

Electoral System Failure in Nigeria: A Historical Institutional Perspective

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Abstract

Nigeria has been unable to conduct a free and fair election devoid of rigging and violence for 49 years (1964-2023) despite having implemented numerous electoral reforms. This puzzles political scientists. The study offers an explanation to this puzzle from Historical Institutional perspective. Relying on secondary data from archival materials, academic literature (books and journals) and news media reports I tracked all elections in Nigeria from 1923 to 2023. The socio-political context under which those elections were conducted was analyzed in conjunction with the actions of key political actors. The results show that electoral fraud, rigging and violence in Nigeria emerged at a critical juncture and followed a path-dependent self-reinforcing process with many unintended outcomes. As such, the failure of electoral reforms and persistence of electoral fraud is not due to technical failings of the electoral reforms rather is as result of institutional constraints. Broadly the study answers two main questions: how did electoral fraud, violence and rigging evolve in Nigeria and can Historical Institutional concepts of critical juncture, path dependency and self-reinforcing mechanisms be identified in this historical process?

Keywords: *Historical Institutionalism; Electoral Violence; Election Rigging; Nigeria Elections; Institutionalism*

1. Introduction

In the 1990s Sub-Saharan Africa went through what has been described as the Third-wave of democratization (Huntington, 1991). This process dismantled decades old single-party and military dictatorships and gave way to multi party politics. This phenomenon was aptly termed “second independence” or “second liberation” by some scholars with reference to independence from colonialism in the 1960s (Muna, 1991). But what sort of democracy was enthroned? It has been noted that many of them (the third-wave Democracies) differ extensively from the democracies of advanced western countries. Most only met minimal criteria of democracy that they can hardly be considered fully democratic (Collier & Levisky, 1997). Prominent among the features that scholars find problematic in those “democracies” is the electoral system and process (Meredith, 2005). Schedler (2002), states that democracy requires election but not just any kind of election, elections must be free and fair in order to be democratic. On the same vein Collier (2010) insists that proper democracy does not merely have competitive elections; it also must have rules for the conduct of those elections. This study is about the persistent failure of the Nigeria’s electoral system to fulfill those basic democratic norms.

From her emergence as an independent nation in 1960 (1st Republic) to the present 4th Republic, electoral crises has been a permanent feature of Nigeria’s political system. The 1964/65 federal

election which was the first post independent election in Nigeria was marred by rigging, bribery, thuggery, violence, arson and murder (Crowder, 1978; Meredith, 2006; Ojo, 2012.). The last election that brought the present government to power was conducted in 2023, just as it was in the very first election so it was in this last election. The election was marred by rigging, bribery (vote buying), thuggery, violence, arson, assassinations and murder (EU EOM 2023; NDI/IRI, 2023). These same features have characterized all elections in Nigeria from 1964 to date including, 1964/65; 1979; 1983; 1999; 2003; 2007; 2011; 2019 and 2023.

Electoral crisis as a permanent feature of Nigerian state is widely recognized by scholars (Ighodalo, 2012; Fadakinte, 2014; Edigbonyia, Ogunrotimi, & Ukhurebor, 2023). For Edigbonyia et al. (2023 p. 29), “it is not subject to debate or argument that the nation’s democracy has been plagued by electoral violence since independence”. Consequently, Scholars have been battling on how to explain this phenomenon in political science (Iyayi, 2005; Ighodalu, 2012; Fadakinte, 2014; Ogbeidi, 2010). According to Fadakinte (2014 p.74), “The problem of election crisis in Nigeria has become an interesting and pertinent exercise for a rigorous political analysis precisely because of the way it has come to be associated with general elections since independence”.

While most of these studies center on the causes of the electoral crisis none to the best of my knowledge has bothered to ask, why the persistence of the crisis despite numerous electoral reforms. As Fadakinte pointed out, electoral crisis is not the puzzle rather the puzzle is in its persistence despite national and international efforts at reform. And this is what has escaped scholars. While most studies on this problem are theoretical, the few empirical ones mostly focused on only one or two particular elections without looking at the processes over time. Such analysis has been described by Pierson (1994 p.4) as “attempts to cut into on-going social processes at a single point in time which produces a ‘snapshot’ view that is distorted in crucial respects”. More importantly, some of these studies have identified historical and institutional factors among the causes of the electoral crisis but none has attempted explaining the phenomenon through institutionalist method. Fadakinte (2014, p. 82) observed that “most of the academic contributions on the problem of election crisis in Nigeria have not paid sufficient attention to Nigeria as a society that is undergoing a travail in history and whose dilemma can only be understood in that context”. He bemoaned studying political problem with little or no cognizance of the role of history in the determination of the specific problems. Ighodalu (2012) noted behavioral pattern among the political and economic elites and the political structure of the country as major cause of the electoral problem. Lambe and Mubarak (2023) identified absence of a tolerant political culture as a major cause. It is pertinent to note that all the identified factors: historical ‘travails’ of the country, citizens’ behavioral pattern, political structure and culture can all be subsumed under Historical institutionalism (HI). I therefore hold that Historical Institutionalism can provide analytical tool for explaining the persistence of electoral crises in Nigeria. As noted in Erdman, Elischer & Stroh (2011, p.6), “scholars applied historical institutionalism to various issues and to developments on different continents such as Europe, Latin America and Asia, it has not though, been tried on developments in sub-Saharan Africa”. Among over thirty applications from all over the world noted in Capoccia & Kelemen (2007) none is from Africa. Before moving to institutional change in Africa, it is very pertinent to understand the nature and sources of her institutional stability. As argued by Erdmann et al. “an institution-based examination of African politics is justified”.

