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Repeated electoral irregularities: Explaining Nigeria's elections in seven quadrennial election cycles

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Abstract

This study offers an explanation to repeated electoral irregularities that crystalize in fatal election violence, contested (litigated) election outcomes, and declining voter turnout in seven quadrennial national election cycles in Nigeria. It argues that irregularities account for repeated poor management of Nigerian elections since 1999. The various government-determined reforms to address the problem usually fail at the level of implementation because they are determined for (not with) the people. The study leverages the propositions of institutional theory to shed more light on the depressing effects of recurring irregularities on the core value of democratic elections. It relies on records of election-related fatalities, litigations and turnout, textual contents of available literature, and key informant interviews, embellished with personal experience as active participants in Nigerian elections for its statistical evidence (data). The examination and analysis of data lend credence to the afore-stated arguments, with a policy implication for Nigeria to explore alternative reform initiatives that allow the led to take the lead given the recurring failures of government-backed interventions.

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Introduction

Elections mediate in society's competing political claims, allow voters to participate in the leadership recruitment process

to choose leaders to manage their collective affairs, and afford party candidates the chance to canvass for votes in credible contests (Fjelde & Höglund, 2022; Mbah et al., 2019). Globally, electoral bodies have given voters the freedom to choose their leaders in national elections except for a handful of Afro-Asian and Latin American countries like Brunei, China, Eritrea, Qatar, Saudi Arabia, and South Sudan (Birch et al., 2020). However, some elections have needlessly been marked by irregularities: a deviation from established electoral standards. Cross-country studies find that irregularities affect around a quarter of all electoral contests worldwide and are more worrisome in many new democracies (Deglow & Fjelde, 2023; Straus & Taylor, 2013).

In Nigeria, many studies emphasize the depressing effects of various manifestations of electoral irregularities (like electoral violence, vote venality, and interference) on democratization (e.g., Ashindorbe, 2018; Onapajo, 2014; Omotola, 2010; Bratton, 2008). Many others appear in relatively unknown publishing outlets with a single case or subnational focus. Irregularities leading to violence can exacerbate in countries already in conflict even though these countries have defied all odds to hold their elections amid the conflict (Birch et al., 2020). The conflict situation has regrettably made elections contentious, contested, and controversial in some countries (Mbah et al., 2019; Norris et al., 2015a) and leads to democratic recession in others (Obiagu et al., 2021; Obiagu, 2021). Some studies apply the resource curse proposition to explain how abundant mineral resources have failed to translate into economic prosperity in weakly institutionalized settings where citizens are structurally constricted to hold their leaders accountable for their stewardship through elections (Harvey, 2021; Ko, 2014). Nigerian elections have regularly produced leaders who have not demonstrated commitment to using abundant resources for within-country development but, instead, choose to depend on their rents amid burgeoning criminalities (Mbah et al., 2023; Mähler, 2010). Those at the political affairs in Nigeria rarely exhibit the culture of allowing established institutions to freely operate based on legal dictates (Omotola, 2010). Emeh (2013) examined African underdevelopment and queried the reliance on foreign support for survival and growth. Although the institutionalization of electoral democracy in Africa has made gradual progress, the progress is punctured by democratic backsliding with a few elections facilitating peaceful ousting of incumbents and handing over to oppositions (Carbone & Cassani, 2016).

These studies demonstrate the dynamics of election management with isolated disturbing outcomes in some countries and otherwise elsewhere. However, scholars still know very little about how repeated irregularities are exemplified in recurring records of fatal electoral violence, contested (litigated) election outcomes, and voter apathy. This becomes more worrisome when the irregularities consistently span many election cycles/seasons. Thus, a within-country study can enrich our understanding of how irregularities can heighten tension during elections and make their outcomes keenly disputed with drooping trust in the process. The study also offers a platform to verify the assumption that electoral institutions are responsible for deplorable electoral outcomes. Understanding this underexplored phenomenon lies in appreciating the mediating role of primary election administration institutions: electoral management bodies (EMBs), security agencies, and the courts. These institutions respectively administer elections, secure the electoral process, and adjudicate election disputes. Further, elections are expected to create room for voters to freely choose those that will give creative leadership, mediate competing socio-political claims, allow citizens greater vent to say how they are governed, and provide an alternative to the prevailing use of compelling threats, intimidating utterances, impelling coercion, and life-

taking violence. Regrettably, this expectation has often failed to conform to reality given the fact that electoral institutions do not have the latitude to freely carry out their functions because their independence is undermined by actors who leverage their positions to sway institutional operations. Thus, institutional theory offers the study an exploratory basis to explain how poor election management degenerates into a killing field, makes election outcomes become intensely contested, and leads to public disinterest in election politics.

Nigeria, therefore, offers a scientific laboratory for testing the validity or otherwise of the argument that consistent electoral irregularities occasioned by poor election management are implicated in recurring fatal election violence, unending disputed election outcomes, and consistent voter apathy. The unprecedented records of irregularities during the 2007 elections triggered post-2007 election reform and achieved three major results. One, the reform, for the first time in Nigeria's fourth republic, led to a review of the 1999 Constitution of the Federal Republic of Nigeria (CFRN) in 2010. Second, it culminated in the repeal of the 2006 Electoral Act and the enactment of the 2010 Electoral Act. Finally, it laid the foundation for the introduction of biometric voter registration devices in 2010-11 and, ultimately, ushered in an era of digital election administration in 2015. This remarkable reform formed the basis for dividing the seven quadrennial election cycles in Nigeria's fourth republic, which has shown a consistent pattern of irregularities, into three broad periods: pre-2011 reform implementation, the 2011 reform implementation, and post-2011 reform implementation.

The present study is concerned with using records of electoral irregularities (embodying an independent variable, using fatal election violence, election petitions, and voter apathy as its indicators) to examine the health (quality) of Nigerian elections (representing the dependent variable) since 1999. The study is expressed in nominal variables and, as such, it relies on descriptive inferential statistics for its analysis. Its interest is to use national election data (NED) on election-related fatalities, litigations, and turnout in Nigeria as units of analysis to shed more light on how the various manifestations of irregularities undermine elections administered by the Independent National Electoral Commission (INEC), secured by security agencies, and adjudicated by the courts. Thus, the study has two levels of analysis. One, it relies on available records to ascertain the trends of irregularities in seven election seasons in Nigeria. Two, it uses the records to compare the trends between the three major periods as highlighted in the preceding paragraph. The essence of this comparison is to ascertain whether the reform initiatives strengthened the electoral institutions in remedying the observed repeated irregularities in the country. Alternatively, the records serve the purpose of verifying the general indictment (or exoneration) of electoral institutions on underperformance, inefficiency, and opacity in Nigeria.

Other sources of materials for the study are available documents, key informant interviews, and personal experience as active participants in Nigerian elections. The study is organized into six major sections. This introduction is followed by an exploration of major themes with an exposition on institutionalism and electoral institutions in Nigeria. Other sections focus on methodology, results, and discussion (with a subsection that compares the findings in Nigeria with related political developments in some African countries). It ends with a concluding section.

Extant research on electoral irregularities, contentious elections, and voter participation

Election is the most visible test of a candidate's acceptability (popularity) by voters in any representative democracy. But how to organize the election in such a manner that allows voters to freely choose one or some candidates over others sometimes becomes challenging. Ideally, elections are supposed to provide an opportunity for voters to reject people with questionable backgrounds and prevent them from emerging winners. In reality, however, voters in countries like India and Nigeria have shown preference for such candidates perhaps because of some primordial considerations like patronage, ethnicity, and religion.

Today, the world is witnessing a depletion in the democratic value of elections occasioned by undemocratic factors like election rigging, seat tightness, and unfulfilled electoral promises. Both the high and low nations have had their fair share. In the US, three major recent events have challenged American democracy. One, American politics has seen the use of violence as a viable political strategy engineered by distrust in the democratic process (States United Action, 2023; Kousser, 2023; Pildes, 2020). Two, the 2020 presidential poll created an institutional problem that jeopardized the lives of poll workers in which many now seek government protection in their future electoral engagement (Kleinfield, 2021). Three, some members of the two U.S. dominant parties have surprisingly justified the use of threats against opponents to gain some political mileage for their parties (Kalmoe & Mason, 2022).¹ In Africa, elections in Malawi and Benin have witnessed isolated cases of violence, but become deadly in Côte d'Ivoire, Kenya, Nigeria, and Zimbabwe (Brosché et al., 2020; Angerbrandt, 2018). In India, political parties have fielded candidates with tainted pasts and voters prefer them because they have the funds to whether the rising election costs and do not mask their identities (Biswas, 2017). Baron et al. (2023) find that voters will likely prefer candidates with shared views to those with opposing views.

But there are situations where voters rise above these considerations and choose people with the capacity to perform, firmness of character, and competence over others whose background is dubious. For instance, empirical Afro-Asian studies find that voters in developing countries have withdrawn their voting support for candidates who deploy electoral violence to increase their winning odds (see Rossenweig, 2015; Blair et al., 2013; LeBas, 2010). Similarly, a study by Banerjee et al. (2014) reveals that Indian voters in Uttar Pradesh prefer honest non-coethnic candidates to others with corrupt pasts.

Additionally, election politics is too complex and dynamic for firm prediction in that many factors can change its course and make a mess of the prediction. For instance, the trio of intergenerational political divides in seeking information, entrenched socio-political traumas of immigration, and language barriers explains the undermining effects of mis/disinformation on Vietnamese Americans and their politics (Nguyễn et al., 2023). Scholars who hinge their electoral integrity arguments on the electoral body's formal independence are yet to offer plausible explanations as to why elections fail in settings with strong formal electoral institutions but with entrenched elites and polarized political communities in which elections became contentious and merely elevated military junta with the hallowed toga of an elected government. The Thailand electoral body needlessly created opportunities that led to its capture by "actors who wield power outside of formal politics and are unaccountable to public interest" (Desatova & Alexander, 2021; Sawasdee, 2020; Birch & van Ham, 2017).

There is a global standard set by the United Nations (UN) on which basis credible election or election integrity is

measured. The standard is set in Article 21(3) of the Universal Declaration of Human Rights (UDHRs), which was adopted by the UN General Assembly on 10 December, 1948. The said Article states that: "The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures" (the United Nations, 1948). Thus, Global Commission on Elections, Democracy and Security, (2012: 9) follows this global standard to define credible elections from the perspective of integrity. It argues that credible elections give life to rights enshrined in the UDHRs and the International Covenant on Civil and Political Rights. These rights include "freedom of opinion and expression, freedom of peaceful assembly and association, the right to take part in the government of one's country through freely elected representatives, the right of equal access to public service in one's country, and the recognition that the authority of government derives from the will of the people".

