

Electoral Militarization and the Challenges of Free and Fair Elections in Nigeria: A Focus on the 2023 Presidential Election

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ABSTRACT

Elections in Nigeria has not only become a “do or die affair” as aptly captured by former President Olusegun Obasanjo but a reflection of the character of Nigeria’s political class who are only interested in extracting all they could from the country. Additionally, a major issue of debate and comments from scholars after every election in the country is the use of the military in the conduct of such elections. This study examines electoral militarization and the challenges of free and fair elections in the country with a focus on the 2023 presidential election. Qualitatively driven with reliance on the secondary sources of data, it argues that although the 2023 election scored some level of pass mark in the area of security deployment and the exhibition of some decorum in the conduct of security personnel in some states of the federation during the election, the heavy presence of the military negatively affected the outcome of the contest. Similarly, it adduced the low voter turnout in the election and traced most of the recorded incidences of violence and malpractice to the intimidating presence of military personnel during the process. The study recommends constitutional and political reforms aimed at making politics less attractive particularly at the centre, reduction in the jumbo salaries and allowances paid to political office holders, introduction of electronic voting among others if the attainment of a free, fair and credible elections is to be achieved in Nigeria.

Key words: Election, Electoral Militarization, Presidential, Nigeria

INTRODUCTION

Election is a formal process where people choose their representatives or decide on a particular issue. It is a fundamental aspect of democracy, allowing citizens to participate in the decision making process and hold their leaders accountable. As a matter of fact, there cannot be democracy in the right sense of the word without election, a development which makes the process a key determinant of any democratic experiment. Election is a serious contestation by candidates for votes often through political parties. The candidate or a party with the most votes in such contest is deemed to have emerged as the winner and gets to represent the people or make decisions on their behalf. Elections can be held for various positions, such as president, parliament or even local government and it can also be held to decide on specific issues, like constitutional amendments or policies of government (Yohana & Maichbi, 2022:13).

However, election as a contest between candidates and political parties is not really an issue but the process of the conduct of the election remains key to the success or failure of democratic experiments. What this means is that for an election to fit into the prism of democracy, it must meet certain basic criteria or conditions. But basically, the election must be seen to be and as well adjudged to be free and fair and for it to attain that status, all citizens must be able to vote without fear or intimidation. This of course becomes the key focus of this study.

The history of post-colonial electoral engineering in Nigeria is replete with instances of militarism and violence during election times. Fair documentation of such a culture of electoral violence has been attained through a number of scholarly literatures. Campbell (2010), for example wrote on the possible implications of

the jettisoning of the People's Democratic Party (PDP)'s "unwritten" zoning formula for Nigeria's peace, stability and democratic consolidation. For Osumah & Aghedo (2010); and Ekweremadu (2011), Nigeria's recurring pattern of electoral violence should be seen as a manifestation of the growing disappointments and apprehension of the electorates and the inability of the Independent National Electoral Commission (INEC) to conduct widely accepted, free, fair, and open elections. Others have placed Nigeria's history of electoral violence within the door step of vote rigging, dodgy politics, ballot snatching at gun points, violence and acrimony, "thuggery", brazen falsification of election results, the use of security agencies against political opponents and the intimidation of voters over the years, (Oni et al. 2013, Bekoe, 2011, Omotola, 2010, Adigbuo, 2008).

Aside from INEC's failure to deliver on its avowed mandate in virtually all the elections in the country since the return to democratic governance in 1999, the militarization of the process has continued to threaten Nigeria's attempt at achieving a free, fair and credible election. In fact, this much has been argued by Olaniyan and Amao (2015) with their submission that the seeming inability of INEC to discharge its responsibility effectively coupled with the political partisanship of the security agencies in the discharge of their duties during and after elections has continued to threaten Nigeria's attempt towards democratic consolidation. Additionally, the intimidating presence of the military during elections has already violated a key condition of a free, fair and credible election where all citizens and by that registered voters must be able to vote for a candidate of their choice without fear of intimidation. As Gueye & Hounkpe, (2010) argues, the mode of involving security forces and how they carry out their duties while participating in the electoral process in Nigeria can also be adduced as part of the fundamental causes of violence and insecurity during elections. Onapajo (2014), drawing references from a number of elections conducted in Nigeria between 2007 and 2011 argues that, in terms of influencing election outcomes, the incumbent has been more associated with violence during elections than the opposition. In all of these scholarly assessments however, there has always been a particular constant, the role of Nigeria's security forces in the ensuing violence that has greeted most of these elections (Olaniyan and Amao, 2015).

On the other hand, militarization which is the process by which a society, institution or individual becomes increasingly influenced by or subject to military values, structures, and personnel as well as the expansion of military power, influence, and culture into areas previously considered civilian or non-military has become the bane of electoral process in Nigeria (Animashuan & Borisade, 2021:241). The above definition captures vividly what has befallen Nigeria in its bid to surmount the challenges of free, fair and credible election as the electoral process meant to be purely a civil obligation of citizens have been distorted by the heavy presence of the military in what would have been a straight civil issue which election portends. It has been argued by scholars that election is solely a police affair as the presence of security operatives around the polling booths are for the protection of the citizens and not to intimidate them. Thus, it has been argued further that soldiers or the military has no place in elections. As a matter of fact, if Nigerian policemen are found effective in international peacekeeping which entails engagements with parties in conflict and oftentimes electoral duties, then it is quite surprising that they are found not suitable to handle electoral duties in Nigeria. This position is equally strengthened and validated by the fact that both the police and the civil defence combine are not reckoned with and trusted to deliver on their civil duties during elections in the country.

