

TECHNOLOGICAL INNOVATION: ITS IMPEDIMENTS IN CONDUCTING FREE AND FAIR ELECTIONS IN NIGERIA

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Abstract

Free and fair election is one of the features of true democracy. Election is said to be free and fair (credible) when it is free from all political manipulations by the INEC, candidates, political parties and government in power. This simply means, an election conducted in an atmosphere that is free of intimidation and harassment. It is quite very unfortunate that since the turn of democracy in Nigeria till date, all the elections conducted have not been free and fair despite several technological innovations employed by the Independent National Electoral Commission (INEC) to drastically reduce the incidences of electoral malpractices such as rigging, ballot box snatching, over voting, killings, vote buying, result sheet mutilation, and other forms of election malpractices that characterized the history of elections in Nigeria. Nigeria had tried many systems of government that worked perfectly in other countries, adopted many strategies and methods to control these election manipulations and had employed a number of innovative approaches to improve the conduct of elections in Nigeria and as well to meet up with international standard, but unfortunately the more INEC adopts strategies to conduct credible elections, the more election riggers succeed. However, investigations show that neither these technologies; Electronic Voters Register (EVR), Biometric Voter Accreditation System (BVAS), Automatic Fingerprints Identification System (AFIS) and Smart Card Reader (SCR) nor electoral reforms developed by the government have reduced the incidences of election rigging in Nigeria. The paper argues that the problems with elections in Nigeria are weak institutions, the inability of the election umpire (INEC) to be truly independent, and the inability of the government in power to stop interfering with INEC. Using the method of philosophical analysis, the paper examines the past elections organized by INEC and the use of these costly devices, raises the questions: has technology addressed election malpractices in Nigeria? Did Nigeria's election technology failed or was it sabotaged?

Key words: Nigeria; election; technology; free and fair; INEC; PVC; EVR; SCR; IREV; BVAS

Introduction

Without doubt, Democracy is the best form of government for ensuring justice, peace, prosperity, sustainable development and liberty. It is rooted in recognition of human rights and justice. It is,

“ a political system based on the free consent of the governed, and it is maintained through a network of mutually reinforcing structures, in which those exercising power are subject to checks both within and outside the state- from independent courts, an independent press, and all the elements of a diverse and active civil society”(mccaininstitute.org).

From the above expression, for democracy to work effectively, the governed have the liberty to freely exercise their political right and those in power are subject to be checked. Those in power are simply not above the law. But why is it that democracy has failed to work perfectly in some countries? This is because of lack of the implementation of the twin principles of liberty and equality. Conducting regular, free, and fair elections are accessible and inclusive of all eligible voters and candidates and that enable orderly transformation of power is one of the basic principles of democracy. Free and fair election is one of the basic features of democracy. In the words of Agbu (2015:91), “a free and fair (credible) election is generally accepted to be at the heart of democracy, a desideratum for the existence of democracy”. He explains that an election is a process, and it is free if all stages of the process are devoid of inhibitions and contradictions. It is also fair if the process shows no favour to person, party or side. He further expresses that a democratic government ideally denotes government composed through the freely given consent of the people as expressed in an election. In other words, once the element of free consent is absent in an electoral process, the outcome becomes dictatorship and no longer democracy.

Toba and Adebimpe (2018:1) express that “democratic societies are founded on the principles of elections and on opinion expression capabilities as observable in most political transitions”. Further, they add that most sovereign nationalities are governed by pure democratic ideals where citizens express their right through the conduct of an election in choosing a leader whom they believe their nation’s destiny can be entrusted with.

However, the focus of this paper is to interrogate the outcome of elections held in Nigeria using technological devices employed by the election umpire INEC to eliminate election fraud and irregularities. The problem the paper sets to tackle is have these technologies eliminated these irregularities in elections? The paper after investigations submits that our problem is corruption which makes our institutions to be weak. To achieve success in elections, Nigeria needs to deal with corruption.

The Origin of Electoral Bodies and Nigerian State after political Independence since 1960

The origin of Electoral bodies in Nigeria can be traced to the period before independence when the Electoral Commission of Nigeria (ECN), was established to conduct 1959 elections. The Federal Electoral Commission (FEC), which was established in 1960, conducted the immediate post-independence federal and regional elections of 1964 and 1965 respectively. In 1978, a new Federal Electoral Commission (FEDECO) was constituted following the dissolved of the electoral body after the military coup of 1966 by the regime of General Olusegun Obasanjo. FEDECO organized the elections of 1979, which ushered in the Second Republic under the leadership of Alhaji Shehu Shagari. It also conducted the general elections of 1983. (inecnigeria.org/)

In December 1995, the military government of General Sani Abacha established the National Electoral Commission of Nigeria (NECON), which also conducted another set of elections; Local Government councils to National Assembly. These elected institutions were however not inaugurated before the sudden death of General Abacha, on June 1998 aborted the process. In 1998, General Abdulsalam Abubakar’s administration dissolved NECON and established the Independent National Electoral Commission (INEC). The body organized all transitional elections that ushered in the 4th republic on May 29, 1999. (inecnigeria.org/).

