

**ASSESSMENT OF THE ROLE OF THE NATIONAL ASSEMBLY IN
ELECTORAL REFORMS IN NIGERIA BETWEEN 2009 TO 2021**

BY

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CHAPTER ONE

INTRODUCTION

1.1. Background to the Study

Political power is sought or maintained through electoral processes. An election is essential to democratic transition and consolidation in a competitive political environment. As a result, if elections are not properly structured and managed, they can lead to conflict and violence (Ongoya & Willis, 2012). It is frequently managed through the enactment of enabling legislation. According to Ismai'al and Othman (2015), democratic governance is a process in which democratic principles like popular sovereignty, empowerment, political equality, majority rule, functional constitution, rule of law, independent judiciary, periodic free and fair elections, and human rights and freedom are enshrined in a polity.

An election in a democracy is very important because it is a medium through which the expression of the people is shown via legitimacy and leadership succession. According to Gauja (2010), modern democracies rely on free, fair, and credible elections. Hence, Obiefuna-Oguejiofor (2018) alluded that the outcomes of elections can impact voters' freedoms, taxes, and other aspects of daily life that they take for granted. Free, fair, and credible elections are therefore essential pathways to achieving sustainable development in any country (Sorensen, 2007). Thus, the International Peace Institute [IPI] (2011) concluded that elections have facilitated the emergence of democratic governments in Benin, Cape Verde, Ghana, Mali, Senegal, and South Africa, hence, following autocratic regimes and protracted civil wars, more stable societies have emerged in

Guinea, Liberia, Niger, and Sierra Leone. Nevertheless, elections have been manipulated to legitimate autocratic regimes or to ensure dynastic successions on the African continent.

Nigeria practices a representative democracy with the sovereign power vested on elected representatives during periodic elections. These representatives are charged with the duty to make laws for the peace, order, and good governance of the Federation (Section 4 of the 2009 Constitution of the Federal Republic of Nigeria, as altered). The law-making function of parliament according to Van Gestel (2013) accords it the place of primacy in governance because all activities of governance begin with law-making. If indeed, governance sets out at the place of law-making, it is, therefore, safe to assert that electoral processes are derivable from laws enacted by the National Assembly. For instance, the major laws governing the electoral process in Nigeria are the Constitution of the Federal Republic of Nigeria 2009, the Electoral Act 2010; and the Independent National Electoral Commission [INEC] Regulations and Guidelines for the Conduct of Elections. In fact, while section 153 of the Constitution (a legislative creation) establishes INEC and grants her the powers to manage the electoral process through the enactment of the electoral act (e.g., 2010 electoral act), the aforesaid law further allows INEC to set suiting guidelines for the conduct of elections.

Given the above, a few conclusions can be drawn. First, elections are the hallmark of a democracy, that is, it represents the true essence of democracy. Second, electoral governance which ultimately births elections is a system driven by laws made by the legislature and in this case, Nigeria's National Assembly. Third, parliament is a critical success factor to electoral reforms because of the centrality of laws in governance (Van Gestel, 2013). Juxtaposing these assertions with the propositions of the elite and decision theories, it is safe to assert that since governance is a function

of laws made by parliaments, the parliaments represent the group that wields the legislative powers within the respective jurisdictions which underscores the dictate of the elite theory and also the timeliness of legislative proposals aimed at electoral reforms which would translate into better electoral governance is at the core of the decision-making theory. Overall, electoral reforms that would define electoral governance are subjected to complex legislative procedures (decision-making) by elected representatives that wield lawmaking powers (elites).

1.2. Statement of Problem

Parliament is expected to play a dominant/prominent role in electoral reforms so that there can be stable democratic behaviour. Therefore, Parliament has a statutory responsibility to make contributions to electoral reforms in all political systems. As a result, it can be asserted that the National Assembly is central to electoral reforms in Nigeria following the legislative powers vested on it by section 4 of the 1999 constitution (as altered). Nevertheless, the National Assembly like most democratic parliaments is largely influenced by the behaviour of the executive, political stakeholders, and interest groups. In fact, the executive arm of government has supposedly usurped this all-important role in the improvement of the electoral laws, electoral process, and electoral activities. The back and forth with the recent amendment of the 2010 electoral law is a testament to this fact.

Apart from this, the political elites, economic elites, social elites, military elites, and traditional rulers have acted in ways suggestive of a possible subversion of the constitutional mandate of the parliament whose members ordinarily, should have the exclusive legislative preserve to propose electoral amendments so that the reforms can be organized to cope with the current change. In perspective, these elites and decision-makers have bureaucratized electoral reforms so that

electoral institutions like the Independent National Electoral Commission (INEC) and other allied institutions seem to have taken over this statutory responsibility of elected representatives. This is profound with the 23-person Electoral Reform Committee (ERC) of 2007 (Omotola, 2010). While any meaningful effort geared towards electoral reform must be commended, the constitutional legislative role of the National Assembly cannot be dispensed with. Based on this, this study undertook to expose and strengthen the legislative efforts aimed at facilitating electoral reforms in Nigeria between 2009-2021. It is against this backdrop that the study is embarked upon to assess the role of the National Assembly in electoral reforms.

1.3. Research Questions

The following questions guided the focus of this study:

- (i) Which roles have been played by the National Assembly in facilitating electoral reforms in Nigeria?
- (ii) What are the specific electoral reforms facilitated by the National Assembly from 2009 to 2021?
- (iii) What were the challenges encountered by the National Assembly in the course of facilitating electoral reform from 2009 to 2021?

1.4. Research Objectives

The broad objective of this study was to examine the electoral reforms in Nigeria focusing on the role of the National Assembly. Specifically, the study aims to:

- (i) Examine the role played by the National Assembly in facilitating electoral reforms in Nigeria;
- (ii) Identify the specific electoral reforms facilitated by the National Assembly from 2009 to 2021;
and
- (iii) Evaluate the challenges encountered by the National Assembly in the course of facilitating electoral reform from 2009 to 2021;

1.5. Research Propositions

- (i) The National Assembly has not played any significant role in facilitating electoral reforms between 2009 to 2021.
- (ii) Specific electoral reforms have been facilitated by the National Assembly between 2009 and 2021
- (iii) There were challenges encountered by the National Assembly in the course of facilitating electoral reform from 2009 to 2021.

1.6. Scope/Limitations of the Study

This study was delimited to the Nigerian National Assembly. The choice of the National Assembly is due to the inherent advantage of legislative competence over the subject being examined. Besides, the role of the National Assembly in governance viz-a-viz law-making (electoral reforms process) especially as the bearer of popular sovereignty further necessitated the delimitation to the

National Assembly necessary. Unarguably, the place of the parliament in such reforms gravitates toward its relationship with the electorates who in fact, bestows it the sovereign power. Also, the subject of electoral reform falls within the National Assembly's legislative competence given Nigeria's Federal construct.

The time delimitation covers a period within the Fourth Republic i.e., 2009-2021. The time scope affords a historical insight into electoral reforms over a period. Although significant electoral reforms took place throughout Nigeria's experiment to Nationhood up till her independence, the period 2009-2021 marked a difference in the country's quest for democratic consolidation. Lastly, the analytical scope bothers on the various legislative interventions by the National Assembly in facilitating electoral reforms during the highlighted period.

On the limitations of the study, the study envisages an uncooperative attitude from respondents in obliging the interview request. Hence, causing an insufficiency of sample size for statistical measurement. Second, the short supply of prior studies on the roles of parliaments in electoral reforms which would provide the theoretical foundations for my research questions poses another challenge. Nonetheless, the resort to Key Informant Interview (KII) served as a complementary source of data.

1.7. Significance of the Study

There is a seeming gap in knowledge on the role of parliaments in the electoral reform process resulting in the dearth of literature on this area. Such studies even if they exist, rarely focused on making a comparison between jurisdictions. On this note, the findings from this study seek to bridge the knowledge gap. The study also serves as reference material and thus, a springboard for policymakers, researchers, students, etc., in this area of knowledge.

Besides, parliamentary institutions such as the Inter-Parliamentary Union (IPU), Commonwealth Parliament Association (CPA), African Parliamentary Union (APU), etc., would find this useful in formulating policies aimed at evaluating the role of parliaments in the electoral reform process. Lastly, the Independent National Electoral Commission (INEC) would find this a helpful working guide especially in pursuing reform advocacies given that the National Assembly occupies the place of primacy in lawmaking.

1.8. Organization of the Study

This dissertation was organized into five chapters. Chapter one contains the general introduction which consists of the background to the study, statement of the research problem, research questions and objectives, significance of the study, scope, and limitation of the study, and the outline of the research. Chapter two is the review of literature bordering on the variables being studied and the theoretical framework. Also, Chapter three focuses on the research methodology. While Chapter four will provide the presentation of data and discussion of results. Finally, Chapter five provides a summary, recommendations and conclusion of the study.

CHAPTER TWO

LITERATURE REVIEW AND THEORETICAL FRAMEWORK

In this chapter, different but related studies were reviewed. The review of literature begins first with the conceptualization of the variables and finally, a concise attempt to situate the study within the frameworks of the elite and decision-making theories to best conceptualize the phenomenon under review.

2.1. Conceptualization

2.1.1. Parliament

Parliaments, as one of the key state institutions in a democratic system, play an important role in promoting democracy and good governance (Kabir, 2014). Members of parliament have the responsibility, as democratically elected representatives of the people, to ensure government by and for the people. Parliaments that have strong relationships with their constituents are well equipped to identify lingering and emerging grievances. Parliamentarians, as elected representatives of the people, have the authority to speak on behalf of the poor and disadvantaged groups, as well as other vulnerable and excluded communities. They can ensure that development plans are informed by actual demands from them and are shaped by actual priorities on the ground.

A parliament is a body of elected representatives who have the authority to make laws. Meeting, representation, and legislation - law-making - are fundamental concepts that date back thousands of years (Parliamentary Education Office [PEO], 2021). According to the PEO, these features can be found in parliaments all over the world, as well as other forms of governance, such as traditional Aboriginal and Torres Strait Islander societies. According to the PEO (2021), there is evidence that citizens' assemblies were held in ancient Mesopotamia (modern-day Syria and Iraq) as early

as 2500 BC. Ancient Greece and Rome hosted some of the first assemblies with elements resembling modern parliaments. Also, the ancient Greeks established an Ecclesia - Assembly - around 500 BC, which met on the Pnyx, a hill in central Athens, Greece. The Ecclesia met 40 times a year, and male citizens who had completed their military training were invited to attend. A show of hands was used to make decisions, or stones or pieces of pottery were used to vote. This history continues with the election of two (2) consuls by the Roman Republic around 509 BC. However, the PEO (2021) notes that these parliaments (within their rights) do not enact new laws but meet to vote on laws and elect officials.

In the present day, parliaments are renowned for three functions: legislation, representation, and oversight. Within the context of these mandates, parliamentarians, as elected representatives, play an important role in ensuring democratic participation in governments' development programs and policies, oversight of development resource management, strengthening accountability mechanisms and anti-corruption approaches, and raising public awareness of development policy issues (Kabir, 2014). The role of parliament continues to evolve with the advent of social media where citizens have multiple routes to influence policy or challenges government decisions. This trend was particularly accelerated by the growth of communication technologies (i.e., social networks, new media, content management systems, etc.).

In context, the National Assembly like most democratic parliaments performs the stated functions within constitutionally permissible bounds. Chiefly, Section 4 of the 1999 Constitution (as amended) outlines that it is vested with the legislative powers of the Federation. In addition, Sections 48 and 49 connote the representative mandate of the Senate and House of Representatives respectively. The oversight function of the National Assembly is expressed in Section 88 of the Constitution as well. Indeed, the legal premise of the National Assembly's roles is not in doubt.

Therefore, given constitutional imperatives, the National Assembly as the bearer of the popular and most importantly the lawmaking arm of government enjoys the undisputed place to facilitate electoral reforms.

2.1.2. Electoral Reforms

Electoral reforms have become an important requirement for a successful election especially, in developing countries. According to the International Institute for Democracy and Electoral Assistance [International IDEA] (2014), electoral reform is “a broad term that covers, among other things, improving the responsiveness of electoral processes to public desires and expectation” defines electoral reforms. It is, however, worth noting that not every change can be classified as electoral reform. Electoral reforms are undertaken to improve the electoral process by promoting the electoral rights of citizens and by operationalizing key principles such as impartiality, inclusiveness, transparency, integrity, and accuracy (IDEA, 2014). Based on this, Hammed (2018) stated electoral system of any given country plays a fundamental role in sustaining and shaping the political conduct of its citizens because the manner of conduct of elections in a country goes a long way to determine the level of political culture, political participation, good governance, and sustainable development in the country.

The International Institute for Democracy and Electoral Assistance [International IDEA] (2014) reported that, since the mid-1980s, there have been substantial structural and procedural changes in the way elections are organized and conducted around the world, such as the increasing use of new technologies to deliver electoral services and the growing numbers of independent electoral management bodies (EMBs). Katz (2005) asserts that the only way to have a strong president or parliament is where there are replacements of the electoral formula. However, Lijphart (1994)

critiques that changes in electoral formulae are very essential but that alone cannot facilitate credible elections in choosing the right leaders. For instance, Kenya and Ghana to enhance free and transparent elections by introducing biometric verification machines had their results being contested in court (Merino, 2014).

Aliyu and Ambali (2021) noted that since the arrival of the new democratic train in West Africa, elections have been characterized by naked violence and irregularities which have negatively manifested in economic underdevelopment and political instability. In Ghana specifically, Aliyu and Ambali (2021) argued that reforms in the electoral system such as a substantial level of autonomy, permanency in membership of Ghanaian Electoral Commission (GEC), proper funding, and a doctrine of Inter-Party Advisory Committee significantly contributed to its electoral success; by extension democratic consolidation. Aliyu and Ambali (2021) thus, advocated the adoption and adaptation of Ghana's electoral model because according to them, a stronger Independent National Electoral Commission (INEC) in terms of electoral management comparing the previous elections with 2015 general elections, yet issues such as the non-permanent position of her experienced principal officers, nature of funding, ineffective working relation with other stakeholders is still a challenge.

