



Post-Election violence and democratic experience in Nigeria

Onodugo Ifeanyi Chris¹, Onodugo Michael Uchenna², Chukwuemeka Ijeoma³

¹ Department of Education, Charisma University, Turks & Caicos Islands, British West Indies, Nigeria

² Department of International Relations and Diplomacy, Charisma University, Turks & Caicos Islands, British West Indies, Nigeria

³ Department of International Relations and Diplomacy, Charisma University, Turks & Caicos Islands, British West Indies, Nigeria

Abstract

The electoral process in Nigerian democracy has been characterised by violence. However, recent manifestations of electoral violence have assumed an unprecedented magnitude and changing form and character, with negative implications for democratic stability and consolidation. This paper analyses post electoral violence in Nigeria, with emphasis on its manifestations, causes, implications and possible solutions. The paper argues that rising electoral violence in Nigeria is closely connected with the neo-patrimonial character of the Nigerian state, the nature of contestation for power, the weak institutionalisation of democratic architectures, including political parties and electoral management body and the fascinating political economy of electoral violence. This is complicated by the absence/paucity of democrats, with democratic mindset, to play the game of politics according to established rules. Worse still, avenues for democratic redress, including the judiciary and civil society, are also deeply implicated in the deepening contradictions of the state. The result is the deinstitutionalisation of the people in the democratisation process. Post electoral violence is thus a major source of democratic instability with palpable threats of deconsolidation. These contradictions will have to be redressed to tame the monster.

Keywords;: electoral, democracy, manifestations, Nigerian

Introduction

Elections in most African countries are characterised by uncertainties, due to the possibility of election-related violence. Election-related violence may take place at different stages of the electoral process: before, during or after elections. Since Nigeria's return to democratic and civilian rule in 1999, election periods have brought uncertainty and volatility, resulting at times in violence. During the 2003 Federal and States elections in Nigeria, at least 100 people were killed and many more were injured.

Conceptualizing Post-Election Violence

Post-election violence is a specific form of electoral violence. Electoral violence is "any random or organized act that seeks to determine, delay, or otherwise influence an electoral process through threat, verbal intimidation, hate speech, disinformation, physical assault, forced 'protection', blackmail, destruction of property, or assassination' (Fischer 2002) [18]. The target of electoral violence can be people, places, data, or things.

In an attempt to influence the electoral process, perpetrators of electoral violence may attempt to delay, disrupt, or derail a poll and determine the winners of competitive races for political office (UNDP 2009).

Remote causes of electoral violence

At the roots of electoral violence in Nigeria are several issues some of which do not have any direct relationship with the country's electoral process. These issues define the ways electoral violence can play out. The remote causes of electoral violence in Nigeria include saliency of communal identities in politics and communal tensions, decline in trust and social capital among communities, culture of impunity,

economic vulnerabilities, institutional and behavioural issues such as erosion of trust in the electoral justice system, and lack of internal democracy in political parties.

Cleavage structure, saliency of ethnicity in Nigerian politics and communal tensions

Since the colonial era, ethnic, regional and religious divisions constitute the main form of expression of social cleavage in Nigeria. In Nigeria, political parties and candidates are seen as representatives of a particular ethnic, regional or religious group and voters do most times support parties and candidates in these terms. As a result, the voting pattern in Nigerian elections has mostly followed the configuration of ethnic, regional and religious cleavages. At local and national levels, tensions arising from communal identity conflicts have had a major influence on electoral contest and the political process. Beginning from the early independence period, sectarian conflicts have mixed with political differences, resulting to electoral violence. In Nigeria's political landscape, it is difficult to draw a line indicating where communal tensions end and where political conflicts begin. Part of the reason why it is difficult to separate communal tension and political conflict is because of the nature of Nigerian politics, which Joseph (1991) [29] describes as 'prebendal politics. The concentration of resources in the state makes the possession of state powers a means to the end of controlling state resources. The system of prebendal politics spurs individuals, groups, communities and constituencies to seek to capture state power in order to control state resources. Those who are already in control of state power often hold strongly onto it by suppressing their opponents.