Against this background, the study offers a Historical institutionalist explanation on the persistence of electoral crisis in Nigeria. My submission is that electoral fraud, rigging and violence in Nigeria emerged at a critical juncture and followed a path-dependent self-reinforcing process with

unintended outcomes. In other words the dysfunctional electoral system emerged at a point and along the way became embedded in the norms and expectations of political life (Diamond, 2007). That is, it became institutionalized. The system was created and driven by the incentives of the political actors and perpetuated by active participation of the citizens.

Primarily, the study answers two questions: how did electoral fraud, violence and rigging evolve in Nigeria and under what social and political context, and can the three crucial concepts of HI-critical juncture, path dependency and self-reinforcing mechanisms be identified in this historical process? It offers a perspective on why the various electoral reforms failed to achieve the desired objectives. Specifically, the paper demystifies the persistent electoral crises in Nigeria and contributes to the exposition of dark side of institutions in the Global South. The remainder of the paper proceeds as follows: This introduction is followed by an overview of HI and methodological issues. In the remaining parts we track elections in Nigeria from 1922(colonial period) to the last general election of 2023(4th Republic); the nature of the elections, the actors and the contexts. Next, we identify critical juncture, unintended consequence, path dependency and self reinforcing mechanisms in the chain of events. Finally, I conclude with the likely pathway of institutional change in the electoral system.

2. An overview of Historical Institutionalism and methodological issues

Historical Institutionalism (HI) is neither a particular theory nor a specific method but simply an approach to studying politics (Hall & Taylor, 1996; Steinmo, 2008). It is one of the three analytical approaches (New institutionalism) that emerged in the 80s in reaction to the dominance of behaviorism. HI is about explaining political behaviour and outcomes using history and institutions as analytic tool. It is primarily about explanation and the focus as pointed out by Pierson & Skocpol (2002) is on explaining important outcomes or puzzles: why a given state arose, why a certain choice was made and what path led to it (Plaček et al. 2022). Studies using HI are mostly problem driven studies that tackle real world empirical questions and explain specific cases. They trace and analyze institutional configurations through their emergence and persistence.

HI defines institution as “formal or informal procedure, norms and conventions present in the organizational structure of the polity over the years” (Hall & Taylor, 1996, p. 938). Institutions are rules of the game in a society, this includes: formal and informal rules, norms, conventions, cultural values, ethical concepts and procedures that structure, shape and regulate human behavior (North, 1990). These institutions have profound effects on shaping political strategies, preferences and outcomes as choices available to political actors in the present are structured and constrained by the existing institutional framework (Steinmo, 2008). As a result, political reality could only be explained by understanding the underlying institutional factors that govern those actions. However, HI do not insist that institutions are the only important variables for understanding political outcomes rather they see it as intervening variables (or structuring variables) through which battles over interest, ideas, and power are fought (Steinmo 2001). A second element of HI is its historical view of institutions. It sees institutions as legacies of concrete historical processes stressing on their emergence from particular historical constellations (Thelen, 1999). Take history out and the analysis will hang in air. HI scholars insist that accurate explanation of political outcomes can only be given through deep understanding of the historical moments and the actors within the contexts. This however does not imply just looking at the past, but looking at processes over time. Application of HI in explaining political dynamics is usually anchored on three vital concepts: critical juncture, path dependency and self reinforcing mechanism. Critical juncture is

the formative moment of institutions; the starting point. Decisions and paths taken during those decisive moments are momentous and can directly determine the direction of the next stage of a given historical development (Ji, 2022). More importantly, observations have shown that once a particular path is chosen, it becomes difficult to change or diverge from it (Pierson & Skocpol, 2002). This ‘locked-in’ nature of institutions is captured under the concept of Path dependency. Once a particular institution has been created, they became ‘locked-in’ and are reproduced over time (Erdman, Elischer & Stroh (2011). Resilience and locked-in situations are enhanced by self reinforcing mechanisms which generate incentives for actors to stick with and not abandon existing institutions (Pollack 2009).