Electoral reform has often been the tool through which democratization is initiated (Kurki 2013). Renwick (2010) states that policy change in the electoral system to enhance free, fair, and transparent elections is a foundation for democratic governance. He further stated that the strengthening of electoral rules by amending existing electoral rules creates an enabling environment to foster the decision of electorates which is crucial for good democratic governance. Given the benefit free and transparent election brings to the citizen, electoral institutions are

established and empowered to be in charge of organizing and conducting elections (Colomer 2016; Fall, Hounkpe, & Jinadu, 2012; Mozaffar, Scarritt, & Galaich, 2003).

Electoral reform is a change in the legislation (versus practice) that regulates the process of voting, which includes who can vote, what voters are allowed to do in the voting booth (e.g., voting for a party or a person), what they vote for (e.g., national, provincial, local, executive, recall elections) and how these votes are afterward translated into seats (Dalton & Gray, 2003; Farrell, 2011). Based on this definition, Monagle, Chan, Massicotte, Chalmers, and Michelson (2004) substantiated electoral reforms into four which include (1) the proportionality of the electoral system, (2) the ballot structure, (3) the inclusiveness of the electoral legislation, and (4) the election level. However, Jacobs and Leyenaar (2011) added changes in the practical organization of election as a fifth dimension that covers the election procedures.

Over the years there have been calls, agitations, and outcry for electoral reforms in Nigeria in addition to the electoral acts and many constitutional provisions regulating the electoral system. In fact, Omotola (2010) stated that elections can only engender the consolidation of democracy in Nigeria if the electoral processes are reformed in ways that fundamentally address the autonomy and capability of INEC and related electoral agencies, particularly political parties, to discharge their responsibilities effectively. Explicitly, Omotola (2010) listed efforts at electoral reforms in Nigeria with the inauguration of a 23-person Electoral Reform Committee (ERC) on 28 August 2007. The ERC among other things recommended the establishment of a Political Parties Registration and Regulatory Commission (PPRRC), the appointment of the INEC chairman by the National Judicial Council (NJC), Electoral Offences Commission (EOC), etc. The Federal

Executive Council (FEC) in its whitepaper rejected most of what were termed landmark recommendations.

Overall, the recent trend towards challenging electoral fraud in the courts, however, does signal a strengthening of the rule of law and gives some reason for optimism. The yearnings for electoral reforms, notwithstanding, Shehu, Othman, and Osman (2017) argued that Nigerians have little confidence in the reforms due to insincere political will and commitment to enforce such reforms when finally approved. Shehu et al (2017) submitted that mere electoral reforms in Nigeria are not adequate or capable of restoring credibility in elections, hope in democracy, and legitimacy. Therefore, Shehu, Othman, and Osman suggested the enforcement of subsisting electoral laws, positive reorientation of the stakeholders, regulated use of money, and genuine commitment as critical to the success and credibility of elections in Nigeria.

2.1.3. Electoral Management in Nigeria

Shehu, Othman, and Osman (2017) noted that election is a major character and indispensable to modern democracy. As a means by which citizens decide their leaders and policies; it is very strategic to every democracy and its conduct and credibility determine legitimacy and success or otherwise of a political system. Shehu et al allude that an election is a process of conferring popular legitimacy on both the state and leaders involves many things which are embodied in an electoral system also as provided within a state's legal framework. Contemporarily, there are concerns about sound electoral management in many democracies. Put differently, many elections worldwide faced a series of condemnations following noticeable malpractices.

According to Norris (as cited in James, 2014), established democracies are often thought to be immune from more serious "first-order" difficulties yet problems associated with election

administration and management are common to them. These include mistakes administratively committed while conducting elections and strategies adopted that resulted in poor and undesirable outcomes. It is imperative to note that studies that seek to understand how elections can be improved upon have traditionally focused on electoral laws, electoral systems design, electoral laws, and the design of electoral administration. According to James (2014), electoral management is defined as inter and intra-organizational interaction that used policy frameworks and available assets that are keys to good elections delivery.

There is a general assertion that a body with the primary responsibility of administering elections in Nigeria has over the years featured differently yet structurally indifferent. To substantiate this thought, Adetula (2007) succinctly noted that Nigeria has experienced several dissolutions, re-constitution, and restructuring of electoral management bodies as a result of military incursion in politics. It is historic that before the 1960 independence (1958-1959), of existence was the Electoral Commission of Nigeria (ECN). The ECN was headed by R. E. Wraith who conducted the 1959 general elections. Upon her attainment of independence in 1960, the constitution of Nigeria provided for a Federal Electoral Commission (FEC). This commission organized and conducted post-independence general elections of 1964 and 1965 respectively.

Following the military incursion of 1966, FEC was dissolved, and the new Federal Electoral Commission (FEDECO) was constituted by the former President Olusegun Obasanjo in 1978 with Chief Michael Ani as the head. This commission successfully organized the 1979 elections in tune with the transition to the civil rule agenda of Olusegun Obasanjo and ushered in the Second Republic under the leadership of Alhaji Shehu Shagari. Also, in 1983 Justice Ovie-Whiskey assumed the headship of the commission (FEDECO) and as such organized and conducted the general elections.

Furthermore, in 1987, after a successful Coup staged by Ibrahim Babangida, a new electoral body was established by Decree No 23, which was headed by Professor Eme Awa; Prof Humphrey Nwosu, and Prof. Okon Uya respectively. In 1994, the National Electoral Commission of Nigeria NECON was established by the late General Sani Abacha-led military government. This commission was headed by Chief Sumner Dagogo-Jack from 1994 to 1998. Subsequently, the sudden demise of Abacha in June 1998 saw the emergence of a new electoral body known as the Independent National Electoral Commission (INEC). This was established by General Abdulsalam Abubakar's administration following the dissolution of Abacha's NECON electoral body.

Apparently, INEC chaired by Honourable Justice Ephram Akpata conducted the transitional general elections that gave birth to the Fourth Republic in 1999. In the year 2000, Abel Guobadia was appointed and he conducted the 2003 general elections; while, Maurice Iwu organized the 2007 general elections following his appointment as a chairman of the commission in 2005. However, there is no gainsaying that the appointment of a highly discipline academic Prof. Attahiru Jega as the chairman of INEC in 2010 forced the commission to reposition itself and deliver on the assigned mandate. This was obvious in the 2015 general elections. The ruling Peoples Democratic Party PDP lost to the main opposition party All Progressive Congress APC. This is a milestone in Nigeria's electoral history. On June 30th, 2015, Jega's tenure expired and Amina Zakari acted until the appointment of Mamood Yakub by President Muhamadu Buhari as the new head on the 29th of October 2015. Upon completion of his tenure of five years, Professor Mamood Yakub was on 27th October 2020 re-nominated by the president for another five years term which requires Senate confirmation. It must be added that INEC has representation in all the 36 states of Nigeria including the Federal Capital Territory, Abuja.

Findings show that poor electoral management discouraged citizens' trust in the electoral process most especially in developed democracies; it affects consolidation and fosters violent elections in developing democracies (Elklit & Reynolds, 2002; Pastor, 2009). The professionalization of electoral management bodies observed by James (2014) was perceived to be a critical plan and goal-setting of international Organizations. According to Global Commission on Elections (2012), there are new studies on policy instruments used within electoral management boards to manage the people, resources, and technology at their disposal. Ultimately, however, there have been some works on what constitutes good Electoral Monitoring Body (EMB) performance. Elections are often evaluated in terms of whether international norms, democratic norms, or natural laws are broken (Birch, 2011). According to James (2014), a range of frameworks has been developed to more narrowly assess EMBs and election administration. Many of these frameworks go beyond looking at the flaws in elections that directly result from office-seeking statecraft (James, 2014). For instance, Omotola (2010) attempts to analyze the impact of elections and particularly their administration on Nigeria's democratization process and argued that elections under the Fourth Republic (2009–2007) were characterized by ineffective administration at all stages and levels (before, during, and after), resulting in damagingly discredited outcomes which were due in large part to the weak institutionalization of the primary agencies of electoral administration, particularly the Independent National Electoral Commission (INEC) and the political parties. Besides, Hammed (2008) posited that the process of appointing members of the electoral body does not confer the requisite institutional autonomy on the electoral body. Omotola (2010), therefore, submitted that INEC lacks both institutional and administrative autonomy, as manifested by its composition and funding by the presidency, as well as its gross lack of professionalism and security of tenure for its officials. Nevertheless, Hammed (2018) concluded that the electoral system must

be reformed to have good governance and sustainable development and that there is a need for the establishment of the Electoral Offenses Court.

2.1.4. Roles of the National Assembly in Electoral Reforms

According to Saliu and Bakare (2020), the legislature is one of the key institutions in the democratic process, to the extent that any attack on its composition or functioning is seen as a blow against democracy. This is premised on the fact that it symbolizes democracy and avails the people the opportunity to participate in governance even though, there have been allegations of misuse of powers and gross misconduct by its members. The importance of an efficient electoral system cannot be overemphasized in any democratic political system. A good electoral system delicately balances the politics of participation with the politics of representation and ultimately contributes to the building of a viable and sustainable political culture. The act of participation in the electoral process in a country not only vests legitimacy on the decision-makers but also makes the voters conscious that they are active and effective participants, though in an indirect sense, in the decision-making process of their country. In a country where a good electoral system is in place, voting becomes much more than a ritual or a mechanical function but an important instrument of citizen participation in the selection of their leaders.

After almost five decades of political independence and the fourth attempt at democratic government, Nigeria cannot be described, yet as a stable political system. No country, including the advanced democracies, has yet devised a perfect process of electoral administration. But the difference between those countries and most developing states, including Nigeria is that they have subjected their electoral procedure to an uninterrupted practice, and over the years their electoral systems have not only matured but have also endured. It is for this reason that electoral reform

becomes the most significant step towards realizing the goal of free and fair elections and sustainable democracy in the country.

A study of the Uwais Panel's report reveals a summary of the major problems confronting electoral administration in Nigeria which, include lack of capacity and shoddy preparation by the electoral commission, inadequate logistics, and irregular electoral outcomes that have severally been confirmed by the courts. While most of the election results have been upheld on the ground of substantial compliance, this has not removed the stigma or lack of credibility or legitimacy on the beneficiaries of such controversial judicial decisions. Using the language of system analysts, these electoral-related problems in Nigeria can be broadly categorized as a system, process, and policy inadequacies, and will continue to haunt the conduct of elections in the country unless they are addressed at their roots. But unfortunately, the attitude of the National Assembly towards electoral reforms in Nigeria conveys the impression that the laws makers are not enthusiastic about the reforms since according to Ume Ezeoke, the All Nigerian People's Party's (ANPP) National Chairman, the present political leadership in the country is loath, and apprehensive of any constitutional review, or electoral reform because as the major beneficiaries of the present unfair system, they are deliberately thwarting any move that may likely endanger their vested interests (Guardian, July 1, 2009, p. 8). The legislators' attitude is a desire for self-preservation, and to expect them to proceed in the urgent manner that most Nigerians desire is to make them embark on an exercise in self-destruction or immolation.

The Report of Justices Uwais Committee (2009) identified the problem of the elections in Nigeria from two major aspects, the weakness of the electoral institution and the flaw of electoral regulation documents (Constitution and Electoral Act 2006). The reform targeted two major issues the composition of the electoral body and its source of finance. Electoral reform is not a new

phenomenon in Nigeria, for instance before independence, the Electoral Law of 1958 was made to improve the administration and the conduct of elections in Nigeria (Nwatu, 2004). It can be considered as a deliberate attempt made by the government to correct the weakness and irregularities of the process of election. The National Assembly in the Fourth Republic has played a significant role in the reforming of electoral processes in Nigeria. the most significant reforms were done in 2006 and 2010. In 2006 a legal proposal was designed, prepared, and approved by the National Assembly. The legal document contained regulations of the elections in addition to the Constitution. Subsequently, in 2010 the National Assembly undertook another reform to improve the electoral body and its conduct of elections in Nigeria. The contributions of these proposals to democracy; the provision and the approval of the electoral act, for instance, the electoral law of 2002 and 2006, similarly the electoral act of 2010 strengthened and consolidated the electoral system. The conduct of the 2015 general elections was the fruitful result of that reform because it was one of the free and fair elections in the political history of the country.

Consequently, studies have confirmed that except 2015 elections which were adjudged to be credible, all other elections conducted by INEC are problematic (Adejumobi, 2000; Suberu, 2007; Hamalai, Egwu, & Omotola, 2017). In fact, Shehu Othman, and Osman (2017) revealed that Nigerian politicians/elites have devised electoral reforms as means of securing public legitimacy and popularity; it has become a means of accommodating and rewarding parties allies and loyalists, patrons and clients; and a diversionary tactic to skew the public attention towards one end. Therefore, there appears no little or sincere political commitment towards the enactment of some of the electoral reforms. Conversely, the conduct of the 2007 elections and its unsatisfactory result was deemed to have motivated and culminated in the pressure for electoral reform (Animashaun, 2010). Accordingly, in August 2007 President Yar'adua Constituted Electoral Reforms Committee

to study and give recommendations on how to reform the electoral system in Nigeria. The ERC submitted its reports on December 12th, 2008, and suggested several ways out to the president. Based on this, the President submitted seven executive bills to the National Assembly. This was beside the effort of the National Assembly in 2002 and subsequently 2006.

Impressively, the above reforms within the respective eras improved the power and the performance of the INEC given its inherent administrative autonomy. Pointedly, the 2010 Electoral Act 2010 permits INEC to declare electoral results right from the polling units to check electoral malpractices. This corroborated the position expressed by Suberu (2014) when he asserted that the declaration of the results of elections in the polling units can curtail electoral corruption. Other contributions of the electoral act to the electoral process include the promotion of internal democracy in the political parties, deregistering political parties that lack electoral requirements, scheduling of elections timetable and the extension of the timeline for campaign, verification, and the administration of elections. With the improvement in the administrative autonomy of INEC, the body has successfully introduced innovations such as the use of card readers to prevent election rigging and the introduction of Permanent Voter's Cards (PVC).

Following the passage of the Electoral Act, 2010 by the legislature, the conduct of elections in 2015 organized by Professor Attahiru Jega was accepted and adjudged as free, fair, and credible, little malpractice was registered compared with those elections before it in the political history of Nigeria (Araba & Braima, 2015). Several scholarly works have indicated the impact of electoral reform in the Fourth Republic, specifically on the 2015 general election (Oji, 2015; Lucky & Muawiya, 2017; Hamalai, Egwu & Omotola, 2017). To illustrate, Ajagba, Gberevbie, and Agbu (2020) revealed that Nigeria continued to dominate both national and international political discourse as a model of democracy for the rest of Sub-Saharan Africa immediately after the

successful conduct of the 2015 general elections that saw for the first-time peaceful conduct of elections and transition from one civilian administration to the other and which brought the opposition party to power without violence or bloodshed.

