

Smart Card Reader Machine and Electoral Fraud in Nigeria: A Study of 2019

Gubernatorial Election in Oyo State

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Chapter One

Introduction

1.1 Background to the Study

Elections are an essential part of democracy; it is the means of choosing a candidate for public office. Yet conducting a credible, free, fair and transparent election remains a challenge to democratization in Nigeria. Nigeria's democratic journey reached another milestone following the successful completion of the general elections in 2019. Given the intense competition that surrounds elections in Nigeria, every electoral period generates fear of a possible large-scale conflict that may cause democratic breakdown or national disintegration. Elections are so clearly tied to the growth and development of representative democratic government that they are now generally held to be an important indicator of the presence or absence of its credibility. In other words, election provides citizens with the freedom to choose their rulers, make inputs and to decide on the direction of public policy that expresses their preferences¹. It is an instrument through which the voting public compels accountability from elected officials; it facilitates political recruitment; it enables citizens to make enlightened choices; and it confers moral authority on political leaders, election is viewed as a legitimizing institution, functioning to give elected leaders the wherewithal to govern. General elections in Nigeria have always been accompanied by violence in the fourth republic². The introduction of the use of technology is meant to address the challenges. In other words, technology is a means to an end but not an end

itself. Election provides the platform for people to select their own government and it must be based on principles of consent and not coercion³.

This necessitates the introduction of electronic voting in Nigeria as a way of regaining the lost integrity of INEC. It's in line with this that technologically based reforms by INEC were further taken to another height in general elections with the introduction of Smart Card Reader technology in 2015, a device used to scan the Permanent Voters Card (PVC) in order to verify the identity of a voter in a polling booth. The smart card reader was one of the greatest innovations of biometric verification technology. The decision to deploy Smart Card Reader (SCRs) for general elections have four main objectives: To verify PVCs presented by voters at polling units and ensure that they are genuine; to biometrically authenticate the person who presents PVC at the polling unit and ensure that he/she is the legitimate holder of the card⁴. In this regard; Thus, the Smart Card Reader (SCR) which is one of the components of electronic voting is also one of the alternatives to the lack of transparency, loss of confidence and trust in the electoral process that has enveloped the manual voting system in Nigeria as acknowledged by electoral management body but has not attracted much attention in the literature.

It was argued that a key component of electronic government in the future will be electronic voting, as a means of facilitating the participation of citizens in elections and public debates⁵. He also pointed out that the Nigerian 2015 general elections witnessed the use of electronic voters' register, permanent voters' card (PVC) and smart card readers for authentication of voters but actual ballot casting was still by manual means under a scheme called Re-Modified Open-Secret

Ballot System (REMOBS). He went further to proposed a framework for an electronic voting system that can be adopted for voting in Nigeria. That the framework is capable of handling electronic ballots with multiple scopes at the same time, for example presidential, gubernatorial, legislative and so on. The framework caters for integrity of an election process through essential requirements of privacy, authenticity, accuracy, security, democracy and verifiability. That the functional requirement in the design of the proposed framework requires well-secured identification and authentication processes for voters through the use of biometrics. Actual ballot casting is through direct recording electronics (DRE) voting machines connected together and with a central server over a private network.

1.2 Statement of the Problem

Until recently, the electoral system in Nigeria has failed to meet the global benchmark as enumerated by many scholars. Since the return to civil rule in 1999 in Nigeria, elections had been characterized by ineffective administration at all stages and levels (before, during and after) resulting in discredited outcomes. This was due in large to the weak institutionalization of the primary agencies of electoral administration, particularly INEC and Nigerian political parties.

It was posited that “a survey of the procedure for each of the elections indicates that the planning and execution were usually defective, hence the elections were susceptible to manipulations. Clearly, the 2019 elections was not an exemption as great expectations followed because of the improvements recorded in the previous general elections in 2015. For the first time in Nigeria’s electoral history, a winner emerged from the opposition party, and there was a successful

alternation of power. The 2015 elections saw remarkable improvements in the incorporation of technology into the electoral process, which contributed to strengthening the integrity of the elections. It was, therefore, not a surprise that international and local observers gave some positive assessments of the 2015 elections⁶.

The employment of ICT devices in election management system lies largely on several experiences of other countries in election management which is often characterized by rigging and violence. In Africa for instance no fewer than 25 sub-Saharan African countries like Zambia, Malawi, Togo, Senegal among others have already held elections employing technology compliant techniques like biometric voter register in Ghana, the Automated Fingerprint Identification System which was used in the 2011 general elections as a digital register to eliminate double voting played a pivotal role in curbing electoral malpractices especially as it helped in verifying the identity of voters at the polling units⁷. The introduction of card reader and electronic voters register is to ensure that elections are all well and good, that all eligible citizen votes count without any fear. With the introduction of smart card reader, INEC went ahead to implement the use of card readers for the 2015 general elections and 2019 subsequently. Although they were successfully used in some polling units, some had challenges, which INEC attributed to both technical and human errors. This study draws more insights based on the available evidences and empirical facts critically and constructively put forward new position that deviated from past scholarly discourses on whether the use of this technology improved electoral integrity and prevent usual irregularities that characterized Nigeria's election in this

democratic experiment. Hence, the study of the relationships among the identified variables in this study.

1.3 Aim and Objectives of the Study

The main objective of the study is to investigate the use of smart card reader in electoral process in the 2019 gubernatorial election. However, the specific objectives are to;

- i. Examine the nature of fourth republic elections in Nigeria.
- ii. Investigate whether the adoption of Smart Card Reader has Enhanced Electoral Integrity in Nigeria.
- iii. Assess whether Smart Card Reader Adoption Prevented Electoral Fraud in 2019 General Elections in Nigeria.
- iv. Suggest measures that can be used to address electoral fraud in Nigeria apart from deployment of smart card reader.

1.4 Research Questions

- i. What is the nature of fourth republic's election in Nigeria?
- ii. Has the adoption of Smart Card Reader enhanced electoral integrity in Nigeria's elections?
- iii. To What extent was the adoption of Smart Card Reader Prevent Electoral Fraud in 2019 General Elections in Nigeria?

- iv. What are measures that can be used to address electoral fraud in Nigeria apart from deployment of smart card reader?

1.5 Scope of the Study

The time frame for this study capture the analysis of implications of usage of smart card reader on the conducts of elections in Nigeria's fourth republic democratic experiment. Specifically, 2019 gubernatorial elections.

1.6 Significance of the Study

This study provides valuable insights and contributes immensely to the existing literature and therefore, adds value to the quality of the research. The findings of the study will help in evaluating the impacts of ICT/smart card reader on electoral corruption in Nigeria. Hence, this study is intended for government decision makers, policy analysts, civil societies, local and international civil society organizations, election observers and management bodies and all relevant stakeholders. The study will also make recommendations on more flexibilities and proffer solutions, which will make this inquiry essential for policy makers, academicians, local and international NGO's and students as it will shape how institutional frameworks to contain electoral fraud and how future elections can be strengthened and sustained to address the missing gaps. This study is an extension of the existing body of knowledge, for the reason that if completed, will constitute good and researchable literature/findings on the research problem or

any other research topic similar or related to it for future or prospective researchers and the general readers.

1.7 Operational Definitions of Key Terms

Election

A formal and organized choice by vote of a person for political office or other position.

The act of choosing one candidate to occupy a seat in an office or legislature. Election conducted in the federation at a large for federal and state elective positions.

Smart Card Reader

This is an electronic device configured to store data of registered voters capable of reading the embedded chip in the Permanent Voter's Card and used to verify the biometric and photograph of a voter during accreditation.

Technology

It is a systematic application of manufacturing methods and industrial arts to enhance efficiency in human activities. Technology can simply be described as the result of man's effort to do things efficiently and effectively.

Electoral Integrity

This refers to international standards and global norms governing the appropriate conduct of elections.

Endnotes

1. K.R. Idowu. INEC statement on card reader demonstration. Retrieved from:<http://inecnigeria.org/?inecnews=inec-statement-on-card-reader-demonstration>. 2015.
2. International Crisis Group Nigeria's Dangerous 2015 Elections: Limiting the Violence Belgium: International Crisis Group. Africa Report N°220. 2014.
3. O.A. Oladotun. A Framework for Electronic Voting in Nigeria. International Journal of Computer Applications 129 (3), 975 – 8887. 2015.
4. G. Piccolino , 'What other African elections tell us about Nigeria's bet on biometrics', Washington Post, viewed 08 March 2022, www.washingtonpost.com/blogs/monkey-cage/wp/2022/03/10/what-other-african-elections-tell-us-about-nigerias-bet-onbiometrics/ 2015.
5. H. Onapajo & D. Babalola. Nigeria's 2019 general elections – a shattered hope? The Round Table, 109:4, 363-367, 2020.
6. K. Manish, Suresh K. T, Hanumanthappa M. & Evangelin G. D. Secure Mobile Based Voting System. Accessed at 17/03/2022. http://www.iceg.net/2008/books/2/35_324_350.pdf. 2019.
7. O. Nnoli, Introduction to Politics. Revised Second Edition. Enugu: Snaap Press Ltd. 2019.

Chapter Two

Literature Review

2.1 Conceptual Review

2.1.1 Election

Election is a concept and model in political science literature. Elections are a mechanism through which the politicians can be called to account and forced to introduce policies that somehow reflect public opinion. This emphasizes the bottom-up functions of elections: political recruitment, representation, making government, influencing policies and so on. Elections are defined as mechanisms through which individuals and groups of great political desire can be put in public office to account and to be forced in introducing policies that reflect the general will of the people¹. On the other hand, elections are means by which political individuals and parties can communicate to the public to gain support and legitimacy to rule². Elections are means through which the political elites can exercise control over a population³. Elections raised fundamental concerns such as; the public offices subjected for the elections: the qualification of voters and the political candidates: the casting of votes and: the competence of election process as governed by fair and free principles⁴. Election is nothing more than the manifestation of public interest; and also, it is a means of peaceful and legitimate transfer of power in a democratic system⁵. It could also mean the barometer to measure political maturity, health, legitimacy and stability of a

democratic government. It is generally held to be the single most important indicator of the presence or absence of democratic government⁶.

It's also a political phenomenon which signifies institutionalized procedures for choosing political office holders by the electorates of a country. In other words, it is a means through which the electorates choose their representatives through different organs of the government⁷. Conceiving it from the stand point of social contract, election symbolizes popular sovereignty and the expression of social contract pact between the state and the people, defining the basis of political authority, legitimacy and citizen obligation. It is the kernel of political accountability and a means of ensuring reciprocity and exchange between governors and the governed⁸. The foregoing underscores the fact that election plays a fundamental role in lubricating the social contract between the people and the government, given that it compels governors to be accountable to the governed, especially through social service provision of delivering on their campaign promises that was the basis for their election. In view of this, it serves as a catalyst for the periodic test of a party's and/or candidate acceptance and popularity. Election confers legitimacy on public office holders and subjects' public office holders and political parties to periodic assessment; by doing so, it enhances accountability and good governance⁹. It is in this regard that election is seen as an important starting point for the existence of democracy, making it possible for democratic government to be by persons freely chosen by and responsible to the governed.

On the other hand, election as a model revolves around the basic tenets of election. It will be difficult to determine and measure the will of the people in the absence of periodic, free and fair election. It is in line with this that Article 21 of the Universal Declaration of Human Rights (UDHR) highlight some of the core principles of election when it noted that: the will of the people should be the basis of government authority, and everyone has the right to take part in the government directly or through freely chosen representatives. This will be express in the periodic and genuine elections with universal suffrage and secret ballot. Elections are held at regular intervals. Government should not be allowed to delay elections as they should be periodic to be seen as legitimate. The nature of democracy is that elected officials are accountable to the people, and they must return to the voters to at prescribed intervals to seek their mandate and continue in office. For that reason, most democratic constitutions provide that elections are held at fixed a regular interval like in the case of Nigeria which is after every four years. Any postponement of the election must be necessary because of the unique exigencies of the situation.

Free and fair election is not enough, it must be free and fair. A free election is one in which the citizens are able to vote for the candidates of their choice without any intimidation and a fair election is one in which all votes have equal power and are counted accurately without any manipulations. It is based on the principle of “one person, one vote”, which means that every person has the ability to vote, and each vote has equal power regardless of class or any other affiliation. Elections are said to be credible when each step is open to scrutiny, and stakeholders can independently verify whether the process is conducted honestly and accurately.

It is also open for competition by political parties and participation by the citizenry. The powers of taking decisions relating to government are vested in all members of the community either directly or indirectly, and not any particular class of persons. The people alone possess the supreme powers in elections. Rousseau rightly said “the voice of the people is the voice of God. This allows for citizens to have reasonable and equitable opportunities to compete to be elected into government offices and ensures that political competition truly reflects the will of the people.

The complexity and special skills necessary for electoral management requires that an institution or institutions be responsible for electoral activities. Electoral management bodies therefore refer to the body or bodies responsible for electoral management regardless of the wider institutional framework on place. The electoral body has the sole purpose of, and is legally responsible for managing some or all of the elements that are essential for the conduct of elections and direct democracy instruments such as referendums and recall votes. The electoral body has some essential elements such as determining who is eligible to vote; receiving and validating the nominations of electoral participants for elections, political parties and/or candidates; conducting polling; counting and tabulating the votes. In addition to these elements, an electoral management body may undertake other tasks that assist in the conduct of elections such as voter registration, boundary delimitation, and voter education and information. Such bodies have wide range of titles such as election commission, department of election, electoral council, electoral board etc. in the case of Nigeria; it is call Independent National Electoral Commission (INEC)¹⁰.

From the above basic principles therefore, through periodic, free and fair election, participation and openness for political competition by political parties and also, the presence of an electoral body that brings out the originality of election. These conceptual underpinnings suggest that election is an avenue for concrete expression of citizen's right to choose, participate and engender political accountability. It is in line with this that¹¹ argues that when and wherever election is rigged, choices of the citizens are invariably annulled and the government that emerges cannot represent, protect, and affect the interest and aspiration of the people. To this end, the interrogation of these variables will aid the paper to establish the nexus of the use of the smart card reader as one of the modalities for curtailing election challenges in Nigeria.

2.1.2 Election Fraud in Nigeria

Election fraud is the manipulation of the electoral process to the advantage of a particular candidate or political party which can be perpetuated at any level of the electoral process from the delimitation of the constituencies to the adjudication of election disputes and that even the promulgation of the electoral law could be subject to abuse by partisan administration or bureaucracy as witnessed during the enactment of electoral act 2001 and 2002¹¹. This elections manipulation remains inevitable without the connivance of election participants such as: candidates, polling agents, security agents, polling clerks, election/returning officers, presiding officers and the electorate at large. Electoral fraud has a number of synonyms which may warrant some of them being used interchangeably. For instance, the concept is also referred to as electoral malpractice, electoral crime, vote rigging, electoral manipulation, electoral corruption,

and many other such sobriquets as the context may allow¹². Therefore, depending on what is used in context, the general idea is usually about some unethical, illegal and generally unacceptable conduct which interferes with the electoral process. Giving the fluidity of the acts or omissions which may therefore come within the scope of a particular concept, it becomes practically difficult to prescribe a one-side-fit-all definition to it. However, the basic benchmark for determining what it is or mean is actually not lost on all.

The objectives of election fraud are mainly to frustrate the democratic aspiration of citizens who have voted, or would have voted into office someone other than the rigged individual. It was identified by a scholars that forms of election fraud in Nigeria include: Compilation of fictitious names on voters registers, illegal compilation of separate voters list, abuses of the voter registration revise exercise, illegal printing of voters cards, illegal possession of ballot boxes, stuffing of ballot boxes with ballot papers, falsification of election results, illegal thumb-printing of ballot papers, under aged voting, illegal printing of the forms used for collation and declaration of election results, deliberate refusal to supply election materials to certain areas, announcing results in places where no elections were held, unauthorized announcement of elections results, harassment of candidates, agents and voters, change of list of electoral officials and ballot box-switching and inflation of figures¹³. In the context of Nigeria, election rigging is an act or conduct of subverting the entire electoral process through massive organized fraud to take over governmental affairs in violation of section 1 of the 1999 and 1979 constitutions¹⁴.

Generally, electoral fraud as a concept has been used broadly to describe every deliberate acts and/or omissions which offends electoral standards. Electoral standards in this context refers to all administrative, procedural and substantive guidelines and principles set by States through their laws to govern the conduct of general elections. Determining the specifics of what constitutes electoral fraud will therefore be a function of what the law says about it per time.

Electoral fraud is the clandestine and illegal efforts aimed at shaping election results¹⁵. This definition underscored one of the fundamental characters of electoral fraud which is its illegal and intrusive nature. Electoral fraud is illegal and its impact on the electoral process is offensively interruptive. It disrupts the electoral process thereby undermining the credibility of the process and its outcome. Somehow, this definition would have sufficed for generalization but for the focus on “clandestine” conducts which makes it inherently limiting. The emphasis on clandestine conducts inherently excludes, by implication, a wide range of other brazen acts carried out in the open such as vote trading, voters intimidation, ballot box snatching, stuffing and destruction of electoral material amongst others. Given that there are actually acts which are carried out in the secret, a great number of these acts which constitute electoral fraud are however carried out in the open, in clear violation of electoral standards.

