

The National Assembly And The Electoral Reforms In Nigeria's Fourth Republic

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Abstract This Paper Examines The Role Of National Assembly In The Electoral Reforms In The Fourth Republic. The History Of Elections In Nigeria Was Adjudged As Incredible And Often Disputed By International Observers And Opposition Parties. The Elections Conducted Since 1959 To 1999, And More Specifically The 2003 And 2007 Elections Remained The Same If Not Worse, However, It Motivated The Reform Of The Electoral System In The Nigerian Fourth Republic. This Study Using A Purposive Sampling And Interview Method Of Data Collection Has Revealed That NASS Has Played A Significant Role In Electoral Reforms. The Reform Focuses On The Electoral Body And The Laws Governing The Conduct Of Its Work. The Findings Reveal That The Electoral Reforms Have Improved The Performance Of INEC And Its Conduct Of Election Most Importantly In 2015. The Paper Concluded That Despite The Significant Changes Observed In The Recent Elections, There Are Still Lacuna Regarding Electoral Reform In The Constitution And The Electoral Acts, Therefore, The Paper Recommended That National Assembly Should Engage More On Uncompleted Agenda Of Electoral Reforms.

Keywords: National Assembly, Electoral Reform, Fourth Republic, Electoral Act.

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I. INTRODUCTION

The Legislature Is An Important Institution In The Democracy (Wafmuk, 2017). Its Core Functions Are A Representation, Lawmaking, And Oversight Functions. In Order To Promote And Consolidate Democracy In Nigeria, The Legislature Has Significantly Engaged In Reforming The Legal Framework Of Elections In The Current Fourth Republic, This Is Evident In The 2010 Constitutional Amendment In Addition To The Amendment Of The Electoral Act In 2002, 2006 (Eagu, 2014). Nigeria Has Faced With Electoral Challenges In Its Political History, Prior To The Fourth Republic Specifically 1959 No Election Conducted And Gone Undisputed (Animashaun, 2010). Though, Except For 1993 And 2015 That Were Adjudged To Be Freest And Most Credible General Elections In The Country.

The General Elections Of June 1993 Which Were Annulled By The Babangida Administration Was Considered The First Free And Fair Election In Nigeria After Independence (Ogwu, 2016). The 1999 Elections That Brought The First Democratic Government In The Fourth Republic Was Unarguably Disputed By The International Observers And Opposition Party As Incredible And Rigged Election (Ogwu, 2016). Similarly, The Subsequent Elections Of 2003, 2007 Were Flawed And Accused By Many Observers (Crisis Group: Africa Report, 2007). A Similar Event Happened In The 2011 Elections And No Changes Were Observed Despite Electoral Reform In 2006 And Subsequently 2010. Accordingly, In The Aftermath Of 2007 General Election Which Gives Power To The Late President Umaru Musa Yar'adua, Who Admitted That The Challenges Of The Election Are A Nagging One In The Country And It Has Been Generating A Problem In Most Of The Country's Elections Including That Of 2007 Which Produced Him (Okolie, 2010; Abah & Nwokwu, 2017).

Therefore, In Responding To That Challenge He Constituted An Electoral Reform Committee (ERC) Chaired By Justice Uwais In 2007 To Look And Study The Problems Of Elections In Nigeria With A View To Providing Recommendations On How To Address The Challenges Bedeviling Elections In Nigeria. The Committee Has Successfully Submitted Its Report And Recommendations On How To Improve The Conduct Of Elections In Nigeria. Based On The Recommendations Submitted By ERC, The Late President Yar'adua Had Submitted Seven Executive Bills To The Legislature (Igwe, 2014). Since Then, The National Assembly (NASS) Has Given Its Priority In The Constitutional Amendment To Electoral Reform, This, In Addition To The Previous Act In 2002 And 2006 Produced By The NASS. The NASS Has Contributed In Strengthening

Democracy In The Country Especially In Electoral Reforms, Which Accounted For The Emergence Of Alliance Progressive Congress (APC) As Ruling Party In 2015 After 16 Years Of People Democratic Party (PDP), This Election Was Adjudged To Be The Fairest And Credible In The History Of Nigeria (Chukwudi 2015; Omilusi 2016; Yusuf, Yusoff&Zengeni, 2018). Considering This Democratic Development, This Paper Set Out To Study The Role Of NASS In Electoral Reforms In Nigeria's Fourth Republic.

