

# **How Credible Were the Nigerian 2015 General Elections?**

## **An “Electoral Integrity” Framework of Analysis**

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### **Abstract**

*Electoral integrity as a conceptual framework has become a major tool used by election researchers and practitioners to measure the degree of freeness and fairness of elections in contemporary democracies. In the framework popularised by the Electoral Integrity Project, the credibility of elections are measured according to the following eleven criteria: electoral laws; electoral procedures; boundaries; voter registration; party registration; campaign media; campaign finance; voting process; vote count; post-election matters; and electoral management. In light of these indicators, I aim to analyse the integrity of Nigeria’s 2015 general elections. This is against the backdrop of the many positive remarks from local and international observers as well as the media concerning the outcome of the elections. Rather than following the non-empirical and non-systematic judgements that followed the elections, I aim to provide an expert analysis of the extent to which the elections can be adjudged as free and fair. Thus, the relevant indicators from the electoral integrity framework are used to analyse the 2015 general elections and establish the veracity of claims that the elections were credible or not. Ultimately, it is expected – with this research – that Nigerian election researchers can be exposed to issues around conceptualisation and operationalization of election quality and how relevant they are to making conclusions about the integrity of elections in Nigeria.*

### **Introduction**

The 2015 general elections are indeed symbolic in Nigeria’s political history. They mark the first time the opposition party would successfully dislodge the incumbent party from power at the federal level particularly in a less controversial and peaceful process. Clearly, this interesting development is in contrast to the gloomy picture presented by many analysts in the

pre-elections period. For many, the aftermath of the elections may possibly mark the end of Nigeria as a nation, which generated rising tension in the country. Their arguments are founded on the following compelling points: first, the country experienced for the first time in its post-democratic transition history the emergence of a strong opposition party which had the capacity to displace the incumbent party that was strongly resisted by the incumbent using state machinery; second, the elections were to be staged in an environment of raging terrorist violence in the north-eastern part of the country which was not only a major risk to voting in the area, but also possibly affect the electoral chances of the main opposition party (which was more popular in the area) that could result into post-election violence; third, there was growing public perception of poor preparation by the Electoral Management Body (EMB) – the Independent National Electoral Commission (INEC) – following problems experienced in the voter registration process which influenced beliefs that the elections might be another charade; fourth, the electoral process was characterised by a heated campaign process which was anchored on ethnic and religious sloganeering which did not only divide the potential voters along religious and ethnic lines but also potentially prepared the grounds for another ethno-religious violence; five, the conduct of the security agencies including the police, army, and Department of Security Services (DSS) indicated bias for the ruling party which increasingly generated fear for the opposition and electorate about electoral security and electoral fraud; and six, the suspicious process that surrounded the sudden postponement of the elections for six weeks (February 14 to March 28) also increased public distrust of the electoral process (see International Crisis Group, 2015; Onapajo, 2015).

Given the above circumstances, it was surprising that the elections would eventually be followed with positive outcomes that informed good remarks by election observers both local and international, the media and the general public. In its report, for example, the European Union Electoral Observation Mission (EU EOM) concluded that: “Election day overall passed peacefully with appropriate performance by security agencies and EU EOM observers saw no evidence of systematic manipulations” (EU EOM, 2015, p.1). Also, the Commonwealth Observer Group (COG) noted that: “Notwithstanding the organisational and technical deficiencies, the conduct of the Presidential and National Assembly Elections were generally peaceful and transparent” (COG, 2015).

However, despite the positive comments about the electoral process, electoral experts would disagree that the integrity of elections can only be judged by what transpired on the election day. In their view, advancing a scientific assessment of the integrity of an electoral process

should involve a wide range of criteria before, during, and after the entire process. As much as this position is agreeable to academics and practitioners in the sub-discipline of election studies, there has been an on-going controversy about what criteria should be used to measure the quality of elections. The proponents of the Electoral Integrity Project (EIP) given their extensive research in that area have offered a meaningful contribution to this important topic with their electoral integrity framework which is increasingly gaining acceptance to electoral scholars and practitioners.

In light of the above discussion, this paper analyses the quality of the 2015 general elections drawing from the framework of the EIP. The EIP introduced the following eleven criteria to evaluate the quality of elections: electoral laws; electoral procedures; boundaries; voter registration; party registration; campaign media; campaign finance; voting process; vote count; post-election matters; and electoral management. In this study, I make use of the relevant indicators which are more relevant to the Nigerian electoral process under three categories of pre-election, election day, and post-election periods. The paper adopts a qualitative approach using available texts from INEC documents, election observers' reports, news reports and commentaries, as well as other relevant documentary evidence to analyse the elections.

