

**NIGERIA AND THE CHALLENGE OF CONDUCTING CREDIBLE ELECTIONS: A
COMPARATIVE ANALYSIS OF THE 1993 PRESIDENTIAL AND THE 2007
PRESIDENTIAL ELECTIONS**

By

Nkamuke, Uzoma Joseph

ujnassociates@yahoo.com

&

Onah, Emmanuel Ikechi, *PhD*

Department of Political Science, University of Lagos

eonah@unilag.edu.ng

Abstract

This paper compares two particularly outstanding presidential elections in Nigeria (the 1993 Presidential and the 2007 Presidential elections), the conduct of which has been adjudged to fall short of general credibility. Whereas the 1993 presidential election was popular among Nigerians but was adjudged by the military high command that oversaw it as not credible and consequently annulled, the 2007 presidential election was seen as short of credibility by the electorate but was accepted by the electoral umpire. This paper examines the reasons why elections tend to be disputed in Nigeria. Most elections in Nigeria have recorded infractions and tumultuous developments in varying degrees. The nature and manner of elections in Nigeria entail the truncation of extant laws, including the country's electoral grundnorm. Each regime seemed deliberately to embark on actions meant to confuse stakeholders (a long, winding transition process in 1993, and a questionable attempt at a constitutional alteration in 2007). Using the theory of Rational Choice Institutionalism, this paper found that the two elections were opportunities for Nigeria to acquit herself favourably in the democratic space, even as the outcomes ultimately fell short of popular expectations. In the circumstances, the elections failed woefully to meet the threshold of legitimacy. The paper recommends that elections in Nigeria must always adhere to institutional provisions for credibility.

Keywords: Credible elections, Nigeria, 1993 presidential elections, 2007 presidential elections, election outcome.

INTRODUCTION

The desire for democracy among Nigerians may not be in doubt, yet the country has continually faced the challenge of conducting credible elections. Almost all elections conducted in the country have faced credibility challenges, though in varying degrees. The conduct of an election in a country is adjudged credible when a greater percentage of the stakeholders and drivers of democracy (the electoral managers, elites, and the mass public, including the electorate) believe that the election followed the norms and ethos guiding electoral activities at all the stages of the election process (pre-election, election-day, and post-election). Several features mark a credible election: it is assumed to be free, inclusive, regular/periodic, transparent, and fair. Such elections must be conclusive. Elections are concluded when the election management body announces the results. However, the credibility of an election gains

a necessary fillip when the people, especially the electorate, approve of its conduct and outcome, and when independent observer missions certify the exercise. Credible elections must thus also be freely accepted by the people.

The Economic Commission of West Africa's (ECOWAS) 2001 Protocol on Democracy and Good Governance provides a barometer for gauging genuine, free, and fair elections, when it asserts that "every accession to power must be made through free, fair, and transparent elections... and the bodies responsible for organising the elections shall be independent or neutral and shall have the confidence of all the political actors" (ECOWAS, 2001). In the same vein, the European Parliament Committee on Development Cooperation asserts that "there are inherent difficulties with the use of the words 'free and fair' as a verdict on an election, and that other criteria should be considered before an election is declared as having been in accordance with democratic standards" (OCSE, 2007, p.9). Accordingly, the *Handbook for EU Election Observation Missions (2005)* declares that "genuine election":

Presupposes that the electoral process will be conducted in an accountable and transparent manner, providing voters with an honest and informed choice and thereby ensuring the electorate's overall confidence. The concept of a genuine election can be called into question if fundamental rights and freedoms are not respected; if there is no credible political competition; and if there are no meaningful prospects that voters will have the power to vote incumbents out of office (OECD, 2007, p. 9).

Many analysts believe that electoral glitches in many African countries can be traced to the post-colonial characteristics of these nation-states, in which elections are seen as a zero-sum game, with the endpoint "winner-takes-all" (Collier, 2008, p. 42). Politics in these countries knows neither legitimacy nor legality, only expediency, resulting in situations where, according to Ake (1996), those who first win political power tend to "privatise" it, thereby shutting others out of the political arena, then expropriate them, and even deprive them of their liberty. Since this 'state capture' confers an undue advantage, Okolie (2010) avers that the "winners in the (electoral) competition win everything and the losers lose everything; meaning that "nothing can be worse than losing or better than winning" (in an election) (p.49). Some analysts argue that an explanation for Nigeria's contentious electoral trajectory is the "majoritarian model" of electoral system which the country inherited, and which some scholars brand as divisive, adversary, and centrist (Norris, P. 2004, p.41). The argument is that this is unlike the "proportionality principle" seen by other scholars as inclusive, populist, accommodating, coalitional, and consensual.

