

Review

## Effects of leadership training and team work on the Nigeria electoral system: A re-examination

Omoleke, Isiaka Ishola<sup>1\*</sup> and Fayomi, Ike<sup>2</sup>

Department of Public Administration, Faculty of Administration, Obafemi Awolowo University, Ile-Ife, Nigeria.

Received 20 April, 2015; Accepted 30 June 2015

The paper set out to examine the role leadership and good team work could play in ensuring credible and acceptable conduct of election in Nigeria. Bearing in mind that the previous conduct of elections in Nigeria was questionable as series of legal petitions always greeted Nigeria election results. This obviously is not disconnected with breach of Electoral Act and Constitutional provisions guiding the conduct of Nigeria electoral system. This misnomer has always been traced to bad leadership and disharmony among the election stakeholders. To this end, the paper groped for factors affecting the conduct of election in Nigeria using secondary data and random sampling technique to elicit information from the stakeholders on why Nigeria election results are always in doubt and unacceptable to the stakeholders. The information garnered were analyzed and the findings revealed that Independent National Electoral Commission cannot conduct election without the harmonious support of the stakeholders, such as political parties, traditional institutions, civil society groups, National Youth Service Corps (NYSC) Scheme, press and police; (70%) of the respondents confirmed this finding. The findings of this investigation further revealed that noncompliance with Electoral Act and Constitution provision by the stakeholders can explain why Nigeria electoral system is defective; (60%) of the respondents agreed with the finding. The paper thus concluded that Nigeria electoral system can only be improved to meet international standard if the electoral laws are respected and harmonious relationship exist among the stakeholders and good leadership is established.

**Key words:** Leadership, training, electoral system, Nigeria.

### INTRODUCTION

It might be more convenient to start this paper by conceptualizing major variables that cut across this topic. We start with the concept of bureaucracy since Independent National Electoral Commission is a microcosm of the Nigerian Government Bureaucracy, that is, a parastatal or a government ministry, department and agency.

Generally, any government is established basically to

address the citizens' needs in relation to their socio-economic well-being and security of lives and property within the State's jurisdiction. Government is also put in place to allocate resources to achieve set goals. This assertion lends credence to Dahl (1969). However, the means to achieve these goals is through the Public Service Administration/Government Bureaucracy; hence we defined Government Bureaucracy: which refers to

\*Corresponding author. E-mail: [Omoleke2003@yahoo.com](mailto:Omoleke2003@yahoo.com).

government apparatus or organizational structures which undertake the functions and responsibilities of a Government.

Another pertinent variable in this topic is politics which refers to authoritative allocation of resources in a given State with a view to achieving set goals of the State. Related to the concept of Politics is the concept of Administration which simply refers to management of human and material resources to achieve organizational goods (Amitai 1964).

Policy on the other hand, is action and/or inaction of the Government of the day and such a policy is supposed to be a derivative of political manifestoes of the political party that eventually won the election in a democratic dispensation.

The next concept is leadership which simply refers to a collectivity of people managing the affairs of an organization, micro or macro (such as INEC, Independent National Electoral Commission).

An organization (such as INEC) is a human invention (Amitai 1964). In the words of Omoleke (2009), man is born into organization, nursed in an organization, educated and socialized in an organization; employed by an organization, work in the organization, married in an organization, procreates in an organization, prays and worships in an organization, spends all his life in an organization and dies in an organization, buried in an organization and faces God's judgement hereafter in a divine organization.

The above analysis underscores the importance and ubiquity of the concept of organization, hence such organizations must be led by the right leaders if organizational goals are to be achieved.

The next concept is law which is a set of social control mechanisms which guide the rulers and the ruled. Nobody is above the law and finally is the concept of state which to a large extent, is a permanent organization, independent, sovereign and occupying a defined territory, the members of which are, all things being equal, united for the purpose of resisting external force and preservation of internal order (David, 1973). Whereas Government is a machinery of the State which is not permanent like the State. The government is periodic and ephemeral or transient.

