

UNIVERSITY OF NIGERIA, NSUKKA

DEPARTMENT OF ENGLISH & LITERARY STUDIES

TOPIC:

**EXAMINE THE 2007 NIGERIAN GENERAL ELECTION
AND PETITIONS TO ELECTORAL TRIBUNALS.**

**A TERM PAPER
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BY

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Examine the 2007 Nigeria General Election and Petitions to Electoral Tribunals.

Dedication

Dedicated to Chief and Lolo John Mechie, my parents who brought me into this world. To the Almighty God who made my coming into this world a success.

Acknowledgement

I wish to appreciate the efforts of people who have been of great help in this term paper writing, and also those who have not helped but wished to help. I thank my parents chief and Lolo John Mechie, my brothers Chima (Chimosky) Izuchukwu (Izu God) and Odinaka (Odikpus). My regards also to my cousins, nephews, grand parents, aunts, uncles and my friends; Mercy, Joy, Iyke, Onyedika, Norah, Prisca, Chika, James, Somtochukwu and others.

Most of all I thank the staff of Nnamdi Azikiwe Library UNN and then Eze Hyginus Onuorah.

Preface

The term paper topic “The 2007 Nigerian General Election and petitions to Electoral tribunals” is written to enlighten us on the political activities of our country Nigeria. The way the elections were held ie the state government election of 14th April. The people’s opinion concerning the election results and violence due to the refusal by electoral authorities to address some matters.

The content of the term paper has been broken up into four chapters good enough to educate the readers of the work.

CHAPTER ONE

INTRODUCTION

DEFINITION OF TERM

The term election' can be defined as political process through which the citizens chose their leaders in a democratic government. Elections are conducted to ensure the participation of the citizens in the government matters.

It is also conducted to ensure that the leaders are responsible to their subjects who elected them.

The 2007 election was the 3rd election being conducted since the transition from military to civilian rule in 1999. For the first time since independence, the elections should see power transferred from one civilian president to another. During the 14th April elections, Nigerians voted for 36 state governors and 900 legislators in the 36 state house of Assembly.

Another election was held on 21st April for the Presidential seat, 109 members of the senate and 360 members of the House of Representatives.

CHAPTER TWO

2007 NIGERIAN GENERAL ELECTION

1.1 Voters Registration

Preparations by INEC to conduct the elections were delayed throughout the process. The delay of two months to complete the voters registration exercise affected the production and distribution of permanent voters' card, voters had to use their temporary voters' cards Although INEC printed correct ballot papers for the April 14th elections, a number of elections could not be held on April 21st due to missing candidate names.

2.2 Campaign

The Election Campaign took place throughout the country in a lively way. Sometimes in quite heated environment in which freedom of expression and assembly were broadly respected. Political parties campaigned actively, addressing voters through a wide range of means including public rallies, vehicle

motorcades with loud speakers, gatherings in market places, door to door visits, bill boards and posters, Television stations, Newspapers etc.

Only a few of the fifty registered parties conducted extensive nationwide campaigns.

2.3 Problems Encountered:

INEC lacked transparency in its decisions and did not provide important information including the final number of candidates or the final number of voters for constituency INEC also declined to provide observers with standard information and materials including access to the voters register and did not permit observers to attend INEC meetings with political parties or the media.

Contrary to the international best practice, INEC made no provisions for results to be posted at polling stations. After widespread irregularities in the result transfer and collation process during the 14th April

elections the INEC chairman announced on the eve of the 21st April elections that the federal election results should be posted at polling stations. EU observers reported that this was not implemented in the majority of places they visited.

INEC had difficulties in recruiting the 500, 000 plus ad – hoc staff to administer polling stations. The late recruitment reportedly for security reasons, delayed the cascade training, which varied in quality.

2.4 Election Results

The result of the elections raised dust in some states while in other states it was not so. The result caused a problem in Lagos, Abia, Imo etc.

The Lagos Resident Electoral Commissioner (REC), Mr. Moses Ogbe declared the AC candidate, Babatunde Raji Fashola winner with 828, 424 votes beating the PDP candidate. Musiliu Obanikoro to a distant 2nd with just over 300, 000 votes. There was an allegation by Otunba

Femi Pedro the deputy governor and there was riots in some places in Lagos.

In Abia state, the battle was between PDP and, Chief T.A. Orji was declared the governor while in prison and Onyema Ugochukwu of the People's Democratic Party (PDP) filed a petition to electoral tribunal. According to Onyema, an ex - convict should not govern Abia state. He further alleged that there is God fatherism in the election processes, he meant to say that Orji Uzor Kalu, the ex governor T.A Orji's Godfather.

2.5 Violence

While in some places peaceful electoral activities were observed, numerous violent incidents were reported by EU observers and other credible sources.