However, elections in Nigeria have never been devoid of malpractice and violence since 1960 Nigeria had her political independence. Agbu expresses that;

After attaining political independence, Nigeria had a parliamentary system of government. Four years later, Nigeria ran into serious problems. Accusations and counter-accusations of fraud and malpractice were widespread, with many lives lost and property destroyed. Political crises eventually led to the first military coup d'état in January 1966. (2015:90).

Since the turn of democracy till date, Nigeria has conducted seven general elections, the 1999, 2003, 2007, 2011, 2015, 2019 and the 2023 general elections respectively. The question remains; were these elections considered free and fair (credible)? Except the 2011 general elections that were peaceful, other elections were condemned for not being free and fair. Other elections held in other years experienced a lot of riggings and violence. Manipulation of figures, using police officials to intimidate voters, vote buying and announcement of results in places that elections were not held were rampant. Technological innovations deployed by INEC to help in eliminating these frauds were all manipulated leaving Nigerians hopeless, helpless and dispirited. The same irregularities that characterized the history of elections in Nigeria are still raising its ugly heads despite further measures employed by INEC.

How voting System has evolved since 1999

Since the turn of democratic rule in 1999, the electoral methods Nigeria has chosen have failed to deliver one of the features of democracy which is free and fair elections. The method that was in use previously was manual balloting, which lasted until 2015 when the smart card reader method was introduced. Ladipo (2022: no page) explains that manual voting involves voter registration, voter register exhibition, indelible ink, voting, vote counting, collation, and publication of results. Here are these manual method and their functions;

- Registration of voters: This enables eligible voters to have their names entered into a document (Voter Register), with the aim of offering the person the opportunity to exercise their franchise on the appointed day of voting. Voter Register is considered provisional, so that changes may be made, until such time when it has been pushed to the Voter Register Exhibition stage.
- Exhibition of the voter register: This has to do with the display at each polling station once the registration is over. This is simply for the public to come and check that there are no discrepancies.
- Barcodes: These are to help detect forged registration forms to enable the validity of the forms to be easily ascertained.
- Indelible Ink: This is used to guard against double registration and a unique voter registration number.
- Voting: This is the process of casting ballots. Eligible voters go to the polling station where their names are registered and show their voter identification cards to the polling officials

for inspection. The election officials look up for the names of the voters through the voter registration numbers on the cards. After voting, ballot counting is done manually, the results collated through a bottom-up process.

However, these manual methods of voting were full of shortcomings, as elections become more violent, and chaos. Over voting, multiple registrations, mutilation of results and hijacking of ballot boxes become the order of the day. As Agbu puts it;

“Political parties are bogged down in primitive accumulation of corruption, not the idea of serving the Nigerian people. Inadvertently, political parties promote the neo-liberal culture of celebrating the cult of the individual, selfishness, greed and the validation of electoral riggers as winners. In such a framework, political gangsterism or ‘garrison politics’ become the order of the day. The task of today is how to understand and eschew the confusion arising from this” (pg; 94).

In a bid to minimize these election manipulations and its effects, some technological innovations that will help in tackling election rigging were introduced by Independent National Electoral Commission (INEC). INEC whose responsibility is to organize a credible election promised Nigerians that these innovations when deployed will help in conducting free and fair elections as it will tackle the pitfalls of manual system in use.

Understanding the Role of Technological Innovations in Conducting Elections and their Functions during Elections and their Flaws

It was the problem of making election riggers the winners in elections in Nigeria that gave room for divergent opinions on how to deal with the problem. INEC was seriously perturbed on how to confront with electoral rigging, and polling unit politics. After much deliberations and consultations, INEC decides to deploy some devices that will help to eliminate the incidence of election rigging during elections. Here are these devices, their functions, merits and demerits.

- **Permanent Voter’s Cards (PVC):** This device was introduced by INEC to replace the temporary voter card (TVC). Before the introduction of (PVC), what was in use was the automated fingerprint identification system. The aim was to eliminate multiple registrations in 2011 general elections from the voter register, but it was discovered that the system was not capable of verifying the identity of voters at the polling stations. Hence, the use of permanent voter cards was adopted by INEC to eliminate multiple registrations. PVC’s contain voters’ biometric information in an embedded microchip and replace the temporary voter’s card.
- **Smart Card Reader:** This device is a portable electronic voting authentication configured to read only the Permanent Voter Cards (PVC). This was issued by Independent National Election Commission (INEC) in 2015 general elections for the verification of voters and their voting cards. It was basically designed for the accreditation process to collate the authentication of eligible voters before voting. It is also used to verify the legitimacy of PVC’s as it displays a picture of the voter, so that poll workers can visually confirm the identity of voter against the card. It also allows for scanning of fingerprints to check the voter’s fingerprints

against the biometric information contained in the PVC. This is to get rid of the incidences of fraud and rigging in elections.

- I REV: This means INEC Election Result Viewing Portal. It is an online portal where polling unit level results are uploaded directly from the polling unit, transmitted, and published for the public in real time. It was deployed for enhancing the transparency of election results and for boosting public trust in electoral outcomes in elections. INEC assured Nigeria that IREV will play a vital role in reducing human intervention that could lead to alteration of the wishes of voters. It was believed that both BVAS and IREV will address some weaknesses in Nigerian elections like;

- Manipulation of votes at polling units
- Manipulation of number of accredited voters
- Collation of false results
- Cancellation and mutilation of results and computational errors
- Forging of result sheets
- Destruction of result sheets

- BVAS machine: This is biometric voter accreditation system (BVAS). It replaces the smart card reader which was used in 2015. BVAS comprises of software and hardware components. It was introduced by the Independent National Electoral Commission (INEC) by the INEC chairman, Mahmood Yakubu, and was first used in 2021 bye-election in Isoko South 1 State Constituency, Delta state. It is used to scan and electronically transmit PU result (form EC8A) to the INEC Result Viewing (IREV) portal which will be available to the public. The work of BVAS is also to guard against identity theft where one person uses another person's PVC to vote. The BVAS runs on android OS with the installed relevant software to optimally perform the specific functions it is design for BVAS usage entails either scanning the barcode on the PVC, QR code on voter's card, entering the last six digits of the voter identity number(ochichi.ng).

The Merits of Electronic Innovations in Nigerian Election

- The use electronic devices helps in reducing the incidence of electoral fraud.
- It helps to make work faster and making it easier for people to vote.
- It helps in speeding up the counting process.
- It increases transparency giving no room for rigging because everything is being done electronically.
- It increases efficiency than traditional paper-based elections.

Do These Technological Devices Deployed by INEC Eliminate the Irregularities in Past Elections?

These innovations without doubt helped to reduce multiple voting and registration, but have not address the major and core things the Independent National Electoral Commission pick points that the devices will eliminate. Before the deployment of these devices over voting and multiple registrations were rampant. It was from the devices that Nigerians got to realize that the figures always announced in some northern states are all false figures. The devices help to detect these anomalies. But the truth remains that the devices were not able to eliminate the problem of over voting. The irregularities still raise its ugly head in the 2023 general elections. As Ezeador (2023:54) expresses worries over what transpired in 2023 elections, she laments that the introduction of the almighty BVAS was a confirmed technique used by INEC to continue to rig election as it failed woefully. She cries out that Nigerians were brainwashed and deceived again by the government in power and the INEC.

Mahmood Yakubu, the INEC chairman repeatedly assured Nigerians during the preparation of the 2023 general elections that the BVAS will totally eliminate all the incidences of corruption and fraud witnessed in the past elections. But the truth remains that there was never a change between the past elections and the elections held in 2023, despite the huge money that was lavished in the purchase of these devices. The 2023 general elections still recorded election irregularities. First, the elections did not start early as supposed. Many election officials did not report in their wards, and those who reported were very late which led to late accreditation and voting. The devices that were given by INEC for the elections were manipulated, some couldn't turn on. The INEC ad hoc staff employed to handle these devices were not properly trained and they knew nothing about the device. Some of these devices could not function in some places due to network issues. The ones that could function could not be used as a result of power outbreak. These challenges resulted to delay in collation of results and transmission of the results in BVAS as announced by INEC. The electronic uploading of results in IREV during voting was not successful due to the individuals deployed to handle the device IREV cannot operate it. Those who succeeded in uploading the results did that after the voting process which ought not to be done. The election riggers used that opportunity to manipulate the results, since the results in the BVAS can be removed and replaced with another result. There are a lot of discrepancies in the results uploaded in the BVAS and the one recorded by INEC.

