



THE NIGERIAN STATE AND ELECTORAL CORRUPTION: IMPLICATION FOR DEMOCRATIC CONSOLIDATION

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Abstract

Corruption is one of the major impediments to successful conduct of election and entrenchment of democratic consolidation in Nigeria. It is on this note that this paper attempt to examine Nigerian state and electoral corruption: implications for democratic consolidation. The study adopts secondary sources of data collection for overall understanding of the subject matter. Literatures were gathered from works of scholars in the area of investigations under review. It was found out that lack of democratic consolidation in Nigeria is pandemic bureaucratic and political or electoral corruption. This study shows that political or electoral corruptions have grave implications for democratic consolidation in Nigeria. It is argued that democratic consolidation will be difficult to attain as long as corruption remain pandemic and unchecked.

Keywords: Election, Electoral Corruption.

Introduction

The challenges of electoral corruption since 1999 to date in Nigeria's fourth republic democratic experiment has indeed become source of concern, thus questioning consolidating democracy in the country. In a democratic setting, periodic elections if carefully, freely and fairly undertaken gives legitimacy to the government and holds the promise of stabilizing political institutions most especially in a multi-ethnic nation like Nigeria. Election thus became the major acceptable means of getting to power or losing it if properly conducted and votes count. This therefore implies that the people's preference to choose their leader in regular, free and fair election is a minimum requirement to sustain democracy. As rightly noted by Nnaa (1985), the electoral system of any nation is the bedrock of its national politics, the decider of how the leaders are chosen as well as the spring board for political development and progress for the society at large. Thus king (1988) observed that; Election may provide means of selecting between competing alternatives and thus make for the smooth transfer or transition of political power from one set of power holder to another.

Despite elections being very fundamental in installation, transition and consolidation of democratic government, it does not guaranty sustainable democratic transition and consolidation. This is so when elections are conducted but peoples' vote does not count, or people have no choice in their representatives and leaders due to subversion or manipulation of the entire electoral process. Malfunctioning electoral system is caused by incidence of electoral fraud which inadvertently produces maladministration and stultifies development. In Nigeria, the 1959, 1964, 1983, 1999, 2003, 2007 and 2015 general elections revealed that electoral fraud has been internalize and institutionalized in the electoral process, hence the epileptic political development in the country. The subversion or manipulation of electoral process either by individuals, groups, political parties or institutions amount to political corruption or rather electoral corruption. Corruption means many things to many people depending on one's position and perception. In this paper the position of Saliu and Aremu (2004) is adopted as "a violation of the moral ethos to confer personal advantage on self or acquaintances." Electoral corruption can therefore be

infer as all actions or in action of individuals, groups or institutions in aiding, abating and subversion of electoral process either by use of words, media (print or not), thugs, violence, money and state apparatus to confer undue advantage on oneself, acquaintance or political party. Put differently, corruption is a major challenge to democratic stability in Nigeria. The political climate, to say the least has been hostile to democracy.

The general skepticism has been whether the current experience will last. This cynicism is justifiable when one consider the fact that all the factors that precipitated the collapse of the First and Second Republics are currently at play. Widespread violence, electoral frauds, political assassination, politically inspired ethno-religious conflict, apathy, evitable economic woes and its attendant consequences (abject poverty, slums etc.), flagrant disregard for the rule of law, disrespect for human rights and pandemic corruption remains the key features of Nigerian political life. These manifestations of democratic instability are the symptoms and consequences of basic system pathology, majorly, political corruption. Corruption has become prevalent and has not only greatly eroded the basis of the authority of the state but also challenge the legitimacy of democracy as the best form of governance. The problem of democratic consolidation persists because the political system has failed to engender, maintain and sustain the belief in Nigerians that democracy is the most appropriate system for the society.

As corruption has the influencing power of diminishing state capacity to meet its material and welfare obligations to the citizenry, electoral corruption succinctly installed, sustained and consolidates bad governance through electoral fraud. This has characterized Nigeria system from independence, hence, the paper attempt to appraised corrupt practices in the electoral system and its effect on democratic consolidation. This contribution is to recommend measures for combating the menace of electoral corruption in the system.

