

Original Paper

Vote-Buying and Democratic Governance in Nigeria

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Abstract

This work is an analysis of “Vote Buying and Democracy in Nigeria”. Vote-buying in Nigeria is implicitly becoming an accepted practice with the political class, electoral body, security agencies as well as the electorate contributing to its growth. Democracy entails majority rule and gives ultimate power to the people, among other things. This is demonstrated during elections where political leaders are chosen by the people, through the ballot. This democratic process in Nigeria is altered and negatively influenced by several factors. Vote-buying, a monetary and material inducement that compels voters to vote contrary to their choices, is a disturbing trend that gets consolidated by each passing election in Nigeria. This study examines vote-buying as a dominant-negative factor militating against democratic governance in Nigeria. It is observed in this study that vote-buying is strengthened by bad governance. There is the need to amend Nigeria’s electoral laws to truly make the electoral body independent from the executive, to give it a neutral disposition. There are extant constitutional provisions that criminalize vote-buying, therefore these laws should be enforced, irrespective of the status of the offenders.

Keywords

democracy, democratic governance, Nigeria, vote-buying

1. Introduction

The phenomenon of vote-buying is not common to Nigeria alone but to many countries of the world, especially developing countries. The phenomenon is traceable to political systems, be it developed, developing, classical or contemporary. Emmanuel (2007), explains, that vote-buying was also known in 19th Century England and in early settlements of Quito, Ecuador. Before now, in Taiwan, vote-buying brokers typically approach relatives, friends, and neighbors. In Africa, the trend is taking an unprecedented dimension, with those entrusted with the constitutional responsibility to curb it found culpable and fully involved in perpetrating it.

In recent times, especially in the fourth republic vote buying has become a hydra-headed monster in Nigeria, strengthened by every passing election. As it is today, the phenomenon has gained momentum on an alarming scale and this stands in direct contradiction to the tenets of democracy which is predicated on free and fair elections. Chronologically tracing the phenomena, it is evident it has grown gradually from the first republic to what it is today, in the fourth republic, though as Emmanuel explains, it was the National Party of Nigeria (NPN) that visibly displayed affluence and used money to lure voters in the fourth republic, as was evident during the Ekiti State governorship elections of 2018, the Peoples Democratic Party (PDP) paid between N3,000 and N5,000 into individual accounts of civil servants, while the All Progressives Congress (APC) paid N5,000 and N10,000 to neutralize PDP's bargaining power Olakunle (2018). Vote buying has not only distorted democracy but has come with many negative effects on governance in Nigeria. It is observed that the political leaders today in Nigeria are not truly a product of the people's will. To address the menace of vote-buying in Nigeria, there must be drastic electoral reforms that will include capital punishment for offenders as well as make the electoral body truly independent from executive manipulation.

2. Theoretical Framework

There is a wide range of theoretical frameworks available for this study. However, this work adopted Karl Marx's theory of the state. Karl Mark (1818-1883) and his friend Frederick Engels (1820-1895) are the Chief Proponents of this theory. Though this theory has several perspectives, the focus here is on the instrumentalist's perspective.

The instrumentalist perspective of Karl Marx's theory of the state holds that in every society there is a ruling class to which other classes are subjected. It explains that the state is used as an instrument in the hands of this dominant class in fulfillment of their self-interests. As was enunciated by Karl Marx and Frederick Engels in the communist manifesto, "political power properly so-called is merely the organized power of one class for dominating another". Draper (2019), on Karl Marx's theory of revolution, asserts that the state is the institution or complex of institutions that bases itself on the availability of forcible coercion by special agencies of society to maintain the dominance of a ruling class, preserve the existing property relations from basic change and make all other classes subservient. Marx explains that the dominant class acquires the economic and political power to dominate the other classes in all spheres of life (Ojukwu, 2009). The instrumentalist model is employed here as a tool for the analysis of the Nigerian state with all her institutions as an instrument in the hands of the dominant political class. The security agencies, the Independent National Electoral Commission (INEC), and the judiciary that oversees election petition tribunals are all state agents that help in one way or the other to encourage the perpetration of vote-buying in the interests of the dominant class. The institutions empowered with the constitutional responsibility to ensure free and fair elections are manipulated and used as tools by the governing class to actualize their self-interests. As Alapiki (2015), captures it, what is uniquely negative about the Nigerian state is its lack of autonomy, its proneness to abuse, and the

lack of immunity against it. The negative effect of this phenomenon has always been on the people who have been deliberately subjected to poor conditions of life, so much so that when an offer is made on election day for their votes, they are left with no option but to give away their votes for a nominal sum.