This study employs the three aforementioned concepts of HI: critical juncture, path dependency and self-reproducing mechanisms in offering a logical and plausible explanation to persistent electoral system failure in Nigeria. It links the three concepts to an empirical case in Africa within a case study approach. Traditionally most studies in HI adopt comparative approach in form of cross-national comparisons (Collier & Collier, 1991; Steinmo, 1993; Mahoney, 2001). However, scholars have shown that HI can advance valid logical arguments, offer persuasive explanations and highlight important general issues from in-depth case studies (Pierson, 2007; Steinmo, 2008; Mahoney & Rueschemeyer, 2003; Thelen, 1999). As a result, while some HI studies are comparative, others are case studies. In the later approach HI has been adopted in explaining the development of the European Union as a foreign policy actor in the post-Cold War era (Neuman, 2021), also as a framework in studying the emergence, evolution and major developmental stages of Chinese foundations from 1980s to 2017 (Ji, 2022) and a platform in illuminating the responses of Czech nonprofit organizations to the Covid-19 crisis (Placek et al., 2022). Several methods are apt for HI studies including “process tracing,” “systematic process analysis,” “analytic narratives,” and in general any form of structured, theory-guided narrative (Capoccia and Kelemen, 2007 p.355). The aim is to establish a link in the chain of events under study. HI studies draw on several data sources ranging from primary data from key informant interview and government reports to secondary sources like newspapers, academic literature (books and journals), online sources etc. (Pierson, 2007). The data for this study are mostly from secondary sources including news media reports, policy documents, academic literature (books and journals), archival materials, online sources and other reports. Some of the analyzed documents include: the Nigerian elections report from National Democratic Institute for International Affairs (The Carter Center), International Republican Institute (IRI) and European Union Election Observation Mission (EU OM) for 2003, 2007, 2011, 2015, 2019 and 2023 elections; The Nigerian Electoral Acts; Electoral Reform Committee Reports etc.

3. Elections in Nigeria 1923 – 2023

Elective principle was introduced into Nigerian politics under colonial Clifford’s Constitution of 1922. First election was conducted on 1923 for four seats reserved for Nigerians in the legislative council, three for Lagos, and one for Calabar. The election was conducted under limited suffrage (Crowder, 1980; Onwubiko, 1973). Legislative council tenure was five years which makes regular elections to be held every five years from 1923 onwards. This development led to the formation of political parties and groups in Nigeria with National Democratic Party (NNDP) as the first political party in Nigeria. In the 1923 election, nine candidates contested for the three seats in Lagos, three were members of NNDP; one was member of People’s Choice while five others were independent candidates. In Calabar the four contestants were all independent candidates. NNDP won all the Lagos seats in Lagos. This pattern continued in 1928 and 1933 until 1938 when

Nigerian Youth Movement (NYM) defeated NNDP and won all the Lagos seats. Partial elections were held in 1940 and 1941 to fill the vacancies due to the death and resignation, and 1943 for the two seats whose members had served their full five-year terms since 1942. General election was held in 1947 with a reduction in income eligibility. In all these first set of elections (1923, 1928, 1933, 1938, 1940, 1941 and 1943) there was no record or report of electoral fraud, rigging and violence (Crowder, 1980; Onwubiko, 1973; Falola and Heaton, 2008; Edigbony, Ogunrotimi, and Ukhurebor, 2023).

By 1951 a new constitution removed minimum income qualification for voter eligibility and created central House of Representatives and Regional House of Assemblies with elected majorities. These new features with the planned general election stimulated the formation of more political parties. In addition to National Congress of Nigeria and the Cameroons (later National Council of Nigeria Citizens) (NCNC) which was launched in 1944, Northern People's Congress (NPC) was formed 1950 and in April 1951, the Action Group Party (AG) was launched. These parties were more or less regional parties and identified almost exclusively with the people and interests of the dominant ethnic group in each of the Nigeria's three regions. NCNC was dominant in the East the home of Igbo ethnic nationality while AG and NPC were dominant in the West and North where the Yorubas and Hausa/Fulani were respectively dominant. Elections to the regional houses of assemblies took place between August and December 1951 and as expected due to the regional dominance of parties NCNC won majority votes in the Eastern region, NPC won in the North and AG took the West. Still there was no record of rigging and violence in the 1951 elections (Crowder, 1980; Onwubiko, 1973; Falola and Heaton, 2008; Edigbony, Ogunrotimi, and Ukhurebor, 2023).

