



Centre for Democracy and Development (www.cddwestafrica.org)

**Calls on the Federal Government of Nigeria to Maintain Peace and Security at the
Governorship Election in Osun State**

1. Background and Political Context

Osun State was created on 27th August, 1991, by the military regime of General Ibrahim Badamosi Babangida. It is located in the South Western region of Nigeria, has a population of 3,416,959 according to 2006 Census and occupies a land mass of 9,251 square kilometres. The State has witnessed three elections due to several protracted election litigations. During this period, the state has been governed by Chief Adebisi Akande (1999-2003) under the defunct Alliance for Democracy (AD); Olagunsoye Oyinlola (2003-2010) under the Peoples Democratic Party (PDP) and Rauf Aregbesola (2010-date) under the Action Congress of Nigeria (ACN), which has transformed into the All Progressives Congress (APC).

A close examination of the electoral and political processes of Osun State in terms of trends and events from 1999 to date reveals a culture of political violence in the state. This is exemplified by a number of high profile deaths witnessed in the state, including the assassination of Hon. Odunayo Olagbaju, a state House of Assembly member representing Ife Central Constituency on 20th of December, 2001 allegedly by political thugs in Ile-Ife. Protests and attendant quests for vengeance from the late Olagbaju's supporters led to violence that resulted in the burning of houses during which many people sustained serious injuries and properties worth millions of naira were destroyed. Three days later, the former Attorney-General and Minister of Justice, Chief Bola Ige was also killed in his Ibadan residence for his alleged support for the former Osun State Governor, Chief Bisi Akande, in his battle with his deputy, Otunba Iyiola Omisore. Worried by the spate of political violence in the state, the Afenifere, a pan-Yoruba Group, set up a peace committee, whose members included former External Affairs Minister, Professor Bolaji Akinyemi and Second Republic Governor of Kwara State, Chief Cornelius Adebayo to probe the violence. However the peace committee could not avert further violence in the state. For instance, on the 3rd of February 2007, the by-election conducted at Iree, for the Ifelodun/Odo-

Otin/Boripe Federal Constituency resulted in the death of a member of the All Nigeria People's Party (ANPP), while many persons sustained injuries.

In the run up to the August 9, 2014 governorship election, the possibilities and proclivity to violence have become easily noticeable. A most recent illustration could be found in the campaign trends of the political parties and their respective candidates. For example, the APC, PDP and Labour Party (LP) candidates have resorted to insulting one another and inciting the citizens to commit acts of violence. The APC and PDP who are the major rivals in the election appear to be so desperate in winning the election thereby heating up the polity in the state. For example, APC has accused PDP of hiring Israeli snipers from the Middle East to assassinate its candidate, Rauf Aregbesola.¹ However, PDP has refuted the accusation as a mere blackmail. Furthermore, there are reported cases of incitement from APC, PDP and LP candidates as shown in the observed trends below. In addition, the APC and Civil Society Organizations have called on the Inspector General of Police to investigate the PDP candidate, Senator Iyiola Omisore for using hooded and armed private security personnel during his campaign tours in Osun State.² As these trends continue to unfold in our electoral process, as being witnessed currently in Osun State, it is important Nigerians and other relevant stakeholders begin to pay adequate attention to these issues by analysing them to ascertain their likely impact on our nascent democracy. It is against this background that the Centre for Democracy and Development (CDD) monitors the trends, analyses their likely impacts and develops policy paper on the identified emerging trends. CDD believes, the Policy Paper has the capacity of making political parties and their candidates refrain from using abusive languages during campaigns and inciting the citizens to commit violence during election periods when its recommendations are implemented by government and relevant stakeholders.³

2. The Electoral Act 2010 as amended and Observed Trends in Osun State

Having monitored events and campaign in Osun State as it prepares for the August 9, 2014 governorship election, party members and their respective candidates have resorted to making statements capable of inciting the citizens to engage in acts of violence. Between May and July 2014, we have observed political parties and their candidates making inflammatory statements.

¹ Adesoji Adeniyi 'APC alleges murder plot against Aregbesola' The Nation 15 July 2014, available online at <http://thenationonlineng.net/new/apc-alleges-murder-plot-against-aregbesola/> (accessed 21 July 2014).

² Information Nigeria 'Osun APC Calls for Probe of Omisore's Masked And Armed 'Terrorist Guards'' 6 July 2014 available online at <http://www.informationng.com/2014/07/osun-apc-calls-for-probe-of-omisores-masked-and-armed-terrorist-guards.html> (accessed 21 July 2014). See also Ben Ezeamalu 'Osun Election: Group asks police to investigate Omisore's 'masked armed bodyguard' Premium Times 11 July 2014 available online at <http://www.premiumtimesng.com/regional/164754-osun-election-group-asks-police-to-investigate-omisores-masked-armed-bodyguard.html> (accessed 21 July 2014).