For example, Results from Osun State gubernatorial election were disputed based on discrepancies between BVAS -collated numbers recorded on the election result form (EC8A) and the results pulled from the BVAS server at a later date. The ballot box snatchers and political thugs still succeeded in carrying out their nefarious activities because the BVAS deployed were damaged (www.linkedin.com). All the promises gave by INEC that the results will be announced electronically, the sufferings and the efforts most Nigerians made to ensure that the 2023 elections were free and fair proved abortive. These technologies deployed by INEC to help eliminate irregularities in elections in Nigeria are the same innovations employed in other countries, and behold these devices are perfectly working for them. Why is Nigeria case different? What is the problem in conducting free and fair elections in Nigeria? Everything still boils down to what Chinua Achebe was lamenting about 4 decades ago that the "trouble with Nigeria is simply and squarely a failure of leadership" (1983:1). Achebe stresses further thus;

There is nothing wrong with the Nigerian character. There is nothing wrong with the Nigerian land or climate or water or air or anything else. The Nigerian problem is the unwillingness or inability of its leaders to rise to the responsibility, to the challenge of personal example which are the hallmarks of true leadership” (Ibid)

Looking at Nigerian condition today, there is nothing wrong with democracy as a system of government. This is the type of government other countries like USA etc, are practicing and it is working smoothly for them. Democracy is one of the best systems of government because it allows the masses to freely elect their leaders. Liberty and equality are the features of democracy. Why is democracy in Nigeria not so? The innovations employed to help mitigate the corruption during elections in Nigeria are the same devices employed in other countries and they will get their results immediately, whereas, it will take Nigerians 3-4 days to produce their manipulated results.

The problem with Nigeria is truly the failure of leadership. There no amount of innovations that will be deployed in Nigeria that will address Nigerian problems if the leaders cannot rise to their responsibility. No amount of strategies or methods will work if the government in power still uses INEC to manipulate elections. The irregularities in elections will not cease until compete people will be allowed to take leadership positions. But how will these incorrupt people emerge when the corrupt leaders still rig elections to remain on power? At this juncture, all hands must be on deck to fight these bad eggs at the corridor of power who embezzle the public funds for their own benefits at the expense of the poor masses.

Challenges with the Election Devices

- **Lack of Training:** One of the obstacles observed during the past and present elections was the improper use of electoral devices due to lack of training of the INEC officials. In the words of Ezeador (2023:4), “it is the function of the INEC to properly educate and train the ad hoc staff before elections”. This is the basic thing the INEC supposed to do because the ad hoc staff are not familiar with some of these devices. So it is the duty of the INEC to begin the training on time and at the same time ensure that the allowances they receive worth the job. When ad hoc staff get peanut at the end of the election, they will not be serious with the job and they will end up not participating well in the election. This has been a serious challenge confronting the use of electronic devices during election.
- **Power supply:** Lack of power supply has become a big challenge facing Nigeria. Nigeria cannot progress when there is persistent interruption of power supply. Power supply is one of the things that bring sustainable development. Election cannot be smooth and credible when there is no electricity to power the devices. Nigerian leaders know what to do to have uninterrupted power supply, but corruption will not let them to carry out the task.
- **Poor Network challenge:** Network challenge was a serious issue why BVAS failed to work. To ensure free and fair elections, government must ensure that there is a steady network.

- Poor handling of electoral devices: INEC must ensure that they secure the materials used for election properly. Some of these devices got spoiled as a result of carelessness and when not fixed immediately affects the election.
- Disenfranchisement: as developing country, the electronic device can disenfranchise voters who have not mastered the use of technology.
- Insecurity: this involves hacking and massive incidences of fraud.
- Training the staff on how to operate the devices: The election umpire must not fail to train their officials and ad hoc staff on time on how to operate the devices. This will go a long way to help reduce delay in uploading and announcement of results early. Importantly the electoral officials must be educated and warned not to compromise and anyone who fails must be punished.

Solutions/ Conclusion

In planning for a free and fair election, first and foremost, the electoral umpire (INEC) must be truly independent. They must be ready to carry out their functions well. This is further driven by voter education and training of the electoral officials. Voters need proper orientation and serious training on how to vote wisely. This will go a long way to help eliminate impediments to smooth election process in Nigeria. The electoral umpire must ensure that the innovations meant for elections are kept in safe places and everything required for its success is put in place. Finally, election is successful when the government in power is not interfering and threatening the people who are at the positions to carry out the functions. When the government in power fails to allow the umpire to carry out its duties, rigging and money politics become the order of the day. So, to have free and fair election, the government should emulate from other countries that there democracy is functioning well, discover their strategies and adopt the system.

From what transpired in 2023 general elections, it is obvious that corruption is Nigerians big problem and there is no amount of reforms and innovations that will eliminate election irregularities if Nigerians don't fight corruption.

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