

Staggered Electoral Process and Economic Development in Nigeria: The Political Economy Approach

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Abstract: Staggered electoral process in Nigeria has become a perennial subject of controversy in Nigeria's development. The process, by design and default, was created by the legal framework, political parties and/or electoral umpires, with negative outcomes. Nigeria adopted the four-year (quadrennial) electoral system but since return to the fourth republic in 1999, from the fifth quadrennial general elections, nullification of elections and order for repeat elections by electoral tribunals and courts have continued to add to the number of staggered elections, contrary to global best practices with huge and growing social, political, legal and time costs on the polity. The Chairman of INEC, on 9 March 2017, announced the timetable and schedule of activities for 2019 general elections and revealed *inter alia* that there will be 29 governorship elections, the remaining seven are staggered (Omorotionmwan, n.d; Mac-Leva, 17 June 2018). The announcement which maintained the *status quo* of the 2015 general election sequence for the 2019 general elections sparked off opposition from the same group who favoured the sequence for 2015 general election, who this time, argued that the sequence was a grand design by the ruling party to produce a bandwagon effect in 2019. The broad objective is to investigate the conditions that facilitate staggered elections in Nigeria. The specific objective is to uncover the impact of the interplay of various costs of staggered elections on Nigeria's development. The study relied mainly on secondary sources of data, deriving ostensibly from constitutional provisions, electoral acts, codes and guidelines, and decided cases for content analysis. Using the political economy analytical framework which contends that "the public authority and public goods required for development arise through domestic political processes and contestation between interest groups" (The Policy Practice, 2012: 1), the paper concluded that staggered electoral process as political instrument in the hands of ruling political parties to win majority vote through bandwagon effect undermines Nigeria's development.

Keywords: electoral process, bandwagon effect, staggered election, dominant party, political economy

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I. BACKGROUND TO THE STUDY

This study investigates the problematique of staggered, special or off-season electoral process in Nigeria, which has become a perennial subject of controversy among individuals and group political elite and observers, yet was least scientifically interrogated. Staggered elections are, by design and default, created by the legal framework, electoral umpires and institutional challenges as immutable features of the electoral process, with negative outcomes of intrigues, intimidation, assassinations, patron-client bonds, brigandage, irregularities, bandwagon effect in favour of the ruling parties, particularly as were the classic cases of rampant litigations and reversal of electoral results in 2003 and 2007 by the tribunals or courts since return to the Fourth Republic (Tosanumi, 2009, in Nwagboso, 2011; Obi, 2010; Saliu and Ifejika, 2017).

Nullification of elections and order for re-run by electoral tribunals and courts have altered Nigeria's quadrennial electoral seasonal timetable and has steadily soared the number of off-season elections with attendant collateral cost on the polity, contrary to global best practices. The Chairman of INEC, on 9 March 2017, announced the timetable of activities for 2019 general elections and revealed *inter alia* that only 29 governorship elections are to be conducted, the remaining seven are staggered (Omorotionmwan, n.d; Mac-Leva, 17 June 2018).

The broad objective is to investigate the conditions that facilitate staggered elections in Nigeria. The specific objective is to uncover the cost-impact of staggered elections on Nigeria's economic growth and development. The study relied mainly on secondary sources of data, deriving ostensibly from constitutional provisions, electoral acts, codes and guidelines, and decided cases for qualitative analysis based on single-case pre-post-test non-experimental design and statistical tables. Using the political economy analytical framework which contends that "the public authority and public goods required for development arise through domestic political processes and contestation between interest groups" (The Policy Practice, 2012: 1), the paper

concluded that staggered electoral process is a high-stake political instrument in the hands of ruling political parties to win majority vote through bandwagon effect which undermines economic growth and development in Nigeria.

The study was conducted under seven distinct but interlocking sections: 1. Background to the study; 2. Theoretical framework of analysis; 3. Evolution of staggered electoral process in Nigeria; 4. Institutional roles and challenges; 5. Political economy analysis of staggered electoral process in Nigeria; Summary of findings; and Recommendations of policy-steps.

II. THEORETICAL FRAMEWORK OF ANALYSIS

The study is anchored on political economy analysis. Political economy analysis is a ‘problem-driven’ approach (Fritz et al, 2009), most recent and a growing tool “to improve development effectiveness” (Unsworth, and Williams, 2011). It is a wide and expanding area of development theory and practice which draws on an extensive and diverse body of literature. The central contention of political economy approach is that the public authority and public goods required for development result from interactions between interest groups such as the state and society actors and formal and informal institutions. Formal institutions refer to codified laws and officially sanctioned rules but informal institutions refer to rules that are created, communicated, outside of officially sanctioned channels and enforced through personal, social and ethnic ties (Helmke and Levitsky, 2004; IDS, 2010).

Political economy analysis projects the ‘best fit’ approach to the local socio-political context rather than an imposed potted typology of ‘good practice’ in governance (Levy, 2011; Grindle, 2011) since democracy is not a ‘potted’ plant (Eke 2017: 211, 215, 232) opposed to society’s institutions. It also provides a set of explanations of how societies establish order and subsequently develop, particularly based on:

- *state-building and Fragility*, which highlights the requirements for establishing the legitimacy of the state such as the input/process legitimacy (linked to agreed rules of procedure), out/performance legitimacy (effectiveness and quality of public goods and services), shared beliefs/sense of political community, and international legitimacy (recognition of the state’s external sovereignty) (ECD, 2010) and creating a political settlement or bargain amongst elites based on actors, interests, and institutions and their alignment in informal, ever-evolving power arrangements within countries affected by protracted conflict or fragile conditions (Perks and Cole, 2010);
- *management of economic rents*, highlights the requirements for establishing effective management for channeling resources to more productive enhancing sectors for sustained growth and development in order to address economic rents as a development challenge;
- *rules of the game* highlights the requirements for mediating political and economic interactions such as the ‘complementary’ and ‘substitutive’ types of convergent interaction or the ‘accommodating’ and ‘competing’ types of divergent interaction between formal and informal institutions as well as the need for cooperation between the two types of institutions (Helmke, and Levitsky, 2004); and
- *relationship between political competition and development outcomes* explains the role of entrenched patron-client relationship and reveals that studies on ‘well-established’ and ‘emerging’ democracies show that emerging democracies tend to act in “less developmental ways” than well-established democracies (Keefer, 2005; Kitschelt and Wilkinson, 2005; Khan, 2005).

