



Volume: 01

ISSN (Online) 2519-9609

2016

JOURNAL OF SECURITY STUDIES AND GLOBAL POLITICS

www.sciplatform.org/jssgp

ISSN (Print) 2519-9617

Issue: 01



IMPLICATIONS OF MILITARIZING ELECTIONS IN NIGERIA: THE EKITI AND OSUN STATE

^aOkechukwu I. Eme*, ^bUgwu C. Chibuike and ^cOnu U. David

^a Department of Public Administration and Local Government, University of Nigeria, Nsukka,

^b Division of General Studies (Social Sciences), University of Nigeria, Nsukka,

^b Department of Political Science, Faculty of Social Sciences, University of Abuja, Nigeria.

*Corresponding email address: okechukwunnent@gmail.com

One major issue emerging from the governorship elections conducted in Ekiti and Osun States of Nigeria is the presence of heavy security forces during their conduct. Platoons of security operatives, including military officers, were drafted to lock down the states shortly before, during and immediately after the elections with immediate consequences on peoples' rights and freedom. Members of the opposition were specifically targeted. The pertinent questions to ask then is: What accounts for this? What are the implications of electoral governance in Nigeria? This study seeks to interrogate the foregoing questions. The data for this study will be generated from Focus Group Discussion, interviews, questionnaires and documentary sources. Tables and the technique of content analysis will constitute our data analysis technique.

Key word: Governorship Elections, Ekiti State, Osun State, Militarisation and Democratic Consolidation.

INTRODUCTION

The role of security men in the forthcoming election in Edo and Ondo states has become an issue. Ordinarily in advanced democracies, security men are rarely seen within the precincts of the voting area and certainly do not enforce a lockdown of the town as would be expected across the country. However, the role of security men became an issue during and after the elections in Ekiti and Osun States in 2014 where the All Progressives Congress, APC alleged that security men were used for reining in their officials while at the same time giving leeway to their rivals, the People Democratic Party, PDP. It is as such not surprising that the APC has been at the forefront of pushing for the exclusion of security men from the electoral process. Onapajo (2015) has, however, restated the need for security men to provide cover for its officials and also to provide the enabling environment for the process from voting to collation. However, at the polling station, even if the governor is there, INEC would recognize the presiding officer of the station as the chief security officer. All security men deployed to the polling unit would be answerable to him or her.

Put differently, violent conflicts and elections often go hand in hand in many parts of the globe. In Nigeria, the linkage is so strong that in many instances electors willingly forego their franchise in a desperate attempt to avoid engulfed in election related conflicts. In the build-up to the 2011, 2015 and 2016 by-elections in Bayelsa elections, there have been violent conflicts that really posed security concerns to analysts and election managers. Their assessment was that these elections faced serious security challenges with a growing insurgency in the northeast, the separatist- militancy in the Southeast and South-South and the Fulani herdsmen-farmers clashes across the six geopolitical zones of Nigeria. These tendencies, they posit, will escalate election management beyond the normal task of policing the electoral process.

The need for a secured electoral process cannot be over-emphasized as the absence of this will not only bring about the possibility of abuse, but the process and the result may be open to litigations thereby could undermine the stability and authority of a newly elected body or office. This paper is an output to reflect on and plan against the growing culture of electoral violence and election security challenges that have bedeviled our electoral systems and a commitment to arresting the situation and deepening democratic politics via our recommendations.

Theoretical perspectives on the militarization of elections in Nigeria: The deployment of military personnel to provide security at the polls since 2003 has been attracting divergent reactions from the major stakeholders in the electoral process. While the then opposition All Progressives Congress, APC, interpreted the proposals a ploy by the then ruling People's Democratic Party, PDP, to use the military to rig elections, PDP on the other hand insists that the purpose is to ensure credible and violence-free polls. In this section we shall examine all the sides of the arguments. To achieve this objective, two major perspectives have emerged. These are the Opposition Party –Judicial-Advocacy thesis and the Ruling Party- Observers thesis.

The Opposition Party –Judicial- Advocacy Thesis: The then opposition Action Congress and All Progressive Congress have been consistent and unequivocal in opposing the plans of the Federal Government to deploy the military on election days across the country. The party maintains that far from the reason of ensuring violence free polls as is being mounted by the PDP, the ruling party has other sinister purposes of the military. APC's position appears to have been reinforced by the 2015 startling disclosures contained on the Ekiti State rigging tape, which went viral in the social media last year. Supporting this thesis, Human rights lawyer, Mr. Femi Falana (SAN), last year identified other reasons for the postponement of

the 2015 general elections other than insecurity and poor preparations on the part of the Independent National Electoral Commission, INEC (Onapajo, 2015). According to him, the People's Democratic Party, PDP-led Federal Government connived with the military and other security forces to pressure the then INEC Chairman, Professor Attahiru Jega, to postpone the election when they discovered that the Ekiti governorship election rigging tape had exposed their antics because they planned to use the Ekiti State rigging style for the entire country (Orji, 2014). Falana spoke on a day Governor Ayo Fayose of Ekiti State asked his immediate predecessor, Dr Kayode Fayemi, to proceed to court and tender the audio clip where it was alleged that soldiers were used to rig the June 21, 2014 governorship election in the state.