With the collapse of 1951 constitutions and introduction of a revised one in 1954, a new election was conducted. By now more political groups have emerged with over ten parties contesting for the enlarged 184 national legislatures. By now, elections in the country with the exception of except in the Northern region were by direct voting based on universal suffrage with evidence of tax payment. In the 1954 federal elections according to Crowder (1980, p.264), "the NPC and its allies won 84 out of 90 seats in the North, the biggest surprise came in the West where the NCNC having triumphed in the East, won 23 seats to the AG's 18". It is also very important to note that there were no records of fraud, rigging and violence also in 1954 elections. The last election under colonial rule took place on 12th December 1959 contested by not less than 26 political parties but as in the past; the main contest was between NCNC, AG and NPC. It is pertinent to note that as at the time of 1959 elections, the three regions constituting the federation of Nigeria had achieved internal self-government. East and West regions were granted self governance on August 1957 while the North achieved theirs in March 1959. 1959 election therefore was significant in two ways: although it was conducted under the colonial government (the last one to be so conducted), it however was done in regions that were self governing. In this election, there were records of intimidations and use of unpalatable words by opponents during campaigns (Edigbony, Ogunrotimi, and Ukhurebor, 2023). However, the election proper was conducted in a peacefully manner with no record of fraud, rigging and violence. Thus, in all the elections conducted under colonial rule there were no report or record of fraud, rigging and violence.

The first post-colonial election that was supervised and conducted under an independent Nigerian government was 1964-65 elections. The elections were described by Crowder (1980, p.264) as "characterized by barefaced rigging accompanied by threats, bribes, beating, arson and even murder". All existing records show that the election was marred by high level of election rigging, manipulations, thuggery and violence (Crowder, 1980; Iyayi, 2005; Edigbony, Ogunrotimi, and

Ukhurebor, 2003; Ojo, 2012; Falola and Heaton, 2008). According to Ojo (2012, p.6), the election “subjected the Nigerian democratic process to an unprecedented stress”. There is agreement among scholars that 1966 military coup that ended the 1st Republic in Nigeria was a direct consequence of the 1964/65 elections crises (Crowder, 1980; Iyayi, 2005; Edigbonya, Ogunrotimi, and Ukhurebor, 2003; Ojo, 2012; Falola and Heaton, 2008).

After thirteen years of military rule, electoral democracy returned in Nigeria in 1979(2nd Republic). At this point the three regions of first Republic and their regional parties had been dissolved and the country divided into nineteen states. Having noted ethnic based parties and rivalries as key factors in electoral rigging and violence in the first Republic, the second Republic electoral rules in an obvious attempt to avoid the emergence of regional or ethnic parties stipulated that parties must demonstrate their national character by having headquarters in the federal capital territory and party branches in at least two-third of the nineteen states. Moreover, for a candidate to be declared winner of the presidential election he/she must secure twenty-five percent of all votes cast in at least two-third of the nineteen states in addition to winning majority of the general votes cast.

Changing the political structure of the country and the electoral rules however did not end electoral fraud. The 1979 election was marred by rigging and violence (Ejituwa, 1997; Ogbeidi, 2010; Iyayi, 2005; Edigbonya, Ogunrotimi, and Ukhurebor, 2003). According to Ejituwa, the popular slogan among politicians in 1979 was ‘win first and go to court later’. However, the magnitude of the irregularities and crises of 1979 elections were incomparable with either that of 1964-65 that preceded it or 1983 that succeeded it. According to Edigbonya et al., (2003, p.33) “the 1983 elections witnessed the worst election rigging in the history of our dear nation. The presidential, Gubernatorial, Senatorial, Assembly and Representative elections were characterized by rigging. No party was left out of the rigging exercise”. In Ogbeidi (2010, p.48) “all the political parties rigged the election in their various spheres of influence”. As the 1983 electoral crises lingered, the military struck, just as in the first Republic before it, the second Republic ended in a military coup resulting from electoral crises.

Nigeria’s third Republic was aborted as elections were cancelled and military eventually stayed on until 1999. With the return to democratic government in 1999(4th Republic) seven elections have been conducted. As shown in table1 below none of the elections were fraud, rigging and violence free. Table 1 contains extracts from reports of three international election observers: National Democratic Institute for International Affairs (The Carter Center), International Republican Institute (IRI) and European Union Election Observation Mission (EU EOM) on the seven general elections in the present fourth Republic: 1999,2003, 2007, 2011, 2015, 2019, and 2023.

Table 1 Extracts from International Election Observers Reports

Election Years	IRI	Carter Centre	EU EOM
1999		The registration process and all four election rounds were marred, to varying degrees, by electoral irregularities and sometimes, outright fraud.	
2003	Numerous deliberate acts of electoral fraud combined to undermine the foundations for a truly successful electoral process in certain parts of Nigeria.		The EU EOM recorded 105 election-related deaths. The conduct of the elections did not comply with Nigerian law and international standards
2007	These elections did not measure up to those observed by IRI in other countries, whether in Africa, Asia or Europe.	The cumulative effect of the serious problems the delegation witnessed substantially compromised the integrity of the electoral process	They were marred by widespread procedural irregularities, and substantial evidence of fraud and at least 200 people were killed.
2011	IRI found the 2011 Nigerian elections to be an improvement over the 2007. However, post-election violence resulted in the worst case of post-election violence in recent Nigerian history.	The elections were more credible than the preceding polls. Post election violence led to more than 800 deaths, destruction of property and displacement of tens of thousands of people	Presidential elections were peaceful and orderly. Hundreds of persons were murdered and tens of thousands were displaced in post election violence.
2015	Election procedures were violated to an extent that it was likely to affect the outcome of the vote.		Elections were marred by incidents of violence, abuse of incumbency at state and federal levels, and attempts at manipulation. Over 19 killings were reported.
2019	Observers reported disruptions and intimidation by party agents and campaigning in some polling units.		The elections was increasingly marred by violence and intimidation this damaged the integrity of the electoral process
2023	Lack of transparency in the publication of election data and unchecked		Abuse of incumbency by various political office holders and violence distorted the playing