Electoral Corruption

Scholars seeking to define and categorize corrupt practices that undermine electoral process have generally used one of two basic approaches, which we have termed inclusive and restrictive” (Vickery and Sein, 2012). They conceived inclusive (fraud, malpractice and manipulation) to be as broad as possible, no matter the imprecision. Some writers in this category situate their definitions normatively, finding that electoral wrongdoing violates domestic norms or internationally accepted standards for free and fair elections. Restrictive approach focus only or mostly on the letter of the law (i.e., fraud can be identified by whether it violates existing domestic legal provisions). This enables a context-specific approach to combating various kinds of electoral corruption, and it makes obvious sense for the election management body to use a country’s domestic laws as benchmarks in its fraud or malpractice control activities.

Electoral corruption has been categorized into three types, pre-election, election period and post-election period (Norris, 2012; Olawole, Adewunmi and Oluwole, 2013; Ugwuja, 2015). “The manipulation of rules, the manipulation of voters and the manipulation of voting” (Birch, 2010). By manipulation of rules, electoral laws are distorted so as to favor one party or contestant in an election. For example, when the rules administering candidacy “prevent certain political forces from contesting elections, or when large sectors of the adult population are excluded from voting”. The manipulation of voters is either to distort voters’ preferences or to sway preference expression. The first one involves “illicit forms of campaign tactics that are deceptive and that violate campaign finance laws or severe bias in media coverage of the election”. The second form consists of “alteration of how preferences are expressed at the polling station, through vote-buying or intimidation in the aim of increasing the vote of a specific political force”. Voting manipulation consist of electoral maladministration, such as ballot box stuffing, mis-reporting, “under provision of voting facilities in opposition strongholds, lack of transparency in the organization of the election, bias in the way electoral disputes are adjudicated in the courts, and so on” “Right to vote is rather a public function conferred upon the citizen for reason of social expediency”

(Olawole, Adewunmi and Oluwole, 2013). There is strong relationship in Nigerian’s electoral corruption “with the type and forms of historical system practiced by the society, coupled with the class structure, social stratification, aestheticism and religious differences”. Thus conclude that “until elections become completely competitive and the electorates are free to make a choice between alternatives and that a liberal political system is put in place, there will always be electoral corruption”. In Africa, the scenario is “a curse to the electorate and a gimmick played by politicians who seek to legitimize the illegitimate practice of coercing citizens into voting for them on the backdrop of rampant electoral rigging” (Mapuva 2013).

Electoral Corruption at the Stage of Electoral Preparation

Electoral corruptions committed prior to the conduct of election include;

1. Appointment of electoral officers who are loyal to the power that be;
2. Malpractices during registration of voters exercise in the form of falsifying registration documents and voters cards.
3. Inflating names of voters in areas thought to be one's stronghold, while under registering in opponents' constituencies.
4. Multiple registration
5. Disqualification of candidate in opposition
6. Denial of opponents the right to express their feelings through restructuring the usage of media houses
7. Denial of freedom of movement and threat to life of opponent and in some extreme cases assassination or outright imprisonment (Nnaa, 1985; Okolie 2009).

Corrupt Practices Committed During Election

Cooperation between politicians and officers of the Electoral commission (presiding officers, supervisory presiding officers, ward returning officers and polling clerks) as these adhoc staff of the commission act under the influence of material inducements such as money, food and drinks and promise of appointment into positions of trust in government. They stock ballot boxes with illegal voters as they tick the names of voters and hired agents for thumb printing. In some cases, voting centres are shifted from original designated area to a private house or residence where people would locked themselves up thump-printing ballot papers. Police abets fraud during elections as they give some candidates advantages over their opponents. Touts and "Area boys" are recruited to harass and intimidates electorates in opponent's areas so as to influence the election in favour of their candidates.

Post Election Corruption

Falsification of election results from various centres at the collection centres. Declaration of fake results by electoral officers Politicians connived with some-judges to thwart any objection that will be in their riggers favour.

