

Policyweekly

Unpacking the 2023 Off-cycle Elections in Bayelsa, Imo and Kogi States



Policy Recommendations

- 1 The Economic and Financial Crimes Commission (EFCC) and the Independent National Electoral Commission (INEC) should establish a strategic framework for cooperatively monitoring political parties' campaign funds.
- 2 Civil society organisations should advocate for and demand that the police and other law enforcement agencies arrest, investigate, and prosecute anyone who engages in vote buying.
- 3 There is a need to adopt the NEOC bill to carry out its mandated duties of detaining, looking into, and prosecuting electoral offenders.
- 4 There is a need to enhance voter education initiatives in the run-up to the elections.
- 5 The Nigerian government should aggressively diversify the country's economy to boost job prospects and lower the degree of poverty.

Background

Off-cycle subnational elections are often assumed to be more [peaceful and well-run](#) than general elections. This stance is based on the idea that the national electoral body, security agencies, and other important players in electoral governance can focus their resources and efforts in a particular jurisdiction for optimal efficiency because of such elections' limited geographic and demographic reach. Nevertheless, peaceful and well-run elections seem unattainable in off-cycle or general elections in Nigeria.

Off-cycle elections were recently held in three Nigerian states (Bayelsa, Imo, and Kogi). Despite the efforts of the Independent National Electoral Commission (INEC) and other stakeholders, there were claims of irregularities and violence, demonstrating that barely anything had changed. A Nextier Policy Weekly noted that the political class and their supporters in these states [could use violence](#) to gain political positions before and during the off-cycle elections. This vulnerability to violence is also compounded by the dominant, violent conflict issues besetting the states.

Amid the inconsistencies and violence in off-cycle elections, emerging thoughts raise concerns about its impact. An example is the [recent comment](#) by the former President of Nigeria, Goodluck Jonathan. He states, "A country can elect their people at different times like America, they may not elect at the same time, but every time they go on to do elections, they elect everybody that is meant to be elected. If we continue with this trend of off-season elections based on the interpretation of our laws, it will come to a time that the Presidential election will be off-season probably that's the time that a lot of you media people should be worried."

Some scholars contend that the timing of elections influences [turnout and meaningful policymaking](#). For example, when municipal elections do not coincide with significant federal or state elections, the marginal cost of voting rises, and as a result, only those voters with the largest stake in the outcome vote, a phenomenon known as "selective participation." When selective participation occurs in a low-turnout election, policy outcomes favour special interests more than if the same administration was elected in a high-turnout election. The off-cycle election recorded a low voter turnout, among other details that call the democratic process into question.

In this edition of the Nextier Policy Weekly, Nextier examines the recently concluded off-cycle elections in Bayelsa, Imo, and Kogi States. It covers the causes, players, and occurrences (such as violence, vote buying, voter indifference, and ballot box snatching). Overall, it investigates the concept of off-cycle elections and interrogates whether it slows down the pace of governance. It examines whether off-cycle elections impede policy and governance advancement.

Power Violence

Varied [levels of violence](#) have been an unpleasant feature of Nigerian elections. While the violence was projected, the preparation from INEC and relevant security agencies offered a glimpse of hope. For example, the Nigerian Police Force (NPF) mobilised up to [92,565 officers](#), including 27,000 in Bayelsa, 25,565 in Imo, and 40,000 in Kogi. This included the deployment of helicopters and armoured personnel carriers. Nonetheless, the process was marred by violence. As a result, political parties battled to outdo one another in brutality. For example, In Imo State, the leader of the Labour Party and a party member were beaten. The unneutral nature of the state aids this power violence; in this case, the state institutions are often seen to be siding with the government in power. Those outside power understand that those in power deploy the state resources to execute the election, and they, in turn, fight back. For instance, there are many instances where state security institutions are used to deliver election victory for candidates.

Cash for Vote

Vote buying was a [major occurrence](#) in the governorship elections in Bayelsa, Imo, and Kogi. According to a report, vote buying ranged from ₦5,000 to ₦22,000 in some wards in Sagbama, Yenegoa, and Southern Ijaw Local Government

Areas (LGAs) and other items. In Bayelsa and Imo States, the Economic and Financial Crimes Commission (EFCC) seized about [₦11 million](#) and detained 14 suspected vote purchasers. In Bayelsa, ₦9.3 million (₦9,310,000) was seized from suspected vote purchasers and sellers, and ₦1,730,000 million was confiscated from suspected election fraud suspects in Imo State. However, the precise amount collected from Kogi State remains unknown.