The application of political economy approach in the study of staggered electoral process in Nigeria fits appropriately as an evidence-based validation of the ‘political market imperfections’ stemming from complete information, social divisions, credibility gaps, and electoral fluidity which characterise the Nigerian polity and incentivise politicians to deliver narrowly targeted private goods through “a transaction involving the direct exchange of a citizen’s vote in return for a direct payments or continuing access to employment, goods, and services” (Kitschelt and Wilkinson, 2009) instead of enhancing the socio-economic growth and development effectiveness of Nigeria.

Evolution of Staggered Electoral Process in Nigeria

Staggered electoral process was, by design and default, created by the legal framework, political parties and/or electoral umpires as immutable features of the electoral process in Nigeria. It is an outcome of late post-election judicial dispute resolution process, order for and conduct of re-run elections as well as administration of administration of Oath of Allegiance and Oath of Office, midway between the cancelled first election and expiration of tenure of elective political office-holders. Ghandhi and Przeworski (2009: 4) rightly affirmed that elections and their functions in the society can be as a consequence of the decisions of those in power, wanting to avoid the possibility of losing this very power. By extension, it can be discerned that although there exists a lacuna in the Nigerian constitution over dates for general and re-run elections, staggered electoral process in Nigeria’s political system, became a reality based Courts declarative judgments based on failed electoral process

by the electoral management bodies (EMBs), and the institutionalisation by the legislature, through the Electoral Act. The Electoral Acts stipulate conditions and time-lag for the conduct of elections and the precipitant bye-, run-off, inconclusive, supplementary or re-run elections. Some declarative judgments of the Courts which laid the foundation for staggered elections in Nigeria include:

- (i) *Obi versus INEC* [2007] 11NWLR (Pt. 1046) 565 over unclaimed electoral mandate of Anambra State while Chris Ngige served close to complete four-year term through court process (Ozobia, 2014: 6), before the Supreme Court declared Peter Obi the rightful winner;
- (ii) *Oshiomhole versus Osunbor* [11 November 2008]: The Court of Appeal upheld the ruling of the State's Election Petitions Tribunal which declared Adams Oshiomhole, Governor of Edo State almost two years after the election (*Leadership*, 20 November 2008);
- (iii) *Segun Mimiko versus Segun Agagu* [23 February 2009]: Court of Appeal declared Segun Mimiko as Governor of Ondo State, two years after the election;
- (iv) *Kayode Fayemi versus Segun Oni* [15 October 2010]: Court of Appeal declared Kayode Fayemi of the Action Congress, the winner of the 2007 governorship election in Ekiti State almost three years after the election;
- (v) *Oyinlola versus Aregbesola* [26 November 2010]: the Court of Appeal sitting in Ibadan declared candidate of the Action Congress of Nigeria, Engr Rauf Aregbesola as winner of the 14 April 2007 Osun, elections almost three years after the election; and
- (vi) the Supreme Court in a landmark judgment sacked Governor Ibrahim Idris of Kogi among other four governors including Timipre Sylva of Bayelsa State, based on the provisions of Section 180(2) of the 1999 Constitution for statutory four-year tenure of the governors which had elapsed on 29 May 2011. Based on the judgment re-run elections were fixed for Adamawa (4 February 2012), Bayelsa (11 February 2012), Sokoto (10 March 2012), Cross River (14 April 2012), and Kogi (3 December 2011) (Ndujihe et al, n.d.)

The examples of reversed electoral victories in the seven states of Anambra, Edo, Ondo, Ekiti, Osun, Bayelsa and Kogi, clearly indict the INEC of lack of due diligence which provided the legal background for the institutionalisation of staggered elections in Nigeria. In the case of *Obi v. INEC*, for example, the Supreme Court, *inter alia*, reasoned:

- (a) There was no rule of law that provided for elections at both the federal and state levels to be at the same time as that negates principles of federalism...; and (e) Ngige's swearing-in having been declared null and void by the Court of Appeal who found he did not win the election, his oath-taking could not be extended to Obi in order to consider the tenure of office to have started running... (Ozobia, 2014: 7).

The 2003, 2007 and 2011 elections were, respectively described as charades (George, 9 December 2018; Ogundipe, 27 September 2018; Ashby, n.d.; Chayes, 8 February 2015); below "the basic regional and international standards" and by far the "fairest in decades" (Brock, 18 April 2011; Eke, 2017: 228). The ANPP Presidential candidate in the 2007 elections Muhammadu Buhari dismissed the results as "a sham... a disgrace to Nigeria, a shame on INEC, a great dishonour to the PDP government" (Aninuri, 2008: 193). International standards expect in part that:

Elections respecting the free and fair principles will serve as a stabiliser for the democratic system, ensuring repeatable mechanism of recruitment and selection of candidates for elective positions in the political institutions so as create patterns of peaceful transfer of power in the event of changes in the political frame of reference and serve also as a forum for cyclical opportunity to evaluate the government, renew or revoke its mandate to rule and, consequently, cause power alternation (Wojtasik, 2013: 36).

One can deduce from Wojtasik's postulation that where there is no litigation against irregularities, "peaceful transfer of power" is equated to free, fair and credible election and the cure-all electoral sins that appropriates to the leader the moral right to rule, legitimacy to represent and make domestic and foreign policy in behalf of the people to who he is only accountable to.

It was in conformity with tribunals' declarative judgments, reversed victory, nullification and order for re-run elections, most often affected by delays of one to three years or more that staggered elections continued to increase in Nigeria with great cost on the polity. Anambra and Ekiti States provide lucid examples of delays in judgment of electoral cases. The judiciary is faced with challenges from frivolous issuance of *ex parte* motions, weakness of the National Judicial Council (NJC) to punish erring judges, lack of standard rule for presentation of evidence to electoral tribunals by the INEC, duplicity and conflict of roles between State Independent Electoral Commissions (SIECs) and INEC, dearth of manpower and infrastructure, difficulty interpreting consciously technically-worded Electoral frameworks, ineffective operationalisation of Freedom of Information (FoI), State interference in judicial process, etc.

Tribunals and Courts reversal of victory and nullification of results of elections conducted by the INEC suggests disparity in the application of the legal framework as a common measuring rod in the electoral process

by the legislature and the INEC and by extension, depicts existence of institutional challenge. Thus, understanding the institutional roles helps to crystallise the effects of institutional challenges in the electoral process in Nigeria.

Institutional Roles and Challenges

The interactions between formal and informal institutions characterised by the rules of the game, principles and practices set by the legislature, INEC, judiciary, political parties, political gladiators and candidates in the electoral process impact unhealthy relationship between political competition, electoral outcome and state-building. Scrutinisation of formal institutions to understand their roles under the influence of informal institutions will enhance understanding of the institutional challenges that have conducted to institutionalise staggered electoral process in Nigeria.

