

# Edo 2020 Election:

A Political Analysis and  
Review of Legal, Constitutional  
and Human Rights Issues





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Rights Issues



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# List of Acronyms

ACD	Advanced Congress of Democrats
AD	Alliance for Democracy
ADC	African Democratic Congress
AG	Action Group
ANPP	All Nigeria's Peoples Party
APC	All Progressives Congress
APGA	All Progressives Grand Alliance
INEC	Independent National Electoral Commission
IRV	INEC Result Viewing Portal
JSC	Justice of the Supreme Court
LGA	Local Government Area
NCNC	National Council of Nigerian and Cameroons
NDDC	Niger Delta Development Commission
NNPP	New Nigeria Peoples Party
NPC	Nigerian People's Congress
NPN	National Party of Nigeria
NRC	National Republican Party
PDP	Peoples Democratic Party
PPN	Peoples Party of Nigeria
PVC	Permanent Voters Card
SDP	Social Democratic Party
SSS	State Security Service
UPN	Unity Party of Nigeria

# Review of the Legal, Constitutional and Human Rights Issues

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## 1. Introduction

The Edo State governorship election that was held September 19, 2020, was a significant event that drew the concerns of democrats, nationally and internationally. To some, it was a major litmus test for the future of Nigeria's electoral system and constitutional democracy. The intriguing plots, dramas, political and legal controversies that surrounded the election are sufficient grounds to undertake an overview of the whole electoral process with a view to addressing some of the issues arising from it. Therefore, in this paper, we will examine compliance with legal and historical frameworks, human rights and Electoral Act-related issues that arose and may arise because of the election. We shall also analyse the legal and political implications of conflicting judgements and how they impact post-election litigations, putting the Edo election in perspective.

## 2. Analysis of the Legal & Historical Framework

In not-too-distant past, the accreditation and verification of voters were done manually. In 2003, 2007 and 2011 general elections, the use of manual accreditation of voters contributed immensely to the gory tales of electoral malpractices that were prevalent in the era. In 2015, Professor Attahiru Jega, then Chairman of the Independent National Electoral Commission (INEC), introduced the use of Smart Card Reader technology into our electoral system – a device used to scan the Permanent Voters Card (PVC) to verify the identity of voters in polling units.

Consequently, in the exercise of the powers conferred by the **Constitution of the Federal Republic of Nigeria 1999 (as amended)** and the Electoral Act 2010 (as amended),

the INEC in the build up to the 2019 general elections issued the **Regulations and Guidelines for the conduct of Elections (General Elections, Bye-elections, Re-run Elections and Supplementary Elections)** wherein Regulation 10 provides for the mandatory use of the smart card reader during elections. This regulation was equally used for the Edo Election.

In the Edo election, the smart card readers were used in sacred compliance with the law and regulations. However, there were a few cases of faulty smart card readers which forced the electoral officers to resort to manual accreditation and verification voters.

Although on the surface the adoption of manual accreditation may appear a contravention of the guidelines, it remains a valid form of accreditation adopted as a matter of necessity. Interestingly, **Section 49 of the Electoral Act, 2010** could be interpreted to mean that the “satisfaction” of the Presiding Officer that the name of the voter is on the voters’ list is the requirement of the law. Incontrovertibly, in the case of a faulty smart card reader, the adoption of manual accreditation is lawful to the extent of the reasonable “satisfaction” of the Presiding Officer. The Supreme Court buttressed this point in **NYESOM WIKE & ANOR. V DAKUKU PETERSIDE & ORS (2016) 1 NWLR (Pt.1492) 71** where it was held that “the use of the Card Reader has not done away with manual accreditation provided for in Section 49 of the Act”.

### 3. Uploading of Results on INEC Website

In the Edo election, INEC began the uploading of results from Polling Units on its portal through the INEC RESULT VIEWING PORTAL (IRV), enabling voters to view polling unit results real-time till the voting ended. This is relatively new. What was in vogue before now was the pasting of the result sheet at a conspicuous place in the polling unit. The introduction of IRV appears to be a technological improvement on the old way of pasting result. The commendable initiative enhances transparency and trust in the electoral process.

That said, there are questions regarding its legality, validity and adherence during the Edo election. INEC **Regulations** provides that after the close of voting, the result should be pasted conspicuously in the prescribed Forms at the Polling units and the various collation centres. In essence, the purpose of the IRV is to publicize the regular results pasted at polling units on a dedicated website to enhance transparency. It does not in any way constitute electronic collation of results. As provided in the Electoral Act, the collation of votes shall be done manually.



