

Ondo 2020 Election:

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



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Address and Contacts

53 Mambolo Street, Zone 2, Wuse, Abuja, Nigeria.
info@ptcij.org | +234-8104198112 | www.ptcij.org

Production Team

Programme Director: **Oluwatosin Alagbe**

Programme Manager (Advocacy and Accountability): **Mboho Eno**

Researcher: **Inibehe Effiong**

Researcher: **Thomas Odewingwe**

Editor: **Godwin Onyeacholem**

Project Assistant: **Jessica A. Odudu Esq.**

Research Executive: **Bukunmi Akanbi**

Design & Print: **Kappa & Omega Company | +234-907-986-9588**

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List of Acronyms

AC	Action Congress
AD	Alliance for Democracy
AG	Action Group
APC	All Progressives Congress
INEC	Independent National Electoral Commission
IRV	INEC Result Viewing Portal
NBA	Nigeria Bar Association
NPN	National Party of Nigeria
PDP	Peoples Democratic Party
PPP	Peoples Progressive Party
SAN	Senior Advocate of Nigeria
UPN	Unity Peoples Party
ZLP	Zenith Labour Party

Review of the Legal, Constitutional and Human Rights Issues

1. Introduction

Periodic election is one important feature of a constitutional democracy. As a country practising democracy, the federating units of Nigeria hold elections every four years. It was for this reason that the gubernatorial election of Ondo State was conducted on October 10, 2020, to kickstart another four years of political administration in the state. During the electioneering season, there were a variety of plots, dramas, twists, upheavals, controversies as well as legal, political and physical violence among the political blocs. In this paper, we will examine compliance with the legal frameworks, human rights, Electoral Act and related issues that arose and may arise because of the election.

2. Defection and Political Impeachment: Legal Matters Arising

As the political atmosphere became hotter in the build-up to the Ondo election, the incumbent deputy governor, Agboola Ajayi, who reportedly had protracted political differences with Governor Rotimi Akeredolu, SAN, defected from the ruling party, All Progressives Congress (APC) to the Peoples Democratic Party (PDP). This move did not go down well with many supporters and allies of the governor, particularly some of the legislators in the Ondo State House of Assembly.

Dissatisfied, machineries were set in motion by some members of the House of Assembly who are loyal to the governor to impeach the deputy governor for “gross misconduct.” An Impeachment Notice was signed by 14 out of 26 members of the House of Assembly.

Thankfully, the principled Chief Judge of Ondo State, Justice Olanrewaju Akeredolu, clearly rejected the move by the House to impeach the deputy governor without complying with constitutional procedures.

The rather sinister impeachment plot was rejected on the grounds that the two-thirds majority required by the 1999 Constitution for setting up a probe panel was not met by the House of Assembly. The procedures for impeaching or removing a governor or deputy governor are enumerated in Section 188 of the 1999 Constitution. Section 188(4) provides that a motion that the House investigates the allegation will be declared as passed if it is supported by the votes of not less than two thirds of all members of the House. In the instance above, 14 out of 26 House members did not meet the requirement of the constitution. Therefore, the resolution or motion was invalid, unlawful and unconstitutional. Although unusual, it was not surprising to see the State Chief Judge rejects the House's request for it to constitute an Investigative Panel of Inquiry for the purpose of impeachment.

But could it be that the lawmakers who orchestrated the constitutional aberration were ignorant of the legal provisions regarding impeachment? Certainly not. It was just a repetition of one of those grievous constitutional abuses that have been normalized in our system, especially in the build-up to elections. It is not new to witness the malicious weaponization of impeachment power by the legislature to score cheap political points. This is not good for our tottering democracy.

Again, having sensed that the move to impeach the deputy governor started at the time his defection to the PDP became obvious, the question is asked if defection by an incumbent elected executive is a ground for impeachment under the 1999 Constitution. The only permissible ground for impeachment is 'gross misconduct.' Section 188(11) of the Constitution defines 'gross misconduct' to mean a grievous infraction of the Constitution, policies and other laws of the land as it relates to the effective discharge of official duties and functions.

The Supreme Court in **INAKOJU V. ADELEKE (2007) 1 S.C. (Pt. 1)** per Niki Tobi, JSC (as he then was) held that:

“It is not every violation or breach of the Constitution that can lead to the removal of a Governor or Deputy Governor. Only a grave violation or breach of the Constitution can lead to the removal of a Governor or Deputy Governor. Grave in the context does not mean an excavation in earth in which a dead body is buried, rather it means in my view serious, substantial and weighty”.

