

# *Polish Journal of Political Science*

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# *Polish Journal of Political Science*

Volume 5 Issue 2

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## **Trust and Reputation in Nigeria's Electoral Process: The Context and Conundrum**

### **Abstract**

Election is the hallmark of democracy. Any democratic regime that does not conduct election will be regarded as a dictatorship. The trust and reputation built on the electoral process impede its credibility and public acceptability. The higher the level of trust and reputation of the electoral process, the higher the acceptability of the leaders that emerges. The electoral process in Nigeria is in a state of total relapse, confusion and quagmire. To what extent does the reputation of the electoral process make Nigerians trust its process and output? How can Nigeria develop out of the electoral process conundrum credible leaders to emerge in the country? Modernization theory is used to explain the urgent need for Nigeria to develop its electoral processes. Methodology uses the Afrobarometer time series data. Rapid growth and development are products of the electoral process that has public trust.

**Keywords:** corruption, democracy, development, election, leadership

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## Introduction

The electoral process is a whole complex system. It is the fulcrum on which the election and voting schedules, the behaviour of the election officials and observers are spelt out and the module that explains who does what, the time and the accepted procedures. In many democratic regimes, election processes are managed by an electoral body. This body is assumed to be independent after the government have saddled the body with the necessary responsibilities and as well the financial wherewithal, judicial and legislative backings and other logistic equipment. The process of election varies from country to country. Therefore, there is no universal standard for electoral processes but there are some necessary details that must be in place for an electoral process to be reckoned with.<sup>1</sup>

The basic processes include the formation of a legal document. This will spell out the intended name of the electoral body, the statutory obligations and ad hoc functions of the body. It will also indicate the number of offices to be occupied by staffs and hierarchy of officials respectively. The process of the appointment of the officials by any of the arms of government, usually the executive, and the corresponding screening by the legislative body must be well spelt out. The source of finance and other forms of empowerment of the electoral body and staffs must be clear enough so as to make the electoral body free and independent from manipulations of the financial providers.<sup>2</sup>

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<sup>1</sup> Aremu, Aluko (2016).

<sup>2</sup> Lawal, Aluko (2016).

In many cases, especially in developing democracies, the issue of who appoints the chairman or leader of the electoral body is suspicious.<sup>3</sup> The executive president of the country is always saddled with the responsibilities of appointing the chairman of the electoral body and other key stakeholders in the electoral body configurations. Also, the president of the country in many instances serves as a financial adviser and financial advocate of the electoral body. Some local politicians, businessmen and international donors also support the electoral body financially.

In Nigeria, the major and initial documents that establish the electoral body were drafted by the military executive governments. This has no legislative input or checks and balances by the judiciary. The subsequent appointment of the chairman of the electoral body in the civilian dispensation is also under the executive prerogative order but ratified by the legislature. The fiscal allocation to the body is also drafted under close monitoring of the executive body. This may make the political neutrality of the electoral body to become gradually polarised, sectionalised and partisan instead of outright independent.<sup>4</sup>

On the surface, all these appointments, financial supports and other administrative and bureaucratic rigmarole shoudered by the executive arm of government, a few politicians or businessmen within and outside the country may have negative effects on the trust and reputation of the electoral process. It may jeopardise the credibility of the whole electoral process and the eventual winners of elections. The resultant effects of the polarised electoral body may continually

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<sup>3</sup> Omotola (2010), Abdullahi (2013).

<sup>4</sup> Aluko (2016), Onwudiwe, Berwind-Dart (2010).

be reoccurrence of electoral disputes and violence. The international community may also see the country as a political demagogue and unenlightened.

Therefore, this study aims at answering how can an electoral body whose head and key officials are appointed by the executive president, who also oversees the financial operations of the body, training, logistic procurement approvals, be politically neutral, nonpartisan and independent? Can it actually gain the trust and be in good repute with the electorate? This is a socioeconomic and political conundrum. It may always lead to the poor performance of the perceived independence of the electoral body. The opposition, political and other socio-economic groups can always be suspicious of the government-of-the-day that it is politically biased, and not providing a level plain ground of political contest for all political parties and groups.<sup>5</sup>