3. The Concept of Vote-Buying

The meaning of vote-buying as it is commonly understood across cultural contexts and political environments involves the giving of money and gifts either on election day or before election day. According to Schaffer (2007), “vote-buying in its literal sense, is a simple economic exchange, wherein voters sell their votes to candidates, sometimes to the highest bidder in an election”. Vote buying is a complex and multifaceted problem that erodes the tenets of democratic governance, which is mostly determined by environmental factors and the type of political system operated. According to Emmanuel (2007), vote-buying is a simple economic bargain where the electorate ‘sell’ their votes and ‘candidates’ ‘buy’, like they buy and sell apples, shoes or television sets”.

3.1 Vote Buying in Nigeria

Vote buying is a hydra-headed monster that crept into Nigeria’s political system with its attendant effects and implications. In the first (1963-1966) and second (1979-1983) republics, but got consolidated in the fourth republic. The phenomenon which stands in direct opposition to democratic principles inhibits good governance and is a forerunner to mediocrity in governance. Vote buying is a criminal offense punishable by law in Nigeria, however, even the law enforcement agencies and the electoral body that is constitutionally empowered to curb the menace of the phenomena are all enmeshed and have compromised in one way or the other in aiding the phenomena. As provided in **Article 130 of the Electoral Act of 2010:**

“A person who corruptly by himself or by any other person at any time after the date of an election has been announced, directly or indirectly gives or provides or pays money to or for any person to corruptly influence that person or any other person to vote or refrain from voting at such election, or an account of such person or any other person having voted or refrained from voting at such election, or being a voter, corruptly accepts or takes money or any other inducement during any of the periods stated in paragraph (a) of this section, commits an offense and is liable on conviction to fine of one hundred thousand naira (N100,000) or 12 months in imprisonment or both”.

Adherence has been a herculean task. D

despite this provision in the Electoral Act as demonstrated in the 2018 Ekiti governorship elections, where several video recordings emerged showing the brazen distribution of cash to the electorate by politicians and their agents. On election days, cash and consumable materials such as food, clothing materials, and fertilizers are also part of the inducement given to voters (Ayayi, in Habu et al., 2021, p. 95).

Though the phenomena of vote-buying centers on giving money and material benefits to the electorate by the candidates, parties, and their supporters, there are various variants of vote-buying which cuts

across political and cultural environments. Direct vote-buying indirect vote-buying treating, abstention, and participation vote-buying are some commonest methods of commercial voting. However, direct vote-buying and treating are the commonest in Nigeria. Treating, according to section 128 of the Electoral Act 2002, is:

“When a person corruptly by himself or by any other person at any time after the date of an election has been announced, directly or indirectly gives or provides or pays money to any person to influence that person or any other person to vote or refrain from voting at such election, or an account of such person or any other person having voted or refrain from voting at such elections or (b) being a voter corruptly accepts or takes money or any other inducement during any of the periods stated above”.

Treating could be treated as an independent phenomenon from vote-buying but because it occurs penultimately to elections it is treated by scholars as an aspect of vote-buying. Vote buying is fast becoming an accepted practice with an obvious threat of truncating the country’s nascent democracy, as the phenomenon gets intensified by every periodic election. Osita Chidoka, the governorship candidate of the UPP in the November 18th, 2017 Anambra Governorship election, in announcing his decision not to contest the result stated thus:

“They traded their votes because they doubted we would truly represent their interest while our message resonated with the people, they doubted that the political class cared about them. They voted for the highest bidder”.

Today, it is widely believed the unpopular political elites in Nigeria have made the phenomenon of vote-buying a major strategy to win elections. It was thought that after the nationwide condemnation of vote-buying in the Anambra November 18th governorship election, the Nigeria State would have clamped down on the perpetrators of the phenomena as provided by law, but contrariwise it was replicated in the Ekiti governorship election of July 14th 2018, as cases of commercial voting emerged, with the ruling APC and the major opposition PDP allegedly involved in vote-buying. This was aptly captured by the vanguard of July 15th 2018, as “Ekiti Election: “Ayemi, Eleka in tight race amid ballot-snatching vote buying”. According to the vanguard account, no fewer than five persons were arrested by the police in Ado-Ekiti, the Ekiti State Capital for allegedly distributing to voters financial and material benefits, during the elections, linked to the ruling APC and PDP. This display of desperation by Nigeria’s political class is not unconnected to the attractive nature of elective positions in the country. As Cletus (2018) explains, due to the juicy nature of Nigeria’s elective positions, elections are competitive, with politicians deploying various measures to win including violence, commercial voting, intimidation, manipulation, outright rigging, etc. Though vote-buying appears to be devoid of some of these measures, its multiplying effect is inherently more damaging to democratic governance in Nigeria.