It can be safely said that the refusal or failure to paste the results electronically has no legal effect as there is no express law providing for electronic posting of results. However, it is good for our democracy and electoral system as it enhances transparency. The public should, however, be wary of unsigned 'results' uploaded on the website, as an unsigned document is a worthless piece of paper. As held by TOBI, J.S.C in **OMEGA BANK NIGERIA PLC V. O.B.C. LIMITED (2005) 8 NWLR (Pt. 928) 547**, "*A document which is not signed does not have any efficacy in law. As held in the cases examined, the document is worthless and a worthless document cannot be efficacious.*"

## 4. Security Agencies and the Edo Election

**Section 29(3) of the Electoral Act (as amended in 2015)** states as follows:

**"(3)** Notwithstanding the provisions of any other law and for purposes of securing the vote, the Commission shall be responsible for requesting for the deployment of relevant security personnel necessary for elections or registration of voters and shall assign them in the manner determined by the Commission in consultation with the relevant security agencies: Provided that the Commission shall only request for the deployment of the Nigerian Armed Forces only for the purposes of securing the distribution and delivery of election materials and protection of election officials."

The implication is that the responsibility for ensuring peaceful and secure elections is primarily vested in the Commission. Thus, the role of the Nigeria Police Force and other security agencies to ensure credible election by providing security, curbing violence and restoring peace is made subject to the overriding authority of INEC. **Section 94(4) of the Electoral Act (as amended in 2015)** has limited the role of the Nigeria Police Force during political rallies, processions, etc., to the provision of security.

The place of the security agencies in ensuring the smooth conduct of elections can never be overemphasised. Indeed, security agencies have a great role to play in the management of elections. Regrettably, the country's electoral history is littered with violence, electoral malpractices and unrest, mainly caused by the politically-motivated indifference or active involvement of (compromised) security agents that should ordinarily be loyal to the country they serve and not political actors.

For the Edo election, the Inspector General of Police deployed over 30,000 person-

nel. As important as security agencies are during elections, it must be pointed out that they should be on the ground to maintain peace and tranquility, not to cause violence or break the law with impunity. Pats-Acholonu, JSC of blessed memory lamented the involvement of security agencies in violence during elections in the popular case of **BUHARI v. OBASANJO (2005) 50 WRN 1 at 311** wherein he posited that: *“In this country that has been independent for 45 years, that we can still witness horrendous acts by security officers who ought to dutifully ensure peace and tranquility in the election process, suddenly turning themselves into agents of destruction, and introducing mayhem to what ordinarily would have been a civilized way of exercising franchise by the people who are sovereign, is regrettable.”*

On the eve of the election, for example, about 300 policemen besieged Rivers State and Governor Nyesom Wike who was the Chairman of the Campaign Council of the Peoples Democratic Party (PDP). That invasive act was not only a naked display of impunity, it was also a constitutional aberration and the height of lawlessness. It was a rude encroachment on **Section 308 of the 1999 Constitution** which guarantees the immunity of Wike as an incumbent governor.

It was an assault on the rule of law and a breach of his right to personal liberty and freedom of movement under **Sections 35 and 41 of the 1999 Constitution** respectively. For a sitting governor to be arbitrarily harassed for political reasons by security agencies during elections is a testament to the fact that the ordinary voters go through all forms of intimidation and harassment by security agencies during an election. Perhaps it is important to draw the attention of the Nigeria Police Force to the recent decision of the Court of Appeal in the case of **STATE SECURITY SERVICE & ANOR. V MALLAM NASIR EL-RUFAI (2018) LPELR-45080(CA)**. In that case, Mallam El-Rufai (now governor of Kaduna State) on Friday, November 15, 2013, was in Awka, Anambra State, as a Member/Secretary of the Electoral Committee of his political party, All Progressives Congress (APC), to monitor the gubernatorial election scheduled to hold on Saturday, November 16, 2013. He checked into Finotel Hotel, Awka, and shortly after settling in his room, he was confronted by some men armed with assault rifles and automatic pistols. The men introduced themselves as officers of the State Security Service (SSS) and instructed him to remain in his hotel room until he received further instructions to the contrary, thereby detaining him in the said hotel precinct and his movement within Anambra State restricted.

In awarding the cost of two million naira against the SSS for confining El-Rufai to his hotel, the Court of Appeal held, *inter alia*:

***“For the avoidance of doubt, I am at one with the learned trial Judge’s conclusion that, the reasons advanced by the Appellants’ for the detention of the Respondent in the manner described and for the period stated by him are implausible. Hence, the Respondent’s fundamental right to personal liberty was arbitrarily infringed upon by the 1st Appellant and as a fall out of that, his fundamental rights to freedom of movement, expression of thought, association with his political party and manifest his religious worship in community with others were similarly arbitrarily infringed upon on the 15th and 16th of November, 2013, in Akwa, Anambra State. Consequent upon the circumstances of this matter, it becomes clear as a bell that the Appellants fatally failed to justify or legalise or constitutionalise their said action against the Respondent. Their actions against the Respondent could not be properly justified under the exceptions to either Sections 35(1), 41(1) and 45(1) of the Constitution or Articles 6 and 27(2) of the African Charter on Human and Peoples Rights Act.”***