To this end, the general objective of this paper is to examine the effects of leadership training and teamwork on the Nigerian Electoral System and how these have impacted on the conduct of election in Nigeria.

We now address the concept of democracy and its elements as this is the central concern of INEC.

## **A REVIEW OF LITERATURE AND THEORETICAL EXPOSITION**

### **Concept of democracy**

Although there are existing divergent views and

misunderstanding of what the concept implies, it is still within possibility to supply at least minimum requirement for democracy. This, it is a set of institutions that fulfill at least two essential requirements:

1. It must, first be able to elicit as accurately as possible the opinion of as many people as possible on who shall be their representatives and on how the country ought to be governed (Diekola and Yusuf, 2002). This, in effect means a minimum universal suffrage, establishment of political parties and the organization of free voting in incorruptible elections at relatively frequent intervals;
2. It must provide a way of ensuring that those chosen by the electorate do, in fact, what the electorate wants them to do or that they can be replaced if they do not, even between elections. Perhaps this lends credence to Section 69 (a) and (b) of (CFRAN), Constitution of the Federal Republic of Nigeria 1999. This simply means that process of government in a democracy is essentially a dialogue between rulers and the ruled (Omoleke, 2004).

The foregoing minimum requirements of democracy buttress the Sergeant's views (1975) when he itemised elements of democracy as follows:

- (i) Citizens' involvement in political decision making;
- (ii) Some degree of equality among citizens;
- (iii) Some degree of liberty or freedom granted to or retained by citizenry;
- (iv) A system of representation; and
- (v) An electoral system for majority rule.

However, how effective the dialogue between the rulers and the ruled will depend largely on national habits and circumstances, as well as on the kind of machinery by which the contacts are maintained.

This raises a theoretical question of how much opposition is required for effective democratic governance. In a true democratic set-up, there appears an agreement on the need for opposition, especially when an election cannot be a choice, in any real sense of the term, unless at least two possibilities are open to electorate.

As Amitai (1964) put it, "the existence of political opposition by individuals, and group, by press and above all, by the organized parties is the litmus paper test of democracy.

What we can infer from Mayo is that, without adequate stimulus from critics, government can become stack, authoritarian and complacent or even corrupt. Furthermore, opposition is also expressed ion the Press by Pressure groups, by associations supporting various specific causes and also by demonstrations. These and other forms of propaganda and protests are ancillaries because they do not directly seek power.

On the other hand, there is a very real danger to democracy in proliferation of uncoordinated strikes and

demonstrations if they come to the regarded, not as ancillary but as a substitute for organized opposition by political parties.

Despite this, we now turn to another concept of democratic governance, which is cognate and intimately related to democracy and this is the rule of law.

### The rule of law

The doctrine of the Rule of Law looks like an ambiguous expression and may mean different thing to different writers. The idea that the rulers as well as the ruled should be subjected to law could be traced to Aristotle who argued that revolution occurred when there was lawlessness. He then recommended some measures to guarantee the stability of the polity. The measures are:

- (i) Leaders must obey the law of the country;
- (ii) Leaders should avoid stealing public money, and officials should not be corrupt;
- (iii) People should eschew anything that can alienate the rich from the poor, and
- (iv) The leader should avoid the use of coercion and violence in governance.

Bracton (1970) adopted the theory generally held in the Middle Ages that the world was governed by law, human or divine. He further held that the King himself ought not to be subjected to man but subject to God and to the Law because the Law makes him King. In essence, whatever forms of law as administered by any court is supreme.

It was in 1885 that Dicey, an English Professor of law set out the principles of the Rule of Law which had influence on writers of Constitutions as well as practitioners of Constitutional law. We now consider a legal framework to beef up the content of the paper.