The trust and reputation of such an electoral body that is not politically independent, not capable of making decisions of its own without conniving with the executive for political or financial advice may become unpopular in the country of operation. This may cause more political upheaval and confusion. This study will examine whether such claims are applicable to the political and electoral space in Nigeria. The central research question driving this study is to what extent does the reputation of the electoral process make Nigerians trust its process and output? Also how can Nigeria develop out of the electoral process conundrum credible leaders to emerge in the country? The implications and the possible remedies so as to have verifiable political and electoral processes will also be considered. The theoretical

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<sup>5</sup> Nachana'a, Yusuf, Auwalu (2014).

framework of the modernization theory will be used to explain why the electoral system in Nigeria needs to evolve from the primitive nature, characterised with partisanship politics and unresolved disputes to the actual independent electoral system. The adopted methodology is a descriptive analysis of the Afrobarometer data on the level of trust in the governance process in Nigeria.

## Conceptual Clarification

### Electoral Process

The electoral process is a process or procedure and institutional mechanisms that a nation or government put in place to organise and attain free and fair elections.<sup>6</sup> In the opinion of Mapuva and Aluko<sup>7</sup> the electoral process entails the political architecture and institutional support to ensure that citizens are free to elect and be elected under the rules and regulations that are clear to all contesting parties. The electoral process creates an opportunity for the stakeholders such as the political parties to be carried along in the procedures and they are not only aware of these rules, but willing to abide by them in the spirit of democratic elections and fair play.<sup>8</sup> Some of the institutional and political mechanisms that the electoral process involves is the establishment of independent (and non-partisan) electoral institutions that seek to preside over free and fair electoral processes. The role of Independent Electoral Management Bodies (EMBs) or Electoral Commissions is crucial to the outcome of an election

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<sup>6</sup> Duodu (2010).

<sup>7</sup> See: Mapuva (2013), Aluko (2018a).

<sup>8</sup> USAID (2010).

as these electoral bodies derive their powers and mandate from the national constitution.

Generally, the processes of election may be difficult to ensure without proper administrations and procedures.<sup>9</sup> Some of these procedures entail the legislative and executive actions. This will include administering and implementing laws regarding the registration of voters; overseeing the actual conduct of elections, supervising the ballot and the count; promoting transparency at all levels and being accountable to the public and parliament at all times. Lawal and Aluko observed that in Africa there is evidence that elections run by independent electoral bodies are more successful and the results respected.<sup>10</sup> Odusote, also opined that in the countries where election results have been respected the state has ceded greater responsibility to the electoral administration such as the Electoral Commission in Ghana<sup>11</sup>. In the same way, in the absence of administrative clarity and political will on the part of the Electoral Commission (EC) to enforce the rules, election results will always be viewed with suspicion by the public. In such an atmosphere, groups that feel abandoned by the electoral process will resort to non-democratic forms of protests.<sup>12</sup>

Aremu and Aluko also posited that for an electoral process to be considered as fair it must have some basic structures, which include: statutory provisions establishing the electoral bodies, delineation of districts/constituencies, registration of political parties, registration of voters, recruitment and training of ad-hoc staff, procurement of electoral material,

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<sup>9</sup> Grant (2019).

<sup>10</sup> Lawal, Aluko (2016).

<sup>11</sup> Odusote (2014).

<sup>12</sup> Aluko (2018b).

logistic, screening of candidates, provision of polling agents, monitoring of agents, accreditation of voters, actual voting, counting of votes and providing avenues for settlement of disputed results<sup>13</sup>. In the Nigerian contest, the electoral process is spelled in the 1999 constitution as amended with the aim to have a credible election.<sup>14</sup>

Section 153 of the Constitution of the Federal Republic of Nigeria (CFRN) Third Schedule Part I, 14 (1) as amended establishes the Independent National Electoral Commission and gives the body the power to: (a) organise, undertake and supervise all elections to the offices of the President and Vice-President, the Governor and Deputy Governor of a State, and to the membership of the Senate, the House of Representatives and the House of Assembly of each State of the Federation; (b) register political parties in accordance with the provisions of this Constitution and the Act on the National Assembly; (c) monitor the organisation and operation of the political parties, including their finances; (d) arrange for the annual examination and auditing of the funds and accounts of political parties, and publish a report on such examination and audit for public information; (e) arrange and conduct the registration of persons qualified to vote and prepare, maintain and revise the register of voters for the purpose of any election under this Constitution; (f) monitor political campaigns and provide rules and regulations which shall govern the political parties; (g) ensure that all Electoral Commissioners, Electoral and Returning Officers take and sign the Oath of Office prescribed by law; (h) delegate any of its powers to any Resident Electoral Commissioner; and (i) carry out such other

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<sup>13</sup> Aremu, Aluko (2016).