Conversely, excluding open conducts such as these limits the scope of electoral fraud and brings within its contemplation conducts which ordinarily should have been a healthy and legitimate closed-door strategic sessions such as meeting meant to discuss campaign strategies or political briefings within the scope of electoral fraud¹³. Electoral fraud are illegal acts or conducts which

runs counter to electoral standards. It was also defined as an illegal interference with the process of election with the aim of interfering with the mandate of the people. While this definition actually lends further credence to the illegal nature of electoral fraud, limiting it to acts or conducts which interferes with the process of elections” alone makes it inherently inadequate¹⁴. The reason is because the concept of electoral fraud covers a wide range of acts which interferes directly or indirectly with the entire electoral process and not just the process of election alone. Electoral fraud is also classified into three: the manipulation of rules (the legal framework), the manipulation of voters (preference-formation and expression) or the manipulation of voting (electoral administration) in the electoral process¹⁶.

The target of electoral fraud is the outcome of the election in terms of figures and statistics. However, mandate of the people and not just some abstract figures. The real issue must be examined from the context of its impact on the right of the people to voluntarily choose their leaders and not some abstract figures with no real political or legal effect.

The real victim of electoral fraud is the people whose mandate is stolen and not just some political parties or their candidates. The prevalence of electoral fraud as a ban on Nigeria’s democracy has been attracting scholarly attention for quite some time now. This is not only because of good governance, but also because it serves as a tool to undermine the role played by the electorate in determining who occupies public office. In the course of reviewing the available literature, electoral fraud will be used inter-changeably with electoral malpractice¹⁷.

Electoral fraud encompasses all forms of electoral malpractices, irregularities and rigging which have normal underlying animal intent and purpose. It is electoral acts, which unduly sway electoral victory to be designed particular usually unpopular direction. It was noted that electoral fraud connotes all forms of illegal activities perpetuated by desperate interest driven actors within the entire environment of electoral process. On the other hand, it was averred that it could take the form of stuffing of ballot boxes with ballot papers or hoarding of electoral materials, manipulation and fabrication of electoral results, use of law enforcement agencies to intimidate, mime and disenfranchise eligible voters and candidates, or murder of political opponent¹⁸.

Electoral rigging and irregularities do not qualify to be classified as electoral fraud if such practice is devoid of criminal acts or embedded in criminalities. It was stated that even though electoral fraud is in all-encompassing phenomenon, it could be differentiated from irregularities occasioned by unconscious short coming emanating from electoral system. Hence, the underlying ingredient of electoral fraud is that the actions are deliberate, illegal criminal and design to truncate democratic principle and popular will. A summation was made that Nigeria's general elections as being characterized by violence, intimidation and use of coercive suppression and disenfranchisement of eligible voters¹⁹.

In conceptualizing the electoral malpractices, it was defined as the formal process by which the electorates select officials and determine the issue submitted to it. Implied in the above stated as other scholarly definitions of election such as, that formal procedure recognized by law through which the electorates choose one or more persons out of many to occupy positions or a way of

making a choice that is fair and acceptable, usually involving the achievements of a certain degree of fairness and justice to all concerned. It is element of choice and Independence involved in the exercise of this choice that distinguish election from selection such as acclamation, selection by lot and appointment. It was also opined that electoral malpractices refers to irregularities committed by government officials saddled with the responsibility of conducting elections, political parties and individuals with the intention to influence an election in favor of a particular candidate.

Electoral malpractices, therefore is a negation of the work and essence of or principles of the election. This view was also corroborated as an acts of corruption. It was argued that elections in Nigeria were marred by serious allegation of massive electoral malpractices. This fact is confirmed by the reports of various local and International observers and through the reactions of both the electorates and the candidates that contested during the elections. Electoral malpractice constitutes one of the most serious problems in Nigeria. This pertain to the infringement of the electoral law include the use of quasi-military organizations, voting by unregistered persons, under age voting bears criminal deceptions that deviate from the norms and principles of electoral process especially if such action is illegal. An argument was raised that electoral malpractice commenced with the desire and ambition of the vast majority of the incumbent office holders within the legislative and the federal and the state level to get second term at all cost, which now restored to a do or die political affairs, this desperation led to the heating up of the political process. The political office holders utilized power of incumbency to intimidate their opponents²⁰.

It was further averred that the way elections were conducted showed that the ruling class or political class has learnt nothing and forgotten nothing from experience of the past. This is because their general behavior offended the sensibilities of the true democrats. All the tricks in the game of election rigging were fully employed. The rules of the game were brazenly flouted; party discipline was jeopardized in some primaries, in most cases two or more candidates were produced for a single seat on the platform of the same party. The magnitude of election rigging in Nigeria is at a very high side, and this has resulted to losing faith and hope in Nigeria²¹. It was also opined that electoral fraud can be any random or organized act or threat to intimidate, physical harm, blackmail, or abuse of a political stakeholder in seeking to determine, delay or to otherwise influence an electoral process²².

In another view, electoral fraud connotes all forms of violence (physical, psychological, administrative, legal and structural) at different stages engaged in by participants, their supporters and sympathizers (including security and election management body staff) in the electoral process²³. These forms of violence take place before elections, during elections and after or post elections, and could also be intra or inter-party. Electoral fraud is an illegal interference with the process of election. Acts of fraud affects vote counts to bring about an election results, whether by increasing the vote share of the favored candidates, depressing the vote share of the rival candidates or both.

It can be also referred to as vote fraud, the mechanism involved includes illegal voters' registration, intimidation at polls and improper vote counting. What electoral fraud is under law

varies from country to country. Many kinds of voter fraud are outlawed in electoral legislation but others are in violation of general laws such as those hovering on assault, harassment or libel. It went further to define electoral fraud as an incident that not only destabilizes a democracy but it could also put an election process into a credibility crisis, making it difficult for people and voters not to accept an election process and its results²⁴.

2.1.3 Smart Card Reader

There are various viewpoints and perspectives on the smart card reader. To this end, there is no unified agreement among scholars as to what the concept really connotes. However, attempts shall be made to clarify the concept. The smart card reader is designed to read information contained in the embedded chip of a permanent voter's card issued by INEC to verify the authenticity of the Permanent Voter's Card (PVC) and also carry out a verification of the intending voter by matching the biometrics obtained from the voter on the spot with the ones stored on the PVC²⁵. The Smart Card Reader (SCR) is a technological device designed to validate and attest to the authenticity of a permanent voter card (PVC) which holds the bio-data of potential voters on election days. The SCR utilizes a cryptographic (secret writing) technology used mostly in devices that are required to carry out protected operations. Its unique components are ultra-low power consumption, Android 4.2.2 operating system and a sole core frequency of 1.2GHz²⁶. In the case of INEC the smart card reader actually displays the photograph of the card bearer within seconds of inserting the card into the machine to accredit the electorate before casting his/her votes. The aim of this device is to ensure the principle of one

man one vote and to eliminate double voting. The smart card reader works by the inserting the Permanent Voters Card (PVC) into the SCR and within seconds, the machine will detect the authenticity of the card and also display the picture of the bearer. The next step is to cross-reference the finger print of the bearer to confirm if the card truly belongs to the person in possession of the card²⁷.

The above definitions are quite germane but are essentially inadequate to give a clearer picture of what the smart card reader really mean. For instance, the definitions failed to point out the fact that even after the authentication, the smart card reader keeps a record both failed and successful verification for reference and record purpose. As such, For the purpose of this research paper, the smart card reader is one of the components of electronic voting devise that enables credibility in election. Also, the smart card reader is a reliable means to eliminate rigging, electoral violence, and also enables quick voting among the electorate²⁸. It also increase the authenticity of votes cast among electorate by keeping the record of both failed and successful verifications in order to enhance the integrity of the voting process, dissuade multiple voting, as only duly accredited and verified permanent voters card holders could vote. The use of biometrics in African elections is on the rise. No fewer than 25 sub-Saharan African countries (including Sierra-Leone, Democratic Republic of Congo, Zambia, Malawi, Rwanda, Senegal, Somaliland, Mali, Togo and Ghana) have already held elections employing a biometric voter register²⁹.

In Nigeria, the automated fingerprint identification system was used in the 2011 general elections to eliminate multiple registrations from the voter list, but it was not capable of verifying the

identity of voters at the polling stations. In view of this, INEC adopted the use of the permanent voter card (PVC) system and introduced smart card reader technology, a device used to scan PVCs to verify the identity of voters at the polling booth. The smart card reader was one of the greatest innovations of biometric verification technology and a controversial but crucial aspect of the 2015 general elections in Nigeria. Other African countries, including Ghana, Kenya and Somaliland, had adopted biometric verification technology. The technology is particularly useful in settings where governments have not previously established reliable or complete paper-based identification systems for their populations³⁰.

The process for conducting the 1999 General Elections and the overall outcome were more acceptable and relatively less outrageous than the successive elections⁴⁵. Specifically, subsequent elections conducted by successive administration were so replete with irregularities and violence that observers described them as the most fraudulent in the annals of the country. Legal opinions maintained that the April/May 2003 elections conducted under the contentious Electoral Act 2002 should be rendered null and void⁴⁶. This hinges from the fact that the Act was found to be inconsistent with the 1999 Constitution of the Federal Republic of Nigeria. Thus, the tendency of the political leadership to flout and subvert the rule of law with impunity laid foundation for the flagrant irregularities and monumental fraud perpetrated during the elections. The fourth republic elections have been characterized by violence, intimidation and use of coercive apparatuses of the state to commit acts of rigging, suppression and disenfranchisement of eligible voters⁴⁷. Both domestic and international election observers in their various reports admitted that there were massive electoral malpractices during the general elections. A statement issued by a coalition of

civil society groups in Nigeria indicates that in many polling stations across the country, after balloting, results were declared at some polling stations, while in others there was a conscious decision by electoral personnel not to declare the result⁴⁸. Whether declared or not, these results were manipulated by electoral officers and party officials at collation centres. This was the situation in many Local Government Areas in Anambra State– Njikoka, Aguata, Onitsha and Nnewi; Imo State– Owerri North-East, Orlu; and widespread in Rivers, Enugu and Delta States. Comparison of results declared at these polling stations and recorded by the observers also show substantial discrepancies⁴⁸. Similarly, the findings of the EU EOM corroborated the foregoing reports on the general elections when it branded the election as a fraudulent selection exercise rather than a democratic election. All the 28 opposition presidential candidates and their respective party chairmen addressed several press conferences rejecting the results of the elections. The presidential candidate of ANPP, General Muhammadu Buhari described the elections as the most fraudulent Nigeria had had since independence and, therefore, called for their cancellation and the constitution of interim government to take over from May 29, 2003⁴⁹. Other electoral misconducts perpetrated by INEC and its unscrupulous officials to include unlawful possession of ballot papers and boxes, unlawful possession of authorized and unauthorized voters cards, stealing ballot box keys, stuffing of ballot boxes, forgery of results, falsification of result sheets, tampering with ballot boxes, collusion with party agents to share unused ballot papers for fat financial rewards, inconsistent application of INEC’s procedures across the country, among other⁵⁰.

The declining quality of Nigerian elections is increasingly seen as a threat to democratic consolidation. The 2007 General Elections were the third in the series that map Nigeria's democratization since 1999. The elections offered another opportunity for change and power turnover in the country. However, judging by the overall quality and outcomes of the elections, the expectations of many Nigerians and international partners were dashed. The elections were marred by massive irregularities as reported by different accredited election observers like the TMG, Carter Centre, NDI, IRI, and EU EOMs. The results of the elections were bitterly contested in an unprecedented but largely non-violent manner. From the conduct of the elections alone, 1,250 election petitions arose. The presidential election had 8, the gubernatorial 105, the senate 150, the House of Representatives 331, and the State Houses of Assembly 656⁵¹. With a few exceptions, especially the gubernatorial elections in Osun and Ekiti States, most of these cases were decided in the final appellate court. For example, the two leading opposition candidates in the presidential election pursued their cases to the Supreme Court where the case was decided in favor of President Umaru Musa Yar'Adua of the PDP⁵². However, results were annulled in several states and at different levels, including the gubernatorial elections in Kogi, Edo, Kebbi, Sokoto, Adamawa, Ekiti and Ondo States. In most of these cases, a re-run was conducted, which the PDP won save for Ondo and Edo States where declaratory judgments were given, leading to the restoration of the electoral victory of the Labour Party and Action Congress in the respective states. Thus, it was noted that the 2007 elections recorded an alarming 6,180 cases throughout the electoral process. This may be correct given the high level of impunity that characterized the political scene. The most relevant example relates to the manipulation of party

primaries to pave the way for anointed candidates of the godfathers, especially within the ruling PDP. Also, as a proof of its weak institutionalization, INEC was unabashedly enmeshed in barefaced political partisanship. The Commission was severely distracted by its demeaning stance of serving as a tool in the hands of President Obasanjo to stop the presidential bid and candidature of the Vice-President, Alhaji Atiku Abubakar. However, INEC was stopped from disqualifying Atiku through the Justice Iorgyer Katsina-Alu-led Supreme Court judgement of April 16, 2007 which ruled that the Commission has no powers to disqualify candidates already cleared by their political parties⁵³.

The maladministration of the 2007 General Elections intensified civil activism for electoral reform and pressured the government to grant some limited concessions. Civil society organizations, pro-democracy forces and opposition political parties fought relentlessly for a comprehensive reform of the electoral system. For example, the Electoral Reform Network and the Centre for Democracy and Development shining examples of credible election advocacy groups submitted memoranda to the Mohammed Uwais Electoral Reform Committee and also followed them up in the National Assembly. The changes in the leadership of INEC, including the removal of the controversial and discredited Maurice Iwu and his replacement with Professor Attahiru Jega a leading political scientist, trade unionist and pro-democracy activist are some of the gains of the Uwais reform process⁵⁴.

Arising from the implementation of the electoral reform by Yar'Adua/Jonathan administration, the 2011 General Elections were relatively credible, free and fair. Preparation for the elections began as far back as August 2009 with a strategic retreat by INEC in Abuja. This came against

the backdrop of a number of challenges that confronted the Commission. One of these was the credibility gap, especially those that arose from the conduct of the 2003 and 2007 General Elections. To overcome these challenges, the first step taken by the Federal Government was to build public confidence on the credibility of the 2011 elections through the appointment of Professor Jega as the new INEC helmsman. The Commission significantly improved the conduct of the elections, creating a new voters register, improving transparency in reporting results, and publicly pledging to hold accountable those who broke the rules⁵⁵. Elections were held in most areas of the country in a largely peaceful atmosphere, with fewer reported incidents of violence or blatant police abuses than in previous years. Despite the improvements, there were still incidents of violence, reports of police misconduct, voter intimidation, hijacking of ballot boxes by party thugs, ballot box stuffing, vote buying, multiple voting, over voting, underage voting, falsification of results and other associated electoral irregularities⁵⁶. The outcome of the presidential election also led to the eruption of post-election violence with the attendant destruction of valuable lives (including those of some members of the National Youth Service Corps) and property in states like Bauchi, Gombe, Kaduna, Kano, among others. Corroborating the above, National Democratic Institute holds that “the violence...caused over 800 deaths and substantial destruction of property⁵⁷. It is pertinent to note that the outbreak of violence was not only as a result of poor handling of the elections by INEC but also a practical expression of frustration and disappointment as well as a demonstration of the do or die attitude of the political elite to electoral contests. Utterances of some of the candidates that lost and the general inability of politicians to accept defeat did not help matters. Thus, INEC surmises that the painstaking

approach to the 2015 General Elections is informed by its perception that the 2011 polls, though qualitatively better than many previous elections, was by no means perfect.

2.1.4 Smart Card Reader and Fourth Republic Election in Nigeria

Previous elections outcomes in Nigeria had witnessed tremendous bid for political power by some stakeholders with vested interests in the Nigerian electoral process. Some of these stakeholders engaged in all forms of electoral malpractice, including multiple voting, impersonation, manipulation and falsification of results which had led to legal actions, electoral conflicts and violence. Electoral malpractices make the citizens to lose confidence in the electoral process; and lack of confidence by the citizenry in the democratic process is an impediment to the deepening of democracy process, if the citizenry does not have confidence in the fairness, accuracy, openness, and basic integrity of the election process, the very basis of any democratic society might be threatened⁶⁸.

Electoral fraud has more serious political implications, in that it allows a party or candidate to take over public positions contrary to the popular will⁶⁹. This undermines the democratic process and usually leads to electoral violence, insecurity and political instability. The governments of Cote D'Ivoire, Peru, and Serbia fell in 2000 as a result of popular rebellions against their fraudulent elections. Similarly, the so called "Orange Revolution" in Ukraine in 2004 caused presidential elections to be completely re-scheduled following extensive fraud in its electoral process⁷⁰.