Impliedly, any form of deviation from this standard with the intent to sway the electoral process and favourably determine its outcome amounts to electoral irregularity. Thus, irregularities are central to the manifestation of other forms of deviation from the electoral standards like electoral malpractice, vote suppression, and institution capture; and can lead to fatal electoral violence, contested election outcomes, and voter disinterest (see Figure 1). In light of this, available literature sees electoral irregularities and their various manifestations as a thorn in the flesh of clean and credible elections (von Borzyskowski & Kuhn, 2020; Gutiérrez-Romero & LeBas, 2020; Gutiérrez-Romero, 2014). Herewith, electoral irregularities can cripple the democratic value of elections and replace voter's freedom to choose with coercive choice. They represent the existence of a warped democratic value and faulty democratic institutions. They can reverse years of achievements and cause a civil war, with a casualty rate that can match that of a civil war (Birch et al., 2020).

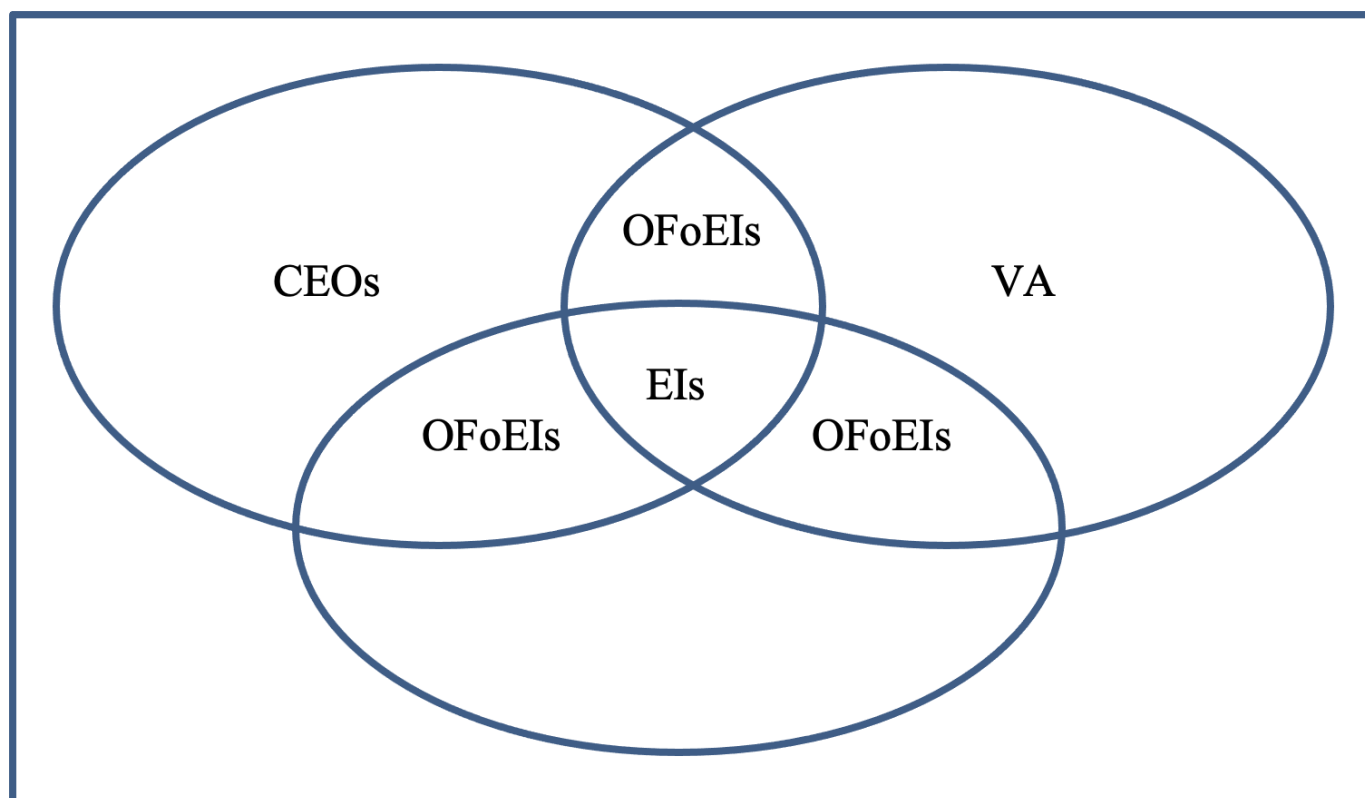


Figure 1. The centrality of electoral irregularities

Source: Authors drawing

Note: *EIs*—electoral irregularities, *CEOs*—contested election outcomes, *OFEIs*—other forms of electoral irregularities, *VA*—voter apathy, *FEV*—fatal electoral violence.

Considerable cross-national research shows that challenges surrounding electoral irregularities and contentious elections with their depressive effects on voter turnout can be effectively addressed using voter education or sensitization programmes. The programmes are to create awareness among voters, candidates, and other election stakeholders on the danger of using clandestine means and violence for power acquisition. Hence, while it is well documented in extant literature that less informed voters will likely consider candidate's ethnicity, patronage, and pecuniary welfare packages in their voting preferences (Fjelde & Höglund, 2014; Posner, 2005; Chandra, 2004), further cross-national studies suggest that this argument may not be entirely true in climes where voters are much more informed (von Borzyskowski & Kuhn, 2020; Vincent, 2014; Banerjee et al., 2011).

The latter argument holds that when uninformed voters are exposed to voter education or sensitization campaigns, they will not tow their voting paths along ethnic lines and will not likely exchange their votes for money, even though they (successfully exposed/informed voters) face a higher risk of electoral violence because using alternative campaign strategies to sway them will be harder (von Borzyskowski & Kuhn, 2020). Some analysis has proven that sensitization campaigns can decrease the potency of using money to buy voters (sometimes institutions), increase turnout, and widen the incumbent's winning chances. Knowledgeable voters can effectively apply a candidate's performance information to arrive at an informed election decision unlike less knowledgeable ones (cf. Vincent, 2014). There is a dimension of irregularities in Nigeria in which ongoing elections are deliberately delayed through the instrumentality of inconclusive elections to pave the way for election manipulation (Obiagu, 2023a; Obiagu et al., 2022; Obiagu et al., 2021).

Regardless of perspectives and as an umbrella word, electoral irregularities represent (i) any actions that prevent eligible citizens from freely participating in elections as voters/candidates (ii) any actions that allow ineligible individuals to participate in elections, and/or (iii) any actions geared towards manipulating the electoral process to favourably determine its outcomes. In this manner, electoral irregularities in Nigeria can be clandestine or manipulative such as electoral malpractice, falsification of election results, suppression of votes/voters, vote buying, unreliable voter register, and electoral sabotage. They can also be compelling, intimidating, and threatening, and, in the worst case, can be coercive, violent, and fatal, with their suppressing effects on voter participation. Thus, electoral institutions and the environment under which they function can widen the chances in which electoral violence is deployed by politicians to manipulate elections against the democratic requirement of free contests (Fjelde & Höglund, 2014). The tranquil environment helps parties, their candidates, and members to canvas for votes without threat, enables voters to vote without fear, and provides the atmosphere for wider election observation coverage by observers without intimidation.

Further, electoral irregularities can be expressed in contentious elections. In this direction, Norris et al. (2015b) offer a classical guiding explanation of contentious elections. They use a three-dimension (authority, procedures, and outcomes) analysis to provide insights into three manifestations of contentious elections. These are when (i) there are disputes over

the authority of electoral actors (like questions over EMB's impartiality, authority, and independence), (ii) there are disputes over the fairness of electoral process/procedures in the entire electoral cycle (like questions over implementation of electoral laws, constituency delimitation, registration and regulation of voters and parties), and (iii) when there are disputes over the legitimacy of election outcomes. There should be a reliable mechanism to settle election-related disputes and in its absence, leaders can govern through alternative mechanisms such as rewards and sanctions or what Svulik (2012) refers to as carrots and sticks. Thus, Norris et al. (2015b: 134) define contentious elections as "contests involving major challenges, with different degrees of severity, to the legitimacy of electoral actors, procedures, or outcomes".

Ultimately, electoral irregularities that crystalize in contentious elections can have deflating implications on voter participation expressed in voter turnout. Besides, theoretical studies find that contentious elections have complex deleterious consequences on voter participation (Mbah et al., 2019; Nikolayenko, 2015). They can equally trigger mass protest (Sedziaka & Rose, 2015), explain why violence occurs during elections, or serve as an election-rigging tool in countries with challenging institutional capacity to "mediate conflict over political power and ensure a level playing field among candidates" (Kuhn, 2015: 89), and dethrone an illegitimate autocratic government (Higashijima, 2015). However because of the changing value of voter turnout, arriving at its understanding, predictor, and measurement with substantive importance has become challenging to scholars. For instance, Geys' (2006) aggregate research on 83 articles attempted to explain 14 predictors of turnout, but discovered many others in the course of the analysis.

A decade later, Cancela and Geys' (2016) meta-analysis of 102 journal articles ended up revealing similar unanticipated predictors that posed measurement challenges and affirmed possible difficulty in empirical certainty. Similarly, Stockemer's (2017: 698) meta-analysis involving 130 publications with over a hundred turnout predictors that conflated the understanding of voter turnout in which the analysis reveals that "turnout is higher under compulsory voting, if the election is important...or held in a small country". Recently, Frank and i Coma (2021: 607) identified 44 articles on turnout from 1986 to 2017 with over 127 potential turnout predictors. Data on 70 variables robustly related to turnout in 579 elections between 1945 and 2014 in 80 electoral democracies. The findings associated 22 variables with turnout and they included "compulsory voting, concurrent elections, competitive elections, inflation, previous turnout, and economic globalization".

Despite the unending argument, there is a consensus among scholars that voter turnout is measured by the percentage of all votes cast during elections (Stockemer, 2017; Solijonov, 2016). Drawing from this consensus, the present study maintains that voter turnout is one of the visible parameters to assess how citizens (candidates/voters) participate in the electoral process of their country. Higher voter turnout mostly represents the vitality of electoral democracy as its reverse is a sign of voter apathy (Solijonov, 2016; Mahmud, 2015; Dettrey & Schwindt-Bayer, 2009), which can be caused by many factors. These include poor election management by electoral bodies and public distrust in the institutions responsible for securing the electoral process and ensuring that aggrieved candidates genuinely get legal redress for electoral wrongs through the courts. This brings us to the next subsection that sheds more institutional light on the problem under investigation.