To accomplish its major task, this paper is divided into four sections. The first section deals with definitional issues concerning the concept of electoral integrity and the existing perspectives around measuring electoral integrity in the literature. The second section specifically introduces the EIP framework and its importance to determining electoral integrity. The third section provides analysis of the integrity of the 2015 general elections in Nigeria. The final section is the conclusion and recommendation part of the paper.

### **The Conceptualisation of Electoral Integrity**

In providing meaningful definition of the concept of electoral integrity, electoral researchers and practitioners focus more on conceptualising elections that cannot be considered as possessing integrity, which are conceived as “flawed elections”, “manipulated elections”, “electoral malpractices”, or “electoral fraud” (EIP, 2012; also see van Ham, 2012). A useful clarification suggests that “all activities that lead to a violation of the ‘level playing field’ that is the ideal of electoral processes” constitute elections that lack the character of electoral

integrity (Birch, 2007: 3). On the other hand, “well-run contests” that can be “described as ‘credible’, ‘acceptable’, ‘genuine’, or the standard rhetoric of ‘free and fair’” are considered as elections having integrity (EIP; <https://sites.google.com/site/electoralintegrityproject4/about-this-project>). In his own conceptualisation, Alemika (2007) suggests that electoral integrity is “the degree of the freeness and fairness of elections” which are surrounded by several factors including the following: “(a) legal framework; (b) electoral system; (c) technical efficiency of electoral management authority; (d) relative autonomy of the electoral agency from interference by other organs of government and the ruling party; and (e) degree to which electoral processes, decisions, participation and outcomes are insulated from manipulation, corruption, and violence” (Alemika, 2007: 2).

There are competing approaches employed by scholars to operationalise the concept. In her studies, Sarah Birch (2009; 2011) provides a useful classification of the major approaches towards defining and operationalising electoral integrity. First, electoral integrity is viewed from the legalistic perspective. This approach determines electoral integrity within the context of the existing electoral laws in a particular state (Lehoucq, 2003; Minnite, 2007; Nwabueze, 2008). Drawing from Lehoucq’s definition (2003: 35) of electoral fraud that an “act is fraudulent if it breaks the law”, the legal perspective suggests that the integrity of an election can be determined by examining the existing electoral laws of the state. Although useful, the legal definition has been criticised because of the problem of generalisability as states possess different legal systems. In this light, Minnite (2007: 6) argues that: “in fact, there is no single accepted legal definition of voter fraud [a sub-category of electoral fraud].” In the case of the United States where she studied, she noted that “there are different state electoral systems and fifty criminal codes governing the administration of elections” (Minnite, 2007: 6). In addition, Birch adds that domestic laws are sometimes “corrupt” themselves given their contradiction with international legal obligations as well as the state’s constitution (2009: 397).

The second approach is the sociological/cultural perspective which considers electoral integrity on the basis of general perceptions about violation of the electoral norms of the society. Ronald McDonald (1972), for example, argues that cultural relativity should be central to the understanding of fraudulent and non-fraudulent electoral practices in different political societies. For him, “what is an ‘acceptable’ or ‘fraudulent’ practice in one culture need not be so considered in another, especially when environmental, political, and

participatory practices vary so widely” (McDonald, 1972: 82). This approach faces the difficulty of arriving at a meaningful consensus on what constitutes electoral integrity or otherwise even within a society as norms (which are usually latent) rather than laws are emphasised (Onapajo & Uzodike, 2014).

In the third approach, electoral integrity is operationalised in light of the agreed-upon norms on the “best practice” of elections by the international community (Boda, 2005; López-Pintor, 2011; Norris, 2013). This approach works within the context of various international declarations on the rights of citizens as they relate to elections following the Universal Declaration of Human Rights. The framework of the International Parliamentary Union’s Declaration on Criteria for Free and Fair Elections has been most useful in this area. It emphasises the principles of free and fair elections, voting and elections right, candidature and party rights, and the responsibilities of states towards their achievement (Inter-Parliamentary Union, 2006). While this approach tends practical especially for international observation work, it is argued that this framework is potentially constrained by increasing claims that the so-called “best practice” are governed by the standards of the dominant powers, encouraging the usage of their own state elections as the criteria for the others (Birch, 2009: 398). In addition, the question of state sovereignty has also been a major issue concerning international legislations.

