

THE 2019 GENERAL ELECTION AND THE POLITICS OF INCONCLUSIVE ELECTION IN NIGERIA: A REVIEW OF THE AFFECTED STATES

Babayo Sule^{1*}, Usman Sambo²

¹Department of Political Science, Faculty of Humanities Management and Social Sciences, Federal University Kashere Gombe, Gombe State, Nigeria

²Department of Public Administration, Faculty of Social and Management Sciences, Yobe State University Damaturu, Nigeria

*Corresponding Author Email: babayosule@gmail.com

Abstract

Elections are usually accompanied with controversies and irregularities in Nigeria emanating from several factors such as the procedures, regulations, nature of political culture and political gameplay in the country and elites' attitudes towards power. The 2019 Gubernatorial election in Nigeria was enshrouded in controversies, malpractices and inconsistencies because of the Independent National Electoral Commission (INEC) guidelines for the conduct of election which provided for inconclusive elections in some circumstances. This study examined critically some states in Nigeria that are affected by the politics of inconclusive elections where the elections were extended for additional two weeks due to some issues that could not allow for the final declaration after the first date of the election. The inconclusive election heralded several problems and a setback to election in Nigeria because of recorded violence, malpractices, rigging and other related obstacles. The research employed a qualitative methodology of data collection and analysis. Both primary and secondary sources were used for data collection. The primary sources involved an in-depth interview, participant observation and reference to INEC's documented data. The secondary data used were books, journals, newspapers, internet sources and reports. The data collected were discussed using content analysis for analytical interpretations. The study discovered that the guideline for the conduct of the 2019 General Election which stipulated for the provision of inconclusive election created several inconclusive elections in some states like Adamawa, Bauchi, Benue, Kano, Plateau and Sokoto which later was followed by irregularities and violence. The work recommends among others that such criteria should be abandoned and declare any contestant that fulfill the minimum criteria as returned elected.

Keywords: 2019 General Election, Inconclusive Election, Nigeria; Politics, Review, States

Abstrak

Pemilu biasanya disertai dengan kontroversi dan penyimpangan di Nigeria yang bersumber dari beberapa faktor seperti prosedur, peraturan, sifat budaya politik dan alur politik di negara tersebut serta sikap elit terhadap kekuasaan. Pemilihan Gubernur 2019 di Nigeria diselimuti kontroversi, malpraktek, dan inkonsistensi karena pedoman Komisi Pemilihan Umum Nasional Independen (INEC) untuk pelaksanaan pemilihan yang mengatur pemilihan yang tidak meyakinkan dalam beberapa keadaan. Studi ini mengkaji secara kritis beberapa negara bagian di Nigeria yang terpengaruh oleh politik pemilihan yang tidak meyakinkan di mana pemilihan diperpanjang selama dua minggu tambahan karena beberapa masalah yang tidak memungkinkan untuk deklarasi akhir setelah tanggal pertama pemilihan. Pemilu yang tidak meyakinkan menandai beberapa masalah dan kemunduran pemilu di Nigeria karena rekaman kekerasan, malpraktek, kecurangan, dan hambatan terkait lainnya. Penelitian ini menggunakan metodologi pengumpulan dan analisis data kualitatif. Sumber primer dan sekunder digunakan untuk pengumpulan data. Sumber primer meliputi wawancara mendalam, observasi partisipan dan referensi ke data terdokumentasi INEC. Data sekunder yang digunakan adalah buku, jurnal, surat kabar, sumber internet dan laporan. Data yang terkumpul didiskusikan menggunakan analisis isi untuk interpretasi analitik. Studi tersebut menemukan bahwa pedoman penyelenggaraan Pemilu 2019 yang mengatur tentang penyelenggaraan pemilu yang tidak konklusif menciptakan beberapa pemilu yang tidak meyakinkan

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di beberapa negara bagian seperti Adamawa, Bauchi, Benue, Kano, Plateau dan Sokoto yang kemudian diikuti oleh penyimpangan dan kekerasan. Karya tersebut merekomendasikan antara lain bahwa kriteria tersebut harus ditinggalkan dan menyatakan kontestan yang memenuhi kriteria minimum sebagai kembali terpilih.

Kata kunci: Pemilu 2019, Pemilihan yang Tidak Meyakinkan, Nigeria, Politik, Review, Serikat.

INTRODUCTION

Election is the nerve and brain of democratic system. It is the instrument and a procedure for choice of leadership in a liberal manner where the political leaders compete for power while the voters are allowed to exercise their rights (Smith, 2015). The world is contemporarily dominated by democratic governance and this has made an election a pivotal activity in nation-states ((Buttorff, 2019). Election is a periodic ritual depending on the constitutional modality that a particular state is operating. In United States of America and Nigeria, a four-year term of two tenures is stipulated in their constitutions for executive office holders while the same four-year term is enshrined in the law for lawmakers without a limit. In essence, election is a determinant factor in which political institutions and political actors display their choices, policy preferences, ideology, liberty, freedom and desire of who wants to rule and who is wanted to rule (Cole, 2017).

Africa is currently witnessing a rapid revolution and an explosion of democratic renewal as a result of the internal pressure from civil societies and external pressure from global key players who champion the cause of universal democratic governance (Adejumobi, 2010). Unfortunately, democracy is still facing hurdles and strangulation from the African power brokers because of subversion of the electoral process. Elections in Africa are heralded with controversies and violence that characterised most of them as unfair, incredible and not free (Mechkova et al., 2017). The developed democracies though, are neither spared too in controversies. The United States of America's 2016 Election was still enshrouded in the allegations of intrusion from Russia (Susskind, 2018). However, the African cases are more pronounced because most of the elections in the Continent are followed up by chaos and allegations of rigging and irregularities that affected their decency. Nigeria is the biggest democracy in Africa because it is the most populous state and the highest GDP. From 1999 to date, Nigeria was reset on the path of civilian rule for straight 20 years which signifies stability and 4a progress (LeVan, 2014). Unfortunately, elections are never pleasant in Nigeria since 1999 especially the 2003, 2007, 2011 and 2019 elections which recorded massive violence, manipulation, malpractices, disenfranchisement of voters, denial of electorates' will and a forceful imposition.