Vote buying in Nigeria has [increased due](#) to technological innovations, political desperation, poverty, and security votes. Technological advancements have reduced traditional election rigging, leading politicians to woo voters with money, food, and other items in exchange for votes. The fear of losing power and wealth to opponents has made vote-buying a race, especially among big political parties. Nigeria's high poverty rate, particularly in rural areas and female-headed households, makes many susceptible to selling their vote for immediate gratification. Furthermore, the financial possibilities of public offices in Nigeria arguably lead to a cutthroat approach to electioneering, which includes vote buying and other clandestine activities.

The arbitrary and extravagant display of cash reignites the debate on election spending. The absence of enforcement by appropriate institutions and the influence of money in politics continue to pose significant challenges to the integrity of Nigeria's electoral process. The Electoral Act has been amended to increase the maximum expenditure limit for candidates in elections. The maximum for presidential candidates is now ₦5 billion from ₦1 billion, while for governorship candidates, it is ₦1 billion from ₦200 million. The Independent National Electoral Commission (INEC) mandates political parties to produce audited financial reports capturing revenue inflows and outflows. However, as of 2022, most political parties have not made reports on their 2019 election expenditures, with some spending more than the law allowed. There is largely no enforcement to curb the unfettered spending of political parties and individuals besides the spending cap stipulated in the Electoral Act. Therefore, the gaps also lie between the electoral body's and the judiciary's ability to enforce compliance on political parties.

Voter Apathy

Voter apathy denotes a fall in citizens' involvement in a country's political activities. It manifests as a decrease in voter turnout in elections. Anthony Downs proposed the "Rational Choice Theory" in 1957, claiming that citizens vote in elections to maximise their benefits. They may abstain if the [costs outweigh the benefits](#). Voter apathy in Nigeria is attributed to several factors, including inadequate voter education, inefficiencies in voter registration and voting processes, and fear of electoral violence. Many eligible voters do not understand the voting process, including political parties' ideologies, candidate selection processes, and registration procedures.

Rural communities with limited media access and low literacy levels are particularly affected. The voter registration process is time-consuming, inconsistent, and filled with mistakes, making

it difficult for voters to participate. Additionally, electoral fraud and rigging are common, with discrepancies in results and bribing of officials. The belief in INEC's independence and expectations of manipulation of results further sours voters' belief in the electoral process. Voters are also wary of electoral violence, including intimidation, snatching of ballot boxes, clashes between supporters, and ethnic and religious-driven campaigns. Bad governance and uninspiring politicians also contribute to voter apathy. The country's political class comprises politicians defecting for personal ambitions, especially where defection could help them avert criminal prosecution. The failure of political parties and politicians to fulfill campaign promises makes eligible voters believe elections have no positive impact on their lives. However, it will not be out of place to argue that the failure of INEC to deliver on its guidelines in the February and March 2023 elections affected the turnout of voters in these states, especially the young voters. Most of them witnessed the violence, the rigging, and most importantly, the non-transmission of the results electronically, which for them was a game-changer for achieving credible, free, and fair elections. These situations discouraged many of them from coming out to vote; for them, it would have been the usual game plan.

Ballot Box Hijacking

According to a report, about 30 incidents of ballot box hijacking were recorded during the off-cycle elections of November 11, 2023. While there was little opposition to ballot box snatching in certain regions, it was unsuccessful in others. For example, A ballot box snatcher was killed by security agents in Ayingba, Dekina Local Government Area of Kogi State. According to reports, the victim, Umoru Iduh, was renowned for inciting electoral violence in the state. The amended Electoral Act specifies the circumstances and punishment for ballot box snatching. It states that anyone who deliberately removes from a polling station any ballot paper or which destroys or interferes with a ballot box without authority commits an offence and is liable of conviction to a maximum fine of ₦50,000,000 or imprisonment for a term not less than ten years, or both. The ballot box hijacking is carried out these days to reduce opponents' voters by targeting their strongholds, thereby reducing their votes. It is often done before the voting processes are concluded to ensure there are no records of the process. Incidentally, in some situations, INEC has failed to repeat such elections, and when it reschedules such elections by the next day, many of the voters are too fearful to come out to vote.