It is therefore not surprising that since the return to democracy in the country, one issue which has drawn criticism and public fury from Nigerians is the deployment of the military during elections in Nigeria. Most notable among these elections, were the governorship elections in Edo and Ondo States in 2012, in Anambra (2013), and in the Ekiti and Osun governorship elections in 2014. Rather than relying on the police to provide the security needed during the gubernatorial elections in the five states mentioned above, the Nigerian federal government deployed large detachment of soldiers and other security operatives in these states to assist and ensure peaceful conduct during the elections (Olaniyan and Amao, 2015) In the Ekiti elections in particular, the protests reached high heavens, when prominent members of Nigeria's main opposition party, the All Progressives Congress, were denied entry into the state capital by soldiers and other security agencies in a commando-styled operation, to participate in their party's grand rally a few days before the election (Thisday, 20 June, 2014). If the election in Ekiti State was "heavily militarized", the military and security presence in the gubernatorial elections in Osun State was massive, with a deployment of a 73,000-strong security contingent to oversee security concerns during the election (Ajayi, 2014).

The 2023 presidential election in Nigeria was marred by various issues although there is no clear evidence of outright militarization except for the fact that a large number of soldiers were mobilized for the process. However, there were reports of voter intimidation, ballot snatching and attacks in certain parts of the country. It must be stated that the 2023 Presidential Election is one of the most keenly and closely contested elections in the history of Nigerian Presidential Elections since the colonial and post-independence period. The election was heralded with tensions, accusations and counter-accusations, intense campaign, trade of blames by the ruling and major opposition parties and other related issues (Idowu and Iyabode, 2024). The election was also criticized for the failure of INEC to upload polling units to the INEC result viewing portal as promised by the electoral umpire. This lack of transparency fueled accusations of fraud and electoral manipulation, a development which raised series of questions on the credibility of that electoral contest to date. It is therefore against this backdrop that this study attempts an examination of the extent to which the militarization of the 2023 presidential election affected its credibility with a view to suggesting some measures that could mitigate such in subsequent elections in Nigeria. In doing this, it recognizes the need to fill the existing lacuna in literature on this subject as none of the several studies on the militarization of elections in the country is focused on the 2023 presidential election.

Conceptualizing Electoral Militarization in Nigeria

The concept of electoral militarization typically implies a more direct and pervasive role of the military in the electoral process different from other forms of electoral malpractices. It is associated with military rule and military factor in societal affair such as resort to force and unconstitutional exercise of political powers. This is antithetical to democratic practice of institutional and constitutional approach to governance that incorporates popular participation and freedom of choice in political recruitment and governance (Animashuan and Borisade, 2021). Thus, studies on elections reveals that the issue of militarization of the electoral process is not an entirely recent phenomenon or restricted to Nigeria (Mapuva, 2010; Olaniyan & Amao, 2015). Militarization is defined here as the heightened deployment of military in the electoral process which results in the weakening or domination of other law enforcement and civilian institutions in ways that affect the conduct, outcome or credibility of the elections. In a broader sense, it involves the growing influence of the military in areas such as politics, economy, education, and culture, while others refer to electoral militarization as the use of military force, intimidation, or coercion to influence the outcome of an election. Militarization has been an integral element of electoral politics in Nigeria, even before the return to democracy in May 1999. Although latent during military interregnum due to constriction of the space for political competition, militarization of the electoral process is inherently tied to the character of the Nigerian state and the premium politicians place on state power (Onuoha, Okafor, Ojewale and Okoro, 2020).

According to Onuoha et al (2020), political competition in general and electoral contest in particular in post-colonial states are dialectically linked to the process of primitive accumulation, with detrimental consequences for genuine democratic rule. As Ake (2003, p. 3) has rightly noted, this approach hardly encourages moderation and compromise because it is deeply driven by the calculus of power. For everyone in the political arena, security lies in the power accumulation. Given the premium placed on state power and the intensity of political competition, winning an election at all costs becomes the primary consideration of politicians given the concentration of wealth at the centre of the post-colonial state (Onuoha et al, 2020). In the post-colonial Nigerian state, the government at the centre is structured to wield a disproportionate amount of power and resources in ways that make politics in general and elections in the words of former Nigeria's president Olusegun Obasanjo a do-or-die affair. It is this mindset that also propels candidates and parties to design all manners of uncouth tactics before, during and after elections without recourse to the antidemocratic effects afterwards.