### Legal exposition

For Dicey, the expression "*the rule of law*" connotes three conceptions:

1. The absence of arbitrary power, meaning that no man is above the law, no man is punishable except for a distinct breach of law, established in the ordinary legal manner before the ordinary courts. (Refer to Section 36 of CFRN 1999).
2. Equality before the Law, implies that, every man, whatever his rank or condition is subject to ordinary law and jurisdiction of ordinary tribunals with few exceptions which are discussed later in this paper,
3. The general principle of the Constitution especially the liberties of individuals such as personal liberty, freedom of speech and public meetings.

However, the principle excludes, as a general rule,

preventive detention, compulsory acquisition of goods and direct enforcement of administrative decisions.

Similarly, the Parliament or the National Assembly could confer wide discretionary or even arbitrary power on the Executive but for extra-legal reasons, and the parliament seldom does so except in an emergency especially the emergency powers granted in war time or any insurrection (Dorothy, 1970). Section 305(3) a-g of the Federal Republic of Nigeria 1999 Constitution as amended in 2011 exemplified these general exceptions to the rule. It states:

The President shall have power to issue a proclamation of a state of emergency only when

- (a) The Federation is at war;
- (b) The Federation is in imminent danger of invasion or involvement in a state of war;
- (c) There is actual breakdown of public order and public safety in the Federation or any part thereof to such extent as to require ordinary measures to restore peace and security;
- (d) There is clear and present danger of actual breakdown of public order and public safety in the Federation or any part thereof requiring extra-ordinary measures to avert such danger,
- (e) There is an occurrence or imminent danger, or the occurrence of any disaster or natural calamity, affecting the community or a section of the community in the Federation;
- (f) There is any other public danger which clearly constitutes a threat to the existence of the federation, or/and
- (g) The President received a request to do so in accordance with the provision of sub-section 4 of this section.

However, so many exceptions have to be made at the present day to the doctrine that all persons have equal rights and duties before the law that the statement is of a doubtful value e.g. the Local Government Authorities have statutory power under certain conditions to buy land compulsorily and police have special powers of arrest and search by Common Law and Statute (FGN, 2011). Ministers have wide powers of delegated legislation and the rights and obligations of the individuals are now decided in many cases not by ordinary courts but by special or administrative tribunals, juvenile courts or court marshal.

Furthermore, judges and ambassadors have immunity from being sued in the courts although it can be argued that immunity of judges actually favours the rule of law (Joseph 2006).

Interestingly, there is also immunity in Section 308 of CFRN 1999 which confers immunity on the President of the Federal Republic of Nigeria, Vice President, the Governor, the Deputy Governor which constitute an exception to the rule of equality before the law. The

section states:

Notwithstanding anything to the contrary in this Constitution but subject to sub-section (2) of the section,

(a) no civil or criminal proceeding shall be instituted or continued against a person to whom this section applies during his period of office,

(b) a person to whom this section applies shall not be arrested or imprisoned during that period in pursuance of the process of any court or otherwise; and

(c) no process of any court requiring or compelling the appearance of a person to whom this section applies shall be applied for or issued.

Provided that in ascertaining whether any period of limitation has expired for the purposes of any proceedings against a person to whom this section applies, no account shall be taken of his period of office (Olukanmi, 2012).

Furthermore, the provisions of sub-section (1) of this section shall not apply to civil proceedings against a person to whom this section applies in his official capacity or to civil or criminal proceedings in which such a person is a nominal party party (Olatunji, 2007).

This section applies to a person holding the office of President, Governor, or Deputy Governor, and the reference in this Section to "period of office" is a reference to the period during which the person is required to perform the functions of office (Otonba vs Amosun, 2009).

Furthermore, a member of the National Assembly cannot be arrested within the precinct of the National Assembly without the consent of the Senate President.