Dr. Joe Odumakin, president of the Women Arise for Change Initiative, one of the observer groups in the Ekiti election said; “the incidences of vote-buying and inducement became so prominent than it has ever been during the Ekiti governorship election, and this portends danger not only to our electoral

process but also to democracy as a whole". it will not be out of place for one to declare with authoritative finality that "Nigeria is in a problem" if the incidences of vote-buying could be carried out in the country with unrestrained impunity to the glaring of security agents who are the custodians of the law. According to Abiodun Aluko, the Accord Party governorship candidate in the Ekiti election of 2018 "security agents turned blind eye to the open distribution of money by politicians to the electorate". This trend distorts the country's democracy and has redefined it into a mere theoretical expression devoid of the fundamental principles in practical terms. These ugly phenomena are experienced at various levels of government including the legislative houses, with members influenced with monetary benefits to pass bills into law as well as frustrate bills. As Dung, explains:

The media has informed Nigerians of the phenomena of vote-buying in the legislature, and some of the celebrated cases are; (i) bribing of legislators to approve the education budget for the federal ministry of education in 2005, (ii) bribing of legislators to vote for tenure elongation of President Olusegun Obasanjo in 2005 as well against tenure elongation (Dung, 2006, p. 97).

3.2 Democratic Governance in Nigeria

Scholars from different schools of thought and political environments have defined and explained democratic governance, influenced by various factors. As noted by Nwokocha (2007, p. 4), the various models of democracy that democracy is not the same thing for all people and takes diverse structures in distinct places. Unarguably the emergence of democracy in Nigeria is traceable to the Greek City-States, where the concept emanated as direct democracy, giving the right to take part in law-making and policy formulation to all citizens (Alapiki, 2005, p. 50). Direct democracy which was applicable in the Greek City-States is no longer applicable in modern states owing to factors such as landmass, population, the system of government, etc.

Despite this variance in definition, what is central is that the people exercise the ultimate power to govern directly or through their representatives, and scholars have always had a common ground on its ideals. Fundamental Rights of the People, Rule of Law which entails equality before the law, free and fair elections, independence of the judiciary, majority rule, freedom of the press, right to vote and be voted for, etc, are some of the ideals of democracy, however, the application of these principles across political systems have always degenerated into contention leading to the practice of unknown variants of the concept, especially in the third world. As Kaplan (1999), succinctly asserts, 'the democracy we are encouraging in many poor parts of the world is an integral part of the transformation towards new forms of. The social environment, economic system, and political processes decide the extent to which basic human rights are enjoyed and democratic governance is observed (Alapiki, 2007, p. 52).

There are various impediments to democratic governance in Nigeria, some of which are evaluated in this work as, deep-seated ethnic cleavage, weak institutions, corrupt political elites, a biased and dependent electoral system, regionally-based politics, poverty, voter apathy, etc. the political elites in Nigeria have altered democratic governance and personalized it. The laws which define and for democratic governance are enacted and re-enacted to further the elite agenda. According to Odondiri:

From the point of view of the political class, Democracy in Nigeria means a system of politics and government in which public policies emerge from an elite who openly compete for power in organized formations, (Odondiri, 2003, p. 161).

Poverty has also contributed immensely to the inefficiency of democratic governance in Nigeria occasioning a widespread apathy in politics. According to the McGraw Hill Dictionary of Modern Economics, poverty is a condition in which income is insufficient to meet subsistence needs. The menace of poverty compels a greater part of the voting population to sell their votes for peanuts on election day, with the conviction that such money paid for their votes will put food on the table at least for a day or two. This trend, scholars and opinion leaders believe is a conspiracy of the political class and their associates to impoverish the people to compel the people to sell their votes on election day. President Buhari on his working visit to Kano State After the Bayelsa and Kogi State elections stated thus; “What I saw in the elections in Kogi, Bayelsa, and Rivers, the use of money, and vote-buying upset me”. Weak institutions are another causative factor that hinders democratic governance in Nigeria. It is popularly believed that Nigeria’s electoral system is defective and subservient to the political class, especially the executive. Strong institutions are a veritable tool for democratic governance in developed societies, but it is otherwise in Nigeria. The institutions in Nigeria are weak and do the bidding of the executive because they (executive) have the unilateral power to appoint and dissolve the leadership of these institutions at any time (Fiemotongha et al., 2021).