Accordingly, the political culture that emerged out of colonial politics has been one of the general causes of frequent military interventions in Africa (Salihu, 2016). In relation to Nigeria, prolonged years of military rule foisted on civil society a militarized political culture in the democratic space. As a result, the political behaviour of politicians in a supposedly democratic setting has assumed combative postures rather than dialogue, negotiation and consensus as demanded by democratic tenets (Frank & Ukpere, 2012). Hence, desperate politicians not in control of political power often adopt a combative posture that involves the mobilization of violence (thuggery) for electoral advantage, while those in control of political power,

especially the ruling party, mobilize state institutions (the military) for electoral advantage. Thus, militarization of the electoral process becomes a logical manifestation of a disproportionate amount of power and resources exercised by those in possession of state power to advance their political and electoral interests (Onuoha et al, 2020).

Generally, during the elections, the military will; serve as members of the electoral management body; render administrative assistance and support, or provide protection for election materials and security against election related violence and misdemeanor. The level of involvement is what causes the contention about militarization of elections and there are two perspectives in this regard. On one end, it is argued that because of the level of violence characterised in Nigerian elections, combined with ineffective policing, it is necessary to deploy the military. Furthermore, the logistics required to transport election materials to difficult-to-reach areas provide justification for deploying military personnel. The other side of the argument states that military involvement is illegal and politicians use this to intimidate the opposition. It is also argued that force deployment also creates an air of fear and adds to voter apathy (Egugu and Iwara, 2023).

Arguments for and Against Electoral Militarization in Nigeria

There is serious resentment by Nigerians over the presence of the military in elections in the country. Most political analyst and members of civil society organizations related to the electoral process have not hidden their reservations on the involvement of the military in elections. They have argued severally that electoral militarization undermines democracy by subverting the democratic process, undermining the principles of free and fair elections as the use of military force to influence the outcome of an election can lead to a loss of public trust in the electoral process. They have also observed that electoral militarization violates human rights as the use of the military to intimidate or coerce voters is a violation of the fundamental human rights of Nigerians, including the right to free speech, assembly and association.

There is equally the argument that the use of the military for election duties fosters unstable governance as it can create resentment and opposition among the citizens. This is mostly focused on the opposition candidates and parties which often are the targets of intimidation by the military. This also has been the source of several litigations after elections as most candidates lay claims to the harassment of their supporters at polling units as part of the reasons for their failure and that of their parties. The numerous litigations also manifest in the distraction of governance as most winners of such elections are faced with several cases with frequent visits to tribunals and courts post-election, a development which distracts them from governance.

However, Ikeji (2015) identified five facets of military involvement in elections, namely: (i) serving as members of the electoral management body; (ii) contesting elections as candidates; (iii) rendering administrative assistance or quasi-administrative support for elections; (iv) voting in elections; and (v) providing protection for sensitive election materials or providing security against violence or sundry electoral malpractices before, during or after the elections. However, it is the fifth level of involvement that has generated serious contention on the necessity or legality and otherwise of their deployment for election duties.

For Onuoha et al (2020: 408), two contending perspectives have emerged, namely proponents and opponents of deployment of the military in election duties. The proponents argue that the high levels of violence that characterize Nigeria's elections and the inability of the police to ensure peaceful conduct of elections necessitate the deployment of the military. In addition, the huge logistic effort required in transporting (by land, sea and air) election materials in difficult terrains and the constitutional provision requiring the military to provide assistance to civil authority provide strong justifications for deploying soldiers during polls. However, opponents maintain that the deployment of the military is not only illegal but also used by incumbents to rig elections and intimidate opposition elements. They also contend that the heavy deployment of soldiers generates an atmosphere of fear that contributes to voter apathy. The result has been some controversies over the constitutionality or otherwise of the involvement of the military in election duties.

They went further to capture some provisions in constitutional, legislative and consultative frameworks which permit the involvement of the military in the electoral process. However, they lack safeguards to avoid misuse of the institution in such critical national assignments. The role of the Nigerian military is aptly captured in the

1999 Constitution of the Federal Republic of Nigeria (as amended). Section 217 tasked the military to defend Nigeria's territorial integrity as well as to aid civil authorities in restoring order when called upon to do so by the president, but subject to such conditions as may be prescribed by an act of the National Assembly (NASS). Furthermore, Section 218 (1) stipulates that 'the power of the President as the Commander-In-Chief of the Armed Forces of the federation shall include power to determine the operational use of the armed forces of the federation' (Onuoha et al, 2020).

Thus, the 'operational use of the Armed Forces' has been interpreted to mean the operational use of the military for the purpose of maintaining and securing public safety and order. Leveraging these constitutional and statutory provisions, Nigerian presidents have exercised the power to decide how and when the operations of the military are utilized, including deploying them for the purpose of maintaining and securing public safety, law and order. However, the crux of the matter remains whether the use of the military in elections is an extension of the day-to-day operational use of the armed forces (Onuoha et al, 2020).

Given that elections in Nigeria have often been violent (Herskovits, 2007; Onapajo, 2014; Orji, 2015), the use of the military for election duties was contemplated in extant electoral law. Section 29(3) of the Electoral Act 2010 as amended empowers the INEC to request the deployment of relevant security personnel necessary for securing elections or registration of voters, and for the employment of the Nigerian armed forces only for the purposes of securing the distribution and delivery of election materials and protection of elections officials.