In view of the negative impacts of electoral malpractices, global attention is now focusing on how to mitigate this undemocratic behavior and improve the electoral process. One of such strategies to combat electoral malpractices is the introduction of information and communication technology into the electoral process. Though, the use of technology in elections is not an end in itself, but assists in the various aspects of electoral administration. It is against this background that an electronic technologically based device, the smart card reader was introduced into the Nigerian electoral process in 2015 to help improve and deepen electoral democracy. Among the fundamental basis for the deployment of the technologically-based device in the 2015 general elections by INEC was to prevent electoral fraud; allow the electorates votes to count; reduce litigations arising from elections; authenticate and verify voters; protect the integrity and credibility of the election; audit results from polling units across the federation; and ensure transparency and accountability. Others are to, do a range of statistical analysis of the demographics of voting for the purposes of research and planning; build public confidence and trust in the election; reduce electoral conflicts; ensure a free and fair election and deepen Nigeria's electoral and democratic process⁷¹.

In spite of the laudable goals and objectives of the smart card reader, it generated debate among the 2015 general elections stakeholders before, during and after the polls. On the one hand, proponents of the card reader have viewed the innovation as a deliberate effort in ensuring the conduct of a free and fair election while on the other hand there have been arguments that INEC neither has the legitimate authority nor capacity to use the card reader⁷². The proponent of the device believed that the card reader procedure has the capacity to prevent or minimize rigging in

the sense that there would not be multiple voting while the opponents believed that in the peculiar circumstances of the Nigerian situation, the card reader is designed to assist a certain political party to win the general election.

A scholar maintained that the major plank of their argument is that the card reader must have been programmed to assist a pre-determined winner of the election by ensuring that so many persons would discriminately be disenfranchised to deny other parties of favorable votes, thereby ensuring the winning of an INEC preferred or pre-determined party. There is also the sentiment about the use of a faith based bank to transfer money for printing of permanent voters' card and the configuration of the card readers⁷⁴.

The 1999 constitution of the Federal Republic of Nigeria is the Supreme legal statute in Nigeria. It is the supreme law of the land on the basis of which the validity of other laws is determined. It is the ground norm of the country's corpus juris. The constitution in its section 1 provides: 1(1) this constitution is supreme and its provision shall have binding force on the authorities and persons throughout the Federal Republic of Nigeria. To further emphasize the supremacy of the constitution, the constitution in section 2(3) provides that: if any other law is inconsistent with the provisions of this constitution, this constitution shall prevail, and that other law shall to the extent of the inconsistency be void⁷⁵.

The constitution in its provision establishes the Independent National Electoral Commission as a Federal Executive body. It also charges INEC with the duty to organize undertake and supervise all elections to the offices of the President and Vice-President, the Governor and Deputy

Governor of a state and to the membership of the Senate, the House of Representatives and the House of Assembly of each state of the Federation (Section 118). The 1999 Constitution also provides that the registration of voters and the conduct of elections shall be subject to the direction and supervision of the Independent National Electoral Commission.

The National Assembly in exercise of its function enacted the Electoral Act 2010 to regulate the conduct of Federal, State and Area Council elections and for related matters. It is pertinent to mention at this point that the sections of the Electoral Act that will be under analysis are the provisions concerning accreditation of voters. The reason for that being that the Card Reader in question is used in the accreditation of voters. The Card Reader proceeding has been explained as one of the processes of accreditation in an election.

As stated above, the card reader is used in the accreditation of voters giving it great importance as accreditation is one of the fundamental elements of the electoral process. Without accreditation no valid result can originate. In Election Manual 2015, accreditation is a process of ascertaining that a voter's name is in the register of voters in a particular polling unit, where he/she registered to vote in an election. The provision of the Electoral Act that provides for the said accreditation of voters in an election is section 49(1) and (2) of the Electoral Act 2010. The section provides thus: Any person intending to vote with his voter's card, shall present himself to a Presiding Officer at the polling unit in the constituency in which his name is registered with his voter's card.

The Presiding Officer shall, on being satisfied that the name of the person is on the Register of Voters, issue him a ballot paper and indicate on the Register that the person has voted.

From the provision above, all that the Electoral Act requires for accreditation of a voter to be complete is for a voter to be present with his voters' card and that the person's name is on the register of voters. There is no mention of a Card Reader in section 49(1) and (2) of the Electoral Act 2010 as amended. The term Card Reader was also not mentioned anywhere in the Electoral Act which is the current statutory regime of the electoral process in Nigeria. The Card Reader is the brain child of the INEC. It was introduced to Nigerian elections via its Manual for Election Officials 2015. However, the INEC has the power to make manual for election, section 153 of the Electoral Act provides: "The commission may, subject to the provision of this Act, issue regulations, guidelines or manuals for the purpose of giving effect to the provisions of this Act for its administration thereof. The election manual provided for the process of accreditation of voters in the 2015 election (INEC, 2015). The process described by the manual is largely inconsistent with the provisions of section 49(1) of the Electoral Act which has already prescribed the process and of accreditation of voters. The Manual in paragraph 2.4.1 provides that a voter "shall present himself/herself to the APO III (Queue Controller) and also to the APO 1 (Verification and statistics)". The Electoral Act specifically mentioned the Presiding Officer and not any APO. The Manual introduces Card Readers in the accreditation of voters in 2.4.1(a) step 3 which states; "read the PVC using the Card Reader to authenticate the PVC as that of the voter and that the polling unit details in the PVC correspondent with those of that Polling Unit".

As stated earlier, the Electoral Act makes no mention or provision for Card Readers hence, the manual is inconsistent with the Electoral Act-2010 in that regard.

The Manual stipulated that failure of the Card Reader to read the PVC takes away the right to accreditation and voting. Scenario C on page 34 of the Manual provided that; Scenario C where the Card Reader fails to read the PVC, the APO 1 shall refer the voter to the Presiding Officer (PO), or APO (VP) as the case may be who shall: Inform the voter of the problem, that he/she cannot be accredited; Politely request the voter to leave the polling zone and/or hand him/her over to the police where there is resistance or detain.

The Manual as stated above, takes away the right to accreditation and voting notwithstanding that the name of the intending voters' name/picture is on the voters register by which under section 49(2) of the Electoral Act such intending voter is without more qualified to vote.

From the above provision of the Manual, a voter's right to vote has been trampled upon. The right of a person to vote is not only constitutionally guaranteed, it is also protected under International Human Rights Law⁷⁶. Indeed, International Human Rights Law provides that the right to vote (including other rights recognized under the Covenant) shall not be subject to unreasonable restrictions and distinctions of any kind. The importance of the right to vote was emphasized in the case of *Wesbury v. Sanders* in 1964. The court held that: "No right is more precious in a free country than that of having a choice in the election of those who make the laws under which, as good citizens, they must live. Other rights even the most basic are illusory if the right to vote is undetermined.

The electoral laws of Nigeria put no extra-legal burden on an intending voter to go through a Card Reader to be entitled to vote once his name is found on the Register of Voters of the Polling Unit. The Court of Appeal in *Haruma v. Modibo* held that an intending voter, without a voter's card but whose name is on the voters' register can vote. However, the Supreme Court in *Buhari v Obasanjo* held that an intending voter needs a voter's card because it is with the voter's card that the comparison would be made of the name on the voter's card and the name on the register and the picture therein.

It is a fundamental principle of law that where a statute provides a method of doing a particular thing, no other method would be adopted. In the case of *Aguta II v. Ngene* the court held *inter alia* "it has become trite that where a statute provides for the manner of doing a particular act, only that manner as provided by the enabling legislation would be acceptable.

2.2 Theoretical Framework

2.2.1 Structural Functionalist Theory

This study is anchored on Functionalist theory. Functionalism also referred to as functionalist theory posits that society is more than the sum of its parts; rather, each aspect of it works for the stability of the whole. The society was envisioned as an organism since each component plays a necessary role but cannot function alone. When one part experiences a crisis, others must adapt to fill the void in some way. In functionalist theory, the different parts of society are primarily composed of social institutions, each designed to fill different needs. Family, government, economy, media, education, and religion are important to understanding this theory and the core

institutions that define society, politics, and governance. According to functionalism, an institution only exists because it serves a vital role in the functioning of society. If it no longer serves a role, an institution will die away. When new needs evolve or emerge, new institutions will be created to meet them, thus, the Nigerian society relies on the Independent National Electoral Commission as an institution, to steer the electoral system in a manner that is capable of delivering quality leaders whose form of governance will guarantee the dividends of democracy. When the system is faulty or dysfunctional, it destabilizes the society. Thus, from the functionalist perspective, if all goes well, the parts of society produce order, stability, and productivity. If all does not go well, the parts of society must adapt to produce new forms of order, stability, and productivity. Therefore, there is need to re-evaluate the effectiveness of the usage of card readers for elections in Nigeria, with the aim to correct and improve on all the hitches so far witnessed so that subsequent elections will be free of anomalies.

2.2.2 Liberal Theory of Democracy

This theory also presents a heuristic tool for interrogating the components of variables in this study. The liberal theory of democracy is said to be common among capitalist and peripheral capitalist nations. This notion of democracy emerged when capitalism became the dominant mode of production in Europe and North American supported by the philosophical writing of John Locke, J.J Rousseau, John Stuart mill, Montesquieu and other liberal writers whose theories advocate private liberty, natural rights, social Justice, majority rule and private property⁷⁷. Based on this premise, the central idea of the liberal theory of democracy is how to design a political

system which encourages individual participation and enhances moral development of citizens. In a liberal democracy, electoral process always gives room for the formation of groups popularly called political parties which are expected to possess some basic characteristics like political ideology, sincere political manifestoes, party discipline, and strong internal democracy among others⁷⁸. Thus, competition among these political parties is seen as part and parcel of democracy because it helps to strengthen the quality and level of their service to the people. This is why electoral scholars often argued that the significance of free and fair elections as a critical element of democracy cannot be over stated. Liberal democracies usually have universal suffrage, granting all adult citizens the right to vote regardless of race, gender or property ownership⁷⁹. Liberal democracy may take the various constitutional forms: It may be a Federal Republic, as the United States, Brazil, India and Germany, or constitutional Monarchy such as the United Kingdom, Japan or Spain. It may also be a presidential or parliamentary system. This theory is justified due to the fact that, it can help examine analytically the challenges of sustaining Nigerian democracy or democratic stability in Nigeria's Fourth Republic as it designs the systematic structure through which a democratic political system can effectively function. Liberal theory of democracy is an interesting theory in this work. Its value lies in the fact that it exposes and explains the expectation of any political system, particularly as it emphasizes the conduct of credible elections which is one of the factors responsible for an enduring legitimacy and political stability.

2.3 Empirical Review

2.3.1 Studies on Smart Card Reader

The smart card reader is an electronic device which is used for the authenticity of one's permanent voter's card. The smart card reader was the most highly contentious issue in the 2015 general elections in Nigeria. It was used for the first time in 2015 and remains one of the greatest innovative technologies in Nigeria's electoral history. The smart card reader is a technological device set up to authenticate and verify the Permanent Voter Card (PVC) issued by the Independent National Electoral Commission (INEC). The device uses a cryptographic technology that has ultra-low power consumption with a single core frequency of 1.2GHZ and Android 4.2.2. Operating System⁵⁸.

A Biometric Smart Card (BSC) is simply a smart card that possesses a biometric sensor (mainly fingerprint sensor for now) and can self-authenticate itself. Biometric security entails capturing the needed biometric trait, pre-processing the captured trait, extracting features from it, template generation and finally template matching; all these stages are also carried out within the BSC [3]. The card reader uses a highly secure and cryptographic technology that is used commonly in devices that need to perform secure transactions, such as paying terminals. It has ultra-low power consumption, with a single core frequency of 1.2GHz and an Android 4.2.2 operating system. The card reader was introduced in the 2015 election.

In other words, the INEC card reader is designed to read information contained in the embedded chip of the Permanent Voter's Card issued by INEC and also carry out a verification of the intending voter by matching the biometrics obtained from the voter on the spot with the ones stored on the PVC (Engineering Network Team, 2015).The ability of the card reader to perform

the above functions, as well as keeping a tally of the total numbers of voters accredited at the polling unit and forwarding the information to a central database server over a Global System Module (GSM) network makes the card reader most welcome at this point in time in the nation's electoral history. However, a scholar contended that the electronic voting machine and the card reader are two different devices that are not necessarily deployed together for all purposes. He explained that a card reader is not an electronic voting machine but a machine to be used for accreditation of voters only before the actual voting⁵⁹.

Smart card reader is a component of electronic voting also known as e-voting, it's a system of voting using electronic means to either aid or take care of the chores of casting and counting votes⁶⁰. Depending on the particular implementation, e-voting may encompass a range of internet services, from basic data transmission to full-function online voting through common connectable household devices. Similarly, the degree of automation may vary from simple chores to a complete solution that includes voter registration & authentication, vote input, local or precinct tallying, vote data encryption and transmission to servers, vote consolidation and tabulation, and election administration⁶¹. In general, two main types of e-voting can be identified: e-voting which is physically supervised by representatives of governmental or independent electoral authorities (e.g. electronic voting machines located at polling stations such as smart card readers); and remote e-voting via the internet (also called i-voting) where the voter votes at home or without going to a polling station⁶².

Historically, electronic voting systems for electorates have been in use since the 1960s when smart card systems debuted. Their first widespread use was in the USA where seven counties switched to this method for the 1964 presidential election. Afterwards, smart card readers which verifies voters and direct recording electronic voting machines which collect and tabulate votes in a single machine, are used by all voters in all elections in Brazil and India, and also on a large scale in Venezuela and the United States since 1990s. In 1996, after tests conducted on more than fifty (50) municipalities, the Brazilian Electoral Justice has launched their voting machine. Since 2000, all Brazilian voters are able to use the electronic ballot boxes to choose their candidates. In 2010 presidential election, which had more than 135 million voters, the result was defined 75 minutes after the end of voting. The electronic ballot box is made up of two micro-terminals (one located in the voting cabin and the other with the voting board representative) which are connected by a 5-meter cable. Externally, the micro-terminals have only a numerical keyboard, which does not accept any command executed by the simultaneous pressure of more than one key. In case of power failure, the internal battery provides the energy or it can be connected to an automotive battery. The Brazilian electronic ballot box serves today as a model for other countries⁶³.

Also, in 2004, India adopted smart card readers for its elections to the Parliament with 380 million voters casting their ballots using more than one million voting machines⁶⁴. The Indian smart card readers are designed and developed by two Government Owned Defense Equipment Manufacturing Units, Bharat Electronics Limited (BEL) and Electronics Corporation of India Limited (ECIL). Both systems are identical, and are developed to the specifications of Election

Commission of India. The System is a set of two devices running on 7.5 V batteries. One device, the Voting Unit is used by the Voter, and another device called the Control Unit is operated by the Electoral Officer. Both units are connected by a 5-metre cable. The Voting unit has a Blue Button for every candidate, the unit can hold 16 candidates, but up to 4 units can be chained, to accommodate 64 candidates. The Control Units has three buttons on the surface, namely, one button to verify a voter, one button to see the total number of vote cast, and one button to close the election process.

The SCR were used for the first time in Nigeria's electoral history during the 2015 general elections for electronic voter authentication⁶⁵. The SCR is a technological device set up to authenticate and verify on election day a Permanent Voter Card (PVC) issued by INEC. The device uses a cryptographic technology that has ultra-low power consumption with a single core frequency of 12GHz and an android 4.2.2 operating system⁶⁶. The INEC card reader is designed to read information contained in the embedded chip of the PVC issued by INEC to verify the authenticity of the PVC and also carry out a verification of the intending voter by matching the biometrics obtained from the voter on the spot with the ones stored on the PVC⁶⁷. The Card Reader makes use of a Secure Access Module (SAM). This SAM is used to enhance the security and cryptography performance on the device. It is commonly in devices that need to perform secure transactions, such as paying terminals physically a SAM can either be SIM card and plugged into a SAM slot in a reader or a fixed integrated circuit.

Primarily the Card Reader is used to verify the biometrics of the voter, thereby check mating all forms of impersonation by voters. It is a device which is specially designed for the election's authentication of voters on polling day. The use of card readers intends to address three problems which are; Inflation of the number of voters present in polling units; Misrepresentation of whether individual is physically present and; Fake and multiple registrations of voters to allow for inflated turnouts. The card reader is seen as one of the greatest innovations in the Nigeria Electoral Process.

2.3.2 Studies on Usage of Smart Card Reader in Nigeria's Elections

The Nigerian experience specifically remains one of daunting challenges, even some years after the introduction of biometric technology to the conducting of elections. Some scholars asserted that despite a number of interventions promoting the innovation, these efforts have failed to institutionalize the electronic voter registration (EVR) system, which was poorly perceived after the elections amid reports of high levels of electoral malpractice³¹. The 2015 and 2019 elections in Nigeria, for instance, showed how voting technology failure occurred in the middle of an election, making it impossible for SCRs to consistently identify voters' fingerprints. It was a terrible experience in the interior localities where voters have the lowest propensity for biometric technology adoption, and this prompted manual accreditation and consequently over voting.

