**VOTE BUYING: ITS CONSEQUENCES ON THE NIGERIA ELECTORAL PROCESS** 

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### **ABSTRACT**

Nigeria electoral system has been marred with one form of malpractice or the other. Hardly has the electoral body conducted an election that has gained wide acceptability, both locally and internationally. Since Nigeria returned to democracy in 1999 and with the keen interest of the local, international communities and Non-Governmental Organizations (NGOs) have shown in the electoral process, it has become imperative for the electoral umpire to strive at ensuring that fair, free and credible elections are conducted. While the Independent National Electoral Commission (INEC) with other agencies are striving to ensure improvement in the integrity of the electoral process, through the deployment of technology like Biometric Voters' Accreditation System (BVAS) a new dimension has been adopted by politicians. The new dimension is the phenomenon of open competition for votes through monetary and material inducement of voters. This paper will attempt historical excursions of elections in Nigeria. It will also examine the negative effects of vote buying. which include the negative effect on our electoral process. Prosperity theory is employed to explain voters' behavior in the context of choice and preference for a particular candidate or political party. It is a theory of personal preference. To curb vote buying, the paper recommends that government should develop strong legal framework, voters and INEC officials should also display high moral standard and change of attitudes.

Keywords: vote buying, democracy, electoral process, political parties

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## 1.1 INTRODUCTION:

Globally, democracy has been adjudged as the best form of government as it is a form of government that gives opportunities to citizens to participate in electoral and decision making process. From Africa, Asia, Europe to America and other parts of the World, there is a general sentimental attachment to democracy as every leader wants to be seen as a democrat. Even among the ordinary people, democracy holds special appeal as it gives them sense of belonging in the periodical choice of their representatives.

At the heart of democracy is election as it serves as the means through which citizens' understanding of democracy and governance could be measured. It is a time tested way of building democratic institutions and preserving the sanctity of representative democracy. Therefore, it is the responsibility of the institutions that are charged with the conduct of elections to be up and doing and ensure that fair, free and credible elections that will be acceptable to all stake holders are conducted. Other supporting state institutions like the security apparatus must also support INEC in ensuring that acceptable elections are conducted.

Another critical stake holder in the conduct of an election is the political party. Of course democracy and election cannot exist without multiparty system, that will guarantee the inalienable rights of the citizens to make their choice among alternatives. The roles played by politicians in the build up to elections, during elections and after elections are very critical to the sustenance of the political process.

This paper will examine the history of election in Nigeria and the roles of political parties and other stakeholders in sustaining and promoting democratic culture. In the final analysis, the paper will also contain recommendations that can stem the dangerous trend of vote buying that is gradually taking the legitimacy and credibility out of Nigeria electoral system.

## 1.2 Objectives of the Study

The main objective of this study is to investigate vote buying and its effects on the Nigeria electoral process. Other objectives of the study are: i To examine the consequences of vote buying on the Nigeria electoral process

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ii To investigate the factors that are responsible for vote buying in Nigeria electoral process. iii To proffer ways of curtailing vote buying in Nigeria electoral process. **1.3 Research Questions** 

The study seeks to provide answer to the following research questions i

What are the consequences of vote buying on Nigeria electoral

process? ii What are the factors that are responsible for vote buying in

Nigeria? iii In what ways can vote buying be curtailed in Nigeria electoral

process?

### 2.1 History of Election and Electoral Process in Nigeria.

The first election in Nigeria was conducted in 1923 following the promulgation of the Clifford constitution. The election was introduced to elect the three legislative seats in Lagos and one in Calabar. The franchise was restricted to those that earned a minimum of (100) one hundred pounds per annum. Following the introduction of Richards constitution in 1946, the electoral requirement of (100) one hundred pounds was reviewed downward to (50) fifty pounds. The 1951 Macpherson constitution ushered party politics and regional elections. Three major political parties, the Action Group (AG) led by Chief Obafemi Awolowo was in control of Southwest, the Northern People Congress (NPC) led by Sir Ahmadu Bello represented the North while the National Convention of Nigerian Citizens (NCNC) controlled the Eastern Region.