Under this circumstance, the democratic tradition of alternation of power among individuals and political parties is difficult to achieve. Once in control of state power, the incumbents try to retain it by all means, including use of violence. At the same time, those aspiring to take over power sometimes pursue their goal by employing extreme measures such as violence. In the context of stiff competition for power, individuals employ ethnic, communal and religious symbols and sentiments in order to outwit their rivals. This eventually drags an entire ethnic, regional or religious community into political competition which is supposed to be squarely between political parties. Once candidates and political parties are identified with a particular ethnic, regional or religious group, victory or defeat in the electoral contest is defined in communal terms. Thus, electoral violence is typically triggered by attempts by individuals and political groups to use 'all available means', including the use of violence, to defend their 'communal honour'.

Structural weakness in election management

In Africa, a number of factors are responsible for weakness in the electoral system, and the lack of independence and capacity of election management bodies to deliver on their constitutional mandate.

When considering the ability of an election management body to manage free and fair elections, two questions are crucial:

- Is the election management body truly independent and free from the influence of the ruling party or opposition parties beyond constitutional provisions?
- Does the election management body have the resources and capacity to deliver on its constitutional mandate?

The capacity of the election management body to manage transparent, free and fair elections can be measured by its ability to perform functions such as voter registration, training polling assistants, voter education, managing logistics on election day, vote tallying, announcing results and settling electoral disputes, without constraints. While, in some countries in Africa, the capacity of electoral bodies to deliver these functions has improved from one election to the next, in other countries there is stagnation. This situation may be due to the lack of political will on the part of ruling governments to resource the electoral bodies adequately, because it may be benefiting from the status quo. The lack of independence and the capacity of election management bodies to deliver on their democratic mandate is an obstacle in their ability to organise free, fair and transparent elections. Constitutional provisions guaranteeing the independence of electoral bodies in Africa are, in most cases, not respected. In some cases, electoral commissioners have been forced to resign before the elections were completed while, in other cases, they are ordered to declare election results they do not believe reflect the true outcome of the elections.

Decline in trust and social capital among communities

Since the colonial era, ethnic, regional and religious communities in Nigeria have engaged each other in violent confrontations. In their studies of ethnic relations in Nigeria, Plotnicov (1971), Nnoli (1978) ^[32], and Albert (1995) ^[10] presented lucid accounts of these inter-group clashes. Years of violent confrontations by various

communal groups in Nigeria have eroded trust and social capital existing in the communities, making the communities vulnerable to political manipulation. Communal tensions not related to elections can degenerate into bloodshed during elections. In

Nigeria, people who live outside their state of origin are most times excluded from participating in governance and political life of their place of residence because they are perceived as 'non-indigenes' (Bach 1997, Ostein 2009) ^[14]. In the past, attempts by 'non-indigenes' to resist their exclusion from politics and governance have resulted in highly contested elections and violence (Best 2007, Orji 2011) ^[16, 34]. The violence in Nigeria's northern city of Jos illustrates the tendency by politicians to exploit mistrust among communities to bolster their support bases. The governor of Plateau State, reportedly not only favours members of his own ethnic community but also manipulates their perceived grievances against the other group (Ostein 2009, Onwudiwe and Berwind-Dart 2010) ^[33]. In the context of intense inter-group political struggles such as the one between 'indigene' and 'non-indigene' communities, the politicians are inclined to appeal to communal animosities and negative stereotypes, making it difficult for local conflicts to be resolved, and for free, fair and transparent electoral competition to take place.

Identity factors

In a political situation, identity factors such as ethnicity, religion, race and so on can be manipulated by the political elite to gain votes – either to enable them to remain in office or to gain access to political power. In situations where access to political power ensures control over the distribution of state resources for personal gain, the consequences of such divisive identity politics is often devastating. In Nigeria, it is not uncommon to find parties that draw support along specific identity lines, such as religion, race or ethnicity.

In such situations, political contests are reduced to identity politics, in which parties operate on the assumption that the group that wins an election has exclusive access to state resources. Politics, as a means of gaining access to state resources through identity group manipulation, therefore becomes a factor in election-related violence, in which an attempt to rig an election is an attempt to deny some groups access to state power, and therefore state resources. The problems of identity-based politics brings into focus the need to re-examine electoral systems in Nigeria, in favour of more inclusive systems.