Understanding the problem from an institutional lens

Institutionalism as espoused by Meyer and Rowan in 1977 provides theoretical insight on how institutions are influenced by normative pressures that partly emanate either from external sources like the society or within the institution itself. These pressures force the institution to be guided by legitimated rationalized elements that range from standard operating procedures to professional certification and state requirements. The incorporation of these elements leads to isomorphism with the institutional environment and increases the probability of institutional survival. Institutionalism flourished with scholarly works across the social sciences like sociology (e.g., DiMaggio & Powell, 1991), economics (e.g., North, 1999), and political science (e.g., March & Olsen, 1984; Peters, 2019), compressed in old (driven by laws) and new (driven by norms, beliefs, and practices) traditions/schools.

From Peters' (2019) institutionalism and de-institutionalism or formal and informal institutional perspective, institutionalism shapes the predictable pattern of relationship between institutions, society, and actors, and how institutions change to produce (or fail to produce) the desired actions. To Meyer and Rowan (1977), institutionalization involves the elevation of "social processes, obligations, or actualities" to an impersonal "rulelike status" above individuals, groups, and organizations, as well as their preferences. They identified an inseparable correlation between organizational departments, offices, and programmes (institutional structures), legal stipulations (institutional rules), and social norms, practices, and procedures (institutional myths). Rationalized institutional rules are a reflection of institutional myths, which also shape the institutional structures and channel them towards the effective and efficient realization of organizational goals. They further proposed that, as rationalized institutional rules emerge within the domain of work activity, formal organizations form and expand by incorporating these rules as socio-structurally legitimated rationalized elements. Organizations that successfully adopt these elements in their formal structures will optimally widen their legitimacy and ultimately increase effectiveness, efficiency, and survival capabilities. When these organizations become isomorphic with their myths to reflect the institutional environment, they decrease internal coordination and control to maintain legitimacy.

In this way, any attempt to control organizational activities in institutionalized organizations will trigger conflicts and even lead to a loss of legitimacy (cf. Libson, 2016). Issues that enhance confidence, satisfaction, and good faith, reflecting organizational structures are subsumed or entrenched in institutional myths, not in ethno-religious, regional, or any other primordial lines. If the modern institutional reality is that the functionality of informal institutions depends on the role and strength of formal ones, then what becomes of a setting with formal institutional arrangements that exist in the breach? In this case, the institutions exist based on legal stipulations domesticated in the legal documents with clearly designated rules and regulations, executable specific functions, and what it takes in terms of power (man and material resources) to achieve their assigned responsibilities, but do not reflect the dictates of the legal documents nor yearnings of the governed. This explains the Nigerian situation about the challenging realities of its electoral institutions.

To begin with, the 1999 CFRN recognizes three tiers (federal, state, and local) of government and shares power between the executive, legislative, and judicial branches to ensure the smooth running of the state. In practice, the CFRN entrusts enormous powers to the executive with which it controls other government institutions. Those designated statutory bodies remain so in the constitution but not so in reality as the head of the executive arm of the federal government takes

advantage offered by the power to hire and fire members of these bodies to interfere in their operations. Other branches of government and their ancillary institutions are what the president makes of them, as opposed to the practice in other systems like South Africa where governments support (not interfere with) institutions to freely do their statutory jobs (cf. Libson, 2016). Worse still, the various institutional and electoral reforms and the politics surrounding the amendment of electoral laws have not demonstrated confidence and raised questions about their efficacy in guaranteeing a credible electoral process in Nigeria (Adebiyi & Olowa, 2022).

Further, since its inception in 1999, Nigeria's electoral body has thrown up ethically challenged leaders who have undermined its institutional independence through interference in its membership (Omotola, 2010). The president of Nigeria has, with impunity, abused the privileges associated with the office to undermine the judicial branch through the arbitrary sacking of principal judicial officers for spurious reasons against subsisting court orders. Lawyers empowered by the 1999 CFRN to defend these officers were threatened out of the way (see Nigeria Civil Society [NCS] Situation Room, 2019; Garcia-Sayán, 2019). The judicial officers serving at various election tribunals are currently under presidential intimidation, blackmail, or threat (Ramalan, 2023; Thisday, 2023). The security agencies, which are under the control of the president, have acted in a partisan manner and arbitrarily abused their rules of engagement on election duties (NCS Situation Room, 2019).

There are cases where Nigerian courts look the other way to declare some corrupt Nigerian leaders innocent, but the same leaders are convicted abroad, which has implications on institutional functionality and makes a mockery of institutions in Nigeria. Instead of rising above individuals and groups to restrain the excesses of Nigerian elected leaders, the reverse is the case in the country. When all these happen without commensurate consequences, they tend to embolden the perpetrators. It is Kleinfield's (2021) argument that when groups believe that they can use any means outside the law (including violence) to sway the electoral process without consequences, they are more likely to do so. Impliedly, when Nigerian leaders abuse the privileges of their offices without consequences, it becomes an incentive for future violations of Nigerian laws. This explains the problem with flawed Nigerian elections arising from institutional failures.

Electoral institutions in Nigeria

The management of elections in Nigeria is underpinned by the 1999 CFRN and other formal legislations that emanate from Nigeria's *grundnorm*, the CFRN. The other legislations include the electoral law, INEC-issued regulations and guidelines, INEC decision extracts, manuals for election officials, and court decisions on election disputes. Again, election management is a very complex function and, as such, many stakeholders take part in the entire election administration cycle. Thus, the success of any election around the world in modern times depends on multi-stakeholder responsibility. In specific terms, there are eight major election stakeholders in Nigeria: the INEC, the judiciary, the security agency, political parties, party candidates, eligible voters, the media, and election observer groups (see Figure 2). Among these, three are very strategic and play key roles in election management. Contextually, this sub-section of the review focuses on the three key Nigerian electoral institutions: the electoral umpire (INEC), the courts, and the security agency.

The INEC is one of the federal executive bodies constitutionally established by Section 153 of the 1999 CFRN. By their status, Section 158 of the 1999 CFRN provides that they (including INEC) “shall not be subject to any other authority or person” in the course of discharging their duties in accordance with the CFRN. These institutions are established as body corporate with perpetual succession and with powers to sue and be sued in their corporate names. By extension and given the centrality of elections in democratic operations, this constitutional provision recognizes INEC as an independent electoral body in Nigeria with constitutional guarantee. The 1999 CFRN and Electoral Act empower INEC to initiate any working strategy that will ensure credible management of elections in the country.



Figure 2. Hierarchy (pyramid) of election stakeholders in Nigeria

Source: Authors' design

Note: EOGs means election observer groups.

Instructively, like Nigeria's federal system, INEC is a highly centralized election management authority charged with all matters relating to election management, be they constituency delimitation, registration and regulation of political parties, determination of eligibility of voters, recruitment of election officials, administration of voting on election day, result management, and declaration of winners. Again, in the hierarchy (pyramid) of eight election stakeholders in Nigeria, INEC ranks first, occupies a larger space, and plays a role in election administration that other stakeholders are not empowered by law to play. Given Catt et al.'s (2014: 5) definition of EMBs as organizations responsible for “managing some or all the elements that are essential for the conduct of elections”, INEC sits at the driver's seat in the vehicle of election administration and all others are the passengers.

Based on Montesquieu's thesis on tripartite separation of powers, the Nigerian judiciary is a branch of government constitutionally suited for law interpretation, dispute adjudication, and oversight functions on other branches (legislature and executive, including subsidiary agencies under them) of government (Chapter VII of the CFRN, 1999).² Accordingly, the judiciary plays a key role in election management by ensuring strict adherence to legal stipulations. It has constitutional powers to interpret the contents of the 1999 CFRN, the Electoral Act, and other subsidiary election-related laws and, also, protects the fundamental rights of every Nigerian as contained in Chapter IV of the 1999 CFRN. The final power to validate election outcomes resides with the Nigerian judiciary.

Security agencies have the constitutional responsibility to secure the electoral process by protecting voters, poll officials, and election materials during elections. They also make the election environment conducive and peaceful. Of the three electoral institutions that are of concern to this study, the security architecture in Nigeria is the most hierarchically centralized and strictly follows a central directive by the president as Commander-in-Chief of the Armed Forces. The Electoral Act of 2022 empowers the Commission to consult with relevant security agencies like the police, the military, and the Nigeria Security and Civil Defence Corps and make requests for the deployment of relevant security personnel to provide adequate security for election management purposes like political campaign rallies, distribution and delivery of election materials, and protection of election officials (see Sections 27 and 91 of the 2022 Electoral Act).

Electoral reforms in Nigeria's fourth republic and study periodization

Since the commencement of the current democratic dispensation in 1999, electoral contests in Nigeria have been marred by recurring irregularities that undermine the quality of the elections and necessitate reform initiatives to improve the electoral process. The irregularities that characterized the 1998-9 and 2003 election seasons led to the enactment of the Electoral Acts of 2002 and 2006 for the 2003 and 2007 elections respectively. The 2007 elections recorded unmatched cases of irregularities (Fabi, 2009) and led to the rejection of election outcomes and protracted litigations. The late President Umaru Musa Yar'Adua publicly admitted this fact during the inauguration of his administration by stating that the 2007 elections contained verifiable lapses and shortcomings (Adeniyi, 2011). He immediately set the reform process in motion by inaugurating a 22-man Electoral Reform Committee (ERC) on 28 August, 2007, under the headship of retired Justice Mohammed Lawal Uwais. The ERC membership was drawn from widely respected individuals, members of civil society organizations, the legal community, eminent traditional rulers, and government representatives.

The ERC consulted widely, received 1,466 memoranda from the Nigerian public, and organized public hearings that produced 907 presentations. It noted that Nigeria has held three national elections and transited from one administration to another, but the elections were not free of charges of irregularities arising from warped election mindsets of Nigerians. The ERC report was submitted in 2008 with fine-grained recommendations, which included functional decentralization (unbundling) of INEC by establishing specific electoral commissions. The proposed commissions included: (i) Political Parties Registration and Regulatory Commission for political party registration and management; (ii) Electoral Offences Commission to investigate and prosecute electoral offenders including election officials; and (iii) Centre for Democratic Studies to undertake broad civic and political education for legislators, political office holders, security agencies, political

parties, and the general public (Recommendations 2.2.4.7 and 2.2.7.9 of the ERC, 2008: 28-33). These recommendations were to afford INEC greater energy and resources that would enable it to achieve better results in terms of organizing clean and credible elections in Nigeria.