Does the defection of a deputy governor from one political party to another amount to an act of 'gross misconduct' for the purpose of impeachment? The 1999 Constitution makes no express provision as regards whether the defection of an elected executive would amount to an act of 'gross misconduct' for the purpose of impeachment. As regards elected legislators, however, Section 68(1)(g) of the Constitution provides thus:

“A member of the Senate or House of Representatives or State House of Assembly shall vacate his seat in the House of which he is a member if - being a person whose election into the House was sponsored by a political party, he becomes a member of another political party before the expiration of the period for which the House was elected PROVIDED THAT his membership of the latter political party is not as a result of a division in the political party of which he was previously a member of a merger of two or more political parties by one of which he was previously sponsored.”
(Emphasis mine)

The question as to whether the defection of an executive could amount to a 'gross misconduct' for the purpose of impeachment was addressed in the case of **ATTORNEY GENERAL OF THE FEDERATION V. ATIKU ABUBAKAR (2007) 10 NWLR (PT 1041) 1**; the celebrated case that decided the propriety or otherwise of the continued stay of Alhaji Atiku Abubakar in office as the Vice President of the Federal Republic of Nigeria, notwithstanding his defection from the then ruling PDP to the opposition Action Congress (AC). In addressing this question, the Supreme Court held that:

“By making the determination of what amounts to a gross misconduct to include what the National Assembly in its opinion, considers to amount to gross misconduct, the framers of the 1999 Constitution intended to give absolute power or discretion to the National Assembly to determine, by subjective test, the issue as to what may amount to gross misconduct for the purpose of impeaching the President or Vice President and it is my considered view that the term is wide enough to include the situation we find ourselves in this case where the sitting Vice President defects from the political party in whose platform he was elected to that office and joins another political party and proceeds to openly castigate the very government whose policies and administration he is a part, and played or continued to play very active part in, but sees no need to resign his office of Vice President.”

The simple interpretation of the judgment is that: there is no hard and fast rule as to whether the defection of an executive would invariably lead to the vacancy of his seat.

The legislative arm is, however, empowered to subjectively consider, in the circumstances of each case, if an elected executive's defection would amount to a 'gross misconduct' for impeachment purposes. It is our considered opinion that in invoking the discretionary power to impeach on the grounds of defection, recourse should be made to instances enumerated under Section 68(1)(g) of the 1999 Constitution which include:

1. Defecting to a party other than the one that sponsored him to office if he can prove that his defection was as a result of a division within his former party.
2. Defecting as a result of a merger by the political party that sponsored him and some other political parties.

Having said that, it is important to make it abundantly clear that impeachment is too cheap in Nigeria. Starting from the first impeachment of Alhaji Balarabe Musa by the Kaduna State House of Assembly in the Second Republic up to the last which was the impeachment of the erstwhile Kogi deputy governor, Simon Achuba, it has always been a case of illegality upon illegality. There has been no single case of lawful impeachment in the political history of Nigeria. Rather than follow the spirit and letters of the law, impeachment is usually instigated to victimise political opponents or adversaries. 'Gross misconduct' has been subjected to different interpretations unintended by the drafters of the constitution. And the judiciary has also been complicit. This does not augur well for our democratic growth – those elected by the will of the people should not be arbitrarily removed for mischievous purposes. That is tantamount to declaring a coup on the electorates.

3. Uploading of Results on INEC Website

There are reports that 70% of Ondo election results were uploaded on INEC website. This is a commendable improvement from the past, and one hopes we would get to a point in our electoral history where we record complete success in uploading the results on the INEC website. We should, however, not shut our eyes to the legal implications of uploading results on the website.

For a fact, the purport of the INEC RESULT VIEWING PORTAL (IRV) is to publicise 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. How-

ever, 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.*"

Beyond accountability and transparency purposes, the results uploaded on the website have no legal effect. Hence, the need for a legal framework.

4. Smart Card Reader Vs Manual Accreditation

The smart card reader was used during the Ondo elections as stipulated under 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 smart card reader during elections. However, there are still issues that arose as a result of the usage of card readers during the election. Some of the smart card readers were faulty and some failed to read the cards of some members of the electorate. This caused delay and created tension in the political atmosphere. For instance, Eyitayo Jegede, SAN, the candidate of PDP had difficulty with the usage of the card readers. This raised some fears that may endanger the integrity of the process altogether.

