

## **CORRUPTION, THE POLICE AND THE CHALLENGES OF A FREE AND FAIR ELECTION IN NIGERIA**

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### **ABSTRACT**

Much has been said about the nexus between democracy and development. Little appreciated is the role of a credible electoral process in ushering in democracy. However, years of democratic governance have convinced nascent democracies, like Nigeria, of the importance of a credible electoral process as a precursor to a true and lasting democracy that could facilitate development. It is in view of the primacy of a free and fair election in the democratization process that this paper examines the obstacles to free and fair elections. It is, however, the contention of this paper that corruption in the Nigeria police is the greatest obstacle to a credible electoral process in Nigeria. Using the system theory, this paper explores the nexus between corruption in the Nigeria police and the problem of electoral malpractices in Nigeria.

**Keywords:** Election; Democracy; Nigeria Police; Corruption; Nigeria

‘The nature, extent of youth involvement in electoral violence, and magnitude of violence associated with elections and rigging in Nigeria are posing threats to the national quest for a stable democratic transition, as well as to the attainment of consolidated democracy’ (Gidado, 2010).

‘The fear of violence is a major obstacle to credible election in Nigeria’ (Moshood, 2009).

### **INTRODUCTION**

Much has been made of the nexus between democracy and development (Odofin, 2008; Aremu, 2004; Ake, 1990; Zack, 1998). In discourses, by focusing on this theme, there is a marked tendency to overlook, or at least, down play the place of credible elections as a prerequisite to democracy, which is seen as tool of development (Odofin, 2008). Taken for granted in such discourses is the fact that a credible electoral process is the only precursor to true democracy. This perhaps explains why the Nigeria police, under the command of the current Inspector General, Hafiz Ringim, have made the conduct of a free and fair election an operational priority (Ringim, 2010).

It is, against this background, that this essay examines the security elements in a credible electoral process. In this regard, the paper discusses how the failure of the Nigeria police to live up to its responsibility has marred past elections in Nigeria. Against that background, the paper further examines the need for the police to reposition themselves as a pre-condition for a credible electoral process in Nigeria.

The central thesis of this paper is that elections, as a democratic exercise, entail a lot of competition by different interests. There is always the tendency for some interest groups to cross the line of law and propriety in their bid for power. Toward this end, the electoral umpire requires efficient and proactive police to enforce compliance with the letter and spirit of extant electoral laws.

However, the conscientious enforcement of extant electoral laws requires a proactive and reputable police force. It is the contention of this paper that the culture of corruption endemic in the Nigeria police makes it a threat to, rather than bastion of, a credible election.

### **THEORETICAL FRAMEWORK**

This work is anchored on the system theory. As postulated by Adams Easton, system theory is an input-output process (Brian, 2008; Bothamley, 2004). According to this theory, it is the quality of input invested in an organization that determines how much of the organizational objectives are realized. Using the system theory, it is the contention of this paper that bad inputs, in terms of insufficient budgetary allocation, politicized recruitment process, etc., make the Nigerian police force prone to corruption which, in turn, undermines their output in terms of serving as instrument of free and fair elections in Nigeria.

Applied to the present study, the system theory gives one a better appreciation of the fact that it takes concerted efforts on the part of all stakeholders to rescue Nigeria from the state of electoral anomie she is confronted with currently. The contention of the paper, that the government, the police, and INEC need to play their due part in order to ensure a credible electoral system in Nigeria, is in line with the theoretical assumptions of structural functionalism.

**Conceptual Framework** The theoretical assumptions of this paper are hinged on the theory of structural functionalism. As a construct, structural functionalism has two fundamental concerns. On one hand, it is concerned with the organization of the whole society in terms of the relationship between the different parts that make up the entire society (Bothamley, 2004). On the other hand, it is also concerned with how the proper functioning of each part of the society ensures the wellbeing and survival of the whole society (Bothamley, 2004).

A good understanding of this essay may be elusive without an insight into some key concepts. These are: democracy, election, electoral process, and corruption.