Yet, the president and later, his successor, President Goodluck Jonathan, adopted a selective policy implementation process that is coterminous with the Nigerian administration. They accepted some of the recommendations like the engagement of key INEC officers and election officials from the pool of university communities and the use of biometric devices for election management, but rejected other critical ones that bothered on allowing institutional participation in the appointment of key INEC officers, shedding off some functions, and INEC control of its finances (CLEEN Foundation, 2019). Be that as it may, the post-2007 reform made a significant impact on Nigeria's electoral administrative process. Hence, it informs the periodization of this study.

To this effect, periodization gives life to the scope of study and facilitates the achievement of research objectives. To begin with, the general election period in Nigeria is devoid of uniform rule for two reasons. First, protracted election litigations and court decisions that upturned some governorship election outcomes (first in Anambra in 2006 and eight states currently affected) heralded the entrant of off-cycle gubernatorial election in 2010, which distorted the quadrennial election timetable and replaced it with staggered quadrennial election time table (Obiagu, et al., 2022). Secondly, the election period in Nigeria is what the CFRN and Electoral Acts make of it. However, these two legislative instruments have equally undergone many reviews over time and, in so doing, affected the time frame of pre-election (the day the electoral body gives notice of election to a day before the election), election day (the day election is held), and post-election (a day after the election till the end of election litigation).

For illustration, in July 1998, the military government of the time gave six weeks notification of transition (founding) elections, which culminated in a return to democratic government in 1999, which commenced Nigeria's fourth republic with the adoption of the 1999 CFRN. The constitution provides for not less than 150-day pre-election notices for the 2003 and 2007 elections (CFRN, 1999). The repealed Electoral Act of 2010, in Section 30, adopted not later than 90 days, which guided the 2011 and 2015 elections. However, the challenges witnessed during the 2015 elections, the unimplementability of most Nigerian policies, and the ambiguities and contradictions that characterized the laws in Nigeria necessitated the need for further reforms. Following the 2015 elections and in preparation for the 2019 elections, the efforts made in this direction to review the 2010 Electoral Act suffered defeat because President Muhammadu Buhari withheld his presidential assent to the bill. On their part, the National Assembly (NASS) refused to invoke its legislative power to override the president's veto and push the bill to fruition in line with the constitutional requirement of two-thirds of its members. The conduct of the 2019 elections and other off-cycle and rerun elections were guided by the 2010 Act until its successful repeal in February 2022 vide an enactment of the 2022 Electoral Act after five unsuccessful attempts.

The extant Act provides, in Section 28, that notice of elections will not be later than 360 days. Within this 360-day window, the pre-election period comprises party primaries for the nomination of candidates (which should not be later than 180 days to election day) and campaign (not later than 150 days). On the post-election divide, presently, Nigeria operates a three-cadre ten-month post-election period. This covers not more than 180 days for tribunals and 60 days for appeals for

all offices, comprising national (presidential and NASS) and state (governorship and state houses of assembly) elections. The three cadre election litigation process entails the Election Tribunal, Court of Appeal, and Supreme Court. Except presidential election in which its litigation begins at the Court of Appeal (Presidential Election Petition Court) in Abuja and terminates at the Supreme Court, other election litigations for national and state elections begin at tribunals (special courts of first instance like high courts) within the state where the elections are held and terminate at Court of Appeal. However, the 2010 constitutional amendment included governorship election petitions as part of appellate cases that can be entertained by the Supreme Court (Sections 239 and 285 of the CFRN, 1999).

Based on the 360-day pre-election and 10-month post-election periods, this study adopts a 20-month election season. It divided the seven quadrennial election seasons into three, namely: (i) the pre-2011 (comprising 1998-9, 2003, and 2007 election cycles), (ii) the 2011, and (iii) the post-2011 (comprising 2015, 2019, and 2023 election cycles) reform implementation periods. These three broad periods are adopted principally to enhance our understanding, in comparative terms, of the trajectory trends on fatal election violence, litigated election outcomes, and voter turnout to verify the argument that repeated irregularities inform recurring fatal election violence, unending elections disputes, and consistent voter apathy in Nigeria.

To further the study, the next section deals with methodological issues that underpin the study. It addresses concerns about how materials are sourced and analyzed.

Methodology

The materials for this study are sourced from available literature, key informant interviews, and personal experience as active participants in Nigerian elections. The key informants are drawn from people (adults from 18 years) who are very knowledgeable about political happenings in Nigeria by virtue of their knowledge and active participation in Nigerian elections. They are selected from election officials, key party members and candidates, informed voters, and election observers. For this purpose, we set an average (50%) benchmark for a satisfactory response rate.

For convenience in execution, we adopted a non-probability sampling method and purposively selected three key informants in each state of the 12 selected states to arrive at a cumulative of 36 key informants. The state selection is drawn from Nigeria's 36-state structure and a federal capital territory in Abuja in the equal ratio of two states from each of Nigeria's six geo-political zones. To ensure equal selection opportunity, a simple random sampling technique was adopted to extract the views of the informants. However, 24 interviews were successfully conducted, which satisfactorily represented an average of 66.67 percent response rate (see Table 1). We recorded the lowest response rate from the northeast geo-political zone and the southeast recorded the highest, all within our benchmark. We used a combination of face-to-face and phone interviews, and interview schedules, conveniently interfaced with research assistants and relevant social media instruments. Subsequently, references will be made to these interviews based on the serial numbers in Table 1 because nearly all of them do not wish to be mentioned except Hon. Bona Umeh, Hon. Kingsley Mara, and Ben Odey.

Table 1. Interviews and Interview Schedule Administration and Collection

S/Nº	G-p Zone	State	Medium	Nº of SI	ZT (Nº)	ZRR (%)
1.	North-central	Benue	ISTRA/PC	3		
2.	North-central	Niger	ISTRA/WhatsApp	1	4	66.7
3.	North-east	Adamawa	ISTRA/PC/WhatsApp	1		
4.	North-east	Taraba	ISTRA/PC/WhatsApp	2	3	50.0
5.	North-west	Kaduna	ISTRA/PC/WhatsApp	2		
6.	North-west	Kano	ISTRA/PC/WhatsApp	2	4	66.7
7.	South-east	Enugu	FTF/PC/WhatsApp	2		
8.	South-east	Imo	FTF/PC/WhatsApp	3	5	83.3
9.	South-south	C/River	ISTRA/PC/Gmail	2		
10.	South-south	Rivers	ISTRA/PC/WhatsApp	2	4	66.7
11.	South-west	Lagos	ISTRA/PC/WhatsApp	2		
12.	South-west	Oyo	ISTRA/PC/Gmail	2	4	66.7
Total				24	24	

Note: G-p means geo-political, SI means successful interview, ZT means zonal total, ZRR means zonal response rate, ISTRA means interview schedule through research assistant, and PC means phone call. Computation for ZRR is based on 3 interviews from two selected states in each geo-political zone.

The NED are analyzed using descriptive inferential statistical methods like charts, simple percentage, chi-square ($\chi^2 = \sum (O-E)^2/E$) for the nominal variable association, and Cramer's V ($\sqrt{\chi^2/nm}$) to ascertain the direction (whether positive or negative) and strength (whether weak, moderate, strong, or perfect) of the likely association. The content analysis strategy is used for the textual contents of available documents and informant interviews. From the chi-square, Σ =sigma (or summation sign), O=observed frequency, E=expected frequency; from the Cramer's V, $\sqrt{}$ =square root sign, χ^2 =chi-square, n=sample size, m=degree of freedom. We also used an alpha (α) value of 0.05, which represents a margin of error of five percent and also suggests a 95 percent confidence in our decision.

Results

This section presents the world of reality (results, data, evidence, or records) on trends in irregularities expressed in fatal election violence, election petitions, and voter turnout as units of analysis and compares the trends between the three periods under investigation. Following these units, the section is organized into three subsections: results of fatal election violence, election petitions, and voter turnout in seven election cycles. The section leverages independent reports of election observer groups like NCS Situation Room (2019), SBM Intelligence (2019), and European Union Election Observation Mission (EU EOM), as well as empirical studies like Onapajo and Babalola (2020) and Omotola (2010).

These materials reveal a situation of challenging elections in Nigeria as would be demonstrated in the subsections. The section ends with another subsection on descriptive measures of association based on the three major periods.

Results of fatal election violence in Nigeria

Figure 3 contains statistical data on the number of deaths arising from repeated irregularities that turn violent and become fatal with a total of 2,444 reported deaths between 1998-9 and 2023. The statistics indicate that, in the last 24 years, every election season in Nigeria has been characterized by violence that claimed human lives. Based on the 20-month election season as highlighted in the periodization subsection, 80 Nigerians paid the supreme price during the 1998-9 transition elections due to violence.