II. ESTABLISHMENTS OF ELECTORAL BODIES IN NIGERIA

The Electoral Bodies In Nigeria Have Not Had Historical Consistency In The Country's Democracy, Thus, Such Bodies Had The Experience Of Dissolve And Recreation. Their History Could Be Traced To The Time Prior To Independence When Electoral Commission Of Nigeria (ECN) Was Established To Conduct The Elections Of 1959. Moreover, 1960 Federal Electoral Commission (FEC) Was Created After The Dissolution Of ECN. Fecwas Dissolved In 1966 After The First Military Coup And In 1978 Federal Electoral Commission (FEDECO) Was Constituted Under The Leadership Of Olusegun Obasanjo And Conducted 1979 Elections That Ushered The Second Republic Of Shagari Administration And It Also Organized The Election Of 1983.

The Military Administration Of General Muhammadu Buhari Scrapped The FEDECO, And Because Of Its Draconian Approach, It Stayed Only For Short Time Until December 31st 1983. In 1987 The Military Administration Of Babangida National Electoral Commission (NEC) To Regulate And Execute The Transition To Civil Rule. It Conducted Elections From Local Government, State, National Assembly And The President In June 1993. It Installed The Democratic Government In The Country Which Was Never Come To Reality, Only To Cancel Its Presidential Election. It Was Later Reconstituted To Conduct Another Fresh Election, But It Was Unfortunately Dissolved By Another Military Government.

The Administration Of General Sani Abacha In 1995 Established National Electoral Commission Of Nigeria (NECON), The Body Conducted Elections Which Was Later Dissolved Before Its Inauguration As A Result Of The Sudden Death Of President Abacha Who Was Military. The Current Electoral Body Was Established In 1998 On The Eve Of Fourth Republic In Accordance With Section 153 F Of 1999 Constitution. INEC Is Charged With The Responsibility Of Conducting And Supervision Of Election Of The President, Vice-President, Governor, Deputy Governors, Members Of NASS, And State House Of Assemblies (Aiyede, 2008). It Also Registers Political Parties In Accordance With The Provision Of The Constitution The Act Of NASS. The INEC Has The Experience Of Conduction Elections Of 1999, 2003, 2007, 2011 And Most Recently 2015.

III. METHODOLOGY

This Study Employed A Qualitative Method Of Data Collection And Analysis. It Uses Both Primary And Secondary Sources Of Data Collection. Interview Method And Reports Were Used As Primary Source Of Data, While Secondary Source Such as Published Articles And Document Were Used To Support The Primary Data. In-Depth Face To Face Interview Has Been Conducted, Interview Method Can Be Utilized In Exploring Perception And Understanding Of The Phenomenon (Braun & Clarke, 2013). Moreover, The Purposive Sampling Strategy Was Used In Selecting The Informants Because They Are Relevant In Providing The Required Information (Creswell, 2012; Braun & Clarke, 2013). Accordingly, 8 Informants Were Recruited In The Interview And Saturation Point Was Reached. The Informants Consist Of Two Members From The NASS Which Comprise Senator And Member House Of Representatives, Two Staff Of National Institute Of Legislative Studies (NILS), Two From The Media And Two Members Of Civil Society Organization (Csos), One From Civil Society Legislative Advocacy Centre (CISLAC) And The Other From Policy And Legal Advocacy Centre (PLAC). The Data Were Analyzed Using Nvivo 10 Version Qualitative Analysis Software Package After Transcribing Coding And Thematic Presentation.

Table 1: The Codes And The Category Of Informants

Code	Interpretation	Frequency
NASS	Members Of National Assembly (NASS)	2
INST	Researchers From NILS Institute	2
MEDIA	Journalists	2
Csos	Members CSOs	2
Total		8

Table 2: Showing Numbering Of Informants

Code	Informant Designation	No. Of Frequency
NASS	Senator	1
	House Of Representative	2
INST	Research Fellow	1

	Research Fellow	2
Csos	Executive Director Officer CISLAC	1
	Executive Director PLAC	
	Journalist	2
MEDIA	Journalist	1
		2
Total		8

IV. DISCUSSION OF FINDINGS

This Part Of The Paper Focuses On The Analysis And Discussion Of Findings Of The Research, The Role Played By The Legislature In Electoral Reform. The Problem Of The Elections In Nigeria Has Been Identified From Two Major Aspects, Weakness Of The Electoral Institution And The Flaw Of Electoral Regulation Documents (Constitution And Electoral Act 2006). (Report Of Justices Uwais Committee, 2009). The Reform Targeted Two Major Issues The Composition Of The Electoral Body And Its Source Of Finance. This Is Discussed Under One Theme And Three Sub-Themes.