From all of the above, the discernable arguments of those in favor of the use of the military in elections are based on the maintenance of law and order and as well prevent violence during elections particularly in areas with a history of electoral violence. Others argue that electoral militarization can be necessary to protect national, mostly, in cases where foreign actors may be seeking to influence the outcome of an election. These arguments are highly controversial and can be used to justify authoritarianism. It must be noted that in several other climes, the use of military force to influence the outcome of an election is widely considered to be a violation of democratic principles and human rights.

RESEARCH METHODOLOGY

This research work relied heavily on both primary and secondary sources of data collection. It also used both quantitative and qualitative method of data analysis (Mixed method). The primary sources are the direct participant observation by the author being an active part-taker of the 2023 Presidential Election process in Taraba North Senatorial District precisely Lau local government where he served as the returning officer for the presidential election. In addition to this, the author participated in the process of live declaration of the result via the Taraba State television where the author gathered primarily the raw results, compiled them, analyzed them and interpret them for a robust discussion of the entire election results. The secondary sources involve books, journals, newspapers, internet sources and existing relevant materials on the subject matter. The secondary sources were used for a critical review of related literature, formation of theoretical framework to strengthen the arguments in the discussions. The primary data was textually analyzed as it added real time value to the study while the qualitative data were thematically analyzed and embedded in the study.

Theoretical Framework

This study adopted the Policy Theory of Conflict which examines the role of policy making in driving conflict and militarization during electoral processes. It suggests that policies can create an environment conducive to militarization and violence. Developed by Adeniyi Theophilus Okechukwu in 2016 in his book titled: Elements of Peace Studies and Conflict Resolution the main tenet of this theory is that bad policy whether public policy or policy from private individuals trigger conflict which in turn leads to loss of lives and properties both at inter-personal, national and international levels. The assumption of the theory is that bad, abhorrent, detested and unfair policies can lead to a violent conflict. The theory seek to explain why some programme of action of government instead of bringing peace and cordiality, and atmosphere of cohesion and tranquility may lead to bitterness, animosity, resentment, malice and acrimony and thereby bring about conflict which often is destructive and intractable due to the bias, preconceived notion, favoritism, partiality of the policy formulators

against a particular group or individuals especially in the distribution of limited resource, power sharing, resolution approach to conflict among others (Adenyi, 2016).

Policy as noted by the theorist is a statement or programme of action of government, institutions or individuals towards the realization and attainment of a goal or objective. In the process of formulation of a policy, policy makers (government and individuals) in most cases formulate it to achieve a particular objective and in so doing, when it favors a particular group in the society and dis-favour others especially public policy that emanates from government. The group or person/persons that the policy favors may capitalize on it to suppress and intimidate the disfavored group or persons and thus creating conflict. In most cases the policy formulators formulate the policy to favour a particular person or group simple because they or he/she is at the corridor of power or close to government without evaluating the consequences, just to achieve a particular objective (Okechukwu, Chukwuka, and Chikwado, 2019). Such policy in most cases are influenced by the group or individual(s) it favored to enable them achieve their parochial interest and thus create conflict which if not resolved or prevented on time may become violent and destructive. Whenever such policy is formulated, the group, individual or individuals that the policy discriminates against or disfavors will show disenchantment and resistance against the implementation of the policy and may employ every means such as demonstration and violence to express their rejection or grievances and which may degenerate into an intractable dimension. Government being the formulators of the policy (public policy) will in turn resort to the use of conflict suppression mechanism by mobilizing all its apparatus such as the police, army and bureaucrats to enforce compliance with the policy against the agitating group or individual(s). In some case government often infiltrate the disfavored group and use some of them to whittle down their opposition and resentment to the policy after which the moles are rewarded with appointment or financial rewards (Okechukwu, et al, 2019).

Policy when formulated requires an extensive evaluation and appraisal so as to remove all the would be grey areas for the benefit of all and sundry but when the reverse is the case, the consequences could be disastrous. Adenyi (2016) further noted that bad policy can lead to both physical and structural violence as well as negative peace. The theorist gave instances of where bad policies have led to conflicts including Nigeria, where the bad policies of former President Olusegun Obasanjo in handling agitating groups that exacerbated militancy in the Niger Delta region of Nigeria as well as the destruction of Odi and Zaki Biam communities and the Aguleri/Umureli conflict which was triggered by the colonial flawed policies on land especially as it affected Otuocha Land (Okechukwu, et al, 2019).

The theory is used in this work to explain the resentment shown towards the deployment of the military during elections as a policy and why it has attracted condemnation, misgiving and ill-feelings among the political class especially the opposition parties as such policy is meant to favour the ruling party against the opposition parties. This scenario played out during 2015 election when the former government now the opposition party (PDP) in the country use same military during the General Election of that year and also during the 2019 election where President Buhari was running for a second term in office. The same also happened during the 2023 elections which is the main focus of this study. It must be noted that as espoused by the supporters of militarization that military deployment has been a policy to strengthen the security apparatus and provide security for both voters and INEC personnel during elections but has turned out to be a disfavorable policy to most Nigerians particularly members of the opposition parties in the country.