Culture of impunity

There is a culture of impunity in Nigeria. The Nigerian legal system and law enforcement agencies are not able to arrest, prosecute, and convict offenders; as such, victims of violence normally receive little or no redress. Members of the security forces implicated in violations of civil and political rights, including electoral violence, are also not usually held accountable. The awareness of the possibilities of getting away with acts of violence has fostered unabated continuation of those acts. Reports indicate that more than 11,000 people were killed in hundreds of separate outbreaks of politically motivated communal violence in Nigeria between 1999 and 2007 (Aniekwe and Kushie 2011) ^[12]. During the same period, the country recorded several high-profile cases of politically motivated assassinations (Ladan

and Kiru 2005) [30]. In all these, no one was convicted (ICG 2011) [28]. The tendency of political actors to use violence in the electoral process is defined by the state's capacity to enforce law and order. Sadly, the capacity of Nigerian State to enforce law and order is undermined by the erosion of the states' monopoly of the use of violence. The state's monopoly of use of violence in Nigeria is gravely challenged by the activities of 'cult gangs', 'area boys', ethnic militias, unlicensed vigilante groups, and armed bandits that operate in rural and urban areas (Adewale 2005) [50]. The armed operations of these groups are aided by the illicit and unrestrained flow of small arms (Hazen and Horner 2007) [24]. As Nigeria's experience demonstrates, political actors can sometimes take control of these armed groups and use them to perpetrate electoral violence (HRW 2005 and 2007).

Economic vulnerabilities

High rate of illiteracy, unemployment and poverty is a vital sign of underdevelopment.

In Nigeria, a large section of the population lack access to opportunities and resources to actualize their potentials. This situation breeds a class of economically marginalized people (mostly youths) who can be used to perpetrate electoral violence. This group of people is pliant and easily enticed by the wealthy violent entrepreneurs who sponsor most of the violent political encounters. Electoral violence in Nigeria is mostly carried out by gangs whose members are openly recruited, financed, and sometimes, armed by politicians, state officials, and party officials or their representatives. Members of these gangs are mostly illiterate, unemployed and poor young men, who are mobilized to attack their sponsors' rivals, intimidate members of the public, rig elections, and protect their patrons from similar attacks (Aniekwe and Kushie 2011) [12].

Erosion of trust in the electoral justice system

The electoral justice system involves the prosecution of offences and the resolution of petitions against election results. The belief by political actors that they cannot secure justice in election tribunal/courts reduces their inclination to seek legal redress to allegations of election fraud. The situation in Nigeria relates to Kenya's experience during 2007 election, where Raila Odinga out-rightly rejected the advice by the US that 'those alleging vote tampering may pursue legal remedies', maintaining that the election dispute was not a legal matter but a political conflict that required a political solution (East African Standard [Nairobi], 30 December 2007). Odinga's party, the ODM, also declared that it would not go to court over the contested election results because it had no confidence in Kenya's judicial system, an institution that has failed to resolve past political disputes and is controlled by President Kibaki's loyalists (Harneit-Sievers and Peters 2008, Mutua 2001) [31]. During Nigeria's 2011 elections, the leading opposition candidate, Muhammadu Buhari, was reported by the national television as saying that he will not lodge petition regarding the outcome of the election since his previous attempts at legally challenging election outcomes did not yield any meaningful result. In Nigeria, the judiciary, which is central to electoral dispute resolution, enjoys a considerable degree of credibility at the federal level due to some landmark judgments it has given in the past. However, the credibility of Nigeria's judiciary was badly dented by revelations

emerging from a dispute between the two most senior judicial officers in the country – the Chief Justice of the Federation and the President of the Court of Appeal (Ajaero 2011, Abimboye 2011) [7]. The disclosure by the President of the Court of Appeal that the Chief Justice of the Federation tried to influence the Sokoto State governorship election appeal indicates that the judiciary is prone to corruption and vulnerable to interference. This is, perhaps, why many politicians find it more rewarding to seek redress through violence rather than the judicial process.

Low level of internal party democracy

Political parties are a major building block of democracy. However, the inability of many political parties in Nigeria to operate in a democratic manner introduces tension and violence in the electoral process. In Nigeria, political godfathers control the parties at local and national levels (HRW 2007). These godfathers select the delegates who elect party leaders and candidates. Through their control of the delegates, the godfathers decide who gets the party's nomination and leadership positions. The activities of political godfathers create so much dissatisfaction in the political process because of their disregard of the formal procedures for party elections and nomination of candidates. In some instances, results of primary elections are simply overturned by the party godfathers. To illustrate with the 2011 general elections, Olu Agunloye was replaced as candidate for one of the Ondo State senatorial seats by the party leadership. This forced him to defect from Labour Party to the Action Congress of Nigeria (ACN). In another case, Mohammed Abacha's victory in the CPC gubernatorial primary for Kano State was rejected by the party leadership. He was replaced by Lawal Ja'afaru Isa despite the case he filed in court (ICG 2011). Party members who dare to express their dissatisfaction with the mafia-style political process in the parties are normally charged with engaging in 'anti-party' activities and suspended or expelled from the party. Depending on the capacity of the disgruntled party members to fight back, serious intra-party crisis and violence often follow each episode of party convention in Nigeria.