The 2019 General Election witnessed a retrogressive outcome in comparison with the 2015 General Election. The 2015 General Election was unanimously reported by domestic observers, international monitoring team, civil societies, ruling and opposition parties and voters as fair and credible (Nwangwu, 2015). Many Nigerians expected an improvement and a progress in a continuous building of a sound electoral process that will restore confidence and safeguard peoples' will and choice during voting. Unfortunately, a reversal took place. The electoral body, Independent National Electoral Commission (INEC) set a guideline for the conduct of the election including the use of smart card readers, ra-tech for e-collation, and the constitutional provision that a candidate vying for any electoral office must fulfill the criteria of winning with a simple majority in addition to securing at least 25% of the votes in 2/3 of his constituency (Sule, 2019). An additional guideline was set which indicates that for a candidate to be declared a winner, the total number of votes cancelled should not be more than the winning margin between the leading candidate and other competitors. Cancellation of votes in Nigerian election is a normal

culture because of the political culture of zero-sum game, violence, manipulations and logistics problem. Eventually, during the process of the electoral conduct in 2019 in gubernatorial election, the cases of cancellation emerged in some states which are Adamawa, Bauchi, Benue, Kano, Plateau and Sokoto. Elections in some states that did not experienced cancellation too were not what the Nigerians wish for such as Bayelsa and Kogi. The irregularities recorded in these states led to many condemnations and negative reports of the 2019 General Election by both local and international stakeholders (European Union, 2019).

This study is an examination of the politics behind the inconclusive elections in the 2019 gubernatorial election in Nigeria, the causes of the cancellation, the repercussions of the inconclusiveness of the elections studied and its overall implications on the credibility of the 2019 General Election and the future of elections and democracy in Nigeria if such a negative trend continues. While there are numerous studies conducted on 2019 General Election in Nigeria (Emodi, 2019; Sule et al., 2020; Taiwo et al., 2019) none of them paid a serious attention on the phenomenon of inconclusive election. This leaves a huge gap for contribution in the area of study. This is the justification for undertaking this study.

RESEARCH METHOD

The research used the qualitative case study approach. The study area which involves six states in the federation presents unique case of inconclusive election. The research attempted to answer the what, how and why of the phenomenon and that qualifies it to be regarded as a case study (Yin, 2018). A case study approach is important in examining a political phenomenon because it enables for a clear focus and a direction devoid of overburdening researches in the process (Gerring, 2006). Case studies are purposely used to provide a knowledge that is deriving towards the production of results that are useful to policymakers (Gerring, 2006). The research decided to use the case study approach because not all the gubernatorial elections in Nigeria witnessed the same issue. Only few states, six of them precisely, experienced the phenomenon. In doing so, primary and secondary sources of data were collected.

The primary sources of data consist of three major source. The first is participant observation where the researchers themselves participated actively in the process of the conduct of 2019 General Election as senior election officers; collation officers at ward levels in their respective states of origin. Although, the state of the researchers did not experience the inconclusive issue, it has occurred in several neighbouring states where their colleagues in the academia handled the election assignment and they were adequately consulted. The second source is the document from INEC based on the guideline for the conduct of election, Electoral Act, 1999 Nigerian Constitution and some results that were officially released by the electoral body. The third source is the use of an in-depth interview with some selected stakeholders who partook directly in the process of the electoral conduct in the states under study. In each of the six states, five stakeholders were selected and interviewed. Since the battle for governorship seat in all the six states of Adamawa, Bauchi, Benue, Kano, Plateau and Sokoto was a straight forward contest between the APC and PDP candidates, a party executive from the two parties each were identified for an interview making a total of 12 in the six states. One INEC official in each of the six states was interviewed giving a total of six in this category. In another category, university academic staff that participated as ad-hoc election officers were selected one from each state which totaled 6. A member of civil society one from each of the six states was identified and interviewed in the six states which made their total number six. The total number of informants selected is thus, thirty (30) from the five categories of APC party

executives, PDP party executives, INEC officials, academic staff who prompted as INEC ad-hoc staff and members of civil societies as presented in the table 1.

Table 1: Summary of Informants, their Categories and Frequencies

No.	Category	Frequency	Total
1.	APC party executive	6	6
2.	PDP party executive	6	12
3.	INEC officials	6	18
4.	Academic INEC ad-hoc officials	6	24
5.	Civil Societies	6	30
6.	Total	30	30

Source: Field Survey 2020

The secondary sources consist of documented sources such as books, journals, reports, newspapers and internet sources. The data collected were discussed and analysed using content analysis where the data were grouped, coded and interpreted using analytical thematic interpretations. The findings were discussed and interpreted together with the existing literature and the adopted framework of analysis was integrated.

RESULTS AND DISCUSSION

The literature was reviewed according to thematic issues related to the subject matter and area of study. A critical review of issues was made which enabled for the exhaustion of the literature to espouse the contribution that is needed in scientific research of this nature. The issues raised in this segment consist of meaning and function of an election, election in Nigeria, criteria for electoral conduct in 2019 General Election and the 2019 General Election in perspective.

Meaning and Function of an Election

Election is a ritual in a democratic process which is hold periodically to determine how political leaders emerged . Modern system of ruling favours democratic rule because it has the alternative of providing the subjects with a liberty to choose who will lead. By extension, it also offers them the chance to willingly change leadership if they so wish. Election is a technical process which has regulations, guidelines, procedures, approach, system and timeline depending on countries' constitutions (Emerson, 2011). It is a structure that entails how politicians are allowed to compete for power by displaying their policy relevance and the strength of persuasion. An election is measured and evaluated by some certain standards. No election in the world can be totally free without encountering some insurmountable issues but it is adjudged credible and fair if the minimum criteria for its conduct is at least, satisfactory to all the stakeholders (Fredrickson, 2019). Such criteria involved peaceful conduct, fair play opportunity, an independent and a neutral electoral body, issue-based campaign free of hate speech and campaign of calumny, voters are freely allowed to vote for candidates of their choice without intimidation and in addition, contemporarily (Achen & Bartels, 2017), if the domestic and international observers are allowed to analyse and penetrate the process for inputs and report back towards future improvement (Aspinall & Berenschot, 2019). Currently, most of the world countries are operating democracy in different forms and democracies are supported by healthy elections.