<sup>14</sup> Federal Republic of Nigeria Constitution (1999).

functions as may be conferred upon it by the Act on the National Assembly.<sup>15</sup>

The powers and functions of INEC in the electoral processes are also guaranteed under Sections 1 and 2 of the Electoral Act 2011. This establishes and confers INEC with the following electoral functions: the Commission shall have power to:(a) conduct voter and civic education, (b) promote knowledge of sound democratic election processes, (c) run any referendum required to be conducted pursuant to the provisions of the 1999 Constitution or any other law or the Act on the National Assembly. INEC is required to be independent. Odusote noted that the 2011 Act has not only added more responsibility to INEC's Constitutional responsibilities as the electoral umpire, it has also made the organization to be able to address new and recurring political problems.<sup>16</sup>

A prominent example of new or reoccurring problem in the electoral process in Nigeria is the implementation of Section 33 of the Constitution of the Federal Republic of Nigeria. It provides that: "A political party shall not be allowed to change or substitute its candidate whose name has been submitted pursuant to section 31 of this Act, except in the case of death or withdrawal by the candidate". While section 141 provides: "An election tribunal or court shall not under any circumstances declare any person a winner at an election in which such a person has not fully participated in all the stages of the said election". These provisions are made to cure the general complaints and upheaval that followed the Supreme Court decision in Amaechi's case.<sup>17</sup>

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<sup>15</sup> Ibidem.

<sup>16</sup> Odusote (2014).

<sup>17</sup> Ibidem.

## Theoretical Framework

The modernization theory emerged in the 1950s as an explanation of how the industrial societies of North America and Western Europe developed.<sup>18</sup> The theory argues that societies develop politically, economically and socially in fairly predictable stages through which they become increasingly complex.<sup>19</sup> Huntington further noted that development depends primarily on importation of technology as well as a number of other political and social changes that emerge at the points of interaction. Modernization theorists are concerned with economic growth within societies as indicated, for example, by measures of gross national product.<sup>20</sup> Mechanization or industrialization is an ingredient in the process of economic growth. Modernization theorists study the social, political, and cultural consequences of economic and political growth and the conditions that are important for industrialization and socio-political and economic growth to occur.

Although there are many versions of the modernization theory<sup>21</sup>, the major explicit tenets include the following: (1) societies develop through a series of evolutionary stages; (2) these stages are based on different degrees and patterns of political and social differentiation and reintegration of structural and cultural components that are functionally compatible for the maintenance of society; (3) contemporary developing societies are at a pre-modern stage of evolution and they eventually will achieve economic growth and will

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<sup>18</sup> Smelser (1964); Levy (1967).

<sup>19</sup> Tipps (1976); Huntington (1976).

<sup>20</sup> Stockemer, Sundström (2016).

<sup>21</sup> See: Stockemer, Sundström (2016); Wennerlind (2017); Domingues (2017).

take on the social, political, and economic features of Western European and North American societies which have progressed to the highest stage of social evolutionary development; (4) this modernization will result in complex compatibility of Western technology importation with traditional structural and cultural features of the developing countries.

Domingues and Tilly among others, noted that the sociological concept of modernization does not simply refer to becoming current but rather specifies particular contents and processes of societal changes in the course of national development. Rostow's five stage model of development sheds more light on modernization as a socio-political change. Stage 1 is the traditional societies whose economies are dominated by subsistence farming. Such societies have little wealth to invest and have limited access to modern industry and technology. Rostow argued that at this stage there are cultural barriers to political and social development. Stage 2 is the preconditions for take-off – the stage in which western aid packages bring western values, practises and expertise into the society. This can take the form of: science, politics and technology – to improve agriculture and the political spheres; infrastructure – improving roads and cities communications; industry – western companies establishing factories. These provide the conditions for investment, attracting more companies into the country.