The problem caused by the usage of smart card readers may have been resolved in some instances by resorting to the manual method of accrediting voters. The question is: what are the legal implications of adopting the manual system of accreditation when the smart card reader malfunctions? As a matter of law, the adoption of manual system of accreditation raises no legal consequences despite the provision of Regulation 10 cited above. It remains a valid form of accreditation occasioned as a matter of necessity. In the case of a faulty smart card reader, the adoption of the manual means of accreditation is lawful, to the extent of the reasonable "satisfaction" of the Presiding Officer. Thus, **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 law.

The Supreme Court buttressed this point in **NYESOM WIKE & ANOR. V. DAKUKU PE-TERSIDE & 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."

5. Vote Buying, Open Persuasion & Violence

Reports from civil society organizations and journalists that monitored the election indicated that the Ondo election was marred by violence and vote buying. Despite the heavy presence of security agencies during the election, the crime of vote buying was still openly committed by political actors, without consequences. The electorate were 'left with no option' than to cast their votes for the highest bidder among the contestants.

Vote buying enables poor governance and undercuts citizens' ability to hold their elected officials accountable. If a candidate believes all he/she needs to do to be elected is pay off voters and government officials, they will have no incentive to be responsive to issues their constituents care about — issues like water and sanitation, education and unemployment for example. Buying people's votes with money, worse of all some miserable amount, is a mockery of democracy. It amounts to weaponizing poverty against the people. Anyone who wins an election through vote buying cannot be said to have the legitimacy of the people. It is an encroachment on the electoral rights of the people. This is very dangerous for our electoral process. Interestingly, **Section 130 of the Electoral Act** criminalises vote buying and prescribes 12 months imprisonment or N100, 000 fine or both as punishment. The severity of the sanction that comes with the culpability of vote buying is enough to scare its perpetrators. Sadly, these laws are as good as a paper tiger. They carry no weight. They are neither enforced nor implemented. This is a sad narrative of our democratic experience.

The escalation of violence in a desperate bid to ensure a particular candidate is voted for at a polling unit is not only undemocratic but unlawful. By virtue of **Section 131 of the Electoral Act, 2010**, the law frowns at any act of threatening voters with violence or injury. Generally, voters, due to the fear of intimidation, 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.

6. Compliance with Covid-19 Protocols

To start with, during the campaign season, the Covid-19 protocols were flagrantly breached by all the candidates, especially at the parties' respective 'mega rallies' which signified the end of public campaigns. Disturbingly, the same breach of protocols was witnessed during the Election Day.

In all, it can be safely said that compliance with INEC COVID-19 Protocol was low de-

spite provisions for safety measures and materials by the electoral body.

By virtue of the **Policy On Conducting Elections In The Context Of The Covid-19 Pandemic**, the COVID-19 safety protocols such as social distancing and the use of face mask to mention just two, ought to be strictly adhered to during campaigns. Sadly, even the candidates at the election never took the policies and guidelines seriously. The compliance level cannot be safely disconnected from poverty, ignorance and a culture of lawlessness among the people. Or, it was simply because there was really no sanctions for the violation of the protocols – people seem to obey rules and regulation out of fear of sanctions.

7. Security Agencies and the Ondo Election

The place of the security agencies in ensuring smooth running of elections can never be over-emphasized. Indeed, security agencies have a great role to play in the management of elections. Unfortunately, the experience of the country's electoral history has been one of violence, electoral malpractices and unrest mainly caused by the politically motivated indifference or active involvement of (compromised) security agencies that should ordinarily be loyal to the country they serve and not political actors.

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.

Surprisingly, despite outcries from civil society organizations, military officers were still deployed for the conduct of the elections. There was heavy militarization of the elector-

al process in Ondo 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 in March 2015 declared, 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 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 visible and active role in elections in defiance of the court is regrettable. Heavy militarization of election exposes voters to intimidation and palpable fear.

In fact, soldiers, as a matter of law, have no business in electoral process save for limited cases where they can be called in to assist civil authorities if the police is overwhelmed. The constitutional duty of the armed forces is to defend Nigeria from external aggression and to maintain our territorial integrity by virtue of **Section 217 of the 1999 Constitution**. Soldiers should either be found at battlefields or at barracks. Militarization of election is another way of subverting the will of the people in exercising their right to enthrone political leadership.