Election is performing several functions in a democratic system. One of such roles is a peaceful and legal opportunity for selection of leaders of choice (Wessels & Schmitt, 2012). The election enables for a constitutional change of leadership if the citizens are not satisfied with the current leadership. Election is a rational choice process which offers the voters the chance to vote for their leaders based on some certain considerations such as ethnic kinship, religious affiliation and economic benefit (Burlacu & Toka, 2014). Through election, voters achieve maximum utility in voting typical of political economy of consumer satisfaction. Election also enables for exercising duties and obligations of citizens in the state while providing an enabling environment for leaders to compete for power to actualise their ideology and policy preferences. Additionally, election performs the role of policy continuity or discontinuity depending on electorates' will and choice. Policies receive positive or negative response from voters on election day through support or opposition. This is done through the choice of continuation of leaders that initiate the policies or relieving them for a new set of leadership that promised alternatives (Burlacu & Toka, 2014).

Election in Nigeria

Election is not a new phenomenon in Nigeria and indeed, in Africa in general. Prior to the emergence of colonial rule in Africa, some societies took decisions through voting either by representation or through a general assembly. Before the emergence of British colonisers and the introduction of election through the Western political structure, organised political systems existed in the Nigerian territory according to various cultures, religion and politics (Coleman, 2015). The British introduced political participation in Nigeria in 1922 under the Clifford Constitution in 1922. Since that period, elections continue to take place in Nigeria until the final one in 1959 which ushered in political independence in 1960. Elections took place twice in the First Republic (1960-1966), twice in the Second Republic (1979-1983), once in the Aborted Third Republic (1990-1991) popularly called aborted because the military regime of Ibrahim Badamasi Babangida initiated a transition to civilian rule but the process was eventually halted when the final results of the Presidential Election was about to be declared in June 1991 (Adejumobi, 2015). Election took place in the Fourth Republic (1999-date) six uninterrupted times which signifies a new era in Nigerian democratisation.

Elections in Nigeria since independence are also characterised with irregularities, inconsistencies, allegations of massive rigging and manipulation, violence, subversion of electoral process, politics of zero-sum game and intimidation, lamentations of money politics such as vote buying, bribery and corruption, malpractices of the highest order including ballot stuffing, ballot thumping, ballot snatching and ballot boxes stealing and harassment of voters. Opposition always contested results in Nigeria after the election (Dudley, 1982). In most African countries, incumbents are reported to have been diverting the electoral process to favour their re-emergence at all cost to the extent of killing of innocent souls (Lindberg, 2006). Elections in Nigeria are believed by many scholars as the major causes of military and counter-military coups. In essence, electoral process in Nigeria is a decisive factor in relegating democratisation. Many Nigerians lost hope for a viable and credible election (Falola & Heaton, 2008). For instance, the former President Obasanjo was reported in the build up to 2007 General Election to have uttered that 'election is a do or die affair' meaning it is a war. Additionally, the Human Rights Watch (2007) in its report of 2007 General Election in Nigeria concluded that the Election was influenced and characterised by massive rigging, violence, manipulation which made it far from fair and credible. Furthermore, the Observer Book of Scandal (2010) reported the Nigerian 2003 and 2007 General Elections to be qualified as the third most scandalous election in the history of the world.

However, despite the negative trends that accompanied the Nigerian election, an improvement was recorded especially from 2011 upwards. While the results of the 2011 General Election was bitterly contested by the opposition Congress for Progressive Congress (CPC) and that led to post-election violence in various parts of the country particularly in the North, the observers noted that there was a significant achievement in the electoral process in the country. The 2015 General Election was adjudged fair and credible by most of the stakeholders because it has created a scenario where the opposition party, All Progressives Congress (APC) won the election against the ruling party, Peoples Democratic Party (PDP) with a successful handover that took place without any violence or denial in a peaceful process (Sule, 2019c). Many pundits and voters started developing confidence in the process until the 2019 General Election especially the governorship election where violence and alleged rigging marred the process. Simply, the 2019 General Election is a retrogressive event that set the electoral process in Nigeria backward (Sule, 2019c).

Legal Provision for Electoral Conduct in Nigeria

The Constitution of Nigeria 1999 as Amended provides that INEC is the body responsible for the conduct of general election in Nigeria. Nigeria is a federal state with the central government in Federal Capital Territory Abuja (FCTA), six (6) geopolitical zones, 36 states and 774 local governments. The executive office consists of the President and his Deputy at the national level, Governor and his Deputy at the state level and Chairman and his Deputy at the local government level. The Nigerian National Assembly consists of the Senate and the House of Representatives. The Senate comprises of 109 members with three (3) each from a state and FCTA. The House of Representatives is composed of 360 members drawn according to population of each state. The State Houses of Assemblies are elected from respective constituencies based on population at the state and the same is applicable for councilors at the local government level. For each four (4) years, Nigeria conducts election for these elected political offices in four (4) phases: Presidential Election, National Assembly election, gubernatorial election and state house of assembly elections (Global Legal Research Centre, 2011).

The Nigerian 1999 Constitution provides for freedom of association in Section 40 including the formation and belonging to a party as a member. Section 65 to Section 79 and their subsections make provisions for the age qualification and other mandatory requirements for electing an officer into the National Assembly including the tenure limit. Section 106 discloses those who are eligible to contest for National Assembly seats while Section 107 provides some conditions that will make somebody to be disqualified. Section 132 up to Section 139 and their sub-sections provide for the qualification and conditions for election of a President, disqualification, tenure, other terms related to illness and incapability as well as resignation. Section 142 provides for the same procedures for electing a Vice President in Nigeria. Sections 176 to 184 provides for the establishment of the Office of the Governor, qualification for election, disqualification, death, incapability and the process for the conduct of election with Section 187 providing the same for the Office of the Deputy Governor. Section 225 and Section 226 with their sub-sections provide for the legal regulations on financing of political parties, sources of income and expenditure, campaign spending limit and auditing of parties' finances (Policy and Legal Advocacy Centre, 2019).