Another major revolution in the Nigeria electoral system was the introduction of the adult suffrage. In the Western and Eastern Regions, universal adult suffrage was adopted in 1959 while Northern Region adopted adult suffrage. Within the period under review, the first electoral umpire, the Electoral Commission of Nigeria was introduced with the mandate to manage the electoral process. The body was later renamed the Federal Electoral Commission under the administration of late Sir Abubakar TafawaBalewa. The election of 1964 that triggered the collapse of the first republic was conducted by the electoral body. The collapse of the first republic led to the thirteen years of political interregnum and the civil war (Abubakar etal, 2021)

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A new democratic order was ushered in in 1979 with the general elections that was conducted by the Federal Electoral Commission (FEDECO). Alhaji Shehu Shagari was elected as the first executive president of Nigeria. On the 31<sup>st</sup> of August, 1983, a group of soldiers led by General Muhammadu Buhari overthrew the civilian government of Alhaji Shehu Shagari. The military government attributed their intervention to the violence that marked the election of 1983 across the country, particularly in the South Western part of Nigeria. Violence was more pronounced in the defunct Ondo and Oyo states that formed the present Ekiti and Ondo, and Oyo and Osun states respectively. The then electoral commission otherwise called FEDECO was accused of rigging the elections in favour of Chief Akin Omoboriowo and Dr.Victor Olunloyo, both of National Party of Nigeria (NPN) and they are of Ondo and Oyo states respectively. The announcement of Chief Akin Omoboriowo ignited spontaneous reactions from the supporters of Chiefs Michael Adekunle Ajasin and Bola Ige of the Unity Party Of Nigeria(UPN). Lives and properties were lost. Eventually, it was the Court that declared Chief Ajasin as the winner of the election. Like the post election crisis of 1964/1965, the military coup de'tat of December of 1983 was attributed to the post election crisis of 1983 (Babarinsa, 2003). On 27<sup>th</sup> of August, 1985, the circle of military rule continued with another palace coup led by General Ibrahim Babangida.

The military government of General Babangida launched a transition program. With the establishment of National Electoral Commission (NEC) general elections that would have culminated into a new government was aborted by General Babangida with the annulment of the presidential that was acclaimed to have been won by MKO Abiola, who later died while in detention. The crisis that followed the annulment forced General Babangida to step aside and an interim government headed by Chief Ernest Shonekan was formed. The government was, however, declared illegal and General Sanni Abacha, in November,1993 succeeded the Shonekan led interim government. The government of General Abacha was unpopular both locally and internationally. The Abacha administration was terminated with the death of Abacha. General Abdulsalam Abubakar assumed the mantle of leadership.

The administration of General Abubakar promulgated decree 17 of 1998. The decree renamed National Electoral Commission (NEC) to Independent Electoral Commission (INEC). The commission successfully managed the transition process with the formation,

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registration and supervision of elections that ushered in a democratic government in Nigeria in 1999. Since then the electoral body has been managing circles of elections.

#### 2.0 Literature Review

In the past, the main features of Nigeria electoral system were rigging, stifling of opposition, inflation of votes, killing and maiming of voters and political opponents and other security issues. But in recent times, issue like vote buying has crept into Nigeria political lexicon.

Politicians have sought to justify votes buying as part of strategy of mobilizing voters to turn out and vote for political party of their choice. According to Eric, vote buying is the distribution of money and other gift items by politicians to voters in a bid to encourage them to vote for their political party (ies). In vote buying, scholars have identified two principal actors, client and patron. The process involves a patron who wants to build and sustain his power base and the client that seeks protection. For the client, it is an attempt to survive and create a negotiating base for government attention in the areas of job creation and economic survival, it is described as insurance against risk (Piattoni,2001). Stokes posited that vote buying is a system of exchanging materials goods for electoral supports. In carrying out this process, patron is assured of voters' supports.