The above has gone further to collaborate the explanation offered by the theory that any group favored by a particular policy could capitalize on it and use it to intimidate and suppress the disfavored group and thereby generating conflict in the process. The opposition parties in Nigeria have not failed to point out that the use of the military during elections is to enable the ruling party to have their way in perpetuating electoral malpractices to their advantage. In the 2023 General Election just as the 2019, where there were violent clashes were states and constituencies where the opposition held as their strong hold because they resisted militarization policy. Another justification for the application of the theory in this study is that while the opposition parties are crying foul of the militarization process, the ruling party and their friendly opposition parties hailed the deployment of the military during the election because it favored them as the soldiers looked the other way while they perpetuate all sort of electoral malpractices. In fact, there were some reported cases that the military personnel were actually involved in ballot snatching.

The Challenges of free and Fair Elections in Nigeria

The first challenge facing the conduct of a free and fair election in Nigeria is the problem of electoral violence. Nigerian elections are plagued by persistent violence before and during elections. The 2023 general elections in Nigeria continue a history of election violence, which is awful. This violence occurred in almost all 36 Nigerian states. Lagos was the epicenter (Ifedi, et al., 2023). Political parties deployed thugs to disrupt votes in Rivers, Lagos, Enugu, Abia, Adamawa, and others. In Enugu, a Labour Party House of Representatives candidate was brutally killed two days before the House of Assembly election (Adekeye and Chima, 2022). A Rivers State REC was warned not to call a local government's presidential results. Violence between Igbos and Yorubas in Lagos State led to an ethnic crisis. A voter in Njikoka LGA was shot dead at the polls during the election, while policemen in Ihiala LGA stopped hoodlums from stealing ballot boxes. This violence during and after elections has harmed Nigerian elections. It also contributes to poor INEC election turnouts (Dii 2023).

The next challenge is that of non-compliance with the provisions of Electoral Laws. The signing of 2022 Electoral amended Bill into Law on 25th February, 2022 by President Muhammadu Buhari has raised the hope of witnessing the smooth conduct of 2023 general elections. Therefore, any attempt by the electoral umpire and security agencies not to effectively enforce the provisions of electoral laws during the 2023 general elections may lead to a breakdown of law and order (Berebon, 2023).

There is also the issue of vote buying. Money influences leadership in Nigeria. Nigerian elections are now centered on wealth, making them a “do or die affair”. Money politics are widespread in Africa. Due to skilled and incorrupt leaders, Nigeria remains unfortunate (Alaye, 2023). Most Nigerian politicians still purchase votes, which renders election outcomes unrepresentative of the people. Vote buying was revealed in the 2022 APC primaries. This helped most primary candidates win (Musa & Musa, 2023). We failed to abolish vote-buying in the 2023 general elections. The more government tries to limit it; the more politicians find ways to encourage it. The exorbitant cost of nomination forms is blamed for vote-buying. After spending so much on nomination paperwork and campaigning, no one wants to lose an election. Vote-buying is another way political elites stay in power because they would do everything to stay there (Berebon, 2023).

Partisanship by the Security Agencies remains another challenge. The purpose of deploying security personnel for the management of elections is to forestall the breakdown of law and order. It is expected that both the electoral umpire and security agency would discharge their responsibilities without discreetly without fear or favour. However, there are cases whereby the security agencies take side with the ruling party or engage in partisan politics in order to obtain certain benefits or the other (Adekeye and Chima, 2022). According to (2020), there were high level partisanship of security operatives before June 21, 2015 Gubernatorial election in Ekiti state; stalwarts of the People’s Democratic Party (PDP) from Abuja, the capital territory and others from outside the state were given easy access to Ekiti state; whereas former Governor Rotimi Amechi of Rivers State, some other Governors and other stalwarts in the opposing party, All Peoples Congress (APC) were barred by security operatives from entering Ekiti to attend a rally organized by their party (Ademowo, & Ojo, 2015). According to Yoroms (2019, the arrogance and compromising attitude of the security agencies in elections is worrisome as the debate, as to whether to deploy security agencies for election activities is worth it or not; continue to rage on until the experience with the Edo, Ekiti and Osun elections. Any attempt by security agency to be partisan in their conduct during the 2023 general election would lead to none observance of the rules of engagement or unprofessional conducts.

There is equally the challenge of high cost of running elections in the country. Nigerian elections have become more expensive without any effort to reduce them (Berebon, 2023). This enormous cost offers unfit politicians the motivation to rise to top positions and stay in power (Cheeseman & Klaas, 2018). This implies that when these individuals take power, they will first hunt for methods to pilfer public money to replace election spending, and at the end of their term, they will have done nothing other than emptying the public treasury to line their pockets.

Political Apathy or low turnout of voters during elections is another glaring challenge. There is no doubt that heavy deployment of security personnel during elections would infringe on the fundamental human rights of

citizens to freedom of movement, association, expression and treatment. Any time election is to be conducted in Nigeria, it is like preparation for war due to heavy deployment of security personnel to the election venue (Adekeye and Chima, 2022). This has led to drastic reduction in the number of voters during elections in the fourth republic. According to Salihu and Yakubu (2021), in 2011, 69.3 million electorates registered to vote but only 40.7 million voted due to previous experiences of violence during elections. As a matter of fact, low turnout of voters during elections could give room for manipulation and outbreak of violence.