The second legal document that provides regulations for the conduct of election in Nigeria is the Electoral Act 2010 as updated. The Electoral Act in Section 1 provides for the establishment of the body,

Section 2 provides its functions, Section 3 explains provision of the body's fund and Section 4 provides for the expenditure of the Commission. Section 9 and Section 10 with their sub-sections provide for the registration of voters and continuous registration while Section 12 provides the criteria for qualification to be registered and Section 13 provides for transfer of registration from one unit or constituency to another. Section 14 to Section 22 provide additional explanations on other issues related to voters' cards such as issuance, replacement, distribution and usage. Section 23 and Section 24 provide laws relating to offences on voters' registration and selling of voters' card. Section 25 up to Section 78 with their sub-sections provide for all the rules relating to the conduct of election involving party primaries, submission of candidates' list, replacement of candidates, nomination, contest, delineation of polling units, provision of election materials, appointment of election officials, custody of election materials, the voting proper, collation of results, announcing of results, declaration of winners, election petition tribunals and other matters arising (The Independent National Electoral Commission (INEC), 2010). Other guidelines are provided in the INEC's 2019 document for election conduct. The fundamental issue of analysis in this study is the aspect in the guideline which provides for the issue of inconclusive election. The criteria were analysed in the discussions and findings section and this need not arrest us here.

The 2019 General Election: A Review

The 2019 General Election was conducted in February and March in the same year. Some challenges were encountered by the electoral body in the process of the election which include delay in the release of fund for procuring of electoral materials. The delay led to the phenomenon of postponement of the election from 16th February 2019 to 23rd February 2019 for the Presidential and National Assembly Elections and from 28th February 2019 to March 9, 2019 for the gubernatorial and state house of assemblies' elections (Sule, 2019d). Other challenges encountered include the multiplicity of parties which made the process cumbersome and difficult in terms of logistics (Sule, 2019d), the politics of decamping, intra-party conflicts which resulted in court litigations and issues of political party financing which is a beast that is seemingly difficult to be tamed by the INEC owing to the nature of money politics, vote buying, excessive spending, bribery and corruption in addition to characterised violence.

Some statistics were presented in the preparation to the 2019 General Election which are vital for analysis here. The number of contestants according to INEC was 23, 000 candidates who contested for different elective offices from Presidency down to the level of state houses of assemblies (The Independent National Electoral Commission (INEC), 2019). A total number of 92 political parties were registered and cleared to contest for the election in different levels. In the Presidential Election, 73 parties or candidates competed together with their running mates. At the state level, 1, 064 candidates contested for governorship seat in 29 states which were earmarked for holding of the election at that period together with their running -mates. In the National Assembly, 1, 903 battled for Senate, 4, 703 scrambled for House of Representatives, 14, 643 competed for state house of assemblies, 105 contested for FCTA Chairperson and 701 struggled for the post of Councillorship (Centre for Democracy and Development, 2019).

A total number of registered voters in the 2019 General Election is 84, 004, 084 million. The voters' registration by gender indicated 44.4 (53%) million is male while 39.6 (47%) million is female. The age category of voters revealed that 51% fall within the age bracket of 18-30, 30% fall within the age category of 36-50, 15% is within the age bracket of 51-70 while 4% is from 70 years of age and above. The voters' distribution by occupation indicated that 22.3 million are students, 13.6 million are farmers and fishermen, 11.8 housewives, 10.8 million are businessmen, 7.6 million are traders, 5.0 are civil servants, 4.5 million

are artisans and 6.0 million others. The distribution of voters across the six (6) geopolitical zones disclosed that Northeast has 11.3 million, Northcentral 13.4 million, Northwest has 20.2 million, Southeast 10.1 million, Southsouth 12.8 million and Southwest 16.3 million (Budgit, 2019). The results of the elections disclosed that the two (2) major contending parties struggled to win at all levels as indicated by the statistics in table 2.

Table 2: Summary of the Results of 2019 Presidential Election in Nigeria

S/No.	Parties	Votes Won	Percentage
1.	APC	15, 191, 847	55.69%
2.	PDP	11, 262, 978	41.28%
3.	Others	826, 419	3.03%
4.	Total	27, 281, 244	100%

Source: (Sule, 2019a).

In the National Assembly Elections, the following results were obtained in both the Senate and House of Representatives by table 3.

Table 3: Summary of the Seats Won by Parties in the National Assembly Elections in 2019

S/No.	Parties	Seats Won	Percentage
Senate			
1.	APC	65	59.63%
2.	PDP	43	39.45%
3.	Others	1	0.92%
4.	Total	109	100%
House of Representatives			
1.	APC	190	52.78%
2.	PDP	151	41.94%
3.	APGA	9	2.50%
4.	ADC	3	0.83%
5.	PRP	2	0.56%
6.	AA	2	0.56%
7.	SDP	1	0.28%
9.	ADP	1	0.28%
10.	LP	1	0.28%
11.	APM	1	0.28%
12.	Total	360	100%

Source: (Sule, 2019a).

In the Gubernatorial Election, the following results were reported in table 4.

Table 4: Summary of Governorship Election in 2019

S/No.	Party	Seats	Percentage
1.	APC	16	51.61%
2.	PDP	15	48.39%
3.	Total	31	100%

Source: (Sule, 2019a).

The gubernatorial election was not conducted in all the 36 states because some of the states have different time table for holding of their elections due to some circumstances that altered the process in those respective states. Initially, elections hold in 29 states on March 2019, 23 of them were declared with six of them reported as inconclusive. Two other states hold their election later in November 2019 making the tally 31. This is where the problems and issues emanated from because the gubernatorial elections in many states were bedeviled and enmeshed in violence, massive rigging, subversion of the process, irregularities and even killings in some of them as reported by European Union (2019), Centre for Democracy and Development (2019), International Republican Institute (2019) and National Democratic Institute (National Democratic Institute, 2019).

Framework of Analysis

The work adopted Game Theory to explain the rationale behind why some gubernatorial elections were declared inconclusive and why there were issues in them. The theory will help in understanding the context of the study, it will strengthen the literature and help in portraying the illustration in the findings. Election is considered by this study as a game that is played between two or more competitors who can go to any extent to secure victory at all cost especially in Nigerian context. Election is a struggle and a competition for power in a democratic system just like giant football teams who are competing for a golden cup in a tournament. Politicians compete intensely for elective offices like two rival football teams in a derby. In the game of football, players employ all techniques, strategies and approaches known and unknown to their rivals to win at all cost even if it's through other means. The same is obtainable in the game of politics and in Nigerian context specifically.