In the fourth approach, the advocates define electoral integrity from the models of democratic theory (for example, Schedler, 2002). This is principally based upon the idea that “elections must offer an effective choice of political authorities among a community of free and equal citizens” following Robert Dahl’s theory of polyarchy (Schedler, 2002: 39). This approach is criticised on the basis that there are multiple models of democracy; as such understanding of electoral fraud will be certainly driven by the particular model adopted (Katz, 2005). Besides, the democratic theory approach is less practical given that the explanation is more in the realms of theory.

In light of the on-going debates about conceptualising and measuring electoral integrity, a combination of the legal (domestic) and international norms approaches appear most practical to determine the integrity of elections. This is because the domestic laws that govern elections in states are usually designed according to the generally agreed frameworks for free and fair elections in the international system. This is especially so for countries that subscribe to the international frameworks for elections and democracy. Nigeria, for example, besides

being a signatory to the Universal Declaration of Human Rights, is also a signatory to many other declarations on elections and democracy of various international organisations including the Commonwealth, the Economic Community of West African States (ECOWAS), and the African Union (AU).

### **The Electoral Integrity Framework of Analysis**

The Electoral Integrity framework is a product of extensive research by a research group under the name the “Electoral Integrity Project” (EIP). The EIP emerged in 2012 under the leadership of Professor Pippa Norris of the John F. Kennedy School of Government at Harvard University with the principal aim of engaging the concept of electoral integrity, monitoring its incidence in the world, promoting its study, and studying measures to reduce its prevalence around the world. The EIP have affiliations with other international organisations such as the International IDEA, Democratic Governance and Innovation, the Committee of Australian Studies, and Weatherhead Center for International Affairs (see EIP website). A huge number of existing works on the topic of electoral integrity have their origin from the research group.

In view of the on-going debate about measuring the credibility of elections, the EIP aims to proffer a compelling framework to guide the evaluation of elections. It is founded on the international norms perspective which argues that electoral integrity or electoral fraud can best be determined by examining the international conventions and norms on elections and democracy. The framework develops measurement criteria which consist of 49 questionnaire items that appropriately cover all stages of the electoral cycle. These items are further organised into eleven categories which constitute major stages of the electoral process: the pre-election, campaign, election day, and post-election stages. In the pre-election day, the following five criteria are taken into consideration:

1. Electoral laws: (i) if electoral laws were unfair to smaller parties; (ii) if electoral laws favoured the governing party; and (iii) if election laws restricted citizen’s rights.
2. Electoral procedures: (i) if the elections were well managed; (ii) if information about voting procedures was widely available; (iii) how fair the election officials were; if the elections were conducted in accordance with the law.

3. Boundaries: (i) if the boundaries are not discriminatory; (ii) if boundaries only favour incumbents; (iii) if boundaries were impartial.
4. Voter registration: (i) if some citizens were not listed in the register; (ii) if the register was inaccurate; (iii) if ineligible voters were registered.
5. Party registration: (i) if some potential opposition candidates were prevented from contesting; (ii) if women had equal opportunities to contest for offices; (iii) if ethnic and national minorities had equal opportunities to contest for office; (iv) if a few party leaders selected candidates; (v) if some parties or candidates were prevented from campaigning.

The second stage involves the campaign phase of the electoral period. The framework examines the campaign stage under the following sub-categories:

1. Campaign media: (i) if newspapers provided balanced election news; (ii) if the electronic media favoured the governing party; (iii) if parties/candidates had fair access to political broadcasts and advertising; (iv) if journalists provided fair coverage of the elections; and (v) if the social media were used to expose electoral fraud.
2. Campaign finance: (i) if parties/candidates had equitable access to public subsidies; (ii) if parties/candidates had equitable access to political donations; (iii) if parties/candidates publish transparent financial accounts; (iv) if rich people buy elections; and (v) if some state resources were improperly used for campaigning.

The third stage covers the election day itself. The framework basically focuses on the voting process. The following questions are asked about voting on the election day: (i) if voters were threatened with violence at the polls; (ii) if some fraudulent votes were cast; (iii) if the process of voting was easy; (iv) if voters were offered a genuine choice at the ballot box; (v) if postal ballots were available; (vi) if special voting facilities were available for the disabled; and (v) if national citizens living abroad could vote; and (vi) if some form of Internet voting was available.