Incidence of Electoral Corruption in Nigeria

Electoral corruption in Nigeria has gone through sophisticated refinements since 1959. Such that a discussion on Nigeria's electoral process without analysis of this phenomena (corruption) would be deemed as abstract and unrealistic. Ademoyega (1981) and Anifowose (1984) demonstrated in their works the electoral problems that bedeviled the process of democratization in Nigeria before and after independence. Population census has been the basis of election in Nigeria and the malpractices in the conduct of population count have direct consequence in the electoral process. For example, the 1963 population which has been the basis of elections conducted in Nigeria was not devoid of controversy. It was alleged in the South that the Northern region counted cow heads to swell their population. It was this same population that was used for the 1964 general election. The effect of it was the seizure of power in 1966 by the military on account of election fraud and abuse of power (Nnaa, 1985). The 1964 election was boycotted by the opposition party, United Progressive Grand Alliance (UPGA) in protest against gross abuses and lawlessness perpetrated in the political process by the incumbent Nigeria National Alliance (NNA). The elections that were later conducted in the boycotted areas were recorded with gross abuses and irregularities. After the 1964 elections, came the 1965 western region election. The electoral frauds that were committed remained indelible in the annals of Nigeria history.

Corroborating this fact, Esua, E.E. (then the Head of Federal Electoral Commission (FEDECO) cited in Nnaa (1985) had it that some electoral officers were not only kidnapped, but equally prevented from discharging their duties. Electoral fraudsters were not contented with merely studding ballot boxes with ballot papers. They also took over FEDECO offices and Radio station and announce fake results to the electorates. It was the political turbulent born of massive electoral fraud as earlier mentioned that brought in the military in 1966. The second civilian journey in the politics of Nigeria also witnessed electoral rigging. Although electoral corruption was not reported on large scale, the 1979 election according to Nnaa (1985) witnessed registration frauds and other irregularities and allegation of electoral frauds came from various quarters ranging

from mischievous electoral officers who prevented people from voting; complaints of insufficient ballot papers in some quarters and extra in other areas. Some of these allegations became subject of court litigations as was the case of presidential election tussle between Shehu Shagari and Obafemi Awolowo.

The 1983 August – September general elections were attended with electoral corruption on the bizarre scale with crude and modern sophisticated political techniques. It started with the appointment of FEDECO Chairman Justice Ovie-Whiskey. This appointment was seen to be based on party affiliation and sympathy. Secondly, there was outrageous quadruplicating of figures of registered voters. For example, it was unthinkable to observe that the old Rivers State with a total population of between 1.5 and 2.5 million had over 3 million registered voters by 1983. Similar unacceptable figures were recorded for other states (The Daily Times, Saturday 5th November, 1983). Thirdly, the way FEDECO went about the actual conduct of the election left much to be desired. The Daily Times publication (1983) stated that the election witnessed massive electoral fraud. Prof. Ola Rotimi in Daily Times, decries on the electoral corruption said “the Federal Government had rather preferred the play host to electoral provision that had raised fraud, cheating and armed coercion to heigh of glory”.

The institution of the state such as the Police Force which was supposed to check the excesses of political parties and those of FEDECO officials did not help matters. It was also the case in the April, 2003 and 2007 general elections. The genesis of electoral corruption in recent times is rooted in the 1999 constitution which allows the incumbent to re-contest for political position without resignation. The ruling people Democratic Party (PDP) cash in on this unpopular clause which does not suit the political terrain of developing nations like ours, and manipulated the electoral process. The results is a brand of democracy nick-named “carry go”, “return”. The results of both elections generated a lot of controversy as figures of both elections did not reflect the true nature of the voting pattern. And not even one of the political parties can justify claim to have conducted itself without blemished. In the election there was sufficient evidence of brazen and Cynical fraud to suggest that they all approached the elections without much faith in themselves or in the electorates. The 2007 general elections Okolie (2009) posited were characterized by monumental fraud. Like previous elections in Nigeria, the 2015 was characterized by:

1. Late arrival of electoral materials in the various polling units.
2. Inadequate polling materials
3. Voter’s registration problems
4. No secrecy of the ballot
5. Ballot paper problems
6. Snatching of ballot boxes and destruction of ballot materials
7. Violence
8. Use of security agencies to intimidate the voters and rigged elections.
9. No voting in some polling centres
10. Use of government officials to commit electoral fraud
11. Omissions of some parties’ logo and candidate names on the ballot paper to disenfranchise their opponents supporters.