The Legislature

The legislature sets the legal framework, e.g., Electoral Acts 2006 and 2010, before the conduct of election by the INEC and post-election dispute settlement by the Judiciary. However, legislative functions of making laws, regulations and guidelines in Nigeria are not immune to influence of narrow regional, religious and ethnic group interests, including electoral matters. This view underscored the schism between the Legislature and the Executive over INEC announcement of guidelines for the 2019 general elections on 9 March 2017, pursuant to Section 76(2) and 178(2) of the Constitution of the Federal Republic of Nigeria (as amended) and Section 25 of the Electoral Act 2010 (as amended) (Omorotionmwan, n.d; Mac-Leva, 17 June 2018).

The announcement to maintain the sequence of 2015 for the 2019 general elections sparked off opposition from the same group who favoured the sequence in 2015, who this time realised, that the situation is a grand design by the ruling party to produce a bandwagon effect in the 2019 elections. It is the changing patterns of political actors' interests and behaviours in the formulation of legal frameworks by the Legislature that undermines consistency of these laws. Justice Gabriel Kolawole, granting an *ex parte motion* filed by Timipre Sylva, reaffirmed the inconsistencies in the provisions of Electoral Acts of 1983 and 2010 and reasoned:

The new Electoral Act as Amended is a clear departure from the 1983 Act by which on the authority of the Supreme Court's decision on Onuoha V. Okafor, the political parties were 'god unto themselves' in terms of the choice of candidates. This Court had intervened in quite a number of political parties' cases when candidates were being manipulated by the leadership of the political parties (*Daily Post*, n.d.)

Nigerian Legislature is independent in principle but not in practice; it can be influenced by the patron-client relationship between the government and the citizens; where the Executive enjoys the power to dispense the country's slack resources through direct payments or continuing access to employments, contracts, goods and services. It can be partisan, overzealous and whimsical.

The Independent National Electoral Commission

The Independent Electoral Commission (INEC), under Sections 2, 25 and paragraph 15(a) and (c) of Part 1 to the 3rd Schedule of the Nigerian Constitution 1999, shall have power to organise and supervise elections to the Office of the President, Vice President, Governors, Deputy Governors, Members of the Senate, House of Representatives and States House of Assembly. Drawing from Kurfi (2005: 34-36), Elklit and Reynolds (2000: 86-119) and *The INEC* (2006), cited Ekekwe (2008: 30), INEC functions as clearinghouse in the electoral process which begins from the preparation, conduct, announcement of results, to issuance of "certificate of return". It may be required to testify in evidence to tribunals and court process regarding elections. Sadly, the INEC is beleaguered by legal-administrative, logistic and credibility challenges which have undermined its effectiveness and efficiency in the conduct of elections in Nigeria.

The legal-administrative challenges of INEC stems from interaction between its structure and mandate, on one hand and administrative and external influence from the president, ruling party, regional/geopolitical interest and power, on the other. Underscoring the structure-mandate challenge, Deputy Director in The Electoral Institute of the INEC, Agoha Ifeanyichukwu argued that the extant legal frameworks and resultant costs make the conduct of all the elections in Nigeria impossible. He maintained:

Staggered elections save cost and reduce tension. [But] If all elections are conducted in one day, announcing the result will take time and that could cause serious tension that might lead to security-bridge... Every country has its challenges. Nigeria's election is in different tiers. That is why it may not be easy to conduct the country's elections in one day (Tsa, n.d.).

Agoha's viewpoint gift-wraps a threat; post-election crisis due to one-day delay of results is rarely a phenomenon. In Ghana, for example, results were released 8 days after the voting exercise. It is the legal-administrative, credibility and logistic challenges that informed the debate over the INEC timetable (see detail in table 1) for activities and sequence of the 2019 general elections.

Table 1: Timetable and Schedule of Activities for 2019 General Elections

<i>S/No</i>	<i>Activity</i>	<i>Date</i>	<i>Remark</i>
1.	Notice of election	17th August 2018	Section 30(1) of the Electoral Act, 2010 (as amended) provides not later than 90 days before the election.
2.	Collection of Forms for all elections by Political Parties at INEC Headquarters.	17th-24th August, 2018	For Political Parties to issue to their candidates.
3.	Conduct of Party Primaries including resolution of disputes arising from the Primaries	Commencement date 18th August, 2018 End 7th October, 2018	To enable Political Parties democratically nominate candidates for the election as required by Section 87 of the Electoral Act, 2010 (as amended).
4.	Commencement of campaign by Political Parties.	Presidential & National Assembly – 18th November, 2018 Governorship & States House of Assembly – 1st December, 2018	Section 99(1) of the Electoral Act, 2010 (as amended) provides 90 days before polling day.
5.	Last day for submission of Forms CF001 and CF002 at the INEC Headquarters (for all elections).	Presidential & National Assembly – 18th October, 2018 Governorship & State House of Assembly – 2nd November, 2018	Section 31(3) of the Electoral Act, 2010 (as amended) provides for not later than 60 days.
6.	Publication of Personal Particulars of candidates (CF001) (for all elections).	Presidential & National Assembly – 25th October, 2018 Governorship & State House of Assembly – 9th November, 2018	Section 31(3) of the Electoral Act, 2010 (as amended) provides for publication within 7 days of the receipt of the Form CF001.
7.	Last day for withdrawal by candidate(s)/replacement of withdrawn candidate(s) by Political Parties.	Presidential & National Assembly – 17th November, 2018 Governorship & State House of Assembly – 1st December, 2018	Section 35 of the Electoral Act, 2010 (as amended) provides for not later than 45 days before the election.
8.	Last day for the submission of Nomination Forms by Political Parties	Presidential & National Assembly – 3rd December, 2018 Governorship & State House of Assembly – 17th December, 2018	Sections 32, 37, 38 and 39 of the Electoral Act, 2010 (as amended). (commission to appoint time for submission).
9.	Publication of official Register of voters for the election.	7th January, 2019	Section 20 of the Electoral Act, 2010 (as amended) provides for not later than 30 days before the election.
10.	Publication of list of nominated candidates.	Presidential & National Assembly – 17th January, 2019 Governorship & State House of Assembly – 31st January, 2019	Section 34 of the Electoral Act, 2010 (as amended) provides at least 30 days before the day of election.
11.	Publication of Notice of Poll (for all elections).	2nd January 2019	Section 46 of the Electoral Act, 2010 (as amended) provides not later than 14 days before the election.
12.	Submission of names of Party agents for the Election to the electoral Officer of the Local Government Area Council.	Presidential & National Assembly – 1st February, 2019 Governorship & State House of Assembly – 16th February, 2019	Section 45 of the Electoral Act, 2010 (as amended) provides not later than 14 days before the election.
13.	Last day for campaigns.	Presidential & National Assembly	Section 99 (1) of the Electoral

		– 14th February, 2019 Governorship & State House of Assembly – 28th February, 2019	Act, 2010 (as amended) prohibits Advertisements or broadcasts of campaigns 24 hours prior to the day of election.
14..	Dates of Elections National Assembly/Presidential Governorship/State House of Assembly	Presidential & National Assembly – 16th February, 2019 Governorship & State House of Assembly – 2nd March, 2019	Section 25 of the Electoral Act, 2010 (as amended) empowers the Commission to appoint date not earlier than 150days but not later than 30 days before the expiration of the term of the last holder of that office.