Reacting to the leaked tape controversy, the Head-Research, Policy and Advocacy, Youth Initiative for Advocating Growth and Advancement (YIAGA) Samson Itodo; the Director of the Centre for Democracy and Development (CDD) Idayat Hassan, President Nigeria Voters Assembly (VOTAS) Comrade Mashhad Erubami, National Chairman of the National Conscience Party (NCP) and chairman of the Inter-Party Advisory Council (IPAC) Dr. Yunusa Tanko, and National Chairman of the Labor Party (LP) Alhaji Abdulkadir Abdulsalam though expressed divergent opinions, they were unanimous in calling for an investigation and condemning the "exploitative" usage of the nation's military. Itodo said the leaked audio cast doubts on the credibility of the nation's elections, confirms partisanship of our security agencies and desperation of political actors to cling onto power. He also posited that the military should not be used for elections since it is not war. Also speaking, Erubami added that the development was not a surprise since the ruling PDP boasted that it will rule for 60 years. He said that what was heard from the revelations in the "rigging audio" should be seen as part of the ways it intends to capture power and that there is no doubt that the election that returned Mr. Fayose to power cannot be said to be legitimate. Apparently not wanting to take chances, APC fired a strongly-worded letter dated February 16, 2015 to the then INEC Chairman, Professor Atahiru Jega, formally stating its opposition to the matter. APC also backed the letter up with accompanying legal authorities from both the Federal High Court and the Court of Appeal (Orji, 2014). The letter, which was written by the Director, Legal Services of the APC Presidential Campaign Council, Chukwuma- Machukwu Ume (SAN), was addressed to Jega, copies of which were also made available to then President Goodluck Jonathan, the National Security Adviser, the Chief of Defense Staff, the Chief of Army Staff, Chief of Naval Staff, Chief of Air Staff and the National Chairmen of the APC and the PDP. APC in the letter called the attention of the Federal Government to a judgment delivered on January 29, 2015 by Justice R.M. Aikawa of the Federal High Court Sokoto and another by the Court of Appeal, Abuja, on February 16, 2015 which overruled the use of military in elections. The letter reads in part, I am sure all well-meaning

Nigerians share your deep seated concern on the militarization of our elections. It is therefore imperative your good office and commission ensure, henceforth, and until there is an enabling Act of the National Assembly, the court orders are obeyed and armed forces personnel are never again deployed in any form of security supervision of our elections.

Justice Aikawa of the Federal High Court in his judgment on the suit marked: FHC/S/CS/29/2014 among others, restrained the President and Commander in- Chief of the Armed Forces of the Federal Republic of Nigeria and INEC *"from engaging the service of the Nigerian armed forces in the security supervision of elections in any manner whatsoever in any part of Nigeria, without the Act of the National Assembly"* (Fisayo, 2015) Justice Abdul Aboki, in his lead judgment in the Ekiti State governorship election appeal on February 16, held that "even the President of Nigeria has no powers to call on the Nigerian armed forces and to unleash them on peaceful citizens, who are exercising their franchise to elect their leaders. According to him, *"Whoever unleashed soldiers on Ekiti State, disturbed the peace of the election on June 21, 2014; acted in flagrant breach of the constitution and flouted the provisions of the Electoral Act, which required an enabling environment by civil authorities in the conduct of election.*

This thesis also argues that such militarization of elections amounts to an aberration. From this perspective, it is only the police that is constitutionally empowered to provide security at the polls. Even at that, such police personnel ought not to carry arms in discharging such a responsibility. Citing copiously from the provisions of the Electoral Acts, proponents of this course further argue that in the event that police-bearing arms are involved in the conduct of the polls, such police officers are by the Act restricted to some distances from the polling booths. Among the scholars who hold this view include (Abutudu and Obakhedo, 2007; Burke, 2015).

The ruling party-international observers' thesis: However, those who argue in favor of deploying the military on election days raise the issue of insecurity as a predisposing reason for doing so. To support their position, such proponents point to the general insecurity in the country, which expose the lives of elected officials and party agents to grave danger during elections. In 2014, Jonathan had argued that:

We just finished 2011 elections and we were talking about three years ago or quite close to four years ago and we know what happened with Bauchi where about 10 youth coppers were slaughtered in that election. We know what happened in Kano; properties worth millions of Naira were destroyed, and some of the people have not gotten back their houses. We know what happened with Akwa Ibom where some criminals even had to severe the genitals of some men in the name of politics – demons who want to hold political office. In that kind of situation, how would a person who calls himself a labor leader to come out publicly to say government should not scare people? I don't agree with them.

Inherent in the rationalization of the Nigerian president is the notion of supreme power of the state to maintain the security of lives and property. This flows from the earlier experience of widespread destructions and killings during elections. This explains the presence of a high number of security forces, an occurrence that was witnessed for the first time in Nigeria.

However, if the motive was to secure lives during elections, the activities of the security forces became a major controversy for, in what appears to be a ploy to persecute the opposition, a large number of members of All Progressive Congress (APC) were arrested and detained before the election, while leaving members of the ruling party.

There are merit and validity in the accusations of complicity and collaboration between the Commission and the security agencies in the recycling of election fraud and irregularities. Previous electoral helmsmen have tried, to no avail to dispute it. The Commission has in consequence suffered a credibility deficit and derided by the Nigerian people. The Commission is therefore seen as a graveyard of credibility and the government as the willing undertakers in the enterprise. It is true that the Independent National Electoral Commission holds the key to the credibility of the electoral process (Onapajo, 2015). They are the ones that are constitutionally and statutorily empowered to arrange and conduct the registration of persons qualified to vote and prepare, maintain and revise the register of voters for the purpose of any election under the Constitution. They are empowered to organize, undertake and supervise all elections under their suzerainty. These are an enormous responsibility that enhances or abridges the sovereign right of the Nigerian people to a government of their choice. But the truth of the matter is that carrying out the constitutional and statutory functions of conducting, organizing and supervising elections and its interrelated activities is undertaken by a complex web of governmental organs and stakeholders in the electoral process.