Game Theory is the mathematical and matrix of permutations and analyses which postulate the process of decision-making under intensive competition. In modern politics, competition for power is played like games. Game Theory can be used to depict the process of decision-making in domestic and international politics and by both state actors and organisations in a strategic situation. Election is a competition by parties and candidates to secure victory into political offices for the promotion of the ideology and interests of the competitors. The foundation of Game Theory can be traced to John Von Neumann and Oscar Morgenstern (1947). They established the mathematical and economic rules and combinations for understanding strategic competition and decision making to make both ends meet for the competitors.

The Theory assumes that in the process of competition, players adopt different techniques and strategies in the pursuance of their goal to outsmart other closer competitors. The Theory has some mathematical combinations used to illustrate its applicability and practicability such as zero-sum game, non-zero sum game, prisoners' dilemma, game of chicken, payoff and other terminologies that this work need not go into because it has a limit for adoption and applicability in this context. This study just examines the rudiments of the Theory's assumptions and how it is related to the context of study in practical terms.

Game Theory has five assumptions as follows: every game has two or more players who are closely competing for the same goal; there is a payoff based on the players' norms and preferences; there are set rules and regulations for players in playing the game; the competing players possess diverse information and data on their opponents' movements and strategies and competing movement interact in the game. In applying the Theory to this study, it can be easily linked with contestants for the post of governorship offices in some selected states under study as players where the case of inconclusive were recorded as

competitors who have the knowledge of the environment, they are aware of the rules of the game, they target the same goal, they employ different strategies to outsmart each other and possess a deep knowledge of what their rivals are preparing. At the end, those who were able to outsmart the opponents emerged victorious from the process even amidst the break-up of the rules of the game and irregularities. The main aim is victory at all cost and using violence and rigging to win served the purpose well so the game is normal to the winners.

The data obtained were grouped and discussed here under three main sub-headings or themes as follows: guideline for the conduct of 2019 General Election; the cases of inconclusive election in some states, an evaluation and effects of inconclusive election on the credibility of the 2019 General Election.

Guideline for the Conduct of 2019 General Election

The INEC in the build up to 2019 General Election released some guidelines that must be followed in conducting the election. While most of the provisions in the guidelines are obtainable in the 1999 Constitution and Electoral Act 2010, some of them were incorporated recently. This study presented these guidelines succinctly in a tabular form for easy illustration in table 5.

Table 5: Guideline for the Conduct of 2019 General Election in Nigeria

S/No.	Guideline	Application
1.	Who is affected by the regulations in general	President and Vice President, Governors and Deputy Governors, National Assembly (Senate and House of Representatives, Chairmen and Vice Chairmen FCT Abuja and Councillors FCT Abuja.
2.	Regulations numbers 2, 3, 4, 5, 6 and 7	Provides for who can vote, where to vote, when to vote, appointment of polling unit officer and APOs.
3.	Regulations 8 to 26	Stipulated the process of accreditation and voting process which include accreditation of voters by 7:30 am, opening of poll, method of voting, mandatory use of smart card readers for accreditation and voting, issues of missing name in voting register, card failure, taking care of person with disability, accidental destruction of ballot paper, use of electronic devices in the polling units, close of voting, sorting and counting, recounting, pasting of results, transmission and reporting of cases of over voting or cancellation which declare those affected units' results as null and void.

4. Regulations 27 to 32
Present the criteria for collation of results, from registration area, local government area, state constituency and federal constituency, senatorial constituency, governorship and presidential election. Phone calls were prohibited during the collation process by officers. Various respective forms called forms ECs are filled up each in its designated area and pasted up to the final collation centre by the electoral workers.

5. Section 33 and its subsections
Supplementary elections can occur where the election is declared null and void in an area and it is believed that the result will affect the overall outcome. Where the total number of cancel votes are less than the margin of lead between leading candidate and contending candidates, the officer shall declare the results. Where the margin of lead between the two leading candidates is not in excess of the total number of voters registered in polling units where elections are not held or voided in line with Sections 2 and 53 of Electoral Act, the election is declared inconclusive and a new date is fixed for holding the supplementary election.

Source: (The Independent National Electoral Commission (INEC), 2010)

The above were brief review of some of the guidelines for the conduct of the 2019 General Election. Not all the provisions were presented in the table because the most important area of concern for this study needs to be covered while other sections may not be relevant in the analysis. The crux of the matter which is the phenomenon of inconclusive election was bolded to indicate that this is the section that the study pays much attention to. The section indicates that the margin of lead issue may lead to inconclusive election and the declaration of a supplementary election. The issue is that it is not a provision in the 1999 Nigerian Constitution neither in the Electoral Act 2010. It was introduced in 2018 during the gubernatorial election in Osun state which led to some loopholes that politicians identified as a means of escaping defeat in 2019 General Election as we shall see in the later section. For instance, if the leading candidate A leads with a margin of 5, 000 votes, and a polling unit or ward is cancelled which has a total registered voters of 8, 000, and the number of accredited voters on that particular day was 3, 000, the final verdict is 8, 000 is higher even though, only 3, 000 was accredited then the election is declared inconclusive and a new date is set for a supplementary election even when the leading candidate fulfilled other requirements of a simple majority and securing a 25% of votes in two-thirds of the constituency that he is contesting. It

sounds illogical in the perception of this study because even if the election is hold again, it would be difficult for the number of voters to be higher than the initial first day which means by logic, the leading candidate wins the election but if he is an opposition where he lacks the powers of incumbency, the supplementary election may turn the result against him as it happened in the case of this study in some areas.

Politicians will not hesitate to utilise all techniques to win the race of election at all cost. Inconclusive election was found to be convenient for restrategising by incumbents or ruling parties who were at the verge of losing to manipulate. Although it is constitutional since INEC provides such as part of the guideline for the conduct of the election, how politicians use legality and illegality to escape defeat and sanction is another matter differently. The Game Theory is practically visible in this perspective because the politicians found the loophole of inconclusive election as a strategy for make up towards victory. In some of the affected areas, the opposition party is winning until the declaration of inconclusiveness which saw another version of results later. Neither the ruling nor the opposition party is exonerated from the attempt at manipulation as observed by most of the informants. It is only the powers of incumbency and the use of force that determined who laughed last in the race.