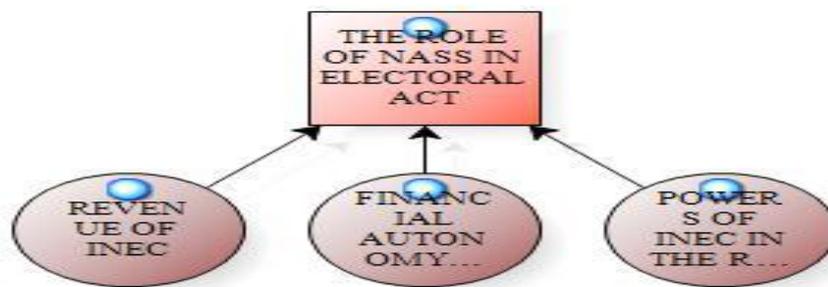


Figure 1.0 Model On The Role Of NASS In The Electoral Acts, Showing Three Sub-Themes Under Electoral Acts.

The Role Of National Assembly In The Electoral Reform

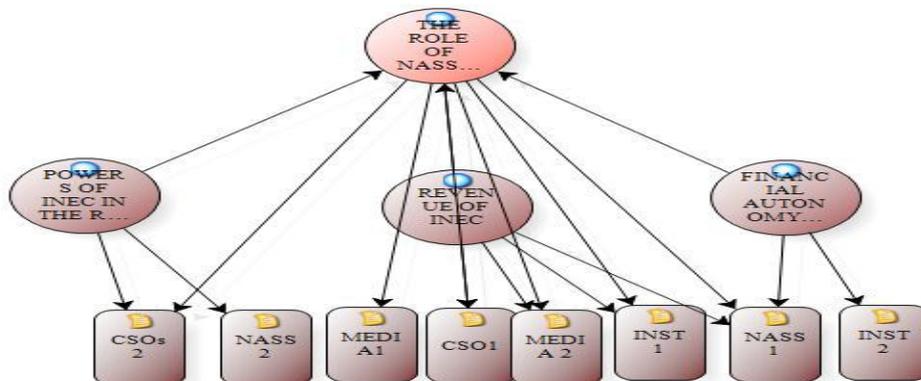


Figure 2.0 Model Showing The Response Of The Informants.

Electoral Reform Is Not A New Phenomenon In Nigeria, For Instance Before Independence, The Electoral Law Of 1958 Was Made To Improve The Administration And The Conduct Of Elections In Nigeria (Nwatu, 2004). It Can Be Considered As A Deliberate Attempt Made By The Government To Correct The Weakness And Irregularities Of The Process Of Election. NASS In The Fourth Republic has Played Significant Roles In The Reforming Of Electoral Processes In Nigeria. The Most Significant Reforms Were Done In 2006 And 2010. In 2006 A Document Was Designed, Prepared And Approved By The NASS. The Legal Document Contained Regulations Of The Elections In Addition To The Constitution. Subsequently, In 2010 The NASS Undertook Another Reform To Improve The Electoral Body And Its Conduct Of Elections In Nigeria. In An Interview, An Informant Asserted That:

We Can Consider As Part Of Their Contributions To Democracy The Provision And The Approval Of The Electoral Act, For Instance, The Electoral Law Of 2002 And 2006, Similarly The Electoral Act Of 2010 Which Strengthen And Consolidated The Electoral System. The Conduct Of 2015 General Elections Was

The fruitful result of that reform because it was one of the free and fair elections in the political history of the country (MEDIA 1).

Another informant explained the objectives and the reason why NASS has focused on electoral reform as one of the constitutional alterations in the fourth republic he said:

The objective of these electoral reforms is to ensure the electoral law is reform in such a manner that elections will be credible and accepted in Nigeria, it was informed from the fact that the electoral system and processes were in shamble and no doubt about that. (Institute 1)

The legislature has contributed to improving the power of INEC, its revenue, financial autonomy and its revenue (Suberu, 2014). The discussion of the role of NASS will under three sub-themes.