Putting it in a better perspective is Attahiru Jega, who, while arguing from an insider perspective, identified the major impediments to election security in Nigeria as including: "physical attacks on electoral officials and facilities, attacks on security personnel on election duties, misuse of security orderlies by politicians, especially incumbents; attacks on opponents; attacks on members of the public; violence at campaigns; intimidation of voters; snatching of election materials; kidnapping and assassination of political opponents" (Orji, 2014). However, what Jega failed to mention, and which is very important in the context of Nigeria, is violence perpetrated by the security personnel drafted to secure elections, such as intimidation of voters, oppression and victimization of members of political parties different from that of the government at the center, excessive show of force and connivance with politicians to perpetrate rigging. What Jega failed to address was confirmed by Olurode (2013). According to him, Security agents conceive of their role as securing the lives and properties of the big men of

power rather than policing for citizenship. Of course, the mindset of politicians is unhelpful in this regard. Men and women of power in Nigeria find it inconvenient to respect the law. It is now a rare phenomenon to see policemen helping politicians to snatch ballot boxes in the open. There had been occasions when Nigeria's electoral commission had invited the attention of security agents to unprofessional conduct of their staff during elections, but without corresponding remedial measures (Olurode, 2013).

The Nigerian experience with elections and electoral violence date back to her colonial epoch, and since the attainment of independence, elections are increasingly posing greatest security concerns over how to secure the men saddled with the conduct of the elections; materials needed for the elections as well as the voters and the candidates standing for the elections (Orji, 2014). In other words, the first security challenge facing electoral conduct in Nigeria is that securing the men and materials for the election. As Jega further noted: In many ways elections in Nigeria is akin to war. For one thing, mobilization by the election commission is massive, akin to preparations for a major war. The 2011 elections required the assemblage of close to a million poll workers, party workers, security personnel and election observers. The election entailed the acquisition of over 120,000 ballot boxes, printing of about 400 million ballot papers and managing a voter roll of over 73 million entries. In fact, in the registration of voters that preceded the elections, the machines used in the exercise would have formed a chain of over eighty kilometers if placed end to end and the over 400,000 staff used in the exercise out-numbered the collective strength of the entire armed forces of the West African sub-region (Orji, 2014).

On its part, the then ruling People's Democratic Party, PDP, has continued to maintain that the planned deployment of military personnel on election days across the country is simply to ensure that there is no form of electoral violence, such that were witnessed in the county in 2011, particularly in the north, which claimed the lives of many innocent Nigerians and the destruction of properties. This development underscores the arguments about the multiple sources of violence, including the political class and incumbents and even the electoral commission. Violence is an expensive affair. Besides the moral and psychological trauma that the post-election violence unleashed on the polity the human and material cost of same was daunting. A total of 520 persons were killed, 157 churches, 46 mosques and 1435 houses were burnt as well as 437,219 motorcycles, 45 properties (mainly police stations) were also burnt in Kaduna and Niger states. The Human Right Watch (2011) claim was that total figure of casualties from post-election violence in Nigeria was 800. They observed that the protest degenerated into violent riots and sectarian killings in Adamawa, Bauchi, Boronu, Gombe, Jigawa, Kano and Kaduna states, leaving more than 65,000 people displaced. While the debate continues to rage, former Chairman of the National Human Rights Commission NHRC, Prof. Chidi Anselm Odinkalu joined in the fray. The erudite

scholar believes that the military has a great role to play in Nigeria's elections since the country is at war. According to him, Nigeria is currently in a state of war, a situation which justifies military deployment in accordance with the Geneva Conventions Act. According to Odinkalu, Article 3 of the Convention is in respect of the protection of civilians in conflict situations. He said in 2013, the International Red Cross, which supervises the Geneva Convention said Nigeria was in a state of war. In 2015 alone, more than 6,000 people were killed by Boko Haram. Not even in Iraq or Afghanistan had such a massive slaughter has been experienced within a year, either at the hands of Al-Qaeda or the Taliban. For this reason, Odinkalu said he will not vote in an election where the military are kept in the barracks. Besides, there is also the issue of rigging of the polls through ballot snatching and irregular movement of election materials by politicians, which is usually curtailed by military presence in strategic locations on election days this thesis equally posit. The need for military involvement in elections, especially the presidential polls cannot be taken for granted, in view of elections' volatility and threats to national security and integration. Supporting this thesis, during the gubernatorial elections in Edo, Anambra, Ekiti, Osun and Ondo States, there were passive deployments of the military. In general, there was public appreciation of that decision by the Federal Government because the deployment helped greatly in ensuring the successes achieved during those elections. Both the ruling PDP and the opposition APC came out in support of that government decision. In the Edo and Osun, where the APC won the elections, the party was quick to commend the military for saving the days for them. In Ekiti State where the PDP carried the day and Ondo State where the Labor Party, LP, won the polls, as well as Anambra State where the All Progressive Grand Alliance, APGA, was the winner, those electoral successes were credited in great parts to the presence of the military, which frustrated any forms of planned rigging in those states.

Adding currency to this view, the PDP posited that the reason that the APC and its leaders do not want soldiers deployed is to be able to intimidate voters and unleash violence on the polity once they lose the elections. PDP then National Publicity Secretary, Mr. Olisa Metuh in a statement made the position of PDP clear on the issue. He also called on INEC to collaborate the necessity of the security in view of its past experiences in conducting elections in the country.