political violence before
and during the elections.

field. There were
widespread allegations of
vote buying.

4. Historical Institutionalist analysis of the historical events

As earlier pointed out HI is primarily about explanation on why a given state arose, what path led to it and its institutional configurations. The explanation is usually anchored on three vital concepts: critical juncture, path dependency and self reinforcing mechanism. Capoccia & Kelemen (2007) sets out a model for analyzing critical junctures in institutional studies. The model emphasizes the identification of unit of analysis and actors, time horizon and contingency of change. Critical juncture in this model is defined as “relatively short periods of time during which there is a substantially heightened probability that agents’ choices will affect the outcome of interest” (p.348). The concept of critical junctures is about how decisions of key influential actors at moments of high uncertainty and unpredictability resulting from relaxed institutional and structural constraints determines the direction and path of the next stage of a given historical development.

4.1. Critical juncture

As previously stated, the colonial constitution of 1922 introduced elective principle in Nigeria and first election was conducted in 1923. From 1923 to 1959 a period of thirty-six years over ten elections were conducted at various intervals. In all those elections there were no records of electoral fraud and violence. This shows element of institutional stability and equilibrium. This institutional equilibrium which lasted for forty-one years (1923-1964) was however disrupted in 1964/65 placing the Nigerian electoral system on a path which is yet to be altered. I identify the years 1963/64 as critical juncture in Nigeria’s electoral system not necessarily because of the disruption of the existing equilibrium in the system (change is only a contingent outcome in critical junctures, “re-equilibration is not excluded” (Capoccia & Kelemen, 2007, p.352) but also because of other important factors. Nigeria became an independent country in 1960 and turned a Republic in 1963. At that historic point, the Nigeria government and her key political actors had a blank slate in their hands; they had the chance to mould this infant nation in any way they choose with no external interference. Just like Singapore in 1965, Nigeria in 1963 started her “journey along an unmarked road to an unknown destination” (Yew, 2000 p.9). These are typical examples of ‘moments of relative structural indeterminism when willful actors shape outcomes’ Mahoney (2002 p.7). By the time of first general elections in 1964/65 the Nigerian political elites could have done just anything: change the electoral laws, amend the constitution or postpone the election, invite commonwealth or UN to conduct or supervise the election. It is on record that the president held a meeting with the prime minister where he suggested that postponing the election by six months and inviting the United Nations Organization to supervise it was the only way to ensure a free and fair expression of opinion (Anglin, 1965; Ojo 2012). However, the prime minister jettisoned the advice and insisted that elections be held as scheduled. Hence, on December 1964 and March 1965 national parliamentary and supplementary regional elections were conducted. Those elections altered the institutional equilibrium that has existed in Nigeria’s electoral system since 1923. It was described as a farce and one of the most chaotic, violent, rigged and disputed elections in Nigeria (Iyayi, 2005). It was a classic case of the politics of brinkmanship that produced more violence than had never been witnessed before in Nigeria and led to collapse of the

electoral administration and ultimately to the collapse of parliamentary democracy (Anglin, 1965). A key word that appeared in almost all studies on 1964/65 elections is “unprecedented”.

Critical junctures in political science analyses are not based on random accidental small events but on decisions by influential actors especially the political leaders. Analysis of critical junctures therefore is an analysis of decision making during a phase of institutional fluidity. The decision to go ahead with the election despite the tense political situation in the country and against the advice and request of the president was an option among many that the Prime minister could have taken. Further, the decision by the party leaders and regional Premiers to jettison the October 1964 electoral truce of non violence and fair play was also one out of many choices that could have led Nigeria’s electoral system towards a different institutional trajectory. When the premier of the Northern Region declared in reaction to activities of other parties that him and his party ‘were ready for a complete showdown’ and also ready “to break the electoral truce which he has previously maintained” (Ojo, 2012 P.9), he was leading Nigeria down the path of perennial electoral crisis albeit unknowingly. Same goes to all the political actors of the time: the party leaders and the premiers of the three regions.