Powers Of Independent National Electoral Commission (INEC)

Studies confirmed that with the exception of 2015 elections which were adjudged to be credible, all other elections conducted by INEC are problematic (Adejumobi, 2000; Suberu, 2007; Egwu&Omotola, 2017). However, the conduct of 2007 elections and its unsatisfactory result has motivated and culminated in the pressure for electoral reform (Animashaun, 2010). Accordingly, in August 2007 the president Yar'adua constituted electoral reforms committee to study and give recommendations on how to reform the electoral system in Nigeria. The ERC submitted its reports on December 12, 2008 and suggested several ways out to the president.

Accordingly, the president submitted seven executive bills to NASS. This was beside the effort of the NASS in 2002 and subsequently 2006. Interview from this study confirmed that the reform improves the power and the performance of the INEC, by given it administrative autonomy (NASS 2), and in conformity with electoral act 2010 which repeal the no. 2 of 2006 electoral act, INEC has the power to conduct the election of the president, governors, and NASS and has power to register political parties. Moreover, the appointment of the resident commissioners at the state level should be made by the president of the federal republic of Nigeria subject to the approval of the senate (Csos 2).

Furthermore, the declaration of the electoral results right from the polling units to check electoral malpractices (NASS 2). This corroborated with Suberu (2014) who asserted that declaration of the results of elections in the polling units can curtail electoral corruption. Accordingly, other contributions of NASS in the powers of INEC in the reforms include the promotion of internal democracy in the political parties, deregistering political party that lack electoral requirement, scheduling of elections timetable and the extension of the timeline for campaign, verification, and the administration of elections. With the improvement in the administrative autonomy of INEC, the body has successfully introduced innovation such as the use of card reader to prevent election rigging and the introduction of permanent voter's cards (PVC). The constitution of the federal republic of Nigeria and the electoral act 2006 were both recently amended by NASS in order to improve the administration of electoral body and the process of election (Animashaun, 2010). The two documents contain electoral regulation which aimed at protecting electoral integrity.

Following the passage of the electoral act, 2010 by the legislature, the conduct of elections in 2015 organized by professor Attahirujega was accepted and adjudged as free, fair and credible, little malpractice was registered compare with those elections before it in the political history of Nigeria (Araba & Braima, 2015). Several scholarly works have indicated the impact of electoral reform in the fourth republic, specifically on 2015 general election (Oji, 2015; Lucky & Muawiya, 2017; Hamailai, Egwu&Omotola, 2017).

However, despite significant reform in the Nigerian electoral system, there exist a huge gap to be filled by NASS in the constitution and the electoral act (NHRC, 2015). It was confirmed that several recommendations suggested by Justiceuwais committee were not implemented (NHRC, 2015). Issues like the full autonomy of the INEC, internal democracy in the political parties among others are not been properly addressed.

Revenue Of INEC

Another wide contribution of NASS in the electoral process for the democratization in the Nigerian politics is the constructive changes engendered by the electoral reform through electoral act 2010-11, these changes include the strengthening of budgetary and revenue of INEC through consolidation of the finance of the commission into a single account (Suberu, 2014). Media 1, NASS 1 and Institute 1 concurred that the INEC budgetary has been consolidated into a single account.

Financial Autonomy Of INEC

The NASS in its effort to correct elections anomalies, some drastic measures were taken to improve the performance of INEC by making sure that it receives its finance from consolidated account and was made into single fund known as independent national electoral commission fund (electoral act,

2010), This Is To Improve Elections Spending Oversight, This Also Corroborated With Opinion Of Two Informants NASS 1, And 2. Financial Autonomy Is Very Important In The Administration Of Any Organization Because It Determines The Power And The Ability Of The Institution To Undertake Quick Decision When Resource Should Be Utilized.

V. CONCLUSION AND RECOMMENDATIONS

Although, There Are Grey Areas That Need To Be Reform By The NASS In The Electoral System. This Study Observed That There Are Several Recommendations Suggested By Justice Uwais Committee That Are Not Implemented As A Result Of A White Paper Released By The Government Of President Umar Musa Yar Adua (Suberu, 2014). However, The Reform Agenda Of Both Constitution And Electoral Acts Were Adjudged To Produced Tangible Results. This Can Be Seen From The Recent 2015 General Elections Which Accounted For The Emergence Of The Opposition Party As The Winner.

Promoting Democracy In Nigeria Will Require The NASS To Engage In The Remaining Unfinished Agenda Of The Electoral Reforms As Suggested By Justice Uwais Committee. The Issues That Has To Do With Full Autonomy Of INEC, Independent Candidature And Issues That Has To Do With Court Cases Among Others.

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