Democracy: This term has been variously defined. However, for the purpose of this discourse, the definition of Obiyan and Yamah will suffice. They defined democracy as a “representative government with a competitive electoral system” (Sat & Yamah, 2005)

Central to the idea of democracy is the mass participation in governance, checks and balances, rule of law, and people oriented government that makes the welfare of the people the ultimate essence of the state. Thus, in the democratic setting, access to power depends on how much the electorates (the people) believe a particular person or group could advance their welfare. This confidence in a person's ability to advance their welfare is expressed at regular intervals through the avenue of elections.

Elections: in defining election, this paper finds the definition of Dickerson very apt. He averred that election "is a post mortem of the record of those in office, whose performance may have little to do with promises made when they were last elected" (Dickerson et al, 1990)

It can be inferred from the above that election is a democratic avenue through which the people or group express their preference for a particular person or group whom they feel can best protect their welfare. It can thus be seen, that the election is the very soul of democracy. This is because it is the major avenue through which the people exercise their sovereign right to govern themselves by deciding who they want to govern them for a pre-determined period.

Electoral Process: Often confused with election, the electoral process refers to all the activities and procedures involved in the election of representatives by the electorates (Akamere, 2001). Put differently, electoral process refers to all the pre and post election activities without which an election is either impossible or meaningless. These include the registration of political parties, review of voters' register, delineation of constituencies, resolution of electoral disputes, return of elected representatives, swearing-in of elected representatives, etc. In addition to these, the term also refers to the rules that guide electoral conducts. Needless to say that election is merely one, albeit the most important, of the activities that make up an electoral process. Within the context of this present discourse, it is necessary to point out that any conduct that threatens the electoral process is a subversion of the peoples' sovereignty. Herein lays the imperative for a more efficient and corruption-free policing of the elections in Nigeria.

Corruption: The layman has a narrow conception of corruption. In this regard many consider it mainly as an act of financial impropriety. Corruption, however, goes beyond acts of financial impropriety. More appropriately, corruption, as opined by Otite is "the perversion of integrity or state of affairs through bribery, favor, or moral depravity" (Odekunle, 1986) He contends further that corruption takes place "when at least two parties have interacted to change the structure or processes of society or the behavior of functionaries in order to produce dishonest, unfaithful, or defiled situations" (Odekunle, 1986). In a similar vein, Shehu Musa defines it as "the act of turning power and authority into ready cash", while Abdullahi Smith sees it as "the diversion of resources from the betterment of the community to the gain of individuals at the expense of the community" (Musa, 1991).

Put in other words, corruption connotes a pervasion of normalcy for abnormalcy in order to acquire an unjust gain or advantage. Thus, any act, interaction or relationship that is at variance with public order, general good and laws of decency,

but which nevertheless gives its perpetrators an unfair advantage over others, is corruption. At its most basic, corruption refers to the use of unauthorized means to achieve personal gains at the expense of the society at large.

## **POLICE ROLE IN ELECTION**

As earlier stated, the police are a key actor in the electoral process. In this regard a successful, nay, credible election is not possible without the police. It is instructive to note that the Nigeria police, under the leadership of Hafiz Abubakar Ringim, the inspector general, made the conduct of free and fair elections an operational priority (Ringim, 2010). It is worthy to note that, apart from the general responsibility of the Nigeria police to maintain law and order, there are specific laws that oblige the police to perform specific security support services to aid in the elections in Nigeria. Some of these include among others, the Electoral Act and the Public Order Act of 1979 (Balogun, 2003).

The security assistance of the police is required in the following aspects of the electoral process:

Campaigns and rallies: An organized effort by politicians to attract support (Ginsberg, 2009). Campaigns and rallies in the Nigerian context have been turned to theatres of war where political rivals are attacked and mayhem is unleashed. In view of this, extant laws oblige the police to provide adequate security at the venues of political campaigns and rallies. For instance, the Public Order Act of 1979 requires politicians to seek police permission before holding rallies and campaigns (Public Order Act, 1979). When such permission is granted, the campaign is to be restricted to pre-defined routes (Public Order Act, 1979). It goes without saying that the police have a decisive role to play in ensuring law and order at political rallies and campaigns. Failure on the part of the police in this regard has not only led to a loss of lives and properties in the past, but the discouragement of people from such political activities.

Voters' registration: A very important activity in the electoral process. It is also a very delicate one. This is because a credible election is not possible without a credible voters' register. It is against this background that the police needs to be on hand in order to frustrate the antics of unscrupulous politicians who would like to manipulate the voters' register in order to facilitate election rigging. In this regard, the police have a responsibility to secure the registration venues and registration materials, as well as registration officials.