Immediate causes of electoral violence

There are a number of issues that could immediately trigger electoral violence. These include issues relating to the integrity of elections, use of inflammatory rhetoric, and changes in political institution.

Integrity of elections

Questions about the transparency and fairness of the electoral process, credibility of election authority, neutrality or partisanship of election management authority, lack of faith in the Electoral Commission, lack of independence of the Electoral Commission, and the perception that an election was rigged may play a major role in instigating electoral violence. Doubts over the integrity of elections can create frustration among stakeholders in the electoral process, which can transform into violence. As Ethiopia's experience illustrates, delays by the National Electoral Board of Ethiopia (NEBE) in announcing the 2005 election results triggered public protest which culminated in several days of violence (Barnes 2006) [15]. The issue of election integrity is even more problematic in countries where ethnicity is salient in politics. In such societies, the victory

or defeat of a particular candidate or party is perceived as victory/defeat of an entire community. As such, any form of irregularities that would prevent a candidate or his/her community from clinching electoral victory is often opposed, sometimes violently, by the entire community (Orji, 2010) ^[34].

Inflammatory rhetoric

Spread of rumour and inflammatory messages about an election or its outcome could be an immediate trigger of electoral violence. The electoral violence in Kenya's 2007 election and Nigeria's 2011 elections were attributed mainly to the inflammatory messages sent by supporters of different candidates (Harwood and Campbell 2010, Ofili 2011). In the Nigerian case, several unguarded utterances were attributed to the candidates while some politicians were accused of using innuendoes to incite the public to violence (William5 2011) ^[37]. Inflammatory rhetoric sent via the social media worsened the tensions created by religious and ethnic campaigning by supporters of President Jonathan and MuhammaduBuhari. There were also SMS that attempted to stir up Muslims against President Jonathan and Northern Muslim governors perceived to be supporting him. The anti-Jonathan rhetoric in the North hardened the stance of many Southerners against Buhari, setting up an inevitable clash between followers of Buhari and Jonathan. Both local and foreign media have also been accused of fanning the already inflamed discourse by reporting partisan stories with sensational headlines. An example of such sensational headlines is the one by *The Nation*, a major daily newspaper in Nigeria which carried the header: 'The North is against Jonathan' (Omondi, 2011).

Publishing provocative stories during election periods when tempers are charged may incite supporters of different parties to violence.

Institutional changes

Sudden shifts in institutional arrangements that guide election can result in opposition and violence. This is illustrated by Nigeria's experience where the relegation of the power-sharing arrangement which guided the previous election resulted in vigorous opposition and violence. For many analysts, the 2011 post-election violence in Nigeria reflects the regional and religious divisions and simmering tensions created by debates over power sharing modalities in the aftermath of the demise of President UmaruYar'Adua. Many in the North believe that President Jonathan, a Christian and Southerner, should have conceded his presidential bid to a Northerner and Muslim in honour of the unwritten rotation of power between the North and South. UmaruYar'Adua, a Northerner and Muslim, succeeded President OlusegunObasanjo, a Southerner and Christian, who ruled Nigeria for eight years beginning from 1999.

Unfortunately, Yar'Adua died untimely in 2010, midway through his term, paving the way for then Vice President Good luck Jonathan to emerge as president. The proponents of power sharing insist that Jonathan should not have contested the presidency because the North had not completed its 'turn'. The 2011 post-election violence can therefore be seen as an expression of the frustration caused by the failure of MuhammaduBuhari, a Northerner and Muslim, to reclaim the North's control of the presidency from President Jonathan.