This paper seeks to interrogate why Nigeria has faced the challenge of conducting credible elections throughout its history. To undertake the study, we will compare the 1993 and the 2007 presidential elections in Nigeria. The 1993 presidential election was a one-off conducted by the military as the final step in a plan to hand over government to civilians after a long period of military rule. Other elections for governorship, state assembly, and national assembly positions had been held earlier. The 2007 presidential election was part of the general elections that year, which also included governorship and national and state legislative elections. Although all the elections in the 2007 cycle had issues, this work examines the presidential elections in particular. It compares them with the 2007 presidential elections. Both elections were crucial in the country and are appropriate cases for comparison. First, the two elections were conducted by military and civilian regimes, respectively, and therefore offer an opportunity to compare military- and civilian-conducted elections in the country. Moreover, both elections under study, including the 1993 election, conducted by the military, and the 2007 election, had the full complement of election management institutions.

Second, both elections were the face of their respective election cycles: the 1993 presidential election was the culmination of the Babangida transition elections, just as the 2007 presidential election was the face of the civilian-to-civilian transition elections conducted under President Olusegun Obasanjo. The 2007 elections were the first in the Fourth Republic to involve the change of baton between regimes. It was going to be a change of government from one regime (the Obasanjo regime) to another. It could be a change of government. Both elections, therefore, fall within the bracket of "transitional" and "breakthrough" elections. Often, transitional elections may be the firm foundation upon which a polity achieves democratisation. If the elections fall short of the basic requirements of democracy, there is a chance the democratic system will suffer a reversal.

An outstanding similarity between the two elections under study was the programmed disorder before the exercise:

While the 2007 (presidential) elections was precipitous in (its) credibility and general acceptability, President Ibrahim Babangida's (IBB) administration annulled the presidential elections of 12 June 1993, believed to have been won by Chief MKO Abiola and which was adjudged the most credible elections ever conducted in the country (Jinadu, 2011, p.113&115; Jinadu, 2010, p.7).

The confusion followed the seemingly deliberate, manipulative actions of the departing regimes, whose leaders were obviously reluctant to give up power and were thus not sincere about their election plans. President Babangida claimed to be seeking a new socio-political order, but instead embarked on a long, winding democratic transition project. His manipulations of the system were so much that IBB was even compared with Machiavelli (Olagunju, 2018). President Obasanjo tried to apply similar tactics but had little success, perhaps because he was operating in a different context: a democratic system. However, both carried themselves as if they possessed a "divine mandate to fix the country" (Ibrahim, 2006, p. 2). Through these manipulative means, however, both leaders took the country on journeys along "unmarked roads to unknown destinations" (Yew, 2011, p. 9).

This work attempts to interrogate the 1993 and 2007 presidential elections to understand why both ended in fiasco. Both elections will be treated as case studies of elections in Nigeria that ultimately failed to meet the requirements of acceptable elections- the 1993 presidential election was popular among Nigerians but was adjudged by the military high command that oversaw it as not acceptable and consequently annulled it while the 2007 presidential election was seen as short of credibility by the electorate but was accepted by the electoral umpire. The study will provide valuable insights into the conditions and circumstances that make elections popular or unpopular, as well as the attitudes of different stakeholders in different election situations. The work will examine the institutional challenges that have continued to make the conduct of elections in Nigeria highly contentious.

This study adopts a qualitative research design. The methodology will be historical-descriptive and will use secondary data for analysis. This design is suitable, as there are many writings on elections and democracy in Nigeria. Much of the available material consists of reports of primary data obtained from surveys, interviews, and observations by researchers who have made them available to the public. Secondary sources are used throughout this work to provide the necessary data. For data gathering and analysis, this work will examine the conduct of elections as involving five interrelated activities: voter registration, campaign activities by political parties and candidates, voting, vote counting, and the announcement of results. It is these events and activities that will be analysed to inform our findings and reach conclusions

about the two presidential elections under study. The analysis will be comparative and will utilise the historical institutional analysis method, aimed at identifying the reasons for the challenges in conducting elections in Nigeria and pointing the way forward for credible elections in the country.

THEORETICAL FRAMEWORK

This paper adopts rational-choice institutionalism (RCI) as its analytical framework. RCI addresses the three institutional electoral actors, namely, the voter, the party, and the candidate. The theory is examined here from the perspectives of Norris (2004) and Hall & Taylor (1996), among others. The former posits that the "rules adopted in any political system have the capacity to shape the electoral rewards or punishments facing political actors" (p.8). Accordingly, a nation's choice of an electoral system (electoral formula, the size of the electoral constituency, the shape of the ballot structure, etc) influences the chances of candidates, voters, and parties (Downs, 1957). Norris (2004) further posits that

the legislative framework governing elections, as embodied in official documents, constitutional conventions, legal statutes, codes of conduct, and administrative procedures authorised by law and enforceable by the courts... have a substantial impact upon the strategic incentives facing politicians, parties, and citizens, so that changing the formal rules has the capacity to alter political behaviour(p.6 & 7).