Finally the appointment of the Parliamentary Commissioner for Administration (Ombudsman) in 1967 is another important development. In Nigeria, the institutionalisation of (ICPC) Independent Corrupt Practice Commission and (EFCC), Economic and Finance Crime Commission to investigate, arrest and prosecute any Public Officers who mismanage public fund is also a new development in the area of exception to the rule of law (Omoleke and Olaiya, 2013). The above exceptions, if care is not taken can be abused by the overzealous political elite bearing in mind that law has a loophole or lacuna that can salvage them from civil and criminal liabilities while in office (The Nation, 2012). This legal exception can dent the image of the rule of law, especially equality before the law. Also, High Commissioners and Ambassadors of foreign countries serving in Nigeria are also protected by the same immunity clause. Finally, the function of Ombudsmen (Code of Conduct Bureau) for instance, is to investigate complaints of injustice resulting from faulty administration on the part of a government department as against ordinary court of law of the land.

### Law and Election (Electoral Act)

Obviously, there is need for establishing a legal

framework to guide the conduct of election bearing in mind that without law the entire society may break down hence disorderliness and lawless behaviour prevail (Osita, 2002).

Even, in spite of the fact that necessary laws were put in place e.g. Electoral Acts 2004, 2010 etc. yet people still breach the electoral law with all impunity to achieve their selfish political power, ambition and posts by all means.

Undoubtedly, Electoral Act is a regulatory instrument that prescribes dos and don'ts for the conduct of election in Nigeria. This goes a long way to assist election administration in Nigeria, if complied with *strict sensu*.

The Federal Republic of Nigerian Constitution (1999) as amended, being the ground norm, is the first legal document that authorizes INEC to fix dates of elections into the National Assembly. Furthermore, it also prescribes the age limit of the eligible voters in general election in Nigeria: Thus Section 76(1) of the (CFRN, 1999) as amended, states:

*elections to each House of the National Assembly shall be held on a date to be appointed by the Independent National Electoral Commission.*

It further states in (Section 76(2))

*The date mentioned in sub-section (1) of this section shall not be earlier than sixty days before and later than the date on which the house stands dissolved, or where the election is to fill a vacancy occurring more than three months before such date, not later than one month after the vacancy occurs.*

The CFRN, 1999 provides further in Section 77(1) that every Senatorial district or Federal Constituency established in accordance with the provisions of this part of this chapter shall return one member who shall be directly elected to the Senate or the House of Representatives in such manner as may be prescribed by an Act of the National Assembly.

In respect of eligibility to vote in election, Section 77(2) states:

*Every citizen of Nigeria, who has attained the age of 18 years residing in Nigeria at the time of registration of voters for purposes of election to a legislative house shall be entitled to be registered as a voter for the election.*

The Constitution also directed that the conduct of the election shall be subject to the direction and supervision of Independent National Electoral Commission.

Section 79 empowers the National Assembly to make provisions in respect of the following;

(a) persons who may apply to an election tribunal for determination of any questions as to whether;

(i) any person has been validly elected as a member of

the Senate or of the House of Representatives,  
 (ii) the term of office of any person has ceased, or  
 (iii) the seat in the Senate or in the House of Representatives of a member of that House has become vacant.

(b) circumstances and manners in which and the conditions upon which such application may be made, and

(c) powers, practice, and procedure of the election tribunal in relation to any such applications.

Finally, the determination of the number of seats in the House of Representatives is also determined by the CFRN 1999. See Section 49 of the Constitution which states that the House of Representatives shall consist of three hundred and sixty members representing constituencies as a guide for conducting free and fair election that can roll in democratic governance in Nigeria.

### **Electoral Acts 2004 and 2010**

This is the legal framework that guides the conduct of

1. INEC officials
2. the Electorate
3. the Political parties
4. the Judiciary, Executive, the Legislature, and
5. the Police

The Act structurally highlights the composition of the National Independent Electoral Commission and its functions. See Section 15(1) of the Act.

Section 18(1) of the Act states the required qualification for registration as a voter. See also Section 9(1) of the act which authorizes the INEC to compile, maintain and update, on a continuous basis a National Register of voters. The Commission has power in Section 78(1) of the Act to register Political Parties.