Note: (i) Run-off election to the office of President or Governor of a State (if any) will be held within 7 days after the announcement of the result of the election in accordance with the Constitution of the Federal republic of Nigeria, 1999 (as amended).

Source: INEC, 9th January, 2018.

The announcement of the timetable created status quo maintainer-revisionist disagreement between the INEC and the National Assembly: the INEC sought to maintain the existing sequence of election which placed the presidential election first but the National Assembly sought to revise and reverse itself on the sequence, through amendment of Section 25 (2) of the Electoral Act 2010.

Justice Ahmed Mohammed of the Federal High Court, Abuja, in his judgment, nullified the power of the National Assembly to make electoral template for Nigeria, stating that only INEC had such power and that for the legislature to do so would require first-step amendment of the constitution. Thus, the Court granted INEC inviolable power of automaticity to make irrevocable electoral templates, contrary to international standard principle and practice, for instance, in Ghana where the ‘strong institution’ of parliament effected a shift in the presidential and parliamentary elections by one month, from 1st November to 1st December 2016 (*Ghana News Agency*, 21 July 2016).

The ‘selective’ amendment in spite of its inspiring reform, because of critics perceived of timing and reversal of self by the National Assembly of the standing sequence of elections painted the legislators in the image of a group of self-interested actors using political offices to design amenable process, at best, for their electoral survival. The effort of the National Assembly, it seemed from objective view, was to forestall the manifest credibility challenge in the Nigeria’s electoral process characterised by collusion with parties, godfathers and candidates to perpetrate electoral irregularities including “bribery of the INEC officials” (Saliu and Ifejika, 2017: 269-270), unauthorised exclusion of candidates from participation, as in the cases of Okocha versus Uduaghan, Great Ogboru versus Uduaghan (*Vanguard*, n.d.), Ugwu and anor versus Ararume and anor (SC. 63/2007 [2007] NGSC 126 of 8 June 2007), Idris versus Audu [16 April 2007; 28 March 2008], Amaechi versus Omehia [25 October 2007], Oshiomhole versus Airhiavbere, Atiku versus INEC [16 April 2007], etc., delay in declaration of result, policy inconsistency, exemplified by the on-again, off-again deployment and use of smart and electronic voting machines, ‘use-and-dump’ Electoral Acts and brooking dictation from the ruling party and its state officials who appropriate money for elections by INEC.

Logistic challenge through INEC’s delays and inability to conduct outstanding re-run elections, especially the Senatorial, House of Representative and House of Assembly in Anambra, Imo, Kogi, Rivers, etc., are evident, the result of which is denial of representations by the affected constituencies of the States and under-representation for the legislative decisions in the legislative chambers. Drawing example from the Rivers State re-run elections, INEC admitted that it had ‘some challenges in its operational efficiency as it concerns the production and customisation of the result sheets used for the conduct of the election’, particularly regarding:

- (i) Omission of the original watermark in the result sheets in some polling units in three (3) Federal Constituencies;
- (ii) Omission of some delimitation details in 47 of over 20,000 booklets (*INEC News*, n.d.)

More so, INEC electoral processes are riddled with cases of missing party names and logos, candidates’ names and pictures, insufficient ballot boxes and papers, result sheets, late distribution of materials, partial and inadequate education and publicity as well as poor voter turnout due largely to logistic flops.

Since Nigeria’s return to civil rule in 1999, nullified elections and reversed electoral victory by the courts and by extension, withdrawal of “certificate of return” by INEC and inconclusive elections have yielded to either run-off or ‘supplementary elections (Onah and Chukwu, 2017: 118) as a result of patron-client relationship, social divisions, poor organisation, widespread procedural irregularities, lack of essential transparency, umpire bias, voter disenfranchisement, significant evidence of fraud, malfunctioning of smart card

reader machines, violence (Ogwude, 2017: 1; Eke, 2010), incomplete information and/or voter education as well as the associated challenges of non-collection of permanent voters cards, voided votes, low voter turnout, vote-buying (Onapajo et al, 2015), late voting and social divisions (including religious, linguistic, regional and more narrowly, ethnic, loyalties, rural-urban base) (Ejiofor, 2007: 75-80).

Contrary to expectation, INEC fails in its powers to diligently discover and mitigate these challenges before and during election activities thus leading to increased electoral violence, occasioned by belief that the electoral process was marred by complicit irregularities. *The Economist* (2011), in Idike (2014: 133), observed derogatorily that Nigeria's elections present two columns of result: one, for votes cast at the polling stations; and two, for number of people killed around the time of the election due to use of state repressive force in furthering marginalisation pretending to be dealing with the election-violence dualism where "participation in electoral politics is incompatible with utilisation of political violence (Kumral, 2017).

A critical evaluation of the legal-administrative, credibility and logistic challenges lends credence to the feature of deliberate omission, forgery, inconsistency or lack of expertise. The double tragedy of logistic flop in monitoring and supervising the production of documents of grave legal importance which can serve as evidence in an electoral dispute is an impermissible unconscionable conduct, especially in a matter that hinges on associated irregularities and substantial non-compliance with mandatory provisions of the law. Thus far, elections have always transformed Nigeria's EMBs and their officials into marketplace and marketers, respectively, where electoral stakeholders, through "bribery of INEC officials" (Saliu and Ifejika, 2017: 269-270), sell and procure victory in elections.

The Judiciary

The judiciary is represented by the Tribunals and Courts to adjudicate cases and dispense justice over electoral disputes. More often than not dispensation of justice is delayed into many years occasioning illegal occupation of political offices and by extension late nullification and off-season electoral process as is the case in Anambra, Bayelsa, Edo, Ekiti, Kogi, Ondo and Osun (Onah and Chukwu, 2017: 118 and 125). The nullification of INEC-supervised elections by Tribunals and Courts through evidence before them, exposes and indicts INEC as ineffective and lacking due diligence in observing the rules of the game, on one hand and wittingly or unwittingly condoning irregularities in the electoral process.