There is also the challenge of inadequate funding which relates to the role of the electoral umpire, INEC. Poor finance is another INEC issue. INEC complains about low funds despite millions of naira for election organization (Fourchard & Sikiru, 2023). Election-related ad hoc personnel should be compensated handsomely. All these unlawful vote-buying methods stem from their low salary. Thus, the INEC must raise their honoraria and pay them on schedule (Berebon, 2023).

Loss of confidence in the Electoral process is another challenge. The electorate may lose confidence in the electoral process if their votes do not count. This may eventually snowball into electoral violence and break down of law and order. Also, the inability of political aspirants to fulfill electoral promises when elected into public offices may discourage voters from participating in subsequent elections (Adekeye and Chima, 2022). According to Transition Monitoring Group (2021), Nigerians are losing confidence in the electoral system because of malpractice, manipulation, violence, commercialization and privatization of political parties and offices for self-centered interests. The loss of confidence in the electoral process has the tendency of discrediting the outcome of 2023 general election.

The issue of logistics also constitutes a challenge. Transportation of persons, sensitive and non-sensitive items is challenging during elections. Logistics have caused elections to start late or not at all. There are spots that are hard to find or get there on time, such riverside and dangerous neighborhoods. INEC also worsens these issues (Brusnahan, et al., 2022). INEC sometimes forgets to plan. Planning beforehand and not making plans on election day helps avoid these delays. The INEC should also provide secure housing for ad-hoc personnel. Allowing them to convey at INEC offices on election day is inappropriate and might create delays (Berebon, 2023).

Another challenge is the lack of adequate political education. Most citizens who are not properly educated about the numerous benefits inherent in casting their votes during elections may be apathetic and nonchalant in performing their civic responsibilities making themselves available to vote or be voted for. According to the conversation Newspaper (2022) politicians and their paid agents are known to have been involved in violence against opponents and their supporters. This is sometimes done directly, with mobilization of thugs, or indirectly through hate speech and incitement of violence, against targeted opponents. This became possible because such individuals were not properly education about the danger inherent in participation in electoral violence, manipulation and malpractices (Adekeye and Chima, 2022).

Proliferation of Security Agencies remains a serious challenge to the conduct of free and fair elections in the country. Security agencies in Nigeria consist of the Nigerian Police Force, Members of the Nigerian Armed Forces (Army, Navy, Custom and Air Force), Nigerian Security and Civil Defence Corp, Traffic Warden, Road Safety, Fire Service, Directorate of State Service, Vehicle Inspector Officers (VIO), Nigerian Intelligence Agencies. However, the Nigerian Police Force and Civil Defence are to be assisted by other security personnel during election based on the provision of Electoral Laws and the 1999 Constitution of the Federal Republic of Nigeria (Adekeye and Chima, 2022). Specifically, the responsibilities of the Nigerian Police Force and Civil Defence Corp are to take charge of internal security while the duty of the Nigerian Army is to defend the territorial integrity of Nigeria from external aggression (Adekeye and Chima, 2022). On the contrary, the Nigerian Army has been saddled with the responsibilities of assisting the Nigerian Police Force in the maintenance of internal security in the fourth republic due to increase in crime wave, insurgency, banditry and kidnapping. The interconnectivity in functions of surety personnel has therefore resulted into role conflict among members of Armed Forces and the Paramilitary during the period of elections (Adekeye and Chima, 2022). According to Mahmud (2015), security could improve without the use of the Army. In the most civil of political activities, the presence of the Armed Military personnel makes voting look more like a war than an occasion of civil responsibility. Well trained police equipped with the appropriate tools can handle

elections and should be left to do so. The proliferation of security agencies therefore posed a great challenge to the successful conduct of 2023 general elections.

In summary, the key challenges ranges from ethnic and tribal loyalty where voting was carried out along ethnic or tribal lines rather than the candidate's qualification or policies, corruption particularly within the security agencies which undermined the credibility of the electoral process, insecurity and violence which discouraged voters from participating in the election, lack of trust in the electoral umpire and institutions to inadequate electoral reforms and the failure of security support services. It is unarguably certain that these challenges added to the erosion of the credibility of the 2023 general elections and its resultant failure to meet the standard that could be adjudged to be free, fair and credible.

Electoral Militarization, Free and Fair Election and the 2023 Presidential Election in Nigeria

The best point to begin this analysis is to examine first the main motive behind the Nigerian government's massive deployment of troops for the 15th February, 2023 presidential election. This can however be viewed in two perspectives. The first being the reason offered by the presidency that the troops were for the security of lives and property, which is the very essence of government and in the process, ensure a free, fair and transparent election. This has also been justified by some scholars and analysts as being in tandem with the desire of government to prevent the breakdown of law and order by using the military forces in the conduct of the election. This position is equally supported by the Hobbesian conceptualization of security which argues for the maximum use of state power to secure the lives of the people and their property (Olaniyan and Amao, 2024). In a democracy, elections represent the acceptable platform for the emergence of political leaders. In that wise, it behooves on the state to ensure credibility of the process. One of the ways to achieve this is the protection of the men that will conduct the election, the materials to be used, the voters, the voting environment and the political gladiators (Gueye and Hounkpe, 2010, Jega, 2013, [Olurede, 2013](#)).