However, Ajagba, Gberevbie, and Agbu (2020) argued that following the conclusion and outcome of the 2019 general elections, the perception of Nigeria has changed from being a beacon of hope for democratic Africa to being amazement to political scholars and commentators who find it difficult to unravel how she failed to consolidate the gains of the 2015 general elections and to emerge stronger as a democratic nation. Therefore, despite significant reform in the Nigerian electoral system, there exist a huge gap to be filled by the National Assembly in the Constitution and The Electoral Act (National Human Rights Commission [NHRC], 2015). It was confirmed that several recommendations suggested by Justice Uwais Committee were not implemented (NHRC, 2015). Indeed, issues like the full autonomy of the INEC, internal democracy in the political parties among others have not been properly addressed. Consequently, Ajagba, Gberevbie, and Agbu (2020) concluded that except the electoral process is rebranded in line with acceptable international best practices of a democratic culture where the will of the people is seen to prevail, political apathy may persist.

2.2. Gap in Literature

The electoral reform process is a permanent feature of any democratic society. As established already, parliaments play an important role in the enactment of the electoral laws, which seek to capture the peoples' hopes, wishes, and aspirations. This is in furtherance of Section 4 of the 2009 Constitution that bestows the legislative powers of the Federation on it especially given their place as the bearer of the popular sovereignty. Indeed, the role of the National Assembly in the electoral reform process cannot be overemphasized since such reforms should seek to create peace, stability, and an enabling environment, where citizens are free to exercise their choice democratically. Drawing from this, although kinds of literature were reviewed on the different aspects as could be seen, however, these studies in large part, are executive actions towards electoral reforms neglecting the lawmaking role of the National Assembly which is crucial for any meaningful electoral reform. This negates the constitutional burden on the National Assembly to pursue legislative actions for the peace, order, and good governance of the Federation. Because this constitutes a gap in the electoral reform literature, this study sought to assess the role of the National Assembly in facilitating electoral reforms between 2009-2021.

2.3. Theoretical Review

According to Grant and Osanloo (as cited in Adom, Hussein & Agyem, 2018) theoretical framework is a 'blueprint' or guide for research. To Adom et al, a theoretical framework is a framework based on an existing theory in a field of inquiry that is related and/or reflects the hypothesis of a study. It serves as a blueprint upon which a research inquiry is built. Besides, Simon and Goes (2011), as well as Maxwell (2004), averred that the theoretical framework deepens the essence of the study. Therefore, Akintoye (2015) argued that for scholars in the field

and readers, the proper selection and presence of a theoretical framework convinces them that the study is not based on the personal instincts of the researcher but rather is firmly rooted in an established theory. As a result, the Elite and Decision-making theories were adopted as the framework for conceptualizing this study.

2.3.1. Elite Theory

The elite theory was chosen for this study because of its relevance in explaining the focus of the study which was to examine identify the role of the National Assembly in electoral reform and thus, identifying challenges militating the efforts of the National Assembly as well as proffering strategies to enhance the situation. The concept of the elite is based on the notion that every society has a ruling minority, a group that controls and distributes the most important power sources. Not only do elites hold, maintain and distribute political and economic powers (reaching different levels of conflict and violence), but new elites also enter the game through different mechanisms of elite recruitment. Thus, the core of elite theory relies upon explaining elite behaviour, elite interaction, elite transformation, and, ultimately, the connection between those instances and state outcomes. Proponents of the elite theory include Vilfredo Pareto (1848-1923), Gaetano Mosca (1858-1941), Roberto Michels (1876-1936), among others. Initially developed by Italian scholars between the end of the nineteenth and the beginning of the twentieth century, the elite theory became crucial in political science after World War II, tackling the substantial question concerning “who governs” even beyond formal or constitutional appearances, and with a great impact on the debates concerning democracy and its concrete functioning.

Individually, Vilfredo Pareto assumes the presence of the ruling class and focuses on 'elite circulation.' The ramifications of 'open' and 'closed' elites were central to Pareto's thinking. He

claimed that a closed aristocracy will inevitably deteriorate, resulting in cleavage and conflict within its ranks. When this occurs, new elites emerge from different social groups to lead the revolution. On his part, Gaetano Mosca argued that power would remain in the hands of a small group of people known as the ruling class, regardless of the form of government. The dominance of the minority over the majority is explained by the fact that it is organized and usually composed of superior individuals, according to Mosca, who explains the contentious historical separation between the ruling class and the ruled class. Similarly, Roberto Michels' (1876-1936) concern in a large part of *Political Parties* is with the way the leaders take advantage of the incompetence and emotionality of their followers to hold on to power and become a *de facto* oligarchy. When they establish such an oligarchy, they are no longer willing to submit their power to free electoral confirmation.

The above, notwithstanding, the kernel of the argument of the elite theory is that every society is ruled by a minority that possesses the qualities necessary for its accession to full social and political power. In other words, all societies are made up of two classes of people—a class that rules and a class that is ruled. The first class is very few and performs all political functions, monopolizes power, and enjoys the advantage derivable from it, whereas, the second class—the masses, is directed and controlled by the first class (Varma, 2009). Thus, the basic theoretical assumption of this theory is that a community's power structure correlates highly with its social structure, or at least is a reflection of the underlying social structure (Nwanolue & Agbata, 2005). According to Nwanolue and Agbata (2005, pp. 79-81), five prepositions of the elite theory are as follows:

- (1) The upper class is usually defined in economic terms, rules in many communities
- (2) The upper class is, or controls, the single power elite that sits at the top of the pyramid of all-purpose community power.

(3) Political and civic leaders are subordinates to the upper-class elite, that is, the overt community leaders, and possess less power than the upper class.

(4) Power elites rule in their interests alone.

(5) Social conflict is rooted in the inter-class dynamics of the upper-class power elite, who by consistently serving their interests, increasingly alienates the broader community.

The term 'elite' has been one of the most general terms used in descriptive studies, and it has been applied to almost any powerful, advantaged, qualified, privileged, or superior group or category: politicians, bishops, intelligent people, and successful criminals, to name a few. This elite group is further subdivided into two types: (i) governing elites and (ii) non-governing elites. Individuals who directly play a significant role in government make up the "governing elite". They wear labels denoting their respective political positions, such as ministers, legislators, presidents, secretaries, and so on. The 'non-governing elite' are people who are not involved in governmental activities. In every society, there is a class of people who, while small in number, wield greater political power. This class of people holds command positions and provides leadership in society's ruling affairs, and they are referred to as the elite.

Elite theory envisions society as divided between the mass of people and a ruling minority, where the political power-the power to take and impose decisions valid to the whole society-always belongs to the latter. The purpose of elite theorists is to find a scientific explanation of the fact that-no matter when or where-in every society, the majority of the existent resources economical, intellectual, and cultural-are concentrated in the hands of a small group of individuals who use them to exercise power over the rest of the population. As throughout the years elite theory was developed through different approaches and with varied (often diverging) results, today there is a

wider consent among scholars about the determining impact of the different methods of inquiry chosen by various researchers, raising questions that continue to instigate methodological discussions among elite theorists and political scientists in general.

2.3.2. Decision-Making Theory

In the late 1950s, Chester Barnard, who was a retired telephone executive, introduced the term decision making to the lexicon of business. In 1958 Paul Wasserman and Fred S. Silander published an annotated bibliography on decision making. It used to be associated with the concept of resource allocation and policymaking. The phrase “decision” has changed how managers think about what they do, and it encourages them to think about conclusiveness, according to William Starbuck, a professor of management at the University of Oregon. Decision Making could be defined as the study of identifying and choosing from alternatives, the best option that suits a purpose. It is usually regarded as a cognitive study as it involves mental and logical reasoning (Ahmed, Bwisa, & Otieno, 2012). It is also a course of action consciously chosen based on some criteria from available alternatives for desired result (Massie, 2009).

In decision making, various alternatives should be considered, but the focus is not on the number of different alternatives, but rather on identifying all of them and selecting the one with the highest likelihood of success or that best fits a specific goal or objective. Decision-making is a process that significantly reduces uncertainty. Most decisions aim to reduce rather than eliminate uncertainty (Ahmed & Motunde, 2012). Only in a few cases are decisions made with complete certainty. This implies that most decisions involve some level of risk. There is no decision if there is no uncertainty; you simply act and expect a fixed result. Decisions determine the success of a project, and at times there are difficult moments when they seem not to be as easy as we think as

they are more difficult and nerve-racking. Therefore, Ahmed and Motunde opined that the fear of wrong decision runs in heart of all good leaders and managers but the ability to make the right decision despite the fear make them successful. An important factor decision theories tend to neglect is the nonlinear and recursive nature of decision-making.

The foundations for the study of decision-making were laid by theorists such as Henry Mintzberg, James March, and Herbert Simon. But the complexity of the questions that surround decision-making also contributes to the world's systems of justice and social order. Decisions are at the heart of success, and at times there are critical moments when they can be difficult, confusing, and nerve-racking. According to Arsham (2010), a decision usually involves three steps: (1) A recognition of a need (2) a decision to change, and (3) a conscious dedication to implementing the decision. Making the right decisions is not only what someone wants to do, but also includes what he has to do. On one hand, the repercussions of not making a decision could be more severe than making a wrong decision (Anwar, 2014).

Ahmed et al (2012) grouped decision theories into two: Normative and descriptive decision theory. Ahmed et al explained that while the normative theory explains how a decision should be made, the descriptive theory describes how decisions are made. Many researchers have also classified the theories as either rational or non-rational (Gigerenezzer, 2001; Hansson, 2005; Oliveira, 2007). In context, in applying the various categories of the decision theory to the instant study, the essence of electoral reforms aligns with the ideals of normative decision theory while practical steps taken towards electoral reforms by the National Assembly between 2009-2021 conform with the tenets of descriptive decision theory.

Furthermore, descriptive decision theory is concerned with characterizing and explaining regularities in people's proclivity to make choices. It is commonly distinguished from a parallel

endeavour, normative decision theory, which seeks to provide an account of the choices that people should be inclined to make. In this regard, the purpose of normative theories is to express how people should behave when confronted with risky decisions. From a descriptive standpoint, we are interested in how people make decisions (rational and irrational) in real life. In most cases, decisions are made by moving forth and back between the criteria or set goals and the identification of feasible alternatives. The available alternatives influence the criteria we apply to them and also the set goals can influence the alternatives that will be available.

2.3.3. Relevance of the Theories to the Study

Indeed, the relevance of elite theory to this study is that in the present context, elected representatives who make up the composition of the National Assembly are in their rights considered elites because they wield the powers of lawmaking. The principle of separation of powers upon which Nigeria's constitutional democracy is built delineates governmental powers between the arms of government. Therefore, elected representatives who are members of the National Assembly occupy the upper-class delineation of elites as espoused by Nwanolue and Agbata (2005). It must be stated that the institution of the legislature within modern democratic arrangements, occupies a prime place in the governance system since all activities of government begin with laws (Van Gestel, 2014).

The relevance of the decision theory, on the other hand, lies in its categorization into normative and descriptive ideals. Explicitly, the normative decision theory signifies what electoral reform decisions should be made whereas the descriptive decision theory underpins the actual electoral reform decision that is made. Overall, the descriptive decision theory underscores the practical steps taken by the National Assembly in facilitating electoral reforms. On this premise, the elite

and decision theories remained useful to the study due to their abilities to underpin and adequately explain the major variable being electoral reforms between 2009-2021 and the place of the National Assembly. Overall, the elites (members of the National Assembly) are expected to carry out their constitutional mandate which includes facilitating electoral reforms in a manner that translates to better electoral governance.

CHAPTER THREE

METHODOLOGY

This chapter presents the research methods adopted to achieve the objectives of the study. The areas to be covered would be research design, the population of the study, sampling technique and size, research instruments, sources of data and the method of data analysis and presentation.

3.1. Research Design

For this study, a mixed research design was used. This necessitated the use of both qualitative and quantitative data. To put it another way, qualitative data are frequently unstructured or semi-structured and is not statistical. Furthermore, because qualitative data are investigative in nature and frequently left open-ended, it can be used to answer the question "why." In contrast to qualitative data, quantitative data are statistical and usually structured, implying that it is more rigorous and defined. This data type is quantified using numbers and values. As a result, because the subject under consideration receives insufficient literary attention, the mixed research design is justified due to the need to provide insight into the roles played by the National Assembly in facilitating electoral reforms in Nigeria.

3.2. Sources of Data

The choice of data sources depends on the nature of the research problem as well as the choice of research design. Consequently, this study accommodated both primary and secondary sources of data. Primary data refers to the first-hand data gathered by the researcher and were taken from the questionnaire and the Key Informant Interview [KII] which were administered on the stated

population. Specifically, the questionnaire had closed-ended questions. This provided heuristic value for the respondents as it serves as an easier means for self-expression. The KII, however, permitted the researcher to probe concepts as well as mould questions out of responses.

Secondary data is data collected by someone other than the primary user. The secondary sources of data include journal articles like the studies by Merino (2014) *on Kenya: The role of EMB in electoral reform* and Aga (2022, *personal interview*) on the *Assessment of the role of parliament in electoral reforms in Nigeria between 2009 to 2021*, official publications of the National Assembly like the *Bills and Motions on Electoral Reform*, magazines, books, internet among others. Indeed, the secondary/processed data served as the source for baseline information for the most part, and in others complementary. Overall, such processed data creates the needed balance in the discussion of results.

Consequently, the questionnaire and Key Informant Interview [KII] were the major instruments of data collection. The choice of these instruments was purposeful because the study desires insight from the respondents on the role of the National Assembly in electoral reforms through the study scope. The research instruments were administered to target respondents drawn from a population made up of CSOs, Lawmakers, Secretariats of the Senate and House of Representatives Committees on Electoral Matters, and the Independent National Electoral Commission (INEC).

3.3. Population of the Study

A population is made up of all the units to which the research findings can be applied. In other words, the population is a collection of all the units with variable characteristics that are being studied and for which the research findings can be generalized (Shukla, 2020). Thus, population refers to all of the elements, items, objects, or people considered when gathering data for a study.