The experience has always been that security agencies become a tool in the hands of politicians who are in the habit of imposing candidates on the people or carrying out other kinds of electoral malpractices with their active involvement. This is unacceptable, criminal and undemocratic.

As important as security agencies are during elections, it must be pointed out that they should be on ground to maintain peace and tranquillity, not to cause violence, aid electoral malpractices 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 tranquillity 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.”*

8. Call for Resignation

After the election was conducted and winner announced, there were persistent calls on the deputy governor, Agboola Ajayi, to resign from his office having defected to Zenith Labour Party. Ajayi, who came third in the election has, however, ruled out the option of resignation from office. By the community reading of **Sections 187, 188 and 189 of the 1999 Constitution**, the deputy governor can be removed from office by:

1. Impeachment by the House of Assembly on the ground of ‘gross misconduct’ as defined in section 188(11) of the 1999 Constitution;
2. A resolution passed by two-thirds majority of all the members of the Executive Council of the State in which it is declared that the deputy governor is incapable of discharging the functions of his office which declaration must be verified, after medical examination, by a medical panel established under subsection (4) of section 189, etc.
3. Reason of death and/or
4. Resignation.

It is important to note that resignation can never be inferred, imposed or presumed. Having defected to another political party other than the one which sponsored him to office and having failed to resign after the election which he lost, resignation cannot be deemed to have taken place. The court made it clear in **ATTORNEY GENERAL, FEDERATION V. ATIKU** (supra) that: what is required of him is to first resign and even after resigning from that office, he would still be precluded from dissociating himself from the collective responsibility for decisions taken by the cabinet while he was in office. Despite the above, it is not the duty of the court to pronounce on his behaviour or actions or declare his office vacant. That decision is that of the House of Assembly.

As he has failed to resign, which he should have ordinarily done, the only option left is for the House of Assembly to remove him, if need be. Since that too has not been done, the deputy governor is entitled to all the benefits that accrue to his office and shall be so recognized as the deputy governor till his tenure finally expires.

A Political Analysis of the Ondo State 2020 Election

1. Introduction

As part of the old Western Region, the present Ondo state was a theatre of robust politics in the pre and immediate post-Independence eras of Nigeria's history. Highlighting the politics of those eras were the clashes between some of the prominent people of the area and the political establishment of the region, including the face-off between the Action Group (AG) government led by Obafemi Awolowo and the Olowo of Owo, Oba Olateru Olagbegi. The people of Owo kingdom put up stiff resistance following the banishment of their king, who was accused of disloyalty to the regional government of Awolowo.

Reflecting the colossal influence of Awolowo in the politics of the South-west, much of the drama in the politics of the Second Republic also revolved around the Awolowo tendency, if not around his person. Prominent among the developments in the Second Republic was the fierce contest for the governorship of the old Ondo state, out of which Ekiti state was created in 1976. The contest was between then incumbent governor, Adekunle Ajasin, of the Awolowo-led Unity Party of Nigeria (UPN), and his deputy, Akin Omoboriowo, who had decamped to the rival National Party of Nigeria (NPN). Blood flowed as houses and vehicles were set ablaze when the highly respected Ajasin was massively rigged out in the election in 1983, in favour of Omoboriowo. The violence was a reenactment of the "Operation Wetie," the code name for the petrol-fueled torching of lives and property in the crisis following the 1965 elections in the Western Region which culminated in the military intervention in 1966.

However, from the victories of Olusegun Agagu of the Peoples Democratic Party (PDP) over Niyi Adebayo of the Alliance for Democracy (AD) in the Obasanjo-orchestrated

“capturing” of the South-west to legitimize his position as president, a blitz that only Bola Ahmed Tinubu of Lagos state escaped among the six Alliance for Democracy (AD) governors; and of Olusegun Mimiko over namesake Olusegun Agagu of the PDP in the 2009 election, it is fair to say that Awolowo’s influence has relatively whittled down in the state. Between them, Obasanjo and Tinubu must take responsibility for this. So must such Awoists as Lateef Jakande and Ebenezer Babatope, who served under the infamous Abacha regime – the latter unapologetically becoming a confirmed PDP member. Indeed, many core Awoists no longer have good political relationships with the scions of the legend, unless under platforms that are not readily linked with the man’s ideology.