Others focus on the impact of the cognitive and psychological dispositions of voters in making their choices. The argument is that voters' electoral conduct is predominantly driven by their specific perceptions of or rigid attributions to voting systems and facilities³². For instance, Harold's study provides only a vague understanding of whether perceptions of biometric technology engender voter apathy among rural voters. Many in the most remote areas have less confidence in themselves, and thus cannot summon the courage to subject themselves to the process of voter verification systems. In Nigeria, for instance, voter turnout declined to merely 47 per cent in the 2015 general elections, when biometric technology was first introduced³³. This turnout is significantly less than that of preceding elections in the country. Registered voter turnout on aggregate since 1999 elections has been at an average of 55.13 per cent. The specific level of voter turnout in Nigerian general elections since the end of the last century is as follows: 1999 (52 per cent), 2003 (69 per cent), 2007 and 2011 (54 per cent).

It was posited that the track record of technological solutions is ultimately only mixed. Failures can be technological (inability to read fingerprints) or due to poor implementation and logistics (kits distributed without power or with no time for their charging)³⁴. They may be unintended, or alternatively result from deliberate actions. It is also possible that biometric technology can perpetuate an atmosphere of suspicion and mistrust, by circumventing the human processes that have to work and have to be seen to work. This is because the core components of the election are placed in a "black box" that voters cannot observe or evaluate objectively for fairness themselves³⁵. Therefore, without an understanding of how the technology works, there is little or no basis for either increased trust among political parties or for greater legitimacy in the eyes of

the electorate. There is no guarantee, then, that the use of technology will result in cleaner, less contested, and more democratic elections³⁶.

This represents a signpost for other relevant works echoing the issues weaved around the organizational and logistical challenges that the new biometric technology can generate. His study postulated that the use of high-level technology in voter-registration processes has raised the issue of moving fragile electronic equipment across treacherous terrain, sometimes resulting in the corruption or even complete loss of the very information that is being sought after. More problematic besides is that these days, especially in Nigeria, it has become difficult to register voters close to their homes. This is mainly because of the limited number of voters that biometric SCRs are programmed to accept in a given polling station. Many voters are therefore registered very far away from their place of residence, and this creates confusion among them when it comes to locating their proper polling station on election day³⁷.

A focus was also on the importance of social factors for the success and effectiveness of biometric technology, explaining how and why Ghana's first attempts at using it for voter identification and verification in its 2012 general elections failed³⁸. The authors reveal that the effectiveness of biometric technology regarding the provision of reliable identification does not depend solely on its technical qualities, but also on real-time connectivity between registration centres and an electronic national register. Inadequate training of electoral officials on how to operate the machines and a lack of guidance on how to handle situations when breakdowns occur

were also implicated as factors that contributed to the failure of the elections in Ghana in their findings³⁹.

In a related study which was drawn from previous studies on capability approach (CA) to examine the social arrangements for registration and voting in Nigerian elections, and their influence on citizens' freedom to participate in the valued activity of electing their leaders ⁴⁰. They assessed citizens to benefit from the process in a way that expanded their freedom to choose, but found also that the arrangements made by INEC to enable registration and voting in elections did not ultimately reflect the actual desires or interests of the people themselves. Nigerian citizens do not currently possess the required freedom to exercise their agency in this manner. In other words citizens lacked a number of the basic socio-economic capabilities enabling freedom of political expression, with consequences for the sustainability of the EVR initiative. Much of the research on developing countries therefore highlights a link between ICTs and development, studied from varying standpoints about the nature of this connection and also the ways in which desired benefits may be achieved ⁴¹.

Similarly concurred on this finding was more of a consolidating benefits of digital technology and its implications for African elections⁴². They maintain that the use of biometric technology in elections enhances the polling environment, and makes the electoral commission more robust and efficient. This is achieved by generating greater clarity and transparency regarding election outcomes. However, the authors remain silent on the specific implications of biometric technology within rural environments. Whether the use of biometric technology in the

conducting of elections in such geographical areas has enhanced electoral outcomes especially by increasing voter participation has therefore remained less understood. This links to another argument that new technology in Africa often fails because insufficient attention is paid during the process of rolling it out to the broader management structures that it needs to even function⁴³.

A study was also conducted in Ghana during the 2012 national elections which found out that when biometric identification machines were introduced into every polling station in the country as a way to reduce the very high levels of electoral fraud known in particular to affect voter registration⁴⁴. The authors randomly selected a large sample of electoral constituencies and polling stations in four of the ten Ghanaian regions, between them home to half of the country's population, and studied whether the presence of election observers systematically reduces machine malfunction. The main findings included a non-random pattern in machine breakdowns: they were much more likely to malfunction in electorally competitive areas and in polling stations without an election observer present. Two types of election fraud over-voting and ballot stuffing were identified and furthermore found to more commonly occur in polling stations affected by the breakdown of the biometric identification machines, especially when an election observer was not present. This means that individuals interfered with the operation of biometric identification machines, and also took advantage of machine breakdowns to commit electoral fraud.

Endnotes

1. B. Munslow. Democratization in Africa' in Vol. 46, Issue 4, Parliamentary Affairs, (1993) Pages 478–490, 10 C Falter, Africa's Leaders for Life <https://www.cfr.org/backgroundunder/africas-leaders-life>> accessed March, 13, 2022.
2. K. Somaville. Keeping it Family: How Africa's Corrupt Leaders Stay in Power <https://www.global-geneva.com/keeping-it-family-how-africas-corrupt-leaders-stay-in-power/> > accessed March 13, 2022

3. African Charter on Democracy, Elections and Governance Cap 8, See Articles 2 (3), (4), (10), (12) & 3 (3), (4), (7), (10); 4; 17.
4. An Africa of Good Governance, Democracy, Respect for Human rights, Justice and the Rule of Law in AU Agenda 2063.
5. Premium Times. Nigeria Decides 2019: Card readers remain a challenge. <https://www.premiumtimesng.com/news/top-news/315393-nigeriadecides2019-card-readers-remains-a-challenge.html>
6. Premium Times. How security operatives, INEC officials compromised 2019 election results Report <https://www.premiumtimesng.com/news/headlines/349513-how-security-operatives-inec-officials-compromised-2019-election-results-report.html>
7. Rae, L., Ann, L., Hall, T. E., Saunders, K. L., & Alvarez, R. M. A new barrier to participation: Heterogeneous application of voter identification policies. *Electoral Studies*, 29(1), 66–73. 2020
8. Transition Monitoring Group (TMG). An Election Programmed to Fail: *Final report of the April 2007 General Elections in Nigeria*, July. 2010
9. The National Democratic Institute (NDI). Election special“, *The News Magazine*, vol.20, no.15. 2003
10. M.G. Usman. The Quest for Credible Elections In Nigeria: A Critical Evaluation of The 2015 General Elections. *Our Heritage Journal*: Vol. 22 (3). 2020
11. O. Yesufu, Card readers and Supreme Court Judgments.” <http://thenigerialawyer.com/card-readers-and-supreme-court-judgments>

12. L. O. Olanipekun and Adesanya, A. A. Assessment of Card Readers and its Effect on the Credibility of the 2015 Presidential Election in Nigeria. *Olabisi Onabanjo University*, Ago Iwoye, Nigeria. 2015.
13. G. U. Musa, The Quest for Credible Elections in Nigeria: A Critical Evaluation of the 2015 General Elections. *Our Heritage Journal*: Vol. 22(3). 2020.
14. C. Nwangwu, Biometric Voting Technology and the 2015 General Elections in Nigeria. Paper Presented at Two-Day National Conference on “The 2015 General Elections in Nigeria: The Real Issues” organized by The Electoral Institute between 27th and 28th July 2015.
15. Okoli, A.C., & Iortyer, P. Electioneering and Dialectics of Political Stability in Nigeria: Implications for Sustainable Democracy. *Research on Humanities and Social Sciences*, 4(13). 2015
16. A. A. Eguavoen, Problems of elections and imperatives of reforms in Nigeria’s democratic process. *The Constitution* 9 (3). 2020.
17. T. P. Chen, Yau W. Y., and Jiang X. Fast match-on-card technique using in-matcher clustering with ISO minutia template, *International Journal of Biometrics*, vol. 7, pp. 119-146. 2019
18. M. Burmester, & Magkos, E. Toward secure and practical E-elections in the new era. *In proceedings of International Conference on Secure Electronic Voting* (pp. 63-76), Kluwer: Boston. 2003
19. The Guardian, Failing card readers raise fresh concern. <https://m.guardian.ng/news/failing-card-readers-raise-fresh-concern/> 2019

20. S. A. Adeshina, & Ojo, A. Factors for e-voting adoption - analysis of general elections in Nigeria. *Government Information Quarterly*, 1–12. 2016.
21. K. M. Abosamra, Abdelhafez, A. A., Assassa, G. M. R., & Mursi, M. F. M. A practical, secure, and auditable e-voting system. *Journal of Information Security and Applications*, 36, 69–89. 2017
22. Rafael Lopez-Pintor. *Assessing Electoral Fraud in New Democracies: A Basic Conceptual Framework*. Electoral. 2019
23. Fraud White Paper Series. International Foundation for Electoral Systems. Washington D.C., page 7.
24. Lehoucq, Fabrice. Electoral Fraud: Causes, Types, and Consequences, *Annual Review of Political Science* 6: pp. 233-56. 2003
25. Susan D. Hyde, eds. *Election Fraud Detecting and Deterring Electoral Manipulation*. Brookings Series on Election. Administration and Reform. Brookings Institution Press. 2019
26. Engineering Network Team. 'Gains of the INEC card reader in the 2015 elections', *The Engineering Network* online, viewed 7 June 2015, [http:// engineering.net/profiles/blogs/gains-of-the-inec-card-reader-in-the-2015- elections](http://engineering.net/profiles/blogs/gains-of-the-inec-card-reader-in-the-2015-elections). 2015
27. A. Gelb, & Decker, C. 'Cash at your fingertips: biometric technology for transfers in developing countries', *Review of Policy Research*, vol. 29, no. 1, pp. 91–117. 2013
28. INEC 2019, Independent National Electoral Commission: 'Frequently asked questions', viewed 10 March 2019, http://www.inecnigeria.org/?page_id=2

29. International Foundation for Electoral Systems 2019, 'Protecting the vote: election security worldwide', viewed 16 March 2022, <http://www.ifes.org/multimedia/protecting-vote-election-security-worldwide>.
30. International Foundation for Electoral Systems 2019, 'A look at Nigeria's 2019 general elections', viewed 16 March 2022, <http://www.ifes.org/multimedia/look-nigerias-2019-general-elections> International Republican Institute 2019.
31. B. Kendhammer, 'Boko Haram and Nigeria's 2019 elections: a fighting chance for democracy?', viewed 17 March 2022, <https://africaplus.wordpress.com>. 2019.
32. R. López-Pintor, 'Assessing electoral fraud in new democracies: a basic conceptual framework', International Foundation for Electoral Systems (IFES) *Electoral Fraud White Paper Series*, viewed 17 March 2022 https://www.ifes.org/sites/default/files/rlp_electoral_fraud_white_paper_web.pdf. 2020
33. D. Momodu, 'Saraki and the battle for 2019', *Nigerian Bulletin* online, viewed 17 March 2022, <https://www.nigerianbulletin.com/threads/saraki-and-the-battlefor-2019-dele-momodu.113063>. 2020.
34. Nigeria Civil Society Situation Room 2019, *Report on Nigeria's 2019 general elections*, viewed 15 March 2019, http://www.placng.org/situation_room/sr/wp-content/uploads/2015/07/SITUATION-ROOM-REPORT-ON-2019-ELECTIONS.pdf
35. K. Oderemi, 'Card readers: to be or not to be?' *Latest Nigerian News*, viewed 15 March 2022, <http://www.latestnigeriannews.com/news/1261223/card-readerof-controversy.html>.

36. Odiakose, M. 'INEC and use of card readers', *Nigerian Pilot*, viewed 14 March, 2022 <http://nigerianpilot.com/inec-and-use-of-card-readers/2015>
37. A. M. Okolie, 'Electoral fraud and the future of elections in Nigeria: 1999– 2003', in G Onu & A Momoh (eds), *Elections and democratic consolidation in Nigeria*, National Association of Political Science, Lagos. 2005
38. J. S. Omotola 'Trapped in Transition: Nigeria's First Democratic Decade and Beyond', *Taiwan Journal of Democracy*, vol. 9, no. 2. pp. 171-200. 2013
39. N. Orji, & Uzodi, N. *Post election violence in Nigeria: experience with the 2011 elections*, Policy and Legal Advocacy Centre, Abuja. 2012
40. S. C. Peters, 'Opinion: illegality or otherwise of card readers in Nigerian electoral jurisprudence', *The Will*, viewed 18 June 2015, <http://thewillnigeria>. 2015
41. G. Piccolino, 'What other African elections tell us about Nigeria's bet on biometrics', *Washington Post*, viewed 16 March 2022, www.washingtonpost.com/blogs/monkey-cage/wp/2015/03/10/what-other-african-elections-tell-us-about-nigerias-bet-on-biometrics/
42. A. Jega, 'Challenges of fraud-free elections under a democratic dispensation', paper presented at the Mustapha Akanbi Foundation Public Lecture, March 12, viewed 15 March 2022, http://www.mafng.org/documents/jega_challenges_of_fraud_free_election_under_democracy.pdf
43. National Democratic Institute. *Statement of the National Democratic Institute's international observer mission to Nigeria's March 28 Presidential and Legislative Elections*. Abuja: National Democratic Institute. 2015

44. National Democratic Institute. Final Report on the 2011 Nigerian General Elections. *Africa Development*, 34 (3): 25-44. 2012
45. E. Ekumen, Recounting the Card Reader Experience. This day Newspaper of 23rd April, 2015
46. C N Musembi ; A Cornwall, _What is the —Rights-Based Approach all about? Perspectives from International Development Agencies‘ in IDS Working Paper 234 < <https://www.ids.ac.uk/download.php?file=files/dmfile/Wp234.pdf> > accessed March 14, 2022
47. H. Peter ; I Argersinger _New Perspectives on Election Fraud in the Gilded Age‘ in Political Science Quarterly. The Academy of Political Science. 100 (4): 669–687. 2021
48. M. T Aluaigba; _Democracy Deferred: the Effects of Electoral Malpractice on Nigeria’s Path to Democratic Consolidation‘ <<https://www.eisa.org.za/pdf/JAE15.2Aluaigba.pdf> > accessed March 13, 2022
49. N. Chikodiri; C. Vincent & A Otu; _Elixir of Electoral Fraud: The Impact of Digital Technology on the 2015 General Elections in Nigeria‘ in Volume 4, Journal Cogent Social Sciences (2018) < <https://www.tandfonline.com/doi/full/10.1080/23311886.2018.1549007> > accessed March 15, 2022
50. A. Awopeju. Election Rigging and The Problems of Electoral Act in Nigeria‘ in Vol 2, No. 2.4 Quarter IV Afro Asian Journal of Social Sciences. 2229 – 5313
51. R. M Alvarez; T. E. Hall & S. D. Hyde, Election Fraud: Detecting and Deterring Electoral Manipulation. Brookings Institution Press. 2008

52. 17 N. Cheeseman ; K Brian; ‘How to Steal an Election in Broad Daylight’ <
<https://foreignpolicy.com/2018/05/21/how-to-steal-an-election-in-broad-daylight/> >accessed
March 16, 2022
53. P D Finn. Electoral Corruption and Malpractice in 8 Fed. L. Rev. 194 (1976-1977)
<<https://heinonline.org/HOL/LandingPage?handle=hein.journals/fedlr8&div=19&id=&page>
=>accessed March 13, 2022
54. F. Lehoucq. Electoral Fraud: Causes, Types and Consequences’, in Annual Review of
Political Science Vol 6 (2003) p233-256.
55. S. Christensen. Mapping Manipulation: Digital Observation of Electoral Fraud, Thesis
Submitted to Uppsala University, Department of Government: page 9. 2011
56. A. Casimir, E Omeh, and C Ike, Electoral Fraud in Nigeria: A Philosophical Evaluation of
the Framework of Electoral Violence’. Open Journal of Political Science, 3, (2013) 167-174.
doi: 10.4236/ojps.2013.34023.
57. The Guardian, Failing card readers raise fresh concern. [https://m.guardian.ng/news/failing-
card-readers-raise-fresh-concern/](https://m.guardian.ng/news/failing-card-readers-raise-fresh-concern/) 2019.
58. C. LeVan, & Ukata, P. Countries at the cross road (2012): Nigeria. Available at:
<http://freedomhouse.org/sites/>. 2012.
59. G. U. Musa, The Quest for Credible Elections in Nigeria: A Critical Evaluation of the 2015
General Elections. *Our Heritage Journal*: Vol. 22(3). 2015.

60. C. Nwangwu, Biometric Voting Technology and the 2015 General Elections In Nigeria. Paper Presented at Two-Day National Conference on “The 2015 General Elections in Nigeria: The Real Issues” organized by The Electoral Institute between 27th and 28th July 2015.
61. A. C. Okoli, & Iortyer, P., Electioneering and Dialectics of Political Stability in Nigeria: Implications for Sustainable Democracy. *Research on Humanities and Social Sciences*, 4(13).2014
62. L. O. Olanipekun, and Adesanya, A. A., Assessment of Card Readers and its Effect on the Credibility of the 2015 Presidential Election in Nigeria. *Olabisi Onabanjo University*, Ago Iwoye, Nigeria. 2015.
63. Premium Times Nigeria Decides 2019: Card readers remain a challenge. <https://www.premiumtimesng.com/news/top-news/315393-nigeriadecides2019-card-readers-remains-a-challenge.html>
64. Premium Times. How security operatives, INEC officials compromised 2019 election results Report <https://www.premiumtimesng.com/news/headlines/349513-how-security-operatives-inec-officials-compromised-2019-election-results-report.html>. 2019.

