

3rd Annual Law & Social Development Lecture

Democracy & Elections: Myths, Illusions & Realities

Chairperson's Opening Address

Distinguished lecturer, Dr Abubakar Momoh

Distinguished Keynote speaker, Professor Attahiru Jega

Distinguished practitioners in Bamidele Aturu and Co

Distinguished ladies and gentlemen

I have the unique privilege to congratulate Bamidele Aturu and Co for this event, the 3rd Annual Law and Social Development Lecture. The platform for this year has the very apt theme, *Democracy and Elections: Myths, illusions and Realities*. This country is on the verge of another national general election. It will be the fourth such elections since the 1999 transition to a constitutional polity. It will also be the 10th general elections in Nigeria in the period of the current polity that came into

being in 1950¹. It is obvious that the nature of the political organisations that serve as the vehicle of the elections determine the nature of these elections and the local elections since 1950. I refer to the political parties and the politicians. The problems we experience today at national elections arose originally at the elections held in 1951. The unenviable characteristics of all elections in the period 1951 to 2010 are similar. Only two of the nine past elections stand apart slightly and for different reasons

- The 1959 general elections have the unique feature of attracting the most wide spread participation by the electorate. 79.5% of the electorate voted at that election (African Elections Database, 1959). The election produced the government that inherited political power from the colonialists the following year. There were riggings in this election. Indeed, the departing colonialist power took part in the rigging (Lawman, 2007).
- The 1993 elections have the unique features of the only election that did not give rise to any dispute with respect to the authenticity of the outcome. As we generally and popularly describe, it is the only *free and fair election* in the history of this polity. The second uniqueness is that the military dictators who held the country and the people by the throat at the time threw the outcome of this free and fair election into the garbage.

¹ Apart from the elections of 1923 that gave Nigeria four legislative seats (three from Lagos and one from Calabar) by adult suffrage, the first inter-party electoral contest was in 1938. The current polity emerged in 1950 with the formation of the Action Group of Nigeria AG, the Northern People's Congress NPC and the Northern Elements Progressive Union NEPU, an ally of the National Council of Nigeria and Cameroon NCNC. With the promulgation of the McPherson's Constitution that effectively brought the federal structure into being, elections have been held in Nigeria in 1951, 1954, 1959, 1964, 1989, 1993, 1999, 2003 and 2007. The coming elections in 2011 will be the tenth general elections in sixty years.

It is a sad historical fact that practically all the nine general elections held in Nigeria in a period of sixty years are fraudulent and do not reflect the electoral wishes of Nigerians. The votes of Nigerians have not counted! The economic deprivation of this despicable history is the consequence of these serial robberies that we have in Nigeria today.

Apart from the barefaced stealing of the votes and outcome of elections, an author has the following to say about Nigerian elections

More particularly, the experience of post-colonial state-building has led to the monopolisation of power by a small and shrinking elite, whose relationship to the rest of the people has been growing ever more remote financially and socially, and also by age aggravated by neo-liberal processes of internationalisation which have encouraged and allowed for excessive accumulation of wealth and power. (Bracking, 2010).

Whilst one may not necessarily agree with every word or the implication of such words in the quoted passage, one is satisfied that it expresses the real core of the reason for elections manipulation in Nigeria and other African countries. Indeed, they are highly unequalled groups as representatives of unequal societies that engage in the politics for power in Nigeria.

1. The ruling right wing politicians and their parties engage in elections by the strength of the resources stolen from the country. They arrogate these national resources to themselves and use same to stay in power.
2. The authentic opposition parties and their politicians depend on their meager selves to engage in the same contest.

The 1999 Constitution by virtue of Section 228(c) attempts to provide a degree of equal access to resources for the contests for power. The current tinkling by the National Assembly with these provisions and the statues obliterates this attempt. They privatise the constitution and the law to ensure their stay in power, irrespective of the will of the people or the adverse effects on the economic development of Nigeria. Moreover, the tinkling is more with emphasis on the post election judicial processes and intervention rather than ensuring certainty of the votes at the polls with next to nil post election judicial settlements. The declaration by the Court of Appeal on Friday 15 October 2010 that Dr Kayode Fayemi won the election of 14 April 2007 certainly has a large dose of absurdity that robs the electorate in Ekiti State of their democratic rights as a people. The current tenure of the governor of the state would have expired only six months from now! It took this country 42 months to determine the fraud of someone illegally occupying the seat of power in a state. Indeed, the vote robbers go scot free without any punishment for such a heinous crime against the people and the Constitution.

I will state again at this forum a lot of what I said in February 2006 from the document we used to publish our book, *Savagery in politics, the hindrance to national development in Nigeria* in February 2006 (Ferreira, 2006). The purpose is to demonstrate the immense waste of opportunities for development that the illusions that pass as the electoral system has cost our people in the past sixty years. Some editing is necessary because of the passage of time.