The fourth stage which is the post-election phase of the electoral cycle has the following sub-categories upon which questions are asked:

1. Vote count: (i) if ballot boxes were secure; (ii) if the results were announced without undue delay; (iii) if the votes were counted fairly; (iv) if the international election monitors were restricted; (v) if the domestic election monitors were restricted.

2. Post-Election: (i) if parties/candidates challenged the results; (ii) if the election led to peaceful protests; (iii) if the election triggered violent protests; (iv) if any disputes were resolved through legal channels.
3. Electoral authorities: (i) if the election authorities were impartial; (ii) if the authorities distributed information to citizens; (iii) if the authorities allowed public scrutiny of their performance; (iv) if the election authorities performed well. (Norris, Frank, and Coma, 2013)

Clearly, the above criteria appear very useful to analyse the integrity of any elections. It adequately covers the stages of the electoral cycle. In fact, reputable election observation missions do take into consideration these indicators in their assignments. Due to the constraints of resources and time, this study will not cover the whole procedures but will make use of the most relevant ones as they relate to the Nigerian electoral process. Some of the indicators may not necessarily apply to the Nigerian case. For example, the issue of boundaries did not appear central to the 2015 general elections especially after the controversy it generated following attempts by INEC to create additional polling units. Also the issue of internet voting is not relevant to Nigeria at the moment. In addition, there are some other key aspects of the voting process in the Nigerian context that are not considered in the framework. This particularly concerns the issue of election security which is not only important to the Nigerian elections but many African countries given their vulnerability to election-related violence.

### **The 2015 General Elections in the Lens of Electoral Integrity**

At this point, it should be stated that this paper, although taking clues from the electoral integrity framework, will analyse the 2015 general elections in the following basic major stages: the pre-election (electoral laws, party primaries, voter registration, campaign media, and campaign finance); election day (voting process, vote buying, election security, conduct of election officials); and post-election period (vote counting, results declaration, post-election violence, assessment of the EMB).

## **The Pre-election stage**

### ***Electoral law:***

The legal framework for the 2015 elections was mainly derived from the 1999 Constitution (as amended), The Electoral Act 2010 (as amended), and INEC's 2015 Election Guidelines and Procedures. Some of the other relevant legal instruments for the elections include the Civil Procedure Code, the Police Act and Guidelines for the Conduct of Police Officers on Electoral Duty, the Nigerian Code of Advertising Practice and Sales Promotion (APCON) and the Nigeria Broadcasting Code. It should be acknowledged that the framework has been significantly improved upon owing to deficiencies that characterise the previous elections. Indeed, the 2015 legal framework complements a series of reforms that was embarked upon in the 2011 electoral process. The most notable amongst the reforms include improvement on the independence and capacity of INEC. For example, membership of INEC was clearly separated from membership of political party following the amendment made to the 1999 Constitution stipulating that that members of INEC "shall not be a member of a political party" (Section 156 of 1999 Constitution as amended). This altered the previous stipulation of that section which demanded that: "No person shall be qualified for appointment as a member of any of the bodies (including INEC) aforesaid if...he is not qualified or if he is disqualified for election as a member of the House of Representatives." Previously, this was more interpreted as membership of a political party as no one would be qualified as a member of the House of Representative without being a member of a political party (Jinadu, 2011: 157).

In addition, the issue of financial independence for INEC was addressed. The new law provides that the recurrent expenditure including salaries of the Chairman and members were to be sourced from the Consolidated Revenue Fund and not dependent on the executive as it used to be (amendment to Section 84 of the 1999 Constitution, also quoted by Jinadu, 2011: 157). The administrative independence of INEC was also further enhanced. Section 160 (1) of the constitution was amended providing that "...in the case of the Independent National Electoral Commission, its powers to make its own rules or otherwise regulate its own procedure shall not be subject to the approval or control of the President" (cited in EU EOM, 2011: 12).

Other notable reforms to the electoral process cover the timeframe for elections. Amendments were to made the constitution to allow for elections to be held not "earlier than one hundred and fifty days and not later than thirty days before the expiration of the term of

office of the last holder of that office” (FGN, 2010). Also attempts were made to fast-track the process of election litigations. The number of judges for the Elections Panel Tribunal in the Sixth Schedule of the Constitution was reduced from five (i.e. a Chairman and four other members) to two (i.e. a Chairman and two other members) and the two other members alongside the Chairman in the quorum in Section 285 (4) was reduced to one (FGN, 2010). In addition, new subsections were added to Section 285 giving specific timeframes for election petitioning. The tribunals are mandated to deal with election petitions within 180 days from the date of filing a petition, while the appeals arising therefrom should be determined within 60 days.