Party Conventions and Congresses: Avenues through which leading officials of political parties are elected. In reality, party conventions are often characterized by intense competition amongst different interests within a party. However, thanks to the antics of desperate politicians, party conventions have the potential of becoming battlefields. Thus, in order, to prevent party conventions from being stampeded by thugs, the police have the responsibility to maintain effective security presence at the venues of these conventions. The need for the police to provide adequate security at party conventions is underscored by the observation of the former Inspector General of Police, Tafa Balogun, that:

“There is no disputing the fact that most of the congresses held before the elections times by the political parties would have been disrupted by aggressive and violent party members and their supporters if not for the heavy security presence on the grounds” (Balogun, 2003).

Confidential information on aspirants: In order to prevent undesirable elements from getting into positions of responsibility, the police have a responsibility to make security reports on political aspirants available to relevant electoral authorities. Moreover, the history of elections in Nigeria has shown that Nigerian politicians have a tendency to petition the police, and other security agencies as well relevant electoral authorities raising doubts about the character and integrity of their political rivals. It is the responsibility of the police to investigate all such petitions. The confidential reports that are generated are made available to relevant electoral authorities for necessary action.

Election: More than anytime in the electoral process, the voting exercise requires the greatest involvement of the police. On a general note, the police are required to maintain law and order so that the electorates could exercise their franchise in an atmosphere devoid of danger, fear, or harassment. In addition to this, the police has more specialized security duties to perform in order to ensure a hitch free election. On one hand, they need to protect electoral materials from being stolen or vandalized. For instance, in 1965, the ECN<sup>1</sup>, the then electoral body, entrusted all the ballot papers to be used in the regional election to the commissioner of police for the region for safekeeping (Iroanusi, 2000). The point that is worth noting is that despite this measure, the October 1965 election in the Western region lacked integrity as ballot papers still got into unauthorized hands (Iroanusi, 2000). In addition, they also needed to provide escort services to electoral officials from INEC<sup>2</sup> offices to the polling booths. Similarly, the police are also required to provide escorts for election observers to ensure a secured and free access to all election venues.

Executive protection services: As a result of the antics of desperate politicians, a number of politicians often request special police protection on account of threats to their lives by political rivals. The police have an obligation to investigate such alleged threat, mount surveillance around the threatened politician, and provide him with an armed police escort.

Judicial witnesses: Despite the best efforts of past electoral bodies, elections in Nigeria are followed by intense disputes over the conduct of elections and results of the elections. In the election tribunals that invariably ensue, the testimonies of policemen deployed for electoral duties are vital to the judicial resolution of post-election disputes (Balogun, 2003).

## **SECURITY CHALLENGES OF ELECTIONS IN NIGERIA**

In their quest for power, some Nigerian politicians have often resorted to acts that constitute security breaches. Thus, an assessment of election history in Nigeria would reveal that the quest for credible elections in the country had been marred by a number of security challenges. These include political assassination, political thuggery, ballot snatching, intimidation, arson, etc.

Political assassination: It has been observed that the elimination of political rivals is a common strategy for electoral victory by politicians in Nigeria. In this regard, Nigerian politicians tend to kill fellow politicians whom they perceive as threats to

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<sup>1</sup> Electoral Commission of Nigeria.

<sup>2</sup> Independent National Electoral Commission.

their political interests. Thus, the approach of general elections was usually characterized by the assassination of politicians. Noteworthy examples include: Chief Bola Ige, an A.D.<sup>3</sup> chieftain murdered on December 23, 2001; Dr. Harry Marshall, an ANPP<sup>4</sup> national vice chairman murdered on March 5, 2003; Chief Aminasoaru Dikibo, murdered on February 6, 2004; Mr. Jesse Aruku, a gubernatorial aspirant in the Plateau state murdered in June 2006; Engineer Funsho Williams, PDP<sup>5</sup> gubernatorial aspirant murdered on July 27, 2006; Dr. Daramola, a gubernatorial aspirant in Ekiti state murdered on August 14, 2006; Ahmed Pategi, PDP state chairman, Kwara state murdered on August 15, 2002 (Chubah, 2009; Ayinla, 2005). Such is the prevalence of politically motivated murders that it was once observed that in Nigeria

‘... the opponent has usually become much more vulnerable and an easy prey depending on the extent to which his activities can be interpreted to truncate the political chances of the assailant’ (Ayinla, 2005).