According to RCI, a country's choice of an Electoral System (ES) depends on the calculations and buy-in of actors who, within their inner circles, cross-check the implications of such choices for their chances of emerging victorious in a contest. Second, the extent to which different electoral systems fulfil these criteria is debatable, since at the last count, all tend to over-represent large parties, and encourage "manufactured" rather than "earned" majorities. The former is defined as the difference between a party's share of votes and its share of seats, while the latter is the reverse. Third, in a representative democracy, political actors are vote-maximisers. Norris (2004) identifies five types of vote-seekers and their attributes. These are *ideologues* (seekers of open debates, commitment to intellectualism, limpidness, and clarity of thoughts); materialists (interested in cornering the common patrimony); philanthropists (preoccupation is service); status-seekers (interested in public relations gimmickry); and state-persons (concern is the progress and stability of the polity). Every society has each of these groupings.

The fourth claim of RCI is the existence of party bridging and bonding strategies: the former is the lot of majoritarian democracies where parties and candidates strategise to "gain votes promiscuously and indiscriminately...by creating loose coalitions that often pull centripetally...without steadfast ideologies...based on the easy entry, easy exit philosophy". The latter is a proportional representative electoral formula designed to "bring together citizens who are homogeneous in certain important respects...class, faith, ethnic identity or ideology" (Norris, 2004, p. 10).

In applying this theory to the elections under study, it is clear that the two sets of players who managed the elections fall within the status-seekers bracket. At the same time, the parties and candidates were materialists. What was uppermost to these actors was not the progress of democracy (which could have necessitated the orderly conduct of elections), or the country's Development (which could have emphasised peace and justice). Instead, the actors deployed base tactics and strategies to achieve their clandestine, narrow ends, to the discomfiture of the larger society. It was for this reason that the rules governing elections, which were in the

statutes, were obeyed in the breach. Because of this, the 1993 elections ultimately had to be annulled, while the 2007 elections were eventually massively rigged.

BACKGROUND TO CONTENTIOUS ELECTIONS IN NIGERIA

The history of elections in Nigeria shows that contentious elections even preceded the country's independence. In fact, two elections during the colonial era were contentious: the 1951 Western Regional Elections and the 1959 Federal Elections to the House of Representatives. In the former, the unresolved issue was whether it was some members of the National Council of Nigeria and Cameron (later Citizens) (NCNC) with 32 seats that crossed over to the Action Group (AG) with 28 seats; or whether it was the members of Akinloye-led Ibadan Peoples' Party (IPP) with six seats that crossed over to AG, thereby denying the NCNC the opportunity of forming a government in the Western Region. Some scholars hold that the 1959 election was masterfully skewed by the British to favour the Northern Region, to which the former had already decided to hand over power (Achebe, 2012; Osaghae, 1998).

Credibility issues led to the demise of the First Republic, including unresolved challenges around the general election of 1964/65 and the Western Regional House of Assembly election of 1965. This was also the case with the Second Republic (Jinadu, 2011). In the 1979 elections, Alhaji Shehu Shagari, the National Party of Nigeria (NPN) presidential candidate, satisfied the first requirement of a simple majority, having polled 5,688,857 votes, compared to 4,916,651 by Chief Obafemi Awolowo, his closest rival. According to Jinadu (2011), although the NPN "had a simple plurality of votes...it failed short of a new spread factor requirement" (p.113). Alhaji Shehu Shagari failed to secure a quarter of the votes in 13 of the 19 states, as required by the Electoral Law and the 1979 Constitution. Shagari won a quarter or more of the votes in 12 states of the federation, but had 19.4% in the 13th (Kano). The courts and the electoral management body declared him and his party elected.

The ill-fated Third Republic, midwived by the military, went through a series of conflicting and contradictory policy somersaults, in part because the major drivers of the scheme (the military under Presidents Ibrahim Babangida and Sani Abacha) surreptitiously undermined the processes and rules governing the transition programme. The implication was that elections to the local councils, states' legislature and executive, and the National Assembly were completed and functional with a military President in control. This was some diarchy. However, when it came to the 1993 Presidential election that would have completed the transition, it was aborted midway. That transition exercise eventually collapsed when the military government annulled the 1993 presidential election. In the present Fourth Republic, the story has not been smooth. In fact, the first three general elections in the current Fourth Republic present a good case study for election malfeasance, partly on account of the roles of the political elites at all levels; the Independent National Electoral Commission (INEC); the docility and trepidation of the civil society; and the general partisan roles of the other State Agents (security agencies, the judiciary, etc). The Catholic Secretariat of Nigeria Election Observation Report on the 2007 election noted, in part, that "the 1999 election was bad, the 2003 election was worse, and the 2007 election was worst" (CSN, 2007:4-5).