The judiciary interprets the law where there exists inconsistency between principle and practice in the electoral process, for instance, the Supreme Court judgment on the span of tenure of governors, exemplified in the case of Obi versus INEC. The legal position in Section 180 (2)(a) of the 1999 Constitution (before amendment) is that "the governor shall vacate his office at the expiration of a period of four years commencing from date... in the case of a person first elected as Governor under this Constitution, he took the Oath of Allegiance and Oath of Office" (Ofiebor, 14 April 2008). Nullification and conduct of new election won by a governor who was removed by virtue of the Court's nullification of election deprives the governor of three months (90 days) into his term of office when by virtue of Section 191(2) of the 1999 Constitution the Speaker of the State Assembly takes over the governance of the State until the conduct of a re-run election. The judgments of governorship disputes in Anambra, Bayelsa, Edo, Ekiti, Kogi, Ogun and Osun States, helped in increasing staggered elections in Nigeria.

Despite the blindness of the Constitution on re-run as a factor for staggered electoral process, Section 140 (1) of Electoral Act, 2006 empowers electoral tribunal or Court to make the final post-election declaration of return of candidates where the matter was disputed and duly brought to it. The Act specifically states: No election and return at an election under this Act shall be questioned in any manner other than by a petition complaining of an undue election or undue return (in this Act referred to as "election petition) presented to the competent tribunal or court in accordance with the provisions of the constitution of this Act...

In a unanimous judgment in the election petition: Great Ogboru versus Emmanuel Uduaghan, the Tribunal reasoned:

...the fact that one has been nominated by his party does not constitute a valid nomination of a candidate by a political party. To be validly nominated, a candidate must show that he has complied with all the statutory provisions related to the nomination that qualifies him to become a valid candidate in the election.

By the logic of provision of the Act, formal petition to the tribunal or competent court of jurisdiction is the only valid means to adjudicate on electoral process; *non prosequitur* or *nolle prosequi* amounts to self-denial of right to justice because the Court is not a Father Christmas to go beyond the merits of plea and proof to award to you what you have not asked for in a case (Alibi, 10 February 2016; Shibayan, n.d.; Ejiwunmi, 2005; Juwon, 17 January 2009; Adebowale, 11 January 2013). Thus far, election tribunals and Courts are charged with the powers after determination of cases before it, to nullify "all the fraudulent elections of ghost mandate" (Eso, 2007: 9), remove illegal political office holders from office and order for new election.

Staggered electoral process, by default of INEC, was institutionalised by the logic of nullification of elections, Oath of Allegiance and Oath of Office, as in the classical case of Obi versus INEC, which stands on

the foundation of Lord Denning in the *locus classicus* of *Macfoy V. UAC* (1961) WLR 1405 and enunciates the rule that “if a thing is a nullity, it is completely *etiose*. *Afortiori*, you cannot therefore build something on nothing, as it will collapse” (Odje, n.d.; *PM News*, 27 January 2012).

Deriving from the legal analogy, Oath of Allegiance and Oath of Office, subscribed to by persons who occupied the established Office of Governor, whose first elections were nullified for re-run because their elections did not comply to the provisions of the law cannot stand. Sequel to the legal conditions, while the process for occupation of the Office of the Governor is invalid, the Office is valid, statutory and, therefore, while the process can be nullified, acts of the occupant of the Office of Governor “remain valid in the eyes of the law” as in the case of *Balonwu versus Governor of Anambra State 2009*, 18 NWLR (pt. 1172) 13, at pages 41-42 per Mohamed JSC.

From hindsight of the political challenge posed by Section 180(2)(a) of the Constitution, the National Assembly quickly crafted amended to the section which read:

In the determination of the four-year term, where a re-run election has taken place and the person earlier sworn in wins the re-run election, the time spent in office before the date the election was annulled shall be taken into account.

Although the amendment was upheld, through reference to Section 34(2) of the Electoral Act 2006, by the Supreme Court in the case between Rotimi Amaechi and Celestine Omehia over substitution of candidates and the termination of tenure of five States Governors, Timipre Sylva of Bayelsa, Magatakarda Wamakko of Sokoto, Liyel Imoke of Cross River, Ibrahim Idris of Kogi, and Murtala Nyako of Adamawa (Ofiebor, 14 April 2008), the nullification of the power of the National Assembly to prepare electoral guidelines automatically renders the amendment of Section 180 (2)(a) of the Constitution superfluous and completely *etiose*, safe as Amended by the Constitution of the Federal Republic of Nigeria (First Alteration) Act No. 1 of 2010.

The Nigeria Police Force

The Nigeria Police Force (NPF), as an integral of the security institution, has been unduly stretched in the electoral process by the ruling party who combine state coercive instruments to intimidate the public, candidates and voters to win elections at all cost and remain in power. The staggered elections in Anambra (2013; 2017), Edo (2012; 2016), Ekiti (2014; 2018), Ondo (2012; 2016) and Osun (2014; 2018) (Iwuoha, 2018: 352), attest to this fact. The increased deployment of security men and materials in Ekiti State Governorship Elections in 2014 and 2018, Anambra State for 2013 and 2017, and Osun in 2018 as shown in table 2 further illuminates the fact and serve for comparisons and growing threat against the electoral process under the administrations of Presidents Jonathan and Buhari.

Table 2: Police Deployments for Staggered Governorship Elections in Ekiti, Anambra and Kogi

<i>No</i>	<i>State</i>	<i>Date</i>	<i>Regime</i>	<i>Deployment of men and Materials</i>
1.	Ekiti	21 June 2014	Jonathan	IGP Mohammed Abubakar, stated that the number of police personnel to “forestall violence during the election in Ekiti... is one of the highest number we can ever expect to be deployed to any state that we have seen because we must look at history.” Despite the secrecy of the number, it was gathered that the component of the Nigeria Police security included, in part: Assistant Inspector-General of Police (AIGs)* Commissioner of Police (CPs)* 200 Crime Prevention Officers 200 Counter-Terrorism Specialists Police personnel (other ranks)* 25 Sniffer dogs Armoured personnel carriers (APC) and Horses* <i>*Undisclosed number</i>
2.	Ekiti	14 July 2018	Buhari	1 Deputy Inspector-General (DIG) 1 Assistant Inspector-General (AIG) 4 Commissioners of Police (CPs) 18 Assistant Commissioners of Police (ACPs) 8 Deputy Commissioners of Police 30,000 police personnel (other ranks) 2 patrol surveillance helicopters 5 armoured personnel carriers (APC) 10 armoured personnel vehicles (APVs)