Incidence of Political Predicated Killings in Nigeria 1999 – 2015

DATE	NAME	POSITION	CIRCUMSTANCE
18/04/001	Eze-Odimewu Okowkwo	Chieftain of ANPP, Anambra	Murdered
19/04/001	Hon. Monday Ndor	Member – Rivers State House of Assembly	Murdered
23/08//09	Chibueze Idah Ogbonna Odimbaire & Ifeanyi	All members of PDP in Ebonyi State	Murdered

29/08/001	Victor Nwankwo	A younger brother of Arthur Nwankwo founder Eastern mandate	Murdered
19/12/001	Hon. Odunayo Olagbaju	Member-Osun State House of Assembly	Murdered
23/12/001	Chief Bola Ige	The Attorney General of the Federation & Ministry of Justices	Murdered
15/08/002	Ahmed Pategi	Chairman PDP Kwawa State	Murdered
01/09/002	Bar. Barnabas Igwe and his wife	Chairman Nig. Bar Ass. Anambra State	Murdered
08/02/003	Ogbonnaya Uche	Contestant on the platform of ANPP Imo State-Senatorial candidate	Murdered
10/03/003	E. Emenike	Chieftain of ANPP Imo State	Murdered
20/02/003	Theodere Agwatu	Prin. Sec. to Imo State Government	Murdered at his residence
05/03/003	Harry Marshall	National Vice Chairman of ANPP	Murdered at his residence
20/03/002	Rasak Ibrahim	Supporter of former Governor of Kwara State, Lawal	Murdered along the Road
21/03/003	Hon. Anthony Nwudo	ANPP House Assembly Candidate in Ebonyi State	Murdered in Abakanki
19/04/003	Onyewuchi Iwuchukwu	ANPP Stilwart-Imo State	Murdered in Ikeduru
20/04/003	Toni Dimeqwu	Vocal member in Imo State House of Assembly	Murdered
12/05/003	15 person	Delta State	Killed in a political Rally
14/03/004	Aminasoari Dikibo	National Vice Chairman of PDP South South	Killed on his way to Delta State
03/03/004	Andrew Agom	Member board of Trustee of PDP and his Police	Killed on their way to Abuja
01/03/004	Philip Olotumpa	Resident Electoral Commissioner Kogi State	Murdered in his Residence

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15/05/005	Alibi Olajoku	Political Associates of Commissioner of Works-Lagos State	Murdered on the Road
27/07/005	Anthony Ozioko	Assistant National Director; Research and planning	Murdered in his Residence
30/06/006	Jesse Arukwu	Governorship aspirant on the platform of Adv. Congress Democrats ACD	Murdered in his residence
2008	Engr. Eman Ekpenyong – Mr. Mathias Ekpenyong Akwa Ibom	PDP Start works in Uyo LGA	Murdered in their Business premises
2009	Miss Philomena Udonung	The mother of a PDP Governorship Aspirant	Kidnapped and murdered after even ransomed was paid
2009	Chief Paul Inyang	PDP Starlwart and a contestant for the State chairmanship position	Murdered in the church
01/02/009	Elder Nse Ikpe	PDP Starlwart-Uyo L.G.A.	Kidnapped
31/01/010	Gen. Edet Kpan Rtd	Former Director, NYSC	Kidnapped in the church and two other members of the church killed during the process
9/09/1999	Sunday Ugwu	Killed by Gumen who mistook him for his elder brother Ugwu Nwabueze, a member of the Enugu state House of Assembly	
Dec.2000	Lai Bohagun	Then governor of Delta State	Occupied death in exchange of gun fire between two faction of PDP
Mar.1,002	Three students reportedly killed at Effurun Delta State after a P.B.P rally turned violence		
Mar.4,004	Luke Shugaba	Chairmanship candidate in Bussa LGA, Kogi State	Murdered
July 27,006	Funsho William	A gubernatorial aspirant of P.D.P in Lagos State	Murdered
Aug. 14,006	Ayo Daramola	A Gubernatorial aspirant of P.D.P in Ekiti State	Murdered