THE 1993 PRESIDENTIAL ELECTION

After about six years of implementing a transition programme, the Babangida administration decided to hold the last in the series of elections designed to return the country to civilian rule in 1993. By this time, some doubts had already emerged about the administration's sincerity in its promise to hand over power. The transition programme had already become long-winding,

and a terminal date had become hazy. The transition programme changed like quicksilver, such that people started losing count of the number of times the handover date was announced and abandoned- 1 October 1990; 1 October 1992; 2 January 1993; and 27 August 1993. On 22 November 1992, he seemed so confused about a possible date that he called on the National Election Commission (NEC) to help fix a workable date. He once abandoned the majority report of his own Political Bureau, which recommended 1 October 1990 as a handover date, but accepted the minority report that suggested a later date (1 October 1992). He, however, balked on both dates. His main reason for these unending changes, according to a Federal Government Official Document (FGN 1987a, :220-1), was to avoid the pitfalls associated with the "hurried" transition of the Second Republic. According to that Document,

What we need is not a handover programme of the 1979 experience, but a broadly spaced transition in which democratic governance can proceed with political learning, institutional adjustment, and re-orientation of the political culture, at sequential levels of politics and governance, beginning with the local governments and ending at the federal level (FGN, 1987a,:221).

As the programme unravelled, suspicions increased that the final handover may not even take place. First, it was felt that the Nigerian military had failed to manage transitions before, and that it would be worse now that military elements have become prone to the allure of power and the corruption that goes with it. Second, it was suspected that Babangida was interested in influencing his successor's choice and was shopping for a pliable replacement, especially one who might show little interest in probing the regime's alleged misdeeds. In fact, from the inception of his regime, President Babangida seemed determined to exert himself perpetually in government. First, he changed the nomenclature of the top government offices to make them appear more populist. He took the title of "President" rather than "Head of State" and imbued the office with extraordinary powers. Second, he appropriated some sensitive portfolios to himself- Minister of Defence, Chairman of the Public Service Commission, National Council of State, Council of Ministers, and the supervisor of the following bodies- the Central Bank, the State Security Service, and the Budget Office (Osaghae, 1998; Nwabueze, 1994).

The voter registration was well conducted, and the names of millions of Nigerians were duly captured in the national voters' register. However, so many bottlenecks were introduced into the transition programme as the days passed by that it ultimately became cumbersome to manage. The banning and unbanning of some politicians caused significant confusion in the election process. In June 1986, President Babangida placed a blanket ban on all "old brigade" politicians for ten years. Against the recommendation of the Political Bureau that the ban be restricted to only politicians who had held offices from 1975 to 1985, the administration upped the ante by issuing Decree No 25 of 1987 (*Participation in Politics and Election Prohibition*), which:

Banned for life all former office holders who had been found guilty of corruption and embezzlement of public funds, and disqualified for the period of the transition, those who might not have been indicted but who, in the government's view, should have their political rights curtailed (Osaghae, 1998 :215).

Had the administration faithfully implemented this policy, the Nigerian electoral firmament could have stayed its course. That was not to be, however. More confusion followed through the promulgation and cancellation of decrees. Decree No. 9 of 1989 increased the category of banned citizens to include all chairpersons and members of the transition agencies: the NEC, MAMSER, and National Population Commission (NPC). Decree No. 25 of 1991 unbanned

some former office-holders who had not previously been convicted of sleaze. In 1992, an amendment to the last Decree cancelled the provisions of Decree No. 9 of 1989, thereby unbanning all chairpersons and members of the transition committees. When the final date for the 1993 presidential election was announced, the road remained littered with mines. A series of party primaries were held to pick candidates, and then cancelled. Finally, the two government-formed political parties selected their candidates: Chief MKO Abiola, the Social Democratic Party (SDP) candidate, and Alhaji Bashir Tofa, the National Republican Convention (NRC) candidate.

Campaigns proceeded smoothly, although some individuals and groups filed court cases challenging the conduct of the election, and injunctions were even obtained. The 12 June 1993 Presidential election was eventually held despite conflicting court injunctions, most of which were issued by a pro-government group — the Association for Better Nigeria (ABN). However, as the release of election results got underway, a sudden government announcement suspended further releases. The election, judging from the few officially released results, (and others that were published later unofficially) showed that the Social Democratic Party's (SDP) candidate (Chief MKO Abiola) would have won with 58.34% of the votes against the candidate of the National Republican Convention (NRC) (Alhaji Bashir Tofa's) 41.66% (Osaghae, E. 1998). Moreover, the SDP was also going to meet the stringent conditions for winning the presidential election as was contained in the Presidential Election (Basic Constitutional and Transitional Provisions Decree No 13 of 1993), namely, that a Presidential candidate "shall be deemed to have been duly elected (if) he has a majority of votes cast at the election, and he has not less than one-third of votes cast at the election in each of at least two-thirds of all the states of the federation (Onuoha, 2004, p.14, Jinadu, 2011; Kesselman et al, 1996).