				250 police patrol vehicle <i>Note:</i> combined force of Police Mobile Force (PMF) Units, Counter-Terrorism Unit (CTU), the Special Protection Unit (SPU), the Anti-Bomb Squad (EOD), conventional policemen, the Armament Unit, personnel of the FCIID, and the Sniffer Dogs Section.
3.	Anambra		Jonathan	DIG (Operations) Philemon Leha 28,000 police personnel (over 120 deployed to each of 21 LGAs) Naval and Air Force personnel deployed at the coastal areas to man helicopters for surveillance
4.	Anambra	18 Nov. 2018	Buhari	21,084 police officers (17,320 deployed to 4,330 polling units; 280 deployed to collation centres; 2,484 deployed to 414 major streets) 400 patrol vehicles 100 flying water boats
5.	Kogi	19 Nov. 2015	Buhari	4,969 Police Mobile Force (PMF) from different squadrons across Nigeria deployed to strategic locations 3 Commissioners of Police (CPs): CP Isaac Eke, CP Peter Ogunyanwo, and CP Sam Okaula, each deployed to one Senatorial Zone of the State 11,000 conventional police manpower

Sources: Joseph Eruke, “DIG, AIG, 4 Commissioners to Supervise Polls”, *Vanguard Online*, 8 July 2018, <https://www.vanguardngr.com>; Oyelakan Adetayo, “21,000 Policemen, Water Boats, Copters to be Deployed for Anambra Election”, *Punch Online*, 3 November 2017, <https://punchng.com>; NAN, “Anambra Governorship Election: Police to Deploy 21,084 Personnel”, *The Guardian Online*, guardian.ng; Fredrick Nwafor, “Police Troop Into Kogi ahead of Governorship election”, *The Cable Online*, <https://www.thecable.ng>; Sahara Reporters, “Anambra Governorship Poll: Security Beefed Up”, *Sahara Reporters* (New York), 15 November 2013, saharareporters.com

Table 2 shows that the highest number of police personnel was deployed in Ekiti. The force spokesperson, Jimon Moshood, defended that “Ekiti is a flashpoint when it comes to politicking.... There is no over-deployment in 30,000 police personnel... It is not only peculiar to Ekiti, in Edo, we deployed 25,000 police personnel. In Ondo, we deployed 26,000” (Nwafor, n.d.). The National Publicity Secretary of the APC, at the time, Lai Mohammed countered that the people of Ekiti do not need “a massive number of soldiers and policemen where a level playing ground is needed” because they “would likely do the biddings of the Federal Government... They swore to protect lives and properties, paid with public money and should therefore not be made to look like an arm of the PDP” [the ruling party] (Ebhomale, 17 June 2014). The population and the disproportionate spread of the NPF across the six command zones and Abuja is the cause of disparity in the number of deployed during elections.

The politicisation of NPF and other security agents, DSS, Army, is more visible in the extra-legal enforcement of the Public Order Act, regarding regulation of assembly, meeting, procession and proclamation. with the aim to garner electoral victory, howbeit unmerited, by the ruling parties and their office-holders, contrary to the Guideline of Code of Conducts and Professional Standards for human rights-based policing (PRAWA, 2014: 18-53), to:

- (i) ensuring the safety of electoral officers before, during and after election;
- (ii) providing security for candidates during campaigns and election;
- (iii) ensuring free, fair, safe and lawful atmosphere for campaigning by all parties and candidates without discrimination;
- (iv) maintaining peaceful conditions, law and order around the polling and counting centres;
- (v) providing security for electoral officials at voting and counting centres;
- (vi) ensuring security of voting materials during transportation at all levels;
- (vii) ensuring the security of voting materials at voting and counting centres (Nigeria Constitution 1999: 1-2; Police Service Commission, n.d.)

Drawing from hindsight, for example, the delay and refusal of Governor Rotimi Amaechi and Governor Adams Oshiomhole of Rivers State and Edo States, respectively, from entry into Ekiti State by security officers (Aziken et al, n.d.), during 2014 PDP rally under the Jonathan era amply illuminates the absence of neutrality in the role of the security agents.

These presentiments raise the fear that the APC ruling party may leverage the authoritarian personality of the president to manipulate the 2019 electoral process using Nigeria's weak state trilemma: *first*, insecurity in some parts of the country, particularly the North-East, North-Central, South-South and South-East, where there have been increased military swagger such as *Operations Crocodile Smile, Lafya Dole, Python Dance*, etc.; *second*, the widening social and structural economic inequalities, ethnic and religious divisions, etc., and *third*, dwindling standards of institutional performance exemplified in the imposition of Amina Zakari as head of the INEC national collation centre for the 2019 general elections in spite of public outcry as well as the replacement of Chief Justice of Nigeria Justice Walter Onnoghen with Justice Tanko Mohammed following the ICPC-CJN asset saga (Akaragha, 26 January 2019: 1 and 5; Aziken et al, 26 January 2016: 3-4). These developments, it is feared, could lead to self-serving imposition of state of emergency, postponement of elections and increase in the number of states for staggered elections.

It can, therefore, be argued correctly that there exist extra-legal and extra-administrative influences as well as evidence of lack of independence and synergy in the performance of roles by the four critical institutions of the legislature, INEC, judiciary and the NPF in Nigeria's electoral process. The lack of synergy between formal institutions exacerbated by the influence of informal institutions underscores the institutional challenges in the electoral process in Nigeria.

Political Economy Analysis of Staggered Electoral Process in Nigeria

In spite of the institutional challenges against credible elections, the resultant staggered electoral process and the attendant huge cost on the polity, Nigerian political administrations have been polemical and have not sought the pragmatic solution to the challenges instead successive ruling parties and political office-occupants in Government use these institutions, at best, as benefit-recycle mechanism for power consolidation through bandwagon effect more in staggered elections. These developments provoke the need for political economy analysis of staggered electoral process in Nigeria.

The influence of sequence of election on the electoral behaviour for bandwagon effect began with the 1983 general elections in Nigeria, after the 1979 presidential election when Alhaji Shehu Shagari won in controversial circumstances, supported by the Supreme Court interpretation in the case: *Awolowo v. Shagari* [1979] 12 NSCC 87, of two-thirds majority with fractionalisation of the 13th State [Kano], against the provisions of Electoral Decree 1977, to make up the 2/3rd of 19 States required to declare a presidential winner. Following the development, in the 1983 general elections, the leadership of the ruling National Party of Nigeria (NPN) influenced the re-arrangement of the sequence of the elections and unlike the 1979, slated the presidential election first, giving Shagari 47.5 per cent votes margin above Obafemi Awolowo's 31.2 percent, due largely to bandwagon effect through 'unlikely victory' in some states of the federation.