While he was alive, such blurring of ideological identity was unthinkable. With Awo, as he was fondly called, still bent on taking a final shot at the presidency, a tendency within his party grew increasingly impatient with the remote chance for a South-wester to grab power at the centre. As an alternative to the UPN platform perceived as having no chance, rumour erupted in 1983 about attempts by Lateef Jakande, widely known as *Baba Kekere*, and some close Awo allies to forge a more pan-Nigeria alliance with some northern elements with a view to floating the People’s Progressive Party (PPP). The uproar this generated all but ended Jakande’s political relevance. Only a few were surprised that he accepted to serve in the Abacha government.

2. Easy ride for incumbent Governor Akeredolu

Oluwarotimi Akeredolu may not be one of your colourful politicians. He lacks elocution, to begin with. This means he is never the one to hold an audience spell-bound with powerful oration deriving from language theatrics.

At the University of Ife (Obafemi Awolowo University) in the mid-1970s, the student community woke up to hear the shocking news that Ayo Ojutalayo had been impeached as president of the students’ union. The entire campus was jolted because Ojutalayo was elected on the crest of a populist wave, with shouts of “Eh eh, Ayo!!!” greeting every one of his campaign statements at rallies. His impeachment was said to have been effected by the students’ representative council. This paved the way for Rotimi Akeredolu (Aketi) to mount the saddle.

The story is told of how Akeredolu’s friend from their Ife days requested another lawyer friend who was attending the conference of the Nigerian Bar Association, which featured the election of a new president of the Association for 2008–2010, to cast his vote for Akeredolu. On the speech night, he was disappointed at the showing by the candidate he was being “forced” to vote for. However, the reluctant voter noticed the buzz

around Akeredolu that suggested a certain inevitability about his victory and realized that, regardless of whom he cast his vote for, Akeredolu, who had then become a Senior Advocate of Nigeria, was the next president of the NBA.

The secret of his strength and success is simply one word – confidence. However, where this confidence comes from is the one question for which there's not quite an answer yet. Suffice to say that confidence led him to damn the consequences of falling out with Ahmed Bola Tinubu in 2016 in the tussle for the governorship ticket of the All Progressives Congress (APC) and get away with the audacity.

This time around, there was no such risk – largely because Tinubu, the ultimate strategist himself, did not try to play the godfather for which he is well known, having learned from the *Edo No Be Lagos* lesson. Tinubu supported Akeredolu in 2012 under the Action Congress of Nigeria (ACN) to be governor in the election that he lost. However, he was opposed to his candidature in 2016, preferring Segun Abraham to fly the party's flag at the election. Despite Tinubu not supporting him, Akeredolu secured the APC ticket and became governor. So, it is assumed that they have not been the best of political friends. If that is the case, how then did Babajide Sanwo-Olu, the governor of Lagos state, emerge as the chairman of the APC Campaign Council to support Akeredolu's re-election? There are those who swear that it was not a Tinubu decision but that of the national leadership of the party that the former governor of Lagos state and national leader of the party did not influence. But the question is: suppose Tinubu was not disposed to the appointment and told Sanwo-Olu to decline it, would the latter have had the courage to heed his order?

The truth is, according to those close to him, Akeredolu sure knows how to move around and has the ability to settle matters before they come to the open. That is partly an indication of where the confidence he exudes comes from. The incumbency factor was also strengthened by the unalloyed support of the APC establishment, unlike the Edo situation where some members of the party, including the former national chairman of the party John Odigie-Oyegun, could never have been persuaded to support Osagie Ize-Iyamu, the candidate of Adams Oshiomhole, his successor who had been ousted.

By most accounts, the election was largely free and fair, though, according to an observer, "There was the ever-sneaky presence of financial inducements of voters." The one candidate who gave Akeredolu a fight was Eyitayo Jegede, former Attorney-General and commissioner for Justice in the state, a man loved by his people in Ondo Central senatorial zone, where he got huge votes, particularly – and expectedly so – in his homestead and neighbouring communities.

However, according to an Akure-based lawyer, the incumbency factor made Akeredolu's presence more prominent over a first term four-year period. In contrast, after the last election, in which he also contested against Akeredolu, Jegede went to sleep, in the manner of perennial PDP governorship candidate Jimi Agbaje in Lagos.