Additionally, there was heavy militarisation of the electoral process in Edo State in violation of court judgments barring the military from taking part in elections. One of such judgments was delivered in a case filed by the current Speaker of the House of Representatives, Rt. Hon. Femi Gbajabamila (then Minority Speaker of the House of Representatives). Hon. Justice Ibrahim Buba, declared in March 2015 among others, that:

***“The armed forces have no role in elections.***

***“The time has come for us to establish the culture of democratic rule in the country and to start to do the right thing particularly when it has to do with dealing with the electoral process which is one of the pillars of democracy.***

***“In spite of the behaviour of the political class, we should by all means try to keep armed personnel and the military from being a part and parcel of the electoral process.***

***“The state is obligated to confine the military to their very demanding assignment, especially in this time of insurgencies by keeping them out of elections. The state is also obligated to ensure that citizens exercise their franchise freely and unmolested,”***

The fact that the military is still playing a visible and active role in elections in defiance of the court is regrettable. Heavy militarisation of election exposes voters to intimidation and palpable fear.

In fact, soldiers, as a matter of law, have no business in the electoral process, save for limited cases where they can be called in aid of civil authorities if the police are overwhelmed. If soldiers are not protecting the country against external aggression, they should be found in the barracks. The militarisation of election is another way of subverting the will of the people in exercising their right to choose leaders of their choice. The continuous deployment of the military for elections, as witnessed in the just concluded Edo election, is a sad reminder that election is seen as war by many people in Nigeria.

## 5. Human Rights, Violence and Vote-Buying

Although adjudged to be relatively peaceful, the just concluded Edo election witnessed all sorts of electoral irregularities including intimidation and harassment of voters and election observers, disruption of accreditation and voting process by party thugs, sporadic shootings, ballot box snatching and non-secrecy of ballot due to vote-buying. According to reports, in many polling units, cases of violation of rights of voters and journalists by security agents abound. Despite INEC's preparedness to ensure a violence-free election, the compromise of its staff and security agents alongside activities of agents of political parties paved the way for these irregularities.

One major irregularity that marred Edo's election was the issue of intimidation and harassment of voters and civil society observers. In Edogun Primary School Hall I, Polling Unit in Orhionmwon LGA and Ozolua Grammar School, Polling Unit 009 of Ward 10 in Ikpoba/Okha LGA, election observers were harassed and their materials confiscated by party agents. Also, a PREMIUM TIMES journalist, Samson Adenekan, was slapped, manhandled and then briefly detained by thugs for allegedly taking pictures and recording a video of the event. These are illegal and unacceptable in an election held under a democratic dispensation.

By virtue of **Section 131 of the Electoral Act, 2010**, the law frowns at any act of threatening voters with violence or injury. Generally, due to the fear of intimidation, voters prejudice their rights to wilfully vote for their preferred candidates. Subjecting voters to emotional torture, intimidation and violence is a breach of civil and human rights.

Vote buying and non-secrecy of the ballot are not new to Nigerian elections. It is reported that when voters engage in vote-buying, they are mandated to show their ticked ballot paper to a party agent, who in return pay them for voting for his party. Various civil society organisations have campaigned against vote buying. However, due to high level of poverty in the country, citizens still prefer to sell their votes for pittance.

Specifically, cases of vote buying and compromising the secrecy of the ballot were reported in Egor LGA, Igueben LGA and Esan North-East LGA. According to **Section 130 of the Electoral Act**, any act that involves selling of votes or providing or paying money for the purpose of corruptly influencing a person to vote is an offence which is punishable by a fine of N100,000 or imprisonment for a term of 12 months or both. Sadly, these laws mean nothing on election grounds. For Nigeria to witness a transparent election, the law must rule during the electoral process.

## 6. Compliance with Covid-19 Protocols

The Edo State governorship election was impacted by the prevailing coronavirus pandemic. Although INEC had introduced measures like compulsory wearing of face mask and social distancing to checkmate the spread of COVID-19, it was observed that compliance with these protocols was low.

## 7. Conflicting Judgements & Post-Election Tribunal

It appears the Edo election is over but for the number of pending cases in court that might affect the whole electoral process. There is a pending appeal before the Supreme Court of Nigeria bothering on the legality of deregistration of political parties by INEC. INEC approached the court because it was faced with two conflicting decisions from the Court of Appeal: one affirming its powers to deregister political parties and the other setting aside deregistration of Advanced Congress of Democrats (ACD) and 22 others. These conflicting decisions made it impossible for the affected political parties to conduct primary elections and participate in the Edo State gubernatorial election. INEC still went ahead and conducted the election without candidates from the deregistered political parties because it was confused about which of the decisions to respect.