Apart from the apparent inhumanity inherent in this, political assassination has serious implications for credible electoral system. Particularly worthy of note is the fact that the elimination of political rivals in this manner robs the electorates their right to choose from a multitude of candidates. The result is that the Nigerian electorates were often presented with a fate accompli.

Intimidation: In this regard, Nigeria politicians have often resorted to calculated acts of violence for the sole purpose of intimidating opponents and other perceived obstacles of their interests. Intimidation, in this context, often takes the form of orchestrating mobs of supporters and parading the residences or vicinities of a political opponent in a threatening manner. Usually, such mobs wield lethal and non-lethal weapons ranging from guns, cutlasses, sticks to stones and bottles. Usually, the sheer numbers of these mobs and the sight of the dangerous weapons they wield is enough to intimidate a political opponent. However, in some extreme cases, such mobs have been known to use those weapons mainly to threaten opponents. A good example of this was the sporadic shooting at the PDP state secretariat, Ilorin in September, 2002 by a mob of ANPP supporter (Ayinla, 2005).

It is worthy to note that intimidation for the purpose of electoral victory is not orchestrated against fellow politicians alone. In this regard, Nigerian politicians have been known to intimidate electoral officials. A good example in this regard was the experience of Madam Ayoka Adebayo, the Resident Electoral Officer during the Ekiti State gubernatorial bye -elections (Odebode & Oni, 2010). In this instance, Madam Ayoka resigned her appointment midway to the collation of election results. She cited threats to her life and that of her family by undisclosed persons who demanded that she manipulate the election result in their favor (Odebode and Oni, 2010). Similarly, the director- general of the Ibrahim Badamosi Babangida Campaign

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<sup>3</sup> Alliance for Democracy

<sup>4</sup> All Nigerian Peoples’ Party

<sup>5</sup> Peoples’ Democratic Party

Organization, Chief Raymond Dokpesi alleged that his life and that of his family had been threatened by agents sympathetic to the political aspiration of President Goodluck Jonathan (Tyem, 2010).

Ballot Snatching: This is yet another common security challenge that characterizes elections in Nigeria. In this regard, it has been the practice for some desperate politicians to invade polling booths and make away with ballot boxes. This is usually done when the politician concerned felt that the outcome of the election would not favor him (Ayang, 1988). Usually, such snatched ballot boxes are destroyed. On the other hand, such snatched ballot boxes have been known to find their way to INEC offices. It is worthy to note that ballot snatching is usually resorted to by unscrupulous politicians in constituencies they consider as hostile to their candidacy. By doing so, they succeed in nullifying the support of such opponents.

Arson: Within the context of this discourse, this refers to willful destruction of properties in order to advance a political cause. The history of elections in Nigeria is replete with frequent recourse to arson by politicians. In this regard, some Nigerian politicians have been known to burn houses, vehicles, or campaign offices of their political rivals. A good example of this was the bombing of the Ilorin office of the National Pilot, a Kwara state based newspaper belonging to Chief Olushola Sarki, a former ANPP chieftain, by suspected PDP sympathizers (Ayinla, 2005; Human Rights Watch, 2003). This they do in a desperate effort to cripple the logistical capabilities of such rivals. However, burning of properties is not the only manifestation of this electoral misconduct. Arson, as a tool of electoral victory in Nigeria, often manifests in the defacement of the campaign billboards of rivals, tearing of campaign posters, etc.

Thuggery: Within the context of this paper, it connotes a systematic resort to brutality and violence to facilitate electoral victory. Nigerian politicians tend to resort to thuggery to promote their political agenda. This tendency is underscored by Omenazu's observation that, "it is in only Nigeria that you kill and maim in election days and go about the streets unchallenged" (Chubah, 2009).