But why was such decision taken, what was their intention or motivation? It is very important in HI studies as noted in Pierson (1994) “to trace the motivations of political actors, in order to separate the intended from the unintended consequences” (P.38). From literature, the major reason (factor) behind the electoral mayhem of 1964/65 was fear of ethnic domination. Each party being regional (ethnic) in both base and membership saw it as their primary duty to fend off the incursion of other parties (ethnic group) into their areas of influence; an ethnic existential battle. Perhaps, a brief incursion into Nigeria’s colonial administration will offer more light.

Throughout the colonial rule the three major ethnic nationalities in Nigeria were administered separately with no national or central legislature and therefore no national politics. The Richards constitution of 1946 created three regions as his administrative units based on the three dominant ethnic groups: Eastern Region for Igbos, West for Yoruba and Northern region for Hausa /Fulani. National politics began in Nigeria with 1952 constitution which created the central legislature and central executive council. As noted in Falola & Heaton (2008 P. 109), “the process of governing the conglomeration of states who among themselves had never experienced political unification of any kind was by necessity inorganic”. Therefore, when the political elites met themselves in the central legislative council, it was in an atmosphere of mutual suspicion. Earlier than this, Azikiwe the leader of NCNC (Igbo dominated party) had made a statement that “It would appear that the God of Africa has created the Igbo nation to lead the children of Africa from bondage of ages” (Crowder, 1980 p.228). This was interpreted by other nationalities as a call for Igbos’ drive for dominance: to build up Igbo as a master race (Ejituwa, 1997, P.39). It was for the primary purpose of countering this perceived Igbos drive for dominance that the Yorubas formed Action Group (AG) as their own ethnic political party (Aguda, 1989), and to declare that with AG, “Yoruba will not be relegated to the background in the future (Crowder, 1980 P.229). As for the North, Tafawa Balewa the leader of NPC had declared on the floor of the House that “...man at times...is by nature suspicious and it is therefore natural for people of the North...to fear domination” (Ojo, 2012. P. 015) and that “The southern tribes who are now pouring into the north in an ever-increasing number Do not mix with the northern people in social matters, and we.... Look upon them as invaders” (Clark, 1991 P.106).

Given this scenario of mutual suspicion and distrust, and the preponderance of ethnic antagonism and hostilities (Sowell, 2017), none of the parties (regions) would allow the other have a foothold in her sphere of influence. Politics in their context therefore “is not merely the acquisition of

political power but a non-negotiable insurance against domination by other ethnic groups” (Ojo, 2019 P. 9). As a result, election was nothing but an existential battle for the regions as represented by their dominant party. This view is supported by Dangibo & Ashindorbe (2018, P. 86) who stated that “each of these parties therefore regarded their respective geographic regions and ethnic base as bastion and fortress from which “alien” intruders must be kept away”. In Falola and Heaton (2008, P.159), It was clearly stated that

Since regional identities were strong and national identity was weak, the greatest fear of most Nigerians in the 1960s was that their region would become “dominated” by another. Southerners from the Eastern and Western Regions feared northern domination, and northerners feared southern domination. These fears led to severely flawed elections in 1964 and 1965, in which all kinds of dirty tricks were used by every side.

So, the mayhem of 1964/65 was neither accidental nor intrinsic but a strategic decision by the political actors.

Path dependency and reproduction mechanism

By the second Republic of 1979 the social and political terrain of 1964/65 had vanished. The regions had been abolished with their political parties. The country was divided into nineteen states cutting across the old three regions. To prevent ethnic based political parties, new electoral rules were enacted aimed at ensuring national spread of parties. The leadership and membership of the three dominant parties in 1979 elections (National Party of Nigeria (NPN), Unity Party Nigeria (UPN) and Nigeria Peoples Party (NPP)) had a wider national character than what was obtainable in the 1960s. The presidential candidate of NPN was Shehu Shagari an Hausa/Fulani from the old Northern region, the vice presidential candidate was Alex Ekwueme an Igbo from the East while the chairman and head of the party was Augustus Akinloye a Yoruba from old western region thereby representing the three former regions. UPN had Obafemi Awolowo from the old western region as her presidential candidate with Phillip Umeadi as an Igbo from the East as his vice presidential candidate while NPP had Nnamdi Azikiwe an Igbo from the old Eastern region as her presidential candidate with Ishaya Audu from the North as his vice and Adeniran Ogunsanya a Yoruba from former western region as her national chairman.