The Cases of Inconclusive Election in Some States: An Evaluation

As earlier observed in the regulations and guidelines for the conduct of 2019 General Election, it eventually occurred that some elections in some states had to be declared inconclusive. An election took place in Osun state in 2018 which was the due date for holding of gubernatorial election in that state. INEC introduced as one of the requirements for returning a winner the issue of inconclusive election. Once the margin of lead between the leading candidates failed to be in excess of the cancelled votes which is considered to have been a sum of all the registered voters even if not all of them participate in the election in the first place. The Osun case was identified by many analysts and pundits in Nigerian electoral process as a preparatory ground for what to expect in the 2019 General Election in the gubernatorial election. After the PDP candidate succeeded in leading with a slight margin, the APC welcomed the declaration for an inconclusive election in Osun which was suspicious and an anticipated attempt at turning the result. The APC candidate polled 254, 345 and the PDP candidate scored 254, 698. A margin of 353 emerged with cancelled votes of 3, 498. On the supplementary election day in Osun, the PDP agents were ostracised from the polling units of the affected areas which enabled for the APC to returned a result of its wish. Additionally, thousands of security personnel amounting to 7, 000 were taken there and that has terrorised and drive away several voters from the polling units. The final results displayed that APC now scored 255, 505 and PDP 255, 023 which indicated a difference of 482 (Alagbe, 2019). A report declared that the INEC results presented from the supplementary election was valid but the process was not free of irregularities (Africa, 2018).

In the 2019 General Election, six states experienced the cases of inconclusive election. Adamawa and Bauchi states in the Northeast, Benue and Plateau in Northcentral and Kano and Sokoto in the Northwest. In the case of Adamawa, the opposition PDP candidate was leading with a margin against the incumbent APC candidate of but the total cancelled votes in some polling units were more than the margin of lead. The election was declared inconclusive (TVC News TV, 2019). All efforts to alter the result in the supplementary election was resisted by voters as narrated by the informants consulted in that state from this research. The opposition PDP won finally (SaharaReporters, 2019a). The election did not record violence which is commendable. In Bauchi State, the same scenario with that of Adamawa was obtainable. The opposition PDP candidate was leading against the ruling APC candidate with a margin that was less

than the total cancelled votes in some areas in Tafawa Balewa and other local governments (Olokor, F. & Bakari, 2019). Before the supplementary election day, the APC candidate rushed to court and asked the court to declare him a winner and to stop the conduct of the supplementary election. The court initially accepted his request but later the judgement was turned down after an appeal by the PDP candidate. The electoral officers were intimidated and threatened from exercising their responsibility by the ruling APC in the state as mentioned by some of them in this research. The supplementary election was finally conducted and the people of the affected areas resisted all attempt to manipulate the result. The opposition PDP win slightly (Edeh, 2019).

In Benue, an unfortunate incidence of violence and characterised rigging by the two leading contenders, APC and PDP resulted in the cancellation of many areas in the state by the returning officers. The incumbent PDP candidate was leading with a margin that was less than the total cancelled votes. A supplementary election was declared (TVC News TV, 2019). On the supplementary election day, an unfortunate incidence of violence was reported in several places including shooting of some electoral officials, burning of election materials and terrorising of voters who vacated the polling units for their safety. The PDP candidate was declared a winner after several reports of irregularities and manipulation (BBC News Pidgin, 2019). The informants consulted in this research five of them attested to that except the PDP party executive who denied any wrongdoing and confessed that both of the contending parties were actively involved in the rigging and violence but the media was bias in its reporting. In his view, the people voted massively for their party because of its performance in the past four years that is why the opposition was lamenting.

In Plateau, the ruling APC has its candidate leading after the first election against the opposition PDP candidate with a slight margin accompanied with cancellation in several places. The margin of lead failed short of the total cancelled votes and an inconclusive election was declared (SaharaReporters, 2019b). The supplementary election was not violent as it was conducted peacefully but the PDP candidate who lost the election to the ruling APC alleged massive rigging, irregularities and connivance with electoral officials to sway the result in favour of APC (Hamalai et al., 2017). Most of the informants contacted by the researchers disclosed that the supplementary election in Plateau was fair except that the election materials were supplied lately in some places which made the election to start behind schedule. The informants further revealed that money was heavily used in the supplementary election for vote buying but there was no violence except in some flashpoints which are inevitable due to its volatile nature. However, the PDP party executive alone lamented that what happened on the supplementary election day was a charade and not an election because the ruling APC wrote the result it wishes and announced. We have challenged the election result in election petition tribunal courts with factual evidences but justice was blocked by the ruling party. It was an injustice meted on us.

In the case of Kano which is the magnum opus of this section, unpleasant and a disappointing story was reported by the electoral officials, media, civil societies, domestic and international observers, voters and analysts. The Kano election should not have in the first place been reported as inconclusive because it was concluded. Out of the forty-four local governments, the results of forty-three local governments were collated and returned indicating a slight winning margin by the opposition candidate PDP, the finally awaited local government result in Nassarawa local government was declared inconclusive because the Deputy Governor of the ruling APC in the State and the Commissioner for special duties went to a ward called Gama and torn the result sheet which was already collated and declared. The consequences of the actions of the government's officials led to the declaration of Kano results as inconclusive. Kano state is the

most populous in Nigeria with an estimated population of over 20 million, politically versatile and dynamic and an important centre that no party could afford to lose (Alechenu, 2020).

On the supplementary election day, an unfortunate incidence which shattered the hope of voters and other genuine stakeholders occurred. In the early morning, the Commissioner of Police Mohammed Wakil, who is popularly known as the 'trustworthy' for his upright and honest standing in matters of security and politics was relieved deliberately by the Nigerian Police Force Headquarters and was replaced by an Assistant Inspector General (AIG) and two Deputy Inspector Generals (DIGs). This situation led many to suspect a sinister motive because the Commissioner was able to contain all upheavals in the previous election which affected the whole state how could he fail to maintain peace and security in just some few areas for the supplementary election to the extent that three superior officers were instructed to replace him on that fateful day? Many alleged an arrangement from top, the national level in which the ruling APC has an interest in holding Kano at all cost for its political interest. Some of the informants narrated this position. In addition, there were allegations according to one of the informants, that the Commissioner was bribed in hundreds of millions of Naira to allow for the ruling APC in the state to perpetrate violence and subvert the result through intimidation of voters and opposition but he stood firm his ground against it. This, according to another informant, as likely as true as it may seem, the opposition PDP was not spared in the act of violence and an attempted manipulation too.