Stage 3 is the take-off stage – the society experiences economic growth as new modern practices become the norm. Profits are reinvested in infrastructure, etc. and a new entrepreneurial urban class emerges that is willing to invest further and take risks. The country now moves beyond subsistence economy and starts exporting goods to other countries. This generates more wealth which then trickles down

to the population as a whole, who are then able to become consumers of new products produced by new industries there and from abroad. Stage 4 is the drive to maturity – more economic growth and investment in education, media and birth control. People start to realise new opportunities opening up and strive to make the most of their lives. Stage 5 is the age of high mass consumption. This is where economic growth and production are at high levels like in the Western countries.

In the political system, whenever these stages are attained, the advancement in the electoral system and political processes will be the major indicator. The traditional views on politics will be modified to follow a conventional standard. This will take off the electoral system into technological innovations which will beat down the usual malpractice formulas in the society. The drive to sustain the new technology and attainment of good governance will drive the political and electoral processes to maturity<sup>22</sup> This will eventually attain the level of high acceptability, good reputation from within the local electoral space and outside the country. The trust and reputation of the electoral process will be unquestionable.

However, there are some hindrances to political development and modernization quests of countries. The political and cultural barriers to modernization are seen as internal to countries. The table below shows the traditional values that hinder development, trust and reputation in political systems and the aspired to modern values that can make the process grow optimally.

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<sup>22</sup> Plasser (2017).

Table I

Traditional Values	Modern Values
Prevent economic growth and change.	Inspire change and economic growth.
Simple division of labour, less specialised job roles, individuals rely on a few dozen people in their local communities for basic needs to be met.	Complex division of labour, individuals tend to have very specialised jobs and rely on thousands of others for basic needs to be met.
Religious beliefs and tradition influence daily life (resistance to change).	Rational decision making (cost benefit analysis and efficiency) are more important.
Stronger community and family bonds and collectivism.	Weaker community and family bonds mean more individual freedom.
Affective relationships.	Meritocracy – people are more motivated to innovate and change society for the better.
Patriarchy.	Gender equality.

Sources: Thompson (2015) and Researchers' updates (2019).

Economic and political barriers to development are barriers which may make developing countries unattractive to investors. These include lack of or inadequate infrastructure, lack of technology, lack of skills in the work force, political instability, poor electoral processes and systems, and lack of capital in the country<sup>23</sup>. Some of the criticisms of Modernisation Theory include that the Asian tiger economies combined elements of traditional culture with Western capitalism to experience some of the most rapid economic growths

<sup>23</sup> Ward and Rustow (2015).

of the past two decades<sup>24</sup>. Crossman further noted that it ignores the crisis of modernism in both the developed and developing worlds. Many developed countries have huge inequalities and the greater the level of inequality the greater the degree of other problems: high crime rates, suicide rates, health problems, drug abuse. Ethnocentric interpretations tend to exclude contributions from thinkers in the developing world. This is a one size fits all model, and is not culture specific.

However, in modernization and political sphere, modern societies are characterized by high levels of urbanization, literacy, research, election technology such as card readers, electronic voting, electronic vote transmission, healthcare, secularization, bureaucracy, mass media, and transportation facilities. Kinship ties are weaker, and nuclear conjugal family systems prevail. Birth rates and death rates are lower, and life expectancy is relatively longer<sup>25</sup>. In the political realm, the institution of governance in the society will be reputable and attract more trust. It will become more participatory in decision-making processes. Technology will be the driving force for typical institutions in-charge of election management, political parties, civil service bureaucracy, and the parliaments. Traditional sources of authority are weaker as bureaucratic institutions assume responsibility and power<sup>26</sup>. In the economic realm, there is more industrialization, technical upgrading of production, replacement of exchange economies with extensive money markets, increased division of labour, growth of infrastructure and commercial facilities, and the development of large-scale markets.

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<sup>24</sup> Crossman (2018).

<sup>25</sup> Ward and Rustow (2015); Wennerlind (2017).

<sup>26</sup> Plasser (2017).