Now that the election is over and the President of the Court of Appeal has constituted the Election Petitions Tribunal, as mandated by **Section 285 of the 1999 Constitution**, it is expected that aggrieved parties and/or candidates may petition the tribunal to challenge the outcome of the election. Interestingly, the APC and its candidate along with other political parties who participated in the election have congratulated the winner, Godwin Obaseki of PDP, and accepted the outcome of the election.

By virtue of **Section 285 of the Constitution**, aggrieved parties and candidates have 21 days from the date of declaration of the results within which to file a petition. Time will

tell whether the Edo election will escape the perennial litigations that have trailed most elections in Nigeria's democratic history.

It is not new to see inconsistent, confusing and contradictory decisions from our courts, particularly in election matters. This has a devastating effect on our constitutional democracy and electoral jurisprudence. Judicial decisions of public interest should be consistent and certain. The simple reason for this is that election matters cover not just the interest of litigants but the community and the nation and are very important proceedings from the public policy point of view.

Where the decisions from appellate courts are contradicting and inconsistent, the trust reposed in the judiciary as the last hope of the common man is lost. It has been observed, over time, that the sole reason the decisions are inconsistent is the undue adherence to technicalities. The Supreme Court, per Uwais JSC, in **NWOBODO V. ONOH (1984) 1 SC NLR 1** opined that “***Election petitions are by their nature peculiar from other proceedings and are very important from the other points of view of public policy. It is the duty of the courts therefore to hear them without allowing technicalities to unduly falter their jurisdiction.***”

Should there be a court order compelling the INEC to conduct a fresh election, the terrible effect it will have on our tottering democracy can only be imagined: the wastage of scarce resources, voters' apathy, general distrust in the electoral process and chaos, to mention just a few. One hopes that Nigeria will get to a stage where the courts will have little or nothing to do in the conduct of elections. Truth is, for now, the outcome of elections is not conclusive at the ballot but in the courts where the judiciary has assumed a prominent role as the ultimate decider of electoral outcomes.

## 8. Conclusion

Despite the observable flaws in the Edo governorship election, it is a fair assessment to assert that the September 19, 2020, election is an appreciable improvement of Nigeria's recent electoral history. No democracy can thrive without a credible, transparent and effective electoral system. To consolidate the gains of the Edo election, the National Assembly is urged to expedite actions on the Electoral Act (Amendment) Bill currently before the legislature for consideration. It is important to give legislative backing to the use of the smart card reader as the sole mode of accreditation and give statutory validity to electronic transmission and collation of results.

# A Political Analysis of the Edo State 2020 Election



While the depth of historical and cultural affinities between Midwest and their South-West neighbours is well known, this has never dampened the sense of independence and resentment of dominance among the Edo. However, despite their resentment, it was only during the period of agitation in the lead up to the creation of the Midwest region after independence in the early 1960s that a Southwest-dominated party first lost grip of the Midwest in an election.

And, although the Oba of Benin, Akenzua II, was one of the spearheads of the agitation, through the alliance of the Otu Edo with the Southeast-dominated NCNC (National Council of Nigeria and the Cameroons, later National Council of Nigerian Citizens), the western Igbo (Ika, Oshimili, Aniocha and Ndokwa) were very influential in the struggle for the realisation of the Midwest dream. That was why Dennis Osadebay emerged as the first premier, with Jereton Mariere as governor. Benin City settled for the capital of the new region. There was also the great favour done by the Hausa/Fulani-led NPC (Nigerian People's Congress) that had teamed up with NCNC to form the post-independence federal government.

The point being made here, which will be elaborated later, is that politically the people of the old Midwest region have always been caught between the South-west and South-east political tendencies. The Action Group party, led by Obafemi Awolowo, held sway in the Benin province (the area covered by the Midwest) before independence. While it seemed that the South-west influence in Midwestern politics had suffered a setback with the creation of the new region against the desire of the South-West political establishment, things changed in the Second Republic in 1979. The humiliation suffered by the Midwest in the hands of the leaders of the Biafran misadventure in 1967 compelled the people from the region, now known as Bendel, to turn to the west in embracing the Awolowo-led Unity Party of Nigeria (UPN) at the expense of the Nnamdi Azikiwe-led Nigerian People's Party (NPP).

However, by the turn of the Fourth Republic in 1999, the people of Midwest had shed the “follow-follow” mentality by opting to come under the umbrella (permit the pun) of the Peoples’ Democratic Party (PDP), instead of any of the parties associated with their “bigger” neighbours – Alliance for Democracy (AD) and All Nigeria Peoples Party (ANPP), the latter to which Emeka Odumegwu Ojukwu was initially linked until the formation of the All Progressives Grand Alliance (APGA) that could not match PDP’s attraction for the South East. This was a signal that Midwest politics, largely influenced by the South-west and South-east, was moving in a different direction of fierce independence.