³ More information on the activities of the CDD is available online at <http://cddwestafrica.org/>

Before an analysis of the observed trends are carried out, it is important to refer to the legal framework regarding election campaign in Nigeria. Section 95 (1) of the Electoral Act 2010 as amended provides; no political campaign or slogan shall be tainted with abusive language directly or indirectly likely to injure religious, ethnic, tribal or sectional feelings. In addition Section 95 (2) states; abusive, intemperate, slanderous or base language or insinuations or innuendoes designed or likely to provoke violent reaction or emotions shall not be employed or used in political campaigns. Section 95 (7) provides; a political party or persons who contravenes any of the provision of this section is guilty of an offence and shall be liable on conviction- (a) in the case of an individual, to a maximum fine of N1,000,000 or imprisonment for the term of 12 months; and (b) in the case of a political party, to a fine of N2,000,000 in the first instance, and N1,000,000 for any subsequent offence. In addition, Section 95 (8) states; any person or group of persons who aids or abets a political party in contravening the provisions of subsection (5) of this section guilty of an offence and is liable on conviction to a fine of N500,000 or 3 years imprisonment or both.

Furthermore, Section 96 (1) provides; no candidate, person or group of persons shall directly or indirectly threaten any person with the use of force or violence during any political campaign in order to compel that person or any other person to support or refrain from supporting a political party or candidate. Also, Section 96(2) provides; any person or political party that contravenes the provisions of this section is guilty of an offence and liable on conviction (a) in the case of an individual, to a maximum fine of N1, 000,000 or imprisonment for a term of 12 months; and (b) in the case of a political party, to a fine of N2, 000,000 in the first instance, and N500, 000 for any subsequent offence.

2.1 Unlawful campaign languages

- Asiwaju Ahmed Bola Tinubu, leader of the APC at the Ladoké Akintola University of Technology, Ogbomoso on his conferment with Honourary Doctorate Degree in Management Science threatened violence if the PDP rig either Ekiti or Osun Governorship elections by stating that ‘It will be rig and roast’.⁴ Reacting to the threat by Bola Tinubu, the United States of America Consul General in Nigeria, Jeff Hawkins, wondered why politicians use inflammatory statements to heat up the polity in the country. He further admonished Nigerian politicians to eschew violence and be law abiding. Reacting to the threat, the National Coordinator of Peoples Democratic Party Youth Frontier (PDPYF) accused Bola Tinubu of instigating violence in Osun and Ekiti States. He also argued, Tinubu should be held responsible if there is a breakdown of law

⁴Oluwole Ige ‘15 injured as APC, PDP supporters clash in Ile-Ife’ Nigerian Tribune 8 July 2014, available online at [http://tribune.com.ng/news/top-stories/item/10061-15-injured-as-apc-pdp-supporters-clash-in-ile-ife_\(accessed 10 July 2014\)](http://tribune.com.ng/news/top-stories/item/10061-15-injured-as-apc-pdp-supporters-clash-in-ile-ife_(accessed%2010%20July%202014))

and order in Osun and Ekiti States. He further stated, “Careless utterances from leaders of the opposition party, APC are unbecoming.”⁵

- The APC candidate, Rauf Aregbesola during his campaign at Ikire was reported to have asked the people to take charms and verses from the Quran and Bible to their respective polling units when going to vote on August 9, 2014 governorship election.⁶
- The APC candidate Rauf Aregbesola and PDP candidate Iyiola Omisore have continued to exchange insults on the state government’s acquisition of Armoured Personnel Carriers which the Governor of Osun State says will be used to maintain peace and order during the election. However, the PDP candidate alleges that the APC wants to use them to oppress, victimize and chase away the electorate on the Election Day to enable APC members to perpetrate electoral fraud. Governor Aregbesola has dismissed the claim and questioned why PDP members have developed palpitations over the purchase of the Armoured Personnel Carriers. In countering Aregbesola’s claim, Omisore has asked his supporters to resist any move or attempt by desperate politicians to intimidate or instill fear in them and urged them to vote for PDP for the August 9, 2014 election.⁷
- The Labour Party governorship candidate, Alhaji Fatai Akinbade has said that the call by Governor Rauf Aregbesola on his supporters to use charms in the coming polls is a direct invitation to violence.⁸

2.2 Violent conducts and acts

- A clash between the APC and PDP supporters at a rally in Ile-Ife led to 15 persons sustaining different degrees of injuries.⁹ In reaction to the incident, PDP accused APC of sponsoring the attacks, alleging that the “State Boys” carried out the attack. In response

⁵ Nnenna Ibeh ‘PDP youth say APC, Tinubu instigating violence in Osun, Ekiti’ Premium Times May 19, 2014, available online at <http://www.premiumtimesng.com/news/161066-pdp-youth-say-apc-tinubu-instigating-violence-osun-ekiti.html> (accessed 21 July 2014).

Femi Makinde ‘Take charms to polling booths – Aregbesola’ Punch Newspapers 4 June 2014, available online at <http://www.punchng.com/politics/take-charms-to-polling-booths-aregbesola-urges-voters/> (accessed 9 July 2014).