For this study, the population consisted of Civil Society Organizations (CSOs), Lawmakers, Secretariats of the Senate and House of Representatives Committees on Electoral Matters, and the Independent National Electoral Commission (INEC). The choice of the population is because of their respective places in the electoral reform process. For instance, the National Assembly is empowered to make laws for the peace, order, and good government of the Federation and electoral reforms are a product of such laws. The population is presented in the Table below.

S/N	POPULATION	SIZE
1	Civil Society Organizations (CSOs) with legislative related mandate	8
2	Members of the National Assembly	469
3	Secretariat of the Senate Committee on Electoral Matters	13
4	Secretariat of the House of Representatives Committee on Electoral Matters	17
5	Independent National Electoral Commission (INEC)	407
6	Total	917

Source: Fieldwork, February 2022.

3.4. Sampling Technique and Size

Sampling is a technique of selecting individual members or a subset of the population to make inferences from the whole population. The purposive sampling technique was chosen for this study. The purposive sampling procedure is a nonprobability sampling method that emphasizes respondent selection based on preconceived conditions. Explicitly, the issue of the electoral reform process could be limited to some experts in the respective population. Since the population is finite, the sample size for the administration of the questionnaire was determined using Taro Yamane (1985) formula.

$$n = \frac{N}{1 + N(e)^2}$$

Where:

n = sample size

N = population

e = significance level

1 = constant

Applying the formula:

n =?

N = 917

e = 5% (0.05)

$$\text{Therefore: } n = \frac{917}{1 + 917(0.05)^2}$$

$$= \frac{917}{1 + 917(0.0025)}$$

$$= \frac{917}{1 + 2.293}$$

$$= \frac{917}{3.293}$$

$$= 279$$

Therefore: approximately sample size (n) = 279

However, the need for key informants means that fifteen (15) respondents were chosen from the population. Three (3) respondents were taken from each of the populations highlighted using the purposive sampling technique.

3.5. Method of Data Analysis

For data analysis, both qualitative and quantitative methods were used. As a result, the descriptive and content analysis methods were used to analyze quantitative and qualitative data, respectively.

The content analysis, as is typical of qualitative data, emphasized the textual presentation of data as well as aided in determining the goals, messages, and effects of communication content obtained

during the study. However, simple percentages were used to denote quantitative data. Following that, the findings were presented thematically and in graphs and charts.

CHAPTER FOUR

DATA PRESENTATION, ANALYSIS AND DISCUSSION

This chapter presented, analyzed and discussed data obtained in the course of the research. Out of the two hundred and seventy-nine questionnaires distributed to respondents, only one was not returned thus, giving a response rate of 99.6%. On the other hand, only six (6) respondents obliged the interview requests; the chairpersons of the Committees on Electoral Matters in the Senate and House of Representatives-Senator Kabiru Gaya and Honourable Aisha Dukku; Messrs. Abiodun Banjoko and Alhassan Ibrahim of the Centre for Democracy Development (CDD); the Executive Director of the Civil Society Legislative Advocacy Centre (CISLAC)-Mr. Auwal Musa Rafsanjani; Bem Aga of the National Democratic Institute for International Affairs (NDI). In its structuring, sections 4.1, 4.2, 4.3, 4.4, and 4.5 laid out the social demography and the thematic representation of the objectives stated in section 1.5 respectively.

4.1. Social Demography

The social demographic qualities were discussed under these headings: gender, age bracket, educational qualification, and place of work. Accordingly, 53.6% of the respondents were females while 46.4% were males (see Table 4.1). The high number of women may be due to the sampling technique adopted for this study which is purposive.

Table 4.1: Gender

Variables	Frequency	Percent	Valid Percent	Cumulative Percent
Valid Male	130	46.4	46.4	46.4
Female	148	53.6	53.6	100.0
Total	278	100.0	100.0	

Source: Fieldwork, February 2022.

The age brackets are shared between the population as follows: 10.7% (18-28 years), 21.4% (29-39 years), 39.3% (40-50 years), and 28.6% (51 years and above). The population is relatively youthful. This can be attributed to the number of youths which constitutes a sizeable number of the sampling frames. The age bracket is provided in Table 4.2.

Table 4.2: Age Bracket

Variables	Frequency	Percent	Valid Percent	Cumulative Percent
Valid 18-28	30	10.7	10.7	10.7
29-39	59	21.4	21.4	32.1
40-50	109	39.3	39.3	71.4
51 and above	80	28.6	28.6	100.0
Total	278	100.0	100.0	

Source: Fieldwork, February 2022.

Going further, 46.4% of the respondents have degree certificate, 32.1% has postgraduate degrees, whereas 21.4% have Higher National Diploma (HND) certificates. The nature of the job descriptions for members of the population demands a fair level of literacy (see Table 4.3).

Table 4.3: Education

Variables	Frequency	Percent	Valid Percent	Cumulative Percent
Valid OND/HND	59	21.4	21.4	21.4
Degree	130	46.4	46.4	67.9
Postgraduate	89	32.1	32.1	100.0
Total	278	100.0	100.0	

Source: Fieldwork, February 2022.

Given the sample size of 278, 51.4% of the respondents are staff of the Independent National Electoral Commission (INEC), 44.2% are members of the chambers of the National Assembly, 1.8% and 1.4% are staff of the Electoral Committee Secretariats in the House of Representatives and Senate respectively, while 1.2% are members of Civil Society Organizations (CSOs). The high number of staff of INEC is due to its staffing which stems from the size of its large bureaucracy. In the same vein, it is unexpected to have such a number from the National Assembly given that it is an arm of government. The responses are contained in Table 4.4.

Table 4.4: Designation of Respondents

Variables	Frequency	Percent	Valid Percent	Cumulative Percent
Valid CSOs	3	1.2	1.2	1.2
INEC	143	51.4	51.4	52.6
Electoral Committee Secretariat (Senate)	4	1.4	1.4	54.0
Electoral Committee Secretariat (House)	5	1.8	1.8	55.8
Lawmakers	123	44.2	44.2	100.0
Total	278	100.0	100.0	

Source: Fieldwork, February 2022.

4.2. Roles Played by the National Assembly in Facilitating Electoral Reforms in Nigeria

The National Assembly has played far-reaching roles in strengthening Nigeria’s political and electoral processes. In fact, Gaya (2022) posited that “the legislators have a role to play or they have been playing a good role in trying to permit a law that will give free fair and credible

elections”. Therefore, Aga (2022) argued that it has done this through several amendments of the Constitution and Electoral Act, and Appropriation Acts. The process of pursuing electoral reform by parliament has not been easy, they have faced pushbacks from many stakeholders including the executive at the federal and state levels and other interest groups. This set of people believes that amendments proposed at different times could affect their interests. Respondents align with Aga’s position as they all stated that indeed, the National Assembly has a role to play in facilitating electoral reform in Nigeria. These positions affirming the role of the National Assembly in facilitating electoral reforms in Nigeria is in recognition of the legislative powers of the lawmaking arm of government as stipulated in section 4 of the 1999 constitution (as altered).

Table 4.5: Does the NASS have a Role to Play in Electoral Reform?

Variables	Frequency	Percent	Valid Percent	Cumulative Percent
Valid Yes	278	100.0	100.0	100.0
Total	278	100.0	100.0	

Source: Fieldwork, February 2022.

Rafsanjani (2022), however, gives a historical insight into the roles played so far by the National Assembly in facilitating electoral reforms in Nigeria. Rafsanjani recalled that “the reform process began with the inauguration of a 23-person Electoral Reform Committee on 28 August 2007, with a comprehensive mandate to evolve an electoral process that will enable us to anchor democracy as the framework for national integration, sustained growth and national development”. Rafsanjani (2022) added that some of the proposed reform initiatives required constitutional amendments which necessitated a review of the Electoral Act of 2006 thus, birthing the 2010 Electoral Act to accommodate the changes like the new order/sequencing of elections, as well as a provision banning floor crossing.

According to Rafsanjani (2022), on four occasions in 2018, the Eighth National Assembly led by Senator Bukola Saraki had passed and transmitted Electoral Act amendment bills to the President for assent but were on each occasion declined assent. In a twist, the Attorney General and Minister of Justice, Abubakar Malami, announced after the Federal Executive Council meeting that the executive would sponsor three bills which he claimed were targeted at electoral reforms in September 2018. This announcement came days after the Presidency had vetoed for the third time the Electoral Act Amendment Bill, 2018, as submitted by the National Assembly (Rafsanjani, 2022). The Presidency sent fresh electoral amendment bills to the National Assembly after ignoring such efforts by the legislature on three successive occasions. Rafsanjani (2022) quipped thus;

We must as well recall that the Bill after the National Assembly passed through the rigorous process of passing the bill starting from 2016 to 2018 only to veto the same thrice. While the bill was first submitted in February 2018 it was rejected for order of elections. In June when the National Assembly reworked the bill and submitted the same for assent, the President did not make any returns within the constitutionally allowed 30 days. And when the bill was resubmitted on August 2, the President came up with claims that there were “drafting issues” and attempts to curtail the powers of the Independent National Electoral Commission (INEC). This time, President Muhammadu Buhari had refused to sign it into law after arguing that it would disrupt the conduct of the 2019 elections.

In 2021, the effort to pass the 2021 Electoral Act Amendment, 2021 led to a major division in the Upper Chamber over an amendment to clause 52 (3). The clause had the provision for the mode of transmission of election results. While the House of Representatives had given its approval to the Independent National Electoral Commission (INEC) to go ahead when it deems it fit to use electronic transmission, the Senate’s position said otherwise when it voted to cede the power to determine the use of electronic transmission of results in an election to Nigerian Communications Commission (NCC), and the National Assembly must subsequently give its approval. This time,

the Senate planned to cede the power of a constituted and independent institution like INEC to NCC and the National Assembly. Some oppositions in the Upper Chamber argued that since the President determines the appointment and mandate of NCC including that of the minister that supervises the Commission. Rafsanjani (2022) argued that this would undermine the power and independence of INEC to conduct elections using the Electronic Voting System.

Following critical debates at the National Assembly in December 2021, the Bill was represented for the fifth time to President Muhammadu Buhari, who also refused to sign the electoral bill into law, nevertheless, requesting the National Assembly to remove the clause that had to do with the mode of nominating candidates by political parties. Rafsanjani (2022) similarly recalled that ;

The President, who stated this in his letter to the Senate, asked the National Assembly to remove the controversial clause on direct primaries from the bill and return the proposed law to him for assent. Buhari consequently forwarded it to the Minister of Justice and Attorney General of the Federation, Abubakar Malami, for legal advice. Malami had disclosed that he might advise the President to withhold assent if he found the reworked bill to contain proposals hinged on personal interests.

For the sixth time, on 31st January 2022, the National Assembly transmitted the reworked Electoral Act 2022 Bill to President Muhammadu Buhari. To the delight of citizens, on 25th February 2022, President Muhammadu Buhari signed the reworked Electoral Amendment bill into law. The president signed the bill at the Presidential Villa in the presence of the Senate President, Ahmad Lawan, the Speaker of the House of Representatives, Femi Gbajabamila, and other officers.

Overall, Dukku (2022) argued that the National Assembly has contributed to strengthening democracy in the country, especially in electoral reforms, which accounted for the emergence of the All Progressives Congress (APC) as a ruling party in 2015 after 16 years of People's Democratic Party (PDP). This election was adjudged to be the fairest and most credible in the history of Nigeria. Respondents supported this position as 64.4% stated that the reforms facilitated

by the National Assembly were beneficial to the electoral, 32.0% disagreed that the reforms were not beneficial to the electoral process, whereas 3.6% were undecided on whether or not the reforms were truly beneficial to the electoral process.

Table 4.6: Were the Reforms Beneficial to the Electoral Process?

Variables	Frequency	Percent	Valid Percent	Cumulative Percent
Valid Yes	179	64.4	64.4	64.4
No	89	32.0	32.0	96.4
Can't say	10	3.6	3.6	100.0
Total	278	100.0	100.0	

Source: Fieldwork, February 2022.

Drawing lessons from the Electoral Act, 2022, Gaya (2022) posited that;

First of all, we looked at the areas of having a credible candidate having the primaries where which will be credible, and then the elections. I know in those years, most elections were done manually. But this time, especially during the Seventh, Eighth, or Ninth Senate, we started introducing an electronic form of elections or electronic form of making credible elections. For example, we started with the issue of card readers whereby it can detect voters. So, if 10 people came for the election, then the party that wants to rig will not make it 500 against the 10 People that turn up.

Instructively, the card reader innovation in no small measure curtailed the issue of rigging as well as introduced credibility into the system. In fact, political observers attributed the avowed credibility of the 2015 election to the introduction of the card reader technology by the Attahiru Jega-led INEC.

4.3. Specific Electoral Reforms Facilitated by the National Assembly from 2009 to 2021

Rafsanjani (2022) opined that “we must understand that electoral reform process in Nigeria has primarily been built on fostering the independence of the Electoral Monitoring Board and

promoting a democratic political culture within political parties”. Therefore, through Constitutional and Electoral Act amendments, and Appropriation Act, the National Assembly has facilitated several electoral reforms since 2009. As a result, 67.9% of the respondents posited that they were aware of specific electoral reform facilitated by the National Assembly between 2009-2021 whereas 32.1% remainder stated that they were not aware of such reforms. However, Rafsanjani (2022) posited that reforms facilitated by the National Assembly in the electoral process are always often centred mainly on the legislative process.

Table 4.7: Are you aware of specific reforms facilitated by the National Assembly?

Variables	Frequency	Percent	Valid Percent	Cumulative Percent
Valid Yes	189	67.9	67.9	67.9
No	89	32.1	32.1	100.0
Total	278	100.0	100.0	

Source: Fieldwork, February 2022.

However, activities of the National Assembly on the following are specific electoral reforms facilitated by the National Assembly in the electoral process.