It is against this background that the issues in the recent governorship election in Edo state that pitted incumbent governor, Godwin Nogheghase Obaseki of PDP, against Osagie Ize-Iyamu of the All Progressives Congress (APC) should be appreciated. Much has been made about the undue influence that Adams Oshiomhole, former governor and ousted chairman of APC, exerted on the situation that did not endear the APC candidates to many voters and observers of the process. Add to this the idea of appointing the controversial Governor Abdullahi Ganduje of Kano State as chairman, and his Imo State counterpart, Hope Uzodinma, as member of the APC campaign council. But perhaps the masterstroke was the strategy of positioning former Lagos governor, Bola Ahmed Tinubu, as if he would decide the fate of not just Obaseki but the fate of the entire people of Edo state. Of course, Edo people intensified the “Edo No Be Lagos” and “Obaseki No Be Ambode” slogans to rebuff the insult.

The election in Edo State was not as complicated as the world was made to believe. There were neither ideological, religious nor ethnic issues at play, given that the dramatis personae were coming from the same political family. They share the same faith, and the two main candidates were raised in the same neighbourhood in Benin City. Then why couldn’t APC manage the crisis until it got out of hand? “It was just the temperament, ego and intransigence of one man that stalemated the efforts to peacefully resolve the impasse,” says Frederick Bizugbe, a Benin City-based lawyer and politician.

“You can also say that Godwin (governor Obaseki) was headstrong, but don’t forget the family he comes from,” Bizugbe adds. Indeed, observers feel that it took friends and relations to equip the governor with the psychological armoury to give Oshiomhole a fight. “Godwin, you are the governor,” a fellow member of APC is reported to have yelled at him. “The resources of the state are at your disposal. Deploy them. Don’t bring shame to your family.”



The crack in the father-and-son political relationship between Oshiomhole and Obaseki started less than two years before the election. There seemed to be an unwritten understanding that the Lagos template would be used, with Obaseki concentrating on governance, including continuing with the “great” work that the former labour leader had started. Obaseki played along as per the template, including conceding to his godfather the nomination of the majority of political appointees, including members of state executive council. However, when, in 2018, primary elections were held for national and state assembly candidates, Obaseki was jolted when the exercise conducted to his advantage was upturned by Oshiomhole, who was now operating from a position of unquestioned strength as national chairman of APC in Abuja. Predictably, Oshiomhole’s favoured candidates emerged victorious from the new exercise.

Meanwhile, there was already a groundswell of grumblings in the ranks of party elders that the governor was too tight-fisted, that he was not “carrying them along” (a euphemism for doling out cash, contracts and dispensing favours to party faithfuls), but was instead “importing” consultants and contractors from Lagos to execute projects. The new legislators, overzealous in their loyalty to Oshiomhole, found company in the disaffected party elders and various political jobbers who had been dislodged from their lucrative, albeit utterly nefarious business of collecting all manner of levies on the roads and marketplaces, to threaten the governor with “decisive action,” including impeachment.

The issue of lawmakers failing to turn up for inauguration, but instead preferring exile in Abuja with the tacit encouragement of Oshiomhole, is quite interesting. Obaseki is said to lack interpersonal relationships and to have a mindset that anyone coming to ask his favour is a “sinner.” He was even alleged to have shut his door against favour-seeking family members. In a battle against an opponent like Oshiomhole, who has a reputation for putting money where his mouth is, he was always going to have a herculean task acquitting himself creditably. And when Idahosa (Hosa) Wells Okunbo, the prodigiously wealthy Benin businessman showed up to put his weight behind the Oshiomhole-backed Ize-Iyamu ticket, the task was not made easier.

## 1. The Palace Effect

Obaseki’s case was not helped by The Oba of Benin, Ewuare II, who on one occasion openly berated the governor’s deputy and running mate, Philip Shaibu, in the election, and held him largely responsible for the heightened election-related tension in the state. Given the monarch’s closeness to Oshiomhole and Okunbo, some reckoned that

this was an expression of the monarch's body language in favour of the APC candidate. But it was remarkable that, however discomfited they were, the Obaseki camp took the episode calmly. What those who were unnerved by the Oba's remarks failed to realise is that the Oba is not one to hide his feelings, regardless of the premise from which they emanated. It is also believed that as demoralising as the incident might have been, it also swayed sympathy – and votes – to the Obaseki-Shaibu ticket.

The role of the Oba Ewuare II in the 2020 governorship election in Edo State deserves more than passing mention. Who is going to question the Oba's concern about the streams of violence that accompanied the electioneering? Recall that on July 5, he took the pains to go to Abuja to prevail on President Muhammadu Buhari to wade into the rift between Oshiomhole and Obaseki. Then, a number of people had also been taken aback because they rightly believed that both combatants were his subjects, and he was better placed than anyone else to mediate their dispute.