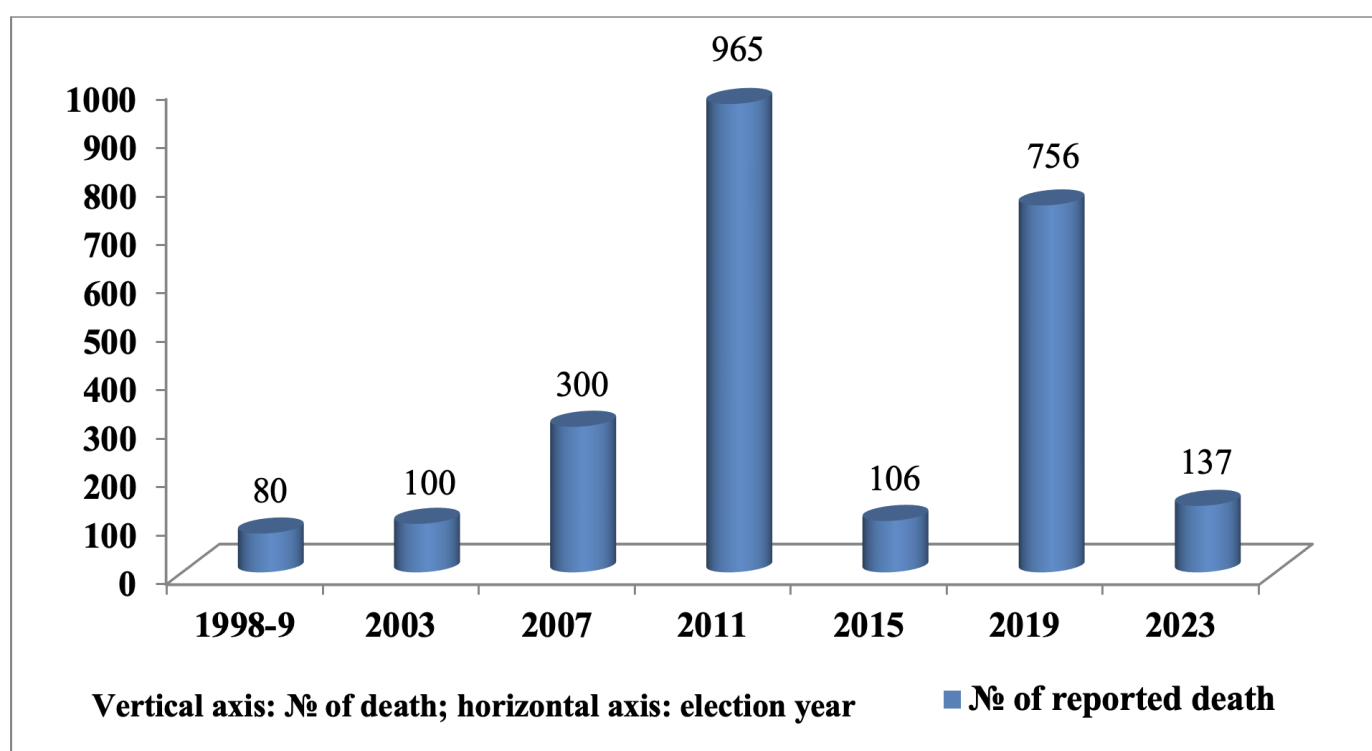


Figure 3. Summary of reported deaths during elections between 1998-9 and 2023

Source: compiled by authors with data from Obiagu (2023b)

The figure further showed that the number of reported deaths increased to 100 and 300 in 2003 and 2007 respectively and peaked in 2011 at 965. It dropped to 106 in 2015 but reversed with 756 deaths in 2019. The pre-election period during the 2023 general elections became highly volatile with intense campaign, which recorded more deaths than during and after the elections. During the campaign, many (young) Nigerians were heavily mobilized by political parties and their candidates. They were determined to ensure that their votes counted following INEC assurances that the use of the new biometric device (Bimodal Voter Accreditation System, BiVAS) would ensure that accredited figures tally with votes cast and would form the basis for the emergence of election winners. However, the elections still have records of bloodshed with 137 reported deaths.

Table 2. Summary of trend in voter participation in Nigeria, 1999–2023

Election year	Total registered voters	Total valid votes	Voter turnout (%)
1999	57,938,945	30,280,052	52.26
2003	60,823,022	42,018,735	69.08
2007	61,567,036	35,397,517	57.49
2011	73,528,040	39,469,484	53.68
2015	67,422,005	29,432,083	43.65
2019	82,344,107	28,614,190	34.75
2023	93,469,009	24,965,572	26.71

Source: *International IDEA (2023)*

In comparative terms, Table 2 (Section A) shows that the pre-2011 period recorded the least bloodshed with 480 deaths (19.64% of the 2,444 total). For the 2011 period, the number more than doubled by 101.04 percent from 480 to 965 deaths which represent 39.48 percent of the total figure. In like manner, the post-2011 period became the bloodiest election season and claimed 999 lives (40.88%). In all these cases, Northern Nigeria remains the worst hit in terms of fatal election violence. To illustrate, out of 756 deaths recorded in 163 incidents in the 2019 election season, the North appropriates 570 (75.40%) deaths in 61 (37.42%) incidents, while 186 (24.60%) deaths in 102 (62.58%) incidents were recorded in the southern part of the country (SMB Intelligence, 2019). All these partly have consequences on election disputes and participation in Nigeria as succeeding subsections will highlight.

Results of election petitions in Nigeria

The transition elections recorded only 2 election petitions because many Nigerians earnestly desired to make the sacrifice for democratic governance despite cases of irregularities that undermined the elections. However, the litigation figure astronomically increased from two in 1998-9 to 574 and 1,291 petitions in the 2003 and 2007 election seasons respectively. Although the figure decreased in the 2011 and 2015 election cycles with 732 and 611 respectively due to the optimism that the reform interventions and adoption of innovative devices would enhance credible elections, contested election outcomes did not leave the Nigerian electoral space. The situation was exacerbated with 1,697 and 1,996 petitions during the 2019 and just concluded 2023 elections respectively (Figure 4).

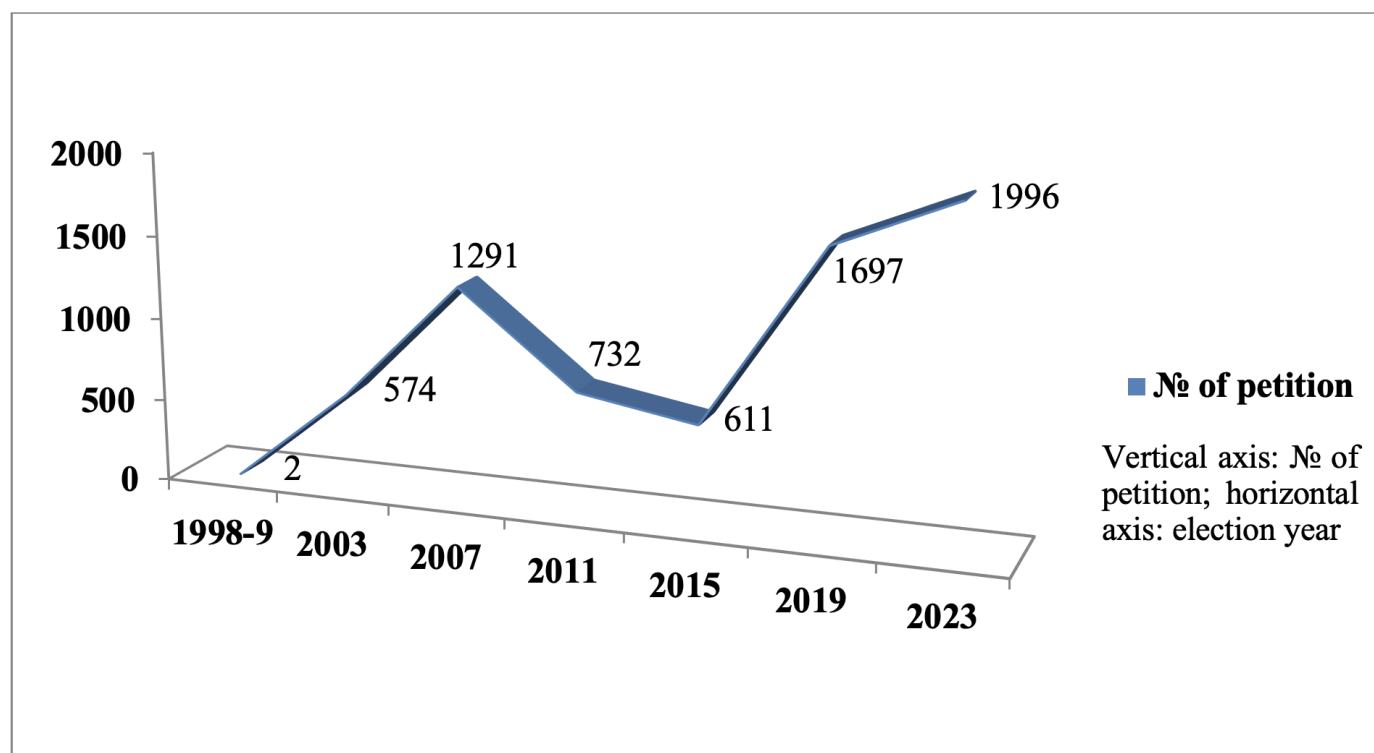


Figure 4. Summary of reported election petitions between 1998-9 and 2023

Source: compiled by authors with data from Obiagu (2023b)

Cumulatively, the post-2011 period witnessed more litigated election outcomes with 4,304 petitions against 1,867 and 732 petitions recorded in the pre-2011 and 2011 periods respectively (Table 2, Section B).

Results for voter turnout in Nigeria

The characterization of Nigerian elections by killings and fraud-instigating litigations consequently informs the depleting public confidence in Nigeria's electoral institutions, election management, and/or electoral process.

Voter participation trend moved in the direction of fatal election violence and election litigations. Thus, voter turnout began at 52.26 percent recorded during the 1998-9 election season and peaked at 69.08 percent in 2003 before witnessing a consistent downward movement, which recorded a decline of 18.31 percent from 69.08 in 2003 to 57.49 percent in 2007. The 2011, 2015, and 2019 election seasons recorded 53.68, 43.65, and 34.75 percent respectively. The 2023 elections witnessed the worst turnout in Nigeria's electoral history with 26.72 percent (Table 3).

Table 3. Summaries of statistical data on Figures 3 and 4 and Table 2

A. Summary of trend in bloody Nigerian elections between 1998-9 and 2023

Pre-2011 electoral reform period (1998/9-2007)			Reform implementation period (2011)			Post-2011 electoral reform period (2015-2023)	
Election year	Nº of death		Election year	Nº of death		Election year	Nº of death
1998-9	80					2015	106
2003	100	X	2011	965	X	2019	756
2007	300					2023	137
Total	480			965			999

A. Summary of trend in election petitions in Nigeria between 1998-9 and 2023

Pre-2011 electoral reform period (1998/9-2007)			Reform implementation period (2011)			Post-2011 electoral reform period (2015-2023)	
Election year	Nº of petition		Election year	Nº of petition		Election year	Nº of petition
1998-9	2					2015	611
2003	574	X	2011	732	X	2019	1,697
2007	1,291					2023	1,996
Total	1,867			732			4,304

A. Summary of trend in voter turnout in Nigeria between 1998-9 and 2023

Pre-2011 electoral reform period (1998/9-2007)			Reform implementation period (2011)			Post-2011 electoral reform period (2015-2023)	
Election year	Voter turnout (%)		Election year	Voter turnout (%)		Election year	Voter turnout (%)
1998-9	52.26					2015	42.4
2003	69.08	X	2011	55.4	X	2019	35.7
2007	57.49					2023	26.7
Average (%)	59.61			53.68			35.04

Source: Authors' computation and compilation

In cumulative statistics in Table 2 (Section C), 59.61 percent turnout was recorded in the pre-2011 reform implementation period, but 53.68 percent was achieved during the 2011 reform implementation period and a gross low turnout of 35.04 percent in the post-2011 reform implementation period. The downward trend depicts negative responses from Nigerian voters to recurring cases of life-taking election violence and unsatisfactory judicial decisions on election matters in which votes cast do not freely align with election outcomes (Interviews).³

Ergo, in all the three units of analysis, the post-2011 period witnessed the worst electoral experience. The summarized NED vis-à-vis the three major periods presented in Table 2 reveal that incidents of lethal electoral violence, election litigations, and voter apathy are more prominent in the post-2011 period than the situation in the pre-2011 and 2011 periods.