Metuh said, We want adequate security measures to be put in place for the polls. The deployment of security is for the INEC to decide. The PDP is not a security agency or the electoral umpire. Whatever INEC and the security agencies decide on we are going to abide by it.

The former PDP Presidential Campaign Organization, PDPPCO, on its part described the use of the military for the general elections as non-negotiable. Then PDPPCO Director of Media and Publicity, Mr Femi Fani-Kayode, stated that The attempt by the APC to discredit the use of soldiers by

promoting some misleading audio footage of the so-called rigging during the Ekiti governorship election, in which one Captain Sagir Koli was the dramatis personae, is childish and absurd. The Federal Government deployed soldiers in the Anambra, Edo, Ondo, Ekiti and Osun gubernatorial elections and all those elections were devoid of violence. Remarkably, the APC won in Edo and Osun; APGA won in Anambra; LP won in Ondo while PDP won only in Ekiti State (Olaniyan and Amao, 2015).

He concluded by positing that: The basis on which the APC is agitating for the exclusion of soldiers from the election, by sponsoring court cases, is patently dubious and untenable. The reason that the APC and its leaders do not want soldiers deployed is to be able to intimidate voters and unleash violence on the polity once they lose the elections. They know that it would be far more difficult for them to do that when soldiers are on the streets (BELLO, 2015).

This became a major issue in the Nigerian polity as several people rose in condemnation of the trend, but the former and present president continued to maintain their position that they will continue to deploy heavy military personnel during elections, and in the process, turn elections into something of warfare. The recent elections held in Rivers, Bayelsa and Kogi states attest to this fact. According to EU Observer Group, INEC has gained credibility with the appointment of Chairperson Professor Jega in 2010, whose integrity is widely respected. The Chairman Commonwealth Observer Group, Festus Mogae commented as follows: The April 2011 elections marked a genuine Celebration of democracy in Africa's most populous country and a key member of the commonwealth. Previously held notions that Nigeria can only hold flamed election are now being discarded and this country can now shake off the stigma and redeem its image. The election was both credible and creditable and reflected the will of the Nigerian people (Olurode, 2013).

We are convinced that security preparations for elections were a critical factor in the general acceptability of the elections. More than ever before, there was an effective coordination of security agents involved in elections under the auspices of the Inter Agency Consultative Committee on Election Security (ICCES). It is in this context that the setting up of the Inter Agency Consultative Committee on Election Security by the Independent National Electoral Commission is a strategic move that may assist in plugging election security holes and reposition the security agencies for the challenges of the voters' registration exercise and the elections in 2019 (Onapajo, 2015). Setting up the Inter Agency Consultative Committee on Election Security is a laudable move and if properly and transparently managed can provide the needed guidance and direction in the coordination of election security in Nigeria.

To a large extent, the Nigerian government's resort to excessive militarization of election is derived from the Hobbesan political tradition. There is need to provide a background to this thesis on election security. Historically,

Nigeria's elections have been faced with a plethora of security challenges and in most cases, the fundamental goal of elections had not been achieved. Some scholars such as Orji (2014) and Olurode (2013) have concluded that it is almost impossible to contemplate elections in Nigeria without thinking of violence and conflict as being inseparable. In order to prevent this cycle of bloodletting, the Nigerian state has resorted to deploying the military and employing maximum force to address election security challenges. But such became problematic because of several underpinning political issues trailing them. What are these under current issues and how do they play out? This is the aim the section after methodology of the paper intends to achieve.

MATERIALS AND METHODS

A research design is the logic that links the data to be collected and the conclusions to be drawn to initial questions about a study hence it ensures coherence. It should ensure clarity of what is to be achieved by the case study. This study adopted a case study design which according to Cohen *et al.* (2007) is a specific instance that is frequently designed to illustrate principles, the study of an instance in action. In this study, it helped to explain the involvement of stakeholders and security agencies in the conduct of the election in Ekiti State in 2014. With that view, the researcher used the actions and behaviors of security forces during the election to gain in-depth information about studied phenomenon.

According to Van Der WESTHUIZEN (2007), document analysis means focusing on all types of written material that could shed light on the studied phenomenon. The study of documents involves the analysis of any written material that contains information about the phenomenon being researched (Delpont *et al.*, 2011). The study of documents may help answer questions that interviews may have missed to address. The researcher would study official documents in order to fill in the gaps left open by other data gathering strategies, such as the interviews in this case. In relation to this study, the researcher analyzed documents such as the Electoral laws Police Act, the Constitution and other electoral documents that would aid analysis. A major advantage of document analysis is that documents showed the reality of the situation and a clear picture of what was going on in the INEC and security outfits.

In order to convince a reader, the study findings in a qualitative research must be credible. Credibility refers to that which can be seen and believed. The key criterion or principle of good qualitative research is found in the notion of trustworthiness and neutrality of its findings or decisions (Bouma and Ling, 2004). Just as a quantitative study cannot be considered valid unless it is reliable, a qualitative study cannot be called transferable unless it is credible, and it cannot be deemed credible unless it is dependable.

Trustworthiness entails credibility and transferability, which is the extent to which the findings can be transferred to another context (Basse, 1981). Bouma and Ling (2004) explain that transferability refers to the extent to which the

findings can be applied in other contexts or with other respondents. In a qualitative study, the obligation for demonstrating transferability rests on those who wish to apply to it to the receiving context, (Bouma and Ling, 2004).

In ensuring that the study has credibility and trustworthiness, the researcher used multiple data collection instruments, for an example, online and document analysis. Again the researchers ensured that the sources confirm whether the transcript of the data analyzed is a correct reflection of the information provided to the researchers by allowing them to have access to read the data collected or by giving the participants a report back. That was why we reproduced the document by the whistle blower as he wrote.