However, if the matter could not be resolved, it was not for lack of trying. Before he went to solicit the president's help, according to the monarch, he had tried to settle the quarrel between them and, as he revealed at the peace meeting at the palace, several highly placed mutual friends of the former governor and his predecessor had been co-opted into the peace process to no avail.

Preventing traditional rulers from getting involved in partisan politics is easier said than done. In the old Western region, traditional rulers were neck-deep in politics. They only risked all manner of punitive actions – suspension of salaries, dethronement, banishment and much more if they are found to belong to the opposition parties. Many were appointed as ministers without portfolios by the government in power. These days, politicians are subtler in the way they go about whipping traditional rulers into line. As long as they do not comport themselves as if they were in the opposition party through their utterances or actions in relation to government policies or positions, they are safe.

While the influence of traditional institutions can be critical, the people have always had the final say in elections. Former governor of Edo state, Lucky Igbinedion, the son of the Esama of Benin, Gabriel Osawaru Igbinedion, is one candidate who has tasted both the bitter and sweet fruits of traditional rulers' influence in elections. In 1991, as candidate of the National Republican Party (NRC), his loss of the governorship election to John Odigie-Oyegun of the Social Democratic Party (SDP) was traceable to a broadcast alleging the palace's preference for the latter. It was assumed that it was for this reason that the young man, who had had a sterling performance as elected chairman

of Oredo Local Government Area under the long transition programme of the Ibrahim Babangida military administration, and was favoured to win the election, lost to the SDP candidate. Igbinedion's fortunes further suffered backlash from a court case involving the Oba based on a petition by the NRC alleging that the monarch had been implicated in the infringement of the law pertaining to the election.

In 1999, Lucky Imasuen, who was based in the US, with former Edo state chairman of PDP Dan Orbih as his running mate, was widely believed to be the preference of the palace in the governorship election. However, with political heavyweights such as Tony Anenih and Samuel Osaigbovo, a two-time governor, teaming up with the Esama, his son had quite an easy ride to Osadebay Avenue. This time around, the palace had warmed up to the Igbinedions.

## **2. Obaseki's Fight, and his Achievements**

In the recent governorship election, in addition to the support from colleagues across the Niger in his new party, Obaseki also had something, indeed a lot, to show for his first four years, even under very detracting manipulations from his adversaries. For example, there are roads and schools and, more significantly, massive strategic infrastructure whose benefits will be harvested by future generations. In addition to 6,000 barrels per day capacity Edo Refinery and Petrochemicals, a private modular refinery project that enjoyed the support of the Federal and State government at Ologbo, there are also the Urhonigbe Rubber Estates Limited, in which the state government is investing N5.1 billion in partnership with a French company; huge investments in oil palm plantation; the \$250 million Benin Enterprise and Industrial Park project, and a massive housing project.

Apart from extensive online and conventional media packaging of his achievements, the narratives he put out resonated very well with the public. In previous elections since Oshiomhole emerged on the political turf of Edo state, the senatorial districts of Edo North (comprising LGAs in Etsako, Owan and Akoko-Edo areas) and Edo South (the Benin-speaking area) were always his minefields for harvesting votes. However, while he bestrode Edo North like a Colossus, the margin of APC's victory in the last election (see table) was quite slim. In Edo South, which has about 50% of the state's population and where the two main rivals come from, APC was soundly beaten, with Ize-Iyamu losing his Orhionmwon LGA. Predictably, although the margin of its defeat was not as lop-sided as many were wont to predict, APC was given a hiding by Esan people of Edo Central.

### 3. Oshiomhole's Questionable Legacies

Against the perceived non-performance of Lucky Igbinedion, Oshiomhole dramatised every step of his as an earth-shaking accomplishment. Taking advantage of his popularity, Oshiomhole took on the political establishment in Edo state. Among the political giants that he humiliated, fought to a standstill and repeatedly rubbished were former Minister of Works Tony Anenih, businessman Gabriel Igbinedion, father of former governor Lucky Igbinedion; former Minister of Foreign affairs Tom Ikimi, Raymond Dokpesi, Michael Oghiadomhe, Senator Roland Owie, and M.C.K. Orbih, father of former PDP former state chairman, Dan Orbih, to mention a few. A chieftain of the National Party of Nigeria (NPN) in the Second Republic, M.C.K. Orbih was the de facto leader of Etsako, nay Afenmai political establishment, and was also said to have introduced Anenih into politics.