A series of events followed the initial release of the election results. On 16 June 1993, the Association for Better Nigeria (ABN) obtained another injunction stopping the NEC from further announcing and releasing the election results. On 23 June 1993, the election was annulled; the NEC and the Transition Programme were suspended. On 27 June 1993, following mounting societal unease, President Babangida stepped aside and inaugurated the Interim National Government (ING) headed by Chief Ernest Shonekan. Under the Transition Decree, this responsibility should have fallen on the sitting Senate President or the Chief Justice of the Federation (Catholic Secretariat of Nigeria Report of 2007 Elections, 2007, p. 4). President Babangida quickly fixed another date for a new presidential election on 19 February 1994. On 24 September, Chief Abiola returned from exile. On 10 October 1993, a Lagos High Court presided over by Justice Adeyinka declared the ING illegal, arguing that the Decree establishing it was signed after the signatory, President Babangida, had left office. So, the exercise was a nullity and of no effect. The court ordered that Chief Abiola be inaugurated as the winner of the 12 June 1993 election. However, on 11 November 1993, the country witnessed the ninth coup d'état, which threw up General Sani Abacha as the military Head of State.

THE 2007 PRESIDENTIAL ELECTIONS

The background to the 2007 presidential elections could be captured by the apparent attempt by President Obasanjo to elongate his tenure. Although the 1999 Constitution of the Federal Republic of Nigeria was unambiguous in its provisions that the President's tenure not exceed two terms, President Obasanjo set out on a voyage that tended to truncate the Constitution he had sworn to protect (Ibrahim, 2006). The President was first elected to the office of the President in 1999 and re-elected in 2003, and was to complete his tenure in 2007. Unfortunately, his government began a series of moves from the inception of his Second Term

aimed at altering the Constitution to make way for tenure elongation, an act pejoratively tagged the "Third Term Agenda". Since his party (the Peoples' Democratic Party (PDP)) controlled most States' Houses of Assembly and the two wings of the National Assembly, he erroneously concluded that the journey was a smooth sail since he could whimsically alter the Constitution (Ibrahim, 2006). It was only when President Obasanjo failed in this bid for a third term, or tenure elongation, that some modicum of effort was put into conducting the 2007 elections. Even then, some of these efforts seemed geared to make the elections fail.

The 2007 presidential election, among other elections in the cycle, was supposed to be a "transitional" event: a transition from one civilian administration to another. It was a relatively unfamiliar and troublesome terrain that the country had not successfully navigated for 47 years as an independent nation-state. As the country moved towards this election, some worrisome issues existed: the inability of INEC and the NASS to keep to the roadmap that would lead to credible elections; mitigation of President Obasanjo's quest for a Third Term; imbibing the culture of continuous voters' registration, the need to review the 2006 Electoral Act (EA) to include the use of technology, and alteration of the Constitution to free INEC from the Executive vice-grip. As the elections approached, INEC, which was described by the Nigerians United for Democracy (NUD) Report as "inept and (with a) most irresponsible leadership" (NUD Report, 2007, p.1), kept assuring the people of its readiness while simultaneously bungling the most important aspects of the elections. It indulged in acts which were believed to have been scripted by the Presidency and calculated to make the elections fail.

First, the political parties were asked to conclude their primary elections by the end of December 2006, even though this date was too close to the elections and too late for the candidates to campaign effectively. Second, INEC disqualified the Vice President (Atiku Abubakar) on spurious findings by an Administrative Board of Inquiry. This action violated the provisions of the 2006 Electoral Act, which clearly stated that "only a State High Court or a Federal High Court had the statutory powers to disqualify a candidate" (Section 32, 4-6). This case, like most others in the Fourth Republic, dragged on to the Apex Court. While the High Court ruled that INEC had no statutory power to disqualify a candidate, the Appeal Court upheld the disqualification, and the Supreme Court upheld the High Court's ruling on 16 April 2007. Alhaji Atiku Abubakar, who opposed the "Third Term Agenda, was hastily included in the ballot. His inclusion, a few days before the election, tasked INEC with producing 65 million new ballot papers in four days and distributing them within 15 hours—a daunting task indeed (Okoye, 2007).