⁷ Adeolu Adeyemo ‘Aregbesola, Omisore on war path over acquisition of APCs’ New Telegraph 16 July 2014, available online at <http://newtelegraphonline.com/aregbesola-omisore-war-path-acquisition-apcs/> (accessed 16 July 2014).

⁸ New Telegraph ‘Charms: Akinbade chides Aregbesola’ 09 June 2014 available online at <http://newtelegraphonline.com/charms-akinbade-chides-aregbesola/> (accessed 16 July 2014).

⁹ See note 4 above.

to PDP, APC alleged, the incident was part of the “PDP’s antics to divert attention from its own criminality.”¹⁰

- The PDP alleges it has uncovered plans by the APC to cause both pre and post-election violence in the state. It further alleges that Aregbesola was recruiting thugs to unleash mayhem in the state out of desperation to hold on to power. The party alleges that suspected APC thugs attacked its members in Ibokun, Ifewara, Iwo, Ilesa and some towns in Oriade Local Government areas.

3. Implications for Nigerian electoral process

3.1 Culture of impunity

Although Osun State has had challenges in its democratic transition just like other states in Nigeria, apparently, the nature of its political actors and their nature of state politics is a fundamental factor that will shape its democracy and governance. Inciting the citizens to take to violence, allegedly preparing a youth group to provide security as against using the police, military or other para-military for the forth-coming governorship election are indicators that the state political actors do not understand they have the responsibility to ensure peace and stability in the state. Across board, candidates contesting the state governorship election are not engaging citizens on issue campaign based such as building strong institutions, legal frameworks, rule of law, job creation, education, housing, agricultural improvement, etc. but rather they continue to incite the people to take to violence.

3.2 Threat to peace and security in Osun State and beyond

If politicians continue to adopt this practice, it is going to affect not only the 2014 governorship election, but the entire peace and stability of the state. More worrisome is that the types of violent conflicts that characterized south-west in the First Republic might re-emerge. However, the 2011 post election conflicts in northern Nigeria are just one indicator of the reality of this threat. The major threat therefore is, if the supporters of APC or PDP take to violence if any of their candidates loses, what is the likelihood that post-election violence will not breakout and if it does, do we have the capacity to quell the situation considering the fact that we have over stretched security personnel at the moment. . From the threat of violence by party candidates for the upcoming election, the chances of free, fair and credible election is threatened in Osun state unless some of the issues discussed in this paper are promptly addressed. Therefore, the

¹⁰ Gbenga Faturoti ‘Police probe APC, PDP supporters clash’ Daily Independent available online at <http://dailyindependentnig.com/2014/07/police-probe-apc-pdp-supporters-clash/> (accessed 15 July 2014).

Independent National Electoral Commission (INEC), the security personnel, election observers, the electorate, the media and relevant stakeholders must bear in mind, Osun State experience might be significantly different from the Ekiti State experience judging by the unhealthy campaign ongoing in the state particularly within the purview of the electoral geography of the state which shows proclivity to election violence. Therefore, it becomes imperative for INEC, security personnel and stakeholders to put in place all necessary means to avert any form of violence that may occur at the August 9th, 2014 governorship election.

4. Conclusion and Recommendations

From the foregoing, it is evident that current developments in Osun State pose a threat to a free and fair election in the state on August 9, 2014. It is reiterated that the government of Nigeria has the primary duty to ensure that lives and properties are protected and that INEC conducts a free and fair election. It therefore within the context of recent happenings in Osun that that we make the following recommendations:

4.1 The Federal Government of Nigeria

- a) To ensure the maintenance of law and order in Osun State through the provision of adequate security
- b) To ensure the safety of lives and property before, during and after the elections in Osun State
- c) To ensure that security operatives are impartial and committed to free and fair elections

4.2 The Independent National Electoral Commission

- a) The INEC should ensure a level playing ground for all the political parties contesting elections in Osun State
- b) The INEC should ensure compliance with provisions of the Electoral Act 2010 as amended
- c) The INEC should ensure that aspirants and party members abide by the provisions of the Code of Conduct voluntarily signed by all political parties

4.3 Nigerian Political Parties

- a) All political parties and their aspirants should abide by the provisions of Electoral Act 2010 as amended particularly sections 95 and 96.
- b) All political parties and their aspirants should abide by the provisions of the Code of Conduct for political parties voluntarily signed with INEC

4.4 The National Human Rights Commission

- a) The NHRC should commence monitoring and documentation of infractions of the Electoral Act with a view to recommending appropriate sanctions against politicians that have contravened the electoral law
- b) The NHRC should deploy its personnel to monitor the conduct of aspirants and political parties during election period

4.5 The Media

- a) The media should ensure a level playing field for all party candidates contesting elections
- b) The media should be balanced in reporting the activities of all political parties

4.6 Donor agencies and the international community:

- a) To support all efforts aimed at a free and fair election during the Osun State governorship election
- b) Should deploy international observers for the elections

4.7 Nigerian citizens

- a) a) To ensure that their votes count
- b) Resist any inducement capable of contravening provisions of the electoral law