Bandwagon effect is a common feature of emerging democracies resulting from extreme electoral fluidity and weak political parties, who are ephemeral and rely on clientelist basis (Stokes, 2007) because of poor socio-economic base (Lipset and Rokkan, 1967), due to "widening gap between the policy preferences and voters and electoral manifestos of Parties" (MCELwain, 2007:5 75). The scenario is exacerbated and leveraged by the ruling party to offer voters "material goods, jobs, or divisible and excludable benefits for their communities, candidates possessing charisma or other personal qualities..." (Hagopian, 2007: 582).

The degree of bandwagon effect appears more attractive in staggered elections where the sitting President deploys presidential powers to intervene in the electoral process than when the president-elect is unsettled perhaps contesting his mandate in Court. Other interlocking factors that can tailor bandwagon voting behaviour include mainstream political economy which posits that voter preferences are based on outcome of past elections or the citizen-candidate model which argues that policy preferences influence voter participation. Relying on Osborne and Slivinski (1996), Besley and Coate (1997) and Downs (1957), Pons and Tricaud (2018: 1, 36 and 37), as the mainstream political economy, argued:

... a large number of elections are swayed by a relatively small fraction of [strategic] voters driven by their desire to vote for the winner instead of substantial differences between candidates such as valence and policy platforms.

From Pons and Tricaud point of view and the hindsight of 1983 presidential election, it is discernable that election sequence can engender bandwagon effect, to a lesser margin, in combination with other factors such as policies of political leaders, political party ideology, party campaigns, inadequate information or voter education resulting to ignorance and "devalorisation of the vote" (Ibeanu, 2018: 145), preferences of the electoral umpire, political settlement or bargain among elites (Perks and Cole, 2010), citizen-politician linkages induced by patron-client patterns (Kitschelt and Wilkinson, 2009; Keefer, 2005), social divisions (including religious, linguistic, regional and more narrowly, ethnic, loyalties, rural-urban base), social change (Ejiofor, 2007: 75-80), the perception that politicians' promises are lacking credibility (Keefer and Khemani, 2003) and institutional ineffectiveness.

These foregoing reasons sustain staggered electoral process in spite of the perennial controversy it has generated among political elite and observers who have individually and collectively called for one-day general election in Nigeria because of the intrinsic high costs (Adebowale, 20 December 2012; Ajayi, 29 November 2018; Isuwa, 29 June 2018; Kalu, 2013; Ojogo and Ukaibe, 26 January 2014; Tsa, n.d.). Disappointingly, successive political administrations have used the sequence of presidential election first to garner bandwagon effect to satisfy the requirements of Article 134(2) and staggered elections to consolidate hold on power through intimidation and monetisation by the ruling party and its office-holders. A classical example was the threats of defections and defections from APC to PDP by APC members who feared that a successful amendment of Electoral Act 2010 and change of sequence of election would sway the bandwagon effect against the APC and make PDP a prospective winning party where politicians rushed with the mindset that if “we cannot win them, we join them” to share the national cake; (Morton et al, 2015; Omilusi, 2015). President Buhari was forced to intervene thanks to the Court judgment in favour of no-amendment.

The number of staggered elections in the minority-South geopolitical zones of the South-East, South-South, South-West and North-Central, has worsened the citizens’ susceptibility to the electoral whims and caprices of the ruling political zones of the north. The record of over 70% of 81 re-run elections from the South-South (58.0%), South-East (16.0%), South-West (0%), North-Central (17.2%), North-East (7.4%), and North-West (1.2%) (Simbine, 2016: 4) illuminates the point in case. Domination through staggered elections helps to explain Nigeria’s traditional sensitivity to interconnected political challenges to internal unity and stability, democratic consolidation and accountability from local competition and domination – often through ethnicity or tribalism, region or religion – and precedents for unaccountability and use of threat of force by authoritarian leadership masquerading under democracy (Reid, 2012: 310-311).

It is from hindsight of electoral outcomes, that the Nigerian legislators sought to amend the Electoral Act 2010 to forestall bandwagon effect, cognisance of the absence of independence of the INEC, application of executive presidential powers over policies in a country driven by primordial loyalties and high prospect of voting for the winning party instead of policies (Sani, 24 March 2018; Okudu, 30 January 2018). Deriving from the outcome of the 1983 elections, Sani Wali, quoted in (*Newswatch*, 29 April 1991: 7) openly stated: “Political democracy is a game of numbers. If the north happens to be more united than the south, I can’t see any reason why they can’t continue to produce the president.”

The disparity in the deployment of police in general elections and staggered elections could be drawn from comparison of the 2011 general elections, for example, in Ebonyi State and staggered election in Ekiti, Anambra, Kogi, Edo, Ondo, Osun States. During the 2011 general elections, the NPF mobilised about 23,000 officers and men of the Zone 9 (South East) to provide security for the election exercise in the constituent five States (Okoronkwo, 2011: 3). Ebonyi State Command provided 4,023 and 4,137 officers and men to cover areas in the State during the 2011 National Assembly Election and Presidential Election, respectively (Esuong, 2011a; 2011b). From the example of police deployment in Ebony State, we can take an average of 4,040 police personnel for each State across 36 States and the Federal Capital territory for each day of the general elections in Nigeria. Extrapolating from the 30,000 police personnel deployed in the Ekiti governorship election and the rate of ₦50,000 allowance paid to police personnel for the Osun governorship election for one day, barring allowances for sister security agencies as well as logistics for vehicles, etc., one understands the huge cost of staggered electoral process.

Juxtaposing the police deployments during general election in Ebonyi State and staggered election in Anambra State, it becomes evident that in the general elections, state police commands provide security for their respective states of command, while in the staggered elections, the entire zonal police command in addition to representatives of other zones and IGP from FCT Abuja participate at huge costs. When the police officers and other security agency as well as logistics are added, one makes a conservative ₦3.5 billion spent on the security agencies on average, each time the staggered (re-run) election is conducted in Nigeria Estimate is the provides a better insight into the cost of elections because it is an Herculean task, particularly with technological skills as the driving force, to pin down the exact costs in the administration of elections especially due to the financial roles played by political gladiators and tiers of the governmental structure.

However, it is discernable from details of the ₦189.207 billion budget for the conduct of 2019 general elections approved by the National Assembly, more than the ₦120 billion for the 2015, that the policing consists just a small fraction of the entire security budget for logistic requirements of any election. Table 3 shows detail of financial allocation on security agencies as proportion of overall 2019 Election Budget of ₦242,445,332,600 (Ogunwale et al, 16 August 2018).