Chapter Three

Methodology

3.1 Research Design

Survey research design was used in this study to gather in new information from sample drawn from a population, with the purpose of making inferences about the population. This is basically

premised on measurement of variables by asking people questions and to examine relationships among the variables, mostly to capture regularities. It has to do with conducting interview on respondents and or administering questionnaires to elicit responses from the respondents or the combination of both.

3.2 Population of the Study

The population of the study is the entire INEC staffs and voters who are eligible in the 2019 General Election in Oyo State.

3.3 Sample and Sampling Techniques

A total number of 600 respondents were carefully and randomly selected with 120 INEC staff and 480 eligible voters. It was selected in stages and it is as follows:-

Stage (i) - Oyo State consist of 33 Local Government Areas and the selection was based on Senatorial Districts, then 1 Local Government was selected randomly from the major electoral districts in the state (Ibadan, Oke-Ogun, Saki, Ibarapa, Oyo, Igboora) making it six.

Stage (ii) - Total number of 6 Local Government was selected. In a chosen State, 4 Registration Areas or wards are selected.

Stage (iii) - Total population of 600 respondents were selected from the 6 Local Government Areas of the 3 Senatorial Districts, 120 INEC permanent staff and 480 Voters were randomly selected for the study.

Election officials that are directly involved in the conduct of the elections which are mainly INEC permanent staff that were at the helm of affairs in their respective Local Government, and dealt directly with ad hoc staff, and have the situation reports on the conduct of the 2019 general Elections were randomly selected as well as those voters that actually voted in the said elections.

The representations of the study respondent are as follows:-

Electoral Officer	6 (1 per Local Government)
Assistant Electoral Officers	18 (3 per Local Government)
Registration Area Officers	12 (2 per Local Government)
Administrative Officers	12 (2 per Local Government)
RACs Managers	18 (3 per Local Government)
ICT staff	24 (4 per Local Government)
EOSC Staff	24(4 per Local Government)
Voters	480(80 per Local Government)
Total	600

The respondents must be a Nigeria that is 18 years and above who are eligible to vote and be voted for as at 2011. In order to minimize sampling error, this study applied simple random technique in selecting 600 eligible voters in Oyo State.

3.4 Description of Research Instrument

Questionnaire and Interview were the major research instruments used to gather information on the field in the conduct of this research.

3.5 Reliability of Research Instrument

The research instrument was carefully constructed with the guidance of the supervisor to provide answers to the questions raised in the research work.

3.6 Validity of Research Instrument

As many of the previous studies relied on ambiguous constructed research plan without causal and analytical relevance to their problem statement. In this study, the structure and strategy of this investigation will be conceived to obtain answers to research questions and objectives and also to control variance in the variables under study. This design will also serve as an important guide for the researcher on how the data will be collected, analyzed and interpreted as collected. While the variables will be controlled and internally valid.

3.7 Administration and Method of Data Collection

Data were collected through questionnaire and interview guide. The questionnaire were administered on the respondents on one-on-one approach, this improve the number of questionnaire collected. Research assistants were also gotten to support in the collection and compilation of the data. Participants were contacted on one on one basis by the researcher.

Though the response was not immediate, the questionnaires were dropped and later collected; especially voters that were not literate will need to consult their children or relatives for translating the questions in the local language.

3.8 Method of Data Analysis

The study applied the followings statistical models to realize the objectives of this study. The data were analyzed using simple Percentage and Person Product Moment Correlation (PPMC) with the aid of Statistical Package for Social Science (SPSS). Cohen (2002), defines correlation as “any statistical relationship between two random variables or two sets of data, any broad class of statistical relationships involving dependence”. The correlation is a bivariate analysis that measures the strengths of association between two variables, the value of the correlation coefficient varies between +1 and -1. In statistics, three types of correlations which include Pearson, Kendall Rank and Spearman correlation.

Chapter Four

Results and Discussion of Findings

4.1.1 Overview of Fourth Republic Elections in Nigeria

The Fourth Republic was ushered in by the 1999 constitution and federal elections after long years of military rule. General elections in Nigeria has been characterized by widespread malpractices and violence. Since 1999, the outcome of elections in the country have scarcely reflected the will of the voters due to the avalanche of electoral malpractices experienced in the process¹. Since the return to civil rule in May 1999, the country has witnessed more violence with an estimated loss of life of more than 10,000 people mostly during the period of elections. Since the birth of the fourth republic in 1999, elections have never differed from the previous ones conducted. The International Institute for Democracy and Electoral Assistant (IDEA) emphasized that the process of election in Nigeria are characterized by stuffing of ballot boxes with papers, over-bloating of voting registers, special treatment of voters, disappearance of/or destruction of ballot boxes as well as distortion or doctoring of election results, and that electoral malpractice had become an entrenched practice in Nigerian political system². The transition of the national electoral umpire changed from NECON to Independent National Electoral Commission (INEC); yet the change did not alter her attitude towards the conduct of free and fair elections. Political parties were allegedly involved in massive rigging, as well as use of thugs to harass opponents through active connivance with security agents. At worst, the ruling elite resorted to using judicial tribunals to unjustifiably uphold their elections³. Flawed polls (or elections) affect political stability.

The 1999 general election came up with three political parties; People's Democratic Party (PDP), All Nigerian Peoples Party (ANPP), and the Alliance for Democracy (AD), ANPP and AD came into alliance and fronted Chief Olu Falae who competed with PDP flag bearer, former Military

Head of State, Chief Olusegun Obasanjo. Obasanjo, who also come from Yoruba, did not attract support from his people because he was picked by the military to run for the election. This made his people accused him of representing the interest of the military oligarchy. The South-West rather rallied support for Olu Falae but Obasanjo later emerged the winner in an election that was seen as a mirage and as a result was not taken serious⁴. The lackadaisical attitude shown towards the election by Nigerians gave the military Junta the free hand to manipulate the election and handed power to the person the hierarchy wanted. Given the weak proceedings to the fourth republic, subsequent elections could not help the manifestation of another round of electoral Violence. In 2003 another general election was conducted; this was adjudged by international observers as the worst election ever conducted in Nigeria political history.

Opposition political parties, international election observers, local monitors and prodemocracy groups adjudged the 2003 elections as lacking in transparency and fairness⁵. It was also observed that during the 2003 elections, several of the parties pursued practices which could be said to help undermine the chances of peaceful and well-run elections. This observation was also confirmed and particularly noted several cases of politically motivated killings. No part of the country including Abuja, the Federal Capital Territory (FCT) was exempted from various dimensions of electoral violence before, during and after election periods. In the north-central states of Nigeria especially Benue, plateau, Kogi and Nasarawa States. There were various degrees of electoral violence unleashed on Nigerians. In Benue state, for instance, Tarka, Gwer, Gboko, Buruku, Kwande, Ukum, Otukpo, and Guma local government areas (LGAs) experienced the worst forms of election crisis. Some of the violence took place during the

primaries of political parties in 2002⁶. In Kwande LGA where soldiers were dispatched to the area to guarantee security allegedly opened fire on ANPP supporters on April 2003 killing over 20 of them⁷.

Some scholars pointed out some victims of political assassinations within the period to include: Theodore Agwato (principal secretary to Imo state governor) Mr. and Mrs. Igwe (Onitsha branch chairman of Nigeria Bar Association and his wife), Jibola Olanipekun (former commissioner in Oyo State), Harry Marshall (ANPP national chairman South-South), Arninassori Dikibo (PDP South-South national chairman) Eze Odumegwu Okonkwo (Chairman Nnewi, South LGA of Anambra state), Philip Oluruniya (Kogi State chairman, SINEC) and Funso Williams (Governorship aspirant PDP Lagos) thus, high profile politicians and statesmen as well as innocent members of the public, including minors have continued to fall victims of the ever increasing electoral violence across the country from one state to the other, there have been gory accounts of events including bloody clashes, killing and arson, vandalism, abduction intimidation, victimization, propaganda and character assassination. The declining quality of Nigerian elections is increasingly seen as a threat to democratic consolidation.

The 2007 general elections were the third in the series that map Nigeria's democratization. The elections were described as the most rigged in the history of Nigeria as almost all the rules that guide the process of elections were violated with impunity by electoral criminals and political scavengers within the polity. The elections were marred by massive irregularities as reported by different accredited election observers like the Transition Monitoring Group (TMG), Carter Centre (CC), National Democratic Institute (NDI), International Republican Institute (IRI) and

EU EOMS⁸. In the build up to 2007 general elections, there were indications that the exercise was going to be fraught with rigging and other forms of malpractices⁹. For instance general Olusegun Obasanjo was widely quoted as declaring during electioneering campaigns that the 2007 election was going to be a do -or - die affair. In reality, the 2007 general elections were inundated with another round of malpractices, which informed yet another round of electoral violence across the country. For instance the IFES-Nigeria collected, documented and reported different incidences of electoral violence in Nigeria, and thus put the total at 967, which include 13 deaths from January 13 to April 30, 2007⁹. The human rights watch also highlighted incidence of pre-electoral violence in the run-up to Nigeria's April 2007 elections which was beset by political killings, bombings and armed clashes between supporters of rival political factions¹⁰.

The 2011 elections conducted by INEC under its chairman professor Jega was applauded by both local and international observers of being credible and transparent. But the conduct of the 2011 elections was not without some challenges before, during and after the election¹¹. These challenges were among others, the problem associated with the PDP zoning formula that became the most contentious and candidacy of president Jonathan, rampant cases of underage registration and voting; Ad-hoc INEC officials who resisted the pressure to register minors and allow them vote were threatened and harassed into submission; cases of ballot box snatching in spite of the open/secret system of voting as well as multiple thumb printing, the use of palm carnal to thumb print despite the capturing machine that were used electronically; 60% of polling units were unable to receive materials and also accusation of outright fraud and collation amongst INEC

agents¹². The 2011 elections just like the previous ones was associated with violence of increased intensity and magnitude, posing deadly threats to the survival of the emerging democracy in the fourth republic.

The 2019 general election was the seventh general elections since the country's return to democratic rule in 1999. Concerned about the massive electoral fraud witnessed in the past general elections in Nigeria, INEC deployment of the Card Reader in 2015 and 2019 general elections was to ensure a credible, transparent, free and fair election in order to deepen Nigeria's electoral process. However, the use of the electronic device in the 2015 general elections generated mixed views of Nigerians on the credibility of the election. INEC assessment however revealed that the elections were peaceful and orderly in many parts of the country. Some states nevertheless recorded significant cases concerning under age voting in the Northern part and inflated figures in the some states like Rivers, Akwa Ibom, Bayelsa, Enugu, Kano, Sokoto, Kaduna and Delta States (European Union Election Observation Mission (EUEOM)¹³. This also includes a few cases of ballot snatching - with the aid of security officers in a number of states. For example, in Akwa Ibom State supporters of the opposition party (APC) protested over perceived irregularities in the state elections calling for the outright cancellation of the elections¹⁴. A number of violent incidents were also observed, the most affected being Rivers, Akwa Ibom, Cross River, Ebonyi and Ondo states¹⁵. According to them, INEC's records show that there were 66 reports of violent incidents targeted at polling units, the commission's officials, voters and election materials. There were in Rivers state (16 incidents), Ondo (8), Cross River and Ebonyi (6 each), Akwa Ibom (5), Bayelsa (4), Lagos and Kaduna (3

each), Jigawa, Enugu, Ekiti and Osun (2 each), Katsina, Plateau, Kogi, Abia, Imo, Kano and Oyo (1 each). They further confirmed that, allegation of wide rigging continued to trail the outcome of elections in Akwa Ibom state, the APC, called attention to cases of ballot snatching, organized violence, withholding of sensitive electoral materials among other anomalies during the presidential and national assembly as well as the governorship elections in the state. Despite the mixed views of Nigerians on the credibility, the 2015 and 2019 election seems better than the four previous elections on malpractices and controversy.

4.1.2 The Impacts of Adoption of Smart Card Reader in Addressing Electoral Fraud in Nigeria

The International Crisis Group, CLEEN Foundation and the National Human Rights Commission (NHRC) predicted gloomy electoral outcomes for the country in 2019. In particular, the Foundation reported that Adamawa, Benue, Borno, Ebonyi, Ekiti, Enugu, Imo, Kaduna, Nasarawa, Osun, Plateau, Rivers, Taraba, Yobe and Zamfara States were most volatile and prone to violence (CLEEN Foundation, 2019). On the other hand, National Human Rights Commission (2019) reported that “Lagos (South-West), Kaduna (North- West) and Rivers (South-South) States present the three most worrying trends and locations predictive of a high likelihood of significant violence during the 2019 elections.

Nonetheless, the introduction of biometric devices like the Smart Card Reader by INEC built confidence and a positive disposition of Nigerians, Election Observer Mission (EOMs) and development partners in the capacity of the Commission to deliver a credible election both in 2015 and 2019. The disposition of many Nigerian voters towards the novel anti-rigging

technology was amply demonstrated through their level of participation during the elections. This confidence was based on their conviction that their votes would not only be counted, but actually did count. The fundamental basis for the deployment of the technology-based device in the 2019 general elections by INEC included the following motivations:

- To prevent electoral fraud
- To allow the electorates' votes to count
- Reduce litigation arising from elections
- To authenticate and verify voters
- To protect the integrity and credibility of the election
- To audit results from polling units across the federation
- To ensure transparency and accountability.

Other reasons included the need for statistical analysis of demographic data of voters and voting for the purposes of research and planning, to build public confidence and trust in the election, to reduce electoral conflicts, to ensure a free and fair election, and to further deepen Nigeria's electoral and democratic process.

In spite of the laudable goals and objectives of the smart card reader, it generated debate among the 2015 general election stakeholders before, during and after the polls. On the one hand, supporters of the card reader view the innovation as a deliberate effort to ensure the conduct of a free and fair election; on the other hand, there have been arguments that INEC has neither the legitimate authority nor capacity to use the card reader¹⁶.

The proponents of the device believe the card reader procedure can prevent or minimize rigging in the sense that there would not be multiple voting¹⁷. By contrast, opponents believe that in the peculiar circumstances of the Nigerian situation, the card reader is designed to assist a certain political party to win a general election. It was opined that the thrust of the latter argument is that the card reader must have been programmed to assist a pre-determined winner of the election by ensuring that a certain number of votes could not be given to another party¹⁸. This would ensure victory by an INEC-preferred party. There have also been mutterings about the use of a faith-based bank to transfer money to print the PVCs and the configuration of the card reader.

The allegation that card readers were designed to favor a political party has been shown as baseless, as we saw before and after the elections. None the less, this unsubstantiated sentiment led to the invasion and destruction of the APC Data Center in Lagos and the subsequent arrest of the supplier of the card readers by the Department for State Security. The Department subtly apologized to APC and later released the supplier of the card readers after no evidence was found.

The contention that a faith-based bank, JAIZ Bank, was used to pay for the supply of the card readers appears to me ridiculous but the investigations showed that another bank, First City Monument Bank, was used to make electronic payment for the supply of the card readers. The use of the card reader in the 2019 general election was also criticized on the premise that its timing was too close for over 68 million Nigerian voters.

The legality of the use of the card reader was a crucial aspect of the debates led by critics of the card readers. To examine this issue, a careful study of Nigeria's electoral jurisprudence is needed

to determine whether the use of the smart card reader by INEC falls within the confines of the law. First, as argued earlier, it is clear that INEC is a creation of the law as it is established under section 153 of the 1999 Constitution (as amended) as a Federal Executive Body. Under paragraph 15 of Part 1 of the Third Schedule to the 1999 Constitution (as amended), INEC is mandated to organize, undertake and supervise all elections in Nigeria; conduct the registration of persons qualified to vote; and prepare, maintain and revise the registration of voters for the purpose of any election¹⁹. INEC is also empowered to carry out the functions conferred upon it by virtue of the Electoral Act, 2010 (as amended).

In addition, it was also argued that section 118 of the 1999 Constitution (as amended) subjects the registration of voters and the conduct of elections to INEC's discretion. Similarly, section 16 of the Electoral Act, 2010 (as amended) gives power to INEC to cause to design, print and control the issuance of a voter's card to voters whose names appear on the register. Therefore INEC has express and implied powers to design means, procedures and processes that enable it to exercise the powers granted under the Constitution which includes, for example, the use of the PVC in the 2019 general elections.

However, sections 49 and 52 of the Electoral Act, 2010 (as amended) were subjected to legal debate with regard to the use of card readers for the 2015 general elections. To some, the deployment of card readers for the accreditation of voters at the elections tactically meant adoption of electronic voting, which the 2010 Electoral Act outlaws²⁰. Section 49 states that;

- Every person intending to vote shall present himself to a Presiding Officer at the polling unit in the constituency in which his name is registered with his voter's card.
- The Presiding Officer shall, on being satisfied that the name of the person is on the Register of Voters, issue him a ballot paper, and indicate on the Register that the person has voted.

