



## ABSTRACT

The thrust of this paper is on Electronic Voting and Future of Electoral Democracy in Nigeria: An Assessment of Independent National Electoral Commission's (INEC) preparations towards free and fair elections in 2023 general election. The study aimed at examining the use of electronic voting to ensure credibility of elections as the 2023 election draws near in Nigeria. The work is situated on Hagen e-democracy theory. Data were collected through secondary source. The paper identified some major challenges the nation may face in adopting e-voting. These include poor internet

# ELECTRONIC VOTING AND FUTURE OF ELECTORAL DEMOCRACY IN NIGERIA: AN ASSESSMENT OF INEC'S PREPARATIONS TOWARDS FREE AND FAIR ELECTIONS IN 2023

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## Introduction

The history of electoral process in Nigeria has been a chequered one as the country had at various times adopted different methods as a way out of ensuring free and fair elections. But this was not to be as there is hardly any election that had been conducted in Nigeria where there had not been a lot of complaints about irregularities. Poor electoral system stimulates election related violence with far reaching consequences of eroding peoples' trust and confidence in democratic process. Mischief politicians and some partisan electoral officials who exploit the weaknesses of the traditional voting system to perpetrate electoral frauds have been the cause of the electoral misfortune. The cumulative effect of the irregularities including but not limited to severe flawed voter lists, misuse of incumbency power, and lack of transparency; actual or perceived bias of election officials resulting to real or perceived fraud stimulate election related violence with far reaching consequences of eroding peoples' faith and confidence in democratic process.



connectivity, epileptic power supply etc. Findings show among other things that electronic voting will reduce incidences of electoral fraud especially in the areas of voting and vote counting. The study recommended among others things that Nigeria should as a matter of necessity fix eclectic power supply and strengthen internet access before wholesomely switching to or adopting e-voting option in the future elections, especially the 2023 general elections in the interest of sustaining Nigeria's electoral democracy. The paper concludes that Nigeria must cash in on the adoption of electronic voting to fight endemic electoral irregularities in Nigeria through firm belief in and avowed adoption of e-voting.

**Keywords:** Democracy, Election, Electoral Fraud, Electronic Voting, INEC, Nigeria

In Nigeria, the difficulty in identifying a polling unit, distrust in the electoral system, fear of violence, loss of Permanent Voter's Card (PVC), amongst others are the numerous reasons given by potential voters for not participating in an election. The scenario explains the incident of increasing spate of violence including killings and maiming. It is indicative that the existing traditional paper ballot system of voting lacks the essential ingredient of credible election such as transparency, accountability, free and fair play and is vulnerable to human error and manipulations. One wonders if the introduction of technology can help improve the electoral process in Nigeria as it has improved processes in other sectors such as Banking, Agriculture and even in homes.

As Nigeria prepares for elections in 2023, stakeholders from all sectors have debated the need for adoption of electronic voting (E-voting) for the 2023 elections. E-voting is becoming a standard in electoral processes around the world. The world today has become so dependent on technology that it is somewhat difficult to discuss any subject matter without mentioning the role of technology. Estonia, Brazil, Namibia and Australia have all introduced e-voting at various levels in their political systems. Nigerian politics appears to be edging closer to electronic voting. The introduction of technology in our electoral process, if properly harnessed, can enhance voter identification, reduce incidents of multiple voting and make the voting process much easier and faster. In Nigeria, e-voting can change a crucial democratic process: elections. E-voting can instil civic responsibility in citizens, particularly youngsters, it reduces workload processes, and makes vote counting more accessible, among other things. Importantly, it can eliminate voter fraud, impersonation, multiple voting and constitute a major step in restoring public faith in an electoral system bedevilled with challenges. Ballot stuffing theft, spoilt ballots could also be a thing of the past with e-voting (Obiefuna-Oguejiofor, 2018).

While e-voting has several benefits, it is not without faults. In media debates, e-voting appears more effortless to implement than in practice. The hacking of the 2016 US presidential election by Russian authorities provides a glimpse into the possible risks of electronic voting. In the 2015 general election, e-voting was put to the test. It experienced a great deal of embarrassment when the then-president, Goodluck Jonathan, and his wife were unable to be accredited after a half-hour wait due to faulty Smart Card Readers (Aderinto, 2022).