Harassment of election observers: Foreign and local election observers have frequently been physically assaulted by sympathizers of some politicians. It is worthy to note that harassment of election observers is often informed by the desire to discourage evidences of rigging and associated acts of electoral misconducts from being recorded, published, or used as evidence at election tribunals. The beating and detention of election observers during the 1983 general elections is a good case in point (Falola & Ihovbere, 1985)

## **IMPACT OF ELECTORAL INSECURITY**

At this juncture, the question that naturally comes up is what are the implications of these security challenges on the prospects of credible elections in Nigeria? The answers to this pertinent question are to be found in the following paragraphs.

Low voters' turnout: Owing to the atmosphere of insecurity that accompanies elections in Nigeria, many, do not take part actively in the electoral process. This is on account of fear for their personal safety. Thus, elections in Nigeria are characterized by apathy, non-registration in the voters' register, and low turnout at polling votes on election days. This

submission is borne out by the observation made by Professor Mauris Iwu that, “fear of violence is a major obstacle to credible elections in Nigeria” (Moshood, 2009).

Legitimacy crisis: Another adverse impact of these security challenges is the fact that it calls to question the legitimacy of the elected government (Elaigwu, 2005). In this regard, ballot snatching, assassination of political rivals among other security breaches that characterize elections in Nigeria give the impression that most, if not all, people voted into government do not have popular mandate. This often rubs off on the emergent governments, which may find it difficult to earn the loyalty, cooperation, and goodwill of the people. This was the case with the Yardua administration following the 2007 general elections in the aftermath of which local and international election observers condemned the electoral process as been marred by intimidation of political opponents, assassinations, rigging, etc. (Adetayo, 2010).

Militarization of the civil society: In the course of using violent means to facilitate electoral victory, unscrupulous politicians inadvertently end up instilling a culture of violence among the civil populace. Particularly affected are the youths. In this regard, exploiting their joblessness and ignorance, youths are often recruited as political thugs and armed with lethal weapons by unscrupulous politicians (Human Rights Watch, 2003). Numerous studies have traced the rise of the youth restiveness in the Niger Delta and the emergence of ethnic militant groups to the antics of unscrupulous politicians, who maintained private armies of thugs to facilitate their electoral victory ( Chubah, 2009; Ayinla, 2005; Odojin,2008; Akinyele, 2001).

Military intervention: In extreme cases, electoral violence and associated breaches of electoral ethics have been cited as justification for military overthrow of elected civilian administrations. This should not be seen as an apologia for military intervention in Nigerian politics. Suffice to note, however, is the fact that the anomalies that characterized past elections have encouraged the military to take over power citing the government’s lack of legitimacy (Obi, 2008). It is worthy to note, in this regard, that massive electoral irregularities that characterized the 1984 elections was a major reason, cited by the Buhari regime for the overthrow of the Shagari administration. It is against this background that General Theophilous Danjuma’s remark that NPN’s<sup>6</sup> ‘landslide’ victory would be followed by ‘gun slide’<sup>7</sup> (Asume, 2007). Moreover, the mass discontent that manifests itself in violent protests have been used as an excuse to overthrow civilian administrations on the pretext that such step was necessary to save the nation from disintegration. The nexus between electoral misconducts and military intervention was aptly expressed by the mastermind of the first military coup in Nigeria, Major Nzeogwu when he averred that:

‘Elections are always rigged. It is impossible to vote out a Nigerian minister...The military has taken over power to put an end to gangsterism and disorder...’ (Oyeweso, 1990).

Mass discontent: By subverting the people’s mandate in an inordinate desire to get power at all cost, these unscrupulous politicians end up leaving the people frustrated and seething with bottled up fury. The frustration is over their inability to get

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<sup>6</sup> National Party of Nigeria

<sup>7</sup> This was a veiled reference to the fact that dubious electoral victory by the ruling NPN would provoke a military take over.

a government of their choice and the fury is over the non-availability of the dividends of democracy. These combinations of frustration and fury have often found expression in violent mass action, such as the *operation wetie*<sup>8</sup> that followed the mass rigging of the 1965 western region election by the ruling NNDP<sup>9</sup> (Oloko, 2007; Balogun, 2003). A similar orgy of violence followed the 1983 election in Ondo state owing to the massive rigging of the polls in favor of the NPN's candidate, Chief Omoboriowo, against the more popular UPN's<sup>10</sup> candidate, Chief Adekunle Ajasin (Olurode, 1990). Similarly, there was a tendency in this direction inherent in the threat of mass action by General Buhari, ANPP presidential candidate in the 2003 elections. It is worthy to note that the trajectory of electoral malpractices and violent mass action is not peculiar to Nigeria. There was a similar descent to chaos following the general elections in Togo in 2005, when Bob Akitani, an opposition politician, called for armed insurrection against the RPT government, led by Faure Gnassingbe (Banjo, 2005).