Van Der WESTHUIZEN (2007) believes that data analysis is the process of bringing order, structure and meaning to the mass of collecting data. Data analysis consists of examining, categorizing, tabulating and recombining (Bell, 2001). The process of data analysis takes place once data collection and checking have been completed. Data analysis may begin informally during interviews and continue during transcriptions, when recurring patterns, themes and categories become evident. Once written records are available, analysis involves the coding of data and the identification of salient points or structures. Qualitative data which form the gist of this research was subject through data analysis techniques which find compatibility with each other. The technique to be used in the study is the content analysis. The data collected was analyzed according to themes.

Understanding the politics of militarization of electoral process in Nigeria: The Ekiti and Osun States experiences:

As posited by Olurode (2013) that the deployment of security personnel in Nigeria is influenced by criteria that are both objective and subjective and it is not done arbitrarily or haphazardly, politics intrudes into the process. This is the context in which allegations of deliberate starving of their areas of election materials by some politicians, though unfounded, could be understood. Of course, to deploy is one thing, to use the resources as deployed is another. The attitude of those who have deployed could subvert the very purpose of their deployment. There had been cases where security personnel on election duties were found to have colluded to undermine the electoral processes. Instances of professional misconduct by security personnel abound.

Militarization connotes (1) the deployment of security forces, consisting of military, police, the Department of State Service, and other security operatives; (2) the deployment occurs during an election; and (3) the election takes place in an opposition or ruling party state. In both the Ekiti and Osun governorship elections, all of these features were constant features during and after the elections with both the proponents and opponents of the heavy troop deployment competing for democratic space in the analysis of the conduct of these security forces. Some political observers argued that the militarization of these elections were indeed necessary, considering the cases of violence that characterized the pre-

election campaigns by the three main political parties; the People's Democratic Party, (PDP), the All Progressives Congress (APC), and the Labor Party (LP), which participated in the election. However, others have maintained that such a deployment was a deliberate attempt by the ruling People's Democratic Party (PDP) led federal government to intimidate and silence the then incumbent governor, Kayode Fayemi and the All Progressive Congress (APC), with a view to paving the way for the emergence of the PDP candidate, Mr Ayodele Fayose.

Proponents of the deployment of troops for the elections, premise their argument on the fact that the Ekiti election, for the first time in a long while, was devoid of violence. Except for a few incidents, which saw the arrest of some APC leaders, the election was adjudged to be peaceful. As the then PDP's National Publicity Secretary, Olisa Metuh argued: The primary responsibility of President Good luck Jonathan is to protect the lives and property of all Nigerians; hence the deployment of security men to the state was to ensure this, in the interest of all. He further stated that the President had by the action, proven that he was committed to free, fair and credible elections across the country; and that the deployment of soldiers to states for election was not new since Edo, Ondo and Anambra where governorship elections had been held earlier. In all these state elections, PDP lost; meanwhile, the governor of Edo had cried out to the public that soldiers had invaded the state to rig the election for the PDP. But at the end of the day, the election appeared free and fair to him and PDP lost while he won. He came out on national television to commend the President, saying he is a statesman" (Olaniyan and Amao, 2015).

Lending credence to Metuh's position, the Transition Monitoring Group (TMG) (Ajayi, 2006), a civil society, group which regularly monitors the conduct of elections in Nigeria also justified the deployment of soldiers for elections in the country, including the Ekiti election citing past experiences where politicians take elections as an act of war, as a case in point. Its chairman, Ibrahim Zikirullahi, argued that the soldiers' deployment was not new and that the success recorded by the Independent National Electoral Commission (INEC) in Ekiti may not have been possible if they were not on ground to ensure security (Onapajo, 2015). In the US and other places, elections might not result to insecurity, but in Nigeria elections have become war, even the campaigns look "warlike," (INEC, 2015).

From the point of view of the Independent National Electoral Commission (INEC), Nigeria's electoral umpire, the heavy troop deployment was necessary to provide security to officials of the commission and the voters (Onapajo, 2015). The commission through its Chairman, Attahiru Jega, noted that: The military performs what we describe as a peripheral outer cordon. It is the mobile police that handles internal movement in terms of movements in the towns but away from polling unit. And it is unarmed policemen that you have

on an average of three per polling units, and that is exactly what happened in Ekiti (Orji, 2014).

From the above analyses, the leadership of the All Peoples Congress (APC) continually alleged that the heavy presence of military personnel was to manipulate the polls in favor of PDP candidates. The APC has been generous with complaints and criticism of the militarization of polling venues. Before the elections in Ekiti and Osun states, the APC had shouted it to the rooftops that the PDP had perfected plans to rig the election. The National Leader of the party, Asiwaju Bola Tinubu had declared openly that a "rig and roast" approach would be adopted for the Ekiti election. In the case of Osun, the then party's National Publicity Secretary, Alhaji Lai Mohammed claimed that the party was in possession of a rigging manual prepared by the PDP. Incidentally, the APC's paranoia did not just start. After being accredited to vote on July 14, 2012, Adams Oshiomole who was the flag bearer of the then Action Congress of Nigeria (one of the main parties that fused together to form APC) in the Edo State governorship election discredited the whole process even before voting began. He alleged a grand plan to rig the election. He even threatened not to accept the result of the election, which have not yet started. He said Professor Jega and INEC have been an embarrassment to the nation. I am in shock with all the arrangements they have made sensitizing the people and I told them, INEC needs to be sensitized. INEC is the weakest link in the Nigerian democratic chain. I have no faith in what INEC is doing in Benin City. This is designed for where the majority of the people is denied the right to vote and this time around, I have told them this country either decides on whether to move on or move back. I see sponsored editorials saying whatever happens, we will go to court, but today, we have to sort out the issues once and for all. "If they rig, we will kill them there.