4.3.1. Constitutional Alterations

The major laws governing the electoral process in Nigeria are as follows: the Constitution of the Federal Republic of Nigeria 1999, the Electoral Act, 2022; and the Independent National Electoral Commission [INEC] Regulations and Guidelines for the Conduct of Elections. According to Aga (2022), through the amendment of the Constitution to put INEC on the first line charge of the constituted revenue fund, the National Assembly gave INEC its financial autonomy from the executive. Although this was not implemented immediately, INEC’s funds are now directly paid

through the commission's account. Also, Aga noted the milestone accomplished in the Constitutional Alteration by reducing the age requirements to contest for elective positions in Nigeria when Aga (2022) averred that;

Reduction of age benchmark for contesting for election in Nigeria: Before the passage of the age reduction bill popularly known as the Not too young to run bill, a wide range of young people were not allowed to run for office due to constitutional barriers. With the passage of the bill by National State Assemblies and its signing into law by President Muhammadu Buhari, the age qualification to run for president was reduced from 40 to 35. The age for running for the House of Representatives and State House of Assembly was reduced from 30 to 25. This has broadened Nigeria's political space and provided opportunities for more citizens to contest elections in their country.

On his part, Dukku (2022) stated that the National Assembly in the Fourth Republic has played a significant role in the reforming of electoral processes in Nigeria in addition to the constitution.

4.3.2. Electoral Act

Ibrahim (2022) alluded that the Nigerian National assembly in the past has facilitated and passed certain reforms into law such as the Electoral Act 2010 which brought about the introduction of Smart card Readers in the electoral process. In fact, Dukku (2022) and Rafsanjani (2022) added separately that the National Assembly has contributed to improving the power of INEC, its revenue, financial autonomy, and administrative autonomy. For instance, Section 54 (2) of the Electoral Act, 2022 mandates INEC to provide voting aids to enable people with disabilities to participate during elections. This section of the Law although present in the Electoral Act, 2010 (see Section 56), has led to INEC providing materials such as the braille ballot guide, Magnifying glasses, and other voting aids without which participation by Persons Living with Disabilities (PWDs) will be difficult or impossible.

Besides, the Electoral Act, 2022 which was assented to on the 25th of February by President Buhari provides for electronic voting, electronic transmission of results, and the use of technology such as the Bi-Modal Voter Accreditation System (BVAS) by INEC. This piece of legislation also contributes to the promotion of internal democracy in the political parties, the deregistering political parties that lack electoral requirements, scheduling of elections timetable, and the extension of the timeline for campaign, verification, and the administration of elections. Dukku (2022) highlighted other significant provisions of the newly signed electoral law are issues that have to do with “full autonomy of INEC, independent candidature and those bothering on court cases among others”. Similarly, Gaya (2022) argued the introduction of the direct primaries before the President’s communication to the National Assembly is one of such innovations. According to Gaya, it was improper for “4000 to 5000 people to be representing 2 to 10 million people”. Gaya (2022) added that another innovation in the law is that;

People who want to run for election, for example, like a Minister in office, should resign if he wants to be a party candidate. The law initially said that the person can only step down within 30 days of the election. This means that when you are saying the governor of the Central Bank or Minister of Petroleum, you will have used that office. Such a person may use the police until he wins his primaries. But we said no, let anybody going for an election resign before the primaries so that there will be a level field.

Generally, Rafsanjani (2022) noted that amendments to the electoral law by the National Assembly was often pursued through the engagement throughout critical stages of the Electoral Bill presentation/re-presentation and passage, regular transmission, and re-transmission of the proposed electoral amendment bill to the President until its eventual assent, regular Public Hearing held to facilitate and harmonize public inputs/recommendations into the Electoral Reform Bills, active debates at both Lower and Upper Chambers on the Electoral Reform Bills, regular interface with the Electoral Management Body [EMB] (that is INEC) and Civil Society groups in various

reform efforts and processes, technical consultations to facilitate the removal of controversial Clauses that could pose a serious barrier to the Presidential assent among others.

4.3.3. Appropriation Act

According to Aga (2022), since 1999, the National Assembly has passed several Appropriation Acts to ensure that INEC's needs for electoral reforms are met. These needs have included Smart card readers, Permanent Voters Card, and most recently the Bimodal Voting and Accreditation System (BVAS). Although the use of technology in elections is not an end in itself, it assists in the various aspects of electoral administration (ACE Project, n.d). It is against this background that an electronic technologically based device, the smart card reader was introduced into the Nigerian electoral process in 2015 to help improve and deepen electoral democracy. Explicitly, the methods used in the registration of voters and conducting elections in Nigeria from 1999 to 2019 range from the use of typewriters to Direct Data Capture Machine (DDCM), Electronic Voters' Register (EVR), Smart Card Reader (SCR), and e-collation. Table 4.8 shows the comprehensive list of various technologies deployed by the Independent National Electoral Commission (INEC) from 1999 to 2019.

Table 4.8: Technologies deployed by INEC from 1999 to 2019

S/N	YEAR	VOTER REGISTRATION	DATA CAPTURED	DATABASE	ACCREDITATION/VOTING	RESULT COLLATION
1	1999	Pen/Sheets and Typewriters	Basic details. No picture or fingerprints.	NO	NO	None
2	2003	Optical Magnetic Recognition Form (OMR Form) *Automated Finger Prints Identification System (AFIS)	Basic details and fingerprints only.	YES	NO	None
3	2007	*Direct Data Capture Machine (DDCM) * AFIS	Basic details, photographs, and fingerprints.	YES	Electronic Voters' Register (EVR)	Excel Sheet/E-mail
4	2011	* DDCM * AFIS	Basic details, photographs, and fingerprints.	YES	EVR	Excel Sheet/E-mail
5	2015	* DDCM * Improved AFIS/Business Rule	Basic details, photographs,	YES	* EVR	Election Transparency Administration and Collation (e-TRAC)

			and fingerprints.		*INEC Voters Authentication System (IVAS)/Smart Card Reader (SCR)	
6	2019	* DDCM * AFIS * Business Rule	Basic details, photographs, and fingerprints.	YES	* EVR * IVAS	*Electronic-Collation Support (E-Collation) * e-TRAC

Source: Ayeni and Esan (2018)

Aga (2022) added that election observation reports showed that these electoral reform innovations have improved the credibility of Nigeria’s election. Apart from the Appropriation law, Ibrahim (2022) listed other laws that imparted the electoral process or constitutes electoral reforms including the Public Procurement Act, the Whistleblower Protection 2015, the establishment of NFIU 2017, NOA amendment Bill 2016 among others. Given these legislative interventions, 46.4% of the respondents agreed that the reforms were beneficial to the electoral process, 32.1% others stated that the electoral reforms via the listed legislative interventions were not beneficial in the electoral process, while 21.5% could not say if the reforms were beneficial or not.

Table 4.9: Were the Reforms Beneficial to the Electoral Process?

Variables	Frequency	Percent	Valid Percent	Cumulative Percent
Valid Yes	130	46.4	46.4	46.4
No	89	32.1	32.1	78.5
Can’t say	59	21.5	21.5	100.0
Total	278	100.0	100.0	

Source: Fieldwork, February 2022.

In general, respondents as well literature agree that the electoral reforms facilitated by the National Assembly have been impactful in the areas of electoral credibility, transparency, accountability, and acceptability of the electoral process. Respondents' responses on the areas of impacts of electoral reforms are: the majority of respondents (61.0%) argued that the reforms have enhanced the credibility of the electoral process, 52.4% of respondents attributed the transparency in the electoral process to the legislative interventions, 74.9% of the respondents stated that the electoral reforms facilitated by the National Assembly have ensured accountability in the electoral process, and 53.9% disagreed strongly that the electoral reforms initiated by the National Assembly have

resulted in the acceptability of electoral outcome. Obviously, the latter position could be justified given the plethora of litigations that often accompany the electoral process-Intra and inter-political party activities.

Table 4.10: Areas Impacted by the Electoral Reforms Facilitated by the National Assembly

S/N	VARIABLE	STRONGLY AGREE	AGREE	NEUTRAL	DISAGREE	STRONGLY DISAGREE
1	Credibility	37.3%	23.7%		30.0%	9.0%
2	Transparency	30.0%	22.4%	32.6%	20.0%	
3	Accountability	42.3%	32.6%		25.1%	
4	Acceptability	22.4%	23.7%		23.4%	30.5%

Source: Fieldwork, February 2022.

4.4. Challenges Encountered by the National Assembly in the Course of Facilitating Electoral Reforms

Dukku (2022) alluded that “Nigeria has faced electoral challenges in its political history, prior to the fourth republic, except for 1993, 2015 and 2019 that were adjudged to be freest and most credible general elections in the country”. In fact, Gaya (2022) in referencing the Electoral Act, 2022, stated that some of its provisions were being contended. For instance, after assenting to the new electoral law on the 25th of February 2022, President Muhammadu Buhari wrote the Senate urging them to expunge Section 84 (12) of the new electoral law (Guargian Nigeria, 2022, March 2nd). In specific terms, however, Dukku (2022) explained that;

The general elections of June 1993 which were annulled by the Babangida administration was considered the first free and fair election in Nigeria after independence. The 1999 elections that brought the first democratic government in

the fourth republic were unarguably disputed by the international observers and opposition party as an incredible and rigged election. Similarly, the subsequent elections of 2003, 2007 were flawed and accused by many observers. A similar event happened in the 2011 elections and no changes were observed despite electoral reform in 2006 and subsequently 2010. Accordingly, in the aftermath of the 2007 general election which gives power to the late President Umaru Musa Yar'Adua, who admitted that the challenges of the election are a nagging one in the country and it has been generating a problem in most of the country's elections including that of 2007 which produced him.

Therefore, Dukku (2022) stated that in responding to the perceived challenges of the 2007 general election, President Umaru Musa Yar'Adua constituted an Electoral Reform Committee (ERC) chaired by Justice Uwais to evaluate the problems of elections in Nigeria to provide recommendations on how to address such challenges. Therefore, acknowledging the obstacles to the role of the National Assembly in Facilitating electoral reforms, respondents listed the following:

4.4.1. Inadequate Capacity

According to Aga (2022), the National Assembly has encountered many obstacles in promoting electoral reforms hence, Ibrahim (2022) highlighted the lack of technical know-how of the National Assembly's bureaucracy in the legislative process as one of such obstacles. At this juncture, it must be reasserted that the National Assembly is vested with the legislative powers of the Federation (Section of the 1999 Constitution [as altered]). Therefore, it is within the context of this mandate that the National Assembly would at any material time seek to facilitate electoral reforms. As already established, every business of governance begins with lawmaking thus, the centrality of the role of the National Assembly in the electoral reform process.

4.4.2. Lack of Synergy between the Executive and Legislative Arms of Government

Ibrahim (2022) observed that in 2018, the National Assembly passed several reforms which were declined by President Buhari right up until the 2019 elections. Ibrahim recalled that in 2021 Buhari further declined assent to improved reform to the electoral process which contained the use of digital devices. Rafsanjani (2022) attributed this to the “disunity that emanated from regular face-off, disagreement, and dominating interest between the Executive and Legislative arms, as witnessed in the 8th Assembly”. Therefore, it is clear that one major obstacle is the failure of the synergy between the executive and the legislative arm of government which in the most part, is visible in the weakness of the parliament in vetoing the decisions of the executive.

4.4.3. Inadequate Collaboration with Civil Society Organizations (CSOs)

According to Mottiar (2016), the role of civil society in elections often takes the form of support for the institutional processes of a democratic election as well as the more substantive development of a democratic electorate. Civil society does, however, have a role to play in reducing election-related conflict dynamics and promoting a peaceful electoral environment. Relatively, the processes for the involvement of CSOs in electoral reform processes are rigorous. Very often, to access institutions or statutory bodies saddled with the responsibility of reforming the electoral process is too demanding and rigorous for CSOs hence, alienating them from the reform processes. As drivers of the democratization process, questions also surround the loyalty of CSOs in the democratic as scholars argue that Government-Run and Inspired Non---Governmental Organizations (GRINGOs) are always most patronized in the electoral reform process thus, shutting the doors to sincere and democratic objectives driven CSOs.

4.4.4. Inadequate Voters' Education

Until and when voters are sufficiently enlightened about electoral reforms, the lack of concise reforms will continue to stifle any reform efforts put in by the National Assembly. This is because elected officials owe the utmost responsibility and accountability to the citizenry and are dutybound to pursue their legitimate aspirations, including electoral reforms. It must be stated that teaching voters how to use new voting equipment is but one element of voter education. Voters must also be better informed on a wide range of issues to improve the electoral process. Nevertheless, this duty has been lacking, mainly owing to the minimal inclusion of institutions, such as schools, families, churches, businesses, civic groups, and community organizations, in voter education efforts.

4.4.5. Personal/Selfish Considerations

Aga (2022), as well as Rafsanjani (2022), alluded separately to the place of personal ambitions in the consideration of electoral reform in Nigeria. For instance, Aga noted that there is often a barrage of attacks by interest groups like the Governors Forum, Presidency, etc. who feel proposed reforms will affect them negatively thus constituting an obstacle. Likewise, Rafsanjani (2022) posited that “antagonistic personal interest by some legislators who hold critical positions against specific Clauses” frustrates attempts by the National Assembly to facilitate electoral reforms. In a wider pretext, such interference especially driven by political parties in the reform process affects the passage and assent to any electoral reform proposal. Moreso, as the parliament's most prominent means of facilitating electoral reforms, is through the legislative mandate of lawmaking. Rafsanjani concluded that personal considerations result in “backyard lobbying by various interest and invisible forces at both legislative and executive arms”. Ultimately, where such reforms are

passed, they do not meet the aspirations of the electorates and worst still, the reform process becomes a victim of a wider political machination so much so that it does not see the light of the day. In a veiled reference to the Electoral Act, 2022, Gaya (2022) opined that “most of the “problem we are facing is personal interest”. Making his point around the debate generated by Section 84 (12) of the new law the President requested to be expunged, Gaya (2022) stated, “some people believe that why should I resign from my seat? Well, I can take advantage of it and win the primaries”. This adds to the increasing debate on the dedication of the elites to enhancing the electoral process.