Implications of Post-Election Violence on Nigerian Democratic Consolidation

The costs associated with electoral violence are high. Even in situations in which the human death toll remains low, election violence may have a critical impact on the electoral process, the outcome of the elections and their perceived legitimacy. Election-related violence threatens the development and consolidation of democracy. In countries where violence is a regular feature of the democratic process, democratic values and institutions are prevented from developing because power is gained and retained through violence. In Nigeria the following have been identified as the effects of post-election Violence on democratic consolidation:

Legitimacy

Where a government is perceived to have come to power through irregularities, its legitimacy is then questionable, and it will likely have problems with forging national unity. Apart from the effects of election violence on the legitimacy of the electoral process, it also impacts voter turnout and the eventual outcome of the electoral process. Since voter turnout determines the results of elections, election violence can distort the outcome of an election.

Social Relations

Election violence can also impact negatively on existing social relations. The prevalence of identity politics in Nigeria makes it more feasible for election violence to assume identity dimensions and polarise groups along ethnic lines. If not properly addressed, the possibility of election violence erupting in future elections along identity lines may be high.

Economic Impasse

In the long term, protracted election-related violence also has a negative impact on the economy. Although the economic costs of election-related violence cannot be easily quantified, considering the destruction of property associated with it, widespread election-related violence can reverse economic gains.

Wastages of Public Resources

Electoral violence also accounts for a deep-seated legitimacy crisis across the country. In Nigeria, the constitutionality of the new governments is being seriously challenged, not only by opposition forces, but also by the people. Some of the famous ways of protest include peaceful and violent ones – peaceful demonstration and litigation in electoral courts, and violent outbreaks resulting in killing, arson, looting, destruction of properties and the resultant imposition of curfew, and the militarisation of the state and society.

These serve as a potent source of diverting government attention away from governance and towards consolidating its illegal/contested capture of power and managing the resulting conflicts.

Political Participation

Moreover, electoral violence hampers effective political competition and participation. Since might become right, as in the Hobbesian view of nature, only those with adequate coercive cover became main players. As such, the democratisation process is gradually facilitating the de-

institutionalisation of the people to become mere clients, onlookers and/or consumers, instead of acting as the primary stakeholders of democracy. The attendant culture of political apathy represents a major threat to democratic consolidation.

International Relations

Finally, electoral violence in Nigeria has important foreign policy ramifications. Ideally, every civilised nation aspires to the values and virtues of the post-Cold War order, where the issue of being a good international citizen features prominently. Good international citizenship requires conducting free and fair elections to be internationally recognised. The inability to do these in Nigeria has been a sore point in her external relations, most notably leading to an external image crisis. International community has raised critical eyebrows about Nigeria's post-election violence. This has ramifications for economic diplomacy, as Nigeria is being seen as incapable of conducting credible elections.

The resultant violence scares potential investors away, as much as it retards other forms of assistance.

Conclusion

The electoral process in Nigeria has been marred by electoral fraud and violence in diverse ways. This paper has reflected on these ways, accounted for them as well as teased out their implications for democratic consolidation. It has been revealed that electoral violence, irrespective of diverse motives, actors, targets and forms, has been counter-productive in Africa's new democracies.

Both in the short and the long run, violence threatens the democratic foundations of competition, participation and legitimacy. It also brings about the marginalisation of the people in politics. The paper identifies some of the predisposing factors of electoral violence – the traditional context where issues of military cum authoritarian overhang of previous regimes and a prevailing culture of political violence feature prominently; the nature of the Nigerian state and its politics; the weak economic foundations of the democratisation process, including pervasive poverty; and the weak institutionalisation of democratic architectures, particularly political parties, election management body and the judiciary.

Recommendations

1. Implement conflict-prevention policies and strategies in advance, as opposed to post, ad hoc, reactionary measures;
2. Establish systems/institutions to monitor, prevent, mitigate and manage election violence throughout the electoral cycle – pre-, during and post-election;
3. Conduct conflict analysis of the local context for a clear understanding of the local dynamics. Electoral violence is not limited to overt and large-scale physical violence, but rather includes other coercive means such as threats of violence, intimidation and harassment. By-elections are particularly vulnerable to violence in states marked by close political competition;
4. Address the underlying structural causes of electoral violence: decentralise the power of the executive office including a separation from the security forces, strengthen the role of parliament and implement broad-based socio-economic development programmes;

5. Establish electoral systems and electoral administrative units that encourage broad-based and inclusive strategies for mobilising voters;
6. Discourage winner-takes-all and first-past-the-post electoral systems in divided societies;
7. Strengthen the governance and independence of electoral institution – including election commission – to increase their political integrity, transparency and efficacy.

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