It should be noted that militarization, which the APC complained so much about having its advantages. For instance, in Ekiti, the processes that preceded the governorship election were trailed by violence which resulted in the loss of lives and property. However, for Nigeria's federal government, the pocket of violent clashes witnessed before the Ekiti elections was enough reason to warrant the deployment of about 12,000 troops including, soldiers, men of the Nigeria Security and Civil Defense Corps, State Security Service (NSCDC), and police officers to keep the peace during the polling. As attested to by Nigeria's former Inspector General of Police (IGP), Mohammed Abubakar, the Police authorities had deployed three helicopters for surveillance in the three senatorial districts in the state with one Assistant Inspector General of Police and four commissioners of Police for effective coordination of security operations, as early as one week to the election (Badejo and Obah-Akpowoghaha, 2015). While confirming what we argue as the heavy militarization of the Ekiti gubernatorial elections in Ekiti State, the police chief, admitted that the number of troops, armored tanks and helicopters deployed in Ekiti were the

highest ever to be deployed in any state in Nigeria for electioneering purposes, attributing the deployment to the resolve of the police to do anything humanly possible to provide security for election materials and personnel of INEC. Like a war trooper positions. Almost every 100 meters from the entry point of the state, police officers and soldiers mounted various check points, with bloodhound dogs sniffing for any likely breach of peace by supporters of the various political parties. What seemed to have bothered political observers about the military invasion in Ekiti was the incident that transpired 48 hours before the elections. Rivers State governor, Rotimi Amaechi, and his Edo and Kano State counterparts, Adams Oshiomhole and Rabiu Kwankwaso were denied entry into Ekiti State to attend the last APC mega rally by military personnel purportedly acting on the order of the Presidency. Other leaders of the party, including the Imo State governor, Rochas Okorocha, and the former governor of Lagos State, Bola Tinubu, were also barred from taking off at the Akure airport after the rally, leaving them with the option of travelling by road. The siege by the military on Ekiti was so severe that moving from a 5-minute walking distance to the other was virtually impossible due to the heavy security lock down in the state on the day of the election. As Burke (2015), the then national chairman of Nigeria's main opposition party noted, It is unfortunate that under the guise of providing security, Ekiti State has been turned into a war zone. It has been over-run by armed security personnel with the intention of intimidating the opposition and the voters as well. Our electoral laws are clear that every polling unit should have one unarmed policeman and the military should have no role in the election. But in Ekiti, armed police and military personnel have been deployed in their numbers and the question we are asking is whose purpose are they going to serve? (Burke, 2015).

Similarly, in the 9 August, 2014 Governorship election in Osun State, the scenario was not particularly different, except that the number of troops deployed to provide security in the elections doubled the 36,000 strong security personnel deployed for the elections. A total number of 73,000 men comprising of the army, police, and Civil Defense operatives were said to have been deployed for the election in the state (PM News, 11 August, 2014). The National Leader of the opposition APC, Bola Tinubu, described what happened to Osun this way:

The massing of the military and over sixty thousand security men to intimidate and harass a peaceful people is the sign of an unsecured government and party. It is a pre-condition to manipulate and perpetrate electoral fraud. Under any democracy, there can be no moral or political justification for the security armada against our party leaders and followers in Osun. The implications for our democracy foretells of dire consequences.

Speaking from a legal and constitutional perspective, others have argued that it is illegal for the government to employ the use of the armed forces to maintain law and order during

elections. Relying on Sections 215 and 217 of the Constitution, they noted though that the President of the country has the powers to deploy armed forces, but that such powers are only applicable to the suppression of insurrection, including insurgency and aiding the police to restore order when it has broken down. It is imperative to mention that the effects of the militarization of the elections in both Ekiti and Osun States were believed to have been mostly felt by members of Nigeria's main opposition party, the All Progressives Congress.

It therefore did not come as a surprise to many when Governor Aregbesola called on Osun voters for the elections and fortify themselves spiritually with Psalms and Bible verses for Christians, he urged Muslims likewise to ensure they were well versed in Qur'anic verses while traditionalists should feel free and be ready to defend their votes with the use of amulets and other charms, an indication that even the Governor expected the poll to turn violent. From a careful analysis however, it could simply be inferred that the party is either afraid of losing or envisages loss before every election. Even after he was declared winner, Governor Aregbesola still attributed his victory to the fact that voters prevented their mandates from being stolen. Speaking after the election, Ogbeni said: This election shows that democracy is still gravely endangered in Nigeria. We witnessed gross abuse of power and, of due process before, during, and even after the actual voting process. It is so sad and unfortunate that what should be a normal, routine process was maliciously allowed to snowball into a needless virtual war by the Federal Government and the PDP.

Osun state was unduly militarized in an unprecedented manner through criminal intimidation and psychological assault on our people. This election witnessed an abuse of our security agencies and amounted to a corruption of their professional ethics and integrity. The security agencies were unprofessionally utilized in Osun state to harass, intimidate and oppress the people whose taxes are used to pay their salaries and provide their arms. Hundreds of leaders, supporters, sympathizers and agents of our party were arrested and detained. Also, hundreds of other innocent citizens, including women and the aged were harassed, brutalized and traumatized. In spite of this condemnable repression and abuse of human rights, the unflagging spirit of our people triumphed. Our victory is due to the steadfastness and resolute determination of our people to assert and defend their rights. The PDP obviously did all it could in a most desperate manner to steal the people's mandate.