4.4.6. Lack of Political Will

Rafsanjani (2022) noted the role of political interference and reluctant political will by the Executive arm in the execution of legislative interventions designed to enhance the electoral process. Instructively, Nigeria is a constitutional democracy based on the principles of separation of powers with designated governmental functions assigned to the principal arms of government, viz: legislature, executive, and judiciary. Within this context, while the legislature makes the law, the executive bears the constitutional prerogative to execute them, while the judiciary adjudicates. However, inherent in this principle is the doctrine of checks and balances which permits the arms to keep a watchful eye on each other. As a result, although the National Assembly using the instrumentality of lawmaking may seek to facilitate electoral reforms, the executive led by the President is required to assent to such legislative proposal to take the force of law. Explicitly, empirical data emphasize the lack of political will in the implementation of electoral reforms (Rafsanjani, 2022). The Late Indian Prime Minister, Pandhit Nehru lamented about the situation in India which captured the lack of political will in implementing electoral reforms in Nigeria aptly

as he opined that: “we in the planning commission and others concerned have grown more experts in planning, but the real question is not planning but implementing the plans”. Impliedly, like in India at the time, a lot depends on the will to implement electoral reforms.

4.5. Strategies to Mitigate the Challenges Encountered by the National Assembly in the Electoral Reform Process

Following the challenges identified in section 4.4 above, respondents suggested the following as strategies to resolve the obstacles confronting the National Assembly in the electoral reform process.

4.5.1. Open and Better Collaboration with CSOs

Civil Society Organizations (CSOs) are widely accepted as an integral and indispensable part of election management specifically, and a major catalyst in the democratization process as a whole, particularly in emerging democracies. CSOs are widely accepted as an integral and indispensable part of election management specifically, and a major catalyst in the democratization process as a whole, particularly in emerging democracies (Abubakar, 2015). In fact, Civil society organizations (CSOs) have been recognized as important agents of societal development as observed from their activities and impacts in the developed Western democracies (Oke & Atufe-Musa, 2021). CSOs around elections and democratization in Nigeria have evolved with the changing governments in Nigeria. They played a principal role through decolonization (Adejumobi, 2000), and in the transition to democratic rule from decades of dictatorship, and have continued to hold steadfastly in demanding and facilitating credible elections in Nigeria.

Consequently, Ibrahim (2022) and Rafsanjani (2022) argued separately the necessity of a collaboration of Civil Society Organizations in pursuing electoral reforms. To Ibrahim, there is a need for open and better cooperation with CSOs while Rafsanjani advocated for the “Continued and active engagement with Civil Society groups and other well-meaning stakeholders in every reform effort and process”. Rafsanjani (2022), nevertheless, added that the collaboration with CSOs would help resolve capacity issues. According to Rafsanjani, lessons could be drawn from the regular exchange learning and relearning programmes of developed democracies to capacitate legislators and their staff on well-informed positions on electoral reform. Put differently, these CSOs will help in no small measure in curtailing the often-conflictive executive-legislative relations concerning electoral reform agenda.

4.5.2. Constructive Executive-Legislative Relations

Rafsanjani (2022) advocated for a constructive working relationship between the Executive and Legislative arms as a means of resolving the challenges confronting the National Assembly in facilitating electoral reforms in Nigeria. Rockman (1984) grouped executive-legislative relations into constructive and conflictive relations. In his seminal, Rockman noted that while constructive executive-legislative relations result in good governance, conflictive executive-legislative relations negate good governance. In simple terms, if the relationship between the National Assembly and executive is conflictive as it was during the tenure of the 8th National Assembly, no matter how lofty the provisions or well-intentioned a legislative proposal is, the mode of relationship accentuates the prospects of its rejection or acceptance by the assenting authority (the President). In all of this, the citizens suffer untold consequences hence, the need for constructive executive-legislative relations based on the dictates of the constitution as well as preferring to resolve areas of conflict amicably.

4.5.3. Improved Institutional Memory

This is considered a collection of scientific, technical, and administrative documents, as well as its intangible assets, which, even though they are not physically visible, contribute to the intellectual capital of the institution and, in the long term, may affect the reputation of the institution. Because of institutional diversity and the fact that it is created by the entire organization, the Institutional Memory is the collective responsibility of the entire organization at all levels of the hierarchy. This is to ensure continuity and strategic planning process of the organization. Knowledge Management, Strategic Intelligence, Library/Documentation Centre, Files, Legal, Research, Information Technology, Finance, and Communications are the conventional technical fields associated with tangible and intangible assets of an organization. Ibrahim (2022) implied the improvement of the institutional memory of the National Assembly when he averred that a “database for continuity for fresh members into the NASS” should be provided. Put succinctly, the National Assembly is plagued with the perpetual challenge of loss of data as a result of a poorly developed institutional memory capacity. Based on this, emphasis must be laid on protecting the institutional record of the lawmaking branch of government.

4.5.4. Voters’ Education and Engagement

To Rafsanjani (2022), it has become imperative for an enhanced voters’ education and engagement at the grassroots level by Civil Society groups for community-based demand for accountability in the electoral process. Rafsanjani argued that such engagements would provide the “enabling platforms for increased critical public debates and discussions on electoral transparency and accountability as well as democratic governance in Nigeria”. Aga (2022) concurred with the engagement of voters as he opined that “transparently conducting their activities and carrying the

public along to ensure the country is behind the decisions they take” could go a long way in resolving the challenges militating against the National Assembly in its efforts aimed at facilitating electoral reforms in Nigeria. The need for voter engagement cannot be overstated as it would help in no small measure in mitigating the challenge posed by the lack of political will in elected officers. In fact, elected officers knowing that voters are nuanced in the subject of electoral reform would act along the line of voters' preference.

CHAPTER FIVE

SUMMARY, RECOMMENDATIONS AND CONCLUSION

This chapter presents the summary, recommendations and conclusion of the study. Explaining, the summary gives an overview of all the sections of the study, suggested recommendations to suffice for the study problem, and an analytically drawn conclusion based on the subject.

5.1. Summary of Findings

The history of elections in Nigeria was adjudged as incredible and often disputed by international observers and opposition parties. The elections conducted from 1959 to 1999, and more specifically the 2003 and 2007 elections remained the same if not worse, however, it motivated the reform of the electoral system in the Nigerian fourth republic. The National Assembly has played a significant role in electoral reforms, which focuses on the electoral body and the laws governing the conduct of its work. The electoral reforms have improved the performance of the Independent National Electoral Commission (INEC) and its conduct of election most importantly in the 2015 and 2019 general elections.

Worthy to note, however, is that the legislature is an important institution in a democracy. Its core functions are representation, lawmaking, and oversight functions. To promote and consolidate democracy in Nigeria, the legislature has significantly engaged in reforming the legal framework of elections in the Fourth Republic This is evident in the 2010 constitutional amendment in addition to the amendment of the Electoral Act in 2002, 2006, 2010, and now 2022. Needless to say, that in any democratic political system, the importance of a well-functioning electoral system cannot be overstated.

A good electoral system strikes a careful balance between participation politics and representation politics, resulting in the development of a healthy and lasting political culture. Participation in a country's electoral process not only confers legitimacy on decision-makers but also makes voters aware that they are active and effective participants, albeit in an indirect sense, in their country's decision-making process. The centrality of the electoral system in the democratic process necessitated for this study undertook to expose and suggest measures to strengthen the legislative efforts aimed at facilitating electoral reforms in Nigeria between 2009-2021.

The study adopted the mixed research design. Primary and secondary data were relied on. Indeed, Primary sources of data were questionnaires and Key Informant Interview, while secondary data sources were gotten from journal articles, official publications of the National Assembly and INEC, magazines, internet, among others. The descriptive method and the content analysis were adopted for the analysis of quantitative and qualitative data respectively. Data would be presented in Tables, Graphs, as well as in Themes. In the end, the study found that the National Assembly has undertaken specific legislative interventions aimed at reforming the electoral process. However, data showed that electoral reforms are seemingly a matter for the exclusive preserve of elites thus, putting the National Assembly in a position that erodes descriptive decision making. This then results in peculiar challenges such as lack of political will, inadequate capacity, lack of synergy between the legislative and executive arms of government, etc., that could be resolved through improved institutional memory, voters' education and engagement, constructive relations between the legislature and executive, among others.

5.2. Recommendations

The study recommends that:

- 1) **Constructive executive-legislative relations:** For any meaningful progress in governance, it is necessary for the arms of government (especially the executive and legislature) to cooperate constructively. This is the case in the quest of the National Assembly to facilitate electoral reforms as conflictive executive-legislative relations are often the bane of Presidential veto of legislative proposals. For instance, the assent to the Electoral Act, 2022 did not come as a surprise to political observers because of the relatively cordial relationship between the Senator Ahmad Lawan-led National Assembly opposed to the Senator Bukola Saraki 8th National Assembly.
- 2) **Voters' education and engagement:** Citizens are the receiving end of the actions of government. Therefore, the success of government policies depends on how informed citizens are on such policies. Consequently, the National Assembly in its efforts to reform the electoral process must endeavor to educate as well as engage citizens. For example, the success of the Electoral Act, 2022 is attributed to the hard stand taken by citizens during the legislative process. In fact, citizens' outcry forced the Senate to reverse itself on the electronic transmission of results and also kept the heat on the government to assent to the new law.
- 3) **Collaboration with CSOs:** CSOs are critical stakeholders in the electoral process. Periodic elections are a hallmark of democracy hence, political scientists opine that CSOs are fundamental in the democratic process. CSOs for the most part, represent the views of government and citizens in a balanced manner. Therefore, following this unique characteristic,

the National Assembly should be encouraged to collaborate with CSOs with an election-related mandate.

- 4) Improved Institutional memory: To make any remarkable impact on the electoral process in Nigeria, the National Assembly must intentionally pursue policies that would enhance its institutional memory. Situations, where the records of proposed laws from a previous legislative dispensation as well as pieces of documentary evidence are lost, must be resolved. In perspective, the lawmaking process is capital intensive and so, to curtail the wastage of resources and at the same time pursue citizen-centred policies, there is the need for improved institutional memory in the National Assembly as certain legislative proposals may have been partly attended to in preceding sessions.

5.3. Conclusion

The role of parliament is widely held to be that of holding the government accountable through scrutiny, and the making and changing of laws. Some of the most widely challenged of these laws have been the multiple alterations and amendments of Nigeria's Electoral law. Perhaps 2007 provides a good starting point especially because outcomes from the 2007 Presidential election which brought President Umaru Musa Yar'adua into office showed clear signs of weakness in the Electoral Act and were acknowledged by many to be a "flawed" election. These flaws led to the famous electoral reform committee spearheaded by the former Chief Justice of Nigeria, Muhammadu Uwais.

Nigeria's return to Democracy in 1999, has led to the first Electoral Act which was passed in 2001. This was revised three (3) times in 2002, 2006, and 2010. Indeed, there has always been an attempt after every election to amend the electoral Act to take care of deficiencies or mischief noticed

during the elections. For instance, the 2006 Electoral Act empowered INEC to appoint its Secretary, undertake voter education and prosecute offenders. The Electoral Act was amended in 2010 following some of the recommendations of the Uwais report thereby repealing the Electoral Act 2006. However, the most pertinent – the independence of the candidacy from the Executive, was not implemented. By 2015, the recommendations from the Uwais report were yet to be implemented in full, thereby depriving a great opportunity in strengthening Nigeria's electoral process.

Nevertheless, the Eighth National Assembly led by Bukola Saraki and Yakubu Dogara, the lawmakers did make far-reaching amendments to the Electoral Act 2010 (as amended) and presented the same for the assent of the President who declined assent, saying it was brought too close to the 2019 elections. While the 2010 Electoral Act streamlined the powers of INEC to regulate political parties, especially the process of nominating through party primaries; new ceilings for campaign expenditures; empowers INEC to deregister political parties based on conditions provided in the law and announcement and posting of election results at polling stations among other provisions.

After the 2019 Elections, there were attempts to amend the Electoral Law with the introduction of the Electoral Act Amendment Bill to among other things make the use of card readers legal. But the President withheld assent due to “some drafting issues” and the fact that the amendment was too close to the elections (less than three months). In fact, the Electoral Act amendment bill 2018 was rejected Five times in February, June, July, and December 2018, while the fifth was rejected in December 2021. President Buhari eventually signed on the 25th of February 2022. Which is known as the Electoral Act 2022.

Overall, parliament has a statutory responsibility to make contributions to electoral reforms in all political systems although the National Assembly is largely influenced by several factors like the executive, political stakeholders, interest groups, etc., in undertaking this task. In perspective, the influences of these factors are evidenced in the activities leading up to the eventual assent of an amended electoral law by the President on the 25th of February 2022. Nevertheless, in the unfolding interaction before the signing of the Electoral Act, 2022, the National Assembly has been established as being at the core of any meaningful/impactful electoral reform in Nigeria.

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APPENDIX I

QUESTIONNAIRE

ASSESSMENT OF THE ROLE OF PARLIAMENT IN ELECTORAL REFORMS IN NIGERIA BETWEEN 2009 TO 2021

Dear respondent,

I am a master’s degree student at the National Institute of Legislative and Democratic Studies/ UNIBEN programme. I am currently carrying out a research project on *Assessment of the role of parliament in electoral reforms in Nigeria between 2009 to 2021*. I would like to hear your thoughts on the following questions. It is not necessary for you to provide your name. The information you provide will be kept strictly confidential and will not be disclosed to a third party. Thank you for responding.

Section A: Social Demography

1. Gender Male Female
2. Age Bracket 18-28 29-39 40-50 51 and above
3. Education Primary School Secondary School OND/HND Degree Postgraduate
4. Professional Designation CSOs INEC Senate Committee on INEC House Committee on INEC Lawmakers

Section B: Roles played by the NASS and Specific Electoral Reforms Facilitated by it

5. Does the National Assembly have a role to play in electoral reform in Nigeria? Yes No Can’t say
6. Did such role played by the National Assembly yield the desired electoral goal? Yes No Can’t say
7. Are you aware of specific electoral reforms facilitated by the National Assembly? Yes No Can’t say
8. Were the reforms beneficial to the electoral process? Yes No Can’t say
9. In what areas did the reform enhance the electoral process? Credibility Transparency Accountability Acceptability Others, please specify

APPENDIX II

REQUEST FOR RESEARCH INFORMATION

[Sample]

I am a research student of the National Institute for Legislative and Democratic Studies (NILDS), pursuing a Master's Degree in Legislative Studies (MLS). This interview is designed for the study: *Assessment of the role of parliament in electoral reforms in Nigeria between 2009 to 2021*. The interview would cover these thematic areas:

- 1) Historical insight into the roles of Nigerian Parliament in facilitating electoral reforms over the years
- 2) Specific electoral reforms facilitated by the National Assembly over the years
- 3) Obstacles encountered by the National Assembly in facilitating electoral reforms
- 4) Strategies to mitigate the obstacles

I anticipate an invitation at your most convenient time and date to record your account on the above subject. However, a written response covering the stated areas would be enough.