Against the background of the lawlessness that prevailed during Oshiomhole's tenure, with thugs taking over governance, notably in such areas as tax collection in markets and land administration, people – both at home and in the diaspora – rose to Obaseki's defence and support when he demolished the structure of governance built on impunity. The images of an old woman, a pensioner, being escorted to go and “cast my vote for Obaseki” on account of having ensured payment of retirement benefits to retirees over the past four years, and a middle-aged man on a wheelchair wildly celebrating the incumbent governor's victory, were gripping testaments to the involvement of women and physically challenged persons in the election. During the campaigns, women were seen remarking on how the dislodgment of touts from markets had been a breath of fresh air to their businesses.

Suddenly, as the campaign headed for the home stretch and his intransigence increasingly unnerved even members of his own party, Oshiomhole's image of a governor who turned Edo into “one giant construction site” began to look like that of a meddling godfather who, by his conduct, was now outdoing the godfathers he had routinely castigated in the past. People also began to interrogate Oshiomhole's legacies of arbitrary siting of a university of dubious ownership right in front of his family home, his shoddy implementation of the Benin City water storm project with borrowed funds, the scandal of a hospital project that was commissioned with borrowed equipment, the establishment of a Tayo Akpata University of Education, Ekiadolor, just on paper while the one in his hometown was completed, unpaid pensions to thousands of retirees, the total relegation of his deputy Pius Odubu, to the extent of not siting any project of note in his Orhionmwon LGA, despite his unalloyed loyalty, the playing-to-the-gallery nature and quality of his projects, his humiliation of the Onojie of Uromi, a first-class traditional ruler

well regarded and respected by the Esan people, and countless other infractions.

There was also the way Oshiomhole, with the assistance of his Lagos friends, ousted the much-respected Odigie-Oyegun from the national chairmanship of the party, coupled with the fact that he did not extend the courtesies deserving of the occupant of that position while he was governor. To make matters worse, he offered no support while the Bola Tinubu group subjected Odigie-Oyegun to vitriolic attacks for their failure to get their candidates into leadership positions in the 8th National Assembly, having been outsmarted by the Bukola Saraki group. They even held Odigie-Oyegun responsible for the failure of James Abiodun Faleke, the APC member of the House of Representatives representing Ikeja, to benefit from the death of Audu in the contest for the Kogi governorship.

There are indications that Odigie-Oyegun was quite upfront with the presidency on his preference in the Edo election, saying that he could not, in all conscience, campaign for the candidate of Oshiomhole. Indeed, when a fake report surfaced days to the election purporting him to be on the side of the party's candidate, he swiftly issued a strong disclaimer, and advised people to vote according to their conscience. He did not end the statement without extolling the courage of Obaseki for standing "bravely for the dignity and pride of his people and in the process suffered unacceptable indignities." He then invoked the President's "vote your conscience" creed, a euphemism for non-commitment to an unwholesome party cause.

For Ize-Iyamu, the election was always going to be an uphill task. First, his ambition was coming upon the zoning arrangement in Edo state. It was the turn of Edo Central to take the governorship seat which slipped off their grip in 2008 with the Appeal Court judgment against Oserheimen Osunbor, who had succeeded Lucky Igbinedion in 2007. This is the zone that bred the Anthony Enahoros, Tony Anenihs, Ambrose Allis and other great personalities. If Ize-Iyamu had won the election, the Esan would have had to wait for another eight – instead of four – years to take their slot. That was why, in addition to the bad blood that Oshiomhole had generated in the area, Edo Central was a very dangerous terrain for APC to scavenge for votes.

In an assessment of his chances at the election titled "The Odds Too Much for Obaseki: Edo Election Is Mere Fulfillment of Righteousness," published by abeyanews.com, an online news service, Iranmwinran Neyoteze, an international development expert and public affairs analyst based in Abuja, noted:

“The horrifying part of the situation is that the messages in all of the campaign between the two main contenders revolve around Adams Oshiomhole. Any self-respecting person with Oshiomhole’s notoriety would not be involved in the campaign, in terms of messaging. It’s just as well that the whole world knows his preference. When he says what his preference for now requires, against the background of his previous vituperations, he would not be different from the proverbial man who feasts in his vomit. In that case, from the angles of morality and good taste, he is not entitled to mount the rostrum, as he was wont to do if he were a party leader. But, alas, the shame accruing to him as an ousted party leader is not even obviated by the fact that a court has nullified his suspension from the party of which he was supposed to be the “owner.”

“The point can be made by those who are obliged to be charitable to him that, however much he would be missed for the “yabis” touch and melodrama he brings to the soap-box, he can equally effectively do great work for Osagie Ize-Iyamu in the background. But the feeling in APC is that he is an embarrassment to the party outright, particularly to Ize-Iyamu, the one who has the most dauntingly unenviable task of always having to defend himself against the reel of allegations that Oshiomhole formed the habit of heaping on him until a few months ago. This task is not made any lighter by the fact that many of these allegations are not unfounded. In a situation where issues are the least important content of a campaign manifesto, what else will either Oshiomhole, who has personally never faulted Obaseki’s performance on the job of infrastructural and other forms of development, or his ward candidate Ize-Iyamu say?”