In furtherance of their argument in support of the heavy deployment of soldiers for the election, Idowu and Iyabode (2024) observed that the desire to protect lives and property by the state is where the security forces come in as the only recognized state institution empowered to ensure security before, during and after elections. In essence therefore, securing election is a fundamental duty of the security forces, on behalf of the state. In this wise, massive deployment of security forces to secure election, as witnessed in the 2023 presidential election is in order and highly essential. The second perspective has to do with the motive behind such deployment as observed by other scholars. To them, the hidden motive of the heavy deployment points to desperate desire to influence the outcomes of the election through intimidation, coercion, oppression and suppression of members of the opposition parties. This much manifested in the 2023 presidential election as members of the opposition were singled out for arrest and detention. In Lagos it was an open attack on the Igbos living there because of their perceived support for Peter Obi an Igbo and presidential candidate of the Labour Party (LP) who eventually scored the highest vote in the said election. Not a single member of the All Progressive Party (APC), the President's party was molested.

Thus, the major problem is therefore not in the overt reason for such an excessive deployment of troops, but rather in the covert underpinning motives of the deployment. In other words, there could be militarization to ensure safety and there could be militarization to intimate opposition. In the case of this study, the case seems to be the latter as evident in the selective harassment of members of the opposition parties. A situation where security forces are deployed to intimidate the opposition in order to secure a victory for the President's party does not augur well for neither free and fair election nor the consolidation of democracy. This was agreed to by the Civil society group when they aver that "this culture of hooded gunmen ostensibly acting in the capacity of legitimate state operatives is thoroughly condemned and has no place in nurturing a democracy in which the citizens are not terrorized by agents of State" (Sahara Reporters cited in Idowu and Iyabode, 2024). It must be noted that democracy thrives in the presence of vibrant opposition and as such any threat to the existence of opposition is therefore a threat to free, fair and credible election as well as democratic sustenance and consolidation.

For the election under discourse, INEC promised free, fair and credible elections (Moses 2023), and received more than 300 billion naira from the federal government (*The Guardian* Editorial 2022). During the election,

police and security agencies supplied more than 400 000 security agents for the protection of INEC staff and voters (Taiwo-Obalonye, 2023). Even the Economic and Financial Crimes Commission (EFCC) deployed its staff to curb voter inducement and vote buying. During the elections, voters were attacked and there was an apparent manipulation of the election's outcome (Fasakin, 2023:98) In Lagos, cases of intimidation, violence and voter suppression were rife. One voter, Efidi Bina Jennifer, was attacked by thugs and her face was bruised (Folorunso-Francis et al. 2023). In Port Harcourt, attacks on voters were linked to former Rivers State governor Nyesom Wike, who worked for Bola Tinubu, the All Progressives Congress (APC) candidate. According to Adeseye Ogunlewe, a leader in the APC, Wike has been 'compensated' with a ministerial position for his role during Tinubu's election (*Channels Television* 2023). There were cases of ballot box and BVAS snatching and the destruction of ballot boxes and papers in other parts of the country. On his part, Abati (2023) opined that the elections were '...the worst in terms of management as violence raged on in Lagos, Rivers, Taraba and as political gladiators turned the elections into war and an opportunity for bloodshed'.

There were also reported cases of disruption of elections during the 2023 elections, soldiers and political thugs were allegedly involved in the disruption of electoral process at the polling units and collation centres. In Akwa Ibom State, the military were used to perpetuate electoral malpractice as they ordered voters, observers and some party agents out of the centers where the results were collated so as to achieve their aim of falsifying the results for candidates of their choice (Udoh, 2023). This scenario was not different in Rivers, Imo, Cross River etc. Partisan deployment of the military has been criticized by some analysts. As posited by Odinkalu and Nwachukwu (2019) in their report on the 2019 election, rather than deploying the military to those parts of the country that had a higher risk of violence, such as the North-East and the North-West, they were sent to areas that reported fewer casualties in violence (South-East) or reinforced in parts with the longest presence of expeditionary military deployment (South-South/Niger Delta). In the case of Rivers State, the INEC acknowledged that 'collation centres were invaded by some soldiers and armed gangs resulting in the intimidation and unlawful arrest of election officials thereby disrupting the collation process' (Ebiri et al., 2019).

However, the 2023 election scored some level of pass mark as recorded by CLEEN Foundation in the area of security deployment for the election. The Election Security Support Centre observed that there were adequate security personnel deployment for the conduct of the 2023 Presidential elections held on 25th February 2023 however there were gaps in the deployment of the security personnel in terms of spread. While majority of the polling units recorded three or more security personnel, other polling units had one or two security personnel while very few had no security personnel. Armed security personnel were observed to be patrolling the major roads and kept their distances from the polling units across the country (CLEEN, 2023).

Additionally, there seemed to have been some decorum in the conduct of security personnel in some states of the federation. The CLEEN foundation commended the conduct of the security personnel deployed on duty for the Presidential and National Assembly Elections across the country for their professionalism during the polling exercise although it drew the attention of the army authority to the allegations of voter intimidation and collusion to rig the election levelled against some of the military personnel. The foundation demanded for decisive actions to be taken against such personnel after thorough investigation (CLEEN, 2023). This study cannot state categorically that the military authorities have taken any positive step in this direction to date.

