



“Nigeria: The April 2011 Elections and Beyond”

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At the Johns Hopkins School of Advanced International Studies*

The context of the 2011 elections is enmeshed in the history of elections in Nigeria, regional, ethnic and religious tensions, and the politics of power in Nigeria. Importantly though there was a substantive change in political and public will leading up to these elections that allowed a break from the past.

President Jonathan deserves credit for having committed himself publically to better elections and encouraging a more independent election management body to assert itself under the leadership of Professor Atahiru Jega. Security forces demonstrated a willingness to coordinate and support a more legitimate process. Civil society was more organized and determined to continue driving a process that started with electoral reform efforts headed by former Chief Justice Muhammed Uwais.

Most importantly citizens of Nigeria demanded improvement and demonstrated a sincere commitment to participate when they had sufficient indication that things would be different.

There were however significant problems with the process, and deep national divisions were cleaved further through political rhetoric. The debate over zoning within the ruling party opened the door for divisive discourse focusing on issues of geography, religion and ethnicity which spilled onto the national stage. Opposition parties used the tone of the discourse in their campaigns. Ultimately, and despite best efforts, campaigning had little to do with issues, but more about regional power shift, corruption, and personalities.

These elections occurred against a back drop of insufficient preparation time, a divisive political environment, a political class that emerged out of successive bad elections, and an ever changing legal environment. But they also took place as the will for genuine change gained momentum.

The Uwais committee’s report on electoral reform became a focal point for civil society to organize. They pressed for measures that would substantially change the way in which electoral process was managed. Their successful advocacy and the apparent commitment by the government and state institutions served to raise expectations. And in responding to raised expectations President Jonathan appointed a new election commission headed by Professor Attahiru Jega, who is widely respected within civil society and broadly among Nigerians.

New commissioners appointed in July 2010 had very little time to get to know the organization they had inherited and had to immediately plan for elections scheduled in January. A new legal framework came into effect as there was urgent need to demonstrate movement on electoral reform – and while few of the Uwais recommendations survived in the new legislation, several important components were, including a requirement for an extended period for post election litigation prior to swearing in – which meant elections had to be held no later than end of January 2011.

Among the big issues confronting the new INEC was the voter register issue – create a new one or update what was widely viewed as a seriously flawed one. A new one it was decided would require a sophisticated biometric capture of finger prints, photo, and personal details. Machines would need to be purchased and deployed to 120,000 polling units around the country. To do this INEC requested changes to the Constitution and Electoral Act to extend the calendar to allow for April elections as well requesting the fiscal capacity for this massive undertaking. The government and national assembly obliged, but not without some quarters trying to further amend laws to insert favorable provisions – prompting swift and resolute opposition by civil society and the public.

During this period, the campaigning among candidates for party primaries was in full force. The Peoples' Democratic Party had a fierce presidential primary competition that focused on northern candidates against the southern. An eventual consensus candidate was selected, pitting Atiku Abubakar and Goodluck Jonathan as the probable PDP contenders. Intense primary campaigns were also, and notably, being played out at the state levels as well.

Traditionally, state level primaries generated much of the political violence at election time; however this time around there seemed to be less violence. Potentially INEC's new role with respect to regulating primary contests, and its willingness to assert its authorities, and greater scrutiny by the public through the media – mediated internal party tensions in some instances. Nigeria had also experienced a series of internal terrorist acts and security forces, as all Nigerians, were at a more vigilant posture.

Without painting too rosy a picture, the primaries processes were problematic. Aside from vigorous and aggressive competition, there were deliberate attempts by factions and candidates to limit the rights of opponents and subvert established rules, results that were in some instances ignored by party establishments, and there were isolated instances of violence. A flood of legal complaints that followed presented a challenge to INEC which was often named by aggrieved parties, forcing the election administrator to have representation in court.

Immediately after the primary process INEC had to conduct what was scheduled to be a two week voter registration exercise in which a completely new list would be compiled replacing the faulty 2006 register. Three different suppliers were to have delivered data capture machines to the 120,000 registration units around Nigeria. The vast majority of machines were delivered, though one supplier is reported to have had difficulty in delivering all their machines on time.

Early problems in the voter registration process including late delivery of materials and personnel, faulty settings on fingerprint scanners, and others delayed nationwide registration in the first few days. INEC responded quickly to problems identified and were supported by an active media, civil society and public who reported problems. By the mid point in the exercise many of the early problems were resolved – not all, but many.

INEC made urgent appeal to extend the voter registration process by one week to ensure early problems did not prevent people from having the opportunity to register. Observer groups noted that there were large numbers of people coming out to register, and in most cases they did so peacefully despite the length of time required to stand in line. There were reported cases of attempted fraud and a number of people were reportedly arrested.

The registration process ended with INEC presenting an interim number of registered voters about 68 million voters, which did not include a large number of local government areas from a number of states around the country. Reportedly they were encountering delays in compiling lists and running records though software that would eliminate duplicates.

Because this was not adequately explained, and because under aged registration was observed, when the final figure of 73.5 million registered voters there was significant confusion and skepticism. Importantly, because INEC had extended the registration process by a week nationwide, and additional two days in some places, they were unable to complete the collation and duplication software early enough to allow the legal time for public display of the lists for verification in many parts of the country.

Campaigning which followed the registration period was vigorous. Several instances were reported of parties being denied access to venues which were booked provoking, in some cases, violent reactions by supporters. Despite having signed a code of conduct there were isolated instances of violence, intimidation, use of state resources. Nonetheless civil society and media were actively engaged in voter education exercises pressing candidates to discuss and debate issues.

Conclusion

It was clear that the raised expectations that worried many observers early on served to limit malfeasance and focus attention on compliance. Certainly the election management body struggled with institutional capacity, short time frames, and a confused legal environment. However, the openness of INEC leadership to the problems and challenges it faced was important in maintaining public confidence, and forgiveness in some instances. The engagement of civil society and media provided a check against past practice and the use of information and communications technologies dramatically improved transparency and accountability measures.

Most impressive was the level of participation by voters. They made clear that they had high expectations and these resonated among the political class and institutional Nigeria.

While many early on worried that high expectations would be disappointed and result in widespread action, it appears that high expectations encouraged genuine progress, and provided committed champions of credible elections with the support to affect positive change.