Also Section 90(1) of the Act places a limit on the amount of money or other assets which an individual or group of persons can contribute to a political party.

Concerning the conduct of Political Rallies and Processions, Section 94(1) of the Act states that;

*for the purpose of the proper conduct of political rallies and processions, the Commissioner of Police in each State and the Federal Capital Territory, Abuja shall provide adequate Security for processions at political rallies in the State and Federal Capital Territory, Abuja.*

The law states further in sub-section (2) that a person who, while present at a political rally or procession or voting centre, has within him any offensive weapon, or missile otherwise in pursuance of a lawful duty is guilty of an offence and liable on conviction to a maximum fine of N2,000,000.00, or imprisonment of a term of two years.

The Act also authorized the Commission to establish sufficient number of polling units in each Registration Area and shall allot voters to such Polling Units. See Section 42 of the Act, which empowers the Commission to provide suitable boxes for the conduct of elections.

### **Declaration of election results**

Section 69 of the Act states categorically that:

*In an election to the office of the President or Governor whether or not contested and in any contested election to any other elective office, the result shall be ascertained by counting the votes cast for each candidate and subject to the provisions of Sections 133, 134 and 197 of the Constitution, the candidate that receives the highest number of votes shall be declared elected by the appropriate returning officer.*

### **Compliance of Law i.e. Electoral Act in the Conduct of Election in Nigeria**

The rationale for enactment of the Electoral Act is simplicity, to create good atmosphere and legal framework to guarantee electoral system that embraces essential elements of democratic process, such as relatively equal electoral constituency, freedom and right to vote, designing register of voters, regulation of parties and their activities, balloting procedures, transparency in counting of votes, enforcement of electoral rights, and pronouncement of result of the candidate winning the election.

In brevity, legal framework for the conduct of election covers issues specific to rules and regulations that are essential for free and fair election. The law assists tremendously election administration in Nigeria if complied with *strict senso*.

The legal framework for election administration can also be referred to as practices based on international standard agreed upon or acceded to by international community for assessing democratic, credible and genuine election.

In essence, the CFRN 1999 and the Electoral Act serve to assist election administration and conduct of election in Nigeria if the two instruments are respected, enforced and complied with voluntarily.

The question and concern is: Are the two instruments well enforced, respected and voluntarily complied with both by the leaders and the followers? Do the political leaders (President, Vice President, Governors, Deputy Governors, Members of the National Assembly, Special Advisers, just to mention a few) respect the laws as expected?

Perhaps, the followers could not comply because of poor leadership which breaches the legal instruments

with all impunity.

This brings this discussion to leadership training and quality of team work and their effects on credible election in Nigeria.

### Leadership and team work

All what we have been analyzing in this paper that is, democratization, law and conduct of election, election administration, and electoral integrity depends on the need for adequate leadership training and team work, hence we discuss concept of leadership (Osita, 2002).

Unarguably, at least there are four major variables that leadership training should involve:

1. the characteristics of the leader which must be excellent, good conduct and attitude,
2. consideration of the needs and other personal characteristics of the followers,
3. characteristics of the organization, such as its purpose, its structure, the nature of the tasks to be performed and social, economic and political milieu.
4. Leadership involves carrying along the followers and he must know their characteristics apart from setting good examples for the followers to emulate. He must democratize the implementation of organization policy. He should be able to motivate his followers, study their needs, attitudes to work and their psychological problems which vary from one worker to another.
5. Part of leadership training also involves understudying the characteristics of the organization within which the leader will operate e.g. INEC as we have tried to analyze in this paper.

A creditable leadership training must imbibe the goals of the organization as exemplified in this paper by INEC as the leader should be able to educate the followers on the essence of goal attainment of the organization.

