

MAKING A CASE FOR COMPULSORY VOTING IN NIGERIA

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ABSTRACT

Making a case for compulsory voting in Nigeria is a debate that arose from the fact that Nigerian eligible voters are not actively involved in the election process. The number of voters on the election days is very much lower than the number of registered voters. The question being asked is in search of a solution to voters' apathy. If we make voting compulsory would that make the turn out on our election days massive? To answer the above question, one sought to know why voters do not come out to vote. The low turnout is not peculiar to the Nigerian setting; therefore the debate is going global. The conclusion is that rather than making voting compulsory, whatever causes voters apathy should be dealt with primarily. If this is done, it likely that the turn out may improve.

Keywords: Electoral process, Voters card, Registered voters, Independent electoral commission, Democracy, Good governance.

INTRODUCTION

Successful democracy and good governance depend on active participation of the masses. Democracy having been defined as "the government of the people by the people and for the people," can only bring good governance if the electorates fully participate in the choosing of their leaders. Voting gives the masses the opportunity to choose from amongst them those who they believed have the capability and competence to run the affairs of the state for the welfare of the electorates. It is mainly democracy that gives the citizens the power to hold their leaders accountable because such leaders got their mandate through the voters. Unfortunately voters turn out has been on the decline not only in Nigeria but also globally. The electorates increasingly have become apathetic during voting and this in turn gave power to a few individuals who manoeuvred their way into governance.

During the last 2015 election in Nigeria, it was on record that more than 50% of the registered voters did not vote. This means that the election of the current government in power was made by minority of the citizens. This essay is on whether voting should be made compulsory in Nigeria. We shall be looking at what is obtainable in other countries. Also to be considered would be the difference mandatory voting requirements made in some other countries positively. We shall then conclude by taking a position as to whether voting should be made mandatory in Nigeria.

Mandatory voting

Mandatory voting is a system in which voters are obliged to vote in elections or attend a polling place on voting day. If an eligible voter does not attend a polling place, or lodge a postal **vote**, he or she may be subject to a penalty such as fines or community service. There are many countries that have been implementing mandatory voting system. Australia is

known to have operated this system for a century now. The Australian law mandates every citizen aged 18 years and above to vote in all elections. This has secured the participation of at least 94% of the eligible citizens in their electoral process unlike the United States of America that recorded only 57% turn out in their last Presidential election¹. This does not mean however that all the citizens of the country are happy with the compulsory requirement for their participation. Although many countries such as the United Kingdom are indicating the possibility of adopting Australian model in making voting mandatory, some Australians argue that compulsory voting requirement stifles political freedom and threatens the basic principles of democracy. In the words of Jason Kent, a renowned opponent: "People have been sentenced to jail terms for not voting. It's disgusting. It's far from being democratic. We are not a democracy if we can't vote democratically"². Mr. Kent further argues: "High voter turnout is a myth when you consider that 10% of Australians are not even registered. When that myth is debunked, I think you'll see a dramatic shift in public perception of compulsory voting"³. He believes that the so celebrated is not the total number of eligible voters but a percentage of registered voters and that if voters were allowed to vote voluntarily, it would be easier to hold the politicians accountable. "If voting was democratic, politicians would be beholden to the voters, they couldn't hold a gun to our heads and force us to vote, they'd have to give us a good reason to vote. They'd have to inspire us"⁴.

Mr. Kent is not the only opponent or critic of mandatory voting requirement. In Britain, Daniel Bentley, communications director at the Civitas think tank, says: "The problem with compulsory voting is that it does not promote real democratic engagement but just turns voting into one more thing that the state requires us to do, like filling in a tax form or taking the car for its MOT. We need people not simply to tick a box on polling day but to be as engaged as possible with decision-making, because that is the only way of ensuring our representatives work for the common good."