However, the dismantling of the political structure that gave rise to the events of 1964/65 did not end electoral fraud and violence. The two elections conducted during the second republic were all marred by rigging, fraud and violence with 1983 being considered as one of the worst in Nigerian history (Ediagbonya et al. 2023; Ogbeidi 2010). HI explanation for the persistence of fraud, rigging and violence in Nigeria’s elections even when the initial factors that prompted them have disappeared is based on the concept of path dependency. In a simple form it states that particular courses of action, once introduced, can be almost impossible to reverse (Pierson, 2000). It is pertinent however to ask, what is the source of the postulated path dependency; the mechanism of reproduction that carried on the effects of a critical juncture even when the initial trigger is no more. The major factor was the inertia among political actors. The political structure and social environment of 1964/65 may have altered but the political actors remained (politicians, supporters and the electorates). The leaders and presidential candidates of the three major parties of the second Republic were active political actors in 1964/65 election. Shehu Shagari representing NPN in second republic was a founding member of first republic NPC and parliamentary secretary to prime minister in 1964/65; the presidential candidates of NPP and UPN were the leaders of NCNC and AG respectively in 1964/65. As such, after 1964/65 when next time for election came, they simply

went back to their old ways. Pierson & Skocpol (2002) in explaining the inertial “stickiness” that characterize many aspects of political development asserts that once actors have ventured far down a particular path, they are likely to find it very difficult to reverse course. So, despite the constitutional efforts to outlaw regionalism and sectional interests which were the root causes of electoral violence and fraud in the first republic, the political actors stick to what had given them positive result in the past. This process of stepping further in an already treaded path as observed in Pierson (2000, p.253) “characterize many important parts of the social world”. He explained it in this way:

This conception of path dependence, in which preceding steps in a particular direction induce further movement in the same direction, is well captured by the idea of increasing returns. In an increasing returns process, the probability of further steps along the same path increases with each move down that path. This is because the relative benefits of the current activity compared with other possible options increase over time.

In the absence of regions and ethnic fears, rigging and violence were reconfigured from inter-regional or inter ethnic of first republic to intra regional and intra ethnic. It was no longer fight for region or ethnic group but now fight for Party. That the second republic electoral/political conflicts were not driven by ethnic and regional cleavages but by party affiliations based on politics of personalities is much acknowledged by scholars (Heymans, 1986; Bello & Sule, 2021).

By the fourth Republic (1999 to date), the vestige of regionalism with its fear of ethnic domination has completely gone, the political actors that instituted rigging and violence based on the above were also gone and new players have emerged. However, the now institutionalized rigging and violence continued to evolve in response to changing political environmental and structure in ways constrained by the past trajectory. The old regional cabals have now been fully replaced by network of actors bent and united by one purpose: state capture and plunder, and reproduced through intricate chain of political patronage and clientelism (Omobowale, 2011). A class of political elite that depend on state patronage for livelihood and social status has captured the state. This state capture is clearly an unintended consequence of the dysfunctional electoral system introduced in 1964/65 for other purpose. To retain power and maintain their status the present political actors recruit, arm and maintain thugs who they deploy as rigging machine during elections (Yusuf, 2019; Omobowale 2011). The thugs occupy bottom of the ladder in the complex rigging and violence network that have been created. They are maintained through the delegation of certain state functions to them including, revenue collection in the informal sector, management of state motor packs and membership of other state’s taskforces. Above the thugs are the so called special advisers, senior technical assistants and personal assistants that each elected officers engaged and pay from state coffers. In November 2022, barely six months to the expiration of his term of office Rivers State Governor Nyesom Wike in preparation for the 2023 elections doubled his Special Assistants on Political Affairs from an already staggering 100,000 to an incredulous 200,000. Caleb Mutfwang, the Governor of Plateau State, was attended to by 136 special assistants; Edo State Governor Godwin Obaseki has a total of 186; when he was a Governor, Senator Adams Oshiomhole reportedly had 1,093 aides at his disposal (Obadare, 2023). In reality those special assistants are nothing but personal militia (foot soldiers) paid at taxpayer’s expense to intimidate political opponents and run the election rigging machine. These are group of people whose livelihood depend on the political success of their principal, elections for them is therefore nothing but existential war (war for their source livelihood). The political mantra from the principals to their network is, “I win; you win; I lose; you lose”, these mazes of patronage and clientelist

networks feed and sustain the control of political power. Once again note how the dysfunctional electoral system moved from being war against ethnic dominance to war for personal livelihood and social status maintenance: institutional reconfiguration.

In the first republic, election was a defensive war against external dominance among the ethnic nationalities, by fourth republic it is still a war but for personal livelihood, enrichment and maintenance of social status. The actors have moved from the old regional cabals to the rent-seeking elites “who made use of their political connections to capture the state and use state power to enrich themselves” Fukuyama ((2012, p.141). They further use the wealth so acquired for maintaining and reproducing the political (rigging) network and structure. In the end what emerged as ethnic survival mechanism has given rise to an unintended consequence of state capture, unresponsive and unaccountable government. As observed in Pierson (1994, p.12), “the current functioning of the system was not the goal of the actors who created it; the reasons for its invention cannot be derived from its contemporary effects”. Politicians being preoccupied with short term concerns take decisions that almost always produce all sorts of unanticipated and unintended consequences. The first Republic politicians were ethnic patriots that are still venerated in their respective ethnic domain. In adopting electoral violence and fraud to protect their ethnic nationality from perceived invasion, they created today’s monstrous political marauders that have only one goal: to plunder the state. What we presently have in Nigeria electoral system is a by-product of political actions taken in first republic for other reasons: a situation where institution outlives the constellations of interests that created it.