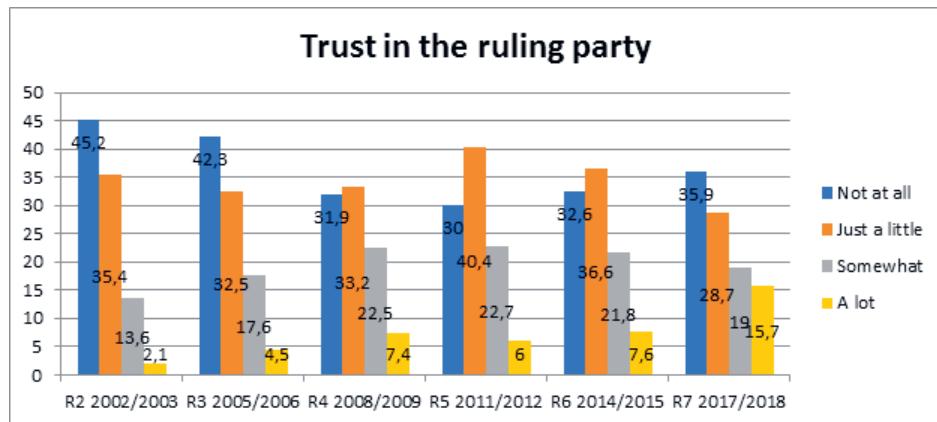
In the case of Nigeria, the primitive electoral space needs to be transformed into a self-regulated system driven by modernised technologies. This will be independent of the political party's leaders manoeuvring the electoral body and government manipulation. It will be people driven and sensitive of the desire for growth and development in the country. The level of literacy and technological introduction to the system must exceed a local technology which can be compromised but becoming a high and efficient technology which has gained much trust and reputation across the globe.

### **Methodology, data presentation and analysis**

The methodology uses a quantitative method of data analysis for secondary sources of data. The time series data collected by Afrobarometer from 2002 to 2018 are analysed descriptively. This is divided into rounds one to seven. For each year, about 2,400 respondents' data were retrieved and analysed. In line with the research questions 'To what extent does the reputation of the electoral process make Nigerians trust its process and output? How can Nigeria develop out of the electoral process conundrum credible leaders to emerge in the country?' The following survey questions will be measured on the basis of the data set from the Afrobarometer 2002-2018 time series survey so as to generate data for analysis and answers for the research questions.

1. Trust in the ruling party; 2. Trust in opposition political parties; and 3. Trust in the national electoral commission.

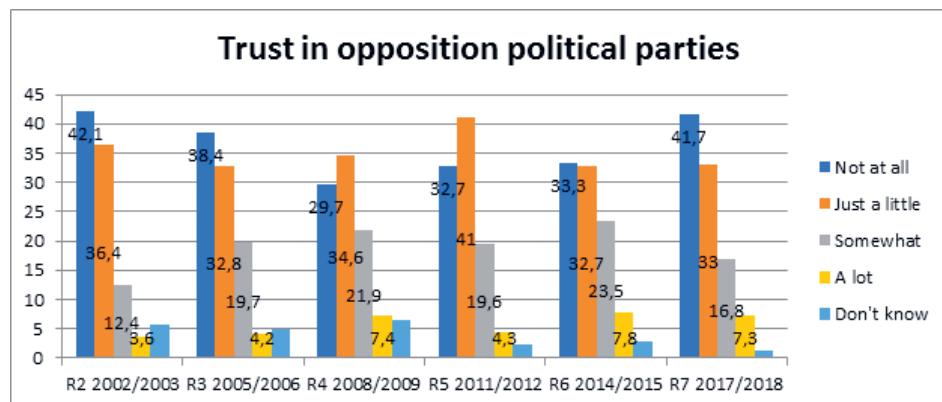
Figure 1: Trust in the ruling party



Source: Afrobarometer (2018).

Figure 1 above, concerning trust in the operations and reputation of the ruling political party in relation to the electoral process and other political matters, shows that in 2002-2018 an average of thirty six percent (36.3%) of the people did not trust the ruling party 'at all'. This was at its peak in 2003 and at its lowest in 2011. However, the trend rises steadily in 2015 and 2018 respectively in the build up to the 2019 general elections. The average of the people with 'just a little' trust is thirty five percent (34.5%). The peak of the 'just a little' trust is in 2011, while its lowest is in 2018. This implies that an average of seventy one percent (71%) Nigerians did not trust the ruling parties in the years 2002-2018. The average of about twenty percent (19.5%) and seven percent (7.2%) of the people had 'somewhat' and 'a lot' of trust for the ruling party in the years 2002-2018 respectively.