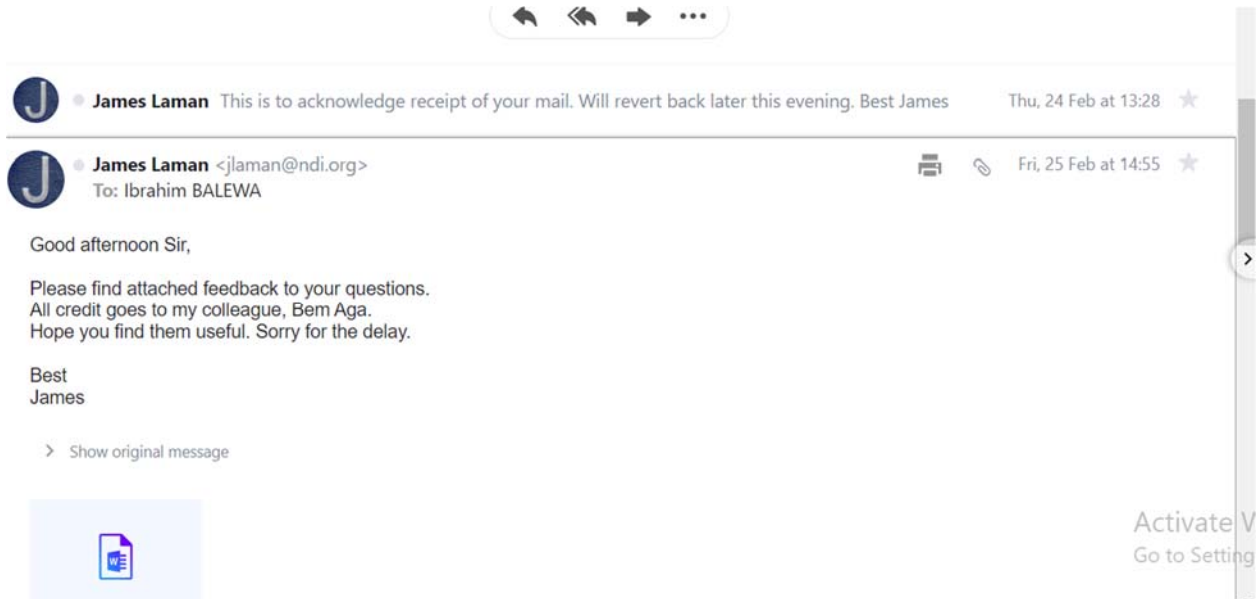
Yours Sincerely,

Ibrahim Tafawa Balewa

08033140394

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APPENDIX III



REQUEST FOR RESEARCH INFORMATION

[Bem Aga, Program Director, National Democratic Institute (NDI) – 25/02/22]

I am a research student of the National Institute for Legislative and Democratic Studies (NILDS), pursuing a Master’s Degree in Legislative Studies (MLS). This questionnaire is designed for the study: *An assessment of the role of parliament in electoral reforms in Nigeria between 1999 to 2021*. The interview would cover these thematic areas:

An assessment of the role of parliament in electoral reforms in Nigeria between 1999 to 2021.
The interview would cover these thematic areas:

1) Historical insight into the roles of Nigerian Parliament in facilitating electoral reforms over the years

“The national and state assemblies have played far reaching roles in strengthening Nigeria’s political and electoral processes. They have done this through several amendments of the Constitution and Electoral Act and appropriation acts. The process of pursuing electoral reform by parliament has not been easy, they have faced push backs from many stakeholders including the executive at the federal and state levels and other interest groups. These set of people believe that amendments proposed at different times could affect their own interest.”

2) Specific electoral reforms facilitated by the National Assembly over the years

“Through Constitutional and Electoral Act amendments, and Appropriation Act, the National Assembly has facilitated the following reforms since 1999:

1999 Constitution

A. Independence of INEC: Through the amendment of the Constitution to put INEC on the first line charge of the constituted revenue fund, the National Assembly gave INEC its financial autonomy from the executive. Although this was not implemented immediately, INEC’s funds are now directly paid through the commission’s account.

B. Reduction of age benchmark for contesting for election in Nigeria: Before the passage of the age reduction bill popularly known as the Not too young to run bill, a wide range of young people were not allowed to run for office due to constitutional barriers. With the passage of the bill by National State Assemblies and its signing into law by President Muhammadu Buhari, the age qualification to run for president was reduced from 40 to 35. The age for running for the House of Representatives and State House of Assembly was reduced from 30 to 25. This has broadened Nigeria’s political space and provided opportunities for more citizens to contest election in their country."

Electoral Act

A. Section 56 of the Electoral Act mandates INEC to provide voting aids to enable people with disabilities participate during elections. This section of the Law has led to INEC providing materials such as the braille ballot guide, magnifying glasses and other voting aids without which participation by PWD’s will be difficult or impossible.

B. The National Assembly has passed the 2021 Electoral Act Amendment bill which is currently awaiting President Buhari’s assent. The bill allows Electronic Voting, Electronic transmission of result and the use of technology such as the BVAS by INEC. If signed by the President as he has said he will, this will improve the quality and credibility of Nigeria’s elections.

Appropriation Act

A. Since 1999, the Federal and State Assemblies have passed several Appropriation Act to ensure that INEC’s needs for electoral reforms are met. These needs have included Smart card readers, Permanent voters’ card and most recently the Bimodal Voting and Accreditation System (BVAS). Election observation reports showed that these electoral reform innovations have improved the credibility of Nigeria’s election. The Nigerian National assembly in the

past has facilitated and passed certain reforms into law such as the electoral act 2010, 2015 which brought about the introduction of Smart card Readers in the electoral process, the 2016 appropriation bill, the public procurement act, the whistle blower protection 2015, the establishment of NFIU 2017, NOA amendment Bill 2016 among others.”

3) Obstacles encountered by the National Assembly in facilitating electoral reforms

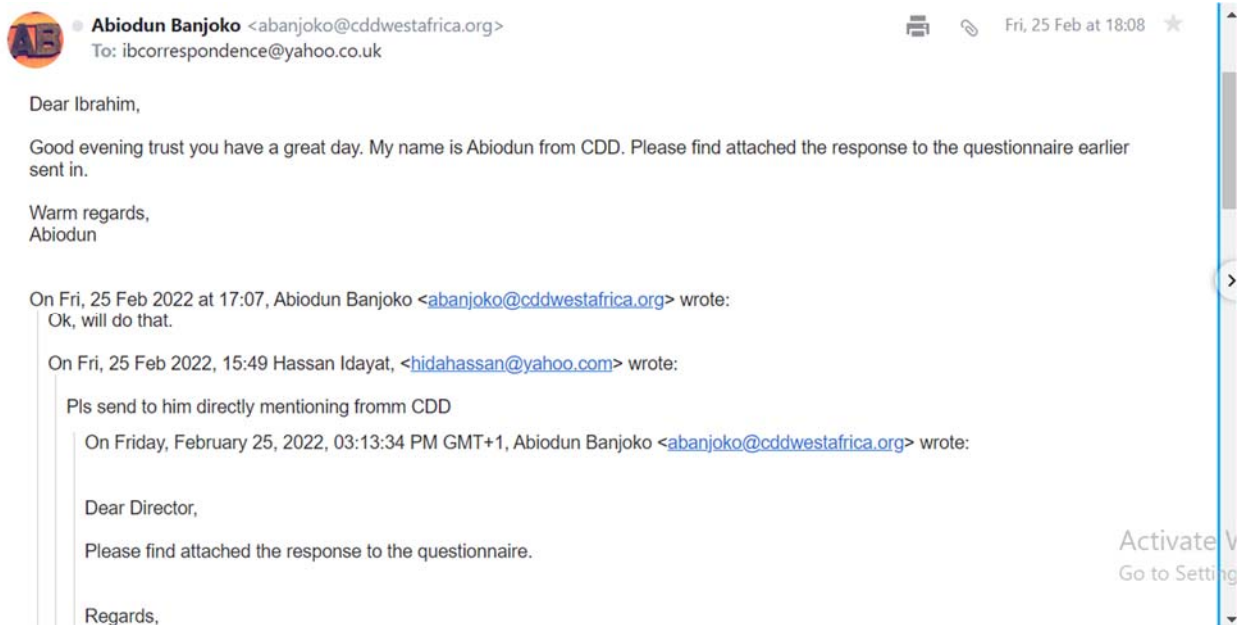
“The National Assembly has encountered many obstacles in promoting electoral reforms including:

A. Attacks by interest groups like Governors Forum, presidency etc., who feel proposed reforms will affect them negatively. “

4) Strategies to mitigate the obstacles

“A. Conducting their activities in a transparent manner and carrying the public along to ensure the country is behind the decisions they take.”

APPENDIX IV



REQUEST FOR RESEARCH INFORMATION

[Idayat Hassan, Executive Director, Centre For Democracy & Development (CDD) – 25/02/22]

I am a research student of the National Institute for Legislative and Democratic Studies (NILDS), pursuing a Master’s Degree in Legislative Studies (MLS). This questionnaire is designed for the study: *An assessment of the role of parliament in electoral reforms in Nigeria between 1999 to 2021*. The interview would cover these thematic areas:

An assessment of the role of parliament in electoral reforms in Nigeria between 1999 to 2021.
The interview would cover these thematic areas:

1) Historical insight into the roles of Nigerian Parliament in facilitating electoral reforms over the years

“Since Nigeria’s transition into Democracy in 1999, has led to the first Electoral Act which was passed in 2001. This was revised three (3) times in 2002, 2006 and 2010. Indeed, there has always been an attempt after every election to amend the electoral Act to take care of deficiencies or mischief noticed during the elections. For instance, the 2006 Electoral Act empowered INEC to appoint its secretary, undertake voter education and prosecute offenders.

During the eighth National Assembly led by Bukola Saraki and Yakubu Dogara, the lawmakers did make far reaching amendments to the Electoral Act 2010 (as amended) and presented same for the assent of President Muhammadu Buhari who declined assent, saying it was brought too close to the 2015 elections. Buhari said INEC had already begun the process of the election with the extant electoral law. While the 2010 Electoral Act streamlined the powers of INEC to regulate political parties especially the process of nominating through party primaries; new ceilings for campaign expenditures; empowers INEC to deregister political parties based on the basis of conditions provided in the law and announcement and posting of election results at polling stations among other provisions.

After the 2015 Elections, there were attempts to amend the Electoral Law with the introduction of the Electoral Act Amendment Bill to among other things make the use of card readers legal. But the President withheld assent due to “some drafting issues” and the fact that the amendment was too close to the elections (less than three months).

There was another opportunity to amend the electoral act and correct the deficiencies and mischief noticed during the 2015 and 2019 general elections. The Electoral Act amendment bill 2018 which was rejected Five times in February, June, July and December 2018, while the fifth was rejected in December 2021. President Buhari eventually signed on the 25th of February 2022. Which is known as the Electoral Act 2022.”

2) Specific electoral reforms facilitated by the National Assembly over the year

- National Orientation Agency Act (Amendment) Bill, 2022,
- Nigerian Institute of Chartered Foresters Bill, 2022.
- Petroleum Industry Act 2021
- Banks and Other Financial Institutions Act 2020
- Electoral Act 2022
- Freedom of Information (FOI) 2011
- Police Act 2020
- Nigerian Financial Intelligence Unit Act 2018
- Independent Corrupt Practice Commission (ICPC) Act 2000,
- Economic Financial Crimes Commission EFCC Act 2002

3) Obstacles encountered by the National Assembly in facilitating electoral reforms

“Decline of presidency to assent or pass reforms.”

4) Strategies to mitigate the obstacles

“Override and veto the president and pass the bill by the National Assembly.”

APPENDIX V



REQUEST FOR RESEARCH INFORMATION

[Alhassan Ibrahim, Program Officer, Centre For Democracy & Development (CDD) – 14/02/22]

I am a research student of the National Institute for Legislative and Democratic Studies (NILDS), pursuing a Master’s Degree in Legislative Studies (MLS). This questionnaire is designed for the study: *An assessment of the role of parliament in electoral reforms in Nigeria between 1999 to 2021*. The interview would cover these thematic areas:

An assessment of the role of parliament in electoral reforms in Nigeria between 1999 to 2021.
The interview would cover these thematic areas:

1) Historical insight into the roles of Nigerian Parliament in facilitating electoral reforms over the years

“The role of parliament is widely held to be that of holding the government accountable through scrutiny, and the making and changing of laws. Some of the most widely challenged of these laws have been the multiple iterations and amendments of Nigeria’s electoral act. Perhaps 2007 provides a good starting point especially because outcomes from the 2007 Presidential election which brought President Umaru Musa Yar’adua into office showed clear signs of weakness in the Electoral Act and were acknowledged by many to be a “flawed” election. These flaws led to the famous electoral reform committee spearheaded by the former Chief Justice of Nigeria, Muhammadu Uwais.

The Electoral Act was amended 2010 following some of the recommendations of the Uwais report thereby repealing the Electoral Act 2006. However, the most pertinent – the independence of the candidacy from the Executive, was not implemented. And despite amendments in 2015, the recommendations from the Uwais report which to this day is yet to be implemented in full, provide a great opportunity in strengthening Nigeria’s electoral process.

Multiple amendments over the years, the refusal of President Buhari to sign the Electoral Amendment Bill only serves to question the intent for electoral reform in Nigeria.”

2) Specific electoral reforms facilitated by the National Assembly over the years

“The Nigerian National assembly in the past has facilitated and passed certain reforms into law such as the electoral act 2010, 2015 which brought about the introduction of Smart card Readers in the electoral process, the 2016 appropriation bill, the public procurement act, the whistle blower protection 2015, the establishment of NFIU 2017, NOA amendment Bill 2016 among others.”

3) Obstacles encountered by the National Assembly in facilitating electoral reforms

“Lack of capacity with regards to the technical know-how of some complicated bill
In 2018 parliament passes several reforms which were declined by President Buhari right up until the 2019 elections.

In 2021 Buhari further declined ascent to improved reform to the electoral process which contained the use of digital devices.

Therefore, it is clear that one major obstacle is the failure of the synergy between the executive and the legislative arm of government. Additionally, one might argue that weakness of the parliament in vetoing the decisions of the executive.”