For Mr. Bentley, it is not getting people to the poll that is the main challenge but getting the people involved in governance is more important and should be addressed. Some people however have a different view. They believe that for democracy to survive, voting should be made a civic duty with penalties attached for failure to participate. They argue that compulsory voting will lead to higher number of votes which in turn give a higher degree of legitimacy to the government because they came in by the majority vote not just from the few interested in politics. Supporters believe that mandatory voting law will remove disenfranchisement completely. In many countries where the minority groups are disenfranchised directly or indirectly through policies, compulsory voting system is the key to combat such policies. They argue that in situations where the electorates are not happy with any of the candidates, it will be better for them to cast blank votes or tick none of the above rather than not vote at all. It is also argued that since campaign funds are not needed to goad voters to the polls, the role of money in politics decreases. With non-compulsory voting, the ability of a political machine to get out the vote of its supporters may influence the outcome. High levels of participation decreases the risk of political instability created by crises or charismatic but sectionally focused demagogues⁵

⁵ [Hppt/en.wikipedia.org](https://en.wikipedia.org)

Political scientist Waleed Aly argues that whether compulsory voting favours the right or the left is besides the point, because the most beneficial aspect of compulsory voting is that it will improve the calibre of individuals who run for office and the quality of the decisions that they make: "In a compulsory election, it does not pay to energize your base to the exclusion of all other voters. Since elections cannot be determined by turnout, they are decided by swing voters and won in the centre... That is one reason Australia's version of the far right lacks anything like the power of its European or American counterparts. Australia has had some bad governments, but it hasn't had any truly extreme ones and it isn't nearly as vulnerable to demagogues".⁶

Supporters of greater enforcement of voting such as David Winnick ask why participation in elections should not be seen as a similar obligation of the citizen towards the state. "Don't we all have obligations?" asked Mr Winnick. "We all have to pay local and national taxes and if we drive we pay road tax...we can't opt out and we don't want anyone to opt out. Is that an infringement of civil liberties? I don't see why it should be argued that if there is a civic obligation to vote and being able to abstain there should be attack on the grounds that our civil liberties are being undermined".⁷ It is now obvious that there are supporters for both schools; for and against mandatory voting law. One would however think that the most important aspect of this essay would be to find out why people do not vote during the elections. Voters' apathy is noted to be common in very many countries today not just in Nigeria. In fact it was the low turnout of masses to vote during an election in 1924 in Australia that led to the introduction of compulsory voting imposed on the masses.

Why people refuse to vote

Statistics from the Independent National Electoral Commission, INEC capture the trend of voter turnout in the country; 52.2% in 1999, 69.08% in 2003, 57.49% in 2007, 53.68% in 2011 and 43.65% in 2015. The statistics from INEC on the just concluded 2015 general elections put voter turnout at 43.65% out of 67,422,005 registered voters. This simply means that the current government was not chosen by the majority of the citizens as 43% of the registered voters are less than 40% of the citizens eligible to vote.⁸ We shall look at a few of the reason why many do not vote.

A. Unfulfilled promises

Politicians all over the world are known to make promises they have no plan or even idea on how to fulfil. Most times during campaigns they court the electorates and promise these voters things they know would make their life better but they do not fulfil majority of these offers. In the words of a popular comedian and a revolutionary, Russel Brand "I am not voting out of absolute indifference and weariness and exhaustion from the lies, treachery and deceit of the political class that has been going on for generations".⁹ The masses now know that political promises are just to woo them to vote and they are never going to fulfil those pledges..

⁶ Aly, Waleed (2017-01-19). *"Voting Should Be Mandatory"*. The New York Times. ISSN 0362-4331

⁷ Leala Padmanabhan Should voting (or actively abstaining) be compulsory? BBC News 14 January 2015 From the section **UK Politics**

⁸ Faeren Mercy Aigaiye Voter Apathy and Voter Turnout in the 2015 General Elections: The Benue State Experience

⁹ Th

B. Security issues

Elections in Nigeria are often characterised by violence. This creates fear in the electorates and many would not want to be part of the voting process as there is a likelihood of being injured if not killed. The violence normally originates from party members. In Nigeria, there have been reports of snatching ballot boxes by heavily armed men while the electorates are casting their votes. There are fights, chaos and all manner of violent behaviour which include kidnapping of individuals including INEC officials.