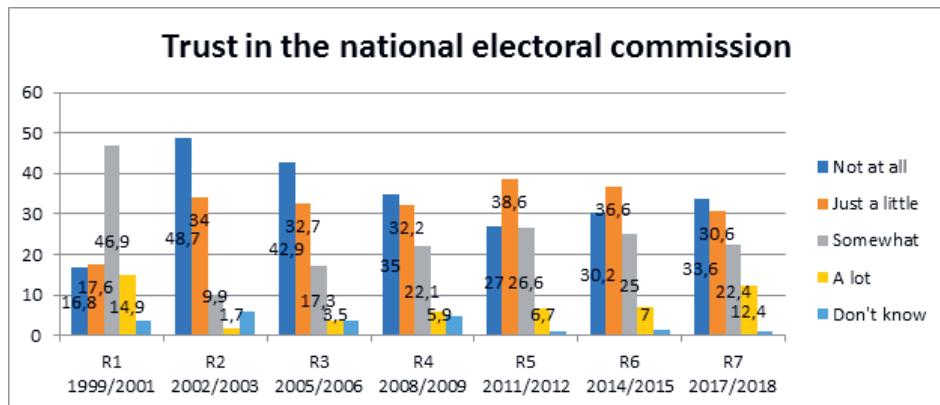
Figure 2: Trust in opposition political parties



Source: Afrobarometer (2018).

Figure 2 above, concerning trust in the operations and reputation of the opposition political parties in relation to the electoral process and other political matters shows that in 2002-2018 an average of thirty six percent (36.1%) of the people did not trust the opposition parties 'at all'. This was at its peak in 2002 and at its lowest in 2008. However, the trend rises steadily in 2011 to 2018 in the build up to the 2019 general election. The average of the people with 'just a little' trust is thirty five percent (35.1%). The peak of the 'just a little' trust is 2005, while its lowest is in the year 2015. This implies that an average of seventy one percent (71.2%) Nigerians did not trust the opposition political parties in the years 2002-2018. The average of nineteen percent (19%) and about six percent (5.8%) of the people had 'somewhat' and 'a lot' of trust for the opposition political parties in the years 2002-2018, respectively.

Figure 3: Trust in the national electoral commission



Source: Afrobarometer (2018).

Figure 3 above, concerning trust in the operations and reputation of the Independent National Electoral Commission (INEC) in relation to the electoral process and other political matters shows that in 1999-2018 an average of thirty nine percent (39.0%) of the people did not trust the national electoral commission 'at all'. This was at its peak in 2003 and at its lowest in 1999. However, the trend rises steadily in 2011 and 2018. The average of the people with 'just a little' trust is thirty one percent (31.0%). The peak of the 'just a little' trust is 2011, while its lowest is in the year 1999. This implies that an average of fifty percent (50%) Nigerians did not trust the national electoral commission in the years 1999-2018. This shows a significant and alarming challenge for the success of the 2019 general elections in Nigeria. The average of about twenty eight percent (28.4%) and nine percent (8.7%) of the people have 'somewhat' and 'a lot' of trust for the national electoral commission in the years 1999-2018, respectively.

## Trust, Reputation And Conundrum In Nigeria Electoral Process

The level of trust on Nigeria's electoral processes as seen from the data presented above (Figures 1-3) is dwindling year by year. It is significantly low. The reason is not farfetched. Each election year and the build up to the subsequent ones have its peculiar crises. Such crises include poor pre-Election Day preparations by both the electoral body and the political parties. There are usually poor distributions of both sensitive and non-sensitive election materials to the appropriate polling units across the country. The introduction of voters' card and the subsequent upgrade to permanent voters' card has not been smartly and evenly done across the districts and polling booths across the country<sup>27</sup>. The threat of vote buying by the political parties, ballot stuffing by electoral and party officials and the incessant outbreak of election violence due to perceived injustice at the polls or other reasons by the supporters of the political parties all contribute to the gradual fall in the level of trust in the electoral process in Nigeria<sup>28</sup>.

