



CENTRE FOR TRANSPARENCY ADVOCACY (CTA) ELECTION COMPENDIUM

2019-2022. Vol 2 2023

ELECTION LANDSCAPE - AN OVERVIEW OF NIGERIAN ELECTIONS 2019-2022



*Accreditation and voting in progress at the Bonny LGA,
Ward 8, Unit 7, Rivers State 2019 General election*

Centre for Transparency Advocacy (CTA)



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Executive Summary

Elections Compendium in Nigeria, Vol 2: electoral landscape in Nigeria between 2019 and 2022

This elections compendium provides a comprehensive overview of the electoral landscape in Nigeria between 2019 and 2022, focusing on key observed elections and expert opinions on the electoral process. The compendium is structured into three main sections.

Section 1: Summary of Elections observed by CTA 2019-2022

1.1 2019 General Elections: The compendium begins with an analysis of the 2019 General Elections, examining their impact and outcomes on Nigeria's political landscape.

1.2 Off-Season Elections: This subsection delves into various off-season elections held within the stated timeframe.

1.2.1 Bayelsa 2019: The report explores the electoral dynamics and implications of the Bayelsa 2019 elections.

1.2.2 Kogi 2019: Similar to the previous section, the Kogi 2019 elections are dissected, highlighting key observations and trends.

1.2.3 Edo 2020: This portion reviews the Edo 2020 elections, offering insights into the electoral process and its impact.

1.2.4 Ondo 2020: The Ondo 2020 elections are analyzed, shedding light on notable developments and outcomes.

1.2.5 Okigwe North Senatorial Bye-Election 2020: A focused examination of the Okigwe North Senatorial Bye-Election 2020 is presented, including its significance.

1.2.6 Anambra 2021: The report explores the nuances of the Anambra 2021 elections, discussing key aspects of the electoral proceedings.

1.2.7 FCT Area Council Elections 2022: This section examines the FCT Area Council Elections in 2022, offering valuable insights into the electoral dynamics.

1.2.8 Ekiti 2022: The Ekiti 2022 elections are scrutinized, providing a detailed account of the electoral process and its outcomes.

1.2.9 Osun 2022: Similarly, the Osun 2022 elections are discussed, highlighting their significance and implications.

1.3 General Recommendations for 2023 Elections: The compendium concludes this section with a set of general recommendations aimed at enhancing the electoral process for the upcoming 2023 elections.

Section 2: Expert Opinions on the Electoral Process from 2019 to 2022

This section gathers insights from various experts on different aspects of the Nigerian electoral process.

2.1 The Election Umpire as an Institution: Professor Emmanuel Remi Aiyede assesses the progress made by the election umpire institution during the specified period.

2.2 Perspectives on 2019 General Elections: Emeka J. Ononamadu, a former REC of INEC, offers an insider's perspective on the 2019 General Elections and off-season elections in Nigeria.

2.3 Media and Election Monitoring: Michael Oche, Editor of Pilot Newspaper, discusses the role of media in election monitoring.

2.4 Political Parties and Election Reforms: Babatunde Oluajo, a Civil Society Activist and Election Observer, examines the roles of political parties, civil society, and the deregistration of political parties.

2.5 Reforms and Electoral Malpractice: Prof. Anthony Kola-Olusanya, DVC of Osun State University, explores electoral reforms and the issue of malpractice.

2.6 The Judiciary and Elections: Ndukwe Charles Ndukwe, a legal practitioner and human rights advocate, reviews the impact of the judiciary on elections during the stated period.

2.7 Security and Challenges for Elections: Okechukwu Nwanguma, a Civil Society Activist and Security Expert, delves into security challenges faced during elections.

2.8 Agenda Setting for 2023 Elections: Prof. Alex Asigbo outlines the agenda-setting process for the upcoming 2023 elections.

2.9 Gender and Elections in Nigeria: Faith Nwadishi, Executive Director of the Centre for Transparency Advocacy, examines gender-related aspects of elections between 2019 and 2022.

Section 3: About CTA and other information

In conclusion, this elections compendium provides a comprehensive analysis of elections conducted in Nigeria from 2019 to 2022, offering insights into observed elections and expert opinions on the electoral process. It serves as a valuable resource for understanding the dynamics, challenges, and recommendations for the Nigerian electoral system as we move closer to the 2023 General elections.



Acknowledgments

We extend our heartfelt gratitude to the individuals and organizations who have contributed to the realization of this Elections Compendium, a significant endeavor aimed at shedding light on the Nigerian electoral landscape from 2019 to 2022.

Board, Management, and Staff of CTA: We express my deepest appreciation to the esteemed members of the Board led by Dr. Chima Amadi, the dedicated management team lead by Ms. Faith Nwadishi, JP, and the hardworking staff of the Centre for Transparency Advocacy (CTA). Your unwavering commitment, guidance, and tireless efforts have been instrumental in the successful compilation of this compendium and in delivering on the mandate of the organization.

Contributing Experts: Our sincere thanks go to the distinguished experts (Prof. Alex Asigbo, Prof. Anthony Kola-Olusanya, Prof. Remi Ayiede, Dr. Emeka Ononamadu, Mr. Babatunde Oluajo (Sankara), Mr. Okechukwu Nwanguma, the Civilian IGP, Mr. Oche Micheal, Ndukwe Charles Ndukwe, Esq, and Mr. MacDonald Ekemezie) who generously shared their insights and perspectives on various aspects of the Nigerian electoral process. Your valuable contributions have enriched this compendium and provided invaluable context for understanding the complex dynamics of elections in Nigeria.

CTA Expert Team on Elections: We acknowledge the exceptional efforts of our in-house elections experts who painstakingly researched, analyzed, and organized the vast amount of data and information that constitutes this compendium. Your dedication to promoting transparency and accountability in the electoral process is commendable.

Election Observers: Our profound appreciation goes to all the dedicated election observers who collaborated with us on the ground. Your meticulous observation, reporting, and commitment to ensuring free and fair elections have contributed significantly to the accuracy and authenticity of the information presented in this compendium.

INEC Management and Staff: We extend our thanks to the management and staff of the Independent National Electoral Commission (INEC) for their cooperation and support throughout the period covered by this compendium. Your dedication to upholding democratic values and conducting credible elections is instrumental in the evolution of Nigeria's electoral system.

Media and Citizens of Nigeria: We acknowledge the vital role played by the media in disseminating accurate and timely information about the electoral process. Additionally, we express our gratitude to the citizens of Nigeria for their active engagement, participation, and commitment to the democratic process.

Colleagues from Civil Society Organizations (CSOs) across the 36 States and FCT: Our appreciation extends to our fellow colleagues from civil society organizations across the 36 states and the Federal Capital Territory. Your collaborative efforts, dedication, and commitment to transparency and accountability have significantly contributed to the success of this compendium and the democratic process as a whole.



Conclusion: This Elections Compendium would not have been possible without the collective effort and contributions of each of you. As we look back on the elections held from 2019 to 2022, we recognize the collaborative spirit that has driven this project forward. Your dedication to transparency, accountability, and democratic progress serves as an inspiration for us all.

Looking ahead, we eagerly anticipate the 2023 General Elections and the opportunities they present for further progress and improvement. We hold great expectations for the positive impact of the reforms achieved thus far. We also extend an invitation to all stakeholders to continue their active involvement in shaping the electoral landscape. Your valuable insights, cooperation, and commitment will undoubtedly contribute to the substance of the reforms and advancements that will mark this new phase of Nigeria's democratic journey.

Thank you for your unwavering support and commitment to the advancement of fair and credible elections in Nigeria.

Sincerely,

Faith Nwadishi, JP
Executive Director
Centre for Transparency Advocacy (CTA)



Introduction:

The Nigerian electoral landscape is a vibrant tapestry interwoven with the strands of democracy, participation, and transformation. Spanning from 2019 to 2022, this tapestry bore witness to significant occurrences that sculpted the nation's political course, mirroring both its aspirations and trials. Building upon the resounding success of "INEC Beyond 2015," which chronicled the electoral odyssey from 2015 to 2018 as a precursor to the 2019 elections, the Centre for Transparency Advocacy (CTA) proudly unveils the sequel to this initiative: "Election Landscape: An Overview of Nigerian Elections 2019-2022 a Compendium of Nigerian Elections: 2019-2022. Vol. 2"

This compendium, akin to its forerunner, delves deep into the core of Nigerian democracy during a pivotal juncture. Spanning from the 2019 General Elections to the culmination of off-season contests in 2022, this compendium uncovers the multifaceted aspects of Nigeria's political and democratic evolution.

As the guardians of transparency, accountability, and the democratic process, the Centre for Transparency Advocacy (CTA) embarked upon an ambitious expedition to capture the essence of these electoral junctures through the pages of this Compendium covering 2019-2022 elections. This compendium not only stands as a testament to our commitment but also as an invaluable resource for comprehending the evolution of Nigerian democracy.

Section 1: Election Landscape: An Overview of Nigerian Elections 2019-2022

This section immerses readers into the heart of Nigerian elections over the specified years. From the defining 2019 General Elections to the myriad off-season contests that followed, this portion unpacks the key electoral events. It seeks to present a mosaic of narratives, each representing a unique facet of the Nigerian democratic experience.

Section 2: Expert Perspectives on Nigerian Electoral Process 2019-2022

The second section broadens the scope, inviting experts from various domains to share their insights. These voices, ranging from election administration and media to security and gender perspectives, contribute their analyses to enrich our understanding of the intricate mechanisms that underpin Nigerian elections.

This compendium is a testament to the collaborative spirit that drives democratic progress. It celebrates the collective contributions of stakeholders across the spectrum. From the Board, management, and staff of CTA to the esteemed experts who lent their wisdom, every page reflects the dedication of individuals and organizations committed to the ideals of transparency, fairness, and credible governance.

Looking Ahead: A New Phase of Democratic Evolution

The Nigerian Elections Compendium 2019-2022 serves as a milestone, capturing a chapter in the nation's ongoing narrative of democracy. As we turn the pages, we stand at the threshold of the 2023



General Elections. This compendium not only commemorates past events but also offers insights to inform future reforms, fostering an environment conducive to free, fair, and credible elections.

With every election, Nigeria evolves, and so does its democracy. We invite you to embark on this journey through time, knowledge, and progress, as we navigate the diverse terrains of Nigerian elections in the pages that follow.

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- 1.3 General recommendations for 2023 elections\

CHAPTER 1

THE CENTRE FOR TRANSPARENCY ADVOCACY (CTA)

THE 2019 GENERAL ELECTIONS REPORT– A SUMMARY



Fig. 1 Map of Nigeria showing the 36 States and the FCT

Nigeria is a multiparty democracy and elections are conducted at every level of government - Federal, State and Local Government Area levels. Elections into elective Federal and State level offices are conducted by the Independent National Electoral Commission (INEC), a federal statutory body charged with the conduct of such elections (including all elections into elective offices in the Federal Capital Territory), while elections into elective offices at the Local Government Area level are conducted by the respective State Independent Electoral Commissions (SIECs), which are bodies set up by the respective states for this purpose.

The 2019 elections that are the subjects of this report are elections conducted by the Independent National Electoral Commission (INEC) into Federal and State offices.

The elections for the federal offices consist of the election for the office of the President of the Federal Republic of Nigeria and the election for seats into the two-chamber National Assembly comprising the Senate and the Federal House of Representatives. The President is the Head of State and the executive head of the national government. The election for the office is conducted throughout the country as one constituency, while election into the 109-member Senate and the 360-member House of Representatives is conducted in various federal constituencies throughout the country, including the Federal Capital Territory.

At the state level, elections are conducted by the Independent National Electoral Commission (INEC) for the office of the Governor (who is the executive head of government in the state) and for seats in the House of Assembly, which is the state legislature. Elections into all these positions are conducted for a four-year term. However, the President and Governors have a two-term limit for each individual, while the members of the legislature at National and State levels have no term limit. The President and Governors are required to present running mates as part of their joint tickets during the elections. The running mate to the winning presidential candidate becomes the Vice President, while the running mate to the winning governorship candidate becomes the Deputy Governor.

According to the Independent National Independent Electoral Commission (INEC), ninety-one (91) political parties vied for various offices across the country in the 2019 general election. Nigeria's electoral and governance history indicates that usually two parties dominate the political space in each electoral cycle. From the beginning of the Fourth Republic in 1999 to 2015, one of those two parties, People's Democratic Party (PDP) had been the dominant party at the national and state



level. Events leading up to the 2015 general elections and the elections themselves saw a recalibration of the political space to give the then newly-formed All Progressive Congress (APC) the dominant position, including winning the presidential election to usher in the first civilian to civilian transfer of power at the centre in the history of the country. The election in 2015 saw the election of President Muhammadu Buhari of the APC to replace President Goodluck Jonathan of the PDP who at the time was seeking re-election. The aftermath of that election once again saw the political space dominated by two political parties, the APC and the PDP.

A BRIEF ON THE 2019 GENERAL ELECTIONS

The 2019 elections were initially beset by logistical challenges, which led to the postponement of the Presidential and National Assembly election from Saturday, 16 February 2019 to Saturday, 2 March 2019 and the Governorship and State Houses of Assembly election from Saturday, 23 February 2019 to Saturday, 9 March 2019.

In the wake of the postponement of the Presidential and National Assembly elections by the INEC, the Acting Executive Director of CTA, Ms. Faith Nwadishi made several media appearances to talk about the issues arising from the postponement and the way forward. She also had several interviews, which were aired and published on several television, radio and online stations as well as newspapers.

CTA also convened another press briefing with Political Editors in a bid to sway public perception and douse the palpable tension that occasioned the postponement of the Presidential and National Assembly elections.

THE POLITICAL PARTIES AND THE 2019 GENERAL ELECTIONS

In the presidential election, the APC presented President Muhammadu Buhari for re-election, while the PDP presented Alhaji Atiku Abubakar who was a former Vice President of the Federal Republic of Nigeria under the banner of the PDP between 1999 and 2007. There was a lot of pre-election noise about a 'third force' in the form of a third party or a coalition of parties challenging the dominance of the two main parties. The challenge was framed along age lines with calls for younger people to be given opportunity to lead and several parties took up that challenge by choosing young persons as presidential flag-bearers. Some of the prominent ones amongst them were Kingsley Moghalu of the Young Progressive Parties (YPP), Omoyele Sowore of the African Action Congress (AAC) and Fela Durotoye of the Alliance for New Nigeria (ANN). Indeed, late last year, attempts were made by them to form a coalition and present a common presidential candidate. However, this attempt was unsuccessful as they could not come up with one candidate and each party eventually opted to run independently. 73 candidates contested the presidential election under the banners of various parties. The two major parties fielded candidates in the Governorship and the State Houses of Assembly election everywhere it was scheduled to hold, except in Rivers State where a judicial order banned the All Progressive Congress (APC) from fielding candidates as a result of some intractable internal crisis within the state chapter of the party.

COURAGEOUS INEC PERSONNEL

It is important to recognize the patriotic roles played by some INEC personnel during the 2019 General Elections. Most members of the National Youth Service Corps (NYSC) used during the elections conducted themselves admirably despite the poor conditions under which they served. There were widespread cases of threats to life, real violence and

poor remunerations and welfare arrangements. A lot of them were quite uninformed about the processes and facilities for the election, but this was due to poor training. The unwholesome practice of replacing trained ad-hoc staff with friends and relatives at last minute without proper training affected the process in many areas as these ad-hoc staff members could not use the card readers and could not relate with election observers properly. In some instances, some polling officers did not know the use of the polling unit booklet.

We commend the gallantry of several State RECs who, even in the face of threats and violence, insisted on playing by the rules. We commend the RECs of Rivers, Abia, Enugu, Bayelsa, Imo, and Akwa Ibom States for ensuring that the elections in their states were credible and fair.

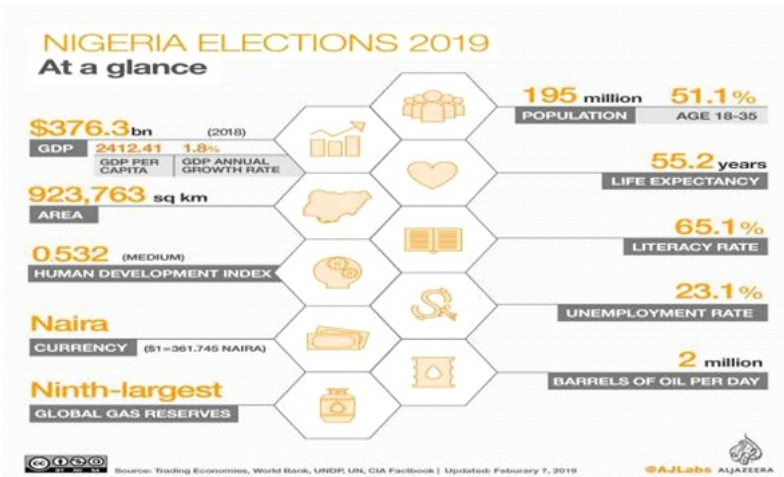
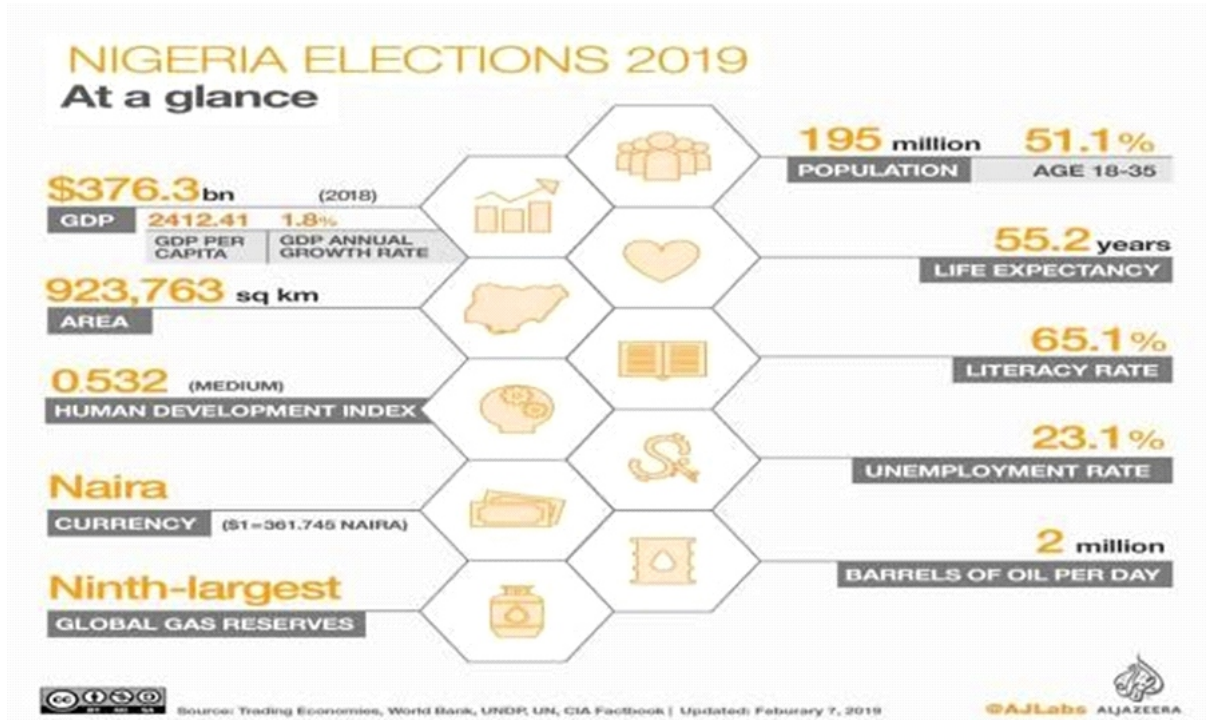
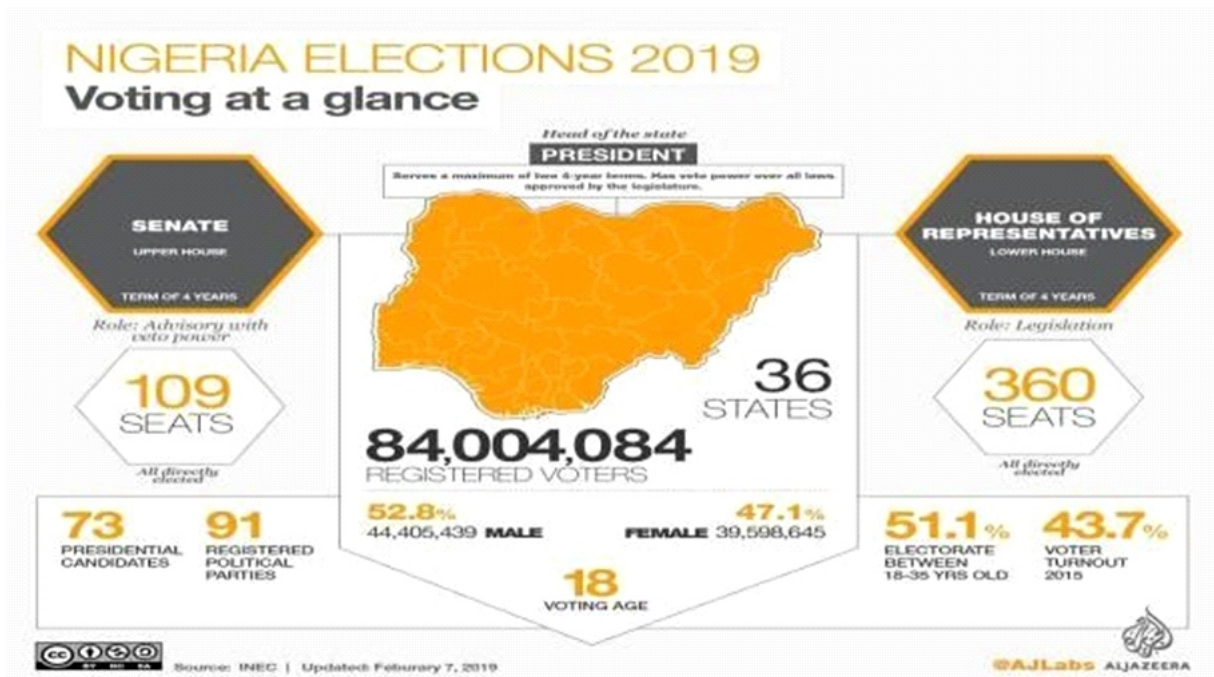


Fig. 2 Population and economic statistics of Nigeria for the 2019 general elections (Source: Aljazeera)

**Total number of registered voters and PVCs collected State by State.
(Photo credit: INEC website)**



Population and economic statistics of Nigeria for the 2019 general elections (Source : Aljazeera)



Election statistics for 2019 elections. (Source: Aljazeera)

Fig. 3 PVC collection by State (Photo credit: INEC website)



TOTAL NUMBER OF REGISTERED VOTERS AND COLLECTED PVCs FOR THE 2019 GENERAL ELECTIONS

	State	No of Registered Voters	No of Collected PVCs as at 11/02/2019	No of Uncollected PVCs	Percentage of Collected PVCs to Registered voters
1	Abia	1,932,892	1,729,943	202,949	89.50
2	Adamawa	1,973,083	1,788,706	184,377	90.66
3	Akwa Ibom	2,119,727	1,933,362	186,365	91.21
4	Anambra	2,447,996	2,071,714	376,282	84.63
5	Bauchi	2,462,843	2,335,717	127,126	94.84
6	Bayelsa	923,182	769,509	153,673	83.35
7	Benue	2,480,131	2,244,376	235,755	90.49
8	Borno	2,315,956	2,000,228	315,728	86.37
9	Cross River	1,527,289	1,387,314	139,975	90.84
10	Delta	2,845,274	2,470,924	374,350	86.84
11	Ebonyi	1,459,933	1,299,048	160,885	88.98
12	Edo	2,210,534	1,726,738	483,796	78.11
13	Ekiti	909,967	666,591	243,376	73.25
14	Enugu	1,944,016	1,787,537	156,479	91.95
15	FCT	1,344,856	1,026,920	317,936	76.36
16	Gombe	1,394,393	1,335,223	59,170	95.76
17	Imo	2,272,293	1,702,178	570,115	74.91
18	Jigawa	2,111,106	1,625,721	485,385	77.01
19	Kaduna	3,932,492	3,648,831	283,661	92.79
20	Kano	5,457,747	4,696,747	761,000	86.06
21	Katsina	3,230,230	3,187,988	42,242	98.69
22	Kebbi	1,806,231	1,718,180	88,051	95.13
23	Kogi	1,646,350	1,435,751	210,599	87.21
24	Kwara	1,406,457	1,149,969	256,488	81.76
25	Lagos	6,570,291	5,531,389	1,038,902	84.19
26	Nasarawa	1,617,786	1,442,184	175,602	89.15
27	Niger	2,390,035	2,173,204	216,831	90.93
28	Ogun	2,375,003	1,694,867	680,136	71.36
29	Ondo	1,822,346	1,478,460	343,886	81.13
30	Osun	1,680,498	1,266,587	413,911	75.37
31	Oyo	2,934,107	2,176,352	757,755	74.17
32	Plateau	2,480,455	2,095,409	385,046	84.48
33	Rivers	3,215,273	2,833,101	382,172	88.11
34	Sokoto	1,903,166	1,726,887	176,279	90.74
35	Taraba	1,777,105	1,729,094	48,011	97.30
36	Yobe	1,365,913	1,261,914	103,999	92.39
37	Zamfara	1,717,128	1,626,839	90,289	94.74
	TOTAL	84,004,084	72,775,502	11,228,582	86.63

Total number of registered voters and PVCs collected State by State. (Photo credit: INEC website)



Worthy of note in this summary is that, with over 72,000,000 voters card collected across the country there were only about 25,000,000 voters who turned out accounting for 37.5% of the entire voters that collected their PVCs.

This showing though not impressive, shows that there is voter apathy in the electoral process. CTA commends the citizens who turned out to vote and withstood the antics of the political class and the security operatives.

Some lost their lives, others lost their votes through the snatching or burning of their ballots by agents of the political class who were bent on sabotaging the efforts of INEC to deliver a credible election.

Voter Apathy was attributed to the failure of the political class to deliver on their electoral promises and the hate speeches that precede elections. Some voters who were interviewed attributed this to the violence unleashed on them at previous elections.



Conclusion:

Nigeria is still a work in progress, but the Fourth Republic is two decades old now. No matter our challenges, we cannot continue to give excuses for our poor showings in elections. Children born at the beginning of the Fourth Republic have since joined the voting age, making decisions about their future electorally. So, there really is no more room for giving our political leaders the benefit of the doubt because it is quite clear from the last general election that they have seriously invested in undermining democracy by undermining the workings and intentions of the Independent Electoral Commission (INEC).

There is no doubt that the present INEC under the leadership of Professor Mahmood Yakubu invested heavily in producing a free and fair election. That was the reason it issued the timetable for the 2019 general election a full year before the election, while it made sure to do its part to meet up with preparations. It introduced the innovation of the Continuous Voter Registration (CVR) exercise to ensure that everyone who truly wants to vote gets multiple chances to register to do so. We were witnesses to the massive campaign by INEC through television adverts and programmes, radio jingles and social media outings to get information out there. Indeed, INEC operated an open door policy and was involved in deeper engagements with all stakeholders at every stage of preparation in order to ensure everyone was on the same page.

This INEC proved quite independent in the way and manner it responded to the unexpected challenges throw its way by the political class. We saw how it bravely prevented the ruling party from fielding candidates in Zamfara and Rivers in its determination to follow the rules no matter whose horse is gored. Eventually, its actions were vindicated by the courts - even at the highest judicial level by the Supreme Court. More crucially, on the ground, during election and voting day, it refused to be intimidated by threats and violence unleashed on its officials and ad-hoc staff. Indeed, INEC's brave conduct may have saved our nation from conflagration because it was obvious that elements of the political class, including elements of the ruling class, were bent on mayhem if they didn't get their way.

Perhaps one of the best expressions of INEC's independence was the way it resisted the attempt to force it to organize the 2019 general election in a staggered manner through various acts of sabotage. That it was able to regroup and conduct the election a mere week after postponement without compromising its stance not to conduct a staggered election says something about its leadership and independence. Of course, this is not to say INEC has no fault in how things turned out. It has because at the end of the day, the buck stops at its table. No matter the excuse anyone proffers on its behalf, the fact is it is responsible for conducting the election and if it did not turn out as it should, it would bear its share of the blame, no matter how independent or good-intentioned.

While we generally commend members of the security services for helping with maintaining law and order during the election, we cannot overlook the fact that the deployment of the military was unlawful and uncalled for. Our laws do not give soldiers any role to play in our election and our courts up to the highest level have ruled accordingly. Their deployment and brazen partisanship against the opposition was an affront on decency. Of course, we realize that they could only have acted on the orders of their political and civil superiors, but no soldier or commander of military forces is compelled to obey unlawful order. The way and manner the Nigeria Armed Forces handled itself in the general election has not



brought it respect and glory at all. Making themselves unlawful instruments of agenda-driven politicians has not brought honour to the uniform.

Having said all the above, we believe the attempt to rebuild electoral credibility must start with the law. The incoming National Assembly must work in collaboration with INEC, civil society organizations and other stakeholders to firm up our electoral laws. We are prepared to make our technical contributions in this regard. Indeed, there is the need to give INEC more powers to reflect the presumed independence of the body. It must as much as possible be put fully in charge of the resources and personnel it needs for elections. We cannot afford to continue placing the fate of our nation in the hands of ad-hoc staff for such important assignments related to elections.

We must also invest in technology. It's an embarrassment seeing the amount of paper we carry all over the place during elections. There are ways people can vote credibly from wherever they are and for the vote to count. We do not need the massive national logistical and personnel mobilization we engage in during elections. There are climes where elections are conducted while people go about their daily businesses without disruption. Technology makes that possible and we must not be left behind.

Let us state clearly here that the ultimate test of credibility is how the government handles criminality. If people do not see electoral offenders prosecuted and punished, the message would be clear that these persons work for those we have elected and who tomorrow will come seeking our votes again. If the government and the political class continue to act nonchalant, the people will lose confidence in politics and democracy and anarchy and self-help would be the outcomes. That would spell the end of Nigeria as we know it. It's therefore the duty of the government, INEC and every patriotic citizen to ensure that's not our fate. We have to work for a better electoral system now by ensuring that the law is upheld and offenders are appropriately punished.

Finally, we salute Nigerians for their role in the election. That the election did not turn out as planned isn't because of them. We witnessed the huge turnout of Nigerians during the Presidential and National Assembly election and the fact that this was not the case on the Governorship and the State Houses of Assembly and FCT Council election is because of the disappointing way the first one went. A people are entitled to their frustration when political leaders behave horribly as our Nigerian political leaders have done. We urge Nigerians to persevere with the democratic system because it is our only way out of the woods. However, to get the best of it, we must do our duty of courageously holding our leaders accountable at every level. We also salute our citizens who are persons with disability (PWD) for coming out in record number during the elections. Obviously, this must have been influenced by the conditions created by INEC to make their voting experience more comfortable, so we also thank INEC for that. But, in all, we are happy that Nigerian citizens are getting more informed and are prepared to stick with the democratic process as we continue to work collectively to get it right.

Ms Faith Nwadishi
Acting Executive Director, CTA

PICTURES



Acting ED, CTA Ms. Faith Nwadishi @ the Stakeholders Meeting in Abuja



A cross section of panelists @ the Enugu Stakeholders' Meeting



Group Picture @ Enugu Stakeholders Meeting



Group picture with some FCT observers at the pre- election press conference for the postponed Presidential and National Assembly elections



Panelists at the pre-election press briefing for the postponed Presidential & National Assembly election



Media presence @ the pre- election press conference



Some members of the Expert team



Eager voters waiting for the arrival of election officials and materials in the Gwagwalada Area Council of the FCT



A cross section of the media @ the pre-election press briefing for the Governorship & States Houses of Assembly election.



INEC ad-hoc staff waiting for voters during the Area Council election in Gwagwalada FCT



Huge turnout of voters in Kazaure LGA, Jigawa State



Voters waiting patiently to commence accreditation and voting in Dutse, Jigawa State.



Accreditation and voting in progress at the Bonny LGA, Ward 8, Unit 7, Rivers State



Cross section of voters @ Market Square PU, Kutunku, Gwagwalada Area Council FCT



REPORTS FROM STATES

Introduction

This compendium in general is a review of elections and electoral events from the 2019 General Elections and other off-season elections up to 2022. It is structured as learning source, literature , a knowledge and experience sharing document that will not only help to improve the electoral system in Nigeria but also serves as an institution memory in our electoral history.

To this effect, this section of the report gives a summary of reports from some states were off-season elections held within the periods under review. This will help to give a clearer insight into the aims intended through this Compendium of rich electoral literature . the following off-season elections were captured

Bayelsa State- 2019
Kogi State- 2019
Edo State-----2020
Ondo State-----2020
Okigwe North Senatorial District by-election- 2020
Anambra State- 2021
FCT- 2022
Ekiti- State - 2022
Osun State- 2022

BAYELSA STATE- NOVEMBER 16, 2019



The Bayelsa State 2019 Governorship Election arose from the decision of the Supreme Court judgment that led to the staggered election in Bayelsa state from 2011. Although, 45 political parties and candidates registered to contest in the governorship election, two political parties- PDP and APC- stood out as the major contenders as we observed through their campaigns and activities prior to Election Day. Centre for Transparency Advocacy (CTA) followed through the electoral process leading to the election on November 16, 2019, this includes monitoring of the distribution of the



electoral materials, media scanning and attendance of stakeholders meetings and trainings organized by INEC.

The Bayelsa Governorship election was preceded by pre-election violence and threats. There were cases of one policeman and one journalist killed during political campaigns with several others injured and in critical condition according to media reports. Considering this atmosphere of fear and anxiety, it was feared that voter turnout would be low. This state of insecurity also explained the high number of security deployments which led to the militarization of the state.

CTA organized several activities prior to the election which include; stakeholders meeting in Yenagoa, Door to Door Sensitisation and Voter Education Campaign in Bayelsa East Senatorial District comprising of Ogbia, Brass and Nembe LGAs and training of observers who were deployed across the 8 LGAs of the state. (CTA) is a critical stakeholder in the electoral process in Nigeria and observed and monitored developments leading up to the elections. CTA, one of the accredited observer groups deployed 50 observers across the 8 Local Government Areas. Other activities carried out by CTA include, Observation of the PVC collection, conducted Stakeholders meeting and Trained observers and deployed them to the LGAs.

CTA deployed 50 observers across the 8 local government areas of Bayelsa State and reports from the field observers provided the basis for this report on the election. Materials and Personnel arrived most polling units between 8:30am and 9:30 am signalling commencement of accreditation and voting while in some extreme cases, materials and personnel arrived at about 11am as witnessed in Otuoke in Ogbia LGA where the former President, Goodluck Jonathan voted. Voting ended generally by 2.30pm with results counted and announced in many units.

The total number of registered voters stood at 922,562; 517,883 voters was accredited producing 505,884 valid votes while 6,333 votes were rejected.

ELECTION DAY ACTIVITIES

The election observers participated primarily at various polling units in different wards across the 8 local government areas primarily to assess the conduct of critical stakeholders across the electoral value chain of critical stakeholders including INEC/INEC officers, Security agencies, Party agents, and Voters on the basis of INEC electoral guidelines and national legislation standard.

We observed that the election was relatively peaceful in most part of the state especially in local government areas that are accessible by road such as Yenagoa, Ogbia, Kolokuma Opokuma, Sagbama and Nembe. However, our field observers witnessed interferences of security agencies in coastal communities such as Ekeremor, Southern Ijaw, and Brass with party agents in active connivance while INEC officials appeared helpless. This report provides an overview on the performance and involvement of critical stakeholders that were part of the process of the election which their action or inaction contributed or influenced the overall outcomes/results of the election. These include INEC/INEC Officers, voters, security agents and party agents. In addition, it detailed challenges; lessons learned and recommended way forward for peaceful, free, fair and credible elections in Bayelsa state and other parts of Nigeria in future. David Lyon of the APC was declared winner and returned as Governor elect polling 352,552 votes against his closest rival Senator of PDP who polled 143,172



Conclusion

The election was generally peaceful except for few cases of violence. Flooding and lack of live jackets and boats prevented some security operatives deployed to riverine areas from moving to their duty posts. In Onuebum River, in Ogbia LGA, policemen deployed to riverine areas could not move because there were no boats and live jackets.

There were also some logistic hitches such as in Ward 8, Unit 5, where there were no Chairs for INEC Officials to sit.

Police officers complained about the timeliness of the release of deployment. The list of deployment came out late. For future elections, leaderships of security agencies should make timely deployments and provisions for logistics.

KOGI STATE – NOVEMBER 16, 2019

The Kogi State governorship and Kogi West senatorial elections was held across the 21 Local Government Areas of the state and in the & LGAs of the Senatorial district respectively on Saturday, 16th November, 2019. The election was exclusively; to elect a new governor as conducted by the Independent National Electoral Commission (INEC) and a rerun on the Kogi West Senatorial seat as a result of a Supreme Court ruling. Kogi state is one of the states with elections outside the general elections in Nigeria.

CTA as a domestic observer group participated in the major activities that ended up with the governorship and Senatorial rerun elections held on 16th November, 2019. Some of the activities include the stakeholders meeting by INEC on the 12th of November, 2019 and the training for observer groups on the 14th of November 2019 respectively.

CTA mobilized and trained 50 Observers from across the state for the elections. These observers were eventually deployed across the 21 LGAs in Kogi state on Thursday the 14th of November, 2019.

Kogi has 21 LGAs, 239 Electoral wards, 3508 polling units and voting points. The State also has 1,646,350 registered voters. As at September 2019, 1, 485,828 PVCs had been collected, representing 90.2 percent while 160, 522, were uncollected representing 9.8 per cent of the total number of registered voters and a total of 15,868 ad-hoc staff were recruited for the 2019 elections. 49 Political Parties notified INEC of their intentions to participate in the election and conducted their primaries, 49 filed in nominations out of which were 41 valid nominations, 8 invalid nominations and 18 withdrawals after submission of nominations. The SDP, the 42nd political party had a court judgement in its favour challenging the earlier disqualification of its flagbearer from contesting the election. At the time of the elections, only 24 political parties fielded candidates for the governorship election.





The Executive Director of CTA, Ms. Faith Nwadishi presenting her welcome address

ELECTION DAY ACTIVITIES

On Election Day, electoral violence of the highest degree was manifested in Kogi. As early as 7am, there were already reported shootings at Ayingba, the university town of the state. A similar scenario played out in many parts of Kogi East and Kogi West senatorial districts.

Accredited nonpartisan observers groups, including trained roving journalists, reported over 79 critical incidents across the Kogi State off-cycle governorship and the rerun senatorial elections. Incidents ranged from the hijack of electoral materials by thugs, the kidnap of INEC ad-hoc staff, vote-buying, attacks on observers, intimidation of voters, underage voting, widespread stuffing of ballot boxes, ballot snatching and multiple voting.

In several polling units, polls opened by 8am or a few minutes after 8am. CTA Observers were at their polling units before 8am and witnessed the poll opening and the Presiding Officers' address, orienting voters on how the election would be conducted, who is eligible to vote, the responsibilities of the poll officials and security agencies after other poll officials had pasted the voters register for electorates to check and determine if their names are on the register. The PO also displayed the empty ballot box before voting began. However, at the opening of most polls electorate were checking their names in the voters register with fear of possibility of violence eruption as most environment were tensed with tension. At places like Ayabgba – Agbeji town we had sporadic gunshot all through the eve of election and early hours of the morning. This action affected some polls from opening early enough, at about 8;30am in some polling unit it was either the INEC officials were at the polling unit with only very few voters on the queue or Voters were at the polling unit waiting for INEC officials. This delayed accreditation and voting at some polling unit till 9;00am or later. Also at some polling, like Agbeji Ogane in Ojikpadala ward in Dekina Local Government, Card reader machine started mal functioning around 9;30am and this lasted for about an hour before it was fix.

In most of the polling units covered by our observers, voting commenced smoothly with the old and vulnerable being given preferential treatment. However, our observers say they did not see any

special provisions made for the visually impaired. The observers complained that the Adhoc Staff did not know about the polling unit handbook where observers, media, security agents in each polling unit were to sign in. They also observed that in some polling unit, the ballot box was placed in such a manner that the party agents could see which candidate a voter was voting for. They also reported open and wide spread cases of voter intimidation, vote buying and trading. There were also cases of unidentified people around the polling units who were reported to the security operatives.

One sad fact was that the police detachment and other security agents turned a blind eye to the antics of the party agents and the political thugs in all units visited.

The CTA roving group was split into three teams and went around the state to provide support for our observers on the ground. The teams reported a large turnout of voters and community members while they narrowly missed being lynched by irate crowds in Geredu and Dekina. Also along the Ajaokuta – Lokoja road, one team ran into a road block where fortunately they were not attacked.

In Kogi Central, we got reports of a quiet election atmosphere with people going about casting their votes except that vote buying was openly done. In Kogi West, there was a faceoff between Senator Dino Melaye and an APC stalwart in Aiyetoro. The Senator was purported to have slapped the APC stalwart which led to a fracas between their supporters. In the process, the Senator Dino Melaye's nephew was shot and eventually died. In Kogi west, vote buying was done openly with the party agents colluding to pay off voters' monies ranging from three thousand to five thousand Naira respectively. It was reported that the by 11 am on the 16th of November 2019, Kogi West was already engulfed in violence.

We got unauthenticated reports that on the morning of the elections, several observer groups were moved to the government house and relieved of their observers' kits in exchange for money. We also got reports of a roving helicopter that was shooting teargas canisters thus scaring away voters. Our observers report that the Police gave enabling environment for all the parties to rig the elections. We also got reports of people dressed in the uniforms of security outfits who were not security personnel. The ED of CTA was also able to Identify several fact observers whose tags did not match the persons wearing them,

All across the state, our observers reported a high level of intimidation of voters especially of PDP supporters.





Conclusion

The spread of the violence took shine off the election and it is feared that the violent nature of the election would further discourage participation in future elections. Vote buying took place in magnitudes never seen before especially in Kogi east where votes were being bought for as high as N5000 each. This will also discourage credible people without resources from participation, especially as candidates.



EDO STATE – SEPTEMBER 19, 2020

In preparation for the September 19, 2020 Edo State Governorship Election amid the Covid-19 Pandemic, the Centre for Transparency Advocacy organized series of activities including an online meeting with CSOs in Edo State to open a conversation on the best strategy to be adopted by the Election Management Body to conduct the election adopting best health practices and the confidence of the people. Stakeholders meetings with CSOs, Security Agencies, National Orientation Agency, INEC and the media were held in Edo State. The meetings were strategically designed to discuss INEC policy on the Edo State Governorship Election. The engagements were CTA and the CSOs contributions towards a free, fair, credible and rancour-free election in Edo state.

Edo state with a population of about 5million people and 2,210,334 registered voters, had only 1,726,466 (78%) voters that decided who became the next governor. 483,868 people were not part of the election due to uncollected voters' card.

This was the first major election to be conducted by INEC in a COVID-19 era and therefore, needed a lot of precautions and adjustments from the previous normal practices. CTA trained and mobilized 40 roving observers and 180 citizen's observers across the 192 Wards in the 18 Local Government Areas.

Only 14 political parties fielded candidates for the Edo 2020 election. Out of the 14 political parties that fielded candidates for the governorship election only two visibly campaigned across the wards in the 18 LGAs of the state. According to INEC data, there were 12 males and 2 female candidates. At the height of the campaigns, there were allegations and counter-allegations by the two major political parties against each other of mobilizing thugs for violence. There were several peace meetings convened to get the commitment of the candidates in ensuring a peaceful election. They however, signed the peace accord on September 15, 2020 facilitated by the National Peace Committee.

POLITICAL SITUATION IN EDO BEFORE THE ELECTION

The political situation in Edo State was tensed due to the altercations within the ruling APC that pitched the governor against the National Chairman of the party. Equally, the corona virus pandemic raised a lot of health issues as Edo State continued to record high rate of infections and the highest in the South-South as at the time within the election period. The governorship election was conducted under these prevailing circumstances hence the Election Management Body informed that the election must go on.

PRE-ELECTION ACTIVITIES AND STAKEHOLDERS ENGAGEMENT

As part of preparations for the election, Centre for Transparency Advocacy (CTA) an accredited Domestic Observer Group by INEC organized several activities that included, participation in Zoom meetings organized by INEC, held interactive zoom meetings with different stakeholders on the preparation for the elections and dissemination of the INEC guidelines on conducting elections in a COVID19 context. Other activities were voter education in the Eighteen LGAs of the state which gave the team the opportunity of a first-hand assessment of the preparations and citizens expectations. Other stakeholders met were civil society organizations, the media and NOA. There was a stakeholder's meeting on the 25th of August 2020 and consultative meetings with security agencies (DSS, Police, FRSC, NSCDC, NIS and others), INEC, National Orientation Agency and the media.

The Centre for Transparency Advocacy (CTA) trained and deployed 40 roving observers and 180 observers to the field across the 18 Local Government Areas. Other activities carried out by CTA include, Observation of the collection and distribution of sensitive materials by INEC, the signing of the Peace Accord, briefing of observers by INEC and the final collation of results at the INEC office.



CTA showed an appreciable media presence before, during and after the election.

ELECTION DAY

INEC deployed 5 additional Resident Electoral Commissioners to Edo State and over 17 thousand Adhoc staff. 53 domestic and 6 foreign observer groups were accredited by INEC for the election. Sensitive materials were also distributed in good time domiciled at the Central Bank of Nigeria, Benin City. The use of the Z-pad was an additional form of authentication and transmission of result in Form EC8A in real-time from polling units. To have feedback from observers on the field, INEC gave out the following Hotlines for the Edo election; 08037534901, 08163380281

1. CTA noted that the deployment of men and materials by INEC was timely and adequate.
2. Accreditation and voting started simultaneously about 8:30am and 9:30am on the average in most polling units across the 18 LGAs of the state
3. Card readers functioned well in most polling units with minor technical hitches but was responded to by INEC technical team in good time

Despite misgivings because of the tensed political atmosphere occasioned by harsh words, threats and violence before the election, on September 19, the governorship election held and the candidate of PDP and incumbent governor of the state, Godwin Obaseki was declared winner by INEC defeating his closest rival Ize Iyamu of

APC. The election was adjudged free and fair by both observers and political watchers while commending INEC for conducting a transparent and credible election.

CONCLUSION

CTA, placing the results released by INEC with the polling unit results as reported by our Ward Citizen observers tallied with the final results released by INEC. This was a departure from the past where sometimes election results were tampered with. Edo State citizens, observers, various stakeholders and Nigerians are unanimous in their agreement that votes counted in Edo state and therefore, the outcome of the election represented the wish of the people. In this regard, the citizens were full of commendation for the Independent National Electoral Commission and the security agencies on their neutrality, sense of purpose in delivering a credible and acceptable election in Edo State. In the word of Professor Ikudaisi Olorunfemi of the University of Benin, “we are happy because our votes counted. We commend INEC because the election and its outcome is credible and acceptable”. Governor Godwin Obaseki of PDP was returned as winner by the INEC Returning Officer.



During stakeholders meeting in Benin City



Security Agencies and INEC officials keeping watch



ONDO STATE GOVERNORSHIP ELECTION OF 10TH OCTOBER, 2020

Ondo State is one of the 36 states in Nigeria in the South-West geo-political zone. The state was created on 3rd February 1976 out of the defunct Western state by late General Murtala Mohammed the then Military Head of State. There are 18 Local Government Areas and 3 Senatorial Districts. Equally, there are 9 Federal constituencies and 26 state constituencies. According to the 2006 Nigeria National census figure, Ondo State has a population of 3,460,877. Ondo state is made up of 18 LGAs, 203 Wards/Registration Areas and 3,009 polling units. The state according to INEC records has 1,822,346 registered voters. There are 1,478,460 collected PVCs while 343,886 PVCs were uncollected before the election on 10th October, 2020.

The October 10th 2020 election in Ondo state is one of the off season elections in Nigeria arising from judicial interventions. Centre for Transparency Advocacy mobilised Trained Election Observers to the field and Citizen observers who were deployed to polling booths across the 18 LGAs of the state.

PRE ELECTION ACTIVITIES AND STAKEHOLDERS ENGAGEMENT

There were series of consultations and advocacy visits to various stakeholders and agencies involved in the electoral value chain. The stakeholders visited included security agencies covering the DSS, the Nigerian Police, NSCDC. CTA visited the National Orientation Agency, the Independent National Electoral Commission and Civil Society Organisations.

ELECTION DAY

On the average, reports from our observers deployed to the field indicated that polling units opened at 8.30 am. INEC Officials and materials in most places arrived as early as 7.30 am. There were however few exceptions where officials and materials arrived after 8.30am

Time of commencement of accreditation and voting

Most of the reports from our observers indicated that on the average voter accreditation and voting commenced between 8.30 and 9am. This is without prejudice to the few exceptions where voter accreditation and voting started later than 9am.

Our observers reported isolated cases of malfunctioning of card readers notably in in Unit 009, Ward 02, Gbogi/Isikan 1, Sacred Heart Primary School, Akure South LG.

CONCLUSION

The terrain of some areas of the state posed logistical challenges not only to INEC but some observer groups. The near fatal boat mishap in the Ilaje area would have imprinted a dark cloud in the history of elections in Ondo State.

LESSONS LEARNED

The timely and orderly distribution of kits to election observers made field election observation easier. Unlike in Edo State Governorship election, most Domestic Observer groups had full kit and materials. The Z-Pad and result portal have become important tools in the result collation process and has provided little or no room for manipulation of results.

The incumbent Governor Oluwarotimi Akeredolu (SAN) was re-elected for a second tenure having been declared winner by the Independent National Electoral Commission (INEC) as was announce by the returning officer Prof. Eyitope Ogunbode at about 1:00pm on the 11th October, 2020.



Security Chiefs with other Stakeholders at the Stakeholders meeting in Akure



CTA Team with the Resident Electoral Commissioner for Ondo State Dr Akeju



Opening of CTA's Situation Room in Akure



A long queue of voters waiting to cast their votes.



OKIGWE NORTH SENATORIAL DISTRICT BYE ELECTION - DECEMBER 5, 2020 EVENTS LEADING TO THE ELECTION

The Okigwe North Senatorial Bye-Election came because of the death of Senator Benjamin Uwajimogu who occupied the seat. The election was conducted on December 5, 2020. The Centre for Transparency Advocacy (CTA) was accredited by INEC and deployed 8 observers. We observed in the 6 LGAs making up the Senatorial District. INEC declared the APC as the winner without returning a candidate.

The primaries leading to the selection of candidates by major political parties were tensed. Even the election of Senator Uwajimogu was amid controversy leading to INEC withholding his Certificate of Returns until the Courts ordered INEC to issue him with the CoR.

The major issue that led to a tense atmosphere was the internal squabbles in the ruling All Progressive Congress (APC) over candidates to represent them in the election. The matter was between a camp supposedly loyal to Honourable Emeka Nwajiuba, the Minister of State for Education, governor Hope Uzodinma who supported the candidature of Frank Ibezim, and another faction of the former governor Rochas Okorocha in support of the candidature of Senator Ifeanyi Ararume.

The tensed and confused situation was not helped by the pronouncements of different courts either declaring Ararume or Ibezim as the rightful candidate or disqualifying either of them. The judicial drama did not end even on the eve of the election with two court judgments from an Abuja High Court disqualifying Frank Ibezim while an Appeal Court judgment the same day disqualified Senator Ararume. The tense political atmosphere prevailed till the election day and even as this report was put in place.

ELECTION DAY ACTIVITIES AND SETTING UP OF POLLING UNITS According to our field observers, most polling units were set up as early as 8:30 am on average. Election materials were escorted early to the polling units with INEC officials and security agents. Some voters were already present at this time with party agents on the ground.

COUNTING, COLLATION, AND DECLARATION OF RESULTS

The counting of results was seamless and peaceful. The collation of result was at the INEC headquarters in Owerri where the result was also announced. The All-Progressives Congress (APC) was announced by the Returning officer as the winner without returning a candidate as is the practice.

POST ELECTION

There were no reported cases of violence after the announcement of the election results, however, since no candidate was returned, both the APC, PDP, and APGA have since gone to court to address the matter. INEC has said that it will rely on the pronouncement of the Supreme Court as an end to the matter.

CONCLUSION

Generally, the election was peaceful, however, there were reported ballot box stuffing at Osu Owerri Ward 1, specifically at Central School Ezihe in Isiala Mbanjo LGA.

The none return of any candidate by INEC created tension in the Senatorial District leading to so many interpretations by the electorates. Internal party squabbles mustn't be allowed to affect an entire process or people.



ANAMBRA STATE – NOVEMBER 6, 2021

BACKGROUND

The Anambra state Gubernatorial election, one of the off-season elections in today Nigeria's electoral calendar held the 6th of November 2021.

The Anambra state Gubernatorial election was held against the background of increased and almost unprecedented socio-economic cum security crisis. This was aggravated with nationalist and separatist agitations rocking the nation, especially the spate of violence that was recorded in Eastern Nigeria in general and Anambra state in particular.

The security situation prior to the election in Anambra State had created a state of uncertainty and cast doubts as to the possibility of conducting election in such a tensed atmosphere. Some reports had it that scores of people had lost their lives in different parts of Anambra State in the run up to the election. Among those killed gruesomely was Dr. Chike Akunyili, the husband of late Prof. Dora Akunyili. Other acts of violence included the kidnapping of political party candidates and top politicians, the burning of police stations, burning of INEC facilities, burning of security outstations, including the intimidation of citizens in lawful political gatherings across Anambra State. The declaration of the seven days sit at home order pronounced by the Indigenous People of Biafra (IPOB) in no small measure also heightened fears of the elections being marred by violence.

Irrespective of the fear of violence apprehensions and general state of uncertainty that pervaded the November 6, 2021, Anambra State Governorship Election, Centre for Transparency Advocacy (CTA) deployed 64 field observers across the 21 Local Government Areas of Anambra State on Election Day. The stakeholders include security agencies, the Independent National Electoral Commission (INEC), National Orientation Agency (NOA), religious and traditional leaders, Town Union and Market women, professional bodies, and the media. CTA held a stakeholder meeting on the 19/10/2021 at Finotel Classy Hotel Awka to ascertain preparedness of the stakeholders in the electoral value chain for the election.

ELECTION DAY ACTIVITIES

There were reports of skirmishes between security agencies and elements opposed to the election in Ihiala, leading to delays and no elections in some communities like Luli and Orsumohu which was later rescheduled by INEC.

Without prejudice to the few exceptions where voter accreditation and voting started later than 10 am, reports from our observers indicated that, on average, voter accreditation and voting commenced between 8.30 am, and 10.00 am. However, this was not the case in the rescheduled Ihiala election, where accreditation and voting started in some places in the afternoon.

Our observer reports indicated that in many of the polling units, vote buying was becoming more brazen and was a major feature of this election. INEC, the Security Agencies, and other stakeholders need to work out measures to effectively address this ugly phenomenon.

Generally, CTA noted that the fear resulting from threats by criminal gangs and the IPOB declaration of sit-at-home was responsible for some of the delays and citizens' apprehension towards the election. The voter turnout was one of the lowest in the history of governorship elections in Anambra State; less than 12 percent of eligible voters turned out to cast their votes.

Remarkably, INEC introduced the use of different colour codes on the ballot sheets for different Local Government Areas. Also, CTA noted that for the first time, the Director General of NYSC visited Corps members in the field to encourage them.

Professor Chukwuma Soludo of the All-Progressive Grand Alliance was declared winner by the returning Officer having polled the highest number of votes to beat other opponents.



Cross Section of stakeholders at the Stakeholders meeting in Awka



Media briefing by the CTA on the eve of the election and opening of Situation Room



Cross section of participant during security briefing in Awka by the Nigeria Police a day before election with the media and CSOs.





FCT FEBRUARY 12, 2022, AREA COUNCIL ELECTIONS REPORT

The Federal Capital Territory Area Council Election held February 12th. This is the only local government election overseen by the Independent National Electoral Commission (INEC), with the rest being overseen by their respective States Electoral Commissions. The FCT elections was conducted in all accredited polling units throughout the six Area Councils to fill empty seats in 68 constituencies, including six chairmanships and 62 councillorships. INEC declared that 14 political parties fielded candidates for the slots. In the FCT's 68 constituencies, 55 candidates contested for Chairman, while 363 candidates contested for the position of Councillors. The number of registered voters in the FCT are 1,373,492, while the number of polling units are 2,822, including the newly created 2,260. However, INEC stated that no materials or officials were deployed to 593 of the newly established polling units because no voters have yet been registered in those areas.

ELECTION DAY ACTIVITIES

Time of commencement of accreditation and voting

Reports of early arrivals and commencement of polls were above average. It was reported that 58.1 per cent of personnel and materials arrived polling units between 7-8 am, 23.8 percent arrived between 8-9 am while on the extreme was 16.2 percent for late arrivals across the FCT. We noted that security personnel attached to RACs, and polling units arrived early at their beats.

However, in some areas like the super RAC at Government Secondary school, Garki, in AMAC, due to operational reasons, personnel and materials were not moved to various polling units as at 10 am. The reason for the delay was attributed to non-availability of enough vehicles to distribute materials and personnel to the various units hence the resort to few vehicles that had to do several rounds to drop off personnel and materials.

Our observers also reported cases of slow BVAS functioning and malfunctioning which in turn made the voting process very slow and kept many waiting. This led to an agitated and tensed atmosphere in some instance. On the malfunctioning of BVAS, the significant factor to understand is that the adhoc staff that were handling it were the number one culprit in the malfunctioning of the BVAS as most of them lacked the requisite knowledge to operate the system. It was alleged that some of the trained adhoc staff were switched or did not show up at the last minute.

CTA therefore advised for more training for the adhoc staff and to ensure that the electoral officers do not change trained adhoc staff on election day to avoid this kind of problem. Adhoc staff should be properly trained to operate the BVAS While INEC should endeavor to deploy only trained adhoc staff and should not replace trained staff with untrained people as this has continued to jeopardize smooth electoral process.

Significantly, most of the reports from our observers indicated that on the average voter accreditation and voting commenced between 8.30am and 10.00am

Conclusion

The citizens applaud the outcome of the elections as it significantly reflects the wishes of the people. We congratulate the citizens for coming out to make their choices and standing by their votes. Citizens are having more confidence in the electoral process as they are gradually coming to terms and believing that votes do count.

Equally, we commend INEC and all stakeholders for ensuring a free, fair, and credible election despite some logistical challenges and malfunctioning of the BVAS in some polling units.



The Executive Director of CTA Faith Nwadishi addressing staff and volunteers at the Situation Room



Observers with the Executive Director of CTA, Faith Nwadishi



Group photograph of the CTA team with the REC and principal officers from INEC



Representatives of the Military, other security agencies, women's groups, traditional council and CSOs



Election officials on duty



Security personnel during the election



Citizens waiting to cast their votes

EKITI STATE – JUNE 18, 2022



Pre-election Press Conference by CTA

The Centre for Transparency Advocacy duly observed the Ekiti state Gubernatorial election, one of the off-season elections in Nigeria's electoral calendar held on June 18TH 2022.

Ekiti State has 988,923 registered voters out of which 749,065 collected their PVCs before the election of 18/6/2022 leaving 239,865 PVCs uncollected. There are 2,445 polling units and 177 wards across the sixteen Local Government Areas of Ekiti State.

As part of its mandate and contribution towards strengthening the democratic process as a committed organization, the Centre for Transparency Advocacy (CTA) trained and deployed 50 observers to the field covering the 15 LGAs of Ekiti state. There were media events that chiefly focused on the need to maintain peace and orderliness before, during and after the elections. The CTA team led by its Executive Director, Ms Faith Nwadishi, featured on radio and TV sessions. The media stations visited include Our People's FM, Ekiti state Television and Ekiti FM.



The Executive Director of CTA at NTA Ado Ekiti.



CTA Executive Director & the Programme/Comms Manager at People's FM Ado Ekiti

The CTA team visited some Organisations in the state to discuss how best to have a free, fair, peaceful, and credible election on June 18, 2022, in Ekiti State. The organisations visited include; the National Orientation Agency (NOA), Broadcasting Service of Ekiti State (BSES) Nigeria Security and Civil Defence (NSCDC), OUR PEOPLE'S FM, and Department of State Service (DSS). The leaderships of the various organisations pledged support and promised to contribute towards a credible and peaceful election.



Courtesy visit to Broadcasting Service of Ekiti State (BSES)



CTA's Executive Director with the General Manager of People's FM

The stakeholder's roundtable which was the focal point of the pre-election activities, had participants from different sectors and fields as it relates to their roles in the election. The meeting was engaging and an eye-opener as the participants were charged with what is expected of them before, during and after the election.



CTA organized Stakeholders Meeting



Representatives of Security Agents at the Stakeholders meeting



Cross-section of participants at the high table.





ELECTION DAY ACTIVITIES

The CTA observers were mostly at the various polling units at about 7.30 am to be able to witness in real time the arrival of materials and personnel and to observe the opening of polls.

The CTA observers were mostly at the various polling units at about 7.30am to be able to witness in real time the arrival of materials and personnel and to observe opening of polls.

The roving team visited Mango area, ward 10, where election commenced at exactly 8:30am, a corps member addressed the voters on the election process and special consideration was given to pregnant, elderly and nursing mothers. There was presence of security agents at the polling unit seeing to the orderliness of the voters.

At farm settlement, ward 13, as at 9:30am there were no presence of INEC officials, Adhoc Staff, election materials and security agents. The electorates were agitated due to the absence leading to their inability to exercise their franchise. At about 10am while in another polling unit, the materials for the election process were seen being taken to their which the executive director and her team followed to confirm, and the election started at about 10:10am with the Adhoc staff addressing the electorates. In the same vein, consideration was given to pregnant, elderly and nursing mothers.

At CAC Grammar school, ward 11, an NYSC official was seen asking for the identity card of the Adhoc staff who were corp members to ensure that fake corp members are not working as Adhoc staffs. The Executive Director interviewed the official who said other NYSC officials are also moving round to see that there are no fake corps members participating in the electoral process.

Aside these two units other polling centres were visited, and it was observed that vote buying by party agents was observed.

CTA noted that the election process was peaceful compared to past elections in the state and that the electronic device, the Bimodal Voter Accreditation System (BVAS) worked perfectly in most polling units.

CTA noted that the act of vote buying by all major political parties.

Other observers in different Local Government in the state were also sending in their reports to CTA Situation Room.

The election came to an end by 2:30 pm and counting and collation of results started immediately.

At 5pm the executive director addressed a press conference where she told press men of the CTA observation in the electoral process and said the election was peaceful, free, and fair compared to previous election that have being observed in the state.

CTA commended INEC for making BVAS work and expressed satisfaction on the presence of security agents who were deployed and assigned to various polling units across the state.

CTA equally appreciated the effort of the NYSC officials for going round to ensure that NYSC Adhoc staff were authentic serving corps members appointed to the various polling units for the election.

A total number of 363,438 potential voters were accredited out of these, 360,753 accredited voters cast their votes of which 351,865 was adjudged valid. In the early hours of Sunday 19/2/2022 having collated results from the 16 LGAs, the Returning Officer, Professor Kayode Adebowale of the University of Ibadan declared Biodun Oyebanji of APC winner having polled 187,057 votes. The candidate of the SDP, Segun Oni came second with 82,211 votes while the PDP candidate Bisi Kolawole polled 67,457 votes to come third.

Conclusion

In conclusion, the CTA commends the INEC, security agencies and the good people of Ekiti state for playing their part towards the growth and development of our democracy.

The election was peaceful, it was free and substantially, credible.



Election day Activities



Voters at their polling unit

OSUN STATE- JULY 16, 2022

The Centre for Transparency Advocacy (CTA), an accredited election observer group, keenly followed developments and the preparedness of critical stakeholders for July 16, 2022, Osun State Governorship Election. The CTA lined up activities as its contribution towards a free, credible, peaceful, fair, inclusive, and conclusive election.

A total of 15 political parties presented candidates for the election. The election is expectedly took place across the 30 Local Government Areas, 332 wards and 3,763 polling units. The political environment before the election was relatively calm as political parties went about their campaigns without necessarily heating up the polity as the CTA's advance team that was on ground for over in the state witnessed no infractions. The Centre for Transparency Advocacy commended the peaceful atmosphere that prevailed and maintained throughout the election period and after the election on Saturday.

Osun State Gubernatorial election took place on Saturday, 16th July 2022. Prior to this, the Centre for Transparency Advocacy (CTA) paid an advocacy visit to media houses, security agencies and National Orientation Agency after which a stakeholders' meeting and media sensitization was held on the contribution of stakeholders on how the upcoming election will be free, fair and credible. CTA was present at the Peace Accord signing ceremony where the aspiring candidates and chairmen signed the peace accord document. The role of observers in election cannot be overemphasized. In lieu of this, CTA was present at the briefing of accredited observer groups and trained 60 accredited observers.



A glimpse at some of the Security Agents and other stakeholders at the roundtable meeting



The CTA Executive Director making her presentation



The Situation room was set up to monitor the report of the events happening on the field during election and to take actions when need arise. These reports are to be supplied by the trained accredited observers. The situation room of CTA was declared opened by the Executive Director of the CTA on the eve of the election followed by a Press Conference same day July 15, 2022.



Cross Section of CTA Election Expert Team members at the opening of the Election Day Situation Room.

The gubernatorial election of Osun State was conducted on July 16th, 2022. There was one million, nine hundred and fifty-five thousand, six hundred and fifty-seven (1, 955,657) registered voters out of which One million, five hundred and eighteen thousand, three hundred and three (1,518, 303) PVCs were collected.

ELECTION DAY

The report from the field observers deployed by CTA indicated that there was early arrival of polling officials in most of the polling units. This indicates improvement in election logistics arrangement by INEC. Similarly, reports from observers indicated the prompt commencement of voter accreditation and voting in over 95% of the polling units. Although, delay was a challenge in few polling units which was because of delay in briefing of electorates on procedures for the election. BVAS was reported to work perfectly well with voter accreditation taking an average of 3 minutes except with little exception in some polling units. The security agents were also reported to arrive early at the polling units with professionalism in their conducts including the maintenance of law and order. Observers constantly reported live updates on election through pictures and text on the CTA-WHATSAPP platform. Likewise, the CTA team led by the Executive Director roved across polling units in the state to observe the accreditation and voting processes. It is important to note that the presence of observers in polling units largely contributed to the credibility of election in the state.

Conclusion

In conclusion, the CTA commends the INEC, security agencies and the good people of Osun state for playing their part towards the growth and development of our democracy.

The election was peaceful, it was free and substantially, credible.



An Adhoc staff addressing the electorates just before the commencement of the voting



Security Agents at the polling unit enabling a peaceful environment



A cross-section of voters queuing to cast their votes on the election day



The Ooni of Ife with Engr. Faith Nwadishi and the INEC Chairman Prof Mahmood Yakubu Yakubu



His Imperial Majesty, Oba Adeyeye Enitan giving his speech



Some CTA field Observers



CTA members and team of experts

1.3 General recommendations for 2023 elections

INEC should get its ICT team and any other relevant personnel to work on the smart card readers (SCRs) with a view to rectifying the various problems associated with them in the last elections.

INEC must continue with the continuous voter registration exercise. In fact, this must be strengthened with a view to ensuring that more people get their PVCs before the elections without much stress. The process of prospective voters transferring their registrations should also be made easier, so as to reduce the incidences of people travelling long distances to vote because INEC could not effect transfer of their registration in time before the election. INEC must also make the process of compilation into various polling units register data easier so as to make location by prospective voters easier as well.

INEC must now heavily invest in continuous voter education. The poor voter turnout in the last election is a big national embarrassment. It is now imperative for INEC to have a robust strategy of creating awareness and reaching Nigerians wherever they are with actionable information about why it is crucial that they come out to vote on election days. With appropriate funding, the CTA and sister organizations can help INEC in this regard by engaging and mobilizing Faith Based Organizations (FBOs), Community Based Organizations (CBOs), Non-Governmental Organizations (NGOs) and professional associations to assist in creating awareness for subsequent elections. We could also help by organizing workshops, road shows media shows and other forms of ingenious sensitization programmes.

- ï INEC should specifically train and instruct the security personnel on election duties on how to identify genuine observers. The practice of not allowing observers into LGA Collation Centres is a key reason a lot of people believe the elections were mostly rigged at that level. Giving access to accredited observers to the collation centres helps in strengthening electoral credibility by giving citizens confidence in the process.



- INEC should inform observer groups how many observers they are to deploy long before hand in order to adequately prepare especially for printing of Identity tags as well as production of adequate number of kits. The distribution of these materials to observers must be closely monitored and strict monitoring of their use on the day to ensure they aren't in the wrong hands must be effected. INEC will have to work closely with the security agencies and law enforcement on this. INEC must also ensure that observer groups assessed and accredited get proper training and instructions as per their role during elections. This could be achieved via regular in-house trainings and refresher courses. CTA recommends that INEC should lawfully review some of the most questionable results that were announced during the last general elections. It should investigate the activities of Electoral Officers and other ad-hoc staff whose conducts brought INEC's name to disrepute during the last elections.

More crucially, INEC must ensure it really learns from the last exercise with a view to ensuring that future elections meet acceptable standards.



Section 2:

EXPERT OPINIONS ON THE ELECTORAL PROCESS FROM 2019 TO 2022

2.1 The election umpire as an institution: progress so far by Professor Emmanuel Remi Aiyede

Introduction

The Independent National Electoral Commission, INEC, has come a long way since the return to democracy in 1999, after several decades of military rule. It has had a very eventful experience conducting at least six general elections. The 2023 elections will be the seventh general elections to be conducted by INEC in exercise of its constitutional mandate as Nigeria's election management body.

Over the period and across general and off-season elections INEC, has struggled to improve on the conduct and administration of elections in conjunction with stakeholders in the electoral process by reforms of its internal processes and the reforms of the country's electoral process. These efforts have yielded positive results. Indeed, since 2011, the body has been successful in conducting several elections that have been adjudged largely peaceful, free, fair and credible, though there is still room for improvement. In this short write up, we will examine INEC's progress as an institution for the management of elections in Nigeria.

Transformations in INEC and innovations Since 2019

It will be recalled that the Commission came to a low with the conduct of the 2007 election which was considered a largely flawed election. The election was so flawed that President Yar'Adua began the process of electoral reforms by setting up the Justice Uwais Reform Committee that same year. Although he eventually could not see the reforms through as he died in 2010 due to ill-health, the appointment of Professor Attahiru Jega, a member of the Uwais Committee, as the Commission's Chairman on June 8, 2010, ensured that some recommendations of the committee, especially those related to the Commission's internal workings were implemented.

While many of the recommendations have not been implemented, several steps have been taken to improve electoral performance, including the first and second constitutional Amendments as well as the Electoral amendment Acts. Some of these steps accounted for the successes recorded in advancing electoral integrity under Attahiru Jega as INEC chairman. These reforms include:

- Provisions for continuous registration exercise, annual publication of registration, transfer of registration location, release of a copy of voters' register on the payment of a fee.
- Announcement of election results from the polling units, collation centres and the final constituency levels; these enable access to the results from the lowest level of the polling unit to highest constituency level. It promotes transparency.

The reforms carried out by Jega and the subsequent one carried out by his successor, Professor Mahmood Yakubu within and beyond the commission has made INEC the chief driver of electoral reforms in Nigeria.

Under Professor Attahiru Jega, INEC conducted elections in which opposition parties regularly won. He pioneered the biometric voter-registration system, and introduced the Permanent Voter's Card, PVC, and Smart Card Reader, SCR, which helped to make the 2015 general elections successful. Professor Mahmood Yakubu has also been quite proactive in championing internal repositioning of the commission and wider technology-driven reforms of the electoral process.

INEC introduced the Continuous Voter registration (CVR) which was undertaken from 27th April 2017 to 31st August 2018 at 1,446 designated centres nationwide. For the 2019 general elections, the Commission verified and confirmed 14,283,734 new registrants. The total number of certified registered voters for the 2019 General Election was 84,004,084.

INEC remains a strong advocate of the Electoral Act (Amendment) Bill 2018, which Buhari vetoed a record four times. It was also central to the Electoral Act 2022 which was eventually signed into law by President Buhari shortly before the political party primaries in 2022. The collection of PVCs at ward level began from 17th to 21st January 2019 and a cumulative total of 72,775,502 (86.63%) were collected.

The Commission registered new political parties, bringing the total number to 91. It also monitored the congresses and primaries of these parties across the country from 18th August to 7th October 2018. It processed the nomination forms of 24,353 candidates (male 21,190 – 87% and female 3,163 – 13%) vying for 1,558 elective offices in the 2019 general elections.

INEC has gone on to conduct several bye-elections and off-season gubernatorial elections in five states. Even under the Covid-19 pandemic INEC conducted elections in Ondo, Edo and Anambra states. For these purposes, it provided an effective guideline for the conduct of elections under the pandemic environment (see INEC 2020). These guided the behaviour of stakeholders and voters in the pre-election, election and post-election activities of political parties, civil society and voters during the period.

Several issues have emerged from the conduct of off-season elections since 2015, and the 2019 general elections. These issues have informed INEC's reform of its internal operations, interaction and collaboration with stakeholders and recommendations for the amendment of the electoral act. Some of the emergent issues include the following:

- The recurring problem of vote buying/trading
- The need to improve the transparency of the result collation and transmission process

- Problems associated with electronic accreditation and verification of voters
- Electronic transmission, storage and publication of results
- Persistent problems of malpractices, violence and ballot snatching
- Local government elections
- Poor situation of internal party democracy, and
- The proliferation of political parties and their implications for election logistics, ballot access and polling management



Under Professor Yakubu INEC has striven to assert its independence in implementing existing laws and in pressing for amendment of the Electoral Act 2010. About the former, INEC has insisted on the firm implementation of the laws in the controversial case of Zamfara governorship primaries. Its firm position ensured that the ruling party at the national level, the APC lost Zamfara State to the PDP after initially winning it through flawed internal processes. It has striven to minimise the influence of electoral manipulators, by ensuring electronic transmission of election results even before the law was enacted to buttress it. Its effort and pressure materialized when the Electoral Act 2022 was accented to by the President. Section 47 of the Act empowers INEC to use the Smart Card Reader or any other device for accreditation.

The elections it conducted since the 2019 general elections has been used to test innovative ideas to be used in the 2023 general elections. In the conduct of bye-elections and the gubernatorial elections in Edo, Ondo, Anambra, Ekiti, and Osun States several innovative technologies were introduced and piloted. Some of these innovative ideas are the (1) BVAS and (2) the establishment of a result viewing portal (IReV). The BVAS is used to verify the genuineness of the PVCs, it is a device used to identify and accredit voters' fingerprints and facial recognition before voting. The device is also used to capture images of the polling unit result sheet (Form EC8A). The IReV is an online portal where polling unit level results are uploaded directly from the polling unit, transmitted, and published for the public. The BVAS authenticates voters during accreditation by fingerprint or facial authentication recognition of voters. It also replaced the Z-pad for uploading the polling unit results to the INEC Result Viewing Portal (IReV) in real-time on election day. The BVAS is used as INEC's Voter Enrolment Device (IVED) during voter registration and has eliminated the use of incident forms during accreditation on an election day. The IReV is used to provide access to Polling Unit election results as soon as they are concluded. It has also facilitated the implementation of INEC's policy on electronic transmission of results.

When the BVAS was deployed in the Isoko South Constituency 1 bye-election in Delta State on September 10, 2021, some presiding officers complained that the machine had difficulties capturing the thumbs and faces of some of the voters, especially the aged. Similar hitches associated with BVAS malfunction occurred during the Anambra governorship election which led to the extension of voting time from 2:30pm to p.m. at some polling units. As a result, INEC expanded the base of the training of its ad-hoc staff to acquaint them more with the workings of BVAS and other technological innovations of the commission. Since then, there has been a remarkable improvement in the functioning of the BVAS. Thus, these innovations promise to be the backbone of electoral integrity of the 2023 elections. They have enhanced electoral integrity and inspired public confidence in the electoral process. According to INEC, the IReV has been deployed in 105 elections involving 16,694,461 registered voters since it was first introduced in the 2020 Nasarawa Central bye-election. In these elections, 32,935 results sheets (Form EC8A) were uploaded from polling units in rural and urban areas, including polling units in communities affected by insecurity.

The Commission has learned valuable lessons from the use of IReV in the governorship elections in Edo State (September 2020) and Ondo State (October 2020) and the combined use of both BVAS and IReV in Anambra State (November 2021), Ekiti State (June 2022) and Osun State (July 2022) and the use of the BVAS in the Area Council elections in the Federal Capital Territory (FCT) in February 2022. During the Ekiti and Osun governorship elections in 2022, polling unit level results were uploaded on INEC's portal. This made real-time publishing of election results possible. Thus, INEC demonstrated its commitment to transparency in results management, which for many years has been a major concern of election stakeholders. The IReV involves scanning or photographing Polling Unit result sheets (Form EC 8A) once they are completed and verified. The scanned copies or pictures are subsequently uploaded to a dedicated backend server.



This sever allows members of the public to create personal accounts and log-in details that will enable them gain access to all uploaded results stored as PDF files. This has increased public confidence in results management and offers information to the public because election on data can now be directly sourced from the portal.

What is more, reports on the Ekiti and Osun State elections showed that access to the IReV portal was seamless, with users encountering no difficulty with the creation of user logins. Nonetheless, some members of public encountered difficulties in accessing the IReV portal at certain periods, while password recovery for existing users performed poorly as email verification took long hours. New users also encountered delays with the creation of new log in accounts. Although, the upload of results occurred with considerable speed, the download of the results was somewhat slow.

While the server used for the upload of results from the BVAS functioned with considerable speed due to adequate bandwidth on the server, the ERAD findings show that the Amazon Web Services (AWS) server used for the storage of polling unit results had limited bandwidth to handle the multiple requests on election day. The huge traffic on the portal at the end of voting and commencement of ward collation access slow.

According to INEC, the BVAS and the IREV are mutually reinforcing. Together they have helped to address ten pervasive weaknesses in Nigeria's election result management process: falsification of votes at polling units, falsification of number of accredited voters, collation of false results, mutilation of results and computational errors, swapping of results sheets, forging of results sheets, snatching and destruction of results sheets, obtaining declaration and return involuntarily, making declaration and return while result collation is still in progress and poor recordkeeping.

For the 2023 Presidential and National Assembly election, 530,538 results sheets (Form EC8A) will be uploaded on the IReV portal. It will be the first time the portal is processing this volume of results data. Therefore, INEC has increased its servers' bandwidth, RAM size, and storage capacity to improve the processing power of the IReV portal. Thus, it is expected that public access to results uploaded on the portal will be seamless, despite the huge traffic on election day. To achieve this seamless access the Commission may have to discontinue new registrations or user account creation on the IReV portal in good time to election day to reduce the stress level on the IREV server on election day.

The use of the BVAS and the IREV has been backed by the provisions of the Electoral Act 2022. Section of the Act legally approves transmission of accreditation data and election results directly from the polling units. Thus, public access to election data is guaranteed. Indeed, the Electoral Act 2022 confers legality on electronic accreditation of voters and electronic transmission of results. It mandates INEC to maintain and update, on a continuous basis, a register of election results to be known as the National Electronic Register of Election Results. The electronic register is a distinct database or repository of polling unit results, including collated election results for each election conducted by the Commission across the Federation. The legitimacy of electoral outcomes has greatly improved with the new provisions in the Electoral Act 2022.

Although the Covid-19 pandemic delayed the resumption of the Continuous voter registrations (CVR), it commenced online on 28 June 2021. The physical exercise commenced on 26 July 2021. Those without internet access were given the option of visiting the registration centres to get registered. During the continuous registration exercise, requests such transfer, update of voter record and request for PVC replacements were also attended to. At the close of the exercise on 31 July 2022, 12, 298, 944 new voters were registered. After a thorough data clean-up exercise, 9,518,188 were validated and added to the register. The CVR exercise has led to the increase in the number of voters from 84,004,084 in 2019 to 93, 469,008 in 2023. In 2021, the Commissions reorganized the Polling Units by converting 56,872 Voting Points and Voting Point Settlements to polling units. It also removed polling units from 'inappropriate' places such as private properties, royal palaces and worship centres across the country. As result, Polling Units increased from 119,974 to 176,846.



Preparedness for the 2023 elections

The Independent National Electoral Commission has demonstrated that it is ready to conduct the 2023 elections despite some daunting challenges, including security to its offices nationwide. As early as February 2022, it announced the schedule of activities that will culminate in the national and state level elections. The timetable was later revised to reflect the provisions of the new Electoral Act 2022. Some adjustments have been made on the request of the political parties who were unable to keep up with the schedule for the conclusion of political party primaries. According to the revised timetable and schedule of activities for the 2023, the Presidential and National Assembly polls will hold on February 25th 2023. The commission had earlier announced February 18th, 2023, for these elections. Furthermore, the Governorship and State Houses of Assembly election will hold on March 11th, 2023. The schedule of activities has been developed to observe the provisions of the Electoral Act 2022, and the Constitution of the Federal Republic of Nigeria 1999 (as amended). Both laws form the legal basis for conducting all elections in Nigeria. The Electoral Act provides clear timelines for the implementation of electoral activities based on the date of the General Election. One of the timelines is the publication of Notice of Election not later than 360 days before the day appointed for holding an election.

For the Presidential and National Assembly elections, political parties and candidates are to submit their nomination forms to the INEC via its online portal between “9.00a.m. on Friday 10th June 2022 to 6.00pm on Friday 17th June 2022” while those contesting for Governorship and State Assembly elections will follow the same process between “9.00am on Friday 1st July 2022 to 6.00pm on Friday 15th July 2022.” The Campaign by political parties for Presidential and National Assembly elections are to commence on Wednesday 28th September 2022, while Campaign by political parties for Governorship and State Assembly elections commenced 12th October 2022.

In general, INEC's timetable and schedule of activities had 14 activities from the publication of notice for the election to the election day. The third activity on the timetable is the conduct of primaries by political parties and was expected to be for 60 days, to end on 03 June, 2022. But the political parties did not live up to the schedule, as the 18 political parties scheduled their presidential primaries in the last seven days of the period earmarked for the exercise. At the May 9, 2022, edition of a regular quarterly meeting between the election umpire and stakeholders', the Inter-Party Advisory Council (IPAC), a body of the 18 political parties requested INEC to consider an extension of the timeframe for party primaries by 60 days (two months). They argued that the time was too short for them to fully comply with the provisions of the new Electoral Act, 2022. This request was followed by another on 12 May, 2022 after the first one was turned down. Then on May 27, 2022, the Commission then granted a modified request by IPAC for a one-week extension of the time frame for party primaries for the same reason they pleaded for extension earlier. The one-week extension covered the period from 04-09 June 2022. No specific activities had been listed during that period. Rather, it was left open for parties to prepare their list of candidates before uploading same to the INEC web portal. Thus, the extension did not alter the timetable in any significant manner. The parties were able to submit the list of candidates for the presidential and national assembly elections as scheduled, 10-17 June 2022. The parties also submitted four officials each of the 18 political parties, making a total of 72 in all, to be trained on the use of the INEC portal. The Commission considers the training of the political party officials essential to achieve efficient and effective use of the portal. The familiarity of the officials with the portal was to avoid delays relating to technical problems.

The collection of PVCs which was scheduled to commence on 12 December 2022 and end on 22 January 2023, had to be extended to 29 January 2023 because of the turnout of registered voters and the surge in the number of collected PVCs across the country. The extension was to provide Nigerians with more time to get their PVCs ahead of the general elections. Emphasis has been placed on inclusion in management of the election with respect to persons with disability and those in the IDP camps. Special provisions have been made for the enumeration of IDP voters under recently revised Policy on IDP Voting, a policy initiated in 2015. The commission is yet to integrate diaspora voting because of legal obstacles.



According to the INEC chairman, Professor Yakubu, the Electoral Institutes has finalized the methodologies and manuals for the early training of election officials. These include 707,384 Presiding and Assistant Presiding Officers, about 17,685 Supervisory Presiding Officers, 9,620 Collation/Returning officers, as well as 530,538 Polling Unit security officials, making a total of 1,265,227 for the 2023 elections. In December 2022, it launched the interagency stakeholder forum against vote selling and buying at polling units. The initiative which includes security agencies, anti-corruption agencies, media regulatory agencies, political parties and the civil society organisations, is to monitor and report illegal cases of vote buying and to strengthen control and enforcement.

The Commission received the final batch of the BVAS to be used for the election on 04 January 2023. It has concluded functional and integrity tests on the BVAS devices in many States nationwide. The plan to conduct a series of mock trials of the BVAS with actual voters in real-time in parts of the country before the elections has been finalized.

Finally, INEC has put in place mechanisms, such as the Election Violence Mitigation and Advocacy Tool (EVMAT) and the Election Risk Management Tool (ERM), to understand, track and mitigate security challenges. The interagency Consultative Committee on Election Security has remained a vital framework for collaboration with the security agencies. These security initiatives have been shored up in view of the rising attacks on INEC facilities, materials and staff. There have been at least fifty attacks on INEC's facilities in four years (2019 – 2022).

Conclusion

The 2023 general elections will be a great opportunity for the Commission to prove to Nigerians and the democratic world that, as an electoral umpire, it has made significant progress in the drive to achieve independence and professionalism and that it can no longer be pushed around by the powers that be. With the orientation given by the Chairman, Professor Mahmood Yakubu, members of the commission, and the Strategic Plan and Strategic Programme of Action (SP & SPA), as well as the 2023 Election Project Plan (EPP) documents, the commission has demonstrated that it is moving towards even greater independence, and that it is committed to developing highly professional personnel able to rise above the pressures of incumbent governments and crooked political actors. The SP & SPA and the EPP were concluded over 18 months prior to the date set for the election.

So far, INEC has sent positive signals that it is a learning and proactive organization. It is willing, able, and ready to rise above the pressures of the ruling parties and powerful officeholders to ensure that the votes of Nigerians count. The reforms and innovations already implemented and tested in the off-season elections will ensure that the process of voting and result transmission are made easier, safer, quicker and more fool proof. INEC is moving away from the past where the Commission is perceived, due to the interests of the governments in power, as the most reluctant to respond to the citizens' yearnings for reforms.



2.2 PERSPECTIVES ON 2019 GENERAL ELECTIONS IN NIGERIA

By

Dr. Emeka J. Ononamadu

Fmr REC, INEC – Enugu

Background/Introduction

To provide a perspective or self-assessment on post 2015 election, which I was part of, naturally places a heavy burden of self-extra objective in avoiding exaggerations or suppression of negatives outcomes. As a safeguard, I have adopted a free style of narration that will not only place issues away from misinterpretations, but place them for further citizen's deductions and conclusions. This is expected to place readers as the first judge of the key facts in my perspectives as well as verifiable data. I have also tried to look at positive and negative outcomes from both as an insider as well as an outsider and a civil society actor.

It is said that in any life's venture, one thing that is constant is change. The change can be negative or positive, it can also be both negative and positive depending on the prism from where the change is viewed. Nigeria's democracy, which has been differently defined by both politicians, citizens and civil society, has indeed gone through different transformations towards maturity in terms of citizen's selection of their representatives through the statutory instruments of election. The journey has not been easy or smooth, but it continues. Nigeria having wallowed in military autocratic regimes for over 35 years, the beacon of its democracy development measurement has come to be majorly the development or credibility of election into various offices at the states and federal levels as well as at the Local Government Levels.

Although election is only a micro component of a democracy, it carries in it, the larger but practical realization of the most acceptable definition of democracy by Abraham Lincoln who defined democracy as “government of the people, by the people and for the people”. This explains the initial opinion that election has come to be the beacon of democracy not only in Nigeria but in most parts of the world, whether developed, developing or underdeveloped. The burden of this beacon of democracy has been assigned to Nigeria election umpire –INEC. Even when autocratic military dictatorship wanted to legitimize their grip to power and transit to a civilian regime, they constitute an electoral body to midwife and oversee the process. This underscores the significance of an electoral body in any democracy in the world.

My aim with this perspective on 2019 general election is to draw attention to the positives as well as the negatives which will help in further understanding what and what will not aid the credibility of our election in Nigeria.

The successful conclusion of 2019 general election signaled another milestone in Nigeria's democracy journey. The intensity of electoral competition in Nigeria generates fear of possible large scale electoral violence that possibly could lead to collapse of democracy.



The 2019 general election generated great but usual expectations from citizens because of the citizen's outcry on 2015 general election. 2019 general election is the sixth consecutive time that Nigeria conducted general election in the fourth republic. However, it is notable that since 50 years, election in Nigeria has been like a war theatre.

After series of transmutation of the election umpire from different names by different regimes, whether democratic or military regimes, the current Independent National Electoral Commission (INEC) was established in 1999 with its first chairman as Prof. Maurice Iwu who was succeeded by Professor Atahiru Jega who then handed over to the current Chairman – Professor Mahmoud Yakubu. Who made history as the first chairman of the INEC who was reappointed for the second term, thus making him the first National Chairman who potentially will conduct two presidential elections in the history of Nigeria's representative democracy. This means that by the end of the second tenure of the current INEC Chairman – Professor Mahmoud Yakubu, he would have steered the ship of INEC for an unbroken ten years – which is a new record in Nigeria's election management. Every commission has its ups and downs. So, INEC under Professor Mahmoud Yakubu has its fair share of ups and downs. However, some of the negative images that the conduct of the previous occupants generated for the commission are yet to be completely wiped off by the efforts and aspirations of INEC under Prof. Mahmoud Yakubu. As Nigeria goes into 2023 general election, it is significant to share perspectives on critical milestones achieved from 2015 to 2019 and post 2019 preparation of the next election as well as critical challenges. This perspective will rely on conduct of voter registration, 2019 general election and series of the outcomes of off cycle elections that have shaped the direction of progress in the Commission, the impact and applications of various legal frameworks including court judgments in measuring progress or otherwise of INEC. The perspective will also rely on the new inclusions in election guidelines, new technologies and expansion of access to voting polling Units among others. This perspective is not political, academic, theoretical, spurious or speculative, it is based on practical reality of an election administrator. My general perspective is carrying over deconstruction of INEC which politicians have sustained to remain in the front burner for them to unleash each time they fail in their bid to cling power. As an insider's perspective, it varies from the perspective of a politician, journalist, activist or public servant because it is a perspective of a non-partisan insider whose presentation will in some cases will be misjudged as self-exaggeration or self-praise. The essence of this perspectives is to strengthen some misguided belief in Nigeria that elections are lost and won outside the ballot cast by citizens. In Nigeria's election history, the lowest of all negative image of the Commission was captured in the inaugural speech of Late President Musa Yar Adua, the winner of 2007 presidential election, who asserts that the election that brought him into power was frost with irregularities and went ahead to set up Justice Uwaise Panel for transformation of our election and electoral body. Since that assertion, which the Supreme Court rendered invalid with its judgment, the Commission, under Prof, Mahmoud has gone on numerous self-strengthening and self-cleansing efforts yet it has been difficult to completely cleanse out what could be referred as the old “sins” of the Commission and build a new citizens trust.



General Perspectives

After studying the series of reports on 2015 general election, the commission set out for 2019 general election by preparing a robust five-year strategic plan (2017 – 2021) whose implementation went far except for the outbreak of COVID -19 as well as the uncertain legal environment, delay in release of appropriated funds among others. It is important to note that the much-clamoured continuous Voter registration (CVR) since the return of democracy in 1999 started in April 2017 under the current Commission led by Prof. Mahmoud. This first experience outside the regular ad-hoc registration. In that case many Nigerians that used to be excluded before a general election got included or has the opportunity to be included since voting is a voluntary and not a mandatory task. Part of this self-burden and other uncontrollable variables led to the postponement of 2019 general election at the wee hours of its commencement. This is the case of an ambitious commission working to clean the past and satisfy the high demands of citizens in an unreliable political environment. Yet there was a remarkable success.

First the number of voting population skyrocketed and keep skyrocketing. The number of political parties' skyrocketed along with the volume of materials required to prosecute such magnitude of election. What more numbers of voters did along with the liberalized formation of over 84 political parties, imposed additional self-burden on INEC in conducting the 2019 general election. INEC regular and ad-hoc Staff, even the media were shocked at the volume of materials. 2019 general election, thus, became the largest and most complex election ever conducted in the history of Nigeria's representative democracy. Concluding that election was in itself a major milestone. In many ways, it was an election where an incumbent president was defeated and many ruling political parties at the state level were defeated by the opposition candidates across the country. The real pressure of 2019 general election could only be felt by INEC staff and management. It is only a blacksmith that can give an accurate intensity of the furnace he uses to mold steel iron. The environment under which INEC pulled through that election can only be better imagined. However, most analysts of that election never bothered to factors these variables in their quick effort to paint a different picture or scenario. Election is not only about the right to vote but the knowledge of electoral process. The below average knowledge of election process by most voters and vote seekers is a major reason why the complex nature of Nigeria's election can hardly be appreciated or evaluated correctly. Flowing from the complex nature of 2019 general election is the other accompanying challenges particularly as it affects political party primaries. Election is not only about the right to vote but the knowledge of electoral process. First, the increase of number of political parties in Nigeria from less than 9000 in 2015 to over 109,000 in 2019 is a development election analyst have not delved into for public education and appreciation of INEC.



. There are 1479 elective positions for which 73 political parties then had primaries monitored by INEC. The party primaries generated over 360 court cases that INEC was joined. So, the legal department of INEC as stretched beyond its elastic limits. They comprise of one presidential, 36 Governorship (barring off season elections), 109 senators, 360 House of Representative members, and 991 State Houses of Assembly seats. Subsequently, most of the 2019 general elections that were quashed by election tribunals of courts were because of the primaries conducted by 73 political parties.

Not only this. The electoral law stated the time limit for final submission and substitution of candidates after which the Commission will have a clear knowledge of how many candidates each political party is fielding which determined the volume of election materials to print. The number of days INEC have after final substitution of candidates was extremely insufficient to print and distribute the volume of materials required to conduct election for over 89 political parties on time. The weight, length and texture of ballot papers became alarming as a ballot papers, some with about 73 duplicates for party agents, was so long and difficult to handle particularly under tense election condition in Nigeria.

That complex experience will be non-existent during 2023 election if the Supreme Court confirms the action of INEC to deregister many political parties leaving only 18 that met the threshold to keep existing as political parties. This dimension has never been activated in INEC until post 2019 election. Major ICT revolution started in 2019. The Smart Card Reader (which was the major accreditation instrument) and voter registration equipment got improved in both hardware and software. Although without statutory backing, the equipment played pivotal role in improving the credibility of 2019 general election. The few shortcomings which include lack of legal backing, the abuse of retained incidence form if Smart Card is unable to recognize voters' finger prints led to the proposed introduction of Biometric Voter Accreditation System which will automatically eliminate both incidence form and any form of fake voters. The same system is supposed to be used also for voter registration, result uploading and result view portal management. The tech upgrade will definitely change the landscape of elections in Nigeria and bring new trust to INEC by citizens. However, it seems to me that Nigerians a yet to fully appreciate revolution this ICT improvement will bring in Nigeria's election history.



Going back to registration of more than 89 political parties. Internally, that expansion was not matched by increased staff strength particularly for voter registration and party primaries management. Neither government, citizens nor political parties recognized the challenges INEC was going to face given that development. None also canvassed or supported INEC to get waiver on the ban of employment. The effort that INEC started to increase its staff strength did not materialize particularly after it was halted by the COVID-19 induced work break. With the dwindled staff strength Prof Mahmoud led Commission was able to use what he has to pull through the 2019 general election. This was where INEC put to test the capacity of its Chairman, National Commissioners and Resident Electoral Commissioners.

Although Citizens criticized the postponement of 2019 general election by one week, but the singular act of taking that last minute decision saved the nation a lot of backlashes that would have greeted a staggered general election in a country where suspicion around election has become natural. I personally felt relieved after the postponement because in the build up to 2019 general election, The Chairman, Commissioners, Directors and other cadre of senior staff kept vigil for several weeks without sleep to ensure that no stone was left unturned for a credible election. The same could not be said of politicians who were also keeping vigil find a way around the closely knitted election rules to acquire power. It is my considered opinion that many political parties appear not to be ready during 2019 general elections. It was only less than 30 percent that were able to send their agents to over 80 percent of the entire polling units across Nigeria. Most did not also partner to save cost. Their major area of partnership was to blame INEC for everything including their inability to document what happened in all the polling units. Again, less than 50 percent of the political parties were able to send party agents to all polling units where they have candidates. Because of this deficiency, the natural balance of election observation by political parties was unattainable. This gap became tempting for political parties that have the means of recruiting party agents to fill in the space and used them in their favor and against the party they pretend to represent.

After 2019 general election and its attendant challenges, it became obvious that over 80% of the registered political parties did not meet the threshold required by the law, so they were duly deregistered. This is one of the most courageous decisions taken by the commission in recent history. The legal fireworks that culminated to the final decision by the supreme courts affirms the desire of the Commission to improve all aspect of the nation's electoral life. Most of the deregistered political parties have long gone to other parties to strengthen them to the benefit of our democracy. In the history of the Commission, the process of recall has not been tested or fully implemented until the 2017 recall process of Senator Dino Melaya of Kogi West senatorial Zone. . The Commission prior to the exercise was heavily criticized by the followers of different political parties who believed that INEC will come under pressure particularly when it was alleged that the recall process sponsor was the current governor of Kogi state.



. That recall process happened to be my first major assignment after assumption of duty in INEC. It was the first time I saw intimidation, harassment, high level media blackmail of the commission among others. The expectation of Nigeria was the recall of Senator Melaye, but the result was that less than 5% of the total signature was verified against the expected 50%. There was silence from both the critiques and supporters of the commission despite a five-star performance. The reason was that many expected the Commission to fail in that assignment in line with the suspected style of national executive which was total capture. That performance laid to rest as well as opened the eyes of others who would try the process of recall to basic requirements for recall. It is an area of the electoral law which was tested for the first time serving as both citizens' electoral education and further awareness. It enriched citizens' election knowledge and process deeply.

The statement the Commission gave out with the way the recall process was conducted as well as their body language was that it was not difficult to recall an elected representatives if the legal requirements are met. The mere activation of the process of recall enriched our democracy as it became a wakeup call for some elected representatives who wished not to experience what Senator Dino went through as the process lasted. It also pushed some elected representatives who fear the recall process to improve their quality of representation as well as delivery of dividend of democracy. The down side of the unsuccessful recall is that citizens believed that it's impossible to get a representative out, which now emboldens the elected representatives to ignore or alienate its constituents. Prior to 2019 election, one area that the commission set out to address but was unsuccessful was low voter turnout which was characterized by thuggery, violence, distance to pooling units, rowdy nature of inadequate number of polling units which could only be addressed by activation of voting points. To effectively address the obstacles of accessing polling units, the Commission in its post 2019 efforts, converted voting points with appropriate threshold of registered voters to permanent polling units and relocated many to areas that had deficiencies of polling units. This effort is expected to record massive improvement in voter turnout in 2023 but most communities, settlements or layouts that have either suffered the marginalization of government buildings or are unable to build public buildings like town hall did not benefit from this exercise. It is neither the fault of INEC nor the communities. It is difficult to believe that most communities that are even older than Nigeria does not have a single public building where new polling units could be located. The good aspect of that Commissions initiative is that a threshold has been set which means that the creation of polling units will also be on a continuous basis depending on number of polling units with the voting population that will activate the creation of new polling unit from the mother polling unit. In 2023, few polling units that were unable to be relocated due to lack of public facilities will still face the difficult of distance as well as rowdiness. To conduct election in those places that were difficult to decongest will be an uphill task to INEC due also to the current security realities that Nigeria faces.



Internal Human Resource cleansing and strengthening has continued since 2019 general the Commission has successfully prosecuted INEC staff, sacking, reposting where the court brings back a sacked staff. These were done to sanitize the commission as well as reposition it. This was a strong statement by the Commission to the staff that it is not business as usual. Though the conduct of INEC staff in 2019 general election was adjudged to be better than before. It is hoped that it will keep increasing as the reforms take stronger roots.

The first thing INEC did after 2015 general election was to prepare a participatory strategic plan. Therefore, INEC went into 2019 general election with a sound 2017 – 2021 strategic plan and strategic plan of Action which guided its operations, actions as well as inactions. It was participatory because the process enabled the harvest of input from different strategic internal and external stakeholders unlike what was obtainable in the past. The strategic plan did not only set agenda for 2019 general election but defined the verifiable indicators of success within the period. After the 2019 general election, it was the strategic plan that formed the baseline for assessment of success of different stakeholders, particularly INEC staff and management.

It was against this strategic plan and other variables that the performance of the commission was measured. It was also on the basis of challenges identified by the strategic plan that issues that require either administrative or legal changes were identified. That is why immediately after the review of 2019 general election, which was more also like setting agenda for 2023 election that INEC consolidated all the key electoral issues that require amendment and formed an expanded committee that involved National Assembly members for intense work on legal reforms. Largely, the legal reforms which is underway is attributable to the initiative and coordination of INEC. How successful the law will be amended and enacted will depend on the willingness and understanding of National Assembly members. In summary, Prof Mahmoud and his team have started the revolution in INEC that will mean well for election and election seekers in Nigeria.

Election logistics remains a major challenge in elections in Nigeria. In the bid to resolve this long-time challenge, INEC went into formal memorandum of Understanding with major transport unions in Nigeria namely, the National Association of Road Transport Worker (NURTW), National Association of Road Transport Owners (NARTO) and National Association of marine transporters so that the leadership of these associations will help in facilitating faster assemblage of good buses and supervision of these drivers for timely delivery. This MOU was signed across board up till the drivers that whose buses will render the final services. Additionally, INEC secured the services of information technology experts for tracking of vehicles that are distributing election materials to avoid possible hijack of election materials unlike what was obtainable in the past.



These combined strategies improved INEC Election Day logistics and revised logistics. However, there were still few states where this did not work as planned due largely to delay by security agencies who were unenviable on time to accompany election materials to their destinations. The tracking vehicles with election materials worked perfectly as there was no known reported case of diversion of election material or non-conduct of election due to diversion of election materials.

However, few challenges nearly marred this perfect arraignment by the Commission. First, despite the fact that INEC provides transport funds directly to election security management, election security personnel were deployed without means of taking them to either the state, LGA ward or polling units where they are supposed to work. The resultant effect is the hijack of vehicles INEC provided for its staff and ad-hoc staff. This results to shortage of vehicles and delay while emergency solution was found since the election must hold as scheduled. The issue of hi-jack of vehicles used to be major decision points of various states Inter Agency Consultative Committee on Election Security (ICCES) the security agencies hardly prevent the factor that causes this election logistics delay. The second aspect of delay in election logistics and reverse logistics is the volume of vehicles, inadequate parking space and arraignments. This is a subtle aspect that causes logistics challenges which are also blamed on INEC. There is no INEC LGA office anywhere in Nigeria that has a parking space for over 50 vehicles. But during elections most LGAs hire more than 160 buses which end up becoming obstacles when they are parked close (obstruction) or far (problem of identification). Again, lots of drivers despite that were hired for a whole day do a drop and parks at the Polling units despite the content of the MOU they signed. This challenge brought enormous pressure to INEC. But in the overall assessment, the transportation of evectional personnel and materials improved but there are rooms to tame the challenges caused by security, drivers and parking space during elections.

The success and challenges in election logistics takes us to the effectiveness of Inter Agency Consultative Committee on Election Security. In most states this Committee worked well by effectively implementing their decisions but in some states, implementation became extremely difficult. The major reason was for the dying minute transfers of some Commissioners of Police, who by the constitution of ICCES, are co-chairs of the committee in each state of the federation. When new Police Commissioners are sent, it became very difficult due to time to be abreast with previous decisions. This in some cases results to communication breakdown between INEC at state levels and ICCES members. One of the post difficult aspects was to have detailed posting list of election security officers with their names and telephone number to enable INEC identify any erring officer in the case of possible infractions. Despite the absence of this in many states the election security personnel performed above average in many states, while few states experienced security challenges. In 2019, the number of election related fatalities reduced to its minimum as well as violation of Human Rights of voters and election personnel. The synergy between INEC and Judiciary can only be determined by the approval or disapproval of INEC actions by courts judgments. It also exposes the different angles from which INEC implements the law and judges interprets the law. In 2019 the rate at which elections were annulled by election tribunals reduced. This indicates that there is a greater similarity of understanding of election laws. However, majority of elections annulled after 2019 were based on political party primaries which are conducted by the political parties.



Another revolution that was introduced by INEC prior to 2019 election is the design and announcement of general election periods or dates by over a year to that election. The positive contribution it brings, particularly, in election preparation by key stakeholders. The 2019 election timetable was announced in March 9th, 2017, two years before the election. According to INEC Chairman Prof Mahmoud, the decision by the Commission to announce the date years ahead of the election is “in order to ensure certainty in our dates for elections and to allow for proper planning by the Commission, political parties, security agencies, candidates and all stakeholders” This certainty was a testament of election administration maturity, dedication and conviction patterning the release of election timetable to that of United States of America. This early announcement, despite some statutory encumbrances was new and an upliftment of election administration standards in Nigeria where in the past election timetable is released few months to the election.

Prosecuting of 23 electoral officers, who violated the electoral laws during 2015 election, by INEC for various Election offences was to curb election offences in 2019. This is a positive leap in an attempt to sanitize the Commission of erring staff. This is also a direct response to citizens demand to prosecute INEC staff who compromise or collude with others to violate electoral laws. This effort was well received by citizens who are also circumspect of the Nigeria judiciary election related judgments in the recent times. There was a strong indication that if the 23 electoral staff are successfully prosecuted, the outcome will positively impact on 2019 general election. The Commission was given kudos for that stride despite the fact that it did not command major media headlines.

A perspective which I have aired and it remained controversial is the fact that INEC does not conduct election but Nigerians. Instead, INEC facilitates the conduct of election. First, the way election is structured in Nigeria, there is no regular INEC staff that handles beyond collection and distribution of election materials and retrieval of materials after election. This means that they recruit, train, deploy and share election materials, to non-regular election staff which we call ad-hoc staff. Over a million is employed from polling unit staff to Collation and Returning Officers. This means that hardly will you see regular INEC staff in Polling units expect those invited to resolve emergencies. Therefore, as soon as election materials are handed over to Ad-hoc staff, regular INEC staff sit back to receive results to be returned by Presiding Officers who at that point are the INEC Chairman of that particular Polling Units which are primary sources of election results. By the law guiding 2019 general election, any returns from the Polling Units can only be invalidated by a competent court of law in this case the election tribunals. From the Polling Units to Judiciary, INEC will only facilitate the process too by providing election materials retrieved from ad-hoc staff. Therefore, the success or failure of any election, particularly 2019 election, is traceable to performance of the election ad-hoc staff. INEC takes credit of logistics and management of the overall election personnel to the extent the law allows. The major challenge is how to prevent policies and political parties from infiltrating the recruitment process with their supporters than getting patriotic citizens who are committed to credible and nonpartisan delivery of their services. Evaluating INEC performance in 2019 is akin to evaluating the performance of Nigerians in that election.



Until 2019, the method of voting was accredit and wait but in 2019 INEC introduced the method of accredit and vote. This new method was to improve the voting population. The introduction of accredit and vote made voting a lot easier to citizens and voters and motivated those that have not been voting due to delays to vote in 2019. It became impactful as more people voted in 2019 than in 2015. Every improvement in terms of process or number is commendable and contributes to the overall growth of our election outcomes in Nigeria. Since the adoption of simultaneous accreditation and voting methods in 2019, INEC has successfully conducted 194 in off season election as method was enshrined in the 2019 Regulations and Guidelines for the Conduct of 2019 General Election. The other impacts of the simultaneous accreditation and voting was the reduction of Election Day violence. One of the greatest achievements of INEC was the commencement of Continuous Voter Registration (CVR) in 2017 after so many years of yearning and the sustenance of same from 2021 after the dreaded Covid-19 pandemic. CVR from internal assessment is more rigorous than the election itself because the Commission believes that the foundation for credible election is credible and inclusive voter register. Before the advent of CVR the total registered voters is 69.7million. After 2018 suspension of CVR to prepare for 2019 general election, the total voting population stood at N84.2million. This difference indicated that more Nigerians were willing to vote as it was the highest recorded in the history of voter registration. Having narrated some positives, it is important to state some negatives issues that surrounded 2019 general election. First, the do – or die mentality of politicians was a huge challenge and impacted negatively on INEC and the outcome of 2019 general election. The political parties primary election to select flag-bearers were overwhelmed with large –scale violence and unresolved controversies. Many lives were lost in the process. The attacks did not spare INEC buildings and materials with a deliberate mission to sabotage the works of the Commission. There was large scale recruitment of thugs by politicians to intimidate voters with combined strategy of sophisticated vote buying despite efforts of INEC to stem it. The political parties' primaries recorded about the highest pre-election court cases in the history of election in Nigeria. Second, the logistical problems leading to the postponement of the presidential and gubernatorial election has remained misunderstood and misinterpreted. To me that postponement was a welcomed development. While some politicians did not appreciate the uncontrollable variables leading to it, any attempt to have continue with that election in a staggered manner would have been met with the highest citizens and political party resistance in Nigeria's election history. I classified the act as negative because of the uncontrollable variables leading the postponement. Third, the 2019 election results show that there are still cleavage voting or tribal voting patterns suggesting that Nigerians are yet to become sophisticated in their voting decisions which should be based on national development issues instead of primordial sentiments, particularly ethnicity and religion. despite the fact that the major presidential contenders share same religion and tribe.



Fourth negative is the poor performance of women in 2019 general election which was described as poor for women. The poor performance of women was set up by the nature of 2019 political party primaries which was described as hugely transactional, violent and application of other gimmicks to gain party tickets. These left women with smaller number of tickets they could muster while the real election knocked off others leaving the lowest number of elected women since the return of democracy.

The fifth major setback arising from 2019 general election are tribunal and court verdicts that have generated what experts referred to as terminal judicial crisis. Some judicial verdicts on the 2019 election could be said to have caused judicial crisis in Nigeria. Notable of all is the Imo gubernatorial Supreme Court judgment, the Imo East and Imo North Senatorial court of Appeals verdicts, the court judgments were preceded by INEC reviewing the returns of some of the Returning Officers particularly from the same Imo East, Imo West senatorial election and Bache governorship election among others. That effort raised the judicial questions on whether has the power to review the pronouncements made by its appointed returning Officers.

The 2019 general election also witnessed the highest number of cancelled votes, in millions, as a result of election violence, over voting and the non-use of smart card reader for accreditation. This is one of the negatives of that election which is supposed be a learning point going into the next election.

Conclusion

As election is a contest under the law its analysis is equally a contest under social justice. No matter the outcome of an election all over the world, varying analysis of it outcome will continue to compete against each other with the aim of strengthening the system. There are many positive takeaways from 2019 election as well as identified negative issues that offer a learning curve for future elections. While INEC has used the office season elections, which have come off successfully, as a test ground for its new technology – Bimodal Voter Accreditation System (BVAS) and INEC result Viewing Portal (IREV) it is expected that basic issues around over voting among other will be effectively handled. One of the issues thrown up is the need for the Commission to work with tertiary institutions to select out credible, nonpartisan, trustworthy and fearless returning officers who will apply the election process and laws to the later thereby reducing the backlash that INEC directed to INEC. The 2019 general election outcomes, successes and challenges will no doubt present a good take off point for a better election in 2023. Whether it will provide a good take off point for a better 2023 election or not, only time will tell.

2.3 Media and election monitoring

Michael Oche

Introduction

Chapter II Section 22 of the 1999 Constitution of the Federal Republic of Nigeria (as amended) stipulates the obligations of the mass media as follows:

The press, radio, television and other agencies of the mass media shall at all times be free to uphold the fundamental objectives contained in this Chapter and uphold the responsibility and accountability of the Government to the people.

The media has traditionally been understood to refer to the printed press as well as radio and television broadcasters. In recent years however, the definition has become broader, encompassing new media including online journalism, and social media.

In its traditional role of education and enlightenment, the media shapes opinions and sets agenda.

However, in election circles, the voter must be careful not to be swayed by content creators or content generators recruited to sabotage the integrity of the elections and the process of choosing credible leaders at all levels.

Media professionalism can be regarded as the conduct of media coverage and activities according to high standards of ethics, accountability, legality and credibility, while exercising rights such as freedom of expression and information.

Background on Media and election monitoring

In election monitoring, the media takes into consideration the following codes of conduct:

- Ø Legal issues in election reporting
- Ø Accuracy in election reporting
- Ø Impartiality in election reporting

More specifically, Section 95 of the Electoral Act 2022 defines the responsibilities of political parties and candidates, the media and public institutions. Section 95 Subsections 2, 3, 4, 5 and 6 are unambiguous and worth quoting verbatim as follows:

95(2) "State apparatus including the media shall not be employed to the advantage or disadvantage of any political party or candidate at any election."

95(3) "Media time shall be allocated equally among the political parties and candidates at similar hours of the day."

95(4) "At any public electronic media, equal airtime shall be allotted to all political parties or candidates during prime times at similar hours each day, subject to the payment of appropriate fees."

95(5) "At any public print media, equal coverage and visibility shall be allotted to all political parties."

Failure to comply with the provisions of the law attracts sanctions against both the media organisation and its principal officers as clearly provided for in Section 95(6) as follows:

95(6) "A person who contravenes subsections (3) and (4) commits an offence and is liable on conviction, in the case of –

(a) a public media, to a fine of N2,000,000 in the first instance and N5,000,000 for subsequent conviction; and

(b) principal officers and other officers of the media house, to a fine of N1,000,000 or imprisonment for a term of six months."

Media monitoring has recently become standard practice in the management of elections, globally. Media monitoring has become a parameter in assessing electoral integrity.

Media monitoring provides broader benefits to an electoral process. These include evaluating the extent to which elections were fair in terms of freedom of expression by the media, voters and candidates; acting as an early warning system for elections-related violence; promoting the participation of women and minorities.



Furthermore, the media acts as a crucial watchdog to democratic elections, safeguarding the transparency of the process. Indeed, a democratic election with no media freedom, or stifled media freedom, would be a contradiction.

Media monitoring for election in Nigeria (post 2015 to 2022)

Since after the 2015 general elections, Nigeria has witnessed an improvement in the number of accredited journalists for elections monitoring.

According to INEC data, 1,799 Nigerian journalists from over 150 domestic media organisations were accredited to cover the 2019 general elections.

There were also 332 journalists from 52 foreign media organisations from different parts of Africa, Middle East, Europe, the Americas, Australia, and Asia that monitored the 2019 elections. This improvement has not always been the case

During the 2015 general elections, the environment was less conducive for journalists who sought to monitor the elections. Many foreign journalists were barred from entering the country to monitor the elections, while others were refused accreditation.

Geoffrey York, Johannesburg-based correspondent for the Canadian daily newspaper Globe and Mail, wrote on Twitter in February of 2015, that Nigeria had blocked at least 40 journalists from entering the country to cover the elections.

The Foreign Correspondents Association of Southern Africa also issued a statement, saying many of its members had been denied visas or accreditation.

The Committee to Protect Journalists (CPJ) in a statement by Peter Nkanga, its West Africa representative on February 3, 2015 said:

"The legitimacy of Nigeria's election depends in no small part on whether the international press is allowed to cover it. We call on authorities to quickly cut through the red tape and approve visas and accreditation for foreign journalists."

Aside from the general elections, the off-season elections in Bayelsa, Edo, Ekiti, Osun in 2018 and 2022 also witnessed more coverage from journalists.

Besides monitoring Election Day, the country has witnessed improvement of the media playing the vital role of a watchdog of the election process and in influencing political discourse.

Media practitioners affirm that the accreditation challenge hitherto witnessed by journalists willing to cover elections is now a thing of the past in recent years.

Role of media in election.

A free and fair election is not only about the freedom to vote and the knowledge of how to cast a vote, but also about a participatory process where voters engage in public debate and have adequate information about parties, policies, candidates and the election process itself in order to make informed choices.

- Educating voters on how to exercise their democratic rights;
- Reporting on election campaigns;
- Providing a platform for political parties and candidates to communicate their messages to the electorate
- Providing a platform for public feedback, concerns, opinions and needs to political parties and candidates, the Election Management Bodies (EMBs), government and other electoral stakeholders, thus facilitating interactions on governance issues;
- Allowing political parties and candidates to debate with each other;
- Reporting results and monitoring vote counting;
- Scrutinizing the electoral process itself, including electoral management, in order to evaluate the fairness of the process, its efficiency and its probity;
- Providing information in a manner devoid of inflammatory language, and helping to prevent election-related violence.

THE THREAT OF FAKE NEWS TO ELECTION Monitoring in Nigeria

Fake news does not only threaten the success of elections, it is also a threat to democracy. Mistrust, strife and conflict, which are some of the end or by-products of these, run contrary to democratic ethos and tend to undermine the election process.

Historically, media reports were upheld with trust on account of their truth worthiness, until the advent of electronic mass media, and lately of the digital media.

Between 2019 general elections till date, Nigeria has witnessed more Internet penetration and this has given rise to many "online newspapers"

The absence of censorship of social media and huge deployment of sensationalism by the traditional media was a major problem which created mistrust for the electoral process.

Disinformation and propaganda are nothing new in Nigeria's election seasons. But in the lead-up to the 2019 presidential election, CNN quoted Lolade Nwanze, head of digital operations for the Guardian Nigeria newspaper as saying, fake news "has been on steroids."

Journalism in Nigeria is facing one of its worst crises in modern times. People are finding it difficult to pick which stories to believe. The threat of fake-news and hate speeches has led to electoral violence. Some of the electoral violence witnessed during the 2019 general elections and off season elections can be attributed to the sharing of fake news along with incorrect and inflammatory commentary. This led to deaths in some parts of the country.

A report published by the Wall Street Journal in February of 2019, just prior to the February 16th presidential election, noted that the nation has had to grapple with what it calls "fake-news epidemic."

The number of hate speech cases and use of inflammatory language in the media increased significantly as the 2019 elections approached, and continued after the election date, albeit with less intensity. While defamation of political actors was the main type of hate speech prior to the elections, calls for violence and accusations of electoral rigging were the main types of hate speech after Election Day. Both the political actors and the media were responsible

In July 2018, the National Broadcasting Commission, NBC, also shut down the Ekiti State Broadcasting Service for breaching provision of the broadcasting code.

The NBC cited breach of the electoral act and broadcasting code by the media outfit, after Governor Ayodele Fayose went on air to announce fake results in favour of Olusola Emeka, his deputy and PDP governorship candidate. Ahead of the 2023 elections, the country has witnessed even more of volatile and scurrilous partisanship in media content orchestrated by political actors and influencers in the final push to gain an edge in the political contest. Many of these texts are constructed or reconstructed lies or propaganda.

In some cases, media houses allow their platforms to be used to promote hate speech and fake news or exacerbate historic, cultural, religious, ethnic or other primordial fault lines.

In November 2022, the National Broadcasting Commission (NBC) fined Arise TV N2 million for airing fake reports about the presidential candidate of the All Progressives Congress (APC) Senator Ahmed Bola Tinubu.

In some cases fake news is targeted to mislead the voters on some decisions by the electoral umpire.

Few days to the presidential election, in February 2019, INEC was forced to correct a misleading report 'You can use any finger to vote' — INEC clarifies index finger rumours

Such deployment of fake news shows that there is need for citizens to be more vigilant and understand the many ways in which false information can be manipulated and imported into the media and public space and treated as if they were factual content.

Media Bias in election monitoring

During the 2019 election, Media houses, especially government-owned media outfits favoured the interests of the ruling government at federal and state levels.

It was also been observed that journalists posted on duty to cover the elections were sometimes biased in their coverage of particular candidates.

In many of the off-season elections between 2019 and 2022, state media did not appear to be open to parties other than the ruling political parties: the great majority of political party airtime was dedicated to the ruling party. This unbalanced coverage made for an uneven playing field, meaning that other parties found it difficult to compete with the ruling party through the media.

There was also minimal coverage of women in politics, and no coverage of disabled or youths.

During the 2019 elections and days leading to the 2023 election, the media was guilty of not only reflecting the profound polarisation that characterises the Nigerian political scene, they were also active parts of this polarisation.

While the number of hate speech cases and use of inflammatory language in the media increased significantly as the 2019 Election Day approached, calls for violence and accusations of electoral rigging were the main types of hate speech after Election. Leading up to 2023 elections, defamation of political actors has been the main type of hate speech. Both the political actors and the media are responsible for conjuring up hate speech.

Challenges faced by media in election monitoring

An important element in media monitoring of elections is the degree of professionalism and experience of journalists and other media practitioners.

It is common that journalists in a country like Nigeria that has only recently returned to democratic system after long years of military dictatorships will lack many of the skills and professional standards of their counterparts in a country with a long history of media freedom in election monitoring.

Most of the ethical and professional challenges that journalists encounter in covering elections are variants of what they confront in their everyday working lives. However, these issues and dilemmas may present themselves in particular ways during elections.

Examples of such professional dilemmas might include:

- **News-worthiness v. balanced and thorough coverage:** News coverage is typically driven by considerations of what is unique or remarkable and therefore of particular interest in an event. Yet electors require fair and balanced presentation of the manifestoes and agendas of the different parties (which may be far from distinct or interesting). How can the media reconcile their news function with their public service function?
- **Transparency v. integrity of the election process:** One of the reasons that the media play an essential role in democracies is that they are able to scrutinise and expose malpractice in elections. However, proper administration of an election also depends on security and confidentiality. Balancing these two elements is an issue for lawmakers and those responsible
 - for drawing up electoral regulations. However it is also a day-to-day practical issue for journalists themselves.
 - **Reporting inflammatory speech:** Politicians are more likely to express extreme and inflammatory sentiments during election campaigns – with the intention of impacting large audiences. Yet, it is perhaps paradoxical that while election campaigns are occasions where these sentiments frequently have negative impact or consequences, campaigns are also occasions when freedom to express differing political views is of utmost importance. The regulatory implications of this dilemma are for policymakers to resolve. For journalists the challenge is to report inflammatory political speech in a manner that is both accurate and least likely to provoke violence.



- Resourcing elections coverage: In the developing world in particular, media outlets often operate with minimal resources, and journalists are often poorly paid. This provides a number of ethical problems for editors. For example, what should a media outlet do if there are not enough journalists (or supporting communication equipment and funding) to cover an election? For some, one answer has been to allow journalists to receive 'per diem' or 'honoraria' or other material reward for covering a story, sometimes by a candidate or contestant, a practice which although widespread is in fact bribery and detrimental to independent reporting.
- Harassment and intimidation: While it is important for journalists to respect ethical practices and be professional during election coverage, it is also very important that a conducive environment is provided for them to do their job. It is important for government and security agents to ensure that journalists are safe and protected during election coverage. The International Press Centre, IPC, however disclosed that about 250 journalists were attacked during coverage of the 2019 general election. Some of the harassments were either by security agents, thugs or supporters of politicians

INEC Media Relations

Since 2019, there has been an improvement in relationship between the EMB and the media to enhance effective communications which were strategic to the success of 2019 general elections and helped to address the issues of distortion, pitfalls and mis-representation of information by the media.

It was observed that as part of its preparations towards the 2019 general elections, INEC held several retreats on “Media/Public Relations and Public Speaking” for officers who interface on behalf of the Commission with the Media.

One of such retreat was held between June 29th and 30th 2018 at Intercontinental Hotel, Victoria Island, Lagos, and with technical assistance from the

The retreat was aimed at building the capacity of INEC management staff on public speaking and effective communication with the media as well as boost public confidence, trust and perception in the build up to the 2019 general elections.

In preparation for the 2023 election, the EMB held more retreats for media practitioners aimed at building their capacity on election monitoring.

However, some journalists complained of lack of openness from the media unit of the EMB

Open and consistent communication with media by the EMB is a key to enhancing the role of the media in election monitoring. Media Relations involves a process of communication with media outlets and journalists who in turn create media coverage of electoral affairs as part of their normal work of producing news and current affairs

The EMB is also obligated to communicate, for the following reasons:

The public has a right to information about elections: how they can exercise their right to vote, how the electoral process is being managed, when the electoral stages are to take place, how they can become candidates, what the results are, and so on;

The EMB is accountable to all stakeholders in the electoral process, including the voters and the candidates or political parties. With accountability comes an obligation to be transparent in its workings. One of the primary ways this information is provided to wider audiences is through direct interaction between EMBs and media who are covering the election. Media provide a vital conduit for information to the public while simultaneously acting as watchdogs of the process. It is often the latter that leads to an environment of distrust -and sometimes, outright hostility- between EMB officials and members of the media. Indeed, mistrust is often the single greatest obstacle to effective collaboration between electoral managers and the media.



RECOMMENDATION

In order to report elections in a professional manner, journalists benefit from adequate training, support and practice. Some additional areas of knowledge that journalists need for elections reporting include:

1. An understanding of the political and electoral system
2. An understanding of the overall electoral process
3. Familiarity with electoral law, especially as it affects media reporting
4. Understanding of the role of the media in covering elections
5. Knowledge of the country's election history
6. Detailed knowledge of the mechanics of voter registration, boundary delimitation, the vote, the count and any other issues of relevance (such as the use of technology in voting or the use of postal votes, if these are potential matters of controversy)
7. The contestants, their power-bases, relationships, leadership, and so on
8. The differing roles of men and women in the elections, and actions being taken to ensure women's participation
9. Types of reporting that are fairly specific to elections (such as reporting opinion polls)
10. Election coverage and safety
11. New media in the context of election coverage, candidate campaigns, citizen journalism, etc . . .
12. Investigative journalism in the context of elections

2.4 Political parties and election reforms: Characters of political parties 2015 - 2022, the role of the civil society and deregistration of political parties by Babatunde Oluajo

Nigeria's political economy and election reform

The history of electoral reforms in Nigeria, especially since the advent of the fourth republic in 1999, has followed a trajectory akin to the level of development of Nigeria's political economy. The retirement of the military to the barracks in 1999 heralded a new era for Nigeria's politics and governance. Given that Nigeria's economy is closely tied to its politics, with access to political power being a major factor for distribution of resources, it is expected that the character of economic ownership will shape the politics, and vice versa.

Politicians who took over from the military were major beneficiaries of the shortcomings of the electoral system left behind by the military junta. The military junta midwived an electoral system premised on self-preservation. They wanted a new leadership that will look civilian but not change anything fundamentally in terms of economic and political structures left behind. On the other hand, various politicians who emerged from the military-organised transition programme were active as political and economic actors and players under the military rule. Therefore, it was safe for them to keep the existing status quo. Indeed, it can be argued that the transition of 1999 was a transmutation of an erstwhile military head of state to a civilian president.

The military decreed three party system in Nigeria, coupled with the constitution, which has limitations, and is so rigid as to make necessary reviews and changes possible within reasonable time, was a major setback for the democratic development in Nigeria. It disenfranchised majority of Nigerians who were searching for alternatives to the three political parties, which programmes and politics are similar, and close. This meant that anyone who does not share the ideology and politics of the three parties was either denied another choice or forced to work within existing political structure. This arrangement is a form of Political Oligarchy. This was an acceptable arrangement for the ruling political class as well as the ex-military rulers.

However, it was a great disservice to the entrenchment of genuine multi-party democracy. Indeed, the electioneering process was dogged by deadly struggle among various political interests, which occurred at intra-party and inter-party levels. This is not unexpected as the choices are narrowed down to three choices, which exacerbated deadly and violent political

Kola Ibrahim (2019). Five Theses on Nigeria's 2019 Elections and the Buhari/APC Government. Osogbo: RSP Books

Rotimi Suberu (2019). 'Nigeria's Permanent Constitutional Transition: Military Rule, Civilian Instability and 'True Federalism' in a Deeply Divided Society'. *Occasional Papers No. 34*. Forum of Federations, Ontario.

https://constitutionnet.org/sites/default/files/2019-06/Nigeria_35.pdf

While the 1999 constitution provided for review of the constitution in Section 8, the condition, which meant that only two thirds of the national assembly and state assemblies, must approve the constitutional change, and that only the executive and the legislature can effect any change in the constitution, mean that the Political Oligarchy controlled constitution amendment. Therefore, the two efforts by the Obasanjo presidency and the national assembly to amend constitution was cynical ab initio, as was only a lip service to douse the popular agitation for constitutional review especially with the growing call for sovereign national conference



struggles. Political parties were less interested in fair elections but more interested in grabbing political power by hook or crook. It was therefore not surprising that major political parties in the 1999 to 2003 era, were not interested in serious reforms of the electoral process as the existing arrangement allowed political parties and politicians to manipulate the electoral system due to various legal, legislative and constitutional limitations and loopholes. This is worsened by the anachronistic logistical and operational systems which the Independent National Electoral Commission (INEC) superintended over. More than this, elections in these periods were characterised by widespread violence and malpractices.

Timeline for Multi-party electoral system

However, the civil society and pro-democracy forces did not relent in challenging these arrangements. The first sign of the quest for change was the growing interests in party/partisan politics, which led to increasing application for registration of political associations as political parties. By mid-2002, there were more than 24 applications to INEC. This was accompanied by growing popular agitations. INEC and the ruling parties responded to this by first registering three new parties (APGA, UNPP and NDP), out of 24. By this token, the ruling parties tried to kill two birds with a stone. First is to douse the growing agitations for expansion of the electoral/political space by giving an impression of INEC and ruling class' sensitivity to popular opinions. Secondly, by registering few more parties, the ruling parties hoped to reduce the deadly struggles within the existing ruling parties, by giving disgruntled politicians from the main ruling parties, opportunity to try their luck in other parties. More than this, ruling politicians hoped to use, and actually used these new parties as safe haven and fall back plan.

The major factor that made this easy for the ruling class is the electoral system, especially the 2002 electoral law and the 1999 constitution, which gave unfettered power to the INEC, especially as relates to registration of political parties. While the constitution was silent as to the specific role of INEC and political associations in the process of party registration, it, and the electoral laws, gave the INEC, ambiguous power to set its own guidelines and rules for electoral process. This was used by INEC to determine the fate of political association, and even the elections.

Rather than resolve the agitations for more political parties, INEC's registering of three new parties, accentuated the agitations, as other political associations justifiably questioned INEC's rationale for registering the three parties. This shifted the battle for expansion of the electoral space to the judiciary, with twenty-three political associations, led by the Gani Fawehinmi-led

The New Humanitarian (2002). Three new political parties registered. 3 November, 2002.

<https://www.thenewhumanitarian.org/news/2002/06/24/three-new-political-parties-registered>

Yamkoob, Habib (2002). Nigeria: Inec Halts Ncp, Prp, Others' Registration. *Vanguard Newspaper*, 12 November, 2002. <https://allafrica.com/stories/200211120065.html>



National Conscience Party challenging the decision of INEC to reject their application for registration, and for introducing a registration fee of one hundred thousand naira. By November 2002, the Supreme Court ruled in favour of multi-party electoral system by compelling INEC to register more parties. This victory laid the basis for the growth of popular democracy in Nigeria. Consequently, the number of political parties grew from three in 1999 to twenty eight in 2002. As much as this was progress, the character it took, laid the basis for the inability of country to fully harness and harvest the gains of popular democracy. This led to most of the political parties being unable to make any serious electoral impact. Two main reasons can be adduced for this.

First is the **monetization of the electoral and electioneering process**. While the argument that Nigeria is a vast country and therefore running political parties will require money is tenable to the extent of logistical consideration, one observes that a significant part of parties' election funds is used for funding bribery, corruption and manipulation of state institutions, and voters' buyout, hence the logistical argument pales into insignificance. INEC itself set the ball rolling in this direction by: 1. Introducing exorbitant registration fees for political parties, which sends the wrong message that the first thing to have as a political party is money; and 2. Tacit endorsement of election monetization through the failure of INEC to set a reasonable cap on party spending; limit activities parties spend money on, and effectively monitor party funding. For instance, in the 2003 elections, the ruling party, PDP raised over N5 billion (about \$40 million then) for presidential campaign and electoral activities of its candidate, Olusegun Obasanjo, the then president.

The ruling political parties thus used their access to political power and state resources to influence public institutions including the security agencies and agents towards securing their political interests. Public resources were also used to dish out patronages and favours, for instance, through award of contracts, appointments, etc. All of these sustained a negative cyclical power system, where politicians acquire power in order to promote their pecuniary interests, then use the power again to secure not only their hold on economic wealth distribution, but also their control of the political power needed to sustain this arrangement. This system distorts democratic transition as the ruling parties crowd out new parties, especially those that do not have moneybags as backers, to contend with ruling parties.

Secondly, the **constitutional provisions that mandate political parties to have national outlook and spread** is a disservice to the growth of democratic process. This is because it places more premium on monetary capacity of political parties, rather than their programmes, ideology and internal democracy. The Nigerian constitution {Section 222 (e and f) and Section 223 1(b) and 2(b)} made it compulsory for political parties to have presence in at least 24 states of the federation, have their national secretariat in the Federal Capital Territory, and to have the

Habib, Yacoob and Ige, Ise-Oluwa (2002). Nigeria: Inec Registers Gani's NCP, 21 Other Parties. *Vanguard Newspaper*, 4 December, 2002. <https://allafrica.com/stories/200212040401.html>

The New Humanitarian (2003). Nigeria's election process. 8 April, 2003.

<https://www.thenewhumanitarian.org/feature/2003/04/09>



national executive spread across the six geopolitical zones of the country. While this was meant to create a sense of national unity, it actually undermines democratic choices, as it denies parties the opportunity to grow overtime. It compels parties to start at a particular level of development. It also places logistical and structural, albeit subjective, factors over fundamental principles of ideology and programmes.

The idea behind creating a national outlook for political parties is defeated ab initio with politicians in existing political parties resorting to ethnic, tribal and religious bases to secure votes and party tickets. On the other hand, this idea of national outlook makes it difficult for parties with limited resources and outreach to function effectively. At the same time, it makes it easy for political jobbers, moneybags and disgruntled politicians in ruling parties to set up political parties. All that is needed is a good legal practitioner and some political merchants to manufacture association of friends to secure a party registration. What is done subsequently with such a party is another thing entirely. On the other hand, political activists and community campaigners find it hard to engage politically especially on local or policy issues because they must have a national outlook.

This arrangement, aside creating logistic problems for the election management body (EMB), also creates confusion for the electorates, undermines issue based politics and local political mobilization and involvement. On the other hand, it allows the ruling parties and politicians, and moneybags to continue their hold, albeit stranglehold, on the political and democratic process.

A better alternative would have been to allow for liberalism of political and democratic space by creating grades of political parties. For instance, the constitution can recognize national parties that can contest for some national offices from national assembly to presidency; regional parties that can contest for national and state assembly seats; local parties that can contest for local government offices; policy campaign parties, which may exist purposely to campaign for a particular policy or programmes, without necessarily having to hold political post, and independent candidacy. These various levels of party formations can have different guidelines and conditions for existence. With this, it can be possible to manage political party formation without impeding the democratic process or creating political oligopoly.

With this, it will be possible to manage political parties, and at the same time allow for genuine multi-party democracy. This is the practice in genuine multi-party democracies. For instance in the US, small parties that contest in local elections do not need to register with Federal Electoral Commission (FEC). Also, in the UK, parties are allowed to contest for local elections, or exist as minor parties. In South Africa, a party can exist as national party, provincial party, district or metropolitan party, with different levels of registration process. While in some other African

Constitution of the Federal Republic of Nigeria <http://nigeria->

[law.org/ConstitutionOfTheFederalRepublicOfNigeria.htm#PoliticalParties](http://nigeria-law.org/ConstitutionOfTheFederalRepublicOfNigeria.htm#PoliticalParties)

<https://www.fec.gov/help-candidates-and-committees/registering-political-party/>

<https://www.electoralcommission.org.uk/how-register-your-political-party>

<https://www.elections.org.za/pw/Parties-And-Candidates/How-To-Register-A-Party>



countries, political parties are restricted to exist as national parties, it is important to note that Nigeria as a diverse country with huge population and high political culture should embrace the best practices.

Number of political parties in Nigeria has increased from 28 to 54 in 2009 and 63 in 2011. It also increased to 74 in 2017 and 92 in 2019. However, majority of the political parties did not play any serious role in the election.

Character of political parties since 2015

The 2015 election was a landmark in Nigeria's political history as it was the first time a ruling party will be defeated in a presidential election, and the opposition party winning majority of state governorship and national assembly seats. The changes witnessed in 2015 were seriously influenced by the various electoral reforms especially the 2010 electoral amendment, but especially by the internal reforms undertaken by INEC which saw the introduction of permanent voter's card and use of electronic card reader. Also, the voters' list was reviewed and reconciled, leading to removal of 4 million fake voters. All these improved the electoral process, which in turn, improved the quality and credibility of the elections. Although, this did not end electoral malpractices, as elections in many states were characterised by some degree of violence.

However, by 2019, political actors who are threatened by improved electoral system, actually mastered the loopholes in the 2010 electoral act and the reforms introduced in 2015 elections. The failure to improve on the gains of the 2015 elections actually allowed the dark forces against democratic consolidations to manipulate the electoral system. Recall that the 2018 amendment of the electoral act made by the national assembly, which included introduction of electronic voting were not signed into law by the president. This actually impacted the character of the 2019 elections which were characterised by widespread violence, manipulation and bribery,

Nigeria's political culture 1999-2015. <https://www.slideshare.net/statisense/nigeria-political-structure-1999-2015>
The Electoral Hub (2020). Milestone of electoral reform in Nigeria's fourth republic.
<https://electoralhub.iriad.org/download/4018/>

Ajani, Jide (2014). Exclusive: How INEC tracked over four million ghost voters. Vanguard newspaper [Online]. 18 May, 2014. <https://www.vanguardngr.com/2014/05/exclusive-inec-tracked-four-million-ghost-voters/>

The Commonwealth (2015). Commonwealth releases observer report on Nigeria's 2015 elections. 24 September, 2015.
<https://thecommonwealth.org/news/commonwealth-releases-observer-report-nigerias-2015-elections>

Ibeh, Nnena (2015). 58 Nigerians killed in 2015 pre-election violence so far – Rights Commission. Premium Times [Online], 13 February, 2015.

<https://www.premiumtimesng.com/news/headlines/176802-58-nigerians-killed-2015-pre-election-violence-far-rights-commission.html>

The Electoral Hub (2020). Milestone of electoral reform in Nigeria's fourth republic.
<https://electoralhub.iriad.org/download/4018/>



otherwise called vote buying. The 2019 elections, rather than being an improvement over 2015 elections, was a throwback to the pre-2015 election era.

More than this, most of the political parties were dormant, while those which participated in the elections could not make much impact, as a result of the earlier factors militating against multi-party democracy in Nigeria. Therefore, the main ruling parties retained their positions in most of the elective positions in the executive and legislative branches. Of course, some new parties made some inroads, serving as a form of sprinkle over an existing soup. However, a study of these parties and their participation shows the influence of politicians who used these parties as a fall back after their fallout with the old ruling parties. These politicians brought not only money, but also their political structures and crowd. Interestingly, when these politicians reconciled with their former parties, the new parties became empty shells. It is therefore not accidental that politicians in many of these new parties scout for moneybag politicians to adopt their parties. In fact, some of these parties openly declare support for candidates from other parties. These however, are not a general trend as some new parties still retained their distinct identity, ideology and programmes. Unfortunately, these parties hardly make significant impacts in the elections in terms of winning elections.

Notwithstanding this situation, there were also positive developments in the electoral development since 2015. One of this is the enactment of the 'Not too young to run' law, which reduced the ages of contest for some political positions including president, house of assembly, House of Representatives and governors. The law was signed by the president on 31 May 2018, after two years of strong advocacy and campaign. It has made useful impact on the character of elections in Nigeria by pushing young people into the front burner of electoral process, not just as passive actors or cheering crowd but as major stakeholders. Today, the biggest electoral bloc on INEC's voters' list is the young people. In the latest voter registration, which ended in September 2021, a total of 8.78 million youth (within the age bracket of 18 and 35 years) registered, out of 12.3 million, representing 71.4 percent. In 2019, there were 42.9 million

Ojoye, Taiwo (2019). 2019 elections failed to meet 2015 standard –NDI/IRI. Punch newspaper [Online]. 19 June, 2019. <https://punchng.com/2019-elections-failed-to-meet-2015-standard-ndi-iri/>

<https://www.inecnigeria.org/wp-content/uploads/2019/10/2019-GE-PRESIDENTIAL-ELECTION-RESULTS.pdf>

For instance, YPP, a relatively new party won a seat in the Senate, while the remaining 108 seats were coveted by PDP and APC. Interestingly, the YPP candidate, Ifeanyi Ubah, was a former member of the PDP, who switched party when he could not realise his ambition in PDP. In the House of Representatives, the APC and PDP got between then 330 seat out of 360, leaving 20 for 8 other parties (APGA, 9; ADC, 3; AA and PRP, 2 each; ADP, APM, LP and SDP, 1 each; while remaining over 80 parties could not win any seat) <https://inecnigeria.org/wp-content/uploads/2020/11/REPORT-OF-THE-2019-GENERAL-ELECTION.pdf>. Many of the candidates actually crossed carpet from either APC or PDP.

Ibrahim, Kola (2019). Five theses on Nigeria's 2019 Elections; and the Buhari/APC government. Osogbo, Nigeria: RSP Books

Tukur, Sani (2018). Buhari signs "not too young to run" bill. Premium Times [Online], 31 May, 2018.

<https://www.premiumtimesng.com/news/headlines/270538-breaking-buhari-signs-not-too-young-to-run-bill.html>

Akinselure, Wale (2022). 2023: Will youths make their number count this time? Tribune newspaper [Online], 3 August, 2022. <https://tribuneonlineng.com/2023-will-youths-make-their-number-count-this-time/>



young voters, representing 51.1 percent of the registered voters then. Thus, the total number of youth voters now is 51.72 million, representing 53.7 percent of the 96.3 million total registered voters. This is a marginal improvement over the 2019 numbers.

Also, in 2019 elections, there was improvement in the number of youth contestants fielded by political parties, while more young people were also elected into positions, especially at the houses of assembly and House of Representatives. The percentage of youth contestants increased from 21 percent in 2015 to 34.2 percent in 2019. Also, out of total of 1,558 contested positions in 2019, youth won 103 positions, representing 6.6 percent. As marginal as this is, it is an important gain. At least four out of the 36 speakers of state houses of assembly are youth, while 62 other members were elected in 2019, representing 6 percent. In the House of Representatives, 12 youth members were elected in the 360-member chamber in 2019 as against 3 youth members in 2015. Moreover, more young people were appointed into political positions.

However, this percentage is still far below expected number given that young people constitute the biggest demographic in the country and the voters' list. One area where serious new parties can leverage on is by having youth outlook, not only in terms of raising youth agenda and programmes but also by fielding young people as candidates. While this may not immediately yield electoral position, it can help such party gain the ears of young people, and at the right time and with consistency, it can become a pole of attraction for young people

Another important gain in this period is the experimentation with electronic voting process adopted by INEC in the off-cycle elections held in Ekiti and Osun State in 2022. These elections were adjudged to be credible in terms of the absence of violence and inability of desperate politicians to tamper with electoral materials. There was also improved transparency as results were not only declared at the polling units, but were transmitted immediately to INEC's server, making hijacking of election results in the process of physical movement absent. These elections also had fewer parties contesting, which is a fall out of de-registration of 74 political parties by INEC, an action which was later affirmed by the Supreme Court. While this actually helped INEC in terms of logistics, it also denied the citizens adequate choices.

Yiaga Africa (2019). Factsheet on youth and the 2019 elections in Nigeria. <http://yiaga.org/sites/default/files/portfolio/Factsheet-on-youth-and-the-2019-elections-in-Nigeria.pdf>

Yiaga Africa (2019). How youth fared in the 2019 elections.

<https://www.yiaga.org/sites/default/files/portfolio/How%20Youth%20Fared%20-%20copyedited.pdf>

Ajeluorou, Anote (2019). Youths count gains as under-40 make speakership in Houses of Assembly

Guardian newspaper [Online], 18 June 2019 <https://guardian.ng/politics/youths-count-gains-as-under-40-make-speakership-in-houses-of-assembly/>

See footnote 25 above

Edeme, Victoria (2022). Electronic transmission of election results stands – INEC. Punch newspaper [Online], 21 August, 2022.

<https://www.google.com/amp/s/punchng.com/electronic-transmission-of-election-results-stands-inec/%3famp>

Olokor, Friday (2022). Osun poll: Group identifies 99% compliance with BVAS. Punch newspaper [Online], 16 July 2022. <https://www.google.com/amp/s/punchng.com/osun-poll-group-identifies-99-compliance-with-bvas/%3famp>



The biggest challenge to these elections and 2023 elections is the monetization of votes otherwise called vote buying which has become so rampant that politicians will rather wait until election date to dole out 'largesse' to voters in order to buy votes. This was the pattern in both Ekiti and Osun State governorship elections. The monetization of party primaries, especially in the big and ruling parties, shows that this trend may repeat itself in the 2023 elections, unless the INEC collaborates with other institutions such as the security agencies and anti-graft agencies to undertake adequate intelligence and early warning system to stem the tide. Unfortunately, politicians, who are to make necessary legislative and executive policies to stop this trend, especially through stricter control over election financing and spending monitoring, are themselves culpable in this 'crime'. A very salutary move towards stopping vote buying is the recent withdrawal limit released by the Central Bank of Nigeria with approval by the President. When fully operational, it will become virtually impossible to mobilize cash for vote buying and other corrupt practices associated with elections.

Finally, the signing into law of the new electoral act, which made some important changes to the electoral system is expected to improve the conduct of the 2023 elections, barring the negative impact of the political class on the elections. Some of the improvements made include the legal backing for electronic voting and transmission of election results. Another is the redefinition of over-voting to mean when there are more votes than 'accredited voters', as against 'registered voters'. The new electoral act also gives INEC power to cancel elections where there are violence or where elections do not comply with the electoral act or where electoral officers were forced under duress to declare particular results. Of course, this will still be subject to judicial adjudication in cases of contestation of such decision of INEC. As much as this will be good in curbing the desperate politicians, it can also be subject of abuse and manipulation, especially when the conditions precedent for the INEC decisions are not clearly and concretely defined.

Overall, while political parties have been reduced, the same factors affecting elections in Nigeria are still present vis-a-vis domination of political space by the main ruling parties, and excessive power wielding by moneybags as well as monetization of election. Also, ethnic and religious based sentiments are still very active in the electioneering process. In addition, many of the remaining 18 parties are still dormant. This shows that the problem is not about the number of political parties alone but also the nature of Nigeria's democracy, as analysed earlier.

Janamike, Luminous (2022). Ekiti Election: 41 vote-buying cases recorded in six LGAs —CDD. Vanguard newspaper [Online], 16 June, 2022. <https://www.vanguardngr.com/2022/06/just-in-ekiti-election-41-vote-buying-cases-recorded-in-six-lgas-cdd/amp/>

Premium Times (2022). OsunDecides2022: Vote Buying: Codes, coupons used to get voters' commitment in Osun election – CSOs. 16 July, 2022. <https://www.premiumtimesng.com/regional/ssouth-west/543084-osundecides2022-vote-buying-codes-coupons-used-to-get-voters-commitment-in-osun-election-csos.html>

Ndujihe, Clifford (2022). 10 key provisions of the new Electoral Act. Vanguard newspaper [Online], 25 February, 2022. <https://www.vanguardngr.com/2022/02/10-key-provisions-of-the-new-electoral-act/amp/>

Ogun, Festus (2022). Key provisions of Electoral Act, 2022. The Cable [Online], 19 April, 2022. <https://www.thecable.ng/review-key-provisions-of-electoral-act-2022/amp>



Role of the Civil Society

Central to the various changes and improvements seen in the electoral system is the civil society. These interventions by the civil society groups have resulted in important progress made so far in the electoral system. The role of the civil societies can be grouped into three: pre-election advocacy; election monitoring, and post-election consolidation.

In the build-up to the 2015 elections, the civil societies led the campaign and advocacy for the review of the electoral act, especially the 2010-2011 electoral act amendment. The process saw civil society groups submitting memoranda to the national assembly during the public hearings, engaging national assembly members, raising public awareness on issues on the electoral act, and mounting public pressure on the political class, including the executives and the legislature to ensure that the process for the electoral reform were carried to logical conclusion. Indeed, the civil society played important and visible roles, being represented in the Muhammed Uwais-led Electoral Reform Committee set-up by Yar'Adua administration in 2007. While some of the proposals made by the civil society were incorporated into the electoral law, some were rejected as a result of: 1. Low level political culture and backwardness in Nigeria, which may make the implementation difficult, and 2. Personal political interests of politicians, which preferred to place its interests above the overall interests of the society. But beyond this is the role of the civil society in ensuring positive changes within the Jega-led INEC. This led to internal review of conduct of INEC staff, involvement of the academia and Youth Corps members in election process, introduction of permanent voter's card, among others. All of these received positive support from the civil society. Left to the political class, many of these changes would have been stalled. In addition to these activities by civil society is the enlightenment campaigns and engagements to various sectors of the polity, especially the communities and grassroots towards securing their buy-in into the improvements in the electoral system and to mobilise them to the electoral arena.

All of these activities by the civil society led to improvement seen on the 2015 elections. However, the civil society, with support from international partners, deployed one of the biggest contingents for election monitoring and observation. The elections monitoring involves engagement with EMB and its officials at the point of election in order to ensure that processes are followed, while observation involves taking note of the process and using this for subsequent

Orji, Nkwachukwu and Ikelegbe, Augustine (2010). Civil society and elections in Nigeria.

https://www.researchgate.net/publication/353924197_Civil_Society_and_Elections_in_Nigeria

At least three members of the committee were from the civil society. See Report of the Electoral Reform Committee, Volume 1: Main Report, December, 2008. <https://nairametrics.com/wp-content/uploads/2012/01/Uwais-Report-on-Electoral-Reform.pdf>

The Electoral Hub (2020). Milestone of electoral reform in Nigeria's fourth republic.

<https://electoralhub.iriad.org/download/4018/>



analysis and reform. The reports of the 2015 elections by civil society along with their partners helped INEC to improve its subsequent conduct of elections.

The post-election consolidation activities included follow-up activities on various reports and recommendations from the engagements in the elections. The post-2015 elections activities included advocacy on constitutional and electoral reforms especially on use of electronic voting system, and stiffer penalties for electoral malpractices and misconducts. This yielded results. The first was the signing of 'Not too young to run' bill into law in May 2018. Another results were the electoral law amendment and constitutional reviews which included important changes to elections matters. Unfortunately, this constitutional amendment were not signed into law by President Buhari before the expiration of the first term in 2019. The failure to put these amendments into effect, especially as regards the use of electronic voting and transmission of result, redefinition of over-voting, among others, had negative impacts on the elections. It also reflected in the number of electoral cases before the judiciary.

However, the continuous post-election consolidation, through advocacy had resulted in the final approval of electronic voting and transmission of results. Attempt of the political class to frustrate the electoral reform was resisted by the civil society, which rose in support of INEC. The national assembly, or a section of it had wanted to control the electronic transmission of results by putting a clause in the electoral act which made INEC to seek approval of national assembly and the executive (through the Nigerian Communication Commission, NCC), before deployment of electronic transmission of result. This was a crude attempt at protecting the interests of the ruling political class. Had this sailed through, it would have led to not only a booby trap for electronic voting and result transmission, but would have also impinged on the independence of the INEC. It was a positive development that the civil society's advocacy was able to mobilise the critical mass to defeat the booby trap. Also, the civil society advocacy led to

Situation Room (2015). Report on Nigeria's 2015 general elections. <https://situationroomng.org/wp-content/uploads/2015/07/SITUATION-ROOM-REPORT-ON-2015-ELECTIONS.pdf> Premium Times (2019). INEC records over 1,689 litigations from the 2019 general elections. 13 June, 2019. <https://www.premiumtimesng.com/news/more-news/334893-inec-records-over-1689-litigations-from-the-2019-general-elections.html>

Ewepu, Gabriel; Jannamike, Luminous; Ozuanu, Bernard and John Precious (2022). 23 CSOs raise concerns as hope dims for amended Electoral Bill. Vanguard newspaper [Online]. 18 January, 2022. <https://www.vanguardngr.com/2022/02/23-csos-raise-concerns-as-hope-dims-for-amended-electoral-bill/>

Ewepu, Gabriel (2022). Electoral Bill: 26 Civil Society groups declare February 22 National Day of Protest. Vanguard newspaper [Online]. 19 February, 2022. <https://www.vanguardngr.com/2022/02/electoral-bill-26-civil-society-groups-declare-february-22-national-day-of-protest/>

Onogu, Sunny and Akowe, Tony (2021). Senate dumps proposal on e-transmission of results. The Nation newspaper [online], 16 July, 2021



the president signing the electoral amendment into law, after initially withholding his assent. All of these show the positive roles of the civil society in Nigeria. It is hoped that the tempo will be sustained and built upon towards the 2023 elections and beyond.

De-registration of Political Parties: Positives and Negatives

However, one contestable area of electoral reform is the issue of de-registration of political parties by INEC. On two occasions, INEC deregistered political parties. The first was in 2012, when the Prof. Attahiru Jega-led INEC deregistered 32 political parties on grounds of poor performance in elections. However, this could not stand for long, as the Court of Appeal declared that the electoral guideline and action taken by INEC are unconstitutional as the conditions used by INEC are unknown to the constitution. The second time was deregistration of political parties in 2020, when Mahmoud Yakubu-led INEC deregistered 74 of the then existing 92 political parties on the ground of poor performance in elections. By this time, there had been a constitutional amendment that legitimized deregistration of political parties. Interesting reality however, is that many Nigerians were not aware of this constitutional change until INEC deregistered the political parties. Therefore, it was more of a booby trap or an ambush. There were no public engagements and debates. Possibly, the national assembly had feared a legal challenge to the constitutional amendment.

The Mahmoud Yakubu-led INEC therefore relied on this to deregister 74 political parties for inability to win any position in the general elections, or win 25 percent in any contested electoral position. INEC did not rely only on constitution amendment to justify its action, but also preponderance of public opinion against the 'unwieldy' political party list, which according to INEC is creating logistical and operational crises. First is the fact that the long list of parties create financial challenge as cost of producing electoral materials, cost and human resources needed to monitor parties' activities, especially primaries, among others, are too much. Furthermore, the huge number of political parties create confusion for electorates who may even find it difficult to identify their party in the long list of parties on the ballot. In reality too, many of these political parties, as earlier noted, are portfolio parties set up by moneybags and politicians, who may want to use them for fund raising or as Plan B, whenever their aspiration

Akinkuotu, Eniola and Olorok, Friday (2022). Electoral Bill: CSOs demand Buhari's assent in two days, to stage protest Tuesday. Punch newspaper [Online], 20 February, 2022. <https://punchng.com/electoral-bill-csos-demand-buharis-assent-in-two-days-to-stage-protest-tuesday/>

Vanguard (2012). INEC to deregister more political parties – Jega. 22 June, 2012.

<https://www.vanguardngr.com/2012/06/inec-to-deregister-more-political-parties-jega/>

Ajayi, Omeiza (2020). Full list of the 74 parties deregistered by INEC. Vanguard newspaper [Online], 6 February, 2020.

www.vanguardngr.com/2020/02/full-list-of-the-74-parties-deregistered-by-inec/

Ejekwonyilo, Ameh (2021). Supreme court affirms INEC's power to deregister political parties. Premium Times [Online], 7 May, 2021. www.premiumtimesng.com/news/headlines/460074-just-in-supreme-court-affirms-inecs-power-to-deregister-political-parties.html

Punch (2019). 2019 polls: Large number of political parties creates logistics problem —INEC. 15 July, 2019. <https://www.punchng.com/2019-polls-large-number-of-political-parties-creates-logistics-problem-inec/%3famp>

fails in the main ruling parties. Therefore, it is believed that reducing the number of political parties will restore some sanity to the electoral system.

As plausible as these arguments are, they still fail to address some salient issues, and may actually be creating new problems while trying to solve old ones. In the first instance, the constitutional amendment that legitimised party deregistration include the provision that parties must win at least 25 percent in any of the elections, including local government elections. Interesting fact however, is that local government elections in many states, aside not being under the purview of INEC, have not also held in many states. Therefore, INEC might have acted in haste in deregistering parties on ground of non-performance. Even, where local government elections were held, they were only affirmation of ruling party in the state, as the state electoral commissions are mostly extension of the ruling party, with the 'independent' in their name being only a title. The Supreme Court in its wisdom however, on two cases ruled in favour of deregistration of political parties.

Secondly, there is a moral challenge to the manner in which the constitution was reviewed to accommodate the right of INEC to deregister political parties. As noted above, this provision was inserted into the constitution amendment without providing for a thorough debate and engagement, given the fact that such provision will have far reaching implications on the right to choose by Nigerians. Indeed, many civil society groups were unaware of the existence of this provision, until INEC used it as a whip. This is not a good precedent, as it has an element of imposition. However good the intention or argument is, not allowing an amendment to run a full course of debate and contention is unhealthy for the democratic process.

Furthermore, it is arguable and contestable whether placing logistic factors over democratic rights of Nigerians to form and belong to political parties of their choice is right thing to do. While it is true that there are many portfolio parties in the polity, it is also a fact that there will be some political parties with different ideological orientations, but which has no financial muscle for now to contend with long-existing parties. Denying these parties opportunity to exist may not actually represent the true intention of a democratic electoral system. It is like INEC expecting fish and elephant to contest in a swimming competition.

Beyond all this is the fact that this deregistration provision may be a land mine for the electoral process in the near future. For instance, when parties realise that winning 25 percent of votes in the local government elections will allow them to exist, the battle may shift to the local government elections, with many parties, manipulating the process e.g. cherry picking local government elections where they can get 25 percent. This will recycle the old problem of unwieldiness of political parties. On the other too, some of the existing parties may be deregistered if they would not meet the new constitutional provision for existence, given that Nigerian elections are become increasingly monetised. This will further shrink the political and democratic space, and possibly return Nigerian back to the 1999-2003 era when two to three political parties monopolised the political space.

While the American and British political system, where two or three political parties dominate the political class, are used as examples here in Nigeria, no mention is made of the fact that there are many political parties that actually exist at different levels of governance, based on their strength. Aside parties existing and operating at local levels, there are others existing to campaign on single and specific governance issues such as climate, abortion rights, etc. As earlier noted, this is the way of resolving the 'unwieldy' (if at all we can call it that) nature of political party list. Civil society organizations, while helping INEC to improve conduct of elections, must not also close its eyes to this reality of allowing a genuine multi-party democracy, without undermining smooth conduct of elections.

Conclusion

No doubt, Nigeria's electoral system has evolved overtime since the re-emergence of civil rule in 1999. There have been significant improvements in the electoral laws, while the election management body, the INEC has also undergone serious internal reforms that have led to better conduct of elections. The Electoral Reform Committee set-up by Yar'Adua administration in 2007 played an important role in effecting positive changes in the electoral system in Nigeria. As against the pre-2011 era, elections conducted on the basis of reforms introduced from recommendations of the Committee has had some degree of credibility.

While incremental reforms have been effected through electoral law and constitutional amendments, there is need to fast track the needed reforms, as Nigeria's electoral reform takes too long. This is a product of the character of Nigeria's political elites, who prioritize their personal and pecuniary political interests over collective interests of the society. At every stage of moving Nigeria's democratic process forward, the political class always lurk around to drag the process backward in order to secure their interests, albeit in a crude manner. If the same political consensus that birthed the 2010 electoral reform could be mustered in subsequent periods, Nigeria's democratic process would have been better consolidated.

Unfortunately, the 2019 elections, which were expected to serve as an improvement over the 2015 elections, adjudged to be Nigeria's best so far, witnessed a reversal of fortune, as widespread electoral malpractices characterised the elections. Behind this, is the deliberate failure of the political class to legalise important reforms to consolidate the gains made in the 2015 elections, especially as regards utilising technology for elections, deepening sanctions for electoral malpractices, etc. The president's withdrawal of assent to the 2019 constitutional amendment was a major blow to the advancement of electoral reform. On a positive note however, the off-cycle elections held this year in Ekiti and Osun States in 2022 were adjudged to be relatively credible and organised, which reflect the deployment of electronic transmission of results, use of BVAS machine for elections and removal of bureaucratic encumbrance on the conduct of elections. It is hoped that the 2023 election will be much better conducted than the off-cycle elections, and the limitations observed in the off-cycle elections, such as logistic challenges, and more importantly, the issue of vote buying, will be addressed.

On a more fundamental basis, there is the need to address the issue of party deregistration, and monetisation of elections. It is gratifying to observe that this is being done through the new monetary policy. As much as the high number of political parties, prior to constitutional amendments that legalised party deregistration, has been an encumbrance for INEC in terms of logistics, there is also the need to create a balance by ensuring that rights of Nigerians to have parties of their choice are not denied for logistic reasons. Consequently, it is suggested that there is need to review the constitutional provisions that support party deregistration by allowing classification of political parties into categories based on their strength and capacity. This will mean abolishing the constitutional provisions that compel political parties to have national spread. Rather, local, regional and single-issue parties should be allowed to exist alongside national parties, based on different parameters and preconditions. In addition, independent candidacy should be deepened by liberalising the requirements attached to it. Alongside this is the need for INEC to improve on monitoring of political parties and contestants, especially in terms of their campaign and electoral finances.



Furthermore, there is need to review the cap on election and campaign spending by political parties. Ruling political parties, with their access to political power and patronage, have access to money, which can be used to undermine the electoral process, as witnessed with the horrible phenomenon of vote buying. In addition, there is need to have stronger constitutional actions to stop corrupt persons and politicians from holding political positions. Nigerians will continue to view politics with suspicion, while voter apathy, which has become a recurring decimal on our electoral system will continue, unless the system is purged of corrupt politicians. For instance, politicians who default in tax payment either personally or through their businesses, should be barred from holding public positions. Also, there should be close collaboration between INEC and anti-graft agencies to screen politicians, and ensure that those who have criminal and corrupt records are prevented from holding public offices, albeit using the court and judicial process.

Finally, the role of civil society has been highlighted extensively. However, there are still challenges to the roles of civil society, especially in terms of capacity building and funding. There is also the need to build bigger network platforms, as there are too disparate civil society groups in the country.



2.5 Reforms and Electoral Malpractice

Prof. Anthony Kola-Olusanya

Introduction and Background

The principles of democratic governance are anchored on popular sovereignty, empowerment, political equality, majority rule, functional constitution, the rule of law, independent judiciary, and periodic free and fair elections, among others. However, a review of these principles within Nigeria's democratic experience shows that the principle of a free and fair election, one of the most essential of the three, is lacking. Election or electoral process in a democracy is critical, the medium through which the people express their choice by voting for their representatives. It is the process by which the elected is given legitimacy. The re-emergence of democracy in Nigeria since 1999 witnessed six general elections. Of the six so far, the 2003, 2007, 2011 and 2015 general elections were adjudged not to satisfy the quest for democratic governance in the country.

For many Nigerians, domestic and international observers, the restoration of democratic rule in Africa's largest country in May 1999 has brought little or no change in Nigeria's political activities. Corruption, electoral malpractice, and political violence have plagued the political landscape despite reform initiatives. Although regular elections are now the norm in the 23 years of Nigeria's democratic experiment, repeated elections have not guaranteed the consolidation of democracy. Given that election legitimacy is crucial for democratization, electoral malpractice poses a severe challenge to and undermines the development of Nigeria. The typology of electoral malpractice in Nigeria includes multiple registrations of voters, buying and selling voter's cards, bribing of electoral officials, hoarding registration materials and adopting other crude and cunning methods of cheating political opponents (Adeola, 2012; Shelly, 2019).

The dawn of democratic civil rule in Nigeria in 1999 offered much hope after about 38 years of military rule since independence. During the years, the military governments made lacklustre attempts at returning Nigeria to civilian administration between 1979-1983, 1990-1993 and the current since 1999. During these periods, Nigeria's electoral umpire was severally known as the Federal Electoral Commission (FEDECO), National Electoral Commission (NEC) and Independent National Electoral Commission (INEC). The common denominators during these periods were that rigging, voter coercion, and inducement were prevalent. Despite these highlighted issues, since 1999, the electoral commission has conducted national and state elections since the country returned to democratic civil rule.

The need for electoral reforms heightened post-2003 elections when the ruling party declared "do or die" to win by all means. The 2003 election witnessed the prevalence of severe manipulations and disruptions ranging from ballot box snatching, abduction of election officers, violence, voter suppression, inducement and coercion, among others. The 2007 elections resembled the preceding one four years earlier as the election was marred and characterised by massive fraud and violence. Across the country, violence and intimidation were familiar scenes in an electoral process that denied many voters the opportunity to cast their votes. The 2007 elections were characterised by the late opening of polls, a severe shortage of ballot papers, the widespread intimidation of voters, the seizure of ballot boxes by gangs of thugs, vote buying and other irregularities, among others.

Another feature of the 2007 elections was the diversion of ballot boxes and ballot papers with the collusion of unscrupulous staff of the Independent National Electoral Commission (INEC), who claimed elections took place where there was no voting while tally sheets indicated a large turnout of between 95 and 100% votes cast in favour of the ruling party. The situation was so horrible that it was not uncommon to see politicians boast of winning without the people casting their votes. Local and foreign observers widely criticized the elections as flawed. The height of the election was the admittance by the Umaru Musa Yar'Adua, the biggest beneficiary of the 2007 elections. The elections that brought him to office were seriously flawed. The admittance led to his promise to review the elections process to address the associated shortcomings and strengthen Nigeria's voting and election process.

The promise gave birth to the setting up a 22-member Electoral Reform Committee headed by former Chief Justice of Nigeria (CJN), Justice Muhammadu Uwais, in August of 2007. The Committee was given 12 months to complete its assignment. It was tasked to "examine the entire electoral process to ensure that we raise the quality and standard of our general elections and thereby deepen our democracy." After the Committee's assignment, it recommended various reforms to strengthen electoral administration, including the following:

- 1. Making the election commission truly independent by removing the president's powers to appoint the chairman and members of the commission and making appointments the responsibility of the National Judicial Council.*
- 2. changing the funding model for the electoral commission to ensure it was left free of government interference.*
- 3. integration of the independent electoral commissions of each state into the commission's structures.*
- 4. establishment of an Electoral Offences Commission to prosecute electoral offenders.*
- 5. shifting the burden of proof in election petitions from the petitioner to the electoral commission.*
- 6. introduction of a mixed electoral system with elements of proportional representation.*

The immediate implementation of these recommendations led to the commission's reorganisation, streamlining the voting procedure and biometric register of voters. These minimal but landmark changes mark the beginning of significant reforms in the electoral system and the pathway toward strengthening democratic governance in Nigeria. The landmark reforms of 2008 set the ground for the later reforms that would lead to significant breakthroughs in the country's democratic environment. At first glance, these reforms seem motivated by the need to improve elections and democracy. However, while consolidation of democracy, though substantial institutional reforms are needed, it is imperative to protect and preserve the credibility, independence and impartiality of electoral bodies. In presenting this focus of this chapter, the chapter will also address and identify malpractices and their evolution, malpractices -Vote trading and ballot box snatching and examine the role of technology in curbing malpractices among other electoral reforms.

Identification of Electoral Malpractices and their Evolution.

Elections are essential to democracy. They allow people to select their political leaders and then hold them accountable. But for elections to fulfil their critical function, they must be considered free and fair. Elections are adjudged "free and fair" when they meet certain conditions of what constitutes good practice in electoral administration. Thus, conducting an election is not enough: if some citizens are prevented from voting or the results are not counted properly, such an election can't be called "free and fair." Therefore, a free and fair election must be devoid of coercion, electoral fraud, voter suppression, proper counting of votes, and all parties' acceptance of the election results. Meanwhile, where elections are characterised by coercion, electoral fraud, and voter suppression, among others, it fails to meet the details of electoral administration. It is designated as ridden with electoral malpractices. Electoral malpractice manipulates electoral processes and outcomes to substitute personal and partisan gains. It represents all vices that are almost rendering the very essence of democratic governance meaningless. . According to Ebirim (2013), electoral malpractice is a process by which the rule and regulations governing elections are manipulated to favour specific interests. It is achieved through numerous tactics and strategies, including outright rigging and falsifying electoral results, which can occur before, after and during the election. Electoral malpractice, or fraud, is the clandestine and illegal efforts to shape election results.

. Lehoucq (2003) presented the discourse of electoral malpractice and concluded as follows; “it ranges from procedural violations of electoral law (that may or may not intend to distort results) to the outright use of violence against voters. Second, even when ballot rigging is integral to electoral competition, it is infrequently decisive. Fraud, nevertheless, undermines political stability because, in close races, it can be crucial. Third, political competition shapes the rhythm and nature of electoral fraud. Efforts to steal elections increase with inequality, but competitiveness.”. The consequences of electoral malpractice are deepened in the compromise of the legitimacy of the electoral process, which reduces people's withdrawal of their trust in the political system. Essentially, electoral malpractices violate the basic rules of the democratic process, and this has been linked to desperation, illiteracy, poverty, the attractiveness of public office, fear, and financial inducement.

For instance, the last 23 years of the democratic process have witnessed a rise in electoral malpractices in almost every location within the country throughout the six electoral cycles. The evolution of electoral malpractices in Nigeria dates back to the first republic in the 1960s. Examples of electoral malpractice include violence and ballot snatching, rigging, inducement, and voter suppression (also known as deliberate disenfranchisement of eligible voters or preventing voters from voting).

Notably, the Nigerian electoral journeys from the colonial period through the first republic in 1960 till 1999 have always been marred by electoral malpractices and violence, thereby shortchanging the citizens' will and mandate expressed during elections. For example, the 1965 election was massively rigged, and the notable given violence following the rigging led to the “Operation Wetie” riots. The riots between rival political groups eventually led to military intervention in 1966. Most notable since the return to civil democracy is the menace of vote buying since money itself has become dominant and seems to have taken centre stage in the political process in most countries and Nigerian politics. According to Adetula (2008);

vote buying is a corrupt act which usually takes the form of a gift or gratuity bestowed to influence the action or conduct of the receiver, especially money or any valuable consideration given or promised for the betrayal of a trust or the corrupt performance of an allotted duty, as to a fiduciary agent, a judge, legislator or other public officers, a witness or a voter. As a corrupt act, vote buying can be defined as any persuasion in which one person suggests financial gain to another to influence a person's vote. This includes not only the payment of a simple bribe but also the payment of excessive travelling expenses and the payments of excessive election workers.

The incidences of vote buying as an inducement or suppression have been more pronounced since 1999. Since 2003, the incidences of politicians or their agents distributing money to voters on the day of the election have become a recurring spectacle. Disbursement of cash is also used as a medium of voter suppression. In this wise, rather than deploy violence, scare tactics, or approaches that can prevent voters from their civic responsibility on election day, politicians are known to give money to vulnerable voters outright in exchange for their permanent voters' card (PVC). Meanwhile, vote buying or inducement is categorized as an offence in the Electoral laws of Nigeria. For instance, Sections 24 and 23 of Electoral Acts 2006 and 2010, respectively, defined “vote buying as selling or attempting to sell any voter's card, whether issued in the name of any voter or not or buying or offering to buy any voters card whether on the buyer's behalf or behalf or any other person”. Also, sections 131 and 124 of Electoral Acts 2006 and 2010 (as amended), titled *Prohibition of Bribery and Conspiracy*, characterised the following actions as vote buying:

direct or indirect offering or aiding in offering inducement in any form, whether to a person or a political campaign to corruptly influence that person or any other person to support or refrain from supporting a political party or candidate; direct or indirect giving offering to give any money or valuable consideration to any person during a political campaign in other to induce that person or any other person to support or refrain from supporting a political candidate; and accepting any inducement, money or valuable consideration from any person, candidate or political party to compel that person or any other person to support or refrain from supporting a political party or candidate.

The conduct of free and fair elections (credible elections) wherein the citizens elect representatives of their choice as public office holders has continued to be the measure of the quality of democracy in a country. As can be seen in this section, the conduct of elections in Nigeria from 1960 to 2007 was inundated with spiralling malpractices in the electioneering process, and this worsened with each round of elections and finally peaked in 2007. Despite the laws and several campaigns aimed at educating the masses and political parties, the three elections demonstrate that rigging, violence, and intimidation are malpractices that will flourish in the fourth republic. Without any gainsaying, the incidences of electoral malpractice can be said to have grossly affected the quality of Nigeria's democracy. This raises questions regarding the consolidation and stabilization of democracy in Nigeria, especially when the outcomes of elections do not reflect the will of the voters.

Types of Electoral Malpractices

Vote Trading

Vote trading is when a voter is given cash, a gift, or a promise of some form of incentive to cause the voter to vote for a particular candidate or political party. In Nigeria, vote trading involves material or cash incentives, Permanent Voter's Card (PVC) sales, and their accompanying Voter Identification Number (VIN). Vote trading is part of Nigeria's history of transactional politics and elections, where votes are exchanged for food, favour and cash. Vote trading may involve collaborating, aiding, and abetting the election and security officials at the polling unit. This could happen either by failure to ensure adequate arrangements to guarantee the secrecy of the vote or failure to take steps to prevent those who try to breach the rules. Vote trading architecture has gone beyond individual transactions to include community members through cooperation and collaboration, now giving rise to another level in the chain – organised or cooperative retailing.

While this trend has become recurrent, Nigeria's extant electoral laws forbid the act. For example, Section 121 (2) of the Electoral Act 2022 states that a: *“Voter commits an offence of bribery where, before, or during an election, directly or indirectly, by his or herself, or by any other person, on his or her behalf, receives, agrees, or contracts for any money, gift, loan, or valuable consideration, office, place of employment, for himself or herself, or any other person, for voting or agreeing to vote, or for refraining or agreeing to refrain from voting at any such elections.”*

Ballot Box Snatching

Ballot box snatching refers to the snatching or stealing of electoral materials by individuals. This act is a form of vote suppression wherein electoral materials (ballot box and ballot papers) are forcefully removed by political thugs and destroyed such that votes cast will not count. The main aim of snatching ballot boxes is to destroy ballot boxes and ballot papers to cancel votes in the polling unit. It also includes stuffing the ballot box with another set of ballot papers falsely thumb-printed for a particular party. While this unscrupulous act persists, it is prohibited by law. For instance, the electoral act (2010) prohibits anyone from snatching electoral materials. Section 129 subsection (4) of the electoral act prescribes a maximum of two years imprisonment for offenders.

Ballot stuffing

Ballot or ballot box stuffing is a form of electoral fraud whereby more ballots are cast than the number of people who legitimately voted. The term generally refers to casting illegal votes or submitting more than one ballot per voter when only one ballot per voter is permitted. Ballot stuffing can include other forms of electoral fraud, such as the following examples:

- *Absentee ballot fraud:* Ballot stuffing can occur when a person attempts to fill out and turn in absentee ballots under the names of false or non-existent voters.
- *Fraud by election officials:* Ballot stuffing can occur by manipulating ballots by officials administering the election, such as tossing out ballots or casting ballots in voters' names.
- *Votes cast in the names of deceased persons:* Ballot stuffing can occur when a living person fraudulently casts a ballot in the name of a deceased person who remains on a state's official list of registered voters.



Voter suppression

This refers to any legal or extra-legal measure or strategy whose purpose or practical effect is to reduce voting, or registering to vote, by members of a targeted group, political party, or community *Its aim is to influence the outcome of an election by discouraging or preventing specific groups mentioned*. Another form of intentional voter suppression is voter intimidation, which is common in Nigeria. Voter intimidation speaks to the application of threats to prevent voters from coming out to exercise their civic responsibility.

Electoral Reforms and the Role of Technology in Curbing Malpractices

Electoral Reform is a broad term used to describe changes aimed at improving the responsiveness of the electoral process to public desires and expectations in democratic settings. Such changes may be legal, administrative, or political, taking place in the political environment within which the electoral management body (EMB) operates, such as giving it more autonomy or creating a more effective framework for its funding and accountability. Nigeria has witnessed three electoral reforms since 1999, when the fourth Republic began.

The first was under former President Olusegun Obasanjo's administration in 2002, which resulted in the Electoral Act, used for the conduct of the 2003 and 2007 general elections. The second reform in the Electoral process occurred under then-President Goodluck Jonathan's administration in 2010, culminating in the 2010 Electoral Act, which was used for conducting three national elections in 2011, 2015, and 2019. The third is the Electoral Act of 2022, which went through rigorous legislative processes with many critical reviews of past Electoral Acts and other political antecedents that were not fully captured in the 2002 and 2010 Electoral Acts. These three reform processes in Nigeria helped in advancing its elections.

Most notable of these reforms was in 2010, when then-President of Nigeria, Goodluck Jonathan, conscious of the need for reforms in Nigeria's body polity to boost the public and international perception of Nigeria's electoral processes and democratic credentials, enacted two electoral reforms in 2010. To assist with the on-the-ground implementation of the reforms, President Goodluck Jonathan, in June 2010, appointed to INEC's powerful chairmanship Professor Attahiru Jega, Vice-Chancellor of Bayero University, Kano.

In August, the National Assembly implemented some of the recommendations of the Electoral Reform Committee through the 2010 Electoral Act, including creating a separate INEC fund that freed the commission from the requirement to secure presidential approval of its budgetary requests. The post-2007 elections reforms thus marked the introduction of technology or what can be generally called information, communication and Technology (ICT) into Nigeria's political processes.

Technology-Based Elections in Nigeria

The administration of democratic elections in Nigeria dates back to the period before independence when the Electoral Commission of Nigeria (ECN) was inaugurated in 1958 to conduct the 1959 federal elections. During the said period, manual balloting was used, which lasted until 2015, when the smart card reader method was introduced. Manual voting involves registration of voters, voter-register exhibition, voting, vote counting, collation, and publication of results. Registration of voters enables eligible voters to have their names entered into a document (Voter Register) to offer the person the opportunity to exercise their franchise on the appointed day of voting. Nigerian law states that an eligible voter is 18 years of age or above, a national and resident of the country.



Materials used by the ECN to register eligible voters during the period under review include scannable forms, pencils, photographs (or thumbprints) of the voter, and indelible ink. The Voter Register is considered provisional, so changes may be made until it has been pushed to the Voter Register Exhibition stage. Barcodes help detect forged registration forms to enable the validity of the forms to be readily ascertained.

Despite these efforts, one of the main issues that have permeated Nigeria's elections and electoral processes since independence has been electoral malpractice which has persisted in different forms of rigging viz ballot stuffing and snatching, result manipulation, among others. Conscious of this problem, the various national election bodies have attempted to fix the problem, which has become a continuous dent in Nigeria's efforts to conduct credible elections. The rigging problem was further accentuated and necessitated a drastic solution following the release of the 2007 general elections, which was characterized by massive electoral flaws and monumental rigging. On this basis, the Independent National Electoral Commission (INEC) developed some innovative measures in 2011 and 2015 to reduce rigging, including introducing permanent voters cards (PVCs) and card readers.

In landmark preparation for the April 2011 elections, the INEC turned to emerging technologies such as open-source software and social media to register 73 million voters from scratch and open a direct dialogue with the electorate. This phenomenal achievement set INEC, and elections reforms set the tone for deploying emerging technologies and more remarkable electoral achievements. However, the deployment was not without hiccups and glitches challenges. Such challenges in pockets of voting centres include non-recognition of voter biodata such as fingerprints. Despite these minor challenges 2011 general elections, the elections set precedence for Nigeria's attempt at conducting credible elections that will be acceptable as meeting minimum domestic and international standards.

This introduction of innovative technological tools from the 2011 elections has greatly helped reduce electoral impunity and guaranteed the sanctity of the vote. The automated fingerprint identification system was used in the 2011 general elections to eliminate multiple registrations from the voter list. Still, it could not verify the voters' identity at the polling stations. Consequently, in the buildup to the 2015 general elections, the Independent National Electoral Commission (INEC) introduced smart card readers to verify voters and their voting cards to minimise the incidence of fraud and rigging. The use of technology is the most appreciable and fundamental issue in the 2015 general election in Nigeria's democratic system. The main reason for using the technological-based device for the election was to check electoral fraud. The smart card reader played a very significant role in the 2015 general elections in Nigeria. Specifically, using PVCs and Smart Card Readers in 2015 was a watershed, although some politicians opposed it. These recent innovations have helped to curb certain ills of the past, which characterized the polity at the early stages of the Fourth Republic. These technological innovations contributed immensely to cleaning up the voter register and voter accreditation.

Permanent Voters' Cards

The permanent voters' cards contain enough data to confirm that the person holding a card is the same person registered under that name. Election Day Screening The PVC and card reader system completes two simple checks on election day:



- (i) That a voter is at the correct polling unit where they registered
- (ii) That their fingerprints match with those on record on their card

Matching a voter with their correct polling unit is treated as fundamental. If it is impossible to match fingerprints, then a manual check will be made against their photo and the register. Voting was still allowed once a short incident report had been issued. The use of permanent voters cards (PVCs) with biometric data and verification of voters through card readers is a recognition of the need for continuous efforts to reduce fraud so that Nigerians can have growing confidence in the fairness of elections. The PVCs and card readers address three problems that have been a recurring issue

- (i) inflation of the number of voters present in polling units
- (ii) Misrepresentation of whether individuals are genuinely present.
- (iii) Fake and multiple registrations of voters to allow for inflated turnouts

The evidence of the scale of the problem has been provided by the work of INEC between 2011 and 2015. The result is the detection of over 4 million multiple registrations in the 2011 register and millions more where incomplete data suggests additional serious fraud.

The Smart Card Reader

The card reader is a portable electronic voting authentication device configured to read only the electoral body's Permanent Voter Cards (PVCs). The card reader was designed for the accreditation process to collate the authentication of eligible voters before voting. Electronic card readers were also used to accredit voters for the first time in the 2015 general elections. The electronic card readers were used to verify that the presented PVCs were legitimate and that the voter presenting the card was registered at that polling unit. The card readers will also display a picture of the voter so that poll workers can visually confirm the voter's identity against the card and allow for scanning of fingerprints to check the voter's fingerprints against the biometric information contained in the PVC. Its operators position it to read the embedded chip on the voter's PVC. The card is placed into the device, displaying the voter's details. The voter places a thumb on the device, and their identity is confirmed through fingerprint authentication, which takes about 10 to 20 seconds to validate a voter. Following the completion of the accreditation process, a 'Close V' key is used to complete the accreditation process. The total number of voters accredited can be previewed using a 'Query' key, and the result can be forwarded to INEC using the 'Communication' key.

Conscious of the need to keep evolving solutions aimed at curbing electoral fraud and malpractices and not satisfied with the successes of the PVC and smart card readers, INEC introduced the



biometric voter accreditation system (BVAS). In addition, the Bi-modal Voter Accreditation System B-VAS has been described as a game changer.

BVAS Machine

The biometric voter accreditation system (BVAS) is a device that replaces the smart card reader, which was used in 2015. BVAS is the machine used to accredit voters using their Permanent Voter Cards (PVCs) and fingerprints or face recognition technology. The BVAS had its first outing in the Isoko South I State Constituency Bye-election in Delta State on September 11, 2021. Following the Isoko South I State Constituency Bye-election, the technology was deployed successfully in the off-season elections in Edo, Ondo, Anambra, and Osun states. Although there are controversies regarding the success of this technology, the BVAS technology will be the cynosure of the 2023 elections. The BVAS aims to guard against identity theft, where one person uses another person's PVC to vote using the incident form. Five (5) characteristics of the BVAS worth knowing include the following;

- a. The BVAS is a device used to register voters.
- b. The BVAS accredits voters before voting on election day.
- c. The BVAS is used for transmitting election results to the INEC viewing portal after voting.
- d. It helps to scan the barcode or QR code on the PVC or voter's register before voting.
- e. BVAS doesn't require Internet connectivity during voting. It only requires the Internet when transmitting election results to the INEC portal.

Conclusion

Notably, the increased use of technology in Nigerian elections has reduced traditional rigging, such as ballot box snatching and stuffing, multiple voting, overvoting, alteration of results, and other related electoral malfeasance. In particular, the use of technology is the most appreciable and real issue of general elections in Nigeria's democratic system since 2011. The main reason for using the technological-based device for the Independent National Electoral Commission election was to check electoral fraud. The results suggest that introducing PVCs, card readers, and BVAS has greatly reduced the level of rigging during the accreditation exercise, but the other forms of rigging during registration, voting, and vote counting can still substantially modify the results. The use of social media and mobile communications undoubtedly empowered voters to contact INEC with concerns ranging from missing ballot materials to allegations of vote rigging and security threats. Finally, INEC should stick to the provisions of relevant electoral laws on balloting, collation, tallying, transmission and announcement of results to boost voters' confidence in the electoral processes.



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2.6 The Judiciary and Elections-A Review of the 2019 General Elections and other Off Season Elections from 2019-2022

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Election is the formal process of selecting a person to hold a public office. Sometimes, it is also used to describe the process of voting for a political proposition. Elections are the hallmark of democratic systems as against an imposition of leadership on a people. Another feature of democracy is that a democratic system ought to have strong democratic institutions, one of which is a judiciary that has the capacity and is in fact seen to deliver justice without fear or favour.

Pre-independent and post independent Nigeria has seen different versions of written constitutions before the present 1999 Constitution of the Federal Republic of Nigeria (as amended). A common feature of written constitutions is that a written constitution presupposes that the constitution is the fundamental law of the land, the grund norm from which other legal principles and precepts derive. In many written constitutions, the draftsman has gone ahead to boldly express this collective intention in a clause usually called 'the supremacy clause'.

The 1999 Constitution of the Federal Republic of Nigeria (as amended), which I shall subsequently call 'the Constitution' substantially provides for the conduct of general elections and other elections at the Federal and state levels, while also providing for the procedure, processes and institutions that will make the democratic system manifest in the elections. However, enabled by the Constitution, the Electoral Act comes into effect to specifically regulate the conduct of elections by stipulating the details for the conduct of elections. Nigeria has seen various Electoral laws (Act) some of which were either repealed or amended at different stages in her political history. The current electoral law which operates under the current constitution is the Electoral Act 2022. The Act repealed the Electoral Act, 2010 and is intended to bring innovations to the regulation of Federal, State and Area Council elections in Nigeria.

In the same vein, the Nigerian Constitution does not mince words in stating the roles of the judicial arm of government in protecting and sustaining the nation's democracy. Therefore the judiciary is expressly vested with judicial powers by the Constitution in section 6. One of the critical roles of the judiciary in a democratic dispensation is to interpret the laws in electoral disputes. The adjudication by the judiciary is not restricted to only post-election conflicts but also extends to pre-election litigations. Therefore, in the electoral process the judiciary is like an oracle from which everyone wants to hear the truth. The 2019 general elections in Nigeria were a set of elections that have so far been conducted in Nigeria since the return from military rule to civilian rule in 1999. The elections were conducted under the Electoral Act of 2010 which had suffered several amendments as the electoral law that was then in force. Though Nigeria has seen a couple of electoral Acts since her return to civilian rule, the Independent National Electoral Commission Decree No.17 of 1998 gave birth to the Independent National Electoral Commission (INEC) as the electoral umpire for general elections in Nigeria with a corporate legal personality and perpetual succession capable of suing and being sued.

. The same decree also stated the constitution and functions of the electoral umpire. The Nigerian Constitution in 1999 and the Electoral Act that followed the transition to civil rule in Nigeria repealed this decree and rather re-enacted the establishment, constitution, powers and functions of INEC.

The 2019 general elections were held on 23rd February 2019 to elect the President, Vice President, members of the House of Representatives, and members of the Senate, and 9th March of same year to elect governors, deputy governors and members of state houses of assembly in all the states except governors of Anambra, Ondo, Edo, Kogi, Osun Ekiti and Bayelsa states. In some cases, voting was delayed till 24th February due to electoral violence. A total of 91 political parties took part in the elections. Fifty one percent of the eighty four million voters were aged 18-35. The first past the post system was used. In electing a President, section 134 of the 1999 Constitution of the Federal Republic of Nigeria (as amended) states:

'A candidate for an election to the office of President shall be deemed to have been duly elected, where, there being only two candidates for the election -

(a) he has the majority of votes cast at the election; and

(b) he has not less than one-quarter of the votes cast at the election in each of at least two-thirds of all the States in the Federation and the Federal Capital Territory, Abuja.

(2) A candidate for an election to the office of President shall be deemed to have been duly elected where, there being more than two candidates for the election-

(a) he has the highest number of votes cast at the election;

and

(b) he has not less than one-quarter of the votes cast at the election each of at least two-thirds of all the States in the Federation and the Federal Capital Territory, Abuja.

(3) In a default of a candidate duly elected in accordance with subsection (2) of this section their shall be a second election in accordance with subsection (4) of this section at which the only candidate shall be -

(a) the candidate who scored the highest number of votes at any election held in accordance with the said subsection (2) of this section; and

(b) one among the remaining candidates who has a majority of votes in the highest number of States, so however that where there are more than one candidate with majority of votes in the highest number of States, the candidate among them with the highest total of votes cast at the election shall be the second candidate for the election.

(4) In default of a candidate duly elected under the foregoing subsections, the Independent National Electoral Commission shall within seven days of the result of the election held under the said subsections, arrange for an election between the two candidates and a candidate at such election shall be deemed elected to the office of President if -

*(a) he has a majority of votes cast at the election; and
(b) he has not less than one-quarter of the votes cast at the election in each of at least two-thirds of all the States in the Federation and the Federal Capital Territory, Abuja*

(5) In default of a candidate duly elected under subsection (4) of this section, the Independent National Electoral Commission shall, within seven days of the result of the election held under the aforesaid subsection (4), arrange for another election between the two candidates to which the subsection relates and a candidate at such election shall be deemed to have been duly elected to the office of President, if he has a majority of the votes cast at the election.'

According to the report of the EU Election Observation Mission for the 2019 Elections in Nigeria, Nigeria's 2019 general elections were marked by severe operational and transparency shortcomings, electoral security problems and low turnout. As a matter of fact, the elections were characterized by violence and voter intimidation, and electoral malpractices. In fact, some of the malpractices started at the level of the primary elections where unqualified persons were unscrupulously announced as candidates for the general elections.

The Independent National Electoral Commission had at the end of the presidential election of 2019 declared former President Muhammad Buhari, the then incumbent president, as the winner of the presidential election whom the Commission claimed secured 56% of the votes cast while Alhaji Atiku Abubakar secured 41% of the votes cast. Alhaji Atiku Abubakar challenged the said result as declared by INEC at the Presidential Elections Tribunal.

Talking about the events that built up before the 2019 general elections that kick-started with the presidential election, it is pertinent to state here that apart from violence, voter intimidation and widespread electoral malpractices, a few other key factors critically undermined the free and fair nature of that set of elections that were conducted in 2019. The first factor was that the postponement of the presidential election which kick-started the elections from February 16, 2019 to February 23, 2019 and the governorship and state houses of assembly elections from March 2, 2019 to March 9, 2019 by INEC diluted the strong urge by the registered voters to turn out and vote. In other words, given the sociocultural and economic setting of Nigerians, that postponement could rightly be said to have caused voter apathy among Nigerians who rather than believe the reason given by the electoral umpire for the said postponement, theorized that it was a calculated attempt by the incumbent government and the electoral commission to manipulate the elections. Another factor that may have affected the credibility of the 2019 general election was the sudden removal of the then Chief Justice of Nigeria Walter Onnoghen three weeks to the elections in circumstances that could not be justified by law and administrative practices. The majority of right thinking Nigerians saw that as a bad signal on the credibility of the elections that were to follow in that season.

The third point is that the 2019 elections were conducted at a time in the history of Nigeria when terrorism by Bokko Haram bandits and violent clashes between herdsmen was on a very alarming rate. Incessant kidnappings for ransom and political assassinations were also quite rampant at that time. The fact that the government of that time had not significantly and convincingly curbed these activities of hoodlums before the said elections left much to be desired in terms of the ability of registered voters to freely and safely turn out enmass to exercise their franchise especially in some northeastern and southeastern states. Generally, most internally displaced persons (IDPs) were not able to vote.

Interestingly the militarization of the election by the Federal Government was also very counter-productive in that it caused widespread voter apathy, human rights violation and a strained relationship between the military and the civilian population that saw it as a symbol of oppression and voter suppression.

A positive factor of the 2019 general elections however was the use of the card reader technology for the accreditation of voters in as much as the malfunction of multiple card readers was argued by some Nigerians, especially the opposition to have caused substantial electoral irregularities. This will be further discussed from the angle of judicial opinions on card readers. Hakeem Onapajo & Dele Babalola had stated in their article titled, 'Nigeria's 2019 general elections- a shattered hope?' in the Commonwealth Journal of International Affairs, volume 109, 2020-issue 4 that:

'While the judiciary has played a major role in confirming the quality (or otherwise) of the election, it should be noted that the judiciary has been another source of controversy in the electoral process. Thus, there is a need for caution in celebrating recent judgments from the courts. Increasingly, studies have demonstrated that the Nigerian judiciary can be compromised and has become a tool for electoral manipulation (Onapajo & Uzodike, Citation2014). It is, therefore, not surprising that some of the judgements on petitions from the 2019 elections have attracted huge criticisms from the public and reduced confidence in the judiciary.' Before confirming or disagreeing with the above writers, it is important to x-ray the judicial posture of the Nigerian judiciary as regards the 2019 elections, and the other off season elections in that period starting with the Presidential Election Petition Tribunal. On September 11, 2019 being 177 days of the commencement of a presidential election petition by the People's Democratic Party (PDP) and its presidential candidate, Alhaji Atiku Abubakar judgment was delivered by the tribunal. The Petitioners claims were that Mr. Abubakar's Investigation of the central server from INEC showed that PDP secured 18,356,732 votes instead of 11, 262,978 votes announced by INEC thereby defeating APC even though the APC candidate Muhammad Buhari with 15,191, 847 votes was declared the winner by INEC, that Buhari lied on Oath concerning his academic qualifications and should be disqualified. One Mr. Kyari, a witness had presented the Cambridge University Certificate of Mr. Buhari and informed the court that he obtained the document personally on July 18, 2019.



Apart from the main petition, INEC had as a respondent brought an application seeking to strike out the petition on the grounds that the Vice Presidential Candidate of the APC who it claimed was a necessary party was not joined as a respondent in the petition, and also that the petition was not signed by a lawyer as required by law. The Court first delivered its ruling on these applications by stating that since a vice presidential candidate was merely an appendage to the presidential candidate, it was not compulsory in law that he must be joined as a party to the petition. The court also held that the petition was duly signed by a lawyer as required by law because the court having being satisfied that the PDP lead counsel, Levi Uzoukwu(SAN) who signed the petition was called to Bar in 1982, the misspelling of his name in the Petition was not enough to hold that the petition was not signed. Other applications seeking to nullify the other candidate's candidature or to strike out the petition were also decided paving the way for the decision in the main petition. For instance, the application by the APC challenging the qualification of Alhaji Atiku Abubakar on the ground that he wasn't a Nigerian was dismissed because the Court held that he was a Nigerian while the application by Mr. Buhari seeking the striking out of a part of the petition where it was alleged that the vice presidential candidate of APC squandered trader moni was resolved in favour of the Applicant.

The grounds in the main petition were simply that Mr. Buhari was not duly elected by the majority of votes cast, the election was invalid by reason of widespread manipulation and widespread non-compliance with the Electoral Act, and that Mr. Buhari was not qualified to contest because he supplied false information to INEC. The Court held that Mr. Buhari in compliance to section 131 of the Constitution had noted that he attained the requisite educational qualification of school certificate, and furthermore that there was no evidence before it to show that Mr. Buhari lied in the form or that he joined the Nigerian Army without his Secondary education qualification. The court stated that the Constitution does not in any where require a candidate to present the certificate but the constitution only required a person the acquire the education up to school certificate level. The Court held also that there was no requirement for a person to submit his certificate before being qualified to contest for election, and that Mr. Buhari's secondary school qualification which he used to join the Nigerian Army was higher than school certificate. With due respect to the Honourable Court, I wish to note the following fundamental flaws in that decision:

1. It was illogical for the same court that ruled in the same judgment that section 138 (1) of the Electoral Act allowed the filing of a petition relating to the allegation of false information thereby conferring jurisdiction on the Court to entertain the application on non-qualification of a candidate based on certificate forgery and supplying of false information to now take a full U-turn and decide in the main judgment that the provisions of the Electoral Act does not allow a person to attach his certificate before being qualified for election and that there was no evidence before it to show that the second respondent lied in the form or was not educationally qualified before joining the Nigerian Army.

2. It beats my mind how the Court carefully limited itself to the provisions of the Electoral Act assuming this interpretation of the Electoral Act is legally correct, without looking at other relevant legislations including the Nigerian Constitution that treat false information as a fundamental disqualifying factor. It is known among lawyers that when allegations in a civil matter are of criminal nature, the standard of proof is raised from proof on the preponderance of evidence to proof beyond reasonable doubt. In addition, the Court concerned goes further to look at other legislations that may have clothed such alleged conduct with criminal nature. This is done in the interest of real justice because if the standard of proof in civil procedure is naturally inapplicable to allegations of crime, then any party that alleges an allegation of a criminal nature naturally has called upon the Court to be guided by relevant criminal laws in deciding the issue. The elements of the offence of false information or forgery of certificate are not found in legislations on civil law, in as much as the Court should limit itself to disqualifying the candidate if the elements of the offence are proven beyond reasonable doubt.

3. It is also a contradiction that the same court that decided that a certificate was not necessary to prove the minimum educational qualification, admitted and attached value to the two certificates bearing different names that Mr. Buhari tendered to prove further educational qualification and in fact attached evidential value to the said certificate, and written documents from third parties attesting to Mr. Buhari's further educational qualification. The maxim that you cannot place something on nothing comes to mind.

More obfuscating with due respect was the fact that the Court while rejecting to give evidential value to the alleged forged certificate tendered by the respondents took it upon itself to read out a publication suggesting that Mr. Buhari's school certificate was not with the military, a declaration by the Principal of Mr. Buhari's Secondary School claiming that Mr. Buhari was their student, and various documentations in which the Army noted that it was in possession of Mr. Buhari's Secondary School results. The Court then held further that the errors in the names of Mr. Buhari on his WAEC Certificate and his Cambridge University Certificate did not mean that the certificates did not belong to Mr. Buhari. It held that 'Mohamed' and 'Muhammadu' referred to the same person thereby reconciling the differences in the certificates tendered by Mr. Buhari.



Before I proceed with the decisions on the rest of the grounds for the petition, it is important to state that given the practice of stare decisis whereby previous decisions of higher courts are binding on lower courts and are seen as the current legal position, this decision of the Supreme Court on the issue of educational qualification of election contestants has, with due respect, created a huge lacuna in Nigeria's jurisprudential journey and political development in that it has changed what ordinarily lawyers see as the position of the law and has also very much lowered the minimum requirement.

On the allegation that the INEC Central Server revealed that the Petitioner won the election, the court held that it was clear from the Electoral Act that the transmission of election results at different levels and at all stages was manual. The Court further stated that there was nothing in the law authorizing the First Respondent (INEC) or any of its officers to transfer election results to servers and that the Petitioners relied on third party opinion which was not an expert testimony and which was unreliable for that information regarding the disclosure by the INEC Central Server. The Court also held that the Petitioners failed to prove the allegations of over voting, no election in some polling units, cancellation of elections, vote inflation and deflation, and the allegations that no real voting took place in Dekina Local Government Area. The Court therefore dismissed the Petition. When the Petitioners appealed to the Supreme Court; the Supreme Court upheld all the decisions of the lower court and dismissed the Appeal.

Whereas I do not find it difficult to agree with the decision of both courts on the other issues raised, I find it difficult to agree with the decision of both courts on the allegation of false information and lack of educational qualification. Talking about the findings that the Petitioners failed to prove that they won the election and failed to prove other allegations like over voting, no voting, cancellation of voting etc., this calls to mind the need for us as a nation to review the electoral system and insert more sign posts that lead to electoral justice. Otherwise how do you expect a Petitioner who perhaps won the Respondent who is the incumbent power to get all the evidence that he needs to prove his case if such evidence have been deliberately withheld by the officials of the government in power? It is common knowledge that in Nigeria, government officials due to fear of repercussions avoid testimonies or the release of any evidence that will be unfavourable to the persons in power. Another case of that period that shakes one's faith in the judiciary, with due respect, is the case of *Uzodinma & Anor V. Ihedioha & Ors (2020) JELR 86967 (SC)* in which the Supreme Court entirely departed from its decision in *Atiku V. Buhari* a few months earlier. In that case, the 1st Appellant who had lost in the lower court had alleged that the votes recorded in his favour in 388 polling units were excluded by the 2nd Respondent (INEC). He then tendered documents that he alleged were the correct results. The respondents alleged that the results sheet tendered by him were not genuine but were false, and the lower courts dismissed his petition, stating that he failed to call witnesses from the affected polling units in order to prove his case. But on appeal the Supreme Court held that the Respondents' allegation that the result sheets were forged was an allegation of fraud which the Respondents ought to have proven beyond reasonable doubt, and furthermore that there was no need for the Appellants to call witnesses from the polling units since the Appellants were not challenging the conduct of elections in those polling units but were rather challenging the results of the said elections.



The Supreme Court went ahead to attach value to the results and did a recounting by adding the total results of the 388 polling units as alleged by the Appellant to the Appellant's figure already declared by INEC. The Supreme Court in this exercise did not officially notice that by doing so it had made the total number of voters in Imo State to be more than the total number of accredited voters in the election, a situation which would have nullified the election in law. This later decision of the Supreme Court in which they removed a sitting state governor and installed another candidate who did not even take a second position in the results declared by INEC beats the imagination.

The same Supreme Court that harped on the importance of the Appellants in Atiku's case to prove their case on the preponderance of evidence before the burden of proof will shift to the Respondents did not find it cardinal that the Appellants in Uzodinma's case ought to have proven their case on the preponderance of evidence before the burden of prove will move to the Respondents. In fact, the seeming withholding of evidence by the incumbent power and judicial indifference thereto which negatively affected the case of Atiku & Or Vs Buhari & Ors at the Supreme Court did not in any way affect the case of Uzodinma & Anor V Ihedioha & Ors at the same Supreme Court.

The anomaly in this later judgment of the Supreme Court was such that Hon. Emeka Ihedioha the 1st Respondent had to apply to the Supreme Court to review its decision in that case but the Supreme Court by a majority vote dismissed the application without going into the merits. The dissenting judgment of Centus Nweze JSC (now of blessed memory) is instructive. The late jurist stated that a judgment or order of the Supreme Court can be set aside on merit. He said that the Court had the power to overrule itself for good reason, and had done so in the past. He went ahead to state that Mr. Uzodinma misled the court into unjust conclusion with the unverified votes credited to himself in the disputed 388 polling units. He stated that the court can revisit any matter in the interest of justice, not minding technicality. I wish to state here, with due respect, that the position stated in this dissenting judgment is indisputably the same with what lawyers, judges and stake holders in the legal profession in Nigeria had always known as the law by virtue of their professional training. Another interesting case of the 2019 elections was the case of Lucky King George V. Duoye Diri in which the Governorship Election Tribunal for Bayelsa State annulled the election of Duoye Diri, Governor of Bayelsa State because one of the parties was disqualified by INEC from contesting in the governorship election. On appeal, the Court of Appeal affirmed the election of Duoye Diri as the Governor of Bayelsa State on the ground that the case at the tribunal had already been statute barred at the time that the Respondents filed their petition before the tribunal. I agree with this decision of the Court of Appeal because election petitions are not only sui generis but are also time bound. In summary, the attitude of the Nigerian judiciary regarding the 2019 elections stirred up mixed feelings. Whereas the majority of Nigerians may not have been convinced of the justice in the decisions of the courts in the Presidential Election Tribunal and the Supreme Court in the Uzodinma's case, Nigerians have been divided on the discussions pertaining to the impartiality or otherwise of the Nigerian judiciary especially the appellate courts in many decisions that streamed from the elections of that era. It is indisputable that some sound judicial decisions emanated from the Nigerian judiciary too. Like it is said, the Court that has the jurisdiction to hear a case also has the jurisdiction to err, hence the principle of *per incuriam*.

A Perspective on INEC and the Electoral Act 2022

The Electoral Act 2022 which repealed the Electoral Act of 2010 came into force a few months before the formal preparations for the 2023 general elections. The Independent National Electoral Commission (INEC) as an institution ought to take special notice of the innovations in this new Act which require implementation by the Commission.

Section 3(3) of the Act requires that funds be disbursed to the Commission for the elections at least a year before the elections. Under the old Act, the issue was subject to rules made by INEC.

Also under the new Act, section 29 (1) requires political parties to conduct their primaries and submit the list of candidates to INEC at least 180 days before the elections. Under the old law it was within 60 days before the elections.

Also sections 47 and 50 (2) of the Act empowers INEC to use smart card readers, electronic accreditation of voters and any other voter accreditation technology that INEC deploys. By virtue of section 62 (2) of the Act, the Commission shall maintain a centralized electronic register of elections for e-collation.

Section 54 of the Act mandates INEC to assist disabled voters to vote during the elections. I recommend that INEC should do a good job in ensuring that in the coming elections, disabled persons are given all the facilities and assistance that they require for them to exercise their constitutional right to vote and be voted for. Furthermore, section 34 of the Electoral Act 2022 empowers INEC to suspend the polls and fix a new date for elections within 14 days where a candidate dies before the elections. But where a candidate dies after the commencement of the election but before the declaration of a winner, INEC is empowered to suspend the elections for a period of not more than 21 days. Whereas in the case of elections into the legislative houses, a fresh primary shall be conducted by the political party of the dead candidate within 14 days, in the case of presidential election, gubernatorial elections or elections of area councils within the FCT, the running mate of the dead candidate shall replace the dead candidate and shall then nominate a fresh running mate.



2.7: Security and challenges for election Okey Nwanguma

Introduction

In his message to Nigerians in 2015 as the general elections approached, and with an atmosphere charged with political desperation and threats of electoral violence, then American President, Obama, had cause to address Nigerians and reminded them that '...for elections to be credible, they must be free, fair and peaceful. All Nigerians must be able to cast their votes without intimidation or fear. Violence has no place in democratic elections—and no one or group of persons should incite, support or engage in any kind of violence—before, during, or after the votes are counted'.

The central message in Obama's address was the fact that a secure and peaceful environment is necessary for eligible voters to express their views and to also allow electoral officials and other stakeholders that have a role in elections to play their roles to ensure that elections are free and fair. 'It is the responsibility of all citizens to help keep the peace, and to reject the voices of those who call for violence, no matter who wins'.

Successful elections are necessary for democratic progress which will help countries meet their aspirations for development and progress.

What is Election security?

Election security presupposes efforts and processes towards creating a secure environment for democratic elections. Deliberate steps must be taken to create that secure environment which allows voters, candidates, electoral officials, election observers, and other actors involved in an election to operate and participate in the process without fear or harm. It also includes ensuring the following:

- that sensitive electoral materials are kept secure, and are transmitted and preserved safely ahead of the election day
- mapping the electoral environment to identify sources of threats to security, ascertaining the level of security challenges in different locations and making informed decisions, preparations and equitable deployment of security resources, according to the peculiar and general security needs of the different locations.
- enhancing the capacity of security agents to effectively provide equal security for all stakeholders, securing electoral materials including safeguarding adopted electoral technologies to prevent hacking or manipulation;
- identifying factors and sources of security threats, understanding early warning signs, and putting in place mitigation plans.
- coordinating different security agencies with election management body and other relevant agencies involved in election;
- developing, implementing and reviewing security measures throughout the electoral process.
- training and deploying security personnel, etc.



CSOs, trade unions, religious and traditional leaders, and the media also play important roles in creating a secure electoral environment by mediating, promoting dialogue and intolerance for violence and enhancing secure electoral participation. Measures put in place should address both specific and general challenges

Why security is important for elections

Election security is one of the essential preconditions for a peaceful, free, fair and credible election. Periodic elections provide opportunity for the electorate to exercise their franchise, to make free choices and participate in decision making- in an atmosphere devoid of fear or intimidation - about who will lead or represent them. Periodic elections are also means by which citizens can hold their leaders accountable by allowing them to re-elect them as reward for performance or reject them in subsequent elections if they are deemed not to have performed. With this awareness, elected officials become conscious of their obligations to represent and serve the collective interest, the expectations of the people and their accountability to the electorate. This puts them on their toes to perform if they desire to be re-elected.

Security agencies therefore have a crucial role to play in ensuring a peaceful environment for free, fair and credible elections where the vote counts and the will of the people prevail. All stakeholders have a role to play in ensuring a secure environment for democratic elections. A government that emerges through an electoral process characterised by violence, fraud and manipulations, inevitably suffers legitimacy crisis. Such a government cannot succeed because it lacks popular acceptance and support.

The legal and institutional frameworks for election security in Nigeria

The Constitution of the Federal Republic of Nigeria 1999, as amended and the Electoral Act 2022 are the primary legal frameworks for elections in Nigeria. They provide the legal framework for the conduct of elections in Nigeria.

With regards to election security, the Nigeria Police is the lead agency. However, because the Nigeria Police lacks adequate manpower to cover all the polling units and electoral areas across the country, personnel of other security agencies are called in to make up for the shortfall. The police are complimented by the other security and law enforcement agencies, including paramilitary and military forces. Military operatives especially, play backup roles as their personnel are stationed at borderlines and called in when the situation demands.

To coordinate the work of all the security agencies and the electoral management body- the interagency consultative committee on electoral security (ICCES) which has the Chairman of INEC and the National Security Adviser as co-chairs, and comprising the heads of all the security agencies exists and meets periodically to assess security situations in the run up to the elections.

To regulate the conduct of police officers and other law enforcement officials on election duty, the Nigeria Police developed a Code of Conduct/Guidelines for Law Enforcement Agents on Election



Duty. Trainings are also conducted to acquaint them with knowledge of the provisions of the Electoral Act and relevant laws and regulations and their role as security agents on election duty.

Prior to elections, some civil society organisations conduct election security threats assessment, the findings of which are shared with the Police to assist them and other security agencies in making security plans and deployments.

The Police Service Commission and civil society election observer groups monitor the conduct of law enforcement agents on election duty and release reports of assessment of the conduct of law enforcement agencies and their compliance with electoral laws and regulations.

Issues in election security in Nigeria

Elections in Nigeria have, historically, been characterised by violence during the period before, during and sometimes after the elections. Electoral violence manifests in different forms such as thuggery (carried out mainly by young people who are recruited and armed by desperate politicians), violence during primary elections and campaign rallies, and on election day; political assassination and other forms of killing, and destruction of property. Political control of security agencies, partisanship and collusion by security agencies in electoral crimes are also key issues in election security in Nigeria.

The prevailing insecurity in Nigeria since 2009 with the emergence of Boko Haram and the escalation of insecurity under the Buhari regime with the addition of the armed herdsmen violence and banditry created the initial anxiety and fears about the prospects of the elections holding.

The political environment from the pre-election period especially during the primary elections and the campaign period were characterised by violence in addition to corrosive and divisive ethnic and religious narratives. For example, days to the Presidential election in Lagos, thugs loyal to the Presidential candidate of the ruling APC issued threats and warned voters from a particular ethnic group not to dare come out to vote if they were not coming to vote for their political party. Calls were made on the police to call these agents and merchants of violence to order. Rather than do that the police made excuses for the hoodlums claiming that they did not mean what they said.

The partisanship and impartiality of the Police became manifest when they arrested and promptly charged to court a supporter of another political party from a different ethnic group who made a similar threat in Lagos. The police action was greeted by a public outcry and charges of partisanship and bias!

The do or die attitude of politicians and their sense of entitlement was typified by Tinubu's now famous emilokan declaration during his campaign speech in Ogun State where he asserted that it was the turn of his ethnic group and his turn in particular, to become the president of Nigeria. The will of the people of Nigeria doesn't matter to politicians.



Other forms of threat to election security include threats to election officials during elections or collation of results. Some officials were forced to enter and or declare false results in the result sheets and were held hostage under serious threats to declare false results against their will. In 2019 the Returning Officer for the Imo West senatorial election, Prof Innocent Ibeawuchi, alleged that he was forced to declare Governor Rochas Okorocha the winner of the poll by the supporters of the All Progressives Congress candidate.

Many politicians armed thugs to unleash violence on their opponents, electoral officials, voters and election observers. Attacks on media practitioners covering elections were witnessed in Lagos and few other states.

Politicians continued to weaponise poverty and devised new strategies for buying votes without being detected - exploiting the poverty of some voters. In some cases, as documented by election observers, security agents helped to coordinate or facilitate the illicit transactions.

The controversy over who takes charge of security at polling units: between presiding officers and security agencies, remains an unresolved contentious issue and a major challenge for election security especially at the polling units on election day. This controversy arises partly because of the ambiguity or duplicity of role in the laws. The Electoral Act gives the Electoral Presiding Officers charge over security at the polling units. The police believe that they are employed, under their Establishment Act, to enforce all laws and can only take directives from their superiors within the police. For most of them, the idea of taking directives from presiding officers- 'bloody civilians' is alien to them. This contributed to the inability of security agents to prevent electoral crimes even when they were committed in their presence,

Security agents also give the excuse, for their dereliction, that they are not allowed to bear arms while at the polling units. Although security agents at polling units are not allowed to bear arms, they are required to call the attention of the armed roving patrol teams when the situation calls for it.

The police is structured and organized to be partisan. Despite the provisions of the Constitution and the Police Act, which mandate the President to seek the advice of the Police Council in the appointment and removal of the Inspector-General of Police, the President continues to unilaterally exercise the power to appoint and fire the Inspector-General of Police without reference to the Police Council which ought to advise him. The Police Council is composed of the President who is the Chairman, the governor of each state of the Federation, the chairman of the Police Service Commission and the incumbent Inspector-General of Police. The President's penchant to handpick and appoint the IGP renders the IGP loyal only to the president instead of being loyal to the law and to the people through elected representatives. Because the IGP sees his appointment as a favor from the president, he does everything to please the president including helping him or his political party to win elections. This explains why police officers who commit electoral crimes are not brought to account. They are protected by the powers they serve.

Poor welfare of security personnel on election duty makes them prone to compromise and corruption. When their election duty allowances are not paid prior to deployment and no provisions



are made for their transport and accommodation to their respective duty posts which are sometimes distant and strange environments, they are left at the mercy of politicians who are willing to provide their basic needs and thereby buy their support, loyalty with cooperation with financial handouts and food items.

Lack of accountability for electoral crimes, arising partly from the lack of capacity by INEC, the police and the judiciary to prosecute and punish electoral crimes has created an atmosphere of impunity for electoral crimes. This has led to the unheeded call for the establishment of an Electoral Offenses Tribunal.

Recommendations

Reports of the various election observation groups - domestic and international - on the 2023 general elections contain copious and apposite recommendations with regard to election security. Government and especially the electoral management body, INEC and security agencies must study and take those recommendations seriously and be guided by them in undertaking further urgent legal and operational reforms to improve the conduct of elections in Nigeria.



2.8 Setting Agenda for 2023 elections
 Prof Alex Asigbo

INTRODUCTION

Electioneering and elections have always been a time of frenzied activities not only by the politicians but also the citizenry. This is more so in Nigeria, where some people pride themselves as career politicians hence they see elections as their harvest season. For all progressive nations, election seasons are seen as opportunities for either disrupting the status quo or endorsing it. In Nigeria however, the politicians have like chameleons, mastered the art of adapting or recycling themselves, hence the perpetuation of the status quo. It can thus, be safely said that majority of those who call the shots in Nigerian politics have been on the scene since the return to democracy in 1999 and even longer. In most nations however, elections are seen as opportunities to reposition the country for better performance and service delivery. This is why a lot of legal, logistics, financial and manpower planning go into preparing for elections.

Nigeria's previous elections, particularly examining from 1999, were adjudged to lack sufficient credibility owing to flawed electoral processes. At the middle of the malaise is the Independent National Electoral Commission, INEC, the government agency established by law and saddled with the responsibility of conducting elections. INEC's questionable reputation stems from records of rigged elections where in several instances, declared winners were removed by Courts after establishing fraudulent declaration of losers as winners.

These account for staggering of governorship elections where eight states out of the thirty-six states in Nigeria had fraudulently declared governors removed and another candidate sworn in after protracted legal battles. The only executive office in Nigeria that is yet to be decided in court where an elected, sworn in and inaugurated politician is replaced due to electoral irregularities is the office of the President.

Majority of the people generally believe that they are not being led by those they elected and, curiously, the lack of accountability by most government officials who rule with impunity and arrogance further alienates the public. With such huge deficits in trust, political participation naturally dwindled among the populace. People argued and shared a dangerous mantra “votes don't count” and they believe in it. The statement somewhat became true in most of our elections; politicians didn't need the people's support or votes to win. As awkwardly as it may sound, in states with dominant political parties, people held victory celebrations the moment they got their party's tickets to contest elections.

ALOOKATHISTORY

The Electoral Act, 2022

In 2022, the National Assembly passed the Electoral Act on January 25 and the President assented to it on February 25th, 2022. This electoral act has a lot of new introductions that engendered it



to many Nigerians. INEC's subsequent Guideline drew from the Electoral Act, 2022. For instance, the now controversial Clause 48 of the INEC Regulation reveals the status of the electronically transmitted election results, where incorrectness is identified by the collation officer, with a similar purpose identified under Clause 51, which states that discrepancies in a result submitted by the presiding officer to the Ward Collation Officer will be resolved using the electronic result to identify the source of the discrepancy. The clause states that the result that is electronically transmitted will be employed for the purpose of collation and announcement of result. The upload of the polling unit result was an avenue to curb electoral malpractice, as it saves the results sheets (EC8A) from being manipulated during collation at the ward. The timely upload of the results sheets eliminates the weakness of the smallest unit of the electoral division being susceptible to manipulation, as the human intervention is checked. The electronic transmission of the results entails the uploading of the result to the INEC Result Viewing Portal (IREV). This is to ensure the availability of the result copies from the polling units to INEC. The regulation permits recourse by the electoral body to the electronically transmitted copies, where it is inconsistent with the result that is physically collated.

One of the many challenges of our electoral system is the use of the Permanent Voter's Card. While this is intended to reduce identity fraud, the recent elections indicated that the BVAS machines solved this problem considerably. If people's identities are guaranteed to be authenticated through the BVAS, we could discontinue the investment of huge funds on the PVC.

This is premised on the undemocratic practices associated with the PVC politics. The PVC is currently being used to systematically disenfranchise people where such acts serve political, ethnic and religious interests. Removing PVC will also eliminate the negative impact of proxy voting, cards buying, stealing, destruction, and most importantly, encourage increased participation on Election Day.

If all a voter needs to do is register, then go to the polling unit on Election Day, get accredited through BVAS and vote, we would have simplified the process sufficiently to accommodate more people while eliminating a key bottleneck. Ballot papers are currently being printed based on registered voters and not collected PVCs, this should be sustained as judicial pronouncements are also based on registered voters against PVC collection.

May be ask, what is the relevance of the Permanent Voters' Cards when we look at its practicality vis-à-vis its cost? We currently do not have its current cost but 8 years ago, in 2015, INEC said each voter's card costs Nigeria, \$7.90 (seven dollars and ninety cents). With today's exchange rate of N745 to a dollar, that would be N5,885. If you multiply these figures, that is, N5,885 multiply by 93.4 million Nigerians, it means Nigeria spent a minimum of N549,705,700,000 (five hundred and forty-nine billion, seven hundred and five million, seven hundred thousand Naira). With this huge cost and the fact that we do not technically need the cards to vote, should we still produce them?



2.9 Gender and Elections in Nigeria 2019-2022 – Faith Nwadishi – Executive Director, Centre for Transparency Advocacy

Title: Gender and Elections in Nigeria 2019-2022: Progress, Challenges, and Strategies for Inclusive Participation Faith Nwadishi, ED, Centre for Transparency Advocacy

Introduction:

The Nigerian constitution of 1999 establishes the framework for an executive presidency, a federal legislative arm comprising the Senate and the House of Representatives, and governance structures at the state level, including the executive governor and the state house of assembly. The Senate, as the upper chamber, is comprised of 109 members, while the House of Representatives consists of 360 members. Representatives are allocated to states based on the number of local government areas, ensuring a minimum of one representative per LGA.

Despite the formal provisions of the Nigerian Constitution, the 2019 elections underscored the enduring absence of female representation in elective offices and political leadership positions, even two decades after the end of the last military dictatorship. This ongoing underrepresentation has led to the limited visibility of women in the political landscape and a deeply entrenched societal perception that politics is a realm dominated by men. This perspective directly contradicts the foundational democratic principle of inclusivity, as the constrained participation of women in politics fundamentally undermines the essence of equal participation.

Gender parity in elections carries profound global implications, accentuating the imperative of achieving women's equal participation and representation in the political sphere. Spanning the years from 2019 to 2022, women's political engagement in Nigeria's renowned dynamic democracy has been characterized by a blend of progress and challenges. This presentation delves into a comprehensive analysis of the strides made, the hurdles faced, and the strategic approaches necessary to cultivate a culture of inclusive women's participation in Nigerian elections. Drawing insights from global experiences and the African context, this study casts a spotlight on the intricate nature of this issue and its far-reaching ramifications for the nation's democratic trajectory.

Progress in Women's Participation:

The period from 2019 to 2022 has witnessed significant strides in women's participation in Nigerian elections, marking a transformative chapter in the nation's democratic journey. With a focus on quantifiable data, inspiring success stories, and international parallels, this section delves into the evolving landscape of women's political engagement. The statistical analysis of the increasing number of women candidates and elected officials, when compared to previous years, illuminates a positive trend towards greater gender inclusivity. These numbers are not merely statistics; they encapsulate the stories of determined women who have overcome societal barriers to achieve electoral victories, thereby altering the narrative of women's participation from numerical gains to tangible impact. Moreover, these advancements align with global exemplars like New Zealand, Rwanda, and Sweden, highlighting the transformative potential of women's presence in politics transcending borders. This section encapsulates the narrative of progress, echoing the resilience of women who have successfully navigated the path to political leadership.

Statistics:

Low female representation in Nigerian politics

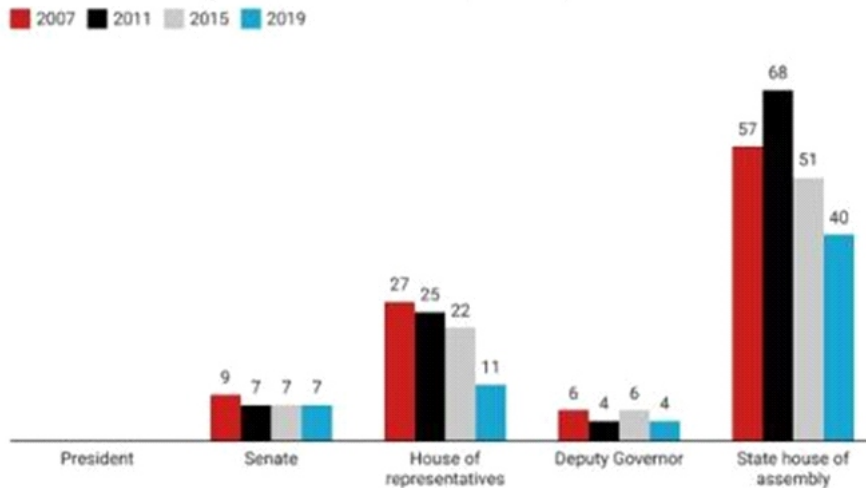


Chart: BusinessDay • Source: INEC • Created with Datawrapper

An analysis of women's participation in Nigerian elections spanning from 2019 to 2022 reveals a complex trajectory of progress, showcasing distinct patterns at different levels of government. Notably, while the state house of assembly has experienced an upward trajectory, the reverse trend is observed at the National Assembly, where female representation has witnessed a decline. Statistical data highlights a rise in the number of women candidates, juxtaposed with a concerning decrease in their actual representation in elected positions. By juxtaposing these figures with data from prior electoral cycles, a clearer depiction of the evolving political landscape emerges. In the year 2019, a pronounced surge was observed in the number of women vying for various political roles. However, as evidenced by the graph above from Business Day Nig., the number of successfully elected women demonstrated a consistent decline. Despite this setback, this surge in candidates signifies a notable shift towards greater gender inclusivity and attests to women's enduring resilience in enriching Nigeria's democratic narrative. Comparing these figures to historical electoral data underscores the significance of this progression and indicates the potential for transformative change in the political sphere.

Success Stories:

Against this backdrop of heightened participation, numerous women candidates have emerged as beacons of both success and transformation. These exceptional women have courageously challenged established norms and societal expectations to secure resounding electoral victories. Noteworthy success narratives encompass candidates who not only clinched seats within the National Assembly, state legislatures, and local government councils but also exemplify broader significance. For instance, Lois Auta, in 2019, ran for the Federal Capital Territory's AMAC (Abuja Municipal Area Council)/Bwari National Assembly seat, and in 2022 she vied for the Kaduna State House of Assembly seat to represent Kaura constituency under the platform of All Progressives Congress (APC) but lost at the primary to Nehemiah Sunday. She faced discrimination as a female physically challenged politician, even though she did not win at these elections, she has spearheaded initiatives targeting gender disparities and the inclusion of Persons with Disabilities (PWDs) at the grassroots level. These success stories transcend numerical statistics, infusing the discourse of women's participation with palpable impact and thereby advocating compellingly for heightened female presence within the political arena.



Global Examples:

Nigeria's progress in women's participation finds resonance in global success stories. Countries like New Zealand, Rwanda, and Sweden serve as benchmarks for gender-inclusive politics. New Zealand's Prime Minister Jacinda Ardern, for instance, exemplifies dynamic leadership during times of crisis. Rwanda's achievement of over 60% female representation in parliament sets a remarkable precedent for gender parity. Sweden's long-standing commitment to gender quotas has led to substantial representation of women in its political institutions. These global examples not only inspire but also validate the transformative potential of women's participation, transcending geographical boundaries.

In the aggregate, the data, success stories, and global examples collectively underscore the progress achieved in women's participation in Nigerian elections from 2019 to 2022. These narratives collectively contribute to reshaping public perception, affirming the viability of women as political leaders, and forging a path towards a more gender-balanced political landscape.

Challenges in Women's Participation in politics:

Navigating the complex terrain of political participation, women encounter a multitude of challenges that span cultural, societal, systemic and other dimensions. This section delves into the formidable obstacles that hinder women's active engagement in politics, shedding light on the intricate interplay of factors that contribute to their underrepresentation. From deeply entrenched cultural norms that perpetuate gender stereotypes to the spectre of violence and intimidation that shrouds their campaigns, the challenges faced by women are as diverse as they are pervasive. By examining these challenges within the broader context of women's political participation across Africa, a comprehensive understanding emerges of the urgent need for transformative change.

Cultural Barriers:

The persistence of cultural norms and deeply ingrained stereotypes remains a formidable impediment to women's active engagement in Nigerian politics. These entrenched biases confine women to traditional roles and expectations, relegating them to the margins of political discourse. For instance, the prevailing notion that women should prioritize familial responsibilities over public affairs perpetuates a narrative that undermines their potential as effective leaders. Additionally, the cultural belief that politics is a male domain discourages women from pursuing political ambitions, resulting in an insidious gender gap in political representation. These cultural barriers manifest not only within societal attitudes but also within the structures of political parties and institutions, where systemic discrimination discourages women's meaningful participation.

Violence and Intimidation:

The spectre of violence and intimidation looms large over women candidates in Nigerian elections. Instances of threats, physical assault, and verbal abuse aimed at women who dare to enter the political arena have been distressingly common. These acts of aggression disproportionately affect women, often resulting in their withdrawal from campaigns or even the decision to refrain from political participation altogether. The deeply detrimental impact of such violence transcends the immediate election cycle, creating a chilling effect that deters prospective women candidates and deprives the political landscape of diverse perspectives.

Money politics:

Participating in Nigerian politics demands substantial financial backing. Despite some political parties offering waivers for women aspirants, financial constraints persistently hinder women from competing effectively. The inability to meet financial obligations further magnifies the gender disparity in political participation.



Comparative Analysis:

Examining the challenges facing women's participation in Nigeria becomes even more salient when placed in a broader African context. African countries like Kenya and South Africa, despite their own unique political landscapes, have grappled with similar obstacles. In Kenya, women's underrepresentation in political leadership roles has been exacerbated by cultural norms that relegate women to domestic roles. Likewise, South Africa's struggle to achieve gender balance in politics demonstrates the persistence of systemic inequalities despite its progressive constitution. These comparative examples highlight the pan-African nature of the obstacles facing women's participation, reinforcing the understanding that addressing these challenges demands a concerted effort across the continent.

In summary, the cultural barriers, violence, financial constraints and intimidation encountered by women in Nigerian politics reflect broader systemic challenges. By examining these issues in conjunction with experiences from other African nations, a more comprehensive understanding emerges of the need for systemic change. Overcoming these challenges necessitates not only dismantling cultural norms and fostering a safe political environment but also engendering a broader regional movement towards gender-inclusive politics.

Strategies for Inclusive Participation:

Empowerment Programs: Initiatives geared towards empowering women candidates have emerged as powerful tools to foster inclusive participation. These programs encompass comprehensive training, mentorship, and capacity-building, equipping women with the skills and confidence necessary for successful political engagement. Noteworthy success stories abound, showcasing how women who have benefited from these initiatives have not only contested elections but have also demonstrated effective leadership upon assuming office. These stories reflect the transformative potential of tailored empowerment efforts in amplifying women's voices in the political realm.

Legal Reforms: The conversation surrounding women's participation in politics is inherently tied to the necessity for legal reforms and policy overhauls. Identifying potential measures, such as affirmative action policies and revisiting gender bills that have been sidelined during constitutional review, is crucial for establishing a more equitable electoral landscape. For instance, the revival of the five gender bills discarded by the National Assembly holds the promise of rectifying existing disparities and fortifying the path to gender-balanced political participation. By advocating for these legal reforms, the democratic foundation can be strengthened to better accommodate women's representation.

Lessons from Africa: Drawing inspiration from successful strategies deployed by African nations with notable progress in women's participation offers invaluable insights. Rwanda's pioneering implementation of gender quotas, resulting in the highest percentage of female representation in parliament globally, exemplifies the transformative potential of policy interventions. Similarly, South Africa's focus on women's empowerment through women's caucuses and gender-sensitive policies has enabled increased women's political engagement. The success of these African nations underscores the efficacy of strategies that combine legal frameworks, policy advocacy, and targeted initiatives to create an environment conducive to women's active political involvement.

Role of Political Parties and Gender Quotas:

Gender Quotas: Gender quota provisions in line with the National gender policy within Nigerian political parties constitute a pivotal mechanism intended to promote women's participation in the political arena. These quotas are designed to create a level playing field by mandating a certain proportion of party positions or electoral candidates be reserved for women. Delving into the impact of gender quotas reveals a nuanced story. These provisions have undeniably led to a visible increase in the number of women contesting elections, marking a significant advancement from previous years. They have catalyzed the entrance of many women into the political arena, providing them a platform to engage and contribute to the democratic discourse.

Implementation Challenges: However, the implementation of gender quotas has not been without challenges. Disparities often arise between policy intent and on-ground outcomes. Issues such as tokenism and limited genuine commitment to women's political empowerment by some political parties hamper the effective execution of gender quotas. Moreover, societal resistance, existing gender biases, and the influence of established power dynamics within the parties can undermine the intended impact of these provisions. These implementation challenges underscore the complexity of enacting systemic change and highlight the need for comprehensive measures beyond policy formulations.

International Perspective: To contextualize the effectiveness of gender quotas, a global perspective is invaluable. Countries like India and Norway, which have implemented gender quota policies, offer instructive examples. India's reservation of seats for women in local government bodies, known as Panchayats, has led to enhanced women's representation and more inclusive governance. Similarly, Norway's mandatory gender quota for corporate boards resulted in a significant increase in female representation. However, these international cases also reveal challenges such as symbolic representation, resistance from entrenched male leadership, and the need for continuous advocacy to



ensure sustainable change. By drawing comparisons with these countries, we gain insights into the varied dynamics of gender quotas and the path towards their effective implementation.

A multifaceted approach involving empowerment programs, legal reforms, and lessons from successful African counterparts and the role of political parties and gender quotas in women's participation holds the key to achieving more inclusive women's participation in Nigerian politics. By harnessing the potential of these strategies, a foundation can be laid for a political landscape that reflects the diversity and voices of the nation's populace.

Conclusion:

In the intricate tapestry of Nigeria's democratic evolution from 2019 to 2022, the journey of women's participation in politics has unfolded against a backdrop of both progress and persistent challenges. While the data underscores a noteworthy increase in the number of women candidates, the actual representation of women in elected positions has not risen commensurately. This reality beckons an exploration of the intricate web of obstacles that women encounter, from deeply rooted cultural norms and stigmatization to the specter of violence and limited access to education. The role of political parties and the implementation of gender quotas add layers of complexity, revealing the intricate interplay between policy intent and real-world outcomes. Drawing inspiration from successful strategies across Africa and beyond, it is evident that achieving gender parity in politics requires multifaceted approaches, combining empowerment initiatives, legal reforms, and lessons from nations that have blazed the trail.

As Nigeria looks toward the 2023 general elections, the imperative for women's robust participation in the democratic process is undeniable. The transformation of challenges into opportunities hinges on recognizing that the absence of women's voices in political discourse not only weakens the democratic fabric but also deprives the nation of diverse perspectives crucial for comprehensive decision-making. Embracing the collective responsibility to overcome gender disparities requires a commitment to dismantling systemic barriers, fostering an inclusive political environment, and advocating for legal reforms that level the playing field. Only by integrating women's voices, visions, and aspirations into the nation's political narrative can Nigeria truly embrace the principles of democracy and pave the way for a more equitable and prosperous future. The journey towards gender-inclusive participation may be arduous, but its impact reverberates far beyond the confines of politics, shaping the destiny of a nation poised for greater democratic heights.



**Section 3:
About CTA and other information**



CTA PROFILE

The Centre for Transparency Advocacy (CTA) formerly known as the Independent Service Delivery Monitoring group (ISDMG) was founded in 2005 but registered as a Non-Profit, Non-Governmental and Non-Religious organisation under the Corporate Affairs Commission (CAC) in Nigeria in 2012. Our mission is to promote the benefits of transparency and accountability in public service and to cause a reawakening in the society to imbibe the tenets of transparency and accountability in Nigeria. One of its key roles is advocating for transparency in the value chain of the extractive sector as well as to monitor service delivery as rendered by government and agencies to conform to global standards and best practices. CTA is privileged to work with a large repertoire of media partners.

Importantly, the covenant of CTA is premised on advocating openness in running government business, assessing, and verifying on-going and completed physical projects and ascertaining the quality-of-Service Delivery by Federal, State and Local Governments, Ministries/Departments and Agencies (MDAs). CTA works towards achieving reforms in the extractive industry and community interventions that support contract transparency, Zero Gas Flare, and beneficial ownership reforms as well as working to mitigate unintended consequences arising from the extractive industry resources.

CTA equally operates as a critical watch dog in the electoral value chain and is involved in election observation in Nigeria. We enjoy strategic partnership with other organisations notably, Women in Extractives, Koyenum Immalah Foundation, Network on Good Governance, Contract Transparency Network, the Media, and other Civil Society Organisations.

CTA is also a member of the Open Government Partnership (OGP), the Executive Director, Faith Nwadishi is a member of the Steering Committee of the OGP in Nigeria.

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3.1 BRIEF ON CONTRIBUTORS

Faith Ossai Nwadishi (JP), is a Nigerian, an Activist, a Civil Engineering Technologist and a humanist. She is the Founder of an NGO, Koyenum Immalah Foundation (KIF) based in the Niger-Delta Region of Nigeria championing the cause of marginalization of women in the electoral process and extractives affected communities, she is passionate about women and youth. She was the National Coordinator of Publish What you Pay (PWYP) Nigeria, past member of the African Steering Committee, and past Civil Society representative on the National Stakeholders Working Group (NSWG) of the Nigeria Extractive Industries Transparency Initiative. (NEITI). She was a member of the Global Board of the Extractive Industries Transparency Initiative (EITI) representing Anglophone African civil society actors. The first Nigerian to serve in the Board for two consecutive tenure of six years. Faith, is also a champion of women and extractive issues as well as a women's rights advocate and the Convener of Zero Gas Flare initiative, Contract Transparency Network among others.

Faith is a passionate advocate for credible, free, fair, and peaceful elections in Nigeria. She has been involved in the enthronement of credible democracy in Nigeria and this is manifested through her involvement as an election observer since 2009. She is a regular discussant on elections and the electoral process in the media and such engagements have become a resource material for researchers and development workers interested in the Nigerian electoral system.

Faith was appointed as Justice of the Peace(JP) by the Delta State Government in 2023 in recognition of her services to humanity.

Faith is equally, in the fore front for electoral reforms and has engaged the National Assemblies and the Election Management Board in this regard. She has consistently advocated for minority Rights hence she took the issue of inclusive representation of the Original Inhabitants of the FCT to the United Nations **16TH Session of the Expert Mechanism For the Rights of the Indigenous Peoples at the Palais Des Nations, Geneva, Switzerland** . The fruit of that intervention included the nomination of an Original Inhabitant of the FCT as a Minister of the Federal Republic of Nigeria, first of its kind since 1976 and also more female nominees as ministers.

She is an alumna of the following institutions: Les Aspin Center, Washington, DC; Ghana Institute of Management and Public Administration (GIMPA) Accra, Ghana; Institute of Public, Private, Partnership, (IP3) Virginia, USA.

Faith was the first woman to graduate with a distinction in Civil Engineering at the Auchi Polytechnic in Nigeria. Faith Nwadishi is a Mentor, an erudite Facilitator, Motivator of Women and Girls and an Apostle of equity and just practices, a strong believer in a cleaner and green environment. Ms Nwadishi is also, a community Leader and Peace Advocate. She is widely travelled and has become a strong voice within and outside the Civil Society community using her expertise in development work and communication to influence



positive and sustainable development in Nigeria. Currently, she is pursuing a Post graduate degree in Peace and Conflict Studies.

Faith Ossai Nwadishi (JP) is the Executive Director of Centre for Transparency Advocacy

PROFESSOR ALEX CHINWUBA ASIGBO, Ph.D., fsonta, facts, (AHP), fcai, hsonta, faan, fnal Asigbo who is a Post-Doctoral Fellow of the American Council of Learned Societies' (FACLS) African Humanities Program (AHP) as well as the Nigerian Institute of Corporate Administration (FCAI); Fellow, Society of Nigerian Theatre Artists, (fsonta); Fellow, African Academics Network (FAAN); Fellow, Nigerian Academy of Letters, (FNAL) has served as External Examiner to different Universities in Nigeria, among which are- Imo State University, Benue State University, University of Port Harcourt, University of Ibadan, University of Benin, University of Abuja, Niger Delta University, University of Ilorin, Delta State University, Kwara State University, University of Jos, University of Nigeria, Ambrose Ali University, University of Lagos, Redeemers' University, etc. He served as Dean, Faculty of Arts, Nnamdi Azikiwe University, Awka, between October, 2012 to Oct 2014, when he was appointed, Director, Centre for Arts, Culture and Humanities.

He is an Adjunct Professor to Imo State University, Owerri as well as Anambra State University, Igbariam Campus. Asigbo has also been on the NUC panel of Experts for the accreditation of Theatre and Arts programs in different Nigerian Universities. He serves as Professorial Assessor to the Universities of Port Harcourt, Uyo, Ilorin, Jos, Zaria, BSU, Niger Delta, Abuja, LASU, DELSU, Legon, Akwa Ibom, etc.

His numerous Publications which include over seventy-five journal articles and book chapters have appeared in both National and International platforms. Between 2009 and 2010 he spent his Sabbatical leave at the Nasarawa State University, Keffi where he helped to set up the Department of Theatre and Cultural Studies. He equally spent another year of sabbatical leave between 2019-2020 at the Adekunle Ajasin University, Akungba=Akoko, where he also served as Head of Department of Performing Arts.

He is a playwright, director, poet, composer, singer, critic, actor trainer, Culture Consultant, fighter and community leader. It is in recognition of his numerous academic successes that the Council of Nnamdi Azikiwe University, promoted him to the rank of Professor with effect from 1st October, 2009. He is a proud recipient of Nigerian Institute of Public Relations' (NIPR) Professional Excellence Award, 2013; Rotary Club of Awka, GRA, Vocational Service Award, 2013; Rotract Club of Awka, GRA, Professional Service Award, 2012; Odinma Anambra North Youth Association's Excellence in Leadership Award, 2013, among others. He delivered what has been critically adjudged an outstanding Inaugural Lecture in Nnamdi Azikiwe University on the 12th of February, 2013.



Emmanuel Remi Aiyede is currently, Research and Policy Uptake Lead, Partnership for African Social and Governance Research (PASGR), Nairobi, Kenya. He is a Professor of Political Institutions, Governance and Public Policy at the Department of Political Science, University of Ibadan. He is a Fellow of the Pan-African Scientific Research Council. He was Head, Department of Political Science (01 August 2020 – 31 July 2022); a Sub-Dean, Faculty of the Social Sciences (2012-2014) and a Coordinator of the Leadership and Governance Programme (2010- 2014), Centre for Sustainable Development, University of Ibadan. He was also Visiting Scholar at the Electoral Institute, Independent National Electoral Commission, Abuja (2016-2017); Visiting Fellow at the Transregional Centre for Democratic Studies (TCDS) New School University, New York, 2000; and a Fellow at the Governance Unit of the Development Policy Centre (DPC), an independent think tank in Ibadan in 1998-2004.

He taught at the University of Lagos, before joining the University of Ibadan in 2005. He has experience in several universities within and outside Africa as visiting lecturer. He has been on the Editorial Board of Nigeria's oldest surviving newspaper, the Nigerian Tribune, since 2008. He contributes to public discourse in the Nigerian domestic and foreign media and observed several elections in Nigeria. He is also an analyst with Electronic Results Analysis Dashboard (ERAD) of Yiaga Africa and Channels Television.

His research work connects public policy, institutional reforms and democratic institution building. His recent publications include: E. Remi Aiyede and Beatrice Muganda (editors) Public Policy and Research in Africa, Palgrave Macmillan 2023. And E. Remi Aiyede (2017) "Civil Society Efficacy, Citizenship and Empowerment in Africa" *Voluntas*, 28 (3): 1326-1345. His article "The Dynamics of Civil Society and the Democratisation Process in Nigeria" *Canadian Journal of African studies*, 37(1): 1-27 (2003) won a 2003 medal in the World Bank prize for Outstanding Research in Development of the Global Development Network (GDN).

Okechukwu Nwanguma is a reputable advocate of law enforcement accountability, transparent and responsible policing, and rule of law.

He is very well known in Police Reform circles in Nigeria. He was in the frontline of the advocacy for the review of the colonial Police Act and participated actively in the process of the passage of the 2020 Nigeria Police Act.

A 1992 graduate of philosophy from the University of Nigeria, Nsukka Mr. Nwanguma has, since his student union days as an undergraduate, been involved in efforts to promote democracy. He started his formal human rights career in 1995 with Nigeria's foremost human rights advocacy organisation, the Civil Liberties Organisation (CLO), in Lagos. His special focus has been on criminal justice and police reform.

He was the National Coordinator, Network on Police Reform in Nigeria (NOPRIN) and currently the Executive Director, Rule of Law And Accountability Advocacy Centre (RULAAC), a non profit, independent national human rights advocacy organization based in Lagos.

As a Reagan-Fascel Democracy Fellow at the International Center for Democratic Studies, National Endowment for Democracy, Washington DC, in 2008 Mr. Nwanguma researched and made a public presentation on Police Reform in Nigeria: The Role of Civil Society.

He was also a Drapper Hills Summer Fellow at the Centre for Development, Democracy and Rule of Law, Stanford University, California in 2015

Anthony KOLA-OLUSANYA is a Professor of Environmental Sustainability at Osun State University, Osogbo. He is presently the University's Deputy Vice-Chancellor of Academic, Research, Innovation and Partnerships



(ARIP) since 2020. He had higher education at the Lagos State, University of Ibadan, and the University of Toronto, where he obtained his Bachelor's, Master's and PhD, respectively, specialising in Environmental Sustainability. He has authored one book and co-edited two others with colleagues. He has been published in many academic journals and has contributed to books and conference proceedings. He currently serves on the boards of many peer review journals and is peer-reviewed for several academic journals. He is also a Senior Associate Expert at UNESCO Institute for African Culture and International Understanding, the African Policy Group (APG) and the Centre for Human Security (CHSD) at Olusegun Obasanjo Presidential Library. Alongside John Agbonifo, he authored the 2014 Osun Governorship Election Report for the INEC Institute, Abuja. Anthony Kola-Olusanya is also a Centre for Transparency Advocacy (CTA) expert and participated consistently as a domestic observer in Nigeria's elections.

Chief Dr. Emeka Jeo Ononamadu is a seasoned Human and Development rights activist before his appointment as Resident Electoral Commissioner, INEC, Enugu State 2017. He became prominent in CSO community from 1995 when he joined Community Action for Popular Participation. He is the immediate past Executive Director of Citizens Centre for Integrated Development and Social Rights. Former Steering Committee member of National Assembly Civil Society Liaison Office. Former National Coordinator and chairman of Civil Society Steering Committee on Nigeria Extractive Industries Transparency Initiative (NEITI). Former Zonal (Southeast) Coordinator and National Coordinator of Publish What You Pay Coalition, former Deputy Executive Director of Community Action for Popular Participation, (CAPP) Abuja, and Former International project manager, Transforming Education for Girls in Nigeria and Tanzania. Former North Central Coordinator of Network of Police Reforms in Nigeria.

Hon Emeka Joe Ononamadu is a Les Aspin Fellow on good governance and anti-corruption (USA). He also holds an award from Jackson State University, Mississippi as the friend of Mississippi Consortium for International Development (USA) as a resident management consultant. He is a recipient of six awards as performing Resident Electoral Commissioner after 2019 general election. The awards include: Best Serving Resident Electoral Commissioner from Centre for Transparency Advocacy (CTA) Abuja, Best Resident Electoral Commissioner by West African Student Union Parliament. Outstanding excellence from National Youth Service Corps. Chief Dr. Emeka Ononamadu is the only retired or serving Resident Electoral Commissioner that was given an award of excellence by Interparty advisory Committee, a group made up of all political parties in Enugu state. Chief Dr. Emeka Jeo. Ononamadu is a graduate of Administration and Management. He has a post graduate diploma in Financial Management from Abubakar Tafawa Balewa University Bauchi. He also holds a master degree in Public Administration and financial management, advance certificate in Good governance and anti-corruption from Marquette University (USA) and a PhD in Social Development. He is a fellow of chartered Institute of Corporate Administrators, chartered Institute Management Consultants. He is the founder of National Anti-Corruption roundtable, Southeast Democracy



Clinic and Democracy and Development Vangaurds.

Ndukwe Charles Ndukwe, Esq is a legal practitioner, author and human rights advocate with Lloyds & Smith Attorneys, Abuja Nigeria. He has over fifteen years post-call experience.

Michael Oche

Michael Oche is a highly experienced journalist with over 10 years of active involvement in the media field. Throughout his career, he has been a dedicated reporter covering numerous elections in Nigeria. His commitment to impartial reporting and accurate analysis has earned him recognition in the Nigerian media landscape. He has made a name for himself by delving into reporting issues that affect workers' rights, as well as focusing on political affairs and election coverage. His in-depth knowledge of Nigerian political landscapes, combined with his keen eye for detail, allowed him to produce well-rounded and thought-provoking reports. His coverage of elections has contributed to the democratic process by providing citizens with accurate and reliable information. As he continues to make valuable contributions to the field of journalism, Michael remains committed to promoting transparency, accountability, and the pursuit of truth through his work. Oche works at the Nigerian Pilot Newspapers where he is currently the News Editor.

EKEMEZIE MACDONALD OGEMDI He is a graduate of Theatre Arts from the University of Calabar, Calabar, Cross River State, Nigeria.

He is also a US Alumnus having participated in the International Visitor Leadership Program (IVLP) as a grantee in 2008, (Promoting Tolerance through the Art 11)

Currently, **MacDonald is the Programme/Communications Manager** at Centre for Transparency Advocacy, Abuja

MacDonald is a successful Value Orientation/ Communication Change professional, Trained Facilitator in Advocacy, an expert in Theatre for Development, a passionate anti-corruption advocate and Election Security and Observation Expert with 16+ years' experience.

BABATUNDE OLUAJO

Mr. Babatunde Oluajo, holds a Bachelor of Science (B.Sc) degree in Political Science from the University of Ibadan and MSc in Governance and Policy from University of Southampton UK. He also holds a diploma in Banking and Finance from the University of Jos. He is also a fellow of the Marquette University Les Aspin Centre for Governance, Washington DC and a Chevening scholar.

Mr. Oluajo has a wealth of programmatic and management experience garnered from to two decades of work in the civil society sectors spanning transparency, accountability, anticorruption, democracy and governance work and research. Babatunde has served at various times on the Inter-Agency Task Team that developed the National Anti-corruption Strategy for Nigeria as well as on the Steering Committee of the Anti-corruption Issue Based Project under the management of the Bureau for Public Sector Reforms. Both efforts were aimed at promoting participatory approaches to public policy making and administration in Nigeria. Babatunde was also on the National Advisory Council of Designated Non-Financial Institutions of the Special Control Unit Against Money Laundering (SCUML).



In addition, Babatunde was the Chairperson of the Federal Capital Territory (FCT) chapter of Anti-Corruption Revolution (ANCOR), an Economic and Financial Crimes Commission (EFCC) supported public outreach initiative in Nigeria.

Babatunde was also one of the two Sub-Saharan Africa representatives on the Coordinating Committee of the UN Convention Against Corruption (UNCAC) Coalition on which he served for over 3 years. He is currently a Board Member of the Centre for Transparency Advocacy (CTA) a Civil society advocacy group dedicated to improving the quality of service delivery in Nigeria and the Rule of Law Advocacy and Accountability Centre (RULAAC) a CSO working on protecting the respect for rule of law

Emmanuel Remi Aiyede is currently, Research and Policy Uptake Lead, Partnership for African Social and Governance Research (PASGR), Nairobi, Kenya. He is a Professor of Political Institutions, Governance and Public Policy at the Department of Political Science, University of Ibadan. He is a Fellow of the Pan-African Scientific Research Council. He was Head, Department of Political Science (01 August 2020 – 31 July 2022); a Sub-Dean, Faculty of the Social Sciences (2012-2014) and a Coordinator of the Leadership and Governance Programme (2010- 2014), Centre for Sustainable Development, University of Ibadan. He was also Visiting Scholar at the Electoral Institute, Independent National Electoral Commission, Abuja (2016-2017); Visiting Fellow at the Transregional Centre for Democratic Studies (TCDS) New School University, New York, 2000; and a Fellow at the Governance Unit of the Development Policy Centre (DPC), an independent think tank in Ibadan in 1998-2004. He taught at the University of Lagos, before joining the University of Ibadan in 2005. He has experience in several universities within and outside Africa as visiting lecturer. He has been on the Editorial Board of Nigeria’s oldest surviving newspaper, the Nigerian Tribune, since 2008. He contributes to public discourse in the Nigerian domestic and foreign media and observed several elections in Nigeria. He is also an analyst with Electronic Results Analysis Dashboard (ERAD) of Yiaga Africa and Channels Television. His research work connects public policy, institutional reforms and democratic institution building. His recent publications include: E. Remi Aiyede and Beatrice Muganda (editors) *Public Policy and Research in Africa*, Palgrave Macmillan 2023. And E. Remi Aiyede (2017) “Civil Society Efficacy, Citizenship and Empowerment in Africa” *Voluntas*, 28 (3): 1326-1345. His article “The Dynamics of Civil Society and the Democratisation Process in Nigeria” *Canadian Journal of African studies*, 37(1): 1-27 (2003) won a 2003 medal in the World Bank prize for Outstanding Research in Development of the Global Development Network (GDN).

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