While the mechanism of enforcement is based on social trust in view of the difficulty of enforcement due to the secrecy of the ballot, and the lack of capacity and structure on the part of political parties to monitor compliance and enforce punishment on the unfaithful voters. Nigeria political parties and their agents have enforced compliance through oath taking, with dire consequences on unfaithful voters.

# 2.1 Historical Background to Vote Buying

Buying of vote was once a political strategy employed in America in the 19<sup>th</sup> century. It was a strategy employed by American politicians to compensate voters for voting for particular candidates. During the period, politicians opened shops where cash were kept for the purpose of influencing undecided voters. It was mostly carried out among low income communities.

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Also in the 18<sup>th</sup> century, vote buying was prominent in the United Kingdom. It was a system devised by the Aristocratic class to win elections. Similar to what was obtainable in the USA, It was normally targeted at lower income class and the undecided voters. It was referred to as electoral treating. (Eric Jonathan, 2013)

One of the unique characteristic of democracy is electioneering campaign and election. This process can be described as celebration of choice by the electorates and politicians alike. Through this process, politicians market their candidates and political parties to win votes. The process also include mobilizing party supporters with cash and other branded gift items as part of strategy to win votes.

### 3.0 Theoretical Framework

To establish a relationship between vote buying and electoral process, the prosperity theory is adopted as underpinning theory as this will further enhance our understanding of the concept of vote buying. What the theory seeks to convey was voters' varying risk for gains and losses. That voters' choice is a product of his or her economic conditions. It is a theory that appeals to individual risk taken based on evaluation of the prospect and consequences of such choice. However, the choice of an average voter is not devoid of manipulation. It could be described as political gambling.( Tversky&Kahneman, 2013)

Other variables that may determine voters' choice could be the prospect of improved economic conditions and other primodal attachment. The politician that is buying votes is at greater risk as he is not sure of being voted for after inducement as voters cast their votes in secret.

The adoption of the theory to Nigeria politics is to enable us to properly situate the desperate manner with which politicians seek to win elections. Where propensity to win election is high, Nigerian politicians will go extra mile to take loans or sell properties in order to induce voters. Inducement of voters become a veritable option with the introduction of technology into the electoral process. As a risky political venture, vote buying requires that politicians must have targeted people; it also demands establishment of personal relationships with the targeted voters and an appreciable level of social influence on the targeted voters.(Eric, 2013)

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## 4.0 Vote Buying: The Nigeria Experience.

In Nigeria, money is the driver behind every election, and the reason for this is not farfetched. Politicians regard opportunity of winning an election as an avenue of using the state to generate income for themselves and their sponsors. The wealth so accumulated is used to buy election and this throw off legitimacy and accountability from the electoral process. In this regard, the massive use of money has promoted the politics of prebendalism, a clientele mode of politics dominated by elites and the benefits are distributed amongst them.( Sam Egwu, 2013) Apart from using money to induce voters, money is required for logistical supports. But the trend it has assumed in Nigeria is worrisome as buying and selling of votes have become the norm at every election. Vote buying has been defined as the act of inducing voters with money or other forms of items with a view to getting their votes. It is an attempt by politicians to influence the choice of voters by making them to cast their votes in a particular way and for a particular candidate or candidates. In Nigeria, there are two levels of vote buying. At the delegate level where parties pick candidates for the general elections. At this level, party delegates are generously taking care in terms of their hotel accommodation, feeding and transportation. Aspirants offer delegates cash in foreign currencies and oftentimes delegates' votes are given to the highest bidders. The competition for votes is an intraparty affairs. The second level is the general elections, where parties present candidates for election. Political leaders and their agents are involved in the transactions to sway votes to their party through voters' inducement.(Chukwuma Okoli,2021)

The act of inducing voters did not start with the general elections, rather, party primaries are said to have gone to the highest bidder as those with financial muscle often win election. It is this mindset that politicians carry to the general elections where they resort to distribution of bags of rice, semovita, fish, indomie among others. Politicians and voters brazenly carry out these activities in the public glare without due regard to the moral, and legal implications of the act. In many instances, security personnel has remained helpless in apprehending culprits, particularly in instances where those that are involved are members of the ruling party.