Apart from the security breach by the ruling APC which gave it an edge on the supplementary election day, thugs were seen moving in the affected areas for the rerun especially in Gama Ward in Nassarawa local government area brandishing and unleashing menacing weapons. Once the accreditation for the election commenced, the thugs unleashed their weapons on voters, opposition party, civil societies, observers and media. Several media including Channel TV, TVC News, VOA Hausa and BBC Hausa as well as local radio stations reported that their reporters were chased away at the threat of death by the thugs. Most of the informants interviewed revealed that what happened in Kano was just a charade by some charlatans who are desperate at all cost to secure victory. The election according to several reports and observers was violent leading to death of many innocent souls, their corpses were displayed in the YouTube and were circulated in Facebook and WhatsApp as well. The media reported several mayhems, some electoral officers deserted their stations and ran away for their life. One of the electoral officials narrated his ordeal to the researchers that he was threatened by armed carrying thugs at the verge of his life to surrender all the voting materials both sensitive and non-sensitive including the electronic machine of card readers. Cases of ballot thumping, ballot stuffing, ballot boxes snatching and manufacturing of results were all reported according to one member of the civil society interviewed in Kano. He further added that what happened in Kano could not be called an election but rather something else be it imposition or mandate stealing or robbery. The result of the election was challenged up to supreme courts but all the courts unanimously upheld the election as valid.

In the case of Sokoto State, a close contest took place between the incumbent PDP candidate and the opposition APC. The results were so tight that the margin of lead was less than 4, 000 which the ruling PDP candidate was leading with. Cancellations in some areas led to declaration of the election as inconclusive (Onah & Chukwu, 2017). On the supplementary election day, no violence was recorded or attempt at subversion but a scenario of vote buying was reported more than any other state that were affected by the issue of inconclusive election. A single vote was bought by the APC and PDP candidates' agents at the cost between N10, 000 (\$27.78) or N15, 000 (\$41.67). voters were subjected to selling their votes and their rights to freedom of choosing a leader of their choice because of abject poverty with Sokoto being one of the poorest states in the country (Animashaun, 2010). The PDP candidate, who was the

incumbent finally won with a slight margin (BBC News Pidgin, 2019). The case was contested in courts up to supreme court but all the courts upheld the election. Most of the informants with the exception of the APC party executive revealed that the process was decent and fair only that the academic INEC ad-hoc staff rebuked INEC for failure to sanction the open use of money for vote buying which is illegal according to Electoral Act 2010.

In the theoretical perspective, the Game Theory is applicable here which assumes that political decision making and competition by key players is strategising towards victory using all available means. The inconclusive election may have emerged from a natural cause by cancellation in some places but the initial cancellation itself is the product of political manipulation since it is mostly associated with violence by supporters and members of the leading parties in their bid to win at all cost. Take Kano for instance, the inconclusive was purposely created as a game to prepare for winning the final battle at all cost. It was not a hidden agenda that the APC party chairman in Kano State was reported in a widely circulated YouTube video obtainable in this link (<https://www.youtube.com/watch?v=zBSZr84u084&t=19s>) to have said that the election must be secured for the party at the verge of death, at all cost. The cost was killings of voters and electoral officials as it was unveiled later. This process exhibits how Nigerian politicians play the zero-sum game in their unflinching thirst for power.

One irony with the cases of inconclusive elections in the states reviewed above is that cancelled votes were always the reason behind the supplementary elections but all the elections that were later conducted could not surpassed the margin of leading except in few cases as indicated in the table 6.

Table 6: Summary of the Results of Inconclusive Election in Adamawa, Bauchi, Benue, Kano, Plateau and Sokoto.

State	APC	PDP	Margin	Cancelled Votes	Leading Party
Adamawa	334,995	364,471	32,476	40,988	PDP
Bauchi	465,453	469,512	4,059	45,312	PDP
Benue	329,022	410,576	81,554	121,019	PDP
Kano	987,819	1,014,474	26,655	128,572	PDP
Plateau	583,255	538,326	44,929	49,377	APC
Sokoto	486,145	489,558	3,413	75,403	PDP

Sources: (Alagbe, 2019; Alechenu, 2020; Olorok, F. & Bakari, 2019; SaharaReporters, 2019a; The Independent National Electoral Commission (INEC), 2019)

The supplementary elections in the above states indicated that the total votes were not up to the margin of lead in most of the states which questioned the rationality behind the inconclusive as presented in the table 7.

Table 7: Results of Supplementary Elections in the Inconclusive Elections in the Affected States

State	APC	PDP	Difference	Final Winner
Adamawa	1,391	10,480	9,089	PDP
Bauchi	5,117	6,376	1,259	PDP
Benue	16,133	23,897	7,764	PDP
Kano	45,876	10,239	35,637	APC
Plateau	12,327	8,487	3,840	APC
Sokoto	25,516	22,444	3,072	PDP

Source: (Alechenu, 2020; BBC News Pidgin, 2019; Edeh, 2019; SaharaReporters, 2019a; The Independent National Electoral Commission (INEC), 2019)

In Adamawa, Benue and Plateau, the supplementary election was less than the initial margin of lead which means that ideally, there should not be such election once the leading candidate fulfilled other criteria to avoid the violence and manipulation of electoral process which will weaken democracy and disempower voters in the process.

Effects of Inconclusive Election on the Credibility of the 2019 General Election

The Presidential and National Assembly Elections was conducted peacefully in most parts of the country and it was believed that the process was fair. However, the gubernatorial election in some of the states rendered the overall evaluation of the electoral process in 2019 by observers and civil societies and many stakeholders as unfair and far from being credible. This is because there are many issues that affected the election which are identified by this research and discussed below.