Section 52 stipulates that;

- Voting at an election under this Act shall be by open secret ballot.
- The use of electronic voting machine for the time being is prohibited.
- A voter on receiving a ballot paper shall mark it in the manner prescribed by the Commission.
- All ballots at an election under this Act at any polling station shall be deposited in the ballot box in the open view of the public.

In his contribution, Falana averred that the deployment of the card reader by INEC is not illegal. He submitted that INEC has the constitutional power to set the standards and guidelines for elections. In view of this, he argued that the card reader is part of accreditation rather than voting. He maintained that what the law proscribed is electronic voting and not card readers. Therefore, according to him the use of the card reader in the 2015 general elections is legal and legitimate.

A civil society called the Society for Advancement and Protection of Public Rights in its submission argued that the deployment of card readers is illegal because it violates section 52 (1) of the Electoral Act, 2010 (as amended). SAPPR opined that the use of the card reader for

screening voter cards, or which has the effect of preventing a registered voter from voting, is beyond the powers of INEC. As such, SAPPR maintained that by virtue of sections 77(2) and 117(2) of the 1999 Constitution of Nigeria (as amended), INEC had no power to deprive eligible Nigerians of the right to vote at the election. It was also contended that electronic voting machines and card readers are two different devices that are not necessarily deployed together for all purposes.

Card reader is not an electronic voting machine but a machine used for accreditation of voters only before the actual voting. Electronic voting requires no ballot papers whereas the 2015 general election was ballot-paper-based. He argued that what section 52(2) prohibits is the use of electronic voting machines but not the use of card reader for accreditation of voters²¹. In another view card readers is not prohibited. In view of this, he argued, what is not prohibited is permitted in law. He cited the case of *Ojo Bolarinwa Theophilus vs. Federal Republic of Nigeria (2012) LPELR-9846 (CA)*, wherein the Court of Appeal declared that ‘The basic canon of interpretation or construction of statutory provisions remains that what is not expressly prohibited by a statute is impliedly permitted.

Thus, since the use of card readers for the purpose of accreditation of voters is not prohibited by the Electoral Act, 2010 (as amended), the card readers are definitely permitted. Furthermore, it was maintained that accreditation of voters is not the same thing as casting of votes, because a person may be accredited without presenting him or herself to vote. The difference between accreditation and voting is underscored, by section 49(1) and (2) of the Electoral Act, 2010 (as

amended). In order to separate accreditation from actual voting, he opined that the 2015 INEC Guidelines and Manual for Election Officials provides that accreditation shall be conducted between 8:00 a.m. and 13:00 p.m. or such time as the last person in the queue finishes; by contrast, voting commences at 13:30 p.m. or as soon thereafter as accreditation is completed, until the last voter concludes. Citing section 52 of the Electoral Act, 2010 (as amended), it was argued that the use of the card reader is illegal. Section 52 clearly stipulates that the use of electronic voting machines for the time being is prohibited. He maintained that INEC has in respect of the introduction of the card reader gone beyond its limits. Thus, card reader was only mentioned and introduced in the Electoral Manual 2015. In view of this, according to him, its use is illegal and void because the evergreen policy of the law is that where a statute provides a method of doing a particular thing, no other method would be accepted. He cited the case of *Ajuta II v. Ngene* (2002) 1 NWLR (Part 748) at page 300 paragraph C. In this case, C. Muhammad J.C.A. said it has become trite that where a statute provides for the manner of doing a particular act, only that manner as provided by the enabling legislation would be acceptable. The doing of the act by a vehicle other than that provided by law for its attainment would be declared void.

To that extent, every other requirement including the card reader outside the said section 49(1) and (2) of the Electoral Act that is contained in the Electoral Manual 2015 is illegal and void. He accused INEC of developing false confidence that it can do and undo under the cover of ‘an umpire’ instead of pursuing the amendment of the law to accommodate the new invention. He

advised that the Electoral Act, 2010 (as amended) should be amended to include the card reader. Until this is done, he posited that the use of the card reader remains illegal.

It was also observed that a contradiction between the Electoral Act, 2010 (as amended) and the Electoral Manual 2015 wherein the card reader was introduced for the accreditation process of the 2015 general elections. According to him, section 49(1) of the Electoral Act, 2010 (as amended) stipulated that an intending voter shall mandatorily present to the Presiding Officer for accreditation processes.

Contrarily, the Electoral Manual 2015 said the intending voter shall present to an Assistant Presiding Officer. To that extent the absence of the name of Assistant Presiding Officer in section 49(1) of the Electoral Act underscored the position of the Electoral Act, 2010 (as amended) that an Assistant Presiding Officer has nothing to do with the accreditation process in Nigeria's electoral system.

Table 4.1.2.1: Usage of Smart Card Readers and level of electoral fraud in 2019 General Elections.

Variable	Mean	SD	DF	N	R	P	Remark
Smart Card Use	5.71	2.46	563	565	870	000	Significant
General Election	4.44	2.13					

Source: Researchers Field Work

The table 1 above showed that there is significant correlation between the use of Smart Card Readers and effective conduct of 2019 general elections in Nigeria ($r=0.870$; $p<0.05$). With this finding, which state that there is no significant correlation between the use of Smart Card

Readers and effective conduct of 2019 general elections in Nigeria is hereby rejected in favor of that there is significant correlation between the use of Smart Card Readers and effective conduct of 2019 General Elections.

The use of SCRs to authenticate and verify PVCs helped to achieve credible elections that were violence free in Nigeria, the finding on the use of SCRs revealed that people accepted the election results with good faith. Only the Presidential election was petitioned and the tribunal sitting at Abuja. This finding was supported by the submissions of certain evidences, with the identification of these advantages of the use of the SCRs which are as follow:

- The use of the card reader led to the increase and reinforcement of public confidence and trust in the electoral process. This public confidence is dependent on the integrity of an election which the 2019 general election appears to process. Majority of Nigerians after the elections believed that their votes could count and as such their will could be respected in future elections; and this has reinforced the legitimacy of the Nigerians in the democratic process.
- Also, electoral fraud was reduced. Inflation of the number of voters present and multiple voting at polling stations were reduced. The device checked the undemocratic attitude of politicians in polling booth electoral malpractices.
- Thirdly, election litigations were minimized. There was a departure from the past where every election outcome is being contested at the election tribunal. Most of the candidates that lost in the 2019 general election did not challenge the outcome. In fact, some of the major contenders that did not win in the election embraced and congratulated the winners.

For instance, the PDP presidential candidate immediately congratulated the APC candidate that won the 2019 presidential election.

- Electoral conflicts and violence were very minimal as the election was seen to be transparent and credible due to the use of the card reader. The usually excessive and pointless attacking and degrading between the election winners and losers in past electoral contest was significantly reduced. In view of the minimal level of electoral fraud due to the use of the card reader, tensions were reduced among the political gladiators, and as such, electoral conflict and violence was grossly diminished in the 2015 general elections outcome compare to past elections in Nigeria.

4.3.1 Electoral Operations Support Centres and Effective conduct of 2019 Gubernatorial Elections in Oyo State

RQ 4 There is no significant correlation between the creations of Electoral Operations Support Centres (EOSC) and effective conduct of 2019 Gubernatorial Elections in Oyo State.

RQ: There is significant correlation between the creation of Operations Support Centres (EOSC) and effective conduct of 2019 Gubernatorial Elections in Oyo State.

Variable	Mean	SD	DF	N	R	P	Remark
Electoral Operations Centres	6.65	2.50	563	565	.792	.000	Significant
General Elections Conduct	4.44	2.13					

Source: Researchers Field Work

The table 2 above showed that there was significant correlation between the creation of Electoral Operations Support Centers and effective conduct of 2019 General Elections in Nigeria ($r=.793$,

$p < 0.05$). This means that the creation of Electoral Operations Support centers has significant influence on the effective conduct of 2019 general elections in Nigeria. With this finding, which stated that there is no significant correlation between the creation of Electoral Operations Support Centers and effective conduct of 2019 general elections in Nigeria?

Based on this finding, the EOSCs was effective in solving problems encountered by Officer (APO1s). through direct contact on their mobile phones, some issues and difficulties encountered by the APO1 were been attended to, instead of waiting for Supervisory Presiding Officers (SPOs) that were working in a clustered of ten Polling Units. This finding aligned with that the four innovations by INEC improved the credibility of the 2019 elections, and they are able to identify the use of biometric technology for voter accreditation, public display of results at the Polling Units, increased deployment of party agents at polling units, and establishment of an expanded feedback channels by INEC.

4.4 Combating Electoral Fraud in the 2019 Gubernatorial Elections in Oyo State

Combating electoral fraud may require largely the same approach as combating corruption, financial fraud, insider trading or any other form of crime. The ultimate goal is, of course, to prevent fraud in the first place, or at least to significantly reduce the extent and severity of fraud occurrences. One school of thought puts extraordinary emphasis on prevention by advocating severe penalties for electoral fraud, while another stresses the importance of swiftly adjudicating fraud once it has been identified. A third approach highlights a strong investigative capability as a deterrent, given that the likelihood of being caught is significant. Irrespective of focus,

practitioners agree that without a comprehensive assessment, the intervention will probably fail. However, an assessment of the risks facing an electoral process should be a cornerstone of all strategies to combat electoral fraud.

Table 3: Darnolf Model for an Effective Electoral Fraud Strategy

Component	Objective
<i>Assessment</i>	Extensive and inclusive assessments of the entire electoral process and its electoral fraud risks are conducted by major stakeholders: EMB and EMB technical assistance organizations, political parties, domestic observer missions and international observers.
<i>Deterrence</i>	Well-crafted and effective fraud deterrence mechanisms are put in place and publicized, resulting in a deterring effect on individuals and entities contemplating defrauding the electoral process.
<i>Detection</i>	Based on the risk assessment, actors must design counter-measures and close loopholes to avoid fraud. However, as this is not always feasible, an protocol must be in place to detect

	fraud.
Mitigation	Once fraud is detected, the system must be geared to swiftly and effectively handle the situation at hand. If the adjudication is bungled, it may undermine the standing of the organization responsible, as well as discredit the entire electoral process.

Source: Darnolf, 2011. Accessed 15/03/2022

The four components/model examined above in this study show that an effective anti-fraud approach involves several actors. The interplay among these actors is instrumental in protecting the electoral process against fraud.

4.4.1 Actors in Combating Electoral Fraud in Nigeria

This study primarily focus on selected stakeholders and their current and potential roles in combating electoral fraud in Nigeria;

- **Election management bodies (EMBs) - INEC**

When referring to an EMB, in this study, it means a reference is to the institution responsible for planning and holding elections such as Independent National Electoral Commission (INEC). INEC's explicit legal mandate, as stated in the constitution or electoral law, is almost always not just to simply organize an election, but also to prepare and hold elections that are "democratic , "free and fair," "free, fair and transparent" or any other variation of the same

requirement. To fulfill such a mandate, INEC have the responsibility to inform millions of voters about the various steps of the electoral process (e.g. casting valid ballots, location of polling station) on Election Day. Election Commissions are also charged with identifying, recruiting and staffing thousands of polling stations. They often require organizational capabilities to train many thousands of temporary poll workers. In addition to these many challenges, INEC is also the first line of defense against electoral fraud²³.

In spite of the fact that an election authority may lack in-house core expertise in certain areas, INEC commissioners and secretariat staff are ideally positioned to decide on the areas in which reforms are warranted more generally, and to develop the most effective anti-electoral fraud strategy. Not only will INEC commissioners and staff have insider understanding of all of the individual components in the electoral process and how they are interlinked, they will also be familiar with the most vulnerable aspects of the system.

INEC, however, immune to political pressures, bribery and coercion. As a result, the election body must also be cognizant of such threats to the integrity of the electoral process when deciding upon its fraud strategy. INEC is also reluctant to speak in public about allegations of electoral fraud, unless it has already been proven in a court of law. Unfortunately, the internal debate within INEC is usually not much different. This is a highly problematic starting point for an authority with the mandate to organize a credible election, which requires aggressive pursuit and elimination of electoral fraud. This “wall of silence” culture effectively undermines attempts by INEC to identify fraud risks and solutions beyond the ones already in the public realm.

Without a genuine discourse about fraud risks, mitigating mechanisms will not be implemented, nor will INEC personnel be made aware of how to identify, report and control fraud.

INEC have on more than one occasion stated that their electoral fraud approach is based on a rational calculation of available resources. Their overarching task, according to this reasoning, is to organize a “good election.” This translates to an Election Day during which polling stations open on time, trained poll workers are present and sufficient election materials are in place. If the INEC decides to pursue electoral fraud allegations systematically and comprehensively, it will require the reallocation of staff, transportation and financial resources. This can not only threaten the election calendar, but also jeopardize Election Day due to lost time or the inability to pay some of the necessary Election Day contracts. However, by embracing the fraud challenge publically and developing a credible electoral fraud plan early in the electoral cycle, INEC have the opportunity to include anti-fraud costs in the budget.

- **Technical assistance agents to EMBs**

The public generally associates international support to an electoral process with election Observation, or perhaps political party strengthening. Rarely is technical assistance (TA) to an EMB considered. Given the sensitive nature of supporting an institution charged with organizing the election event that ushers in the next government of a country, organizations offering technical assistance keep a low profile. Holding elections increases the political temperature a few degrees in most countries. In some countries, nationalistic rhetoric and memories of former colonizers form a tangible backdrop to political campaigns. Foreign support and foreign national advisors to an EMB can suddenly become an integral part of the campaign agenda if not

managed with tact and diplomacy. Organizations providing TA to EMBs never hold press conferences, talk to the media or issue reports on the inner workings of host EMBs. Knowledge of this type of election support is not always readily available in the public domain. However, technical assistance providers' knowledge of the unvarnished situation within an EMB, and the system's strength and weaknesses, is often significant.

The technical assistance discussed in this paper refers to the situations in which EMBs are formally and fully responsible for the electoral process, not when the international community is organizing the poll or internationals are tasked with being EMB Commissioners. This envisages a more traditional form of support involving a modest presence of election advisors to the EMB and an election budget that is, at the most, partially funded by international donors²⁴. The two main actors supplying this kind of assistance for the last 20 years have been UNDP and IFES.

Election advisors to EMBs have significant potential to actively and efficiently assess, deter, detect and mitigate electoral fraud. However, to date advisors have almost exclusively and only indirectly dealt with the fraud challenge²⁵. Instead of recruiting a dedicated fraud advisor, international experts are normally tasked with assisting by "strengthening" and "improving" various parts of the electoral process, such as voter registration, polling procedures, vote counting and the complaints adjudication process. This can involve increased transparency, more stringent ballot paper control, better form designs to avoid changes being made to tally sheets at a later stage in the process and the introduction of ink to reduce double-voting. It is important to note that several of these activities are *de facto* anti-fraud instruments. However, as long as a coherent and complete electoral fraud plan is lacking, it will not be part of an organization-wide

priority at the EMB. Therefore, any fraud-combating strategy produced with support from technical assistance providers will be piecemeal, incomplete and ineffective. Election advisors inside EMBs are often underutilized assets of strategic importance to assess, deter, detect and mitigate fraud.

The tools currently available to electoral advisors interested in and mandated to focus on electoral fraud are surprisingly few and rudimentary. If an entity is mandated to assist an election authority to develop a strategic plan, there already exists a good platform upon which advisors and organizations can build.¹⁰ Technical support programs to enhance the capacity of Election Commissioners, Senior Secretariat officials and field-based managers on principles of elections, ethics, polling day operations, voter registration, candidate nomination and a range of other relevant and important topics can rely on several different training programs. In the late 1990s, IFES developed a one to two week training program for new election officials (Basic Election Administration Training: BEAT). At around the same time, the Australian Electoral Commission teamed up with several other organizations involved in elections and established BRIDGE (Building Resources in Democracy, Governance and Elections)²⁶. It is by far the most comprehensive training program for election officials.

One of the largest online repositories of election-related material – the ACE Electoral Knowledge Network – provides an enormous amount of election documentation, including in-depth articles, global statistics and other data, an election encyclopedia, information on electoral assistance, observation and professional development, region- and country-specific resources, daily electoral news, amongst other things²⁷.

ACE offers information and access to a large number of topics, but of the 20 mentioned, not one focuses specifically on electoral fraud as a cross-cutting issue. Thus, should an EMB reach out to the international community today and request strategic and comprehensive support exclusively on combating electoral fraud, appropriate resources will be limited.

- **Political Parties**

Political parties are instrumental as defenders of elections. They are obvious stakeholders of the electoral process and thereby have a genuine interest in keeping it clean from abuse and fraud and almost always take an active role in electoral law reform. Individual candidates in particular perform an important indirect fraud-detering function, as their actions leading up to Election Day will to a large degree set the tone of an election. If they choose to run a clean campaign adhering to election legislation and EMB-issued procedures, party activists are also more likely to perform in similar fashion. Parties also play an important role during the complaints process should they discover incidences of electoral fraud, and thus the professionalism of their legal team is relevant. However, first, politicians and parties must detect fraud and that is where party agents are particularly significant²⁷. Political parties and candidates running for office almost always have the right to deploy party agents. These agents can assist in identifying systemic problems by collecting information on a larger scale (voter registration centers, polling stations and decentralized counting facilities), as well by patrolling for campaign irregularities.

Training and deploying a large number of party agents can deter other actors who might be contemplating violating electoral laws. This will, however, only be effective if parties also have a workable system to receive, compile and analyze reports filed by their agents. Only on the

rarest of occasions has this author actually come across political parties with a structured system in place enabling them to present quantifiable fraud data in a court of law or to the EMB. Rather, the norm has, unfortunately, been a deployment of thousands of party agents, armed with checklists to collect observations but no communication plan or capacity to analyze the data within the party structure. Instead, party agents generally only record actual polling station results and feed the data to the next party-level in an unstructured manner.

Many parties are, however, well supplied with in-house legal expertise enabling them to professionally analyze and draft alternative legislation or amendments to existing legal codes governing the poll. In this capacity, they often make vital contributions to closing legal loopholes, which have proven most beneficial in reducing fraud.

Still, we shouldn't shy away from the fact that sometimes political parties are the perpetrators of fraud. Candidates buy votes, political parties create campaign slush funds, prime ministers and presidents abuse public resources to bolster their re-election campaigns, ministers instruct state media to ignore the opposition and incumbents threaten to penalize villagers if they vote for a different political party. Villains are not only found among senior party officials²⁸

In both the 2002 Sierra Leonean general election and 2003 Nigerian elections, mid-level party officials in the field sought to prove their dedication to their leaders by delivering a resounding victory. Due to the ad-hoc nature of these incidences of fraud, vote rigging resulted in voter turnout exceeding 100% of registered voters in several constituencies.

- **Domestic Election Observation Missions/Civil Society Organization**

Civil society plays a crucial role in patrolling the electoral process by both deterring and detecting fraud. This function is most commonly assumed by a domestic election observer mission (DEOM), often made up of several smaller organizations joined together under a domestic umbrella entity for this particular purpose. Other CSO entities play equally important and complimentary roles, focusing on human rights violations, political violence monitoring and campaign finance tracking.

DEOMs have several advantages over international election observer missions (IEOM). Domestic observers speak the local language(s), have a much better grasp of the local politics and dynamics, live among the electorate on a daily basis and can be deployed earlier and at a fraction of the cost of internationally-recruited observers²⁹. The number of domestic observers deployed by DEOMs is usually an order of magnitude larger than the international observer missions, giving them significantly better geographical coverage. DEOMs also monitor critical post-election events, such as aggregation of final results and the complaints adjudication process, long after international observers have departed. Even under the most complex circumstances, and at huge personal risk, domestic observers have time and again shown remarkable courage and resilience, not the least in places like Zimbabwe, Iraq, Nigeria and Afghanistan. This has enabled DEOMs to operate under the most difficult conditions and give praise where praise is due, but also to reveal abuse, fraud and logistical shortfalls.

Broadly speaking, DEOMs have the very same organizational structure as IEOMs, with a Core Team, long term observers (LTOs) and short term observers (STOs). Although the Core Team

tends to be smaller in a DEOM, the field organization is significantly larger than their IEOM counterparts. The biggest challenges facing DEOMs today are related to their perceived professionalism and credibility. Both incumbent and opposition parties have an interest in a neutral domestic observation mission validating their “verdict” and are thereby tempted to infiltrate the organization. As a result, domestic observer organizations constantly struggle with recruiting non-partisan observers. Even if all observers are neutral, professional and fill out checklists properly, DEOMs have sometimes lacked the logistical capacity to accurately and quickly process and analyze tens of thousands of forms. This has delayed, or even derailed, the issuance of preliminary statements and the subsequent final reports.

DEOMs have proven more proficient than IEOMs in identifying irregularities and fraud, not only on polling day and the subsequent tallying of results, but more importantly during electioneering stages and voter registration. Unfortunately, as long as their neutrality and professionalism are questioned, neither will their electoral fraud deterrence be optimal nor will their electoral fraud cases be taken at face value by politicians, media and the courts.

- **International Election Observation Missions**

Just like domestic observation missions, IEOMs can fill important deterrence and detection functions. Today, most well established IEOMs have a coherent, comprehensive and public methodology outlining their structure, logistics, public relations strategy and codes of conduct for their observers, among other aspects³⁰. They also claim to observe the entire electoral process and, on this basis, issue public statements shortly after Election Day. The rationale behind the IEOM’s deterrence capability is that politicians, government officials and EMB personnel are all

aware of their presence and therefore are widely expected to refrain from defrauding the electoral process.

Almost without exception, all IEOMs have developed an impressive ability to collect data on polling day operations and counting. A large number of STOs, managed by teams of LTOs, are often able to visit 5-10 polling stations during Election Day, filling out detailed forms that cover the opening, operations, and closing of polling stations, as well as the count process. Fraud and irregularities during Election Day and the count are therefore reasonably well covered by observers.

Irregularities during these stages are expected to be detected by international observers. Problems prior to Election Day fall within the purview of LTOs and Core Team members.

However, in spite of all IEOMs recognizing the importance of arriving early in the electoral process and covering critical post-election activities, such as voter registration, results tabulation and adjudication of complaints, this only happens in extreme cases. In fact, IEOMs almost always arrive well after boundary delimitation and voter registration have been completed and almost all observers depart before adjudication of electoral complaints has even begun. As a result, observer missions often downgrade potential fraud associated with voter registration to “irregularities,” as they have no first-hand knowledge of the registration process. A compounding factor is that IEOMs often lack the required expertise to actually conduct several of the fraud investigations required by today’s electoral processes outside of a polling station and the immediate next level of results Tabulation³¹

By fielding IEOMs with an increasingly outdated composition, the IEOMs are undermining their capacity to detect irregularities and fraud and thereby run the risk of endorsing an election they should have severely criticized, had they had the required expertise. If not addressed, this deficiency will not only reduce IEOMs' detection capability but also reduce the deterrence effect, which was the hallmark and rationale for fielding IEOMs in the first place. Improvements are being made to the IEOM formula. Parallel vote tabulation (PVT), quick counts and voter registration audits are utilized by the National Democratic Institute (NDI) and other organizations, which instill confidence for the future. However, to date, these innovations are only sparsely applied and in an ad hoc manner.

- *Donors*

Donors are performing an alternative function in the fight against electoral fraud, as they are not per se actors dealing directly with fraud. Donors are, in fact, potential sponsors of the antidote to election fraud. Over the course of the last two decades, donors have stressed the importance of more transparent electoral processes, the reduction of political violence, increased voter turnout, strengthening the competitiveness of the poll, improved women's participation as candidates and voters and a more credible voter register, among many other goals.

To achieve those objectives, donors support domestic observer missions, fund local civil society projects, deploy international observers, allocate funds to political parties to improve their organizational capacity and send poll watchers to monitor Election Day and the subsequent count. The election authority also often receives technical assistance, in-kind contributions and/or direct financial support. With such powerful tools at their disposal, donors play an important role in

defining what the shortcomings are in a country’s electoral process and what the priorities should be. In other words, donor decisions can very much shape the focus to or away from electoral fraud based on funding decisions.

Unfortunately, donors only rarely label their electoral support as dedicated to combating electoral fraud, and generally only following a flagrantly flawed election. Electoral support is usually focused on avoiding a repetition of previous acts of fraud, rather than on making a comprehensive assessment of all vulnerabilities and including other electoral stakeholders with complimentary mandates, which could contribute to deterring and detecting fraud.

Table 5: Overview of key stakeholders’ current focus on combating electoral fraud

Actor	Assessment	Deterrence	Detection	Mitigation
EMB	Low	Low	Low/Medium	Low
Technical Assistance to EMB	Low	Low/Medium	Low/Medium	Low
Political Parties	Medium	Low	Low	Low
Domestic Observation Mission	Low	Low	Medium	Low
International Observation	Low	Medium	Medium	N/A

Mission				
Donor	Low	Medium	Medium	Low

Source: Darnoff, 2011. Accessed 16/03/2022

Endnotes

1. Premium Times. Nigeria Decides 2019: Card readers remain a challenge. <https://www.premiumtimesng.com/news/top-news/315393-nigeriadecides2019-card-readers-remains-a-challenge.html> 2019
2. Premium Times. How security operatives, INEC officials compromised 2019 election results Report <https://www.premiumtimesng.com/news/headlines/349513-how-security-operatives-inec-officials-compromised-2019-election-results-report.html> 2019
3. Rae, L., Ann, L., Hall, T. E., Saunders, K. L., & Alvarez, R. M. A new barrier to participation: Heterogeneous application of voter identification policies. *Electoral Studies*, 29(1), 66–73. 2020
4. Transition Monitoring Group (TMG) 2007, An Election Programmed to Fail: *Final report of the April 2007 General Elections in Nigeria*, July. The National Democratic Institute (NDI) 2003, „Election special“, *The News Magazine*, vol.20, no.15.
5. Usman, M. G., (2020). The Quest For Credible Elections In Nigeria: A Critical Evaluation of The 2015 General Elections. *Our Heritage Journal*: Vol. 22 (3).

6. Yesufu, O. (n.d). Card readers and Supreme Court Judgments.”
<http://thenigerialawyer.com/card-readers-and-supreme-court-judgments>
7. Olanipekun, L. O. and Adesanya, A. A., (2015). Assessment of Card Readers and its Effect on the Credibility of the 2015 Presidential Election in Nigeria. *Olabisi Onabanjo University*, Ago Iwoye, Nigeria
8. Musa, G. U., (2020). The Quest for Credible Elections in Nigeria: A Critical Evaluation of the 2015 General Elections. *Our Heritage Journal*: Vol. 22(3).
9. Nwangwu, C. (2015). Biometric Voting Technology and The 2015 General Elections In Nigeria. Paper Presented at Two-Day National Conference on “The 2015 General Elections in Nigeria: The Real Issues” organized by The Electoral Institute between 27th and 28th July 2015. Okoli, A.C., & Iortyer, P., (2014). Electioneering and Dialectics of Political Stability in Nigeria: Implications for Sustainable Democracy. *Research on Humanities and Social Sciences*, 4(13).
10. Eguavoen, AA 2009, „Problems of elections and imperatives of reforms in Nigeria’s democratic process. *The Constitution* 9 (3).
11. Chen T. P., Yau W. Y., and Jiang X. (2015), "Fast match-on-card technique using in-matcher clustering with ISO minutia template," *International Journal of Biometrics*, vol. 7, pp. 119-146
12. Burmester, M. & Magkos, E., (2003). Toward secure and practical E-elections in the new era. *In proceedings of International Conference on Secure Electronic Voting* (pp. 63-76), Kluwer: Boston.

13. The Guardian, 2019. Failing card readers raise fresh concern.
<https://m.guardian.ng/news/failing-card-readers-raise-fresh-concern/>
14. Adeshina, S. A., & Ojo, A. (2017). Factors for e-voting adoption - analysis of general elections in Nigeria. *Government Information Quarterly*, (November 2015), 1–12.
15. Abosamra, K. M., Abdelhafez, A. A., Assassa, G. M. R., & Mursi, M. F. M. (2017). A practical, secure, and auditable e-voting system. *Journal of Information Security and Applications*, 36, 69–89.
16. Rafael Lopez-Pintor (2010) *Assessing Electoral Fraud in New Democracies: A Basic Conceptual Framework*. Electoral Fraud White Paper Series. International Foundation for Electoral Systems. Washington D.C., page 7
17. Lehoucq, Fabrice. 2003. “Electoral Fraud: Causes, Types, and Consequences,” *Annual Review of Political Science* 6: pp. 233-56
18. Susan D. Hyde, eds. (2008) *Election Fraud Detecting and Deterring Electoral Manipulation*. Brookings Series on Election Administration and Reform. Brookings Institution Press.
19. Rafael Lopez-Pintor Electoral Management Bodies as Institutions of Governance. Bureau for Development Policy. United Nations Development Programme. New York. 2021
20. Darnolf, Staffan. Pakistan’s Justice Sector: Defending or Diluting the Constitution? In Persson. Sune and Elisabeth Özdalga (Eds) *Contested Sovereignties Constitutional Arrangements and their Relevance for Democracy: European and Middle Eastern Perspectives*. Swedish Research Institute, Istanbul; Lepsch, Peter; McDermott, Ronan;

Kippen, Grant and Staffan Darnolf (2008) Preliminary Report: Pakistan Election Tribunal Monitoring Project – Phase One, February – June 2008. IFES, Washington D.C.

21. Nevitte, Neil and Canton, Santiago A (1997) The Role of Domestic Observers, Journal of Democracy - Volume 8, Number 3, July, pp. 47-61.
22. Darnolf, Staffan. International Election Support: Helping or Hindering Democratic Elections?" Paper presented at the IPSA-ECPR Joint Conference, February 16 - 19, Sao Paul. 2011

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Chapter Five

Conclusion

5.1 Conclusion

In recent election events in Nigeria's fourth republic, fraud is undermining the electoral process in its nascent democracy. Elections to the executive office or legislative body have extremely high stakes. It is essential the development community recognizes that individuals, interest groups and political parties are willing to go to great lengths to ensure that "their" candidate or party acquires or remains in power. If the electoral process is not pro-actively and strategically safeguarded, efforts to combat electoral fraud in an effective and credible manner will be extremely challenging. Election management bodies (EMBs) and other relevant stakeholders have placed insufficient emphasis on combating electoral fraud. A genuine electoral fraud control plan, instituted by the EMB and publically available for review, will allow election administrators to credibly and pro-actively detect, deter, and mitigate electoral fraud. The implementation of an electoral fraud control plan is a clear indicator that the INEC is willing and prepared to honestly assess threats to the integrity of the electoral process and ready to take actions to defend its credibility. Donors can also be both a catalyst and supporter of such actions by EMBs by putting electoral fraud to the forefront in democracy and governance programming. In fact, by formally including the electoral fraud plan among its official indicators, donors would

make it abundantly clear to EMBs, other state institutions, observer missions and organizations offering technical assistance that electoral fraud must be combated effectively and continuously. Thus, the introduction of smart card reader has neither boost public confidence in the process due to some inherent operational challenges.

5.3 Recommendations

Voting should go simultaneously to prevent voters that have intension to vote twice and also to speed up the voting process and INEC had considered this recommendation. Furthermore, INEC must regularly update and re-examine the relevance of the Smart Card Reader to future elections in Nigeria and for proper mastering of the operation of this device, this study was of the opinion that the INEC staff of the Commission should be given regular training and development in order to be in tune with modern day technological changes and as well engaged them as the Card Reader Operators. This will be necessary because the staff will have access to training and retraining for effective mastering, unlike the ad hoc staff that will spend three (3) days or there about. Also INEC needs to improve on voter education on electoral process, and effective campaigns on the Card Reader and other technologies in electoral process.

The introduction of some innovative mechanisms in 2019 General Elections shows that technology has its merit, for the subsequent elections in Nigeria, the EMB should embark on full implementation of e-voting and other technology-based approach to elections administration which may likely test-run in one of the states that have separate days for conducting their

Governorship elections, as the case of the introduction of RACs that started in Osun and Ekiti states Governorship elections.

It is pertinent to say that to be able to achieve the above the submission, section 52 sub section (2) of the Electoral Act 2010 as amended that stated thus; “the use of electronic voting machine for the time being prohibited”. The policy was yet to be passed into law; therefore the Commission should liaise with the National Assembly to get this section of the Electoral Act 2010 amended.

Thorough voters’ education at community level with comprehensive and down-to-earth demonstration of newly introduced technology should be done for electronic voting to thrive in the Nigeria. If a voter does not understand how a technology works, he would never trust the technology no matter how transparent the process seems. The government should provide basic infrastructure for rural areas to enable easy dissemination of and access to necessary information as regard the electoral process. Improving the process of voter education and political sensitization especially for young people will greatly influence the success of elections in Nigeria.

ICT staff and other well trained and certified staff should be used for technology support roles during elections. Also, ad-hoc staff that have not undergone necessary training and passed necessary examinations should not be allowed to participate in any election activities. The idea of using new set of ad-hoc staff for every election should be discouraged because it consumes lots of funds and time and does not give room for expertise; hence, the use of experienced staff is expedient for any technology-driven process. Instead of using Youth Corp members to handle

electronic gadget in an election, INEC staff and federal civil servants may be used. The commission staff and selected federal or state civil servants may be made to undergo certifications on the use of INEC technologies. Such certified staff may be deployed to handle technology devices in any election both within and outside their state of residence.