C. When none of the candidates is a good option

Often times there are very few candidates to choose from. Even though there are many parties registered for elections, usually only two or three parties emerge as mega parties. The other smaller parties do not have enough funding to compete with the mega ones. This simply means that the electorates are left with two or three candidates who may not effectively represent their views. In response to this, the electorates may choose not to vote at all.

D. Rigging of elections

Election result is considered rigged if the outcome is influenced in anyway contrary to the votes counted. There are allegations of election rigging in most election petitions in Nigeria. Therefore the masses have come to believe that their votes do not determine who wins elections or not. In their opinion, if indeed their votes do not count why bother to cast the vote? The result is apathy to the electoral process.

E. Cumbersome registration and election process

The process of voter registration has great impact on the electorates. Where voter registration is cumbersome as found in Nigeria, many eligible citizens would not want to go through the complicated process. Having a voter card is a prerequisite for voting and where eligible people are unable to register before the election, voting becomes impossible. Easier registration could mean more voting. In Nigeria, there were complaints in 2015 by electorates that the registration officials moved from place to place with inadequate information as to their next move. There were reports about technical failures and allegations that these officials asked the electorates to pay for ink and batteries required to run the Direct Data Capture machines.¹⁰

Even when the registration process is complete, the law requires that INEC displays the voters register for people to ensure that their names are in the register or make complaints if they are not. Unfortunately this requirement is rarely complied with and when it is observed, it is done in a disorganised manner to the frustration of any interested individuals. Most times, people whose names are missing never get to have the correction implemented before the election takes place. On the Election Day, there is yet a rigorous process before a voter can cast his vote. The electorates go through a verification process which would normally take hours before the voter goes back to queue for voting. Many people would not be kin to go through the rigorous process required to cast a vote.

¹⁰ Human Rights watch, Abuja, February 2017

F. Ignorance and illiteracy

Many electorates are ignorant of the power of their vote in governance and do not understand the decisive influence of their ballots. In the same vein, literate and educated people are more likely to participate in the election process because they seem to have a better understanding of what is going on and believe they could benefit from the process if they are fully engaged. This is unlike the illiterate ones who may believe that they have nothing at stake and not qualified for any political position. Furthermore, there is inadequate information and education for the masses not only on their right and responsibility to vote, but also on the roles of INEC as the institution that runs election in Nigeria. For example many citizens do not know that they can effect a change of location and address by making an application to INEC to enable them participate in the election. Both the INEC and other non-governmental organisation do not give the voters enough information and education to influence their choice to vote.

G. .Social and religious belief

Social and religious affiliations would normally have impact on the voter behaviour. It is unlikely that electorates would want to vote candidates whose manifesto is contrary to their religious beliefs. Issue based debates would normally reveal a candidates plan or direction during campaign. Such issues as divorce, right for lesbians, gay, transgender, abortion are mainly defined by religious and social doctrine. If the candidates are likely to handle these issues without consideration for people's religious belief, it is unlikely the voters will willingly turnout to vote especially if all the candidates share the same view. Ethnicity religious and social differences affect the turnout of voters most times.

Religious groups like the Jehovah's witness normally would not participate in the civic responsibility of casting votes during election as they believe it is a conscience matter for which they need to be very careful. They also believe that it is better to abstain from issues of governance and politics.

SHOULD VOTING BE MADE COMPULSORY?