Violence: the inconclusive elections in some states led to a violence that set the Nigerian electoral process in retrogression and democratisation was relegated backward. many informants narrated that if the elections were successfully round up in the first day as it happened in many states, the politicians may not have the chance to unleash terror on the supplementary election day. Other informants opined that violence of great magnitude occurred in some states that witnessed supplementary elections because the politicians intentionally desired to use it to achieve their goal of victory at all cost. Many observers (Centre for Democracy and Development, 2019; European Union, 2019; International Republican Institute, 2019; National Democratic Institute, 2019; Sule, 2019c; Sule et al., 2020). reported the scale of violence and condemned the process of the supplementary elections especially in Benue and Kano. The United States has unequivocally warned all the politicians in Nigeria that are involved in the process of the violence in 2019 General Election that they would be ban from traveling to America because of the damaging effects of their actions on democracy. However, not only the inconclusive states that experiences violence in the 2019 gubernatorial elections. The negative success of the violence in the supplementary elections motivated the ruling APC to repeat worse than what happened in Kano on November 2019 during gubernatorial elections in Bayelsa and Kogi. There were gunshots, use of fake security to perpetrate violence and terror on voters and stakeholders, all supervised by the security personnel. Sophisticated weapons including AK-47 and machine guns were used by thugs in the Bayelsa and Kogi election to win the two governorship seats (European Union, 2019; SaharaReporters, 2019b). The Bayelsa seat was returned to the PDP but not on ground of rigging but for irregularities in the presentation of certificates by the Deputy Governor of APC. The Game Theory again surfaces here in practice.

Rigging: another effects of the inconclusive election in the states under study is rigging of the election. It was believed by many of the informants that the election process in the affected states was dragged purposely towards the stage of inconclusive to enable them prepare for the next line of action. One of the academics and an INEC ad-hoc member consulted in the interview revealed that immediately the Kano and Sokoto elections were declared inconclusive, I knew that the game is over. The PDP was winning in Kano and APC was winning in Sokoto but the table was turned when they bought enough time to strategise for the next election. Levitsky & Ziblatt (2018) believed that such action was what kills democracy across the globe. They argue that from unguarded utterances, the politicians move into action that actualise their threats which are inimical to democracy. To support this view, it was cited above how the Kano APC chairman was reported to have uttered that they must win the election even at the verge of death. His utterance was actualised actively on election day. The civil societies, observers and some studies (Centre for Democracy and Development, 2019; European Union, 2019; International Republican

Institute, 2019; National Democratic Institute, 2019; Sule, 2019c; Sule et al., 2020) reported the same situation in most of the inconclusive areas. Again, the Game Theory was applicable here because the politicians took the game as a process of manoeuvring their way into power by every available means to them.

Disenfranchisement of Voters and Subversion of Electoral Process: democracy and election are inter-related and peoples' choice and aspirations are what are considered as the beauty of democracy. Unfortunately, in the 2019 gubernatorial election in some states that experienced the phenomenon of inconclusive, the supplementary elections denied many voters from exercising their franchise or the right to vote. Reports available to this research indicated that in many places such as Benue and Kano, voters were chased away with menacing weapons which scared them from approaching their polling units to cast their votes. In other places like Sokoto, voters were systematically disenfranchised when their votes were bought at the cost of between N10, 000 and N15, 000. Sorensen (2018) argues that political actors choose democracy only when it favours them. Elections are in most cases incompatible with democracy especially in the weak states like Nigeria where democracy is operated because of elite domination. The dream of democracy, according to Susskind (2018) is to provide good governance and freedom of choice of leadership and policy but the future of democracy is threatened by the actions and decisions of politicians as in the case of the supplementary elections in some states in Nigeria. Sule (Sule, 2019b) reported in his investigation massive fraud and manipulation in some places in the 2019 General Election. Most of the informants consulted in this work narrated their unpleasant personal experiences on supplementary election day. One of them disclosed that he was attacked together with his team in one of the inconclusive states with guns and machetes. They quickly surrendered the sensitive election materials to the gang and ran for their life. He was about to report to his superior officers when he heard the announcement of the results over the media in his area of supervision when election did not hold at all. Another revealed that they were instructed by thugs and ruling party members in the state of his assignment to leave the place of their duty and come back later to receive the manufactured results. When they contested the results, the senior officers accepted and asked them to comply. This prove the supposition of Game Theory of winning a competition by politicians at all cost.

Retrogression to Electoral Process in Nigeria: the election in 2019 was generally evaluated as below that of 2015 in terms of fairness and credibility (Sule, 2019c; Taiwo et al., 2019). In the 2015 General Election, both the ruling and opposition parties were satisfied with the results although the former President Jonathan lamented that the process was manipulated (Jonathan, 2018). But civil societies, observers, voters and INEC all agreed that the 2015 General Election was fair, credible and satisfactory (Sule, Azizuddin & Mat, 2018). Many informants reported that the much euphoria that motivated the Nigerian voters to vote in 2019 General Election building from the success of the 2015 was dampened by the irregularities in the supplementary elections in 2019 in some inconclusive states. Other informants suggested that what happened in some states gubernatorial elections especially in the inconclusive states paved the way for the ruling party to replicate the same in other states such as Bayelsa and Kogi. It depicts a serious setback in the hard-earned electoral integrity of Nigeria in 2015. Again, some informants disclosed that many voters especially in the affected states lost hope in the electoral process and broke their voters' card swearing that they will never participate in the process again. It is also a setback to democracy and democratisation as observed by Sorensen (2018), Susskind (2018) and Levitsky & Ziblatt (2018). The International Federation for Electoral System (IFES) reported a trend of decline in the confidence and satisfaction of voters on the overall conduct and performance of 2019 General Election The Game Theory is also applicable here. Politicians in playing a game of competition pay little attention to

integrity or credibility of the process that brought them to power in the case of democracies like that of Nigeria (Le Van, 2011). This is the reason why they employ all techniques irrespective of the damaging effects of the situation.

CONCLUSION

The study concludes that the inconclusive elections in some states were uncalled for in the first place because of the aftermath of holding the election which were characterised with violence, rigging, disenfranchisement of voters and discrediting democratic process. Politicians manipulated that section in the guideline for electoral conduct in 2019 to win at all cost particularly in states where the opposition party was winning before the declaration. The effects of the phenomenon of inconclusive election led to the perception of the 2019 General Election as unfair and incredible. It was a retrogression of the success recorded in the 2015 General Election. In the process of supplementary elections, many losers manoeuvred their way into power through the use of all available means against the peoples' wish. The study also concludes that the whole process of inconclusive election is a negative development in the history of Nigerian election and a setback to democratisation. The study also concludes that the inconclusive election should not have occurred in the first place since there are leading candidates who fulfilled other criteria constitutionally in order to avert the disaster that took place in the supplementary election day in most of the affected states. In order to arrest this phenomenon.

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