The Role of Security Agents

Security forces' [legal and statutory duty](#) in off-cycle

elections in Nigeria's Bayelsa, Imo, and Kogi States was primarily to maintain law and order for free and fair elections. They were tasked with ensuring the voting process's security by discouraging voter interference and protecting voters. They are critical to election monitoring, law enforcement, and the safety of critical election materials, venues, and counting centres. Following the off-cycle elections, substantial commitments were obtained from Nigeria's main security agencies. Chief of Defence Staff, General Christopher Musa, stated that the forces will [stay apolitical](#) to achieve free, fair, credible, and inclusive elections. Mallam Nuhu Ribadu, the National Security Adviser, also assured the public that security will be in place throughout the polls.

However, there were allegations of collusion between politicians and security agents to manipulate the process. Political thugs were also said to be deployed to intimidate voters, attack rivals, or protect leaders while security agents looked on. In one incident, a security agent was apprehended by community youths for snatching electoral materials. The failure of the state security agents to provide the level of security needed to achieve a peaceful, free, and fair election is not different from the same failure by the same state security institutions to provide a safe and secure environment for Nigerians and other residents. Resolving election-related insecurity and violence should be mostly seen from the broader perspective of failure in state security provisioning, as the electoral body has no control over the security institutions and their activities on election day. Therefore, as the country's state security and other state institutions continue to improve and become less partial and more neutral, as just witnessed in the general elections in Liberia, election management becomes less challenging.

Recommendations

1. To prevent electoral fraud, including vote buying, the Economic and Financial Crimes Commission (EFCC) and the Independent National Electoral Commission (INEC) should establish a strategic framework for cooperatively monitoring political parties' campaign funds.
2. Civil society organisations should advocate for and demand that the police and other law enforcement agencies arrest, investigate, and prosecute anyone who engages in vote buying.
3. To adopt the National Electoral Offences Commission (NEOC) Bill before the 2019 general election, the National Assembly should expedite its deliberations. When the NEOC is constituted, it should have adequate funding to carry out its mandated duties, which include detaining, looking into, and prosecuting electoral

Nextier SPD Policy Weekly provides an analysis of topical conflict, security, and development issues and proposes recommendations to address them. It is a publication of Nextier SPD.

Nextier SPD (www.thenextier.com/spd) is an international development consulting firm that uses evidence-based research to develop and build knowledge and skills to enhance human security, peace, and sustainable development as means to achieving stability and prosperity in Nigeria, and in the African region.

offenders.

4. Enhancing voter education initiatives is crucial in the run-up to the elections. Election officials must also receive thorough training on electoral regulations. A few of the altercations that arose during the polling revealed incomplete information and inadequate staff education. The electoral crew ought to have received sufficient training in emotional intelligence and people management.
5. The Nigerian government ought to aggressively diversify the country's economy to boost job prospects and lower the degree of poverty that leaves individuals vulnerable to material, financial, and criminal incentives.

Conclusion

The recent off-cycle elections in Nigeria have revealed persistent irregularities and violence, highlighting the need to re-evaluate electoral

practices. These elections' limited geographic and demographic reach has not guaranteed peaceful and well-run elections. Factors such as power violence, vote buying, voter apathy, and ballot box hijacking persist, raising questions about the influence of money in politics. The Electoral Act's recent amendments have not effectively curbed extravagant spending by political parties, further challenging the electoral process's integrity. Voter apathy, attributed to inadequate education and inefficiencies, remains a barrier to meaningful democratic participation.

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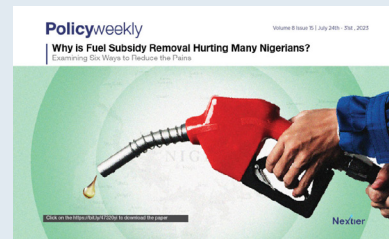
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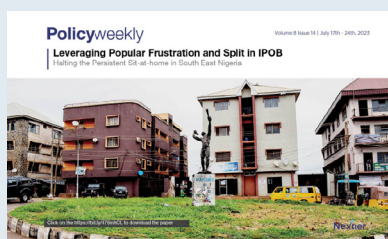
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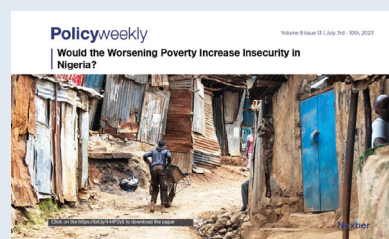
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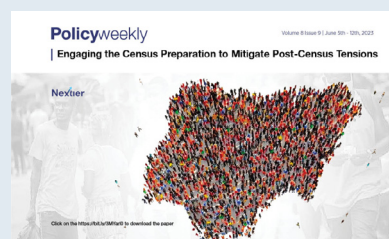
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