That was not Jegede's only drawback, both in 2015 and this time around. He comes from Akure in Ondo Central, same as former governor Olusegun Rahman Mimiko, who had served out his two terms of eight years. By the zoning understanding in the state, it was impolitic for someone from that zone to aspire to the throne at Alagbaka Government House until the baton had passed through the other two zones. Only in a place like Benue is that understanding violated by the Tiv without negative consequences, due to their numerical strength.

The outcome of the election shows how, together with the failure of his preferred candidate to succeed him (PDP's Eytayo Jegede, his Commissioner for Justice and Attorney-General) and his own failure to win the senatorial seat for Ondo Central on the platform of his Zenith Labour Party, Mimiko's influence in Ondo politics has considerably declined.

And was Tinubu really in the picture? "Forget about those individuals when it comes to Ondo elections," says a voter in Owo, Akeredolu's hometown, who insists that "Tinubu has never been a winning factor in any Ondo elections." He continues: "Mimiko stupidly backed a damaged product. He was overrating his own influence, forgetting that he won his first term through the court system, and for his second term he clinched victory barely by the skin of his teeth." In the end, says the Akure lawyer, "None of Akeredolu's opponents had enough stamina statewide to torpedo his cruise to the state House."

At the risk of overstressing the incumbency factor, the general impression is that governor Akeredolu has not made too many enemies, which would have happened if he had gone after his predecessors to account for their stewardship, an exercise that usually turns out futile in this clime. Instead of chasing his predecessors for accountability, he quietly completed projects begun by them, claimed the credit and started his own projects that are in most cases very bold. These include the Ore overpass, the renovation of Akure General Hospital, including buildings that had never been touched since colonial times.

To his credit also, within the three and a half years of his administration, he has attracted a lot of investments, including the Chinese-owned Ondo-Linyi Industrial Hub in Ore, as well the construction of the Ore Interchange bridge. They all featured in the governor's campaigns.

3. Where were the women in all this?

The gender perspective of the election was provided by the Gender and Election Watch (GEW), an initiative of the Nigerian Women Trust Fund and a member of the Nigerian Civil Society Situation room which was in Akure to observe the election. On October 10, 2020, it deployed citizen observers across eighteen (18) Local Government Areas of Ondo state to observe and assess the governorship election. The project's pre-election report is quite disappointing for the efforts to get women involved in politics. It noted that:

1. Of the 17 candidates contesting the governorship election, there are no women. This points to a digression for women's political participation in Ondo State.
2. Three (3) of the Seventeen (17) Deputy Governorship Candidates are women. This represents 17.64% of the candidates.
3. The situation in the state is tense with reports of violent clashes between rivals of political parties, especially the attack on some female party supporters in Oba-Akoko who allegedly were beaten and stripped naked for wearing politically branded t-shirts of one of the candidates. Given the tense atmosphere, this may discourage women from participating in the elections.

In his reaction to the outcome of the election, the candidate of the Young Progressives Party, Ojon Dotun, who polled a total of 398 votes, gave the impression that women voters were more susceptible to being compromised, saying "vote buying was an indication of the level of poverty in the land especially among women folk."

4. Winners and losers

If the Ondo election lacked the drama, hostility, suspense and competitiveness of Edo's, it nevertheless served a large measure of good manners. In the morning of Sunday September 11, while the election results were being collated and tallied, Eytayo Jegede was at the Redeemed Christian Church of God in Akure to worship with his family and friends. "Although the election is yet to be declared, I have come to give thanks to God," he told reporters. He said the election was a process that would produce a winner. "It is either you win or lose," Jegede said.

By the end of the day, the 17 political parties registered to contest the election saw that the candidate of the All Progressives Congress (APC), incumbent Governor Oluwarotimi Akeredolu, had won the election. From the results of the election, even if PDP

had formed a coalition with Zenith Labour Party (ZLP), Mimiko's party that he made available to Agboola Ajayi, the former deputy to Akeredolu, it would not have made any difference. APC would still have beaten them with their combined total votes.

Akeredolu, candidate of All Progressives Congress, won in 15 of the state's 18 local government areas, based on the results announced by the electoral commission, INEC, at its headquarters in Abuja. Jegede, candidate of the People's Democratic Party (PDP), won in the remaining three local governments.