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The new trend of voters' inducement, either in form of doling out cash or distribution of food items by politicians can be attributed to the introduction of digital technology into the electoral process, which has significantly reduce manipulation of elections by politicians. (Chukwuma Okoli,2022)

The electoral law has adequately addressed the issue of corruption in politics, including vote buying. According to the Electoral Act 2022, Article 121 provides that:

- (a) a person who directly or indirectly, by his or herself or by any other person on his or her behalf, corruptly makes any gift, loan, offer, promise, procurement or agreement to or for any person, in order to induce such person to procure or endeavor to procure the return of any person as a member of a legislative house or to an elective office or the vote of any voter at any election;
- (b) upon or in consequence of any of any gift, loan offer, promise, procurement or agreement corruptly procures, or engages or promises or endeavours to procure, the return of any person as a member of a legislative house or to an elective office or the vote of any voter at any election;
- (c) advances or pays or causes to be paid any money to or for the use of any other person, with the intent that such money or any part thereof shall be expended in bribery at any election, who knowingly pays or causes to be paid any money to any person in discharge or repayment of any money wholly or in part expended in bribery at any election;
- (d) after any election directly, or indirectly, by his or her or by any other person on his or her behalf receives any money or valuable consideration on account of any person having voted or refrained from voting or having induced any candidate to refrain from canvassing for votes for his or herself at any such election.

The Act provides for a fine of N500,000:00 or imprisonment for a period of 12 months or both. (Electoral Act,2022)

As harsh as this provisions are, the phenomenon of vote buying has remained unabated as it has been witnessed in previous elections. There are video clips and recorded voice of cash

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sharing by politicians to electorates. Often times, voters have laid the blame at the door steps of politicians for offering them (voters) money in exchange for their votes. But the excuse is unacceptable, as it cannot stand the logic of integrity as it takes two to tangle. In any transaction, there are two parties, the one that offers and the one that accepts. Section 5 of the Act provides that "any person who conspires, aids or abets any other person to commit any of the offences under this Part of this Act commits the same offence and is liable to the same punishment". The implication is the two parties in the transactions of vote buying are guilty equally and liable to the same level of punishment, a fine of N500,000: 00 or twelve months term of imprisonment or both.

Vote buying has denied voters the opportunity to rationally and objectively choose their leaders. The implication is that voters have turned their votes to commodities, and oftentimes, it is the highest bidders that win elections. The beauty of democracy is the ability of voters to make rational choice as it is assumed that voters are guided by certain level of intelligence, good judgment and ability to critically assess political parties by their programs/manifestoes and even the characters of contestants .

However, corruption of the electoral system in Nigeria is not entirely strange as there has never been any time that politicians have not rejected the results of an election, when such result did not go in their own way. And in the past, observers have identified the various dimensions election rigging have taken in Nigeria. Some of them are:

i Falsification of results ii Illegal possession of ballot papers iii Announcing result in places where no elections were held.

iv Unauthorised announcement of results

v Illegal thumb print of ballot papers.

vi Inflation of figures. (The Guardian, 2023)

While it may be easy for losers to prove instances of infractions of any of the above dimensions, it has not been easy to prove the case of vote buying as politicians across political party are involved. (Sahara Reporters, 10/9/2018)

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## 4.1 Factors that Aided Vote Buying in Nigeria.

As it is commonly said, it takes two to tangle. Therefore, it is not only the activities of the politicians that is corrupting the electoral process ,there is also the collaboration on the part of the voters, after all, if there is no willingness to accept, the urge or drive to give will not be there. Despite the various laws in our statute books, including the electoral laws, the phenomenon of vote buying has remained unabated. Below are some of the factors that have aided vote buying in Nigeria.