A critical analysis of the elections shows a trend of general low voter turnout largely because of the atmosphere of deliberate tyranny and fear caused by the excessive militarization of the state. Despite our victory, it is pertinent to condemn and also point out the fact that the number of accredited voters in most local governments was less than half of registered voters. Against this trend, it is curious that the bulk of the PDP candidate's votes came from only four

Local Governments- namely Ife Central, Ife East, Ife North and Ife South. This suggests an inexplicable large turnout in his stronghold which is a curious departure from the general trend of voting across the state.

The outcome of this election, once again, shows the unswerving determination of our people to ensure that democracy triumphs in Nigeria. We have sent a strong signal to all and sundry that no might is powerful enough to thwart the will of the people. This should always strengthen our resolve to ensure that as from now on, every vote must not only be counted but must count in this country. Nobody or party must ever exercise power unreasonably at any level except in accordance with the will of the people to whom sovereignty belongs. Let me assure the good people of Osun state that I appreciate that this victory is a reward for our hard work and commitment to the welfare of our people. I promise that we shall not rest on our oars but shall be spurred to work even harder with all well-meaning people of the State of Osun and the generality of Nigerians to continue to enjoy your trust and support. You can be assured that we will leave no stone unturned in our continued effort to transform Osun into a land of progress, prosperity and peace for all with renewed fervor. According to him, I realize that this victory and the challenges we went through is a call to greater service and sustained commitment to our people. I pledge a rededication to myself to the service of our people and the strengthening of democratic values in Osun and Nigeria generally. Our country remains in political bondage and we must set her free."

With the presence of security personnel however, Ekiti elections went peacefully. In Osun, the militarization eventually worked in the APC's favor as the election for which people had been advised to arm themselves physically and spiritually did not record any violence. Perhaps the leadership of the All Progressives Congress and of course, all other political parties needs to take lessons that would make them realize that in politics, you win some, you lose some. As it stands, the average APC supporter believes no election is credible unless it is won by an APC candidate. The proponents of militarization have continued to tag the APC as a party that is fast giving itself the image of a party that has the habit of crying wolf where there is none. One of the many questions begging for answers is "how did the APC win in Osun if the military presence was to facilitate rigging?" Or was it that the PDP rigging system failed? If it failed in Ondo where Mimiko's Labor Party defeated the PDP and APC in 2012 despite heavy presence of soldiers and also in Anambra where the All Progressives Grand Alliance (APGA) trounced PDP and other parties to win the governorship poll, and now in Osun, their opposition to militarization should be re-visited.

Situating the constitutionality what took place in both the Ekiti and Osun Governorship elections within the confines of Nigeria's 1999 Constitution(As Amended), some observers have faulted the proponents of militarization and the decision by Nigeria's Federal government; particularly the Presidency,

to deploy soldiers for the maintenance of law and order during elections is without any constitutional resonance. Premising their argument on Sections 215 and 217 of Nigeria's 1999 constitution, they argue that President is only empowered by law to deploy armed forces on such duties when they border on internal security are limited to the suppression of insurrection, including insurgency and aiding the police to restore order when it has broken down. It was argued that "with the figure of 36,790 armed soldiers, police, state security service and civil defense personnel deployed for the Ekiti election not less than one million armed troops will be required for the 2015 election." However, the courts have consistently enjoined the Federal Government to desist from involving the armed forces in the conduct of elections. That court reiterated its views in the case of *Buhari v Obasanjo* (2005) 1 WRN 1 at 2000 when Abdullah PCA observed that in spite of the non-tolerant nature and behavior of our political class in this country, we should by all means try to keep armed personnel of whatever status or nature from being part and parcel of our election process. The civilian authorities should be left to conduct and carry out fully the electoral processes at all levels."

A review of Bayelsa elections reveals that INEC was unable to preach the gospel of fairness to all the participants in the elections including the parties and their candidates as well as the security forces that were meant to man and guard the processes. It was therefore not surprise that elections in the two states witnessed some ills such as hacking into INEC register by some politicians to influence the results, lack of uniformity in the results of the elections as some announced at the collation centers did not tally with those announced at the various polling booths, high number of invalid votes, intimidations and harassment of voters by security agents, post-election violence, litigations etc.

Furthermore, despite the popularly approved June 21 governorship election in Ekiti State, many have questioned the outcome of the election, arguing that it was marred by apparent breach of procedures. As an instance, the then Governor of Lagos State, Mr, Babatunde Fashola openly disapproved the result of the election, arguing that Dr. Kayode Fayemi accepted the election result to prevent violence and bloodshed, which could have erupted as a result of the election outcome. According to him, I am aware that there were instructions to cause mayhem during the election and Fayemi decided that rather than allow blood to be spilled, he behaved like a state man. He saved his people from being slaughtered if they had protested (Ike-Nwafor, 2016). He further stated that the election of Ayo Fayose, who is currently standing trial for corruption and murder in different courts in Ekiti State would send a very dangerous message about the country to the international community, explaining that the result "must be a very dangerous message to simply suggest that once you give people money, then this is the way it will happen. It is frightening for me in a democracy" (Ike-Nwafor, 2016). Following the flaws that accompanied the

election, the then incumbent governor, Dr. Kayode Fayemi himself noted that he was compelled to speak to the Inspector-General of Police after he failed to reach President Good luck Jonathan over the violation of the election procedure by the then Minister of State for Defense, Musiliu Obanikoro. In his words: I haven't been able to get Mr. President or his Chief of Staff. I had cause this morning to speak to the Inspector-General of Police, not once, not twice, particularly about this Minister of State who was violating the election procedure. I have also had cause to speak to the Chief of Army Staff about any untoward activities of his own men on the ground here (Onifade, 2015).