Table 3: Proportion of Security Expenditure of the 2019 Election Budget

S/No.	Security Agency/Sub-Head	Amount Allocated
1.	Office of the National Security Adviser	₦4.26 billion
2.	Directorate of State Security	₦12.213 billion
3.	Nigeria Security and Civil Defence Corp	₦3.578 billion
4.	National Immigration Service	₦2.628 billion
5.	Nigeria Police Force	₦30.541 billion
6.	Police Dogs	₦0.166,315 billion
7.	Dogs Medical/General Expenses	₦0.143,782 billion
8.	Police Horses' Feeding (50 No.)	₦0.007,719 billion
	Total	₦53.5 billion

Source: G. Ogunwale *et al*, "Lawmakers Consider INEC's N189.2B Elections Budget", *The Nation Online*, 16 August 2018, thenationonline.net

It is instructive to note two points: first, the security budget constitutes about 25% of the budget for two-day simultaneous general elections in 29 states of the country; and second, there are 9 states outstanding one-day staggered governorship elections' to be budgeted for, barring other re-run elections under the purview of INEC. It is really inconceivable for a country that can barely pay its workers minimum wage of ₦30,000 to claim to convince the public why it should dissipate the whooping sum of ₦150.5 million on 50 horses and few sniffer dogs in the 2019 general elections and ₦50,000 each on the police for a one-day staggered election.

Seen from the massive deployment of security in the staggered elections, manipulations by the ruling group to buy over votes of electorates through either 'hard' (intimidation) or 'soft' (monetisation) (Salu and Agara (2018: 265-266) as well as the high cost of printing and procurement of documents and materials (for instance, using the cost of ₦1 billion to reinsert Atiku Abubakar's name and picture in the ballot papers (Elekwa, 2007: 7), it is difficult for Nigerians to accept the collateral waste of national wealth on non-regenerative and ill-functioning electoral process.

Against the background of the high cost of staggered elections, Simbine (2016) revealed that if the Supreme Court of Nigeria, on the 2015 general elections petitions, had "affirmed the nullification of the gubernatorial elections of Rivers, Akwa Ibom and Taraba States as the Tribunals and Courts of Appeal did, INEC would have been looking for about ₦10 billion to re-conduct" just the three re-run elections. Simbine's implicated only the INEC's cost variant and not the cost on the affected States in terms of budgetary allocations to their army of Commissioners, Special Advisers, Board members and heads of Ministries, Departments and Agencies among loyalists for campaigns and vote hunt in both primary and general elections. There are other social-economic costs through declaration of work-free days and closure of schools, markets, parks, and other public places for campaign rallies and elections as well as post-election legal costs.

In the course of history, the Africa's flashpoints of democratic consolidation in: The Gambia where UN-authorized AU-sponsored ECOWAS military pressure helped restore country's reversed victory of opposition candidate Adama Barrow of the United Democratic Party, by incumbent President Yahya Jammeh of the Alliance for Patriotic Reorientation and Construction (Akpuru-Aja and Eke, 2018); Kenya, where the Supreme Court cancelled the presidential election of 8 August 2017 purported to have been won by sitting President Uhuru Kenyatta and ordered for a re-election within 60 days (Blandy, 1 September 2017); and Ghana, with record of peaceful handover after the election of presidential candidate of the opposition New Patriotic Party Nana Akufo-Ado and loss of the incumbent President John Mahama of the Democratic Congress in the 7 December 2016 general elections – all following the Jonathan phenomenon in Nigeria.

Staggered electoral process in Nigeria is an outcome of challenges, disconnects between the critical formal institutions and influences of informal institutions by the dominating political class through extra-legal-administrative means with credibility, logistic and security costs on the polity. The process underpins the country's *realpolitik*, worsening do-or-die electoral behaviour, structural deprivation of fair and competitive leadership opportunity to the citizens of the affected states by the ruling groups as well as collateral cost which accentuates laggard growth and development process in Nigeria.

III. SUMMARY OF FINDINGS

- (a) Staggered or off-season electoral process is an outcome of institutional ineffectiveness.
- (b) It makes electoral process vulnerable to abuse by the ruling party and state officials.
- (c) It is time-consuming and major source of financial waste to the national treasury, through multiple pay and perks, to illegitimate and legitimate occupants of elective political office.
- (d) It produces multiple and continuing insecurity flashpoints in the country, especially where the electoral process has been short-changed through a do-or-die scenario against the will of the electorates.
- (e) It has become a strategy of structural domination of the minority states and geopolitical zones in Nigeria.

(f) Staggered electoral process creates un-remedial gap in the four-year tenure of affected state governors.

Recommendations of Policy-Steps

- (a) Institutions should be granted status of legal personalities and independence to raise their standards of performance through accountability through the law.
- (b) Funding of elections should be from a consolidated fund charges of different tiers of government. More, the INEC should be unbundled into four mutually interlocking agencies – INEC, IEOC, IEEA and MOVE Commission:
 - (i) The four - INEC performs functions outside the ones allotted to the three new proposed agencies;
 - (ii) Independent Electoral Offences Commission (IEOC) should effectively supervise implementation of the electoral offences;
 - (iii) Independent Electoral Enlightenment Agency (IEEA) to liaise with the INEC on the electoral programmes and carry out responsibility of effective voter information dissemination/education activities for the public; and
 - (iv) Military and Overseas Voter Empowerment (MOVE) Commission to carry out responsibility of registration and voting by the citizen diplomats overseas.
- (c) Elected officials should occupy offices only if they have no outstanding court case(s) against them.
- (d) Elections should be conducted to give more time for commencement and conclusion of post-election litigations. Where the election victory is in court, the time-gap between the announcement of the result and administration of Oath of Allegiance and Oath of Office, should be pegged at six months, allotting three months for the Court of first instance; two months for appeal; and one month for the apex Court judgment, where necessary.
- (e) Alternative to (iv), where there are post-election court processes in respect of the office of the President or Governor, the President of the Senate of the Speaker of the State House of Assembly, in line with Section 191(2) of the 1999 Constitution of Nigeria, as amended, should apply.
- (f) The security operation should be modernised with a paradigm shift from overt ‘human intelligence’ (humint) to covert ‘technical intelligence’ (techint) with the outcome of psychological rather than physical deterrence force and avoid uniformed officials who are easily targets for assault or inducement contrary to the set objectives of security.
- (g) Genuine presidential emergency powers should be leverage to appoint officials to governorship positions, through representative mock elections in the states, to conduct elections that align the off-season elections with the regular quadrennial general elections.
- (h) There should be a constitutional remedy for the three months (90) days or 7.14% gap within the 48 months’ tenure of governors when the Speakers of State House of Assembly take over governance during period of re-run elections.

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