



A-Z about elections in your country and the world.

Security and Elections in Nigeria

June 2020
Review

*Nigeria's military have
effectively taken over our
policing from the police*

– Cheta Nwanze

In Nigeria, it is not uncommon to find soldiers on the streets or on federal high-ways helping to maintain law and order. During elections, these numbers double; every of the 119,973 polling units get overwhelming military, paramilitary and police presence.

Is this normal?

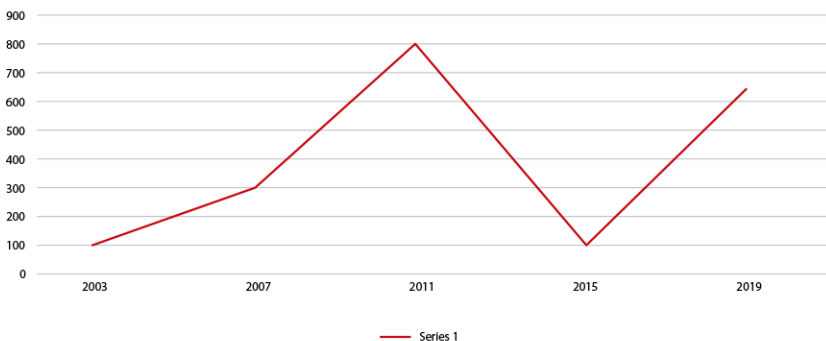
The acting director of Defense Information argued that the military's role in elections is backed by law and contained in Section 217 (2) of the 1999 constitution. Subsection (c) stipulates that "The Federation shall, subject to an Act of the National Assembly made in that behalf, equip and maintain the armed forces as may be considered adequate and effective for the purpose of suppressing insurrection and acting in aid of civil authorities to restore order when called upon to do so by the President, but subject to such conditions as may be prescribed by an Act of the National Assembly".

However, Human Rights Activist and Senior Advocate of Nigeria, Femi Falana submitted that Section 215 invalidates the use of Section 217 as justification for deploying the military to maintain law and order during elections: "going by the combined effect of Sections 215 and 217 of the Constitution, it is abundantly clear that the power of the President to deploy the armed forces for internal security is limited to (a) the suppression of insurrection including insurgency and (b) aiding the police to restore order when it has broken down. To that extent, it is illegal and ultra vires on the part of the President to deploy the armed forces to maintain law and order during elections"

The deployment of military personnel at Nigeria's elections has been constant since it became a democracy in 1999. In the 2019 general elections, there were at least 13 incidences of electoral violence as a result of military presence at polling units. Soldiers allegedly attacked party agents, arrested election observers, assisted thugs to invade polling units and blocked voters from voting.

Budget, Militarization of Polls and Outcome

Electoral violence is a major feature of elections in Nigeria and this has been since the end of military rule in 1999. In 2003, 100 people were killed in electoral violence. In 2007, 300 people, in 2011, 800 people were killed within 3 days after the elections, and in 2015, 106 deaths were recorded. These deaths are often accompanied by other forms of electoral violence such as snatching of ballot boxes, voter intimidation, kidnapping and polling unit invasion by thugs.



Source: Crisis Group, NCSSR

These occurrences take place despite the heavy presence of security officials but more than their presence is the amount of funding that goes into their operations during elections. 22% of funds budgeted for the 2019 elections was allocated to 5 security agencies including the Directorate of State Security- DSS, Nigeria Immigration Service-NIS and the Nigeria Police Force-NPF. 95% of Nigeria's Military troops and over 86% of Nigeria's Police Force which is 350,000 officers strong, were deployed to maintain security and safety at the 119,973 polls of the 2019 general elections. 626 people lost their lives to electoral violence despite these number of personnel and the funding their agencies received.

Lessons From Ghana

In 1992, Ghana transitioned to democracy after years of military rule since its independence in 1957. Since then, they have conducted 7 successive elections, and 3 of these were peaceful transfers of power between the incumbent political party and the opposition party - 2000, 2008 and 2016 elections. Just like Nigeria, Ghana has 2 major political parties (New Patriotic Party (NPP) and the National Democratic Congress (NDC)) that dominate the political space even in the presence of other multiple parties.

For security in Ghana's general elections where 1 president and 273 members of parliament are elected every 4 years, there exists a National Elections Security Task Force (NESTF) which is an ad hoc security arrangement that is inaugurated by the Inspector General of Police some months to the elections. This task force consists of the Ghana Police Service (GPS), Ghana Armed Forces (GAF), Fire Service, Immigration Service, Customs, Excise and Preventive Service (CEPS), Prison Service, Bureau of National Investigations (BNI) and the External Intelligence Service. It also consists of co-opted members such as the National Commission for Civic Education (NCCE), the Ghana Information Services, the National Ambulance Service and the National Disaster Management Organisation (NADMO).

Basically, they have a robust team for maintaining security during elections, just like Nigeria, but each of the institutional members of this task force has their clear roles; The lead security agency is the GPS as supported by the constitution (GPS 1970; Constitution of Ghana 1992), which makes it the only state agency obligated to maintain internal security, law and public order in Ghana. Since the GPS has human resource constraints, the other security agencies support in that area. The co-opted members of the task force are saddled with public education responsibility and taking care of casualties during elections. Also, it is clear who is in charge at the polling station because according to Ghana's Presidential and Parliamentary Election Laws, Public Election Regulation 1996, section 28, *"(1) It is the duty of the presiding officer to keep order at his polling station. (2) If a person misconducts himself in a polling station or fails to obey the lawful orders of the presiding officer, he may immediately, by order of the presiding officer, be removed from the polling station by a security officer; and a person so removed shall not, without the permission of the presiding officer, again enter the polling station on the polling day"*

The NESTF in 2012, was set up as at January, even though the elections were scheduled for December 7th of the same year. In those months leading up to the elections, they identified locations across the country that were most vulnerable to electoral violence and the patrol was doubled in those areas. The security agencies in the task force were trained on their election duties prior to the elections. For the 2012 elections, 41,000 security personnel were deployed to 26,002 polling centres for their voter population of 15,712,499. Since the year 2000, voter-turn-out has remained above 60% of the voter population.

Bottomline

For elections in Nigeria, the Nigerian Police is the lead security agency expected to provide security at the polls, while the military is tasked with providing security at outer cordons. As opposed to maintaining law and order, some of the military men were reported to instigate electoral violence at the polling units. For Cheta Nwanze, Lead Partner at SBM Intelligence, this is totally abnormal and bridges public trust. "It is completely abnormal. It is actually not normal to have a visible security presence around elections. What that shows, is that you are running a low trust society where people do not trust each other which is a roundabout way, in my opinion, of questioning the integrity of the elections."

The passage and implementation of the Electoral Amendment Act amendment will bring electronic voting and 34 other reforms into the Nigerian election process. E-voting will significantly reduce the cases of ballot stuffing and the hijacking of ballot boxes. It will also make the process transparent as figures from the e-Voting Machines (EVMs) and the ballot boxes must tally.