CONCLUSION & RECOMMENDATIONS

We argue that going by the various views expressed on the issue, and much as we desire to have a reasonably solid democracy devoid of any dictatorial incursion, Nigeria is still too far from this position. Added to this are the fact, most Nigerians, particularly the political class is yet exemplifying the kind of democratic credentials which allows for what we prefer to call "politics based on principles and non-violence". Given this foregoing, it may be difficult for Nigeria to have a completely demilitarized election as it happens in other popular democracies, attempts must however be made by the Nigerian government and more importantly, the country's electoral body (INEC) to limit the role of the military to situations which cannot be brought under control by the Police and other para-military agencies, and not the outright involvement as we saw in our two case studies.

It is imperative that the country's politicians and its citizens should hasten up and change their attitude and perception towards politics and governance, so that the democracy can mature fast, such that the military can be restricted to performing their constitutional duties. It is submitted that the deployment of the armed forces for the maintenance of law and order during elections as argued espoused above cannot be legally justified in view of Section 215(3) of the Constitution which has vested the police with the exclusive power to maintain and secure public safety and public order in the country. Based on the above, we recommend as follows:

- a) There is the need to reprofessionalization of the military, their deployment and must operate under clear rules of engagement;
- b) When deployed for such domestic duties, they must not be allowed to be out of the barracks for more than a period of three months, before being redeployed back to the barracks;
- c) Nigeria needs a force which is specially trained to deal with domestic or violent civil disobedience. This force should be properly equipped with modern gadgets for managing unruly crowds without shooting lethal bullets. This Guard can have trained marksmen, bomb specialists, paratroopers, demolition experts, trained negotiators and psychologists as well as kitted with non-lethal equipment for crowd control. The mobile police are not equipped or trained for this purpose. The military can gradually

withdraw to their professional duties as they are replaced by the guards.

- d) Nigeria must recreate a new police service with new goals and strategies for maintaining law and order. To achieve these objective, Nigeria must
 - i. Recruit and train far more policemen in addition to what we have;
 - ii. Pay the police competitive salary regularly;
 - iii. Train and retrain officers and men of the police service;
 - iv. Equip and kit the police with modern wherewithal's and skills to carry out their jobs efficiently;
 - v. Encourage greater interaction between the police and the civil populace – especially restoring the people's confidence in the police (and security agencies generally) in order to give useful information voluntarily; and
 - vi. Occasionally encourage joint training and exercise between the police and other para-military agencies.

References

- Abutudu, M. and N. Obakhedo, 2007. Mandate theft and retrieval: The 2007 governorship election in edo state. *Direct Capture: The*: 224-234.
- Ajayi, K., 2006. Security forces, electoral conduct and the 2003 general elections in nigeria. *Journal of Social Sciences*, 13(1): 57-66.
- Badejo, B. and N. Obah-Akpowoghaha, 2015. A critical insight into independent national electoral commission (inec): Implications for 2015 general election and democratic advancement in nigeria.
- Bassey, M., 1981. Pedagogic research: On the relative merits of search for generalisation and study of single events. *Oxford review of education*, 7(1): 73-94.
- Bell, J., 2001. *Doing your research project: A guide for first-time researchers in education and social science*. Taylor & Francis.
- BELLO, S. K., 2015. Political and electoral violence in nigeria: Mapping, evolution and patterns (june 2006-may 2014). *IFRA-Nigeria Working paper Series*.
- Bouma, G. D. and R. Ling, 2004. *The research process*. Oxford University Press, USA.
- Burke, E., 2015. *Reflections on the revolution in france and other writings*. Everyman's Library.
- Cohen, L., L. Manion and K. Morrison, 2007. *Approaches to qualitative data analysis*. Research methods in education. New York, NY: Routledge.
- Delpont, C., W. Roestenburg, A. De Vos, H. Strydom, C. Fouche and C. Delpont, 2011. *Quantitative data-collection methods: Questionnaires, checklists, structured observation and structured interview schedules*. Research at Grass Roots for the Social Sciences and Human Service Professions Pretoria: Van Schaik Publishers, Fourth.
- Ike-Nwafor, N. G., 2016. Critical discourse analysis of selected political campaign speeches of gubernatorial candidates in south-western nigeria 2007-2014.
- Olaniyan, A. and O. B. Amao, 2015. Election as warfare: Militarization of elections and the challenges of democratic

- consolidation in nigeria. CAPITAL PUNISHMENT: 71.
- Olurode, L., 2013. Election security in nigeria: Matters arising. Abuja, Fredrich Ebert Stiftung.
- Onapajo, H., 2015. Nigeria's 2015 general elections: The salience of electoral reforms. *The Round Table*, 104(5): 573-584.
- Onifade, O. S., 2015. Media narratives on power relations in nigeria: A critical discourse analysis of three national newspaper columnists. Eastern Mediterranean University (EMU)-Doğu Akdeniz Üniversitesi (DAÜ).
- Orji, N., 2014. Nigeria's 2015 election in perspective. *Africa Spectrum*, 49(3): 121-13
- Van Der WESTHUIZEN, C., 2007. First steps in research, pretoria. Van Schaik.

Date Published (D-M-Y): 15-12-2016