Despite the reforms, the electoral law is far from being perfect to guarantee a credible electoral process. A number of problematic areas still characterise the legal document which has not been meaningfully addressed. Some of the reforms proposed by the Uwais-led Electoral Reform Committee (ERC), the INEC, civil society groups and other stakeholders in order to improve the integrity of elections were not given serious consideration prior to the 2015 elections. They include addressing the issue of reducing the influence of the executive in the appointment and dismissal of the principal officers of the EMB; elongating the tenure of the Chairman and Resident Electoral Commissioners (RECs); unbundling of INEC; introduction of independent candidature; disqualification of persons convicted of electoral offences from contesting and holding positions in political parties; diaspora voting; establishment of an election offences tribunal to investigate and prosecute election offenders; outlawing “cross-carpeting” by politicians switching sides after winning elections on the platform of another; empowering individuals and civil society organisations to petition elections, and many others (see Onapajo, 2014; International Crisis Group, 2015; EU EOM, 2015).

### ***Party primaries:***

Internal democracy in the political parties has been a major concern in the Nigerian electoral system. Many of the parties are run by certain patrons who are strong enough to personally direct the affairs of the party. This owes to their overwhelming financial capacity or control of state power. Thus, these party patrons characteristically dictate who contests for what positions in their parties in undemocratic manners. Clearly, this has been a major source of crisis in the parties. This problem featured prominently in the 2015 electoral process which involved all the major political parties. For example, the process that produced President

Goodluck Jonathan as the presidential candidate of the People's Democratic Party (PDP) was enmeshed in a serious crisis. There were reports that all other presidential aspirants were forced to withdraw from the contest to give the president (using incumbent power) the privilege of being the sole candidate of the party for the 2015 elections. The primary election that was held on 10 December 2014 was argued by the opposition as a "coronation" for the president rather than an election. This problem also occurred at the other levels including the gubernatorial and federal and state parliamentary elections. In Anambra State, for example, different primaries were held by different factions of the PDP for the National Assembly elections where each of them declared themselves the rightful candidate for the elections under the platform of the party. In fact, the PDP was overwhelmed with controversial primaries in many other states including Lagos, Oyo, Ogun, Adamawa, Abia, Imo, Ebonyi, and Enugu States (*The Sun*, 19 December 2014).

Indeed, other parties too faced similar problems in their primaries. For example, in Delta State, there were allegations of malpractices and fraud against the winner of the gubernatorial primary. While staging a walk-out protest against the elections, an aggrieved aspirant complained that the delegates that voted outnumbered the supposed accredited delegates for the conference. Worse still, the election was marred by violence as fighting broke out among delegates over sharing of bribes (*Sahara Reporters*, 4 December 2014). In the case of the All Progressives Grand Alliance (APGA), a certain controversy surfaced in Imo State following the substitution of a contestant for another person as the Imo State senatorial candidate of the party for the 2015 elections (Nkwopara, 5 January 2015).

Obviously, this problem affected the quality of the 2015 electoral process. The EU EOM (2015: 4) noted in their report that "the lack of an effective monitoring mechanism for internal party democratic processes for candidate nomination" and "INEC's inability to reject nominated aspirants (who emerged in dubious circumstances)" had negative implications for the credibility of the entire process.

### ***Voter registration:***

As part of its reform agenda for the electoral system, INEC in preparation for the 2011 elections introduced a new biometric voter registration exercise using the Direct Data Capture (DDC) machines. This apparently enhanced the integrity of that electoral process. In order to improve upon this important achievement, INEC was committed to using the biometric measures to further detect fake and multiple registrations which usually create room for the

perpetration of malpractices and fraud on the election day. For this reason, a card reader was introduced in each of the 119,973 registration centres in country with the aim of checking the personal data on every potential voter's Permanent Voter Card (PVC). At the end of the process, INEC officially registered 73.5 million eligible voters while about 4 million cases of dubious registrations were detected (see EU EOM, 2015; Stakeholder Democracy Network, 2015).