1. Vote buying thrives because of high level of poverty in the land as voters see it as avenue to improve their lives, however momentary it may be. The poverty level is further worsened with nonpayment of salaries of workers and pensioners. In some states workers are owed six months to one year salaries arrears. And in the face of salary delay and nonpayment of pensioners, there has been reported cases of workers account been credited with meager amount of two to three thousand naira with two or three days to an election. This no doubt was done to sway votes in favor of a particular candidate.

2.Also, the phenomenon of vote buying is encouraged by high level of unemployment, which made voters to scramble for money and other items like foodstuffs that politicians offer them in exchange for votes. Nigeria unemployment rate is said to stand at 40.28%. This is no doubt an alarming national embarrassment. Unemployment has exacerbated hunger and urge to devise survival instincts. One of such instincts is to cling to any "opportunity" that will give them or assure them of daily bread, albeit temporarily.

3. Voters and citizens lack of trust in the political class. Once elections are over citizens hardly see them as some of them have been accused of relocating to the elite dominated part of the town. And in some cases the state capital or Abuja remain their place of abode while they are still in power/ government. Therefore, election period is seen as a time to have their own share of the national cake as they become unreachable after their electoral victory. However, they have been reported cases of citizens violent attacks on politicians who come back to their constituencies during election after staying away from them.

4.Lack of transparency in the political process. This is manifested in the protracted preelection cases in courts which has led to overturning of election results in favor of

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another candidate. Another effect is the intra party crisis, which often result to factionalisation along group or individual interests.

5.Attitude of politicians to acquisition of political power. The corollary is that political power is regarded as an avenue to acquisition of wealth, hence the attitude of do or die and the readiness to commoditize votes and voters in form of a bazaar where it is the highest bidder that will have become the order of the day.

6.Lack of political education. Most of the electorates lack the power and understanding of their votes, hence they exhibit ignorance as it is seen in the way they sell their votes. Electorates have not been fully or properly mobilized in the full realization that the power of their votes is more than the one day vote they cast. Subsequently, there is the need for various agencies of the state like National Orientation Agency,(NOA) Civil Society groups and Non-Governmental Organizations (NGOs) to work with Independent National Electoral Commission (INEC) in educating the citizens about the dangers inherent in selling their votes or accepting material gifts from politicians in exchange for their votes. (Magaji & Musa, 2022 and Geddis, A. 2008)

7. The weakness of party system has entrenched the culture of money politics with the money bags dictating and dominating other actors, including officials of electoral bodies, traditional institutions and party chieftains. This institutional weakness has further entrenched the culture of impunity, authoritarianism and godfatherism. (Sam Egwu, 2013)

## 5.0 The Consequences of Vote Buying on Nigeria Electoral Process

In Nigeria, political parties employed various means and strategies to court voters in order to win elections. While some of these strategies come in form of threat, other strategies come in form of distribution of gift items and cash to voters. However, the electoral law has outlawed vote buying in any form by politicians. The strategies of engaging in vote buying by politicians have consequences on the Nigeria election and electoral process.

Money politics has taken centre stage in Nigeria politics. Politicians that have invested a lot of money in the election will pursue the return on investment and this will affect performance and quality of representation either at executive or legislative arms of government.

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Vote buying has been criminalized in the Nigeria electoral law, yet it continues to thrive among politicians. Its impact on the democratic governance is enormous as it cheapens democracy as a cash and carry process, which only the highest bidders will carry the day.

Above all, it diminishes quality of public policy and service delivery by political office holders

In democracy, ultimate power belongs to the people. Such power confers on the people the right to track the performances of their representatives and make demand on them. However, vote buying has eroded such rights and often make representatives overlord.

Voters are supposed to make their choice based on ideological contents and programs of political parties. Vote buying in Nigeria has eroded politics of ideology. Rather, money has become the major determinant of political choice. (Geddis, A.2008)

The philosophical base of democracy is the periodic interactions between the elected representatives and the people that voted for them. In recent times, reverse has been the case, elected political office holders make themselves unavailable to the people that voted for him. Inducement of voters have made it difficult to determine those who are genuinely seeking interested in offering quality services to the people. (Thisday,

29/11/2018)

(Ugwu,2021)

### **5.1** Recommendations

No doubt, the phenomenon of vote buying has made the electoral process to be more expensive, thus allowing the money bags to have a field day and this has invariably affected the quality of political representation at every level of governance.