The foregoing variously aligns with our evidence from the key informants. We sought their informed views on specific issues relating to electoral irregularities and to ascertain the degree of freedom of these electoral institutions in the discharge of their functions. A majority of them (19 informants [79.17%] out of 24 successful informants) expressed the view that the activities of political actors in connivance with electoral institutions account for the repeated cases of electoral irregularities in Nigeria. Conversely, only two (8.33%) negate this view and three remained silent with a note that suggests their loss of interest in the electoral process owing to their previous experience with flawed elections in the country.

Similarly, many of these informants (20 [83.33%]) submitted that Nigerian leaders rarely allowed electoral institutions, particularly the INEC and the courts to freely do their work under the law. They argued that the problem was a reflection of the official corruption ravaging the country today in which leaders of the executive branch of government have flagrantly disobeyed court orders without consequences. Only one (4.17%) disagreed with this submission because the informant believed that the CFRN considers the president and governors as all-and-all political leaders and because they are empowered by the CFRN and financial resources at their disposal to unrestrainably operate without commensurate consequences. Finally, three (12.5%) remained silent to register their distrust of the Nigerian elections.

Descriptive measures of association

The study used the summarized NED in Table 2 for chi-square (Tables 4 and 5) and Cramer's V (Table 5) statistics, which indicate variable association in which the calculated value of chi-square (1071.72) is greater than its critical value of 9.49.

Table 4. Cross-tabulation of summary totals on Table 3 for chi-square statistics

	Pre-2011 reform implementation period	The 2011 reform implementation period	Post-2011 reform implementation period	Row Totals
Election-related death	480 (619.49) [31.41]	965 (450.66) [587.03]	999 (1373.85) [102.28]	2444
Election petition	1867 (1749.74) [7.86]	732 (1272.87) [229.83]	4304 (3880.39) [46.24]	6903
Voter turnout (%)	60 (37.77) [13.09]	54 (27.47) [25.61]	35 (83.76) [28.38]	149
Column Totals	2407	1751	5338	9496 (GTs)

Note: GTs=grand totals.

Table 5. Summary of association statistics based on data in Tables 3 and 4

Sample size (n)	Degree of freedom (df)	Confidence level (α)	P-value	Cal. chi-square (χ^2)	Crit. chi-square (χ^2)	Cramer's V coefficient
9496*	4	<0.05	<0.0001	1071.72	9.49	0.2376

Note: *see grand total in Table 8, cal.=calculated, crit.=critical (calculated from chi-square distribution table)

Table 6. Interpretation of strengths of association

S/No	Correlation coefficient (values)	Strength of association
1.	0.00–0.04	No association
2.	0.05–0.19	Very weak
3.	0.20–0.29	Weak
4.	0.30–0.50	Moderate
5.	0.51–0.60	Moderate strong
6.	0.61–0.79	Strong
7.	0.80–1	Very strong
8.	±1	Perfect

Source: Unanka (2002)

From the statistics in Table 5, the link between the nominal variables shows a positive association even though the computation reported a weak association with Cramer's V coefficient of 0.2376 within the 95 percent confidence level (see Table 6 for interpretation of strengths of association).

Discussion

The present administration of elections with innovative biometric tools like BiVAS and INEC result viewing portal in real-time situations has comparatively improved the quality of Nigerian elections (Itodo, 2022). These devices have facilitated the voter registration process, ensured that accreditation figures reflect the votes cast, and enhanced result management in some elections. However, their use has demonstrated their limitations as politicians have explored other election rigging avenues like buying of election staff, vote transaction/exchange with money or other items, and use of political thugs to deflate or inflate participation (Nwagwu et al., 2022; Amao, 2020; Onapajo & Babalola, 2020; Onapajo et al., 2015). When these factors creep into the electoral process, something is fundamentally amiss with the process and its outcomes. Briberia (2020) contends that the criminalization of Nigerian elections (by which criminals gain entry into the political space with unrestrained use of clandestine means to sway the electoral process, persons with criminal charges occupying key public positions, and security agencies becoming suppressive instruments mostly in the hands of incumbents) erodes the core value of democratic elections.

Consequently, Omotola (2010: 535) stated that the essence of democratic elections lies in their being “free, fair, participatory, competitive, and legitimate”. The author further submitted that the democratic qualities of Nigerian elections since the re-democratization process began in 1999 have consistently dwindled every successive election season. Factors like (i) ineffective election governance, (ii) institutional weaknesses, and (iii) character of the Nigerian state that has a penchant for disrespecting the rule of law and interfering in the operations of election administration agencies are identified to account for the waning quality of Nigerian elections. Impliedly, these agencies lack the requisite *de facto*

institutional independence and professionalism that enhance electoral credibility in the context of Nigeria.

Thus, electoral institutions in Nigeria have borne the imprints of repeated underperformance due to poor election administration, securing the process, and adjudicating election disputes. Elections, which are expected to be competitive and peaceful, have consistently been marked by various forms of irregularities that emanate from the activities of Nigerian politicians. Elections in Nigeria are characterized by threat, inducement, bribery, and even deployment of security officers and armed goons against opponents. This is done to create fear, suppress votes, or gain political advantage as opposed to winning through the ballots. Sometimes the activities result in repeated records of violent bloodshed, loss of human lives, and destruction of property. Instead of engaging the people on issues, creative ideas, and records of performance, some Nigerian politicians have thrown caution to the wind, drawn daggers, locked horns, and flexed muscles in their quest for power. In some cases, any tongues that rise against those in authority immediately receive a chase of their life. This has been the lot with all the fourth republic elections organized by INEC.

Secondly, contested elections herald the claim of poor election administration. The electoral body in Nigeria is constitutionally charged to organize elections and declare winners at the end of the exercise. In this case, the body is expected to rise above primordial considerations and squarely comply with constitutional-legal dictates to close the room for litigations. In reality, all INEC-organized elections have charges of various degrees of irregularities (Obiagu, 2023b; Olaniyan, 2020; Omotola, 2010; ERC, 2008). This finds expression in the recurring disputes that follow every election season in the country. With the three-cadre 10-month post-election adjudication in Nigeria, elections do not technically end on the election day with INEC. This system has empowered the courts to practically become a quasi-INEC in their finality with election decisions. Although the courts in Nigeria have validated some INEC returns, they have also voided some due to irregularities and finally determined (announced) election winners against the expectation that they would order INEC (under whose exclusive purview it is) to conduct rerun or fresh elections and make final declarations. Thus, litigations have generated mixed concerns in that while some leaders have climbed the rungs of the leadership ladder through the courts, litigations have become a nightmare to others. There are claims that some principal judicial officers have looked out for politicians with 'fat briefcases', delivered judgements in their favour, and immediately retired with huge funds to evade National Judicial Council's sanctions (Jega, 2021).

Finally, one of the effects of poorly managed elections is the drooping public confidence in the integrity of election managers. The confidence issue has undermining consequences on voter participation by triggering voter apathy or what Hirschman in 1970 refers to as voter exit in subsequent elections. This has been the situation with Nigerian elections as the analysis in this study revealed. The drooping voter turnout began with the 2007 elections and the trend has not reversed to date. The inability of the INEC to keep to its promises encapsulated in its electoral guidelines, the assurance to use biometric devices to address voter accreditation fraud, lack of consequences for promise renege which tends to encourage impunity, the partisanization of Nigerian security agencies, and commercialization of election litigations have telling effects on voter participation. Hence, the deplorable voter turnout which recorded its lowest in 2023. Inductively, one can convincingly argue that election administration in Nigeria has witnessed some rather disturbing outcomes that deviate from the democratic requirements embedded in credibility, transparency, and competitiveness.

The views of the key informants further lend credence to the prevailing discussion. They provided clear accounts of their participation in Nigerian elections and their experience. They also provided how power brokers, megalomaniac politicians, and political gladiators use money, thugs, and security personnel under their control to sway the electoral process to determine its outcomes either for themselves or for their preferred candidates. They noted that INEC and its look-alike (the courts) have always fallen for their strategic and invasive baits. Today, elections organized by INEC, facilitated by security agencies, and validated by the courts have consistently been undermined by irregularities. When no one is held responsible for flawed elections, the lack of consequences tends to embolden the perpetrators in their impunitive activities (e.g., Interview S/Ns 1, 2, 8, 10, and 11).⁴

In another dimension, a general perception of many informants during our informal interaction is that Nigeria's voter register is unreliable because it is filled with names of ineligible voters like underage, deceased, and foreign registrants and this may have partly accounted for the dwindling voter participation in the country. This is because ghost registrants will find it very difficult to scale through the accreditation process in areas where candidates are strong enough to check accreditation irregularities (Interview S/Ns 4, 7, 10, 13-15).

Comparative discussion of findings in Nigeria with some African countries

The 2007 elections in Kenya and Nigeria claimed hundreds of human lives with thousands of displaced and injured persons. In these elections, there were various cases of sexual and gender-based abuses. While Kingsland (2016) identified a lack of public oversight of electoral actors and processes as a major problem with Kenyan elections which was relatively addressed through the post-2007 electoral reforms, such reforms exist in Nigeria but are mostly active in legal tomes (Kingsland, 2016; Obiagu, 2023a). Thus, the electoral problem and its solution remained a tall order in the latter.

Similarly, while judicial systems in Kenya and Malawi have demonstrated confidence with their phenomenal judgements that invalidated the 2017 and 2020 presidential elections in these countries respectively due to irregularities despite receiving validation from election observers, such a landmark feat mainly exists in the imaginative minds of Nigerian voters. A similar feat was recorded in 2022 in Kenya when the Supreme Court validated Ruto's victory despite presidential support for another candidate, which relatively depicts an improvement in election management in the country (Lynch, 2022). As members of the judiciary in some African countries make concerted efforts to improve the qualities of their electoral governance through renewed institutionalization, the reverse is the case in Nigeria. This becomes lucrative since the Nigerian court system has, in operation not in law, become a quasi-electoral body. Instead of voiding INEC declarations of election winners based on facts of law and order INEC for rerun elections, the courts in Nigeria have assumed the responsibility of outrightly declaring election winners.

