

# Nigeria: A Need for Modernization

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Nigeria achieved independence from British colonial rule in October 1960. The first post-independence national election was held in 1964 and the resulting government lasted until January 1966. Between 1966 and 1998 there were seven military regimes and two democratic administrations.

There were a series of electoral commissions after independence. The National Electoral Commission was replaced in the early 1990s by the National Electoral Commission of Nigeria, which was in turn replaced in 1998 by the Independent National Electoral Commission (INEC). INEC was charged with the task of planning and conducting national democratic elections.

The 1999 constitution and the Electoral Act of 2002 govern the legislative framework which applies to elections. The constitution has provisions dealing with the establishment of INEC and with electoral tribunals, as well as with the delimitation of electoral district boundaries and the registration of political parties.

## Institutional Structure

Nigeria has a federal system of government with different tiers of jurisdiction involving several levels of elections – presidential elections; elections at federal level for the Senate and the House of Representatives; at state level, the elections of governors and state legislatures; and local government elections. INEC is responsible for all elections except local government elections. It consists of the chair, who is the chief electoral commissioner, and 12 other members. The chair and members of INEC are appointed by the president, who must consult the Council of State, and the appointments are subject to confirmation of the Senate.

## Powers and Functions

The principal powers and functions of INEC are to organize, conduct and supervise all elections at the federal and state levels, and to register political parties in accordance with the provisions of the constitution and the Electoral Act. INEC is also responsible for the delimitation of electoral district boundaries.

## **Financing**

There are two practical issues relating to the funding of INEC – the approval of election expenditure and the disbursement of the approved funds on a timely basis. The salaries and allowances of commissioners are charged directly on the Consolidated Revenue Reserves, but election expenses are not. INEC therefore has to join the queue at the Ministry of Finance and Treasury. The disbursement of funds to INEC has not been timely and this has contributed to the lack of confidence in the electoral system in Nigeria. The delay of almost two years in the voter registration exercise in 2000 was blamed largely on the lack of funds.

## **Accountability**

The legislative scheme for elections in Nigeria does not expressly place accountability requirements on INEC, but oversight mechanisms do exist in the National Assembly in the form of committees of the Senate and the House of Representatives on electoral matters. These mechanisms have not proved adequate, however, to ensure effective reporting by INEC and full accountability.

## **The Professionalism of Electoral Officers**

INEC, having been established only in 1998, inherited a patchy record of democratic experience of organizing multiparty elections from its forerunner electoral management bodies. Moreover, it has not recruited and trained its electoral staff to the level required to manage electoral organization along modern lines; it has relied instead mainly on the continued use of civil servants who follow civil service practices, work ethics and culture. Approximately 500,000 temporary election staff are needed for each election. There are approximately 2,000 staff at headquarters and over 6,000 permanent staff in the states.

## **Relations with Political Parties, the Media, and Other Institutions and Agencies**

The relationship between INEC and the opposition political parties has been poor. Perhaps the most significant reason for this is a lack of transparency on the part of INEC. This has been aggravated by the weakness of the public relations programme and a failure to meet important deadlines, such as those set for the registration of voters and completion of the electoral register, as a result of untimely disbursement of funds to INEC by the government.

INEC has a framework within which to regulate media behaviour during an election campaign. The Electoral Act states that INEC may determine rules and regulations for election campaigns with respect to a candidate and his party (section 29), but also lays down several rules which the electronic and print media are required to observe, failing which they incur stiff penalties.

The relationship between INEC and stakeholder institutions and agencies has been mixed. Its relationship with the governing political party, the government and the executive branch has been described at times as too close and as compromising INEC's independence. Its relationship with the legislature, although normally good, was not enough to generate sufficient influence to

gain support for the reforms that INEC proposed to the 2002 Electoral Bill, before it became law. Civil society groups have mixed views about the quality of their working relationship with the EMB.

## Electoral Reform Management

Following widespread criticisms of the manner in which the 2003 elections were managed and organized, INEC took the initiative in convening a series of workshops and seminars to discuss with stakeholders necessary electoral reforms. As early as July 2003, INEC also invited the Commonwealth Secretariat, IFES and the United Nations Electoral Assistance Division to undertake a review of the country's electoral arrangements and make recommendations regarding electoral reform.

Nigeria has the potential to sustain its electoral process through its own resources, although currently it obtains considerable assistance from bilateral donors and international agencies, both governmental and non-governmental. There is a need to make elections more cost-effective – a point that was emphasized by the president of Nigeria at an election seminar at the headquarters of INEC in December 2003. There is a need for modernization in many aspects of electoral organization and management in Nigeria, at the headquarters of INEC and at the principal offices in the states.

The 2003 elections were the first successful elections in Nigeria in that one civilian administration succeeded another. The major constraint on building a sound basis for the proper organization of multiparty elections is the lack of modern election management practices. Lack of professionalism among the electoral staff is another constraint. Finally, failure to approve budgets and disburse funds in a timely fashion remains a major obstacle to good electoral management.