Aug.12,002	Janet Olajake	P.D.P Leader in Odigbo L.G.A Ondo State	Murdered
Sept.14,007	Segun Awunesi	Former Chief Security officer to Olusegu Agagu, Ondo State Governor	Murdered
Oct16, 2011	<u>Modu Bintube,</u>	Borno State legislator	Suspected to have been killed by <u>Boko Haram</u> militants.
July 2, 2016	<u>Gideon Aremu,</u>	<u>Oyo</u> state legislator and lawmaker.	Under investigation
April 2016	Iyabo Anisulowo	Senator Ogun state	Kidnapped
April 22, 2016	Adebimpe Ogunlumade, Oladapo Arogundade Ajani and Tajudeen Badejoko	Osun State Govt Officials	Kidnapped in Kogi
April 2016	Hosea Azi	Transition committee chairman of Jos East Local Government Area of Plateau State	abducted and killed
27 March 2016	Colonel Samaila Inusa	A serving senior Army officer	abducted and killed

Source: New watch magazine august, 14 2006, Tell Magazine 2010, May 6, 2016 Nigerian Bulletin

Democratic consolidation

Democratic consolidation addresses the concern of strengthening or otherwise of political institutions such as political parties, legislature and electoral umpires. It deals with governmental administration in relation with accountability, transparency, constitutionalism, rule of law and bureaucracy. It encompasses the understanding of the acceptance and obedience of formal and informal institutions of democracy (Manesh, 2013). However, the most reviewed notions regarding democratic consolidation is that when is democracy “consolidated”, when it is “likely to endure” and expected to “last well into the future” (Schedler, 1997, O’Donnell, 1996, Valenzuela, 1990). The most significant issue associated with democratic consolidation is “transition from authoritarian regimes to democratic regimes” (O’Donnell, 1996). The main focus is centered on “how really democratic the post-transition political institutions are and on their long-term prospects, i.e., whether they are prone to succumb to a new round of authoritarian rule or whether they will prove to be stable or “consolidated (Valenzuela, 1990). He avers that the process of achieving democratic consolidation involves scrapping the institutions, procedures, and expectations that are ambiguous with the minimal workings of a democratic regime, so that the new ones that are “created or recreated with the transition to a democratic government to develop further”.

Consolidation of democracy consists narrowing of democratic uncertainties through normalization of behavioural and institutional changes. The normalization “requires the expansion of citizen access, development of democratic citizenship and culture, broadening of leadership recruitment and training, and other functions that civil society performs. But, most of all, and most urgently, it requires political institutionalization” (cited in Matlosa, 2008). Thus democracy is consolidated whenever political and economic situations of a particular system of institutions “become the only game in town, when no one can imagine acting outside the democratic institutions, when all losers (of political contest) want to try again within the same institution under which they have just lost” (O’Donnell, *ibid*). It is argued that a democracy is consolidated “when power is alternated between rival parties, support for system is continued during time of economic hardship, rebels are defeated and punished, the regime remain stable in the face of restructuring of the party system, and there exists no significant anti-system” (Okoye, Emma and Chukwuemeka, 2012).

Implications of electoral corruption on democratic consolidation in Nigeria

The predicaments of practice of democracy in Nigeria have threatened its consolidation; hence it is characterized with bane of democratic governance. The implications of these therefore manifest in issues such as disrespect and outright violations of electoral act with impunity due to weak democratic institutions, electoral violence, ethno religious politics, rampant corruption and mismanagement, poverty and lack of internal democracy which is visible in incumbency factor, godfatherism and excessive monetization in politics (Egbelubem 2011).

The moral foundation of the state in its capability to meet its obligation to the citizens, and citizen's ability to obey the laws of the state has been questioned. As instructively observed, these issues which have triggered electoral crises are mostly technical and logistical problems, however for many politicians, winning election is more important than deaths that occurs due to application of violence as part of their overall campaign strategy. For Nigerian politicians it's either to gain an unfair advantage over their opponents, or to disrupt the process outright when it is clear that they are not of the winning side of the divide. "This makes our democracy to remain nascent and unconsolidated thereby leading to minimal benefit emanating from it". It is therefore visible "how democracy and not election is the problem in the Nigerian System" (Osabiya 2014).

