the national level but also at state Independent Electoral Commission (SIEC) levels where the Resident Electoral Commissioners (RECs) are appointed directly by the President with no fixed tenure and can be removed at will by the President without interference with the commission. This provision as Okoosi-Simbine (2007) would put it, obviously gives no autonomy to the commission and calls to question its independence. Moreover, the State Independent Electoral Commission does not have control over the subordinate staff of the commission. The card carrying members of the ruling Peoples Democratic Party (PDP) were appointed as subordinate staff so as to actualize the process of election rigging on the 2007 general election in Enugu State.

The constitution that established the electoral bodies also provided for defined rules and regulations that govern the process of election in Nigeria. If these rules and regulations (Electoral Laws) are to be followed strictly, then there will be every hope for Nigeria to produce a credible leader. But the question now is whether it is possible for the electoral bodies to adhere to the electoral laws without manipulations. Their reasons for being appointed will be defeated if they cannot manipulate elections to favour whoever that appointed them.

At Umuelo/Ovoko-Agu polling booth of Enugu State where the researcher wanted to cast my vote on governorship election on 14th April 2007, elections did not hold up till 5 pm when voters left the polling station. The presiding officer in charge of that booth was interviewed and he complained that election materials were not delivered. This strengthens the reasoning of Suberu (2003:2). According to him, "the greatest source of anxiety regarding the forthcoming elections is neither ethnicity nor the moral bankruptcy of the major parties and political leaders, but the fragility of the agency that has been

entrusted with the administration of the elections namely the Independent National Electoral Commission (INEC). Appointed and funded by the Federal Executive, INEC has been anything but truly independent. Rather, the commission has demonstrated little competence or independence in the management of issues". It is note worthy that failure of the agency to administer vote, and late commencement of voting in many parts of Enugu State as experienced by the electorates go a long way to contravene the electoral law 2006 which stipulated the voting period to last between 9.00am and 4.00pm, Daily Sun September 20, 2007.

In Udi Local Government according to Kalu (2007), INEC staffs were observed thumb-printing ballots in favour of the ruling party, PDP. Also in Nsukka one party agent and the presiding officer were seen stuffing the box when European Union (EU) observers arrived Daily Sun September 20, 2007:27. In Enugu south polling station, according to Kalu (2007: 27) of Daily Sun September 20, observers saw a member of the police force stuffing ballots in the box. Equally, the Daily Sun of September, 20th said that cases of many unlawful behaviour were noticed at Udi, Ezeagu and Uzouwani. INEC played the largest role in conducting this horrendous mess of an election, cases of incompetent and bias INEC officials and the hilarious part of it, all omission of names of governorship candidates as in the case of the Progressive Peoples Alliance (PPA) governorship candidate in the state, Mr. Roosevelt Anigbo.

Infact, the 2007 general elections were severely criticized by virtually all Election observer groups, domestic and international who monitored and observed them. The European Union Observer Mission (EUOM) led by Mr. Max Van De, Berg, told the world Press conference at Abuja that the polls were marred by poor organization, lack of transparency, wide spread procedural irregularities, significant evidence of fraud particularly during result collation process, voters disenchantment at different stages of process, lack of equal conditions for contestants and numerous incidence of violence. As a result of these critical observations, the elections have not lived up to the hopes and expectations of Nigerian people and the process cannot be considered to have been credible (Akitomnde, 2007: 2). All these irregularities like lack of transparency, disenfranchising voters, and all sorts of electoral malpractices were noticed because the INEC failed to adhere to the existing electoral laws. Instead, they choose to manipulate and maneuver the electoral laws to the interest of the ruling party in other to retain their appointment.

Another element that has demonstrated the failure of electoral bodies to adhere to the electoral laws is the issue of voters' registration exercise that began in October 2006 under a new computerized system which was to last for six weeks, a period that was later extended. The electoral law (2006) required among other things that voters' registration list should be displayed so that voters can see and ensure that their names have been registered. But the INEC failed to display the registration list as was required by the electoral law. This action invariably contravened the 2006 electoral law. In addition, it exposed the agency's lack of transparency in discharge of their duties. Even the Lebanese electoral law of the 60s as was pointed out by Suleiman (1964) had their voters lists

photographed instead of copying thus eliminating much error, intended or otherwise.

Another worrisome development is the election time table as announced by INEC. The general election is scheduled for the 21st day of April 2007, and the swearing in for 29th May 2007 meaning that we have an interval of thirty nine days between the election and the swearing in dates. Our electoral laws provide for a minimum of forty-four days. This action equally contravened the electoral law 2006.

Many unemployed graduates are desperately looking for jobs. They go into politics because they want to earn their living. They have little or no regard to any law or regulations. They do whatever will make them win election. Equally, because of high rate of unemployment, many unemployed youths take-up thuggery jobs with politicians. Some of them are used as thugs by politicians and on the election day, you see them doing one ad hoc job or another for INEC. The INEC recruited them to perform these functions not minding the fact that they are registered members of political party. This of course, violate section 152 of Electoral Act 2006 which says that no registered member of a political party shall be appointed to carry out the duties of a returning officer, electoral officer, presiding officer or a poll clerk.