The issue is not whether or not e-voting is possible (e-voting has been used successfully in a few countries). The Independent National Electoral Commission (INEC) – the umpire empowered by the constitution to conduct elections in Nigeria – has employed several innovative approaches to improve the management and conduct of elections in the country. Results show that the introduction of technologies such as Electronic Voters Register (EVR), Automatic Fingerprints Identification System (AFIS) and Smart Card Reader (SCR) have reduced the incidence of multiple registration and multiple voting to the barest minimum. Hence, it is believed that the incorporation of Information and Communication Technology (ICT) in Nigeria’s electoral process can reduce excessive electoral fraud and foster credible elections (CSR-In-Action, 2019). Interestingly also, the deployment and successful use of electronic voting machines in the 2021 Local government elections in Kaduna State has again proven to the importance of e-voting to the conduct of free and fair election. The thrust (objectives) of this paper however is to:

- a. Examine the feasibility of e-voting tool for furthering free and fair elections in 2023;
- b. Evaluate the impacts of electronic voting on the recent elections in Nigeria;
- c. Identify challenges that could impede the vision of adopting e-voting wholesomely in

Nigeria as well as proffer recommendations towards addressing these shortcomings.

### **Literature Review**

Election is a concept in political science that lacks a generally acceptable definition. In other words, it is a nebulous and fluid concept which has attracted different meanings and definitions from researcher (Isiaka, Ibrahim & Kolawole, 2019). According to Dye (2001), election is a major instrument for the recruitment of political leadership in democratic societies, the key to participation in a democracy and the way of giving consent to government. Election allows the governed to choose and pass judgment on office holders who theoretically represent the governed (Rose, 1978) cited in Obakhedo (2011). In the words of Babalola, ‘elections are all about choosing leaders’. (Babalola, 2019),

Huntington is however quick to point out that, a political system is democratic ‘to the extent that its most powerful collective decision-makers are selected through fair, honest and periodic elections in which candidates freely compete for votes, and in which virtually all the adult population is eligible to vote’ (Huntington, 1991:661). In its proper sense, election is a process of selecting the officers or representatives of an organization or group by the vote of its qualified members (Nwolise, 2007:155). Anifowose (2003) defined elections as the process of elite selection by the mass of the population in any given political system, Bamgbose (2012). Elections provide the medium by which the different interest groups within the bourgeois nation state can stake and resolve their claims to power through peaceful means (Iyayi, 2005:1). Elections therefore determine the rightful way of ensuring that responsible leaders take over the mantle of power.

Araba and Braimah (2015) noted that an election itself is a procedure by which the electorate, or part of it, choose the people who hold public office and exercise some degree of control over the elected officials. It is the process by which the people select and control their representatives. The implication of this is that without election, there can be no representative government. This



assertion is, to a large extent, correct as an election is, probably, the most reliable means through which both the government and representatives can be made responsible to the people who elect them. Eya (2003) however, sees election as the selection of a person or persons for office as by ballot and making choice as between alternatives. Ozor (2009) succinctly gives a more encompassing and comprehensive definition of election when he noted that the term connotes the procedure through which qualified adult voters elect their politically preferred representatives to parliament legislature of a county (or any other public positions) for the purpose of farming and running the government of the country. Thus Osumah (2002) elucidates what the basic objective of election is which is to select the official decision makers who are supposed to represent citizens-interest. Elections, according to him extend and enhance the amount of popular participation in the political system and the more electronic or scientific voting process becomes the higher the integrity of the voting system.

Voting according to Idike (2014) is at the center of the electoral process in a democratic system of government. It is indeed, the first in the democratic process. The journey to democratic governance not only starts with the voting process but its consolidation is determined by it (Ujo, 2008:62). The goal of any voting system is to establish the intent of the voter and transfer that intent to the vote counter. The efficiency of the voting method and the accuracy of the vote counter are the crucial determinants of the ability and capacity of the system to correctly determine the wish of the voters (Iwu, 2008:1). The ability and capacity of the system to correctly determine the intent of the voter it appears, is the superior technology, inherent in the e-voting methodology.

For Iwu (2006) electronic Voting System is one of the several forms of automated voting methods, which employ computer technology devices to improve several aspects of the electoral process. He went further to assert that the electronic system incorporates largely paperless voting methods prominent among which are electronic voting machine (EVM), Internet voting, telephone, IVR voting, digital TV voting, electronic kiosk voting, etc. The Nigeria electronic voting system continued IWU is an image based integrated programme, which consists of: Electronic voters register; Eligible voters' Authentication and Electronic Balloting (voting machine).

The electronic voting system also known as e-voting can equally be said to be a development where peoples' collective intent are electronically determined as votes are cast electronically using what is called barcode (Agena, 2007), it is believed that when the electronic system is employed, it allows for security of the votes cast and which will fundamentally allow the choice candidates by the electorate to carry the day during electrons (Agena, 2007).

According to Babalola (2021) electronic voting is a comprehensive system of casting, counting and transmission of votes through electronic means. It may involve both the process of casting and counting of votes or may relate only to the process of counting. E-voting technology includes punched cards, optical scanned voting systems and specialised voting cubicles or kiosks including self-contained direct recording electronic voting systems popularly referred to as DRE. The term E-voting may also refer to transmission of ballots and votes through telephones, private computers or the internet. However, the Nigerian electoral problems transcend a consideration or implementation of the e-voting system (Babalola, 2021). