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NON-STATE ACTORS AND ELECTION MANAGEMENT PRACTICES IN NIGERIA: ISSUES AND WAY FORWARD

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ABSTRACT

Elections are a fundamental principle in any democratic setting. Notwithstanding, the electoral management process in Nigeria has been blighted with several anomalies and conspiracies. To strengthen the election management process, the roles of the non-state players seem essential in realizing these purposes. The primary objective of this study is to identify the institutional and legal framework available for non-state actor involvement in the election administration process in Nigeria's Fourth Republic using the case study approach to probe into the operations of the Youth Initiative for Advocacy, Growth, and Advancement (YIAGA-Africa). This study adopted the primary and secondary research methods while the research design was qualitative. Primary data were obtained directly through the interviews, while journals, articles, textbooks, periodicals, and the internet formed the secondary basis. The total population for this study was one hundred and forty-seven (147) purposively sampled respondents. The qualitative data results were presented in thematic forms. The study revealed that, indeed, there exists a legal and institutional framework for non-state actors' involvement in the election management process in Nigeria; however, this remains deficient as a palpable imbalance pervades the legal framework. The study recommends that the National Assembly work out modalities, make new laws, and address misconceptions in the institutional and legal framework for non-state actors to give them a smoother operational environment in the election management process.

Keywords: Election management, non-state actors, YIAGA-Africa, institutional, legal framework.

INTRODUCTION

Elections are among the most ubiquitous and essential formalities in most political systems in different parts of the modern world. There is doubt that elections and democracy are complementary variables; elections have been established as the most suitable, peaceful, and contemporary method for selecting leaders in a democratically governed society. Therefore, elections provide periodic opportunities and techniques to give means for change in government and political aspirants. According to a country's legal electoral framework, election processes are formal decision-making methods to pick candidates for public office (Nigeria Civil Society Situation Room, 2017).

Since 1999, which marks the emergence of the Fourth Republic, votes have been governed by a legislative framework comprising the Nigerian law book, Election Acts, INEC guidelines, and other pertinent laws about election administration. How elections have been administered has been questioned, and several complaints from different sides have been faced since the republic's founding. There are numerous examples in the republic where the administration and procedures surrounding elections led to the breakdown of peace-building components in Nigerian society. For instance, in the 2015 and 2019 elections, over 250 people were killed due to political conflict after the election results were declared (International Crisis Group, 2019). The opaque characteristic of the process is reflected in the extreme instability and chaotic atmosphere accompanying the political system.

There were subsequent recorded issues of election crisis at all stages of election administration. These activities have instigated the actions of non-state actors to increase their involvement in the electoral process by collaborating closely with the Independent National Electoral Commission (INEC), which serves as the electoral umpire. Their assertions that they are promoting democracy in Nigeria are based on the idea that elections ought to be held using global best practices. Non-state actors have become more interested in election observation in Nigeria precisely because, since democracy was restored in 1999, elections have been plagued by a lack of integrity. To win elections, political parties, as the main non-state actors, conduct protracted campaigns, hold demonstrations, and organize voter turnout. Non-state actors are setting separate the household, the nation, and the market where people band together to promote shared interests. He continued by elaborating on how the fundamental goal of non-state actors is to further the interests of a group of people who share socioeconomic, political, or cultural interests. Their goal is not to gain political power or generate profits but rather to provide for and advance good governance and the welfare of their constituents.

It is a normative assumption in the annals of electoral management that non-state actors exert a preponderant effect on the electoral management process worldwide; Nigeria is no exception. Electoral credibility has eluded Nigeria since her return to democracy in 1999, to the extent that virtually all electoral contestation has ended up with court litigations. Electoral credibility has remained protracted irrespective of where the pendulum of justice swings. Practically speaking, non-state actors have impacted on the voting process and monitored candidate selection, voter education, electoral observation, and electoral coverage. Thus, this process has been undermined by an institutional and legal framework that flows from Nigeria's constitution and successive electoral acts. While acknowledging that non-state actors have attracted tremendous attention in political and developmental discourse, the political theory asserts that non-state actors are crucial for promoting democracy and development, especially in Africa. Therefore, it is a vital component for building, consolidating, and fostering electoral credibility worldwide. There the objective of this paper is to identify the significant institutional and legal framework available for non-state actors' involvement in the management of elections in Nigeria's fourth republic.

LITERATURE REVIEW

Non- State Actors

According to UN criteria, international non-governmental organizations (INGOs) are regarded as non-profit-oriented entities that function and cut across many nations and were founded via private initiative and absence or free from intergovernmental consensus or interference (Davies, 2014; United Nations, 1945). INGOs are an essential component of societal development. They contribute their quota in various activities, such as conflict mediation, service delivery, advocacy, and democratic consolidation. Their areas of involvement encompass various domains, including but not limited to democratization, development, humanitarian aid, environmental conservation, and enabling a peaceful atmosphere. Their drives infuse various moral and principled standards, inculcating human rights charters and secular convictions (Grimm, 2016).

Adigun (2019) noted that activist groups and civil society organizations are another segment of non-state group actors active in the Nigerian election process, supporting electoral reforms, keeping eyes on or monitoring the voting process, and motivating the electorate. Experts in the field of international relations and international law are on the side of defining INGOs as transcontinental, non-profit-oriented organizations in a far-reaching and flexible manner.

The Union of International Associations (UIA) (2018) offers a universally used definition in this tradition: INGOs have formal organizations that operate on international goals and plan to conduct activities with member participation and receive budgetary contributions in at least two countries. Academicians in the field of development studies are likely to tend to define INGOs more narrowly, demanding them to operate towards public goods delivery rationale in at least one nation. In Nigeria, for instance, non-state actors have and play a diversity of essential roles in persuading the political, religious, social, and economic diminuendos of a nation (Okolie, 2016). This non-state player is obstructed by challenges ranging from limited resources and governmental restrictions; however, their contributions and impacts to development, governance, nation-building, and social transformation cannot be underestimated. Nonetheless, their operations and participation have continued to inspire Nigerian societies and facilitated their incessant development and transformation agendas. The influence of religious sects still has a tremendous impact and influence on Nigerian society, predominantly Christian and Islamic organizations (Adigun, 2021).

The word election as a concept is the nucleus or engine room of democracy (Omotayo & Adekunle, 2020). Just like several other social science concepts, it has no one generally single accepted definition (Afolabi, 2011), as its meaning has continued to remain a subject of individual views or perspectives (Ejikeme, 2016). Election generally is the process of electing aspirants to represent the people of a given country into its intended position be it the parliament, executive and possibly other areas of government seats. The fundamental principle at the apex of the democratic system of government is the idea periodic election, which no doubt is the core process that allows people to determine their leaders and representatives under a political system and political party (Diamond et al., 2016).

In the opinion of Oluwakemi (2013), he posited that elections are regarded as the most ease and democratic means through which citizens employ to select or determine their representatives or do to govern them. When the process is just, free and credible, it encourages ethical behaviors, political participation, vigorous competition, and peaceful transitions of power. It's also a mechanism to measure

or gauge a government's support or loss of confidence in a government, as well to gauge a contestant or political party's popularity. Basically, there exist direct and indirect elections methods. However, if it is fair, acceptable, and unrestricted, it is an avenue for the promotion of democratic consolidation and good government.

Going further, election have the competitive means of leadership change to attain public position, office or to render selfless services to his nation or constituency. Notwithstanding this definition, it is limited that it left out the most essential part of the election which is mass participation and popular support. In supporting this shortfall, Omotayo & Adekunle (2020) defined election as the legal system for the choosing of representatives into government positions through credible voting arrangements methods. In buttressing this definition of representativeness perspective, Ejikeme (2016) asserted election as the channel of recruiting representatives in government by the choice of the voters.

Concept of Election Management

The concept of election management entails detailed systematic planning, strategic organizational setting, effective administration, and monitoring of electoral procedures within a democratic agenda (Kellner, 2018). To Elekwa (2008), he posits that the electoral process covers the entire cycle, beginning with the process of the establishment of a legal framework and closing with the dissolution of the National Assembly. According to Norris (2014), the activities of voter registration process is a vital aspect of election management which entails preserving the current voters list and registration of new voter lists to give opportunity to eligible citizens to participate in the political process. Additionally, Elekwa (2008) cited INEC (2006) stating that the following stages are among the phases of the electoral process legal framework: defining electoral borders; voter registration; election notice and candidate nomination election campaigns; elections; tribunal proceedings and results announcement; involvement of other organizations; settlement of electoral disputes arising from the involvement of other organizations, individuals, groups, and etc.

But nowhere is reform to the process of election administration more apparent than in the rise of institutions dedicated to the management of the election process itself. Such institutions have assumed responsibility for several key functions including determining who is eligible to vote, managing the nominations of parties and/or candidates, conducting the polling, counting the votes, and tabulating the results. By undertaking such activities, these institutions – known as Election Management Bodies not only ensure elections are organized and managed efficiently, but also promote fairness, openness and transparency, and hence contribute to the legitimacy of democracy and the enhancement of the rule of law. EMBs have played a prominent role in the process of democratic design and consolidation in third wave democracies (in large part encouraged by non-state actors seeking to promote capacity building and provide appropriate technical assistance).

Legal Framework for Conduct of Elections in Nigeria

Election is a key component of liberal democratic process anywhere in the world. Credible, transparent and fair elections are vibrant aspects of a growing democracy as envisage already. In both developing and developed world, the presence of democracy is preserved by cumbersome laws in other ways to help the demeanor of polls. However, since the most general acceptable method of occupying government positions is through elections, aspirants are no doubt going unethical to attain the mantle of leadership. This therefore calls for states to provide laid down rules and regulations for the conduct

of election activities. These laws must start up clearly the regulation and punishment for those engaged in any election malpractices. In Nigeria, these rules are codified and found in the Nigeria 1999 Constitution as amended and other Electoral Act 2010, as amended.

The Nigeria 1999 Constitution in sections 76, 77 and 78 stipulated the process for selection of the members of both chambers and the criteria for eligible voters who can participate during elections. In section 116, 117 and 118 of the Constitution it incorporates information as to the period and means for State Houses of Assembly elections. starting further, Furthermore, the sections 131, 132, 133 and 134 of the 1999 Constitution started the potentials of who and how a person can contest and emerge as a president of federal republic of Nigeria. Details were also quoted for contestant vining elections to office of the State Governor in sections 177, 178 and 179. In cases of disputes or resolving disputes emerging from elections for the state governors, section 285 of the 1999 Constitution makes provision for the establishment of Election Tribunals at the state and federal levels to handle such disputes. Lastly, the Third Schedule, Part I, sections 14 and 15 of the Constitution provide for the establishment of INEC, the qualities of its chairman, and its functions and powers.

System theory

The systems theory was transferred from the biological sciences to the social sciences, and David Easton's 1953 formulation of system theory will serve as the foundation for this work. The systems approach to political analysis is given to David Easton. In his 1953 book *The Political System*, he promoted this theory. In a different book titled *A Framework of Political Analysis*, which he released in 1965, he expanded the boundaries of the theory even further. To develop an empirically based general theory of politics, Easton used a systemic framework to identify the functions typical of all political systems. He looked at the fundamental mechanisms that allow any political system to continue operating as a behavioral framework in a world that is either stable or changing. When the general systems theory is applied to the political system, politics is viewed as a network or pattern of independent and interconnected behavior, with the preservation of the political system as its fundamental objective.

The ideas of inputs, conversion process, outputs, and feedback form the foundation of Easton's model. Support and Demand are examples of inputs. Demands are requests made to a political system by people acting as its members. Support is the umbrella term for how people position themselves in the system's favor. Conversion describes the processing that occurs before inputs are converted to outputs based on users' demands on the system and the assistance they provide. The decision made by the authorities in response to the system's requests is referred to as an output. These are the outcomes of handling or satisfying system demands. The process through which the political system receives feedback regarding the effects of its output is known as feedback.

This theory argues that election management is a system with an input trajectory, a conversion process, and an output trajectory. The electorate's involvement in the political process serves as a metaphor for the inputs. Voter registration, party primaries, candidate selection, party campaigns, and other pre-election activities are the first steps, and they all lead up to the actual voting on Election Day. The announcement of results and the return of elected candidates are the outputs of the conversion process related to the tallying of votes following voting.

It is helpful to note that there are certain gaps in the input and conversion process regarding the engagement of non-partisan observers when linking this scenario to the role played by non-state actors. Nonpartisan observers hardly ever see pre-election events like voter registration drives and party

primaries, perhaps because they believe INEC and political parties should handle these tasks. These elements of the input are hidden until the conversion process, which yields the output, begins. There are several isolated areas that nonpartisan observers avoid on election day because of logistical or security issues. As a result, events that occur in these places are not observed before being submitted for conversion. Additionally, some parts of the conversion process are not open to the scrutiny of impartial observers. The results compilation in this case is quite interesting. Unrestricted access to collation centers, where the votes of the various political parties are totaled, is typically unavailable to impartial observers.

Non-state players follow only a portion of the total voting process. Despite having so little evidence, they provide findings that almost undermine the legitimacy of elections. Our rationale for selecting Systems Theory as our analytic framework becomes evident when considered against this background.

METHODOLOGY

This study adopted qualitative research design. It uses secondary qualitative data and primary qualitative data from key informant interviews. The study population is comprised of 147 respondents, and the Hagaman and Wutich (2017) proportionate population sampling method was adopted. The summary of the population is presented in the table below.

Table 1

Population of the Study

S/N	Name of Institutions	Populations
1.	YIAGA Member in Abuja	21 Staff
2.	Nigeria Bar Association Office Staff in Abuja on Election Related Matters	8 Staff
3.	Senate Committee on INEC	12 Senators
4.	House of Representative Committee Members on INEC	30 House of Representatives Members
5.	INEC Staff in Abuja on Registrations of Non-State Actors on Election Observation	15 INEC Staff
6.	Nigeria Police Force Office of Public Relations Officers Division A, B, C, D, E	10 Police Public Relations Officers
7.	Experts Lecturers	21 Lectures in the Departments of Political Science University
8.	Journalist from both Public and Private Media House that Covers Elections Matters in Abuja	30 Media House in Abuja
Total		147

Source: Fieldwork (2024)

From the above table 1, the study population stands at 147. However, to generate the sample size, the study relied on and adopted Hagaman and Wutich (2017) since the study is qualitative research. The sampling size stated that 16 interviews are sufficient to identify common themes within a relative group. However, they recommended a larger sample size range from 20 to 40 interviews to achieve data

saturation for a larger group. For the purposes of this study, 30 interviewers were selected as the sample size, which is midway between 20 and 40 interviews as the stipulated sample size for a larger group. This sample size of 30 was adapted based on the Hagaman and Wutich (2017) interview sample size techniques. To allow the number of interviewees to each identified cluster, the study used the Probability Proportionate to Population (PPP) formula. This is presented in Table 2 below.

Table 2

The PPP calculation for numbers of interviewers for each cluster

S/N	Name of Institution	Population	PPP Calculations	Interviewed number
1.	YIAGA Members in Abuja	21	$\frac{21 \times 30}{147} = 4.3$	4
2.	Nigeria Bar Association Staff on Election Related Matters Abuja	8	$\frac{8 \times 30}{147} = 1.6$	2
3.	Senate Committee on INEC	12	$\frac{12 \times 30}{147} = 2.5$	3
4.	House of Representative Committee on INEC	30	$\frac{30 \times 30}{147} = 6.1$	6
5.	INEC Staff Abuja Branch	15	$\frac{15 \times 30}{147} = 3$	3
6.	Nigeria Police Force Office of Public Relation officer	10	$\frac{10 \times 30}{147} = 2.0$	2
7.	Experts Lecturers	21	$\frac{21 \times 30}{147} = 4.3$	4
8.	Journalist from both Public and Private Media House on Election Matters in Abuja	30	$\frac{30 \times 30}{147} = 6.1$	6
Total		147	30	30

Source: Fieldwork (2024)

A research instrument is a tool used to collect, measure, and analyze data related to research interest. The interview method will make up the research instruments for this study. Data collection methods are an integral part of research design. The data used for this study was obtained from different sources. This ranged from the interview (key informant) along with secondary data from journals, articles, textbooks, internet-based resources, materials, and YIAGA reports.

The data gathered for this study was qualitative. According to Kothari (2020), qualitative data refers to the process of computing certain indices or measurements and searching for patterns of relationships among the data groups. To ensure efficacy, the data collected was scrutinized to ensure precision, steadiness, and completeness to serve the research purpose for analysis purposes; the qualitative data results will also be presented in summary and narrative forms.

DATA PRESENTATION

The institutional and legal framework for non-state actors' involvement in Nigeria's elections management fosters and increases transparent, accountable, fair, and credible election management processes among the diverse components of electoral management. The relationship between the non-state actors and state actors and the persistent rise in its inter-institutional and legal encounter has called to question why the system is no longer ensuring effective, efficient, and speedy election management process in Nigeria that suits the population, diverse needs, and peculiarities of Nigeria. This study sought to understand the major institutional and legal framework for the non-state actors' involvement in election management for adoption to foster credibility, transparency, fairness, peace, and effectiveness in the election management process. Although elections are now regular in Nigeria, the quality of these elections has remained a matter of serious concern to both the actors and observers (Herskovits 2007; Kew 2010).

The constitution of a country is the legal basis for the conduct of any activities be it individual and group. The Nigeria 1999 constitution as amended in section 40 stated that “ every person shall be entitled to assembly freely and associate with other person and in particular he may form or belong to any political party, trade union or any other association for the protection of it interests: provided that the provision of this section shall not derogate from the power conferred by this constitution on the independent national electoral commission with respect to political parties to which that commission does accord recognition”. Therefore, this section of the constitution allows for the establishment of the organization if it's not operating in any activities that are termed illegal by the constitution. The INEC election guidelines incorporate non-state actors' operations in election management through the role of election observation.

However, this process is initiated firstly through the accreditation of non-state actors. According to the Independent National Electoral Commission guideline, accreditation is the “process by which INEC verifies and formally authorizes the deployment of an observer”. It is a necessary condition before any organization or individual can observe elections in Nigeria. “INEC is the only body that can accredit election observers. Under Nigeria law, no other entity is authorized to accredit election observers, and any person or authority outside the independent electoral commission that purports to do so acts unlawfully”. Therefore, INEC is an institution that has the only legal mandate to accredit nonstate actors in the election management process. Any other institution that does so is termed illegal. The process of accreditation confines official reorganization and gives the observers (non-state actors) access to the locations where voting or balloting, counting, collation and announcement of results occur. Going further, the commission has a liberal accreditation process for domestic and international observation groups. All applications for observation by non-state actors shall follow the requirements set out in the advertisement in the national dailies and on the commission's, website issued soon after the commission's notice of the poll and the timetable for election is realized by the commission.

INEC will only receive and process applications from non-state actors or organizations duly registered under them and have already received a certificate from the Corporate Affairs Commission (CAC) to carry out activities as a non-state actor legally. This accreditation process gives the non-state actor the opportunity to gain access to and observe proceedings at any polling station or vote collation centers subject to any reasonable restriction that may be imposed by INEC. Non state actors are also allowed to inspect and verify election materials or visit any polling station under the direction of the supervising officer of the commission to observe voting and counting. All the involvement of non-state actors has been included in the INEC election guidelines.

Buttressing this,

YIAGA North- central state coordinator (YNC) acclaimed that “there is a legal and institutional framework for non-state actors’ involvement in election management process ranges from the constitution and INEC guidelines”. He stated that they have registered with the Cooperate Affairs Commission that provides for the legal baking of their organization as stipulated in the Nigeria 1979, 1989, and 1999 constitution as amended. The respondents opined that every nonstate actor must be registered with the government before it can operate legally.

Going further, he stated that each nonstate actor has its registration number, stated objectives, and modes of operations documented with the Cooperate Affairs Commission before it is granted a license to operate. The Respondent YNC further asserted that clashes of interest usually occur within the non-state and state actors, as everybody claims to promote individual interest in some situations. However, the claims are easily resolved due to the existing legal framework that clearly states their roles and areas of collaboration.

Correspondingly, YIAGA North- west state coordinator (YNW) also avers that:

They register and get accredited with the Independent National Electoral Commission (INEC) before engaging in any electoral monitoring function. After being registered with the Corporate Affairs Commission. He went further and stated that before they visit the national assembly or state house of assemblies, they must apply formally to be granted an audience despite the fact they have registered with the corporate affairs commission and only engage with them if their invite is accepted.....

In a similar response, the YIAGA South-south State coordinator (YSS) stated that their legal framework comes from their registration through the Corporate Affairs Commission, and before they engaged in any election management activities, the most accredited institution (INEC) that is engaged with them in the election management process.

Nonetheless, it was pointed out by YNC that they:

existing institutional and legal framework has not been able to fully fulfill its acclaimed integrative and peace-promoting function by interrogating the prevailing political culture in election management in Nigerian. He argued that there is an imbalance in the existing legal framework in election management as there are situations that they are not allow to fully come in to participate as observers not to talk of monitoring of elections as an independent bodies. While the rationale behind the legal and institutional framework is to promote credible, fair, transparent and accountable elections in Nigeria. There is an apparent lack of a clear legal framework that identifies, categorizes, and assigns clear electoral responsibilities to non-state actors...

This creates room for overlapping functions and a lack of coordination and manipulation by politicians, which in turn questions the legitimacy of the engagements and actions (Election Security Policy Brief, 2015).

Similarly, it has been portrayed by the YIAGA South-East state coordinator (YSE) that the reason behind the institutional and legal framework was to ensure a free and legitimate role in the participation in the electoral management process, from the pre-election process to the post-election process. In a

related view, YIAGA North-West state coordinator (YNW), believes that the existing relationship between the institutional and legal framework should be cordial as there are roles assigned to non-state actors in the election management process. The reasons behind institutional and legal framework structure conflict sometimes lie in the problem of interest. The respondent claimed that there are legal and institutional breaches despite the existence of legal and institutional frameworks for the involvement of non-state actors as established by the constitution and INEC guidelines. Despite these institutional and legal framework measures, some aspects of the legislative framework were ambiguous, leading to misapplication and confusion during the process of handling election results (YIAGA Africa, 2023a, 2023b).

In a similar response, the YNW state coordinator believes that there is a clear cut of responsibilities and jurisdiction, as clearly stated, so the existing relationship is somewhat balanced. A core challenge to conducting credible elections in Nigeria is the doubts over the independence and capacity of INEC and state independent electoral commissions (SIECs) to conduct free and fair elections. To increase their capacity to administer elections, non-state actors have offered different forms of support to the different election management bodies. The effort of the International Foundation for Electoral Systems (IFES) in supporting INEC stands out because of its innovativeness and relevance. The program implemented by IFES includes the Basic Election Administration Training (BEAT) for INEC Electoral Officers in the local areas, support for INEC/Political Parties Dialogue at the local level, Information Technology Training for all INEC Information Technology Staff, Logistics Training, including the development of a national logistics plan for elections, and Performance Monitoring training for INEC's Research, Planning and Statistics Department (IFES, 2003).

The Senate Secretary Committee (SSC) responded that the status of the institutional and legal framework is ok, as the non-state actors that have fully registered have access to them in terms of questioning for some clarity on some basic issues deliberated on the floor of the house after they have written to the house and requests for their invites are accepted. He went further to state that each non state actor is demanding attention over his respective objectives despite their somewhat similar motives. In a similar response by the House of Representative Secretary Committee (HSC), he claims that the existing relationship between the institutional and legal framework of non-state actors is partially cordial as there are no existing laws that nullify their participation in the election management process in the areas enshrined on them by the electoral acts. The 10th National Assembly of Nigeria has shown a strong dedication to promptly revising the country's electoral legal framework. At a senate retreat in October 2023, a resolution was passed to undertake reform to the legal framework for elections to unbundle INEC to improve its efficiency and effectiveness and remove ambiguity in election law (National Assembly Retreat Report, 2023).

With regards to the question of whether the structure of institutional and legal framework provides for non-state actors' involvement in election management, the Nigeria Bar Association Chairman (NBAC) affirms that the institutional and legal framework structure is encouraging as non-state actors are giving varied opportunities to participate in election management from pre-election to post-election stages. Against the background of the inability of state institutions to organize credible elections, civil society organizations have also become involved in elections, providing civic and voter education and other forms of support to election administration. State institutions are increasingly conceding their responsibilities to non-state actors. This has given non-state added leverage to check these institutions and demand electoral reform. Non-state also tries to maintain an oversight of the electoral process through election observation (Orji & Ikelegbe, 2014).

In a similar response by Electoral Officer Zone one (Z1), Electoral Officer Zone Three (Z3) and Electoral Officer Zone Six (Z6), they posit that positive non state actors see their self as a key external player in the electoral management process, they went further to say that non state actors believes they are neutral and must be carried along at every stage of the electoral process. Because elections form a major cornerstone of liberal democracy, the formal institutions established to administer elections and resolve conflicts in Nigeria have been largely ineffective. Institutions such as civil society organizations have tried to fill the gaps created by the state's weakness (Orji & Ikelegbe, 2014).