The practice that guarantees the security of tenure to the head of Ghana's electoral body and the two deputies is still strange to many African countries like Nigeria and Côte d'Ivoire. In the former case, the principal electoral officers "enjoy the same terms and conditions of service as Justices of the Court of Appeal and cannot be removed arbitrarily until retirement at age 70"; in the latter case, the officers statutorily serve five-year tenure, renewable for another term, but can be removed by the President on flimsy grounds (Omotola, 2010: 541). According to the National Academy of Sciences (2018), rising to power through an illegitimate process has serious undermining effects on the quality of leadership.

Impliedly, it affects government performance and sometimes leads to democratic breakdown.

In the last three years between August 2020 and July 2023, six African countries: Mali, Chad, Guinea, Sudan, Burkina Faso, and Niger, have experienced democratic breakdown and this raises the fear of regional destabilization (Olajide, 2023). In these countries, the elected governments are accused of failing to deliver on democratic dividends and their election promises to the people. In some cases, the coups receive civilian support and open celebration of the fall of democracy in their countries (Rivero, 2023), even when they are not sure of the future under the military junta.

When elections are manipulated, they can trigger and/or heighten fierce partisan competitions, engineer citizen demonstrations, and represent the substitution of free choice with coercive intimidation without recourse to its suppressive effects on participation (Birch et al., 2020; Norris et al., 2015). All these raise questions of electoral legitimacy regarding elected authorities.

Conclusion

This study contributes to the ongoing debate on electoral irregularities that crystallize in violence, election disputes, and voter apathy. The recurring trend in irregularities culminating in consistent records of fatal election violence, contested election outcomes, and voter disinterest is prominently noticed in the post-reform period, a trend that government-backed electoral reforms have not remedied. The examination of literature and analysis of the NED and informant views show a correlation between repeated irregularities and flawed elections in Nigeria's seven election cycles. They further reveal that Nigeria's electoral institutions, which are expected to shape the political actors' excesses and mediate their competing interests, are not only under the control of the actors but also are driven by the benefits the flawed system offers them. Hence, they have not shown seriousness in exerting their independence guaranteed by the CFRN to ensure credible elections in the country as their mediating role is either rarely felt or selectively undertaken given our statistical evidence.

The study also finds that records of irregularities are the most visible features of flawed elections. When violence claims human lives and election petitions keep rising in geometric proportion, the elections cannot receive the hallowed tag of credibility. Again, the waning voter turnout below average also serves as an expression of an unsatisfactory electoral process. Despite the various efforts made through reform initiatives to improve the quality of Nigerian elections by taming the recurring trends of irregularities, their outcomes have cast aspersions on what free, fair and credible elections are. Elections in Nigeria have also steadily witnessed late commencement, haphazard distribution of electoral materials, uneven distribution of polling unit voting strength (where some polling units have less than 200 registered voters, others have between 700 and 1,000), and some voters find it difficult to locate their voting units. Today, the burden of proof of irregularities is borne by the candidates instead of the election manager (INEC).

Despite these findings, the study discloses that electoral democracy in Nigeria is still evolving in conformity with the age-long saying that the worst civilian government is far better than the best military junta run by putschists. A practical example of this reality is that many Nigerians, at one point or the other, have critically queried government actions in fulfillment of their fundamental human rights as it affects their freedom of expression in Section 40 of the CFRN and

heaven does not fall. This is usually a rare occurrence in a typical military regime.

The findings have policy implications for a paradigm shift from government-determined reforms to one driven by the governed. In this case, people (not the leaders) should take the lead in the reform process with government support (not determining or interfering) in which both national and subnational legislatures will approve the decisions to be executed by the executive. Such reform should take into consideration the need to provide assistive ballot materials for voters with special needs, allow Nigerians in the diaspora to participate in their home elections from their places of residence, and integrate the 176,846 polling units so that voters can seamlessly vote from any part of the country. The materials include braille ballot guides and magnifying glasses for visually impaired voters, pencil grips to make it easier for voters with challenges in their hands to mark the ballots, and make voting units passable to enable voters with clutches and wheelchairs to access them. The burden of proof should be borne by the election manager with severe consequences where such is established in any court of law in Nigeria.

Footnotes

- ¹ The belief that American politicians have a high spirit of electoral sportsmanship is today being challenged and reexamined in the face of recent electoral events vis-à-vis some candidates who become averse to campaign debates and electoral defeats.
- ² This is obtainable during the regime of the exited Electoral Acts of 2002, 2006, and 2010, before the enactment of the Electoral Act of 2022.
- ³ Face-to-face interviews with Hon. Bona Umeh at Nekede and Hon. Kingsley Mara at Owerri, Imo state, Nigeria.
- ⁴ Including the informants with stated identities.

References

- Adebisi, O.M., & Olowu, J.O. (2022). The politics of the Electoral Act Amendment and the 2019 general elections in Nigeria. *Modern Africa: Politics, History and Society*, 10(2), 33-57.
- Amao, O. B. (2020). Nigeria's 2019 general election: what does it mean for the rest of the world? *The Round Table*, 109(4), 429–440.
- Amenta, Edwin & Ramsey, K.M. (2009). Institutional theory. In K.T. Leicht and J.C. Jenkins (eds), *Handbook of politics: State and society in global perspective* (pp.15-39).
- Awoniyi, R.O. (2023). Niger coup: Six African countries currently under military rule. *All News*. <https://allnews.ng/news/niger-coup-six-african-countries-currently-under-military-rule>
- Banerjee, A., Green, D.P., McManus, J., & Pande, R. (2014). Are poor voters indifferent to whether elected leaders are criminal or corrupt? A vignette experiment in rural India. *Political Communication*, 31(3), 391-407.

- Banerjee, A., Kumar, S., Pande, R., & Su, F. (2011). Do informed voters make better choices? Experimental evidence from urban India. Working paper (https://scholar.harvard.edu/files/rpande/files/do_informed_voters_make_better_choices.pdf).
- Baron, D., Lauderdale, B., & Sheehy-Skeffington, J. (2023). A leader who sees the world as I do: Voters prefer candidates whose statements reveal matching social-psychological attitudes. *Political Psychology*. doi:10.1111/pops.12891.
- Binet, Laurent. (2022). French election: who are the candidates running against Emmanuel Macron? *The Conversation*. <https://theconversation.com/french-election-who-are-the-candidates-running-against-emmanuel-macron-180719>
- Birch, S., Daxecker, U., & Höglund, K. (2020). Electoral violence: An introduction. *Journal of Peace Research*, 57(1), 3–14.
- Birch, Sarah, & van Ham, C. (2017). Getting away with foul play? The importance of formal and informal oversight institutions for electoral integrity. *European Journal of Political Research* 56(3), 487-511.
- Biswas, Soutik. (2017). Why do Indians vote for 'criminal' politicians? *BBC*. <https://www.bbc.com/news/world-asia-india-38607255>
- Blair, G., Fair, C.C., Malhotra, N., & Shapiro, J.N. (2013). Poverty and support for militant politics: Evidence from Pakistan. *American Journal of Political Science*, 57(1), 30-48.
- Bratton, Michael. (2008). Vote buying and violence in Nigerian election campaigns. *Electoral Studies*, 27(4): 621-632.
- Brikena, Kelvin. (2020). Democratization, litigations and criminalization of elections in Nigeria. *International Journal of Criminology and Sociology*, 9, 530-537.
- Brosché, J., Fjelde, H., & Höglund, K. (2020). Electoral violence and the legacy of authoritarian rule in Kenya and Zambia. *Journal of Peace Research* 57(1), 111-125.
- Bulmer, Elliot. (2017). Federalism: International IDEA constitution-building primer 12 (2nd ed.). stockholm, Sweden: International IDEA.
- Canare, T.A., Mendoza, R.U., & Lopez, M.A. (2018). An empirical analysis of vote buying among the poor: Evidence from elections in the Philippines. *South East Asia Research*, 26(1), 58-84.
- Carbone, Giovanni & Cassani, Andrae. (2016). Nigeria and democratic progress by elections in Africa. *Africa Spectrum*, 3, 33-59.
- Catt, H., Ellis, A., Maley, M., Wall, A., & Wolf, P. (eds.) (2011). *Electoral management design: International IDEA handbook*. Stockholm: International IDEA.
- Chandra, Kanchan. (2004). *Why ethnic parties succeed: Patronage and ethnic headcount in India* Cambridge: Cambridge University Press.
- David, R., Tolbert, P., & Boghossian, J. (2019, December 23). Institutional Theory in Organization Studies. *Oxford Research Encyclopedia of Business and Management*. <https://oxfordre.com/business/view/10.1093/acrefore/9780190224851.001.0001/acrefore-9780190224851-e-158>
- Desatova, P., & Alexander, S.T. (2021). Election commissions and non-democratic outcomes: Thailand's contentious 2019 election. *Politics*, 00(0), 1-15. doi:02633957211000978.