Third, consequently, when the Ballot Papers were eventually produced, they were neither numbered alphabetically nor serialised by Voter Identification Number, contrary to the provisions of the 2006 Electoral Act. The result was that some areas of the country did not receive the necessary election materials, while others received them very late. Also, some modern equipment like rechargeable lanterns malfunctioned; Voters' Registers were not made available for scrutiny according to the provision of EA 2006, resulting in the inclusion of strange foreign names in the voter register (NUD Report, 2007, p.9&10; Action Aid Report, 2007, p.31-51; IRI Report, 2007, p.55ffg; NDI Report, 2007, p.58). Fourth, INEC was not spared the machinations of the Presidency. Since its funds were not from the First Charge of the Consolidated Revenue, they were released at the behest of the Presidency. As expected, the Finance Ministry released "approved and authorised" funds gradually and grudgingly, citing the paucity of funds (Jinadu, 2011, p. 133).

Fifth, INEC's actions regarding court-issued disqualification orders (and their substitutions), some issued by the INEC Chairman himself, only exacerbated a potentially volatile situation.

The criteria INEC used to decide which court orders or rulings to obey in this matter (and which were "fraudulently obtained or procured") remained very unclear. Sixth, the anti-graft agencies and the Nigeria Police suddenly became effective and ready instruments in the hands of the government, the ruling party at the centre (the PDP), and those favoured by them in randomly disqualifying party candidates in the middle of elections. This created great confusion, as in many states the names of those on the ballot were not known for sure until after the elections (CSN Report, 2007, p. 13). In one state (Anambra), the entire list of PDP candidates for the national assembly elections was replaced with new names after the INEC had announced the results and declared victory for the names on the previous list.

As the elections approached, the security agencies gleefully announced the acquisition of massive arms and other munitions as if preparing for war: 80,000 new guns and 32 million rounds of ammunition were purchased by the government for police use in preparation for the April elections (CSN Report, 2007, p. 13 and 16). Perhaps as a result of this massive acquisition of weapons of war by both government and the opposition parties, violence became widespread during the election (CSN Report, 2007). Available records indicate that over 76 persons lost their lives in that election (Report, 2007, p.3). In several instances, some aspirants and their aides from opposition parties were arrested and detained under somewhat questionable circumstances. In some states, like Borno, candidates of the major opposition party who were likely to win their elections were declared wanted by an anti-graft agency (EFCC) on the eve of the elections and subsequently pursued to the other side of the country's border, where they remained till after the elections. Of course, all of them were eventually declared to have lost the elections (CSN Report, 2007, p. 15; NUD Report, 2007, p. 3 & 4). In the end, the results of the 2007 presidential elections were massively disputed. Litigation over the election went all the way to the Supreme Court, where the election result was accepted only by a 4-3 Vote.

The Crisis of Credible Elections In Nigeria: A Comparative Analysis of The Conduct of The 1993 Presidential Election And The 2007 General Elections

It is important to note that the 1993 presidential election conducted under the President Babangida administration was not just a tale of democratic woes. It indeed recorded some positive democratic milestones in the country. For instance, the election was relatively rancour-free. The election also witnessed several innovations designed to enhance its credibility, such as compulsory televised debates for candidates. Then, with all its shortcomings, the two test-tube political parties essentially cured the malaise of ethno-nationalism and the politics of power bloc, especially as members were "co-founders, implying that there were no "founders" and "joiners."

Also, the Option A4 system, which required voters to stand behind their preferred candidates or their portraits, surprisingly served well to reflect the genuine wishes of the electorate by ensuring the emergence of popular candidates. However, for President Babangida's deliberate attempts to scuttle the election, the 1993 Presidential election could have been a positive turning point in the crisis of credible elections in Nigeria.

In the same vein, Nigeria could have made history in 2007 by seamlessly transitioning from one democratic regime to another, had it not been for President Obasanjo's deliberate attempts to scuttle the electoral process. When the Third Term Agenda failed, President Obasanjo decided that everything must be done to ensure that his hand-chosen successors would be returned at the 2007 polls. The regime reportedly sought to compromise most election officials nationwide (Ibrahim, 2006, p. 5). Impunity by the party in power at the centre was unprecedented, and most of the election results for the presidential election were fraudulently

procured. President Obasanjo's administration used anti-graft and security agencies, as well as the courts, to ban, exclude, and substitute politicians who opposed the "Third Term Agenda. Predictably, the events after the elections were disappointing. Many Election Observer Groups from Nigeria and other parts of the world thumbed down the 2007 elections. The European Union Mission described the exercise as the "worst election seen anywhere in the world: rampant vote rigging, violence, theft of ballot boxes and intimidation...failed short of basic international standards..." (EUM, 2007, p.24).