Bibliography

- 1 B. Munslow. Democratisation in Africa' in Vol. 46, Issue 4, Parliamentary Affairs, (1993) Pages 478–490, 10 C Falter, 'Africa's Leaders for Life' <https://www.cfr.org/background/africas-leaders-life> accessed March, 13, 2022.
2. K. Somaville. Keeping it Family: How Africa's Corrupt Leaders Stay in Power <https://www.global-geneva.com/keeping-it-family-how-africas-corrupt-leaders-stay-in-power/> accessed March 13, 2022
3. African Charter on Democracy, Elections and Governance Cap 8, See Articles 2 (3), (4), (10), (12) & 3 (3), (4), (7), (10); 4; 17.
4. An Africa of Good Governance, Democracy, Respect for Human rights, Justice and the Rule of Law in AU Agenda 2063.
5. Premium Times. Nigeria Decides 2019: Card readers remain a challenge. <https://www.premiumtimesng.com/news/top-news/315393-nigeriadecides2019-card-readers-remains-a-challenge.html>

6. Premium Times. How security operatives, INEC officials compromised 2019 election results Report <https://www.premiumtimesng.com/news/headlines/349513-how-security-operatives-inec-officials-compromised-2019-election-results-report.html>
7. Rae, L., Ann, L., Hall, T. E., Saunders, K. L., & Alvarez, R. M. A new barrier to participation: Heterogeneous application of voter identification policies. *Electoral Studies*, 29(1), 66–73. 2020
8. Transition Monitoring Group (TMG). An Election Programmed to Fail: *Final report of the April 2007 General Elections in Nigeria*, July. 2010
9. The National Democratic Institute (NDI). Election special“, *The News Magazine*, vol.20, no.15. 2003
10. M.G. Usman. The Quest For Credible Elections In Nigeria: A Critical Evaluation of The 2015 General Elections. *Our Heritage Journal*: Vol. 22 (3). 2020
11. Yesufu, O. Card readers and Supreme Court Judgments.” <http://thenigerialawyer.com/card-readers-and-supreme-court-judgments>
12. Olanipekun, L. O. and Adesanya, A. A. Assessment of Card Readers and its Effect on the Credibility of the 2015 Presidential Election in Nigeria. *Olabisi Onabanjo University*, Ago Iwoye, Nigeria. 2015
13. Musa, G. U. The Quest for Credible Elections in Nigeria: A Critical Evaluation of the 2015 General Elections. *Our Heritage Journal*: Vol. 22(3). 2020.

14. Nwangwu, C. Biometric Voting Technology and The 2015 General Elections In Nigeria. Paper Presented at Two-Day National Conference on “The 2015 General Elections in Nigeria: The Real Issues” organized by The Electoral Institute between 27th and 28th July
15. Okoli, A.C., & Iortyer, P. Electioneering and Dialectics of Political Stability in Nigeria: Implications for Sustainable Democracy. *Research on Humanities and Social Sciences*, 4(13). 2015
16. Eguavoen, A. A. Problems of elections and imperatives of reforms in Nigeria’s democratic process. *The Constitution* 9 (3). 2020.
17. Chen T. P., Yau W. Y., and Jiang X. Fast match-on-card technique using in-matcher clustering with ISO minutia template, *International Journal of Biometrics*, vol. 7, pp. 119-146. 2019
18. Burmester, M. & Magkos, E. Toward secure and practical E-elections in the new era. *In proceedings of International Conference on Secure Electronic Voting* (pp. 63-76), Kluwer: Boston. 2003
19. The Guardian, Failing card readers raise fresh concern. <https://m.guardian.ng/news/failing-card-readers-raise-fresh-concern/> 2019
20. Adeshina, S. A., & Ojo, A. Factors for e-voting adoption - analysis of general elections in Nigeria. *Government Information Quarterly*, 1–12. 2016
21. K.M. Abosamra, Abdelhafez, A. A., Assassa, G. M. R., & Mursi, M. F. M. A practical, secure, and auditable e-voting system. *Journal of Information Security and Applications*, 36, 69–89. 2017

22. Rafael Lopez-Pintor. *Assessing Electoral Fraud in New Democracies: A Basic Conceptual Framework*. Electoral. 2019
23. Fraud White Paper Series. International Foundation for Electoral Systems. Washington D.C., page 7.
24. Lehoucq, Fabrice. Electoral Fraud: Causes, Types, and Consequences, *Annual Review of Political Science* 6: pp. 233-56. 2003
25. Susan D. Hyde, eds. *Election Fraud Detecting and Deterring Electoral Manipulation*. Brookings Series on Election. Administration and Reform. Brookings Institution Press. 2019
26. Engineering Network Team. 'Gains of the INEC card reader in the 2015 elections', *The Engineering Network* online, viewed 7 June 2015, [http:// engineering.net/profiles/blogs/gains-of-the-inec-card-reader-in-the-2015- elections](http://engineering.net/profiles/blogs/gains-of-the-inec-card-reader-in-the-2015-elections). 2015
27. Gelb, A & Decker, C. 'Cash at your fingertips: biometric technology for transfers in developing countries', *Review of Policy Research*, vol. 29, no. 1, pp. 91–117. 2013
28. INEC 2019, Independent National Electoral Commission: 'Frequently asked questions', viewed 10 March 2019, http://www.inecnigeria.org/?page_id=2
29. International Foundation for Electoral Systems 2019, 'Protecting the vote: election security worldwide', viewed 16 March 2022, [http://www.ifes.org/multimedia/ protecting-vote-election-security-worldwide](http://www.ifes.org/multimedia/protecting-vote-election-security-worldwide).
30. International Foundation for Electoral Systems 2019, 'A look at Nigeria's 2019 general elections', viewed 16 March 2022, [http://www.ifes.org/multimedia/ look-nigerias-2019-general-elections](http://www.ifes.org/multimedia/look-nigerias-2019-general-elections) International Republican Institute 2019.

31. Kendhammer, B. 'Boko Haram and Nigeria's 2019 elections: a fighting chance for democracy?', viewed 17 March 2022, <https://africaplus.wordpress>. 2019
32. López-Pintor, R. Assessing electoral fraud in new democracies: a basic conceptual framework', International Foundation for Electoral Systems (IFES) *Electoral Fraud White Paper Series*, viewed 17 March 2022 https://www.ifes.org/sites/default/files/rlp_electoral_fraud_white_paper_web.pdf. 2020
33. Momodu, D 2020, 'Saraki and the battle for 2019', *Nigerian Bulletin* online, viewed 17 March 2022, <https://www.nigerianbulletin.com/threads/saraki-and-the-battlefor-2019-dele-momodu.113063/>
34. Nigeria Civil Society Situation Room 2019, *Report on Nigeria's 2019 general elections*, viewed 15 March 2019, http://www.placng.org/situation_room/sr/wp-content/uploads/2015/07/SITUATION-ROOM-REPORT-ON-2019-ELECTIONS.pdf
35. Oderemi, K. 'Card readers: to be or not to be?' *Latest Nigerian News*, viewed 15 March 2022, <http://www.latestnigeriannews.com/news/1261223/card-readerof-controversy.html>.
36. Odiakose, M. 'INEC and use of card readers', *Nigerian Pilot*, viewed 14 March, 2022 <http://nigerianpilot.com/inec-and-use-of-card-readers/2015>
37. Okolie, A.M. 'Electoral fraud and the future of elections in Nigeria: 1999– 2003', in G Onu & A Momoh (eds), *Elections and democratic consolidation in Nigeria*, National Association of Political Science, Lagos. 2005
38. J.S. Omotola 'Trapped in Transition: Nigeria's First Democratic Decade and Beyond', *Taiwan Journal of Democracy*, vol. 9, no. 2. pp. 171-200. 2013

39. Orji, N & Uzodi, N. *Post election violence in Nigeria: experience with the 2011 elections*, Policy and Legal Advocacy Centre, Abuja. 2012
40. Peters, S.C. ‘Opinion: illegality or otherwise of card readers in Nigerian electoral jurisprudence’, *The Will*, viewed 18 June 2015, <http://thewillnigeria>. 2015
41. Piccolino, G. ‘What other African elections tell us about Nigeria’s bet on biometrics’, *Washington Post*, viewed 16 March 2022, www.washingtonpost.com/blogs/monkey-cage/wp/2015/03/10/what-other-african-elections-tell-us-about-nigerias-bet-on-biometrics/
42. Jega, A. ‘Challenges of fraud-free elections under a democratic dispensation’, paper presented at the Mustapha Akanbi Foundation Public Lecture, March 12, viewed 15 March 2022, http://www.mafng.org/documents/jega_challenges_of_fraud_free_election_under_democracy.pdf
43. National Democratic Institute. *Statement of the National Democratic Institute’s international observer mission to Nigeria’s March 28 Presidential and Legislative Elections*. Abuja: National Democratic Institute. 2015
44. National Democratic Institute. Final Report on the 2011 Nigerian General Elections. *Africa Development*, 34 (3): 25-44. 2012
45. Ekumen, E. Recounting the Card Reader Experience. Thisday Newspaper of 23rd April, 2015
46. C N Musembi ; A Cornwall, ‘What is the —Rights-Based Approach all about? Perspectives from International Development Agencies’ in IDS Working Paper 234 <

<https://www.ids.ac.uk/download.php?file=files/dmfile/Wp234.pdf> > accessed March 14, 2022

47. H. Peter ; I Argersinger _New Perspectives on Election Fraud in the Gilded Age‘ in Political Science Quarterly. The Academy of Political Science. 100 (4): 669–687. 2021
48. M. T Aluaigba; _Democracy Deferred: the Effects of Electoral Malpractice on Nigeria’s Path to Democratic Consolidation‘ <<https://www.eisa.org.za/pdf/JAE15.2Aluaigba.pdf> > accessed March 13, 2022
49. N. Chikodiri; C. Vincent & A Otu; _Elixir of Electoral Fraud: The Impact of Digital Technology on the 2015 General Elections in Nigeria‘ in Volume 4, Journal Cogent Social Sciences (2018) < <https://www.tandfonline.com/doi/full/10.1080/23311886.2018.1549007> > accessed March 15, 2022
50. A. Awopeju. Election Rigging and The Problems of Electoral Act in Nigeria‘ in Vol 2, No. 2.4 Quarter IV Afro Asian Journal of Social Sciences. 2229 – 5313
51. R. M Alvarez; T. E. Hall & S. D. Hyde, Election Fraud: Detecting and Deterring Electoral Manipulation. Brookings Institution Press. 2008
52. 17 N. Cheeseman ; K Brian; _How to Steal an Election in Broad Daylight‘ < <https://foreignpolicy.com/2018/05/21/how-to-steal-an-election-in-broad-daylight/> >accessed March 16, 2022
53. P D Finn. Electoral Corruption and Malpractice in 8 Fed. L. Rev. 194 (1976-1977) <<https://heinonline.org/HOL/LandingPage?handle=hein.journals/fedlr8&div=19&id=&page=> >accessed March 13, 2022

54. F. Lehoucq. Electoral Fraud: Causes, Types and Consequences', in Annual Review of Political Science Vol 6 (2003) p233-256.
55. S. Christensen. Mapping Manipulation: Digital Observation of Electoral Fraud, Thesis Submitted to Uppsala University, Department of Government: page 9. 2011
56. A. Casimir, E Omeh, and C Ike, Electoral Fraud in Nigeria: A Philosophical Evaluation of the Framework of Electoral Violence'. Open Journal of Political Science, 3, (2013) 167-174. doi: 10.4236/ojps.2013.34023.
57. The Guardian, 2019. Failing card readers raise fresh concern. <https://m.guardian.ng/news/failing-card-readers-raise-fresh-concern/>
58. LeVan, C., & Ukata, P. (2012). Countries at the cross road (2012): Nigeria. Available at: <http://freedomhouse.org/sites/>.
59. Musa, G. U., (2020). The Quest for Credible Elections in Nigeria: A Critical Evaluation of the 2015 General Elections. *Our Heritage Journal*: Vol. 22(3).
60. Nwangwu, C. (2015). Biometric Voting Technology and The 2015 General Elections In Nigeria. Paper Presented at Two-Day National Conference on "The 2015 General Elections in Nigeria: The Real Issues" organized by The Electoral Institute between 27th and 28th July 2015.
61. Okoli, A.C., & Iortyer, P., (2014). Electioneering and Dialectics of Political Stability in Nigeria: Implications for Sustainable Democracy. *Research on Humanities and Social Sciences*, 4(13).

62. Olanipekun, L. O. and Adesanya, A. A., Assessment of Card Readers and its Effect on the Credibility of the 2015 Presidential Election in Nigeria. *Olabisi Onabanjo University*, Ago Iwoye, Nigeria
63. Premium Times Nigeria Decides 2019: Card readers remain a challenge. <https://www.premiumtimesng.com/news/top-news/315393-nigeriadecides2019-card-readers-remains-a-challenge.html>
64. Premium Times (2019). How security operatives, INEC officials compromised 2019 election results Report <https://www.premiumtimesng.com/news/headlines/349513-how-security-operatives-inec-officials-compromised-2019-election-results-report.html>
65. Premium Times. Nigeria Decides 2019: Card readers remain a challenge. <https://www.premiumtimesng.com/news/top-news/315393-nigeriadecides2019-card-readers-remains-a-challenge.html> 2019
66. Premium Times. How security operatives, INEC officials compromised 2019 election results Report <https://www.premiumtimesng.com/news/headlines/349513-how-security-operatives-inec-officials-compromised-2019-election-results-report.html> 2019
67. Rae, L., Ann, L., Hall, T. E., Saunders, K. L., & Alvarez, R. M. . A new barrier to participation: Heterogeneous application of voter identification policies. *Electoral Studies*, 29(1), 66–73. 2020
68. Transition Monitoring Group (TMG) 2007, An Election Programmed to Fail: *Final report of the April 2007 General Elections in Nigeria*, July.

69. The National Democratic Institute (NDI) 2003, „Election special“, *The News Magazine*, vol.20, no.15.
70. Usman, M. G., (2020). The Quest For Credible Elections In Nigeria: A Critical Evaluation of The 2015 General Elections. *Our Heritage Journal: Vol. 22 (3)*.
71. Yesufu, O. (n.d). Card readers and Supreme Court Judgments.”
<http://thenigerialawyer.com/card-readers-and-supreme-court-judgments>
72. Olanipekun, L. O. and Adesanya, A. A., (2015). Assessment of Card Readers and its Effect on the Credibility of the 2015 Presidential Election in Nigeria. *Olabisi Onabanjo University, Ago Iwoye, Nigeria*
73. Musa, G. U., (2020). The Quest for Credible Elections in Nigeria: A Critical Evaluation of the 2015 General Elections. *Our Heritage Journal: Vol. 22(3)*.
74. Nwangwu, C. (2015). Biometric Voting Technology and The 2015 General Elections In Nigeria. Paper Presented at Two-Day National Conference on “The 2015 General Elections in Nigeria: The Real Issues” organized by The Electoral Institute between 27th and 28th July 2015.
75. The Guardian, 2019. Failing card readers raise fresh concern.
<https://m.guardian.ng/news/failing-card-readers-raise-fresh-concern/>
76. Adeshina, S. A., & Ojo, A. (2017). Factors for e-voting adoption - analysis of general elections in Nigeria. *Government Information Quarterly*, (November 2015), 1–12.

77. Abosamra, K. M., Abdelhafez, A. A., Assassa, G. M. R., & Mursi, M. F. M. (2017). A practical, secure, and auditable e-voting system. *Journal of Information Security and Applications*, 36, 69–89.
78. Rafael Lopez-Pintor (2010) *Assessing Electoral Fraud in New Democracies: A Basic Conceptual Framework*. Electoral Fraud White Paper Series. International Foundation for Electoral Systems. Washington D.C., page 7.
79. Lehoucq, Fabrice. 2003. “Electoral Fraud: Causes, Types, and Consequences,” *Annual Review of Political Science* 6: pp. 233-56
80. Susan D. Hyde, eds. *Election Fraud Detecting and Deterring Electoral Manipulation*. Brookings Series on Election Administration and Reform. Brookings Institution Press.
81. Rafael Lopez-Pintor Electoral Management Bodies as Institutions of Governance. Bureau for Development Policy. United Nations Development Programme. New York
82. Darnolf, Staffan Pakistan’s Justice Sector: Defending or Diluting the Constitution? In Persson, Sune and Elisabeth Özdalga (Eds) *Contested Sovereignties Constitutional Arrangements and their Relevance for Democracy: European and Middle Eastern Perspectives*. Swedish Research Institute, Istanbul; Lepsch, Peter; McDermott, Ronan; Kippen, Grant and Staffan Darnolf (2008) Preliminary Report: Pakistan Election Tribunal Monitoring Project – Phase One, February – June 2008. IFES, Washington DC
83. Nevitte, Neil and Canton, Santiago A. The Role of Domestic Observers, *Journal of Democracy* - Volume 8, Number 3, July, pp. 47-61.

84. Darnolf, Staffan “International Election Support: Helping or Hindering Democratic Elections?” Paper presented at the IPSA-ECPR Joint Conference, February 16 - 19, 2011, Sao Paulo.

85. H. Onapajo and D. Babalola. Nigeria’s 2019 general elections – a shattered hope? The Commonwealth Journal of International Affairs

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This is to certify that this project by **James Olumuyiwa AYOOLA** with Matric No. LUC/PG/002394 in the Department of Politics and International Relations, Faculty of Management and Social Sciences, Lead City University, Ibadan is in full compliance with the approved university.

Signature

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