#### 4. What next for Ize-Iyamu?

For a man with the propensity to impose himself on every situation he finds himself, it was impossible to make Oshiomhole take a back seat in the campaigns in which he was the issue. To his credit, to the extent that he secured most of the votes in all but one (Owan West) LGAs in Edo North senatorial district for Ize-Iyamu, Oshiomhole would seem to have contributed significantly to the cause of his new godson. But analysts will have to figure out what might have been if the ousted APC national chairman had steered clear of the campaigns. Was he a liability or an asset? Where does Ize-Iyamu go from here after a second futile attempt for the governorship of Edo state under two “different” parties?

There are those who admire him for his doggedness and his grassroots connection but hope he can redeem his image that has been battered in the last four years by accepting the outcome of the election with magnanimity. The Benin political establishment, with

support from Obaseki, will then figure out a political palliative. If he listens to this counsel, he will have a hard time persuading the hawks around him, personified of course by Oshiomhole, to drop the gauntlet.

## 5. Results by LGAs

S/No	LGA	APC	PDP
1	Igueben	5,199	7,870
2	Esan North-East	6,556	13,579
3	Esan Central	6,719	10,794
4	Ikpoba Okha	18,218	41,030
5	Uhunmwonde	5,972	10,022
6	Egor	10,202	27,621
7	Owan East	19,295	14,762
8	Owan West	11,193	11,485
9	Ovia North-East	9,907	16,987
10	Etsako West	26,150	17,959
11	Esan South-East	9,237	10,563
12	Oredo	18,365	43,498
13	Esan West	7,189	17,434
14	Akoko-Edo	22,963	20,191
15	Etsako-East	17,011	10,668
16	Etsako Central	8,359	7,478
17	Orhionmwon	10,458	13,445
18	Ovia South-West	10,636	12,659
<b>TOTAL</b>		<b>223,619</b>	<b>305,955</b>

Source: The Punch, September 22, 2020

## 6. Gender Analysis of the Election

Despite their parity with men in population, of the 14 governorship candidates, only two women contested for governorship: Mabel Oboh of African Democratic Congress (ADC) and Tracy Ebun Agol of New Nigeria Peoples Party (NNPP). It is the same number of women who were allotted the deputy governorship slot: Mogbelehan Pauline of Labour Party (LP) and Omion Omony of Social Democratic Party (SDP).

Well, however grim the picture may look, it was an improvement on the governorship election in 2016 when only one woman, Tracy Agol, contested the governorship position under the Peoples Party of Nigeria (PPN). Tracy, who was giving a second shot at the position, told the BBC Pidgin service that low women participation in politics in Edo State is down to “fear of victimization, fear of oppression and family fears.” But she said she has personally overcome these fears and “refuse to be oppressed, ... to be intimidated and we refuse to be harassed.”

Mabel Oboh, who contested under Africa Democratic Congress ADC, says politics is a very expensive venture, and derisively observes: “Politics requires lots of money, but what is all the money needed for – it’s to buy votes!” She said voters need to change their orientation of what politics is supposed to be. “Voters need to support people with the vision and capacity to serve the people, not the other way round.”

## 7. Edo Politics in New Alliance

In what direction is the greater influence of Edo politics heading? There is no doubt that much of the support for Obaseki came from across the Niger, even if not with strictly Igbo colouration. Rivers State governor, Nyesom Wike, clearly emerged as the hero of the handshake across the Niger. He is said to have committed huge resources to the project, which is nothing compared with risk he took to his personal life as chair of PDP’s campaign council.

The question as to where Edo politics is now headed for influence and solidarity is all too easy to answer: to the South-South. During his eight-year tenure, Oshiomhole was disdainful of South-South cooperation. While he was very quick to nominate persons to fill positions on the NDDC board, he was lukewarm about the idea of using the BRACE (Bayelsa, Rivers, Akwa-Ibom, Cross Rivers and Edo) commission to provide a platform for ideas for integrated social and economic development in the South-South region, like what Odu’a Investment is doing for the South-west region. Indeed, it is alleged that Obaseki did not actively fraternise with his South-South colleagues for fear of offending the sensibilities of his erstwhile political godfather, until he was edged out of APC. Now, it is the warm embrace of this bloc that has saved him from Oshiomhole’s noose.

Wike put it better than anyone else would when he said at a thank-you visit by Obaseki to him in Port Harcourt on September 23: “I am happy that today, South-South is under one political party. This will make for integration. We can speak with one voice in moving Nigeria forward. This is the sweetest electoral victory I have ever witnessed.”





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