Having gone through the arguments for and against mandatory voting, one still need to answer the above question. Should voting be made mandatory in Nigeria? Ordinarily one would agree with whatever would encourage the masses to turn up on the pulling day and choose their government. This argument goes on in most civilized parts of the world. One must note however that such countries as America and the United Kingdom which are in this debate have already eliminated some of the concerns listed above as reasons for not voting. They do not experience the kind of violence and insecurity we have here in Nigeria during elections. Their Politicians may not keep all their campaign promises but they hold them accountable to some extent. Their manifestoes and campaign debates are issue based and promises made are directed toward solving specific problem. This does not happen here. Politicians are never accountable to the masses. They woo the masses during elections and oppress and exploit them during their tenure. The masses withdrew from active participation in elections because their choices are not respected by the few people who have what it takes to impose a candidate on the masses. However, it will be unfair to support mandatory voting process without first addressing the issues raised and challenges that discourage voters. It is unjustifiable to force the citizens of the country to converge for voting where there is no guarantee for their security. One can imagine what happened in the 2015 general election in which it was said that only 43.6% of registered voters turned out to vote. In states like Rivers

States there was so much violence. What would have happened if 96% of registered voters happen to turn out in the same venue for these elections? We must address these concerns before considering mandatory voting. Any attempt to the contrary would mean further exploitation of the masses that already have made so much sacrifice for bad leadership in Nigeria.

CONCLUSION

I am tempted to agree with Jason Brennan, an associate professor of ethics, economics and public policy at Georgetown University, who argues in this 2001 Room Debate article higher turnout does not necessarily lead to higher quality government? He writes: “The median voter is incompetent at politics. The citizens who abstain are, on average, even more incompetent. If we force everyone to vote, the electorate will become even more irrational and misinformed. The result: not only will the worse candidate on the ballot get a better shot at winning, but the candidates who make it on the ballot in the first place will be worse.”¹¹ This shows that voters apathy is a global issue and the debate for mandatory voting is going on in many countries as a way of bringing back the masses to the poll. The masses on the other hand have their reasons they do not want to be part of voting. Before a case for compulsory voting in Nigeria can be made, it is important that we address these issues that hinder the masses from being part of the voting process during elections. It may well be that we do not need new laws. We just need to do our job very well as a government and watch the people’s desire to vote turn into action.

RECOMMENDATIONS

Beyond the need to get the masses to vote and be part of the election process, it is more important that the masses are trained to be part of a political process. Politics is life, life is politics. There is a high price to be paid for ignoring and not participating in life. We therefore need to do whatever we can to bring the masses to the poll with great enthusiasm. Public enlightenment programme should be run by the media on the role of the masses in economic development achieved through voting. There should be education on the right of the citizens to hold their government accountable for their actions and their campaign promises. Wider information should be provided on the registration of voters’ card process and generous announcements made to notify the masses whenever the registration is on and location of their nearest centres for registration. Getting the masses interested in being part of the government through participation will turn our exploiting political class into servants of the masses because of the power of the ballot..

Civic education taught in schools, especially primary and secondary schools should include extensive information on role of the citizens in governance. It should aim at modelling the young ones to change their generation politically. The principle of service oriented policies can be inculcated into these young ones if they are thought to see position as a call to service more than a call to loot the national treasury. If they are taught that political office is not a desperate journey that needs desperate actions to achieve, then someday we may have a group of politicians willing to serve in integrity with great sense of purpose. We must educate our young ones not to work as political thugs for Politicians who send their children abroad for safety during elections and use the children of the poor to perpetrate violence at the expense of their lives and their future.

¹¹ Jason Brennan, Ethics of voting, New York Times, November 7 2011

Electoral violence must be taken seriously. There are many laws and provisions with respect to electoral violence which obviously are never implemented. If people must willingly come out en-mass to vote, it must be ensured that their security is guaranteed. It is not just the security of the masses but also of the electoral officials as there have been many incidents of intimidation, assault and even death of INEC officials.

Our electoral process should be simplified from the time of registration for voters card to the point of voting. The issue of transferring names of registered voters from one location to the other should be addressed urgently to enable citizens on the move to cast their vote wherever they are. This simply means that we may need to introduce voting and registration on the same day as this is very possible if we want to. Electronic voting may be helpful as that will reduce the manpower requirement during election, reduce cost and decongest the polling booths, thus making voting easy and attractive.

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