- DiMaggio, P.J. and Powell, W.W. (1991). Introduction. In W.W. Powell and P.J. DiMaggio (eds.), *The new institutionalism in organization analysis* (pp. 1-38), Chicago: UCP.
- Emeh, I.E.J. (2013). Dependency theory and Africa's underdevelopment: A paradigm shift from pseudo-intellectualism: The Nigerian perspective. *International journal of African and Asian studies*, 1(1), 16-128.
- EU Election Observation Mission. (2023). *Nigeria 2023 general elections: Final report*. Abuja: Author.
- Fjelde, H, & Höglund, K. (2016), Electoral institutions and electoral violence in sub-Saharan Africa. *British Journal of Political Science* 46(2), 297–320.
- Frank, R.W. (2021). Three outcomes of contentious elections. *international Studies Review*, 23(3), 1144-1163.
- Frank, R.W., & i Coma, F.M. (2021). Correlates of voter turnout. *Political Behaviour*, 45, 607-633.
- Garcia-Sayán, D. (2019). Judicial independence under threat in Nigeria, warns UN rights expert. *UN News*. <https://www.un.org/africarenewal/news/judicial-independence-under-threat-nigeria-warns-un-rights-expert>
- Geys, B. (2006). Voter turnout: A review of aggregate-level research. *Electoral Studies*, 25(4), 637-663.
- Gutiérrez-Romero, R. & LeBas, A. (2020). Does electoral violence affect vote choice and willingness to vote? Conjoint analysis of a vignette experiment. *Journal of Peace Research*, 57(1), 77-92.
- Gutiérrez-Romero, R. (2014). An inquiry into the use of illegal electoral practices and effects of political violence and vote-buying. *Journal of Conflict Resolution*, 58(8), 1500-1527.
- Harvey, Ross. (2021). How the resource curse has played out in Nigeria and Angola. <https://gga.org/how-the-resource-curse-has-played-out-in-nigeria-and-angola/>
- Higashijima, Masaaki. (2015). Do contentious elections overthrow leaders? In Pippa Norris, R.W. Frank & F.M. i Coma (eds), *Contentious elections: From ballots to barricades* (pp. 64-88). New York: Routledge.
- Itodo, S. (2022). *Inspiring confidence in the BVAS and electronic transmission of election results: Seven urgent actions for INEC*. Stockholm: International IDEA.
- Jega, Attahiru. (2021). Some judges sell judgements, retire to avoid NJC sanctions - Jega. *The Punch*. <https://punchng.com/some-judges-sell-judgments-retire-to-escape-njc-sanctions-jega/>
- Kalmoe, N.P., & Mason, Lilian. (2022). *Radical American partisanship: Mapping violent hostility, its causes, and the consequences for democracy*. Chicago, Illinois: UCP.
- Kingsland, Julie. (2016). *Electoral reform for lasting peace in Kenya* Nairobi: KHRC.
- Kleinfeld, Rachel. (2021). The rise of political violence in the United States. *Journal of Democracy*, 32(4), 160-176.
- Ko, Vanessa. (2014). Nigeria's "resource curse", oil as impediment to true federalism. *E-International relations students*. <https://www.e-ir.info/2014/07/20/nigerias-resource-curse-oil-as-impediment-to-true-federalism/>
- Kousser, Thad. (2023). *What's behind American distrust in elections?* UC San Diego: UCIGCC.
- Kuhn, P.M. (2015). Do contentious elections trigger violence? In Pippa Norris, R.W. Frank & F.M. i Coma (eds), *Contentious elections: From ballots to barricades* (pp. 89-110). New York: Routledge.
- LeBas, Adrienne (2010) Ethnicity and the willingness to sanction violent politicians. Afrobarometer working paper 125.
- Libson, J.L. (2016). Reassessing the institutional legitimacy of the South African Constitutional Court: New evidence, revisited theory. *Politikon*, 43(1), 53-77.
- Lynch, Gabriella. (2022). Kenya's elections are proof of change since 2007 violence, but more reform is needed. *The*

Conversation. <https://theconversation.com/kenyas-elections-are-proof-of-change-since-2007-violence-but-more-reform-is-needed-190043>

- Mähler, Annegret. (2010). Nigeria: A prime example of the resource curse? Revisiting the oil-violence link in the Niger Delta. GIGA Working Papers No. 120. Hamburg: GIGA.
- March, J.G., & Olsen, J.P. (1984). The new institutionalism: Organizational factors in political life. *American Political Science Review*, 78, 734-749.
- Mbah, P.O., Nzeadibe, T.C., Nwangwu, C., Iheanacho, A.O., Eze, C.O., & Ezeibe, C.C. (2020). Separatist threat, militarization and voter turnout: Exploring the dynamics of the 2017 governorship election in Anambra State, Nigeria. *Journal of Asian and African Studies* 55(8), 1093-1107.
- Mbah, P.O., Obiagu, U.C., Nwangwu, Chikodiri, Iwuamadi, C.K., & Udeh, C.O. (2023). Neoliberal state and criminal activities in Nigeria, *Politikon*, 50(2), 159-181.
- Meyer, J.W., & Rowan, Brian. (1977). institutionalized organizations: Formal structure as myth and ceremony. *American Journal of Sociology* 83, 340-63.
- National Academies of Sciences. (2018). *Securing the vote: Protecting American democracy*. NAP.
- Nguyễn, Sarah, Moran, R.E., Nguyen, T-A., & Bui, Linh. (2023). "We never really talked about politics": Race and ethnicity as foundational forces structuring information disorder within the Vietnamese diaspora. *Political Communication*, 40(4), 415-439.
- Nikolayenko, O. (2015). Do contentious elections depress turnout? In Pippa Norris, R.W. Frank & F.M. i Coma (eds), *Contentious elections: From ballots to barricades* (pp. 25-44). New York: Routledge.
- Norris, Pippa, Frank, R.W., & i Coma, F.M. (2015a). Contentious elections: From votes to violence. In Pippa Norris, R.W. Frank & F.M. i Coma (eds), *Contentious elections: From ballots to barricades* (pp. 1-22). New York: Routledge.
- Norris, Pippa, Frank, R.W., & i Coma, F.M. (2015b). The risks of contentious elections. In Pippa Norris, R.W. Frank & F.M. i Coma (eds), *Contentious elections: From ballots to barricades* (pp. 133-150). New York: Routledge.
- North, D.C. (1999). *Institutions, institutional change, and economic performance*. New York: CUP.
- Nwagwu, E.J., Uwaechie, O.G., Udegbonam, K.C., & Nnamani, Rebecca. (2022). Vote buying during 2015 and 2019 general elections: Manifestation and implications on democratic development in Nigeria. *Cogent Social Sciences*, 8(1), 1995237. doi:10.1080/23311886.2021.1995237.
- Obiagu, U.C. (2023a). *Inconclusive gubernatorial elections and democratic consolidation in Nigeria* Munich: GRIN Verlag.
- Obiagu, U.C. (2023b). *Technology-driven election administration and credibility of elections in Nigeria, 2011-2023* A doctoral thesis submitted to the Department of Political Science, University of Nigeria, Nsukka in May 2023.
- Obiagu, U.C., Abada, I.M., Mbah, P.O., Ezirim, G.E., Omeh, P.H., & Udeh, C.O. (2022). The limiting effects of inconclusive gubernatorial elections towards the democratic consolidation of the Nigerian state. *The African Review*, 1(aop), 1-34.
- Obiagu, U.C., Udeji-Okpalaku, C.O., & Udeh, C.O. (2021). The undermining consequences of inconclusive elections on democratic consolidation in Africa: Interrogating Nigerian Elections, 2011-2019. *African journal of Democracy and Election Research*, 1(2), 7-40.

- Omotola, J.S. (2010). Elections and democratic transition in Nigeria under the fourth republic. *African Affairs*, 109(437), 535–553.
- Onapajo, H. (2014). Violence and votes in Nigeria: The dominance of incumbents in the use of violence to rig elections. *Africa Spectrum*, 49(2), 27-51.
- Onapajo, H., & Babalola, D. (2020). Nigeria's 2019 general elections – A shattered hope? *The Round Table*, 109(4), 363–367.
- Onapajo, H., Francis, S., & Okeke-Uzodike, U. (2015). Oil corrupts elections: The political economy of vote-buying in Nigeria. *African Studies Quarterly*, 15(2), 1–21.
- Peters, B.G. (2019). *Institutional theory in political science: The new institutionalism* (4th Ed.). Cheltenham: Edward Elgar.
- Pildes, R.H. (2022). Election law in an age of distrust. *Stanford Law Review*, 74. <https://www.stanfordlawreview.org/online/election-law-in-an-age-of-distrust/>
- Posner, Daniel. (2005). *Institutions and ethnic politics in Africa* New York: Cambridge University Press.
- Ramalan, Ibrahim. (2023, June 12). Avoid truncating democracy through illegal orders, Tinubu warns Nigerian judiciary. *Daily Nigerian*. <https://dailynigerian.com/avoid-truncating-democracy/>
- Rivero, C.G. (2023). Civilian support for military coups is rising in parts of Africa: why the reasons matter. *Conversation*. <https://theconversation.com/civilian-support-for-military-coups-is-rising-in-parts-of-africa-why-the-reasons-matter-185448>
- Rosenzweig, S. C. (2015, May). Dangerous disconnect: How politicians' misperceptions about voters lead to violence in Kenya. Working paper in *Annual Bank Conference on Africa, Berkeley, CA, June* (Vol. 9).
- Sawasdee, S.N. (2019). Electoral integrity and the repercussions of institutional manipulations: The 2019 general election in Thailand. *Asian Journal of Comparative Politics*, 5(1), 52-68.
- Sedziaka, Alesia, & Rose, Richard. (2015). Do contentious elections catalyze mass process? In Pippa Norris, R.W. Frank & F.M. i Coma (eds), *Contentious elections: From ballots to barricades* (pp. 45-63). New York: Routledge.
- Solijonov, A. (2016). *Voter turnout trends around the world* Stockholm, Sweden: International IDEA.
- States United Action. (2023). *Americans' views on political violence – Key findings and recommendations* Washington, DC: SUDC.
- Stockemer, D. (2017). What affects voter turnout? A review article/meta-analysis of aggregate research. *Government and Opposition*, 52(4), 698-722.
- Straus, Scott & Taylor, Charlie, (2013). Democratization and electoral violence in sub-Saharan Africa 1990–2008. In Dorine A Bekoe (ed.), *Voting in Fear: Electoral Violence in Sub-Saharan Africa* (pp. 15–38). Washington, DC: USIP Press.
- Svobik, M.W. (2012). *The politics of authoritarian rule*. Cambridge University Press.
- The United Nations. (1948). *Universal declaration of human rights*. New York: Author.
- Thisday. (2023, July 16). Tinubu to tribunal: Nullifying presidential election on account of 25% FCT votes could lead to chaos, anarchy. *Thisday Live*. <https://www.thisdaylive.com/index.php/2023/07/16/tinubu-to-tribunal-nullifying-presidential-election-on-account-of-25-fct-votes-could-lead-to-chaos-anarchy>

- Unanka, G.O. (2002). *Statistics for political science, social relations and administration*(2nd ed.). Owerri: All Ages.
- Vicente, Pedro. (2014). Is vote buying effective? Evidence from a field experiment in West Africa *Economic Journal*, 124(574), 356-387.
- Von Borzyskowski, I. & Kuhn, P.M. (2020). Dangerously informed: Voter information and pre-electoral violence in Africa. *Journal of Peace Research*, 57(1), 15-29.
- World Data Lab. (2023). *World poverty clock: Nigeria*. Vienna: WDL Publications.
- Zucker, L.G. (1987). Institutional theories of organization. *Annual Review of Sociology*, 13, 443-464.