The voter registration exercise, which was meant to improve the integrity of the 2015 general elections, actually became a source of public distrust of INEC in the pre-election stage. This is against the backdrop of several hitches encountered in the registration process. Following the clean-up exercise, which detected 4 million fake and multiple entries, there were series of complaints over missing names on the voter register. This suggests that their records were deleted in the clean-up process (Stakeholder Democracy Network, 2015: 1). The more problematic aspect was the issue of poor distribution of the PVC to potential voters because of logistical and technical challenges. A few days before the earlier scheduled date (14 February) for the presidential elections, only 65.81% registered voters had collected their voter card.

Worse still, the figure showed a skewed pattern of collection across the regions of the country, with the northern part of the country recording the highest rate of collection. Indeed, this was part of the reasons for calls for the postponement of the elections. After the postponement, which gave room for extension of the distribution of the cards, about 82% collection rate was recorded. However, INEC could not produce approximately 100,000 PVC before the April 11 elections; an indication that this category of people would have been disenfranchised in the elections (EU EOM, 2015: 7). Another problem noticed by observers is INEC's failure to develop mechanisms to confirm deceased voters in the register. Apparently, this failure encouraged inflated figures in the collection of PVC as some states recorded an "implausible" 92% (EU EOM, 2015: 7).

### ***Campaign media:***

It has been an age-long established fact that the media plays a significant role in the electoral process. The media serves as the avenue through which the electorate are informed about the manifesto of candidates and their parties and also play the role of educating voters about the voting procedures. As such, it is a standing rule that the media must display a high level of impartiality during the campaign process as a necessary element of a free and fair election.

This has actually not been the case in the Nigerian electoral process. The media – state- and private-owned – has often been directly involved in electoral politics with clear display of preferences for certain candidates against the other. This is despite existing laws against such practice. Media bias and unfair coverage characterised the 2015 elections campaign. The most unfortunate aspect of it was the media's involvement in facilitating hate campaigns during the process.

In their content analysis of media coverage, the EU EOM observed that The Nigerian Television Authority (NTA) and the Federal Radio Corporation of Nigeria (FRCN) apparently favoured the PDP in the campaign period. According to them:

In prime-time news, PDP received 57% of NTA's political coverage, and 43% of FRCN's. Additionally the incumbent gained extra airtime through coverage of Presidential and Federal Government activities, which amounted to another 27% of NTA airtime and 35% FRCN's. In contrast to PDP's total 84% coverage APC received 11% on NTA, and on FRCN PDP's 78% contrasts with APC's 13% (EU EOM, 2015: 10).

They further noted that this was also the case with the state-owned media. In fact, the case of the state media is more pathetic. According to them:

Plateau, Enugu and Kaduna based radios each provided over 80% of their news coverage to PDP and its officials; likewise the Borno state radio dedicated 95% of its news airtime to APC and associated officials. Rivers and Lagos based state radios also showed preference for the ruling APC; however towards the 28 March election day their coverage became more balanced (EU EOM, 2015: 10).

In the case of the privately owned media organisations, Daar Communication's AIT (TV) and Ray Power (owned by a PDP chieftain) was not only unfair in providing coverage to the political parties, it was as well involved in airing hate campaign messages against main figures of the opposition party (APC). Also, a close analysis of the following print media *The Nation* newspapers, *TheNews* and *PM News* given their close connection to the National Leader of the APC (Bola Tinubu) do consistently display more preference to the party in its reportage.

Owing to their unethical practice during the campaign period, the National Broadcasting Corporation (NBC) indicted 23 media organisations especially AIT and NTA for airing

controversial documentaries against the presidential candidate of the main opposition party. NBC noted that the organisations contravened “the rules on the broadcast of sponsored electoral campaign materials, which must conform to the standards of truth, decency and good taste, and requiring the sponsor to be clearly identified” (Amaefule and Adeniji, 31 March 2015). Unfortunately, proper sanctions were not imposed on the organisations to enforce compliance to media ethics during elections.

Indeed, the social media also played a critical role in the 2015 general elections. In fact, it is not out of place to argue that a major part of the campaign was conducted via social media platforms including Twitter, Facebook, Youtube, Whatsapp and other social media news platforms especially Sahara Reporters and Premium Times. In a preliminary study, it was reported that a total of 2.6 million tweets related to the Nigerian elections were pulled by Datasift (Oluwatola, 27 March 2015). Apparently, there was a supposed “war” between the supporters of the main presidential candidates on the platforms. The fact that the social media is unregulated and guaranteed free access further encouraged unfair and unethical campaign practices.