In another response by Television presenters (TV) and online journalists, they stated that the activities of non-state actors at all election stages are feasible as they operate at each level serving varied purposes in the electoral management process. They stated further that the roles of non-state actors in these stages as observers are enough to depict that the existing structure of the institutional and legal framework allows for the involvement of non-state actors in every election and its stages. The non-state actors have become increasingly engaged with the electoral process (Orji & Ikelegbe, 2014). The intervention of civil society in elections is implemented based on the understanding that the conduct of credible elections is crucial to democratic consolidation in Nigeria. While clarifying their strategy, some civil society activists have conceptualized their role in elections in the following terms:

- Ensure that the electoral process is legal and constitutional
- Ensure that the institutional framework for election administration, consisting of INEC and SIEC, is effective and credible in discharging its responsibilities
- Ensure popular participation in the elections
- Ensure peaceful conduct of the elections
- Ensure that the outcome of elections is free and fair and/or popularly accepted

These five issues have defined civil society engagement with elections in Nigeria since 1999.

In another response, YSS and YNW express similar opinions that the existing institutional and legal framework, as stated in the constitution and INEC guidelines, allows their participation in the electoral process within their allowed roles. However, some INEC officials who are not professional or, to say the least, corrupt usually want to barricade non-state actors in some observation processes.

RESULTS AND DISCUSSION

Identifying the major institutional and legal framework available for non-state actors' involvement in the management of elections in Nigeria's fourth republic, YIAGA North, central state coordinator (YNC), praised that.

There is a legal and institutional framework for non-state actors' involvement in the election management process, which ranges from the constitution to INEC guidelines and electoral acts. "They registered with the Cooperate Affairs Commission, which provides for the legal baking of their organization as stipulated in the Nigerian constitution of 1979, 1989, and 1999, as amended...

Backing the above findings, the Senate Secretary Committee (SSC) also responded to that.

The status of the institutional and legal framework is good, as non-state actors that have fully registered have access to them in terms of questioning for some clarity on some basic issues deliberated on the floor of the house after they have written to the house and requests for their invites is accepted.

In another different finding, It was pointed out by the YIAGA North-Central coordinator that the.

The existing institutional and legal framework has not been able to fully fulfill its acclaimed integrative and peace-promoting function by interrogating the prevailing political culture in election management in Nigerian". The respondent argued that there is an imbalance in the existing legal framework in election management as there are situations in which they are not allowed to come in to participate as observers in elections fully and have an independent body.

Finally, institutional and legal frameworks are available for non-state actors in election management presses. These include the constitution, electoral acts, and INEC guidelines as the significant established legal framework. However, there are imbalances in these legal frameworks as they are not allowed to participate in some electoral activities fully, and sometimes there is controversy. This creates room for overlapping functions and a lack of coordination and manipulation by politicians. This, in turn, questions the legitimacy of the engagements and actions of non-state actors in the election management process in Nigeria (Election Security Policy Brief, 2015). Despite these intuitional and legal framework measures, some aspects of the legislative framework were ambiguous, leading to misapplication and confusion during the process of handling election results (YIAGA Africa, 2023c). This has given non-state added leverage to check these institutions and demand electoral reform. Non-states also try to oversee the electoral process through election observation (Orji & Ikelegbe, 2014).

CONCLUSION

The main idea behind this study is to understand why non-state actors have failed to impact election management in Nigeria's Fourth Republic. Despite the plethora of non-state actors involved in election management, their activities have been unable to meet the goal of election management in Nigeria's fourth republic. Based on the findings of the study and the research questions, it can be concluded that there is a research gap between the non-state actors and their impact on election management in Nigeria election. Based on the research questions, it was discovered that institutional and legal frameworks had inhibited election management in Nigeria's Fourth Republic, and the current institutional and legal framework cannot address the problems. Furthermore, the election management process in Nigeria has been hindered by several challenges from different bodies that constitute the electoral umpire, from the Independent National Electoral Commission (INEC) to the National Assembly and the electorate. However, adhering to the suggested recommendations after the careful and systematic study and review of the challenges on the institutional and legal framework for non-state actors' involvement in the election management process, the above-suggested recommendations will curb such problems if applied.

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