Corruption challenges Nigeria's drive for democratic consolidation for the fact that political office holders during the elections manipulate either by hook or by crook to their positions, in which corruption is part and parcel of those manipulations. Therefore public office holders disregard often with impunity, government accountability, transparency and service delivery as a result of corrupt practices. One major dimension of corruption that has crippled consolidation of democracy in Nigeria is "political corruption" which consists the 'abuse of trusted power by political leaders for personal gain'. "It has assumed a scandalous proportion in Nigeria since the restoration of democracy in 1999. Nigeria reportedly lost an average of \$4 billion - \$8 billion annually to corruption between 1999 and 2007" (Mustapha, 2010; Human Right Watch, 2007 cited in Aliu, 2013). The consistent ranking of Nigeria among the highly corrupt nations by the global anti-corruption agency, Transparency International (TI) during the period, and the startling revelations by the Economic and Financial Crimes Commission (EFCC), Nigeria's anti-corruption watchdog of billions of dollars of state fund allegedly stolen by politicians and political leaders underscore the pervasiveness of corruption in the polity since the beginning of the fourth republic.

As aptly captured, corruption under the new democracy has been pervasive, open and shameless. The implications of such act manifest in infrastructural decay and persistence of abject poverty among the Nigerian masses (Ojo, 2009). In fact, the power sector crisis, fingered for stunning the economy, owed largely to the misappropriation and embezzlement of government investments in the sector. It was revealed that "Nigeria generates less than a pitiable 1,000 megawatts compared to South Africa, a country of 42 million people, which generates over 42, 000 megawatts" (cited in Oni, 2014).

In the side of Independent national electoral commission (INEC), although there is significant improvement regarding the electoral administration in 2011 and 2015 elections, yet there are gaps that threaten democratic consolidation. For instance the questions surrounding the independency of INEC, which includes the appointment of Chairman and electoral commissioners, financial autonomy and its reliance on ad hoc staff in conducting elections. "Since its creation in 1999, INEC has been characterized by a lack of independence, professionalism and administrative efficiency" (Fall et al. 2011 cited in Kerr, 2012). The appointment process for INEC commissioners at both the federal and state level gives the first indication of the deficiency in INEC's institutional autonomy. The Constitution gives the President authority to appoint all 12 commissioners (and the 36 Resident Electoral Commissioners) with the approval of the Senate. The presidents' monopoly over the appointment process has direct implications for INEC's popular legitimacy and its ability to impartially organize elections. This implication is disturbing to the process of consolidating democracy. "For instance the non-partisanship' of INEC which is supposed to be an independent and credible body was doubted more than ever, especially in 2003 and 2007 elections" (Osabiya, 2014:62).

Conclusion and Suggestions

Corruption has greatly eroded the fundamental values of democracy and the essential principle that government should be representative and accountable to the citizens. Invariably, the Nigerian political leaders as it is presently constituted lack the moral fibers to champion the cause of the Nigerian society. When political leaders are perceived to be pursuing their

personal interests excessively, citizens become disenchanted, questioning the legitimacy of leaders and the state, and even the legitimacy of the process and system that produced them. This is what negatively affects democratic consolidation.

Survival of democratic consolidation depends on the periodic conduct of acceptable and competitive free and fair elections. The conduct of such elections rest on the institutional framework put in place to guaranty compliance in the activities of the stake holders. Among such stake holders are the political parties and politicians; electoral management body, INEC, and the traditional rulers who are believe to be custodian of people's culture and tradition. However, studies have shown that the activities of these stake holders have been beset by corrupt actions that put constraint to free elections.

Despite the continuous poor organization and conduct of elections due to electoral corruption, all hope is not lost in getting it right in the future conduct. However the following are suggested to minimize corrupt practices towards credible election.

- Internal democracy among the political parties should be encouraged to avoid clientage system.
- Adherence to rule of law. Unless the political leaders strictly adhered to the application of rule of law, constitutionalism and democratic values, the legitimacy of government and consolidation of democracy may not be sustained.
- There should exist strong opposition party or bodies. In Liberal democracies, opposition parties put constructive pressure on the ruling political party and serve a watch-dog role.
- Death sentence should be handed to any contestant found guilty of initiating or carrying out elimination of his opponents because he wants to gain upper-hand in the election. It will be wise to hit anyone who eliminates his opponent because of political position to face the penalty as applies to someone who commits murder.

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