### ***Campaign finance:***

As noted earlier, the electoral integrity framework seeks to measure the integrity of elections through campaign finance by considering the following: if parties/candidates had equitable access to public subsidies; if parties/candidates had equitable access to political donations; if parties/candidates publish transparent financial accounts; rich people buy elections; and (v) if some state resources were improperly used for campaigning. Apparently, Nigerian politicians fail in all these considerations on campaign financing. The existing laws on campaign finance – although considered weak – are usually violated by contestants and their parties. This was the case with the 2015 elections. In its useful report, the Center for Social Justice (CSJ) who monitored campaign finance in the elections detailed in many ways the arrant violation of the regulations covering campaign finance in domestic and international standards. The process was surrounded by excessive spending, bribery, vote buying, illegal use of state resources, and undisclosed use of state finance.

The report specifically identified the huge amount of money spent by the Goodluck Jonathan campaign team spearheaded by the Transformation Ambassadors of Nigeria (TAN) towards the re-election of the president which was basically derived from the state funds. The team was involved in several bribery scandals including the alleged 7billion Naira given to the

Christian Association of Nigeria (CAN), huge thousands of dollars given to traditional rulers to garner their support for the re-election bid, and a certain 5 billion Naira used to induce the Ohaneze Ndi Igbo following its earlier resolve not to support President Jonathan's re-election. This money is aside the huge amount spent on renting of crowds for the campaign rallies and the excessive spending on airing hate campaigns against the person of the presidential candidate of the APC (CSJ, 2015). As a form of confirmation of this report, another Punch report on 19 April after the elections suggested that the president spent a total of 2 trillion Naira on his re-election campaign. Although refuted by his spokesperson – Reuben Abati, he was unable to state clearly the exact amount spent by his principal on the elections (see *Premium Times*, 19 April 2015).

In the case of the APC, there was no clear disclosure of the source of their spending as they were able to match the ruling PDP's campaign drive even after the six-week postponement. The APC presidential campaign team claimed it sourced its funding from the general public through donations but this could be certainly true considering that the total amount declared claimed to have been received (118 million Naira) could not have been enough to sustain the sophisticated campaign (CSJ, 2015).

### **The Election Day**

Indeed, the fact that the outcome of the elections was trusted and accepted by the majority including the incumbent president who lost to the opposition (by congratulating the winner before the official announcement of result), other political parties, members of the electorate, the civil society groups, and election observers demonstrates the extent of the quality of elections (Onapajo, 2015). The election process was followed by limited cases of fraud and malpractices. The biometric system significantly reduced the incidence of fake and multiple voting, inflated figures, vote buying and other popular forms of rigging in the country. The EU EOM observers wrote that they “saw no evidence of centralised systematic fraud although a few attempts at manipulation were observed” (EU EOM, 2015: 11).

However, some notable cases concerning under-age voting (in the northern part) and inflated figures were observed in the Niger Delta states (Rivers, Akwa Ibom, Bayelsa, and Delta states) (EU EOM, 2015: 12). This also includes a few cases of ballot snatching – with the aid of security officers in a number of states (TMG, 2015). Despite these incidents, TMG

observers argued that they did not significantly affect the credibility of the electoral process “because we have 36 states plus Abuja, so 37 in all, and 774 local governments. I think that if we have irregularities in four to five percent, they can't be used to judge the election as not valid” (TMG, 2015).

The most apparent problem on the election day, which nearly marred the entire process, was the technical hitches experienced in the use of the card reader. A number of voters, including the president and his wife, could not be verified electronically given the malfunctioning of the card readers. Electoral officials and some politicians suspected a deliberate sabotage by some individuals initially opposed to the use of card reader with the aim of discrediting the process. INEC was however able to salvage the process by announcing an alternative process – manual accreditation – which accommodated the voters that encountered the problem. This did not, however, stop the re-scheduling of elections in 300 polling units where the problem occurred (Onapajo, 2015). Some observers suspected that the use of manual accreditation at some polling units would have encouraged the malpractices which INEC was trying to prevent through the electronic system (EU EOM, 2015:1).