The 1993 election was a popular election that the election managers eventually cancelled, while many shortcomings in its conduct marred the 2007 presidential election, but the election managers ultimately accepted it. Both elections, however, failed to achieve the people's desires. The citizens' longing for leadership recruitment through the ballot box, credible elections, a stable polity, and good governance could have been met had President Babangida been less concerned about who would ultimately emerge as the winner of the 1993 presidential election and had not meddled with the process, ostensibly seeking the ideal ruler. In like manner, had General Obasanjo stopped the pursuit of real and imagined enemies, meddling in the affairs of his party and the legislature; and refused the temptation of turning the anti-graft and security agencies into his instruments for achieving personal desires, the Nigeria society could have joined the democratic world faster than anticipated through the conduct of a free, credible, transparent, and fair elections in 2007.

Ultimately, the pre-election and post-election activities of the 1993 and the 2007 elections differed only in degree, not substance. While in 1993, the country was taken on a long, seemingly endless tunnel by General Babangida, punctuating each phase with an indictment of the players, General Obasanjo (Rtd) was more brazen and assertive, trampling on almost all modicum of democratic norms on the road to the 2007 presidential election. Like all emerging demagogues, both generals convinced themselves that they were on a messianic mission to hand over divine mandates. Although the plans of both men failed, owing principally to internal and external pressures, the country suffered immeasurably from their misadventures. In 1993, the presidential election was free and fair, but the results were eventually annulled. In 2007, the presidential election was marred by the process that eventually produced an unacceptable outcome. After the 1993 presidential election failed, a chain of events then followed the "stepping aside" of President Babangida: the inauguration of and sack of the Interim National Government (ING) by a High Court after only 83 days on the saddle; the takeover of government by yet another military clique; and the draconian reign of that epoch under General Sani Abacha that lasted until his death and the taking over of power by General Abdulsalam Abubakar as Head of State. In the same vein, the 2007 presidential election was followed by widespread uncertainty, disillusionment, and despondency in the polity.

Despite the failings of the 1993 and 2007 presidential elections, many lessons can still be learnt from them for future elections in Nigeria. The regime's penchant in the Babangida era to create institutions intended to solve societal problems as if by fiat ultimately became a distraction that could be avoided in the future. This was the situation under Obasanjo between 1999 and 2007, when the talk was also about creating new institutions to solve all problems. The Obasanjo era has further shown that the consistent pursuit of a regime's real and imagined enemies, as well as the government's continuous meddling in the affairs of political parties and the legislature, are unnecessary distractions that can be avoided in the future. Both elections also show the extent to which Electoral Management Bodies (the NEC and the INEC) can contribute to the election debacles.

The Humphrey Nwosu-led NEC showed uncommon dexterity that rattled even the officers of government, and even worked in the opposite direction from the Establishment. Innovations were introduced and actions taken, mainly to extend the frontiers of credible elections against the official direction, and they were doing the right things almost until the end. For instance, the Commission conducted the 12 June 1993 election despite the spurious judgments obtained by the Association for Better Nigeria, and even released some of the election results. In the end, however, it succumbed to government pressure, halting the release of further election results before finally annulling the elections. These were unlike the INEC under Professor Maurice Iwu, when the 2007 elections became a national embarrassment. Both instances of electoral helmsmen show that the calibre of election managers can go a long way in affecting the conduct of elections in Nigeria. In fact, it was only under the leadership of Attahiru Jega that INEC was again seen working toward ensuring credible elections in the country.

Conclusion

This work has shown that the 1993 presidential election and the 2007 general election ultimately reflected the positions of the presidents who oversaw them. Both elections were aimed at ensuring that the presidents succeeded themselves or at determining who would succeed them. Although both presidents ultimately failed in their plans, the citizens' longing for sustainable democracy could also not materialise. In both cases, the pre-election and post-election activities differed only in degree, not substance. While in 1993 the country was taken on a seemingly endless tunnel, the final vote was credible, but the results were annulled; in 2007, the country was fed on fake promises of good elections that never materialised, although results were announced that were bitterly disputed. In the end, the hope for credible elections in Nigeria offered by the conduct of the 1999 and 2007 elections, respectively, was dashed. The firm foundation that both elections were expected to build for the country's democracy and governance never materialised. Instead, the conduct of both elections set the country's democratic journey on a long period of despair and hopelessness.

As a result, the country continues to suffer from the crisis of credible elections. To achieve credible elections, this study recommends that the electoral management body in Nigeria be genuinely independent and insulated from the executive in its funding, appointments, and dismissals of the top echelon of its management. Second, other state actors in elections, such as the security agencies, the courts, and anti-corruption bodies, should cease from playing the role of pawns in the political chess game. Third, all efforts should be put in place to ensure that the major actors of democracy (the elites, the political parties, and the masses of the people) appropriate the virtues, values, ethos, and mores of democratic governance and work stridently to ensure that elections are won at the ballot, and not by manipulation.