Leadership training must highlight the nature of the business of the organization as we demonstrated with INEC as a Parastatal of the Federal Government charged with ensuring a credible conduct of election and thus guaranteeing a credible democratic process (Raphael, 2009).

Leadership training must also accommodate a study of social, economic, and political terrain or milieu of the organization bearing in mind that the performance of such organization like INEC will be determined by internal and external environments hence leadership training must properly understudy the environmental milieu of the organization.

As earlier discussed, no leader can do it alone if he wants to achieve organizational goals. He must involve other team members.

A democratic leadership must accommodate other teams. Take for instance, INEC cannot conduct any

credible and acceptable elections without properly teaming up with the following stakeholders;

- (i) the electorate,
- (ii) the Police
- (iii) the political parties
- (iv) the Judiciary
- (v) the Legislature,
- (vi) the Executive
- (vii) National Orientation Agency (NOA) and
- (viii) The National Youth Service Corps.

Such a statutory responsibility requires full support of other parties/teams hence there must be harmonious official relationship among the teams/groups listed above. It is obvious that each team has a role to play in achieving organizational goals of INEC.

### Summary and conclusion

What we have attempted to discuss in this presentation is the effect of leadership training and team work on the Nigeria Electoral system. To this end, we examined few variables that are cognate to election administration. These are democracy, election, rule of law, Electoral Act, electoral integrity, election administration, leadership etc. The paper thus related the variables to conduct of election which is the statutory function and responsibility of INEC. Such statutory responsibility called for leadership training and team support of other stakeholders.

The paper concluded that INEC must properly team up with other agencies coupled with good leadership and harmonious relationship among the police, the electorate, the judiciary, the political parties, legislature and the judiciary, if a credible election is to be guaranteed.

Finally, strict compliance with legal instruments (Constitution and the Statutes), is a *sine qua non* for organizational achievements of INEC and anything contrary to this assertion will dent the image of the parastatal, INEC, in the conduct of credible election in Nigeria.

### Conflict of Interests

The authors have not declared any conflict of interests.

### REFERENCES

- Amitai E (1964). "Human Organization, U.S.A., Pretence Hall, Inc.  
CFRN (1999) Constitution of the Federal Republic of Nigeria.  
Dahl RA (1969). "Modern Political Analysis" New Jersey, Pretence Hall, Inc.  
David, A. (1973): "Political Change", London, Frank Cass and Company Limited.  
Diekola O, Yusuf W (2002). "Fundamental Issues in the Nigerian Public Service", Ibadan, K.T. Publisher.  
Dorothy P (1970). "Democracy", Britain, Prescott, C. Tinling & Co. Ltd.

- FGN (2011): "Federal Republic of Nigeria: Constitution and Legal Framework for the Nigeria 2011 General Elections".
- Joseph I (2006). "Police Companion and Public Guide", Lagos, Law View Consult.
- Olakanmi, J (2012): "Electoral Act 2010 & Allied Matters", Abuja, Lawlord Publications.
- Olatunji O (2007). "Culture and Democracy", Lagos, Concept Publications.
- Omoleke II (2004). "Democracy, Rule of Law and Accountability", Conference Proceeding, Aboki Publishers, Makurdi, Nigeria.
- Omoleke II (2009): "Leadership in Managerial Duties: The Role and Challenges of Administrative Officer". Paper Delivered at a Workshop for Administrative Officers, Ogun State Government, Kuto, Abeokuta, April 19, 2011.
- Omoleke II, Olaiya T (2013). "Legal and Governance Issues in Nigerian State Administration", Ile-Ife, OAU., Press Limited.
- Osita O (2002). "Modern Nigerian Legal System" Enugu, CIDJAP Publisher.
- Otunba V. Amosun Court of Appeal 2009.
- Raphael AA (2009). "Election Administration in Nigeria: Issues and Perspectives", Ibadan, T.O.A. Printers.
- The Nation (2012). Probes: Can National Assembly Redeem its Image? Thursday July, 19, p43.