In contrast to the previous elections, there was relative peace on the election day. The security of election-related materials and personnel was commended by election observers. For example, the CLEEN Foundation noted in its report that “In 95 per cent of the units observed, security officials were described as very approachable and approachable, only in 5 per cent of units were they described as somewhat approachable.....consequently, 89 per cent of the polling units were observed to be safe and secure” (*Premium Times*, 30 June 2015). Despite this positive development, there were reported danger zones given the high incidence of violence. The most notable were Rivers, Edo, Imo, Akwa Ibom, and Abia. Also in the North East – the epicentre of Boko Haram, it was reported that the Boko Haram insurgents killed 41 people on the election day and chased many people away from voting (Associated Press, 29 March 2015).

## **The Post-Election Stage**

### ***Collation of results:***

Although the voting process received good ratings from the observers, there were noticeable problems in the collation process. The EU EOM (2015: 12) noted that the counting

procedures were not actually followed in most of the sites they monitored “with basic ballot reconciliation not undertaken in 11 counts, and in 7 cases the results form figures contained anomalies.” They further complained that results were not publicly displayed as required.” In their assessment, 14 of 36 the collation centres they visited were considered “bad” or “very bad.” Furthermore, they complained that there were “significant procedural problems” in the handling of result sheets and consistent errors in the results forms. There was also the limitation of the presence of agents was limited with APC and PDP agents only observed in 27 and 26 centres respectively.

### ***Post-election dispute:***

Obviously, the 2015 elections recorded the least cases of electoral disputes after the elections. It should be noted that a total of 560 election petition cases were filed after the 2003 elections, 1250 in 2007, and 400 in 2011 (This Day, 2011). In fact, the EU EOM noted in its report that only one case of election petition (challenging the parliamentary elections) was filed as at the time the report was being prepared which was after the national and state elections (EU EOM, 2015: 1). Even though there have been more petitions filed challenging the gubernatorial and parliamentary elections, there is however a drastic drop in election petitions challenging the outcome of the elections, which marks a good development for the integrity of the electoral process. Interestingly, this election saw the emergence of a new elite behaviour following the immediate acceptance of defeat and their congratulating their opponents that won the elections.

### ***Post-election violence:***

Although the outcomes of the elections seem more accepted by the majority, this is not totally the case in selected parts of the country where protests erupted following allegations of fraud. Some of these places include Rivers, Imo, and Akwa Ibom States. In Akwa Ibom State, for example, supporters of the opposition APC protested over perceived irregularities in the state elections calling for the outright cancellation of the elections (Udo, 12 April 2015).

### ***Election administration:***

It is important to note that much of the success recorded in the 2015 general elections owes largely to the different reforms introduced by INEC. This is facilitated by the purposeful leadership of Professor Attahiru Jega whose expertise in democratic studies significantly impacted on his management of the country’s elections. Several reforms that were introduced

which improved the quality of the elections include the introduction of the PVCs and electronic card reading system. The introduction of this technological system was aimed at significantly reducing the incidence of electoral malpractices and fraud including vote buying, impersonation, multiple/fake registration and voting, and inflated figures before and during elections. INEC also implemented include the introduction of the National Inter-Agency Advisory Committee on Voter Education and Publicity (NICVEP) in order to improve voter education strategy (International Crisis Group, 2015: 20). Most importantly, INEC introduced the use of reputable academics as Returning Officers (ROs) as they are seen as people of integrity that cannot be easily bought over by politicians to allow for the perpetration of fraud.

Notwithstanding the achievements of INEC and its progressive reforms, the administration of the elections was criticised for the following: “extensive under-collection of the PVCs; incomplete distribution of the card reader; no publication of the final list of polling units; incompetent recruitment of staff; inadequate training of staff and poor accreditation of election observers” (EU EOM, 2015: 5); as well as the problems of card reader failure during the presidential and National Assembly elections day which caused the postponement of voting in some parts of the country.

## **Conclusion**

Using the electoral integrity framework, this paper attempted to analyse the quality of the 2015 elections. While it cannot be denied that the electoral process produced better outcomes than previous elections in Nigeria, there are still critical areas of concern which need urgent attention as shown in the paper. Analysts seem to focus more on happenings on the election day to judge the quality of elections, but experts argue that the entire process must be generally examined. Indeed, the 2015 general elections may appear positive in terms of the assessment of the election day; however, there are many issues to be addressed at the pre-election phase of the electoral process. This includes strengthening the legal instruments governing the country’s elections especially in light of outstanding issues that have been highlighted for reform by various stakeholders, the party selection of candidates at the primaries level, campaign media, and campaign finance. To address most of these problems, the improvement of the independence and capacity of INEC is very important and there is

need for strengthening measures to punish election offenders to deter potential violators of the electoral law.

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