4) Strategies to mitigate the obstacles

- Open and better collaboration with CSOs
- Database for continuity for fresh members into the NASS
- Implementation of recommendations from the UWAIS (2009)

APPENDIX VI



REQUEST FOR RESEARCH INFORMATION

[Auwal Musa, Chairman, Civil Society Legislative Advocacy Centre (CISLAC) – 27/02/22]

I am a research student of the National Institute for Legislative and Democratic Studies (NILDS), pursuing a Master's Degree in Legislative Studies (MLS). This questionnaire is designed for the study: *An assessment of the role of parliament in electoral reforms in Nigeria between 1999 to 2021*. The interview would cover these thematic areas:

An assessment of the role of parliament in electoral reforms in Nigeria between 1999 to 2021.
The interview would cover these thematic areas:

1) Historical insight into the roles of Nigerian Parliament in facilitating electoral reforms over the years

“We must understand that electoral reform process in Nigeria has primarily been built on fostering the independence of the Electoral Monitoring Board and promoting a democratic political culture within political parties.

The reform process began with the inauguration of a 23-person Electoral Reform Committee on 28 August 2007, with a comprehensive mandate to evolve an electoral process that will

enable us to anchor democracy as the framework for national integration, sustained growth and national development.

However, some of the proposed reform initiatives required constitutional amendments. This necessitated a review of the Electoral Act of 2006 and the 2010 Electoral Act was adapted to accommodate the changes like the new order/sequencing of elections, as well as a provision banning floor crossing.

On four occasions in 2018, the Eighth National Assembly led by then Senate President Bukola Saraki had passed and transmitted Electoral Act amendment bills to President Buhari for assent and, on each occasion, he refused to sign.

In September, 2018 the Presidency came up with three bills which it said were targeted at electoral reforms. Then Attorney General and Minister of Justice, Abubakar Malami, made the announcement after the Federal Executive Council meeting. This announcement came days after the Presidency had vetoed for the third time the Electoral Act Amendment Bill, 2018, as submitted by the National Assembly. The Presidency sent fresh electoral amendment bills to the National Assembly after ignoring such efforts by the legislature on three successive occasions. We must as well recall that the Bill after the National Assembly passed through the rigorous process of passing the bill starting from 2016 to 2018 only to veto the same thrice.

While the bill was first submitted in February, 2018 it was rejected for order of elections. In June when the National Assembly reworked the bill and submitted same for assent, the President did not make any returns within the constitutionally allowed 30 days. And when the bill was resubmitted on August 2, the President came up with claims that there were “drafting issues” and attempts to curtail the powers of the Independent National Electoral Commission (INEC). This time, President Muhammadu Buhari had refused to sign it into law after arguing that it would disrupt the conduct of the 2019 elections.

In 2021, effort to pass the 2021 Electoral Act Amendment, 2021 led to a major division in the Upper Chamber over an amendment to clause 52(3). While the House of Representatives had given its approval to the Independent National Electoral Commission (INEC) to go ahead when it deems it fit to use electronic transmission, the Senate’s position said otherwise when it voted to cede the power to determine the use of electronic transmission of results in an election to Nigerian Communications Commission (NCC), and the National Assembly must subsequently give its approval.

This time, the Senate planned to cede power of a constituted and independent institution like INEC to NCC and the National Assembly. Some oppositions in the Upper Chamber argued

that since the President determines the appointment and mandate of NCC including that of the minister that supervises the Commission. This in effect might undermine the power and independence of INEC to conduct elections using the Electronic Voting System.

Also, there was an attempt to amend the Clause to empower the NCC and National Assembly to determine application of electronic voting and transmission of result during elections as against the earlier provision which empowered INEC to decide on electronic voting and transmission of result at elections.

Following critical debates at the National Assembly in December 2021, the Bill was represented for the fifth time to President Buhari, who also refused to sign the electoral bill into law. In December 2021, Buhari asked the National Assembly to remove the clause that had to do with direct primaries from the Electoral Act Amendment Bill.

The President, who stated this in his letter to the Senate, asked the National Assembly to remove the controversial clause on direct primaries from the bill and return the proposed law to him for assent. Buhari consequently forwarded it to the Minister of Justice and Attorney General of the Federation, Abubakar Malami, for legal advice. Malami had disclosed that he might advise the President to withhold assent if he found the reworked bill to contain proposals hinged on personal interests.

For the sixth times, on 31st January 2022, the National Assembly transmitted the reworked Electoral Act 2022 Bill to President Muhammadu Buhari.

On 24th February 2022, President Buhari signed the reworked Electoral Amendment bill into law. The president signed the bill at the Presidential Villa in the presence of the Senate President, Ahmad Lawan, the Speaker of the House of Representatives, Femi Gbajabiamila and other officers.”

2) Specific electoral reforms facilitated by the National Assembly over the years

“The specific reforms facilitated by the National Assembly in the electoral process centred mainly on legislative process. These include:”

- Regular interface maintained with the Electoral Body like INEC and Civil Society groups in various reform efforts and processes.
- Engaged critical stages of the Electoral Bill presentation/re-presentation and passage.
- Regular transmission and re-transmission of the Bill to the Presidency for assent.

- Regular Public Hearing held to facilitate and harmonise public inputs/recommendations into the Electoral Reform Bills.
- Active debates at both Lower and Upper Chambers on the Electoral Reform Bills.
- Technical consultations facilitated for the removal of controversial Clauses that could pose a serious barrier to the Presidential assent.

3) Obstacles encountered by the National Assembly in facilitating electoral reforms

“Political interference and reluctant political will by the Executive arm.

- Antagonistic personal interest by some legislators who hold critical positions against specific Clauses.
- Political party interference into the reform processes, especially in passage and assent to the Electoral Reform Bill.
- Disunity that emanated from regular face-off, disagreement and dominating interest between the Executive and Legislative arms, as witnessed in the 8th Assembly.
- Backyard lobbying by various interest and invisible forces at both legislative and executive arms.”

4) Strategies to mitigate the obstacles

- Continued and active engagement with Civil Society groups and other well-meaning stakeholders in every reform effort and process.
- Constructive working relationship between the Executive and Legislative arms.
- Enhanced voters’ education and engagement at grassroots level by Civil Society groups for community-based demand for accountability in the electoral process.
- Enabling platforms for increased critical public debates and discussions on electoral transparency and accountability as well as democratic governance in Nigeria.
- Regular exchange learning and relearning programmes of developed democracies by the legislative and executive arms to develop well-informed positions on electoral reform.

APPENDIX VII

REQUEST FOR RESEARCH INFORMATION

[Hon. Aisha Dukku, House Committee Chairman on Electoral Matter, HoR – 10/02/22]

I am a research student of the National Institute for Legislative and Democratic Studies (NILDS), pursuing a Master's Degree in Legislative Studies (MLS). This questionnaire is designed for the study: *An assessment of the role of parliament in electoral reforms in Nigeria between 1999 to 2021*. The interview would cover these thematic areas:

An assessment of the role of parliament in electoral reforms in Nigeria between 1999 to 2021.
The interview would cover these thematic areas:

- 1) Historical insight into the roles of Nigerian Parliament in facilitating electoral reforms over the years
- 2) Specific electoral reforms facilitated by the National Assembly over the years
- 3) Obstacles encountered by the National Assembly in facilitating electoral reforms
- 4) Strategies to mitigate the obstacles

1. The history of elections in Nigeria was adjudged as incredible and often disputed by international observers and opposition parties. The elections conducted since 1959 to 1999, and more specifically the 2003 and 2007 elections remained the same if not worse, however, it motivated the reform of the electoral system in the Nigerian fourth republic. NASS has played a significant role in electoral reforms, which focuses on the electoral body and the laws governing the conduct of its work. The electoral reforms have improved the performance of INEC and its conduct of election most importantly in the 2015 and 2019 general elections.

2. The legislature is an important institution in democracy. Its core functions are a representation, lawmaking, and oversight functions. In order to promote and consolidate democracy in Nigeria, the legislature has significantly engaged in reforming the legal framework of elections in the current fourth republic, this is evident in the 2010 constitutional amendment in addition to the amendment of the Electoral Act in 2002, 2006, 2010.

3. Nigeria has faced electoral challenges in its political history, prior to the fourth republic, except for 1993, 2015 and 2019 that were adjudged to be freest and most credible general elections in the country.

The general elections of June 1993 which were annulled by the Babangida administration was considered the first free and fair election in Nigeria after independence. The 1999 elections that brought the first democratic government in the fourth republic was unarguably disputed by the international observers and opposition party as uncredible and rigged. Similarly, the subsequent elections of 2003, 2007 were flawed and accused by many observers. A similar event happened in the 2011 elections and no changes were observed despite electoral reform in 2006 and subsequently 2010. Accordingly, in the aftermath of 2007 general election which gave power to the late president Umaru Musa Yar' Adua, who admitted that the challenges of the election are a nagging one in the country and it has been generating a problem in most of the country's elections including that of 2007 which produced him.

Therefore, in responding to that challenge he constituted an electoral reform committee (ERC) chaired by Justice Uwais in 2007 to look and study the problems of elections in Nigeria with a view to providing recommendations on how to address the challenges bedeviling elections in Nigeria.

The Committee has successfully submitted its report and recommendations on how to improve the conduct of elections in Nigeria. Based on the recommendations submitted by ERC, the late President Yar' Adua had submitted seven Executive Bills to the legislature. Since then, the National Assembly has given its priority in the Constitutional amendment to electoral reform, this, in addition to the previous Act in 2002 and 2006 produced by the NASS.

4. The NASS has contributed in strengthening democracy in the country especially in electoral reforms, which accounted for the emergence of All Progressives Congress (APC) as ruling

party in 2015 after 16 years of People's Democratic Party (PDP). This election was adjudged to be the fairest and credible in the history of Nigeria.

ESTABLISHMENTS OF ELECTORAL BODIES IN NIGERIA

5. The electoral bodies in Nigeria have not had historical consistency in the country's democracy, thus, such bodies had the experience of dissolve and recreation. Their history could be traced to the time prior to independence when Electoral Commission of Nigeria (ECN) was established to conduct the elections of 1959. Moreover, 1960 Federal Electoral Commission (FEC) was created after the dissolution of ECN.
6. FEC was dissolved in 1966 after the first military coup and in 1978 Federal Electoral Commission (FEDECO) was constituted under the leadership of Olusegun Obasanjo and conducted 1979 elections that ushered the second republic of Shagari administration and it also organized the election of 1983.

The military administration of General Muhammadu Buhari scrapped the FEDECO, and because of its draconian approach, it stayed only for short time until December 1983.

In 1987 the military administration of Babangida created the National Electoral Commission (NEC) to regulate and execute the transition to civil rule. It conducted elections from Local Government, State, National Assembly and the President in June 1993. It installed the democratic government in the country which never came to reality, only to cancel its presidential election. It was later reconstituted to conduct another fresh election, but it was unfortunately dissolved by another military government.

The administration of General Sani Abacha in 1995 established National Electoral Commission of Nigeria (NECON), the body conducted elections which was later dissolved before its inauguration as a result of the sudden death of President Abacha who was military.

The current electoral body was established in 1998 on the eve of Fourth Republic in accordance with section 153 of the 1999 Constitution.

The Independent National Electoral Commission (INEC) is charged with the responsibility of conducting and supervision of election of the President, Vice President, Governors, Deputy Governors, members of NASS, and State Houses of Assemblies. It also registers political parties in accordance with the provision of the Constitution the Electoral ACT.

INEC has the experience of conducting elections of 1999, 2003, 2007, 2011, 2015 and most recently 2019.

7. NASS in the fourth republic has played significant roles in the reforming of electoral processes in Nigeria. The most significant reforms were done in 2006 and 2010. In 2006 a document was designed, prepared and approved by the NASS. The legal document contained regulations of the elections in addition to the constitution. Subsequently, in 2010 the NASS undertook another reform to improve the electoral body and its conduct of elections in Nigeria.

The effort of NASS in electoral reform can be considered as part of their contributions to democracy. The objective of these electoral reforms is to ensure the electoral law is reformed in such a manner that elections will be free, fair and credible in Nigeria.

The legislature has contributed to improving the power of INEC, its revenue, financial autonomy and administrative autonomy. It also contributes to the promotion of internal democracy in the political parties, deregistering political party that lack electoral requirement, scheduling of elections timetable and the extension of the timeline for campaign, verification, and the administration of elections.

With the improvement in the administrative autonomy of INEC, the body has successfully introduced innovation such as the use of card reader to prevent election rigging and the introduction of permanent voter's cards (PVC).

The Constitution of the Federal Republic of Nigeria and the Electoral Act 2010 were both recently amended by the 9th NASS in order to improve the administration of electoral body and the process of election. The two documents contain electoral regulation which aimed at protecting electoral integrity.

Following the passage of the Electoral Act, 2010 by the legislature, the conduct of elections in 2015 organized by Professor Attahiru Jega was widely accepted and adjudged to be free, fair and credible. Several scholarly works have indicated the impact of electoral reform in the Fourth Republic, specifically on 2015 and 2019 General Election.

However, despite significant reform in the Nigerian electoral system, there exist a huge gap to be filled by NASS in the Constitution and the Electoral Act. It was confirmed that several recommendations suggested by Justice Uwais;

Issues like the full Committee were not implemented.

8. Autonomy of the INEC, internal democracy in the political parties among others are not been properly addressed. Even though most of these issues have been addressed in the repeal of the Electoral Act 2010 passed by the 9th National Assembly and submitted to the President for assent and the ongoing 1999 Constitution amendment.

Another wide contribution of NASS in the electoral process for the democratization in the Nigerian politics is the constructive changes engendered by the electoral reform through electoral Act. These changes include the strengthening of budgetary and revenue of INEC through consolidation of the finance of the Commission.

Also, NASS in its effort to correct elections anomalies took some drastic measures to improve the performance of INEC by making sure that it receives its finance from consolidated account and was made into single fund known as Independent National

Electoral Commission fund. Financial autonomy is very important in the administration of any organization because it determines the power and the ability of the institution to undertake quick decision when resource should be utilized.

9. There are many grey areas that have been addressed in the Electoral Bill 2021 currently before the President awaiting assent such as issues that have to do with full autonomy of INEC, independent candidature and those bothering on court cases among others.