References

- Achebe, C. (2012). *There was a Country: A Personal History of Biafra*. Bloomington. Penguin Books Ltd.
- Action Aid (2007). Report on the 2007 Elections in Nigeria. Abuja. Action Aid International.
- Ake, C. (1996). *Democracy and Development in Africa*. Abuja. Spectrum Books Limited.

- Catholic Secretariat of Nigeria. (2007). *Observation Report on the 2007 General Elections in Nigeria*. Abuja. CSN Press.
- Collier, P. (2008). *The Bottom Billion: Why the Poorest Countries Are Falling and What Can Be Done About It*. London. Oxford University Press.
- Downs, A. (1957). *An Economic Theory of Democracy*. New York. Harper & Row.
- Economic Commission for West Africa (ECOWAS). (2001). *The Protocol on Democracy and Good Governance*. Abuja. ECOWAS Press.
- European Union (2005). *Handbook for EU Election Observation Missions*. Brussels. European Commission.
- EU EOM (2007). Final Report: Presidential, National Assembly, Gubernatorial, and State House of Assembly Elections, 2007. Abuja. European Union.
- Federal Republic of Nigeria. (1999). *Constitution of the Federal Republic of Nigeria*. Abuja. Federal Government Press.
- FGN White Paper. (1987a). *Report of the Political Bureau*. Lagos. Federal Government Press.
- Hall, P. & Taylor, R. (1996). *Political Science and the New Institutionalisms*. Harvard University Press.
- Ibrahim, J. (2006). *Legislation and the Electoral Process: The Third Term Agenda and the Future of Nigerian Democracy*. Abuja. Centre for Democracy and Development.
- IRI EOM (2007). Final Report on 2007 Elections. Abuja. IRI
- Fall, M. I. et al. (2011). *Election Management Bodies in West Africa*. Cape Town. Open Society Foundations.
- Jinadu, A. (2010). *Electoral Reforms and the Future of Democracy in Nigeria*. Department of Political Science/CBAAC. Lagos. University of Lagos Press.
- Jinadu, A. (2011). "Nigeria. In Fall, M. I. et al. (2011). *Election Management Bodies in West Africa*. Cape Town. Open Society Foundations.
- Kesselman, M. K. & Joseph, W.A. (1996). *Democracy at the Crossroads*. New York. D.C. Heath & Company.
- Machiavelli, N. (2003). *The Prince*. Chicago. Penguin Group.
- Nigerians United for Democracy (NUD) (2007). Abuja. *Mirror of a Fraudulent Election*. NUD Publishers.
- NDI EOM (2008). Final Report on Nigeria's 2007 Elections. Abuja. NDI.
- Norris, P. (2004). *Electoral Engineering: Voting Rules and Political Behaviour*. Cambridge. Cambridge University Press.

- Nwabueze, B. O. (1994). *Nigeria 1993: The Political Crisis and Solutions*. Lagos. Spectrum Books.
- Okolie, M. A. (2010). The State, Electoral Fraud and Illusion of Participatory Democracy in Africa: Lessons from the 2007 General Elections in Nigeria. Lagos. *Unilag Journal of Politics. Rainy Season*, 2010.
- Okoye, F. (2007). "Restorative Justice and the Defence of People's Mandate: The Judiciary in the Aftermath of the 2007 Elections in Nigeria" In Ibrahim. J. and Ibeanu, O. (eds). (2009). *Direct Capture: The 2007 Nigerian Elections and Subversion of Popular Sovereignty*. Abuja. Centre for Democracy and Development.
- Olagunju, D. (2018). Babangida: Eternal Regrets of a General. Tribune newspaper online, 16 September. <https://tribuneonline.com/babangida-eternal-regrets-of-a-general/>
- Olagunju, T., Jinadu, A, Oyovbaire, S. (1993). Transition to Democracy in Nigeria (1985-1993). Ibadan. *Political Science, History*.
- Onuoha, B. (2004). "The Electoral Machine: The bureaucracy and the electoral process in the Making of Nigeria's Fourth Republic" in Olurode, L. & Anifowose, R. (2004). *Issues in Nigeria's 1999 General Elections*. Lagos. John West Publications Ltd.
- Organisation for Cooperation and Security in Europe (OSCE) (2007). *Election Observation Handbook*. Office of Democratic Institutions and Human Rights. Brussels. OCSE Press.
- Osaghae, E. E. (1998). *Disabled giant: Nigeria since independence*. Indianapolis. Indiana University Press.
- Yew, K. L. (2011). *From the Third World to First*. New York. HarperCollins Publishers.