Another area of emphasis that contribute negatively to the electoral transition in Enugu State is the issue of attractive financial reward gotten from public office. Recently, most people and even the civil servants join politics because of the money involved. Section 110 (1F) of the 2006 Electoral Act states that a person shall not be qualified to contest an Area Council election if he/she is a staff currently working under the federal state or local government council. That whoever that wants to contest in election must either resign, withdraw, or retire from such employment 30 days before the date of election. But there are cases in Enugu State, in Umunya Local government to be specific, where a local government staff, currently working, contested and won election and continued to receive both salaries for so many months before applying for leave of absence which was granted him. This of course violates that section of electoral act.

With regards to the role of Enugu State Independent Electoral Commission (ENSIEC) charged with the responsibility of conducting election in Enugu State, based with the principle of neutrality, the study found out that even though the ENSIEC performed their roles, the roles were poorly performed. The executives influence over ENSIEC'S leadership and its finances made independence for the agency a difficult quality, bothering on the fairness of the outcome of the election. The ENSIEC'S poor performance was witnessed in almost all the stages of electoral process. The registration of voters exercise was poorly conducted. The election administration was poorly organized – electorates were denied rights to cast their votes. A lot of irregularities were noticed and infact, the electoral bodies lack transparency in discharge of their duties. They are more interested on how to manipulate and maneuver at every electoral stage to the favour of the ruling party instead of following the electoral laws.

ii. Voters Registration Exercise and the 2007 General Election in Enugu State

A well compiled register of voters is a foundation of free and fair elections. The register according to Kurfi (1989), should contain the names of all eligible voters in the

constituency to ensure that nobody is disqualified since only those whose names appear on the register are allowed to vote. The register should not contain 'ghost' voters; dead or non-existent electors who may be impersonated to the advantage/ disadvantage of some candidates.

There are much irregularities leading to improper manipulation of voters registration exercise which actually influenced the 2007 general elections in Enugu State. Few months to the general elections, there was little or nothing to show that Nigeria was ready for it in terms of preparations. The voter registration exercise was a sham. Many eligible voters in parts of Enugu State did not register. Capturing the situation, the International Republican Institute in its report on pre-Election Assessment feared that due to lack of the Direct Data Capture (DDC) machines used for voter registration, it would still be very difficult to register the number of potential eligible voters within the limits prescribed by law. In Enugu State for example, at the time of the delegations visit, only few machines required had been delivered and there were first hand reports of their being hijacked' or 'monopolized', by individuals with partisan interests. Also there are reports that secret registration was going on without the knowledge of other political parties except PDP.

Analyzing the situation, Hon Onibiyo (2006) of the Lagos State House of Assembly, on Vanguard, 17th November 2006, remarked that INEC has a predetermined plan to disenfranchise prospective voters. He remarked that the good people of Nigeria are not aware of INEC'S hidden agenda to manipulate the current registration exercise.

The study therefore evaluated the extent to which the voters' registration exercise was used to influence the 2007 election in Enugu State. The study revealed that in Enugu State, we have about 260 polling stations/registration centres, but only about 27. Data capturing machines were supplied for the first phase of the exercise sun. Independent October 29, 2006. Even at that, some of the machines were breaking down and the INEC seem not to have capable and enough technicians to repair them. The INEC ought to have done sufficient research to know how many machines to use, provided for back ups and properly train the operators. Most of the operators are not well trained and this had a negative impact on the exercise. The study equally revealed that INEC did not take into consideration the issue of power holding company of Nigeria which is not functioning well. There are some communities in remote part of Enugu State which have not been electrified. The INEC ought to have taken this into consideration and provided for generating plants to enable every eligible citizen living in both remote and urban towns participate in the registration exercise.

Ezeazu (2006) stated that INEC informed Nigerians that it was ready for the registration process and that all the equipment and materials required for the exercise have been procured. Ezeazu noted that the change in the commencement of the general phase of the voters' registration process was a confirmation that INEC was not actually ready for the process. He noted that the bulk of materials required for the process have not arrived the country by the time the commission flagged off the registration of voters. It is a matter of common knowledge that most of the Resident Electoral Commissioners

(REC's) are still recruiting Supervisory Registration Officer's (SRO's) and Assistant Registration Officer's (ARO's) who were yet to undergo some training as at the time the INEC flagged off registration exercise. The commission still claim that it was ready for the registration process. Ezeazu seems to be expressing the feelings that INEC is insincere to voters registration exercise proceeding 2007 general election. It is in agreement with Ezeazu's submission that Hon Victor Lar of the Federal House of Representatives opined that the decision to introduce the electronic machine by the Federal Government is political.