The level of trust in the electoral process also dwindles because of the capabilities of electoral body in carrying out credible elections. The independence of the electoral body is seriously questioned by both local and international observers. There is a heavy reliance of the independent electoral body on the executive arm of government — the ruling political party for guidance, security, finance, appointments and general instructions before they can implement their ideas in an acceptable manner<sup>29</sup>. The political parties and the electorates as well have little hope of getting their votes

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<sup>27</sup> Aremu and Aluko (2016).

<sup>28</sup> Omotola (2010); Aluko (2018).

<sup>29</sup> Aluko (2016).

count in the Election Day due to the capability question, reliance and undue consultations and dependence on the executive arm of government.

The electoral process in Nigeria since the fourth republic (1999- to date) has gotten a swindling reput<sup>30</sup>. At some quarters, the citizens and the international community praises it for the good outcome of the general and by-elections such as the 2015 election<sup>31</sup>. At some other quarters, is seen as a pariah body that is working contrary to the dictum of democracy and its principles. There are some reasons that have conditioned the reputation of the electoral process in Nigeria. These include: the interest that the electoral body is preserving and at the same time manifesting. If the interest it is serving is that of the ruling party or any political parties other than the citizenry, there will be disparity, favouritism, nepotism and unprofessional attitudinal displays.

The reputations of the electoral process in Nigeria might remain unclear and unpopular among the relevant agencies, the citizenry and comity of observers across the globe because of the following three factors. These are: the political culture in Nigeria, the voters' behaviours, and the composition of the electoral body. The political culture in Nigeria is in a subservient or passive state. It is not fully grown due to the level of civic education, economic development and high rate of political apathy. The voters' behaviour with respect to elections is at the lower ebb. A large chunk of the electorate does not vote and some vote and as well instigate more electoral violence. The composition of the electoral body in many cases is predetermined, calculated and

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<sup>30</sup> Council on Foreign Relations (2015).

<sup>31</sup> Aremu and Aluko (2016).

manipulated by the government of the day — the ruling political party. The appointments of chairman of the electoral body and resident electoral officers are mostly influenced by political, ethnic, friendship loyalty and other acquaintance reasons. All of these, among other things, are spots on the reputation of the electoral process in Nigeria.

### Conclusion

The issue of trust may be relative according to the political, economy or social terrain. The political, economy and or social terrains in Nigeria show that the country's democracy is in its developing stage. Developing democracies usually have teething crises which will spill and rub over many other issues of governance and politics in the country. The electoral process in Nigeria is such that it has all kinds of developmental challenges. These include such symptoms as ethnic chauvinism, religious bigotry, political apathy, urban violence, patron-client relations, godfatherism, poverty, bribery and corruption, among others.

The modernization theory as adopted in the study revealed that there are stages of development and the society needs to be adjusted to the trend and dimensions of such development. The development must cut across all aspects of the society including the political and electoral processes. The analysis of Figures 1-3 above revealed that the extent of the reputation of the electoral process is very weak and gradually getting worse. Consequently, this makes Nigerians lose trust in the political and electoral processes and outcomes. There is deep conundrum and confusion in the technical aspects of the election management body organization. This is because the electoral body is financed, officials are

appointed, dismissed, promoted, transfer of staffs is done by the executive arm of government — or the ruling political party.

The question to be answered is how can Nigeria develop out of the electoral process conundrum credible leaders to emerge in the country? The political culture of Nigerians needs to be uplifted by engaging the political class and public office holders to be accountable for all the political and economic promises, and mandates. The problems of political apathy during elections should be addressed by prompt political education which should be championed by the civil societies and nongovernmental organizations. The appointment, financing and transfer of electoral officers should be done in accordance with the due procedures and separation of powers.

The issue of security during elections must be well addressed. Whenever the electorates are sure of the security of their lives before, during and after the polls, there will be greater public turnout for participation. The security apparatus should not be used by the ruling political party as an instrument of harassment against other opposing political parties, individuals, or perceived enemies. The political economy of poverty and unemployment must be replaced by rapid job creation. Poverty makes the electorate subservient in the political activities. The electorate turns into vote selling and 'stomach infrastructure'. Therefore, there is a need for economic revamping of the entire country so as to enjoy wide political participation. This will as well bring about free call for judicial review by any member of the public without fear of political harassment or imprisonment.

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