The place of periodic elections cannot be overemphasized in contemporary democratic states, therefore voter apathy experienced in most recent elections in Nigeria is an impediment to democracy in the country. This is mostly attributed to a lack of confidence and trust in our political elites, owing to the conviction that their (people) votes do not count, engendering the uninterestedness of the people in politics.

3.3 Causes of Vote Buying and Selling

Findings have revealed that weak institutions, poverty, lack of voter education, the desperation of the political class to remain in power, and the general failure of the Nigerian State are some of the causes of vote-buying in contemporary Nigeria. Poverty, lack of political education, and weak institutions are dominant here in the Nigerian context. When citizens live in abject poverty offer of money and material items to them on election day could mean a week without hardship to fend for themselves and their families

The uneducated are a larger proportion of the voting population in Nigeria, therefore when they are offered a token for their votes, they do not hesitate to sell it without considering the consequences. They also do not see vote-buying and selling as an evil that will boomerang on them, and also as a bait to mortgage good governance. When the institutions empowered with the constitutional responsibility to enforce the electoral laws are enmeshed in the act, and the electoral body that should be impartial is weak and becomes biased and partisan, then a platform is created for vote trading. This situation has ultimately created a devastating impact on the legitimacy of Nigeria’s electoral and political system

(Bekuma et al., 2019, p. 86).

3.4 Findings

It is observed in this work that, for the political class to continue to use the phenomena of vote-buying as a successful strategy to win elections, they (politicians) have systematically conditioned the citizens in such a way as to subject them to sell their votes on election day, and this is deliberately done through means. The institutions which have the constitutional responsibility to curb this phenomenon are handicapped and subjected to the politicians, especially the executive. The dependence of the electoral body on the government is a defining factor that aids vote-buying in Nigeria, making it inefficient, ineffective, and subservient to the political class. The defective nature of the 1999 constitution of Nigeria has also not helped in curbing the phenomena of vote-buying as it does not constitutionally empower the electoral body to perform its functions independent of the executive, which has distorted democratic governance in the country. The constitution also gives too much power to political office holders as well as makes their offices too lucrative hence the unhealthy competition. The democracy we have today in the country is a far cry from democratic governance in the developed states. Democratic governance in Nigeria is a mere theoretical expression devoid of the tenets of democracy, and this is occasioned by the various factors militating against the concept in the country, which includes vote buying and selling.

4. Conclusion

The menace of vote-buying and selling in the fourth republic is unprecedented and has taken a different dimension, with the government and her institutions helpless in curbing it, and this is because they are neck-deep in it (vote-buying). The bracing impunity by the political class that accompanies the act of vote-buying is most disturbing and has compelled scholars and opinion leaders to conclude that the political elites have deliberately conditioned the economic life of the people to compel them to sell their votes for a token on election day. This ugly phenomenon has distorted the fundamental principles of democratic governance, which seem indispensable, and has placed a heavy burden on the people. A synergy between stakeholders, the people, and the government is urgently needed if this phenomenon must be addressed and nipped in the bud.

Recommendations

The following recommendations are proffered to address the problem of vote-buying and improve democratic governance in Nigeria.

- (1) The appointment of the electoral umpire should not be left in the hands of the executive arm of government, to make the electoral body truly independent and perform her functions independently without interference. This could be done through constitutional reforms.
- (2) The voting population should be sensitized to the evils of vote-buying and the harm it does to our democracy. This could be successfully done by involving civil society groups.

- (3) The desperation of the political class to gain access to political offices is inherently propelled by the attractive and lucrative nature of political offices, therefore laws should be enacted to make political offices less attractive.
- (4) Democratic governance is centered on the people, hence deliberate steps should be taken to introduce inclusive governance, as well as formulate policies to meaningfully engage them and alleviate poverty; This way the people's trust will be relived.
- (5) The 1999 Constitution should be amended to include capital punishment to deter potential offenders of the law.

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