## CONCLUSION

In the light of the foregoing, one can easily see that repeated failure to conduct free and fair elections is about the major bane of democracy in Nigeria. While a number of factors are responsible for this, it is the contention of this paper that the failure on the part of the Nigeria police to fulfill its security obligations in the electoral process is the main culprit. More importantly, it is the argument of this paper that the police, itself, are incapacitated by corruption.

A thorough appraisal of past electoral processes in Nigeria would reveal the fact that the police frequently aided and abetted breaches in the electoral processes for pecuniary gains. For instance, in the 2007 general elections, policemen were widely used by politicians to brutalize opponents and suppress rivals through arbitrary arrests (Human Rights Watch, 2003). Similarly, the proliferation of ballot papers kept in the custody of the commissioner of police days before the regional elections in the 1965 Western region election was an indictment of the integrity of the police as a bastion of credible elections in Nigeria (Iroanusi, 2000).

Innumerable studies have explored the theme of corruption and the Nigerian police (Idowu, 2010; Ibrahim and Odekunle, 2001; Imobighe, 1987; Nwankwo, Ogunremi & Rasheed, 1993). Suffice to note for this study is the fact that the police, itself, are a victim of circumstance. In this regard, inadequate funding and faulty recruitment policy, among others, are largely to be blamed for the corrupt tendencies exhibited by the police (Idowu, 2010). It is certain that an ill equipped and under funded police force would easily fall prey to the wiles of unscrupulous politicians. Little wonder that the chairman, House of Representatives Committee on Police Affairs, Honorable Abdul Ningi, expressed grave concern over the inadequate funding of the police for the 2011 general elections when he said:

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<sup>8</sup> This months long violent uprising was characterized with the burning of vehicles, people and houses after being doused in petrol. Hence the name *operation wet it* to denote the uprising.

<sup>9</sup> Nigerian National Democratic Party

<sup>10</sup> Unity Party of Nigeria

Before now, we have been crying that the budget for the police for the election year was really not sufficient. And now, we are talking about reducing the budget by 40 percent. I can tell you that the police are the most affected by that cut because close to 50 percent of their vote in the budget had been yanked off now. (Sic)

President Jonathan has promised the nation a free and fair conduct of the 2011 elections and so everybody in Nigeria must be involved and active, too, in the delivery of that promise, which, if fulfilled, will reinvent the politics of our country. To do that, the involvement of the Nigerian police is key and paramount. They will be hamstrung in taking charge during the elections if the logistics they required are not there. We, in the Police Affairs Committee, are not happy with this situation and so we feel something must be done now before the election year draws near. We appeal to the presidency to probably do a fresh supplementary appropriation to take care of the financial needs of the Nigerian police, if not for anything but for the 2011 general election (Samuel, 2010).

A similar concern was raised by Peter Obi, the Anambra state governor, when he opined, “we found out that the hoodlums’ firepower is more than the police” (Nwokeoma, 2010).

In the final analysis, a number of conclusions can be drawn. These include;

- It takes more than a competent and neutral electoral umpire to ensure a free and fair election in Nigeria.
- A corruption-free and a competent police force is sine qua non for a free and fair election in Nigeria.
- The Nigeria police are not inherently corrupt. However, the corrupt tendency of the Nigerian police is a consequence of governmental neglect (especially under military rule), insufficient budgetary allocations, as well as a flawed recruitment process.

It is therefore apparent that the fundamental assumption of the system theory on which this paper is hinged is borne out. This is evident in the conclusion earlier drawn that negative inputs by the government, in terms of insufficient budgetary allocations, etc., had predisposed the police to corruption and made it difficult for the force to live up to its statutory obligations vis a vis. elections in Nigeria. Therefore, this paper submits that without a positive review of governmental inputs into the police, Nigeria can not reap positive output from the police in her quest for free and fair elections.

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