During this election, political sponsorship, recruitment and use of thugs, often armed with traditional weapons or firearms remained a problem as had been the case in 2003. Most states were reportedly

involved, examples Borno, Abia Taraba, Gombe, Bauchi, Kaduna, Zamfara e.t.c. In some states like Benue and Taraba, Violence assumed ethnic dimension with people belonging to minorities being killed, displaced or rendered homeless because of politically motivated clashes.

Assaults, assassination of candidates and attempts at assassination of candidates were reported in pre-election periods.

CHAPTER THREE

PETITIONS TO ELECTORAL TRIBUNALS

3.1 Petitions from Individuals:

People filed in petitions to the tribunal saying that the elections should be cancelled so that the senate president should take over and later hand over to the chief Justice, but the senate President said he is not ready to take over. In reply to this, Justice Mustapha Akanbi says it is not possible to conduct another election within the little space of time. "If you cancel the election, there are two views, that is cancel the election or go to the tribunal. If you cancel it, you have to look at the length of the election, when Prof. Iwu was there all through." Akanbi (2007) one has to look at the arrangement that had to be put up complaints were submitted to a variety of institutions including INEC, RECs, the police and the different courts at state and federal level. RECs, reported that only a small number of official complaints were

lodged with INEC. The fact that INEC advised political parties and candidates to lodge their petitions after election day, unlawful acts that should have been addressed before the election was not dealt with prior to the election days. It was reported that after the April 16 supreme court ruling ie. after the April 14 elections, INEC reprinted Presidential ballot papers without the pictures and names of candidates and contrary to the law without serial numbers. Some candidates' names were missing from the senate and House of Representative ballot papers causing a cancellation of elections.

3.2 Petitions from Parties and Political Candidates

NDP filed an action before the Federal High court on March 27, against INEC for failing to comply with the provisions of the Electoral Act 2006 relating to the display of the voter registration lists after the cut off date established in the law. On March 29, the President gave his consent to the Electoral Acts amendment Bill 2007,

passed by the National assembly in Jan 2007, which extended the cut off date for registration to 60 days before the election and the deadline for display of the voter register to 45 days before the election. Separate petitions to INEC, by Dr. Fabian Ihekweme and Chief George Okpara, gubernatorial candidates of PDP and AD respectively, drew the attention of the commission to the situation.

Both candidates warned INEC not to announce the results of the gubernatorial election in Imo state until they have found solutions to their problems, saying it should put fresh machinery in place for the conduct of free and fair election, whose ballot papers would include their names as well as their parties.

The petitioners, who said there was no notification of their non-inclusion on the ballot paper, said "The commission sent waves of anger and frustration to the voters who were ready to vote for us".

The electoral commission and polling centres were unable to explain to them for this omission. As expected, the chief justice of Nigeria, Justice Legbo Kutigi has already inaugurated the election tribunals with the stern warning that the National Judicial Council (NJC) made up of very credible Nigerian Jurists will not hesitate to sanction any Judicial official of election tribunals found to be corrupt during the course of their sittings. Emmanuel (2007).

CHAPTER FOUR

SOLUTION TO ELECTION CRISIS

Apart from poverty, an individual's moral contributes to his or her misbehaving. Therefore it is not only poverty that causes election crisis, lack of moral is a great factor influencing elections.

However the government or religious organizations should be provided with social amenities which will help reduce their willingness to receive bribe from politicians. Some politicians give money to individuals in order to get support thereby using them as instruments of war to eliminate their opponents before, during or after the elections.

The masses should be informed of the dangers of voting for candidates because of money. An awareness or public teaching should be organized to educate the people on election processes and their electoral rights.

Provision of election materials should not be overlooked by the electoral bodies. INEC should always remember that the most important part of their work during election is to provide materials example, ballot boxes, voter's card etc.

Electoral officers plus ad-hoc staff should be recruited a month before the election for proper training and early commencement of election on election days. adequate security should be provided for the electoral officers before and during the election to minimize assassinations and disturbance of the election.

State holders in the electoral process in Nigeria should ensure that the officials who perpetrated the fraud of registering under-age voters. They are prosecuted if found guilty by the election tribunals which as expected ought to have commended public sittings by now. Specifically, section 6 (1) of the 1999 constitution

gives the judicial powers of the federation to the courts of competent Jurisdictions.

Religious organizations ie. the church should stop preaching miracles but morals. The churches are no longer interested in the people's moral, they only preach the miracle working God and the things people will get if they offer gifts. Blood money is offered by people who call themselves children of God.

In conclusion, everybody is involved in the move to eradicate election Crisis. The government should play her role, the church, individuals, organizations etc and Nigeria will be a home for all.

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