A total of 17 candidates took part in the election, according to the INEC returning officer and vice-chancellor of the University of Ibadan, Idowu Olayinka, at about 3 p.m. on Sunday October 9, 2020, after all the results across the state's 18 local government areas had been collated. He said the number of accredited voters stood at 595,213 which represents 36.1% turnout. There were 572,745 valid votes, 18,448 votes were rejected, and 16,000 votes cancelled.

While Akeredolu of APC polled 292,830 votes (51.1%), Jegede of PDP scored 195,791 votes (34.2%), a difference of 97,039 votes. The incumbent deputy governor in the state and candidate of the Zenith Labour Party (ZLP), Agboola Ajayi, came a distant third with 69,127 votes (12.1%). Akeredolu had also defeated Jegede in the 2016 governorship election when Ajayi was his running mate. The results are, in effect, the way they were in 2016.

Victor Olabintan, the APC agent for the election and special adviser to the governor, thanked the voters and the people of the state for their trust in the ruling party. He said Akeredolu will not take the trust for granted.

Not many were surprised that Akeredolu returned unruffled in the governorship election. By the time results from 12 of the 18 local government areas of the state were announced in the early hours of Sunday and Akeredolu had won nine of them, leaving three for his closest rival, Jegede, it was clear where the pendulum of victory would swing.

The role played by external political forces would remain a matter of conjecture. But reflecting his political wisdom, Akeredolu was careful to distance himself from controversial members of his party. He was mindful of the way the party tactlessly deployed people like Ganduje (governor of Kano State); Hope Uzodimma (governor of Imo State) – and even Tinubu – to Edo state with disastrous consequences. While Tinubu might have been a factor in some elections in the South-west, he was mindful of his failure in Edo.

In the end, whether he had anything to do with the outcome of the election or not, everyone is happy. Yes, “Edo No Be Lagos.” But the point has also been made that “Ondo No Be Edo”! Everybody in APC was a winner.

The PDP and ZLP (with Mimiko’s support) were the next big parties in the race. Could they team up? They couldn’t. But, even then, the expectation that their combined forces under one umbrella would upset Akeredolu turned out to have been misplaced. Despite the permutations, Akeredolu won 15 out of the 18 local government areas in the state, with well over the required 25 percent of the votes casts in all the local councils, while defeating his deputy, Ajayi, in his Ese Odo Local Government Area. The combined votes only amounted to 264,918 and with only three local governments acquired, compared with 292,830 for Akeredolu, who won in 15 LGAs.

What many did not realize, however, was the disunity within PDP. This division played out to adversely affect the outcome of the election. It was evident during the grand finale of the campaign when a former governor of Ekiti State, Ayo Fayose, was assaulted by youths suspected to be loyal to a chieftain of the party, Bode George, with whom Fayose is engaged in, a running battle.

5. Conclusion

The Ondo governorship election of October 9, 2020 was not enveloped by the air of apprehension like similar election held on September 19, 2020, in neighbouring Edo state which was characterised by threats of violence and large-scale electoral malpractices that warranted threats of reprisals from foreign countries in the run-up to the exercise. And, unlike the Edo election that was more about someone who was not a candidate in the election than the 14 who were, the Ondo election had no divisive figure who assaulted people’s sensibilities with his conduct. To that extent, it lacked the excitement of its neighbour.

The only dramatic incident – albeit of the comic type – was the deputy governor Agboola Ajayi quitting the party due to his fallout with Akeredolu. How would he fare against the governor with whom relationship had irretrievably soured? Ajayi failed to attend the first governorship debate organized by the “Face the Voters Initiative.” He had told journalists that the organizers were biased and were in the employ of the Ondo State Government. He also spurned the opportunity to reach the voters through the Channels Television debate in the State, citing time constraints. Fueling suspicions about his intellectual capacity, he said he failed to attend the governorship television debate because most of his supporters did not have access to a cable television or had no ac-

cess to electricity in most parts of the rural communities to watch the debate. He said he preferred to concentrate on his direct interface with the voters.

The Ondo election also saw huge amounts of money distorting the electoral process and making it difficult for ordinary people with excellent ideas to think of contesting elections.

Premium Times Centre for Investigative Journalism

53 Mambolo Street, Zone 2, Wuse, Abuja, Nigeria.

info@ptcij.org | +234-8104198112 | www.ptcij.org

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