In view of the foregoing, we strongly feel that 'Voters Registration exercise' was used to influence the 2007 general election in Enugu State. Nigerians were tired of Obasanjo led administration, and were desirous of making a change. This they were ready to do with their votes in 2007 elections. Little wonder, the Federal Government Planned to disenfranchise them so as to manipulate the electoral system to the favour of the ruling party. The ruling PDP is conscious of this fact hence their endless manipulation of the electoral process in order to retain power by all means. The ruling government of PDP is afraid of the peoples power and impending sweeping away of their insensitive government. The Federal Government therefore, planned to frustrate the people by making it impossible for them to register and by extension to vote so that they can manipulate the system to the advantage of the federal government.

6. Recommendations

Elections play a vital role in a system of representative democracy, including transitional ones. It is the primary mechanism with which to implement the principle of popular sovereignty. Ultimate authority resides with the people and they delegate this authority to their elected representatives through the electoral process. Unfortunately in Nigeria, the problems facing the electoral process include manipulation of the electoral process and flagrant abuse of electoral law and guidelines with impunity, to mention but a few. However, based on this study, we recommend as follows:

- 1) The composition, mode of appointment and funding of the electoral commission ie INEC has to be reviewed. This body which is referred to as "independent" but which is filled with card-carrying members of the ruling party is itself a fraud. For sanity to prevail, every political party must be allowed to appoint a member into the electoral body. The appointment of INEC chairman is to be given to a neutral person. Another critical factor that constricts the independence of the electoral commission in Nigeria is that of funding. The constitution does not provide for the direct funding of the commission, it has to rely on the executive to approve its budget and release money for its operation. The National Assembly and many civil society groups have suggested that the Commissions budget be charged upon the Consolidated, Revenue Fund (see the punch Editorial April 14, 2005: 16). This will definitely enhance the independence of the Electoral Commission.
- 2) Demonetization of elections. The desire to acquire wealth through the pillaging of the treasury is the driving force behind the desperation for power within or among political parties in our country today. Our suggestion here is that monetary

remuneration should be reduced as much as possible from politics. By this we mean that our legislators and other political office holders are expected to have their own professions or independent means of livelihood and not just depend on attractive financial reward they get from public office. All that government will be expected to pay them by way of remuneration will be transport and sitting allowance. Let them see themselves as bonafide representatives, making sacrifices in the interest of communities they represent. You will discover that when money is taken out of politics, the contest for public office will no more become a do-or-die affairs, and it will drive most of the political contractors out of politics.

- 3) Alleviation of poverty and empowerment of citizenry. Many unemployed graduates, especially from our tertiary institutions now go into politics and seek election office as a means of procuring employment and earning a living. Given the desperation of these people in seeking public office, they cannot be expected to play by the rule and since their very livelihood is at stake, they have no regard for any law or regulation and will do whatever will make them win election. Government should execute programmes empowering the citizens especially young graduates to earn their living. Although there are existing programs like NAPEP and others, they don't seem to address these problems sufficiently.
- 4) Institutionalization of continuous voter registration and review at the Local Government level. Registration of voters is an indispensable feature of the electoral process. In Nigeria, compilation of voters is done on adhoc basis. The exercise is usually carried out a few months before the commencement of the election. Because of this some politicians take advantage of this period to do some necessary manipulations in preparation for election. Our recommendations is that the electoral commission institutionalize continuous voter registration and review at the Local government level. The register should be regularly updated to include names of newly qualified electors and delete names of those who have died or who have left the constituency.
- 5) Implementing sanctions against those that violate electoral regulations. Serious sanctions and punishment like disenfranchising and jailing the electoral violators would serve as a deterrent to politicians and persons, who might want to rig election in any form in Nigeria. If one or two people are given these sanctions, it will serve as a warning for those intending to violate electoral regulations who will definitely not like to be punished and therefore should keep to the laws and guidelines guiding election.

7. Conclusion

Effective management of electoral process has become an imperative political demand in order to ensure the sanctity, transparency and credibility of election results in the nations democratic setting. The institutionalized governmental body established through the instrumentality of law, to manage the nation's electoral process is the Independent National Electoral Commission (INEC). As an instrument for processing

democratic ideals and structures, INEC is expected to be a truly independent body that personifies the ideals of transparency, impartiality, accountability and responsiveness. This perhaps informed the popular perception that the body is insulated from partisan politics, and that it is fully empowered to discharge its duties without being influenced.

However, the executive's influence over INEC'S leadership and its finances made independence for the agency a difficult quality bothering on the fairness of the outcome of elections. The credibility of the electoral umpire has been at the centre of many electoral upheavals in Nigeria. Nigerians raise serious doubts over the umpire's sincerity. To cure this credibility malaise in Nigerian politics, INEC must exhibit openness in all its activities. We commend INEC'S adoption of technology in carrying out its onerous duty of voters registration exercise. However, we advice that it should get its technology right and make it foolproof against electoral fraud.

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