Institutional constrains on reforms

As observed in Akinduro (2012), Nigeria has a long history of electoral reforms dating back to the different political transition processes since independence. There is no policy instrument or legislative Act between 2000 and 2023 that have been revised, amended or re-enacted more than the Nigerian Electoral Act. It is unarguably the most amended and re-enacted Act in Nigeria’s legislative history. No two general elections were ever held under the same Electoral Act without re-enactment or amendment in Nigeria. In the present 4th Republic two major reform efforts stand out: 2003 and 2007. In 2003, experts from Commonwealth Secretariat, International Foundation for Election System (IFES) and the United Nations Electoral Assistant Division (UNEAD) were commissioned to undertake a review of Nigeria's electoral process and advice on how to improve and strengthen it. The group was headed by Dr. M.S. Gill, former Chief Electoral Commissioner in India. Their report and recommendations formed the basis for 2006 electoral Act. Unfortunately, the 2007 election which was conducted under the new Act was declared worse than 2003 election that preceded the reform. In 2007, a 22-man committee for electoral reform was constituted termed Electoral Reform Committee (ERC). The committee represents a team of experts headed by a former Chief Justice of Nigeria. They were charged with identifying factors that affect the quality and credibility of elections in Nigeria and best practices that would impact positively on it. The Committee received 1466 memoranda and 907 presentations during the public hearings, held interactive sessions with experts from Ghana, India, Canada, Mexico, South Africa, Lesotho, Botswana, Mexico, Cameroon, France, Niger republic and Cote D’Ivoire and engaged the service of 13 consultants. After 16 months of sitting, the committee submitted its final report which formed the basis for 2010 electoral Act.

Despite the various reforms, Omotola (2011, p. 188) posits that “there is widespread belief, backed by intimidating evidence, that the quality of Nigerian elections nose-dives with successive elections”. The reforms failure is ubiquitous and it is my submission that this is as result of

institutional constraints. Institutional constraints on reforms has long been established by scholars (Acemoglu & Robinson, 2008; Capoccia, 2016; Immergut, 2006). The postulation that election fraud is institutionalized in Nigeria implies that it has become the way the system works. It has become a collective action problem because all the actors are involved. A look at few newspaper reports on the subject matter validates this claim: '2003 Elections Rigged At All Levels'; 'EU Observers: Police Stuffed Ballot for PDP'; 'All the Parties Rigged'; 'Polls - Report Indicts Federal government, Police on Violence'; 'INEC Staff Caught Thumb-Printing Ballot'; 'Electoral Malpractices - National Human Rights Commission (NHRC) Report Indicts Judiciary, Police, INEC'; 'Army Retires General Over Ekiti Gubernatorial Poll'; 'Observers Report Vote Buying, Bribery of Policemen'; 'Soldiers Turned Election Riggers'; 'INEC Arraigns Two Professors, Sacks Three Workers Over Conduct of 2019 Elections'. From the above, the police, army, professors, the election management body (EMB) INEC, the citizens, the judiciary etc. were all indicted as perpetrators or collaborators at one point or the other. Election rigging, fraud and violence have been embedded in the norms and expectations of political life and therefore cannot be reformed with a 'technical fix' (Diamond, 2007). According to a former head of state "it is part of our culture that there will be intimidation; there will be threat; there will be blackmail during elections and we must accept it". The above squarely placed our case among 'Institution centered' category of reform failure in Mcconnells, (2014) policy failure classifications.

Conclusion

The aim of this study is to demystify the persistence of electoral violence and fraud in Nigeria since 1964; to offer a logical and plausible explanation to the puzzle. Using Historical institutionalist method I briefly traced the history of elections in Nigeria from 1923 to 2023. The result shows that abinitio, electoral violence and fraud was not a feature of elections in Nigeria; it emerged at a certain point. The starting point was located in 1963/64. Result shows that the phenomenon did not emerge by accident but as a strategic political decision taken by the key political actors of the era out of perceived fear of ethnic domination. Unfortunately, in doing so they made a wrong choice. Instead of winning political loyalty through service and persuasion, they choose violence and fraud. That singular but momentous decision stuck with the nation to date. Even when the political structure, social environment and political actors that prompted the decision have all but gone violence and electoral fraud persists having been institutionalized.

Attempts at reforming the system have all failed not due to technical failings of the reforms but due to institutional constraints. As noted in Fukuyama (2012), any institution or system of institution benefits certain groups in a society, often at the expense of others. Even when the society as a whole will benefit from institutional change entrenched interests may veto the change as the net gain for them is negative. Whether there will be change or not depends strongly on the ability of the society to neutralize the existing political stakeholders holding veto over reform. This is the situation with the Nigerian electoral system.

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