The above commendation of the military notwithstanding and basically from the legal point of view, the military has no place in elections in Nigeria. This much has been argued by legal experts that it is illegal for the government to employ or use the armed forces to maintain law and order during elections. Relying on Sections 215 and 217 of the Constitution, they noted though that the President of the country has the powers to deploy armed forces, but that such powers are only applicable to the suppression of insurrection, including insurgency and aiding the police to restore order when it has broken down (Falana, cited in PM News, 11 August, 2014). It is imperative to mention that the effects of the militarization of the 2023 presidential elections were believed to have been mostly felt by members of Nigeria's main opposition party, the Peoples' Democratic Party who were battling to regain power after losing to the then opposition All Progressive Congress (APC) in the 2015 presidential election.

Similarly, judicial pronouncements on militarization of elections in Nigeria shows that the Courts have in several judgments frowned at the involvement of the military in elections. That is why the opponents of military deployment during election based their argument on the fact that it puts fear on the electorate and that there are subsisting judgments of courts barring the military from involving its personnel directly in elections in Nigeria. One of such judgments is a Federal High Court Sokoto Division judgment where Justice Aikawa in the suit marked: FHC/S/CS/29/2014 among others, restrained the President and Commander in-Chief of the Armed Forces of the Federal Republic of Nigeria and INEC from engaging the service of the Nigerian armed forces in the security supervision of elections in any manner whatsoever in any part of Nigeria, without the Act of the National Assembly (Okechukwu et al, 2019).

The Court of Appeal in *Yussuf vs Obasanjo*, 2005, 18 NWLR (PT956), 96, ruled that, “It is up to the police to protect our nascent democracy and not the military, otherwise the democracy might be wittingly or unwittingly militarized. This is not what the citizenry bargained for in wresting power from the military in 1999. Conscious step or steps should be taken to civilianize the polity to ensure the survival and sustenance of democracy (Okechukwu et al, 2019).

One of the effects of militarization, and electoral violence to Nigeria’s democracy is voter’s apathy. There was wide spread apathy on the side of Nigeria voters during the 2019 General Election and as **Olukosi (2019)** puts it militarizing the Nigerian elections indirectly contributed to low voter turnout. Because of the precedent of aggression in Nigerian soldiers, most electorates dread them to the extent that they do everything to avoid them. The 2023 Nigerian presidential election had a total of 93.47 million registered voters. However, only 24.9 million persons actually voted, representing a 26.72% voter turnout. This turn out has remained the lowest since the return to democracy in 1999 (Amata, 2023). Compared to the voter turnout of 34.74% in the 2019 general election, the turnout in the just concluded election declined by 8.03 percent (Amata, 2023). Besides the low turnout, which has become a -trend in Nigeria’s recent elections, the 2023 presidential election cannot be said to have been free, fair and credible with all the recorded incidences of malpractices and outright intimidation of voters by troops deployed for the election in various states of the federation.

CONCLUSION

This study examined the militarization of the 2023 presidential election and the challenges of free, fair and credible elections in the country. It uncovered from the gamut of data and evidence gathered that it may be difficult for Nigeria to have a completely demilitarized election as it happens in other popular democracies in the world. It equally observes that for electoral demilitarization to be achieved, attempts must however be made by the Nigerian government and more importantly, the country’s electoral umpire (INEC) to limit the role of the military to situations which cannot be brought under control by the Police and other para-military agencies, and not the outright involvement as witnessed in the 2023 presidential election. Over all, it seems that the deployment of troops runs in tandem with the do or die nature of electoral contests in Nigeria as well as the predatory character of the Nigerian political elites. Therefore, there is need for Nigeria’s politicians and its citizens to embrace a change of attitude and perception towards politics and governance, so that democracy can mature fast, such that the military can be restricted to performing their constitutional duties. Conclusively, it is the stand of this study that as far as the military is deployed in elections in the country, the attainment of free, fair and credible elections will remain elusive while the expectation of democratic sustenance and consolidation in Nigeria will be a mirage.

However, given the above conclusion, this study advances the following recommendations:

- (i) The Nigerian government should undertake constitutional and political reforms aimed at making politics less attractive particularly at the centre. This can be done by the devolution of presidential powers and the clear application of fiscal federalism where proceeds from resources found in a particular state should first and foremost be utilized in the development of such a state and a certain percentage sent to the centre instead of what is presently obtainable in the country.
- (ii) It is imperative that the jumbo salaries and allowances as well as other privileges attached to the office of the president be cut down alongside that of other political and other public officials. This will reduce

the level of desperation by political office seekers and by extension a reduction in thuggery, electoral malpractices and violence during elections.

- (iii) There is need for a wider security sector reforms where the police will be effectively equipped and capacitated to deal with electoral security in league with other civil security agencies other than the military.
- (iv) Finally, the introduction of electronic voting and collation of results will on its reduce the work of security agencies and discourage parties from strategizing to rig or perpetuate other forms of electoral malpractices and violence before, during and after elections in Nigeria.

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