In view of the concerns that has been expressed by various stakeholders, the INEC, NGOs, international communities and even political class, there seems to be a unanimous position that vote buying is an evil that must be curbed in the electoral process if our election is to gain global acceptability and meet the minimum irreducible standard of global best practices of electing political leaders. It is against this background that the following recommendations are made. This paper is of the opinion that if policy makers carefully looked into these recommendations it will no doubt go along way in curbing the phenomenon of vote buying, thereby boosting the integrity of the electoral system.

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- 1. Political Parties should be transparent in the conduct of their election primaries as vote buying begins at the level of party primaries where there have been reported cases of contestants giving out as much as five thousand dollars(\$5000:00) to party members in order to win party primary.
- 2. There is the need for politicians to change their attitudes to political office or positions. No doubt, Nigeria politicians regard politics as another means of money making. They can sacrifice anything in order acquire and to sustain their hold on power.
- 3.Political positions should not go to the highest bidder as there is the need to minimize the use of money in politics. The agencies of the state like Economic and Financial Crimes Commission (EFCC) and the Independent Corrupt Practices Commission (ICPC) should properly monitor the spending of political Parties in order to compel that political parties operate within the legally approved donations/ contributions. These institutions i.e EFCC and ICPC need to be strengthened in terms of personnel, training and finance so as to be able to effectively perform their statutory roles in the monitoring and prosecution of violators of electoral laws particularly on campaign spending.
- 4.The Independent National Electoral Commission, (INEC) the Non-Governmental Organizations (NGOs) and other development partners must embark on political education of the citizens and the politicians alike .The training and enlightenment campaign should focus on the power of the electorates and the implications of the use or misuse of the voting power on their socio-economic and political survival.
- 5. There is need to strengthen the judiciary through training, improved remuneration to shield them from undue influence and sufficient manpower to expedite action on cases arising from electoral matters. To this end, special courts can be constituted for speedy trial of those that have ran foul of the electoral laws, including vote buying.
- 6.The legal framework must be worked on. Cases on electoral malpractices have been lost when lawyers and judges bring in legal technicalities. It is a considered opinion that legal technicalities and gymnastics should be avoided in deciding some electoral matters.
- 7.Intelligence gathering is very important as vote buying is not a one day affairs. The processes are carefully planned and surreptitiously executed by politicians. Security apparatus like the Nigerian Police, Nigeria Security and Civil Defense Corp (NSCDC) and State

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Security Services need to collaborate with the citizens to curb the menace. Through interagency collaboration, intelligence gathering and sharing will be faster and implementation could be swift.

### 5.3 Conclusion

Democracy demands from citizen's ability to make rational and informed choice and in making this choice, it is assumed that citizen's choice is guided by the programs and manifestoes of political parties. While ethnicity and religious considerations have been cardinal consideration of electorates in casting their votes, and has, no doubt affected the quality of representation, the phenomenon of vote buying has further worsened the electoral integrity in terms of independent of choice by the electorates. The concerns of stakeholders is on the implementation of government policies, quality of debates and other political engagements and citizens' participation in the political process. The active engagement of the people, no doubt, will further consolidate and deepen democratic process. Also, individual strong characters which have helped in building strong institutions in Western democracy, will play major roles in nurturing and sustaining democracy in Nigeria.

While it is necessary to build strong legal frame work ,it is also important for the political class and the voters to operate on a strong moral restrain, as this will, no doubt, curb the menace of buying and selling of votes. The recent allegations of collusion of some INEC officials with politicians to rig elections after collecting huge some of money from politicians should also give the top echelon of the commission a cause for concern. Therefore, INEC must embark on background checks of its staff with a view to wielding away those with dubious characters in their midst. If this measure is carried out, both politicians and voters will, no doubt, know that it cannot be business as usual.

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