Britain, the colonial power that created Nigeria and ruled the new country as one political entity for 46 years granted independence to Nigeria 50 years ago. Nigerian politics has remained trapped in the

internecine in fighting that the pre-independence political parties ignited 60 years ago. Available natural resources have, in the period multiplied many times over since the British handed over power to Nigerian politicians. The population has multiplied four times over. Nevertheless, the quality of life continues to slide down the comparative international scale in spite of contemporary rapid advances in many countries across the world, particularly outside Africa. Nigerian political practitioners in government are on emoluments and allowances that are comparable, and in some areas higher than the current rates in European countries and America. The vast majority of the Nigerian peoples, indeed 80 per cent, 105 million Nigerians in absolute figures belong to families that live on less than 35 dollars per family in a year. From self-created corrupt earnings, the politicians multiply their personal takings many times over within the crookedly operated national economy. Nigeria is a land that is literally flowing with milk and honey. Consider the 923,738 sq km of landmass that is covered with variegated segments of climatic blessings. You may start from the thick rain forests of the Southern coastline, the rich alluvial Niger delta fecund on the surface on land and water, and below the surface with the sixth largest world deposit of oil and natural gas. The Delta spreads across from the Republic of Benin through Lagos, Ogun, southern half of Ondo and Delta States. It also includes Edo, Bayelsa, Rivers, and lower parts of Imo, Eboyin, Cross River and Akwa Ibom States. Consider the rich deciduous vegetation of Oyo, northern Edo, Anambra, Enugu, Kwara, Kogi, Benue, and the northern half of Akwa Ibom States. We have the rich Savannah lands of Niger, Nassarawa, Plateau, Taraba, Adamawa and Bauchi States; the open

grasslands of Zamfara, Kebbi, Sokoto, Kano, Kaduna, Bauchi, Katsina, Jigawa, Yobe and Borno States.

It is a land with immense deposits of solid minerals, from coal to diamond, which remain mostly unexploited, and petroleum with gas that the western capitalist world is ravenously consuming at the behest of international capitalism whilst our peoples bear the adverse geo-economic effects of exploitation. With a vibrant population of 150 million, the 10th most populous country in the world, the vast majority are youths who are mainly jobless and virtually hopeless in respect of future prospects of making a worthwhile livelihood. The politicians who have dominated the political arena and government in the last half a century and ten years remain incapable of turning the vast resources into accessible wealth for the people. There have never been a people, in the history of man, so much blessed, so much in need of development, yet so unable to convert the blessings into benefits.

In spite of these immense human and natural resources, Nigeria was the 149th rated economy in the world, marginally better than 23 other countries in a comity of 174 countries in 2005. Last year, in 2009 Nigeria rated 158th in terms of Human Development Index HDI out of 182 rated countries. Nigeria is the 74th and last in the list of countries grouped as Medium Human Development Index. Nigeria is just short of classification with the Low Human Development Index ratings (Kennedy, 2010). What is the problem? The problem is the successive cohorts of kleptocrats, military politicians and their ever-available civilian collaborators who have continuously used politics and power for self-enrichment with the mass of the people getting steadily poorer.

The basic issue in Nigerian politics is to replace these antidevelopment politicians with a new brand and breed that will ensure the rapid economic development of Nigeria. The political parties that have dominated the scenes of politics and power since 1950 have consistently failed to construct programmes that will give fervour to the economic possibilities in our country. They have selfishly focussed politics on the parochial interests of tribe, region, religion and self. Of course, the final pathway is self; the tribe, region and religion weapons being mere methods of serving the self. The political economy of the current rulers in the legislative houses and the executives does not go beyond the award of contracts for services and products to foreign and local contractors.

That is actually the reason for them to rig elections and deprive Nigerians of the government the people desire.

Since the entry of military dictators into the political process and governance in Nigeria 50 years ago, governments merely publish projects only in terms of cost, the volume of money they want to spend. There is usually no specific mention of targets in terms of volume, number and quantity of what the money is to buy. They raise the budget along the line of execution whilst in many cases; the contractors either execute the projects poorly, or do not complete the jobs at all, but expend the increased budget fully. This behaviour is at all the levels of government: local, state and federal.

There are many examples of such corruptly executed projects involving billions of naira and actually costing Nigeria many more times in comparison with identical projects executed in other countries. I invite this audience to place this phenomenon within the context of

growing international capitalist predation of Third World economies. Consider the continuous criminal externalisation of Nigeria's national wealth. Examine the illicit outward financial flows that are only mutually beneficial to western corporations, financial institutions and the Nigerian ruling military politicians and their civilian collaborators. It becomes very clear that the country is in the traps of people who are anything but patriotic.

Nigerians require an immediate stop to the historical calamity constituted by the present cliques in power and politics. The country has planted the seeds of the new breed.

There is an unhealthy synergy between a faulty political system and the backward economic posture in Nigeria. We will only be correct the sad situation when we as citizens can effectively put in government the political party of a free choice. That is the reality of the sixty years of myths and illusions, which have been the lot of unfortunate one hundred and fifty million Nigerians. The issue is whether the ruling clique, in spite of the goading for better and more honourable behaviour at the instance of their foreign backers, are ever capable of overhauling the process for a credible outcome.

In the self-serving process of amendments to the constitution and Electoral Act, they place emphasis on the post election judicial process rather than correcting the electoral process to avoid judicial intervention in putting the elected government in power. Our experience with the 42-month tortuous journey of putting Fayemi in the Government House at Ado Ekiti shows the degree of reliability the electorate may place on a judicial interventionist process that is not inherently a part, but an addendum of the vote casting and counting.

I am confident of the excellent exposure to knowledge and contribution to intellect that we will receive from my comrade, Professor Abubakar Momoh in this hall today. A forthright political scientist, the lecturer is abundantly qualified to take us through the myths, illusions and face us with the realities of Democracy and elections that have remained incompatible in the Nigerian political terrain for sixty years.

I invite you all, distinguished ladies and gentlemen, to be all ears and let us learn from the erudite scholar whom we are lucky to have as our Lecturer today.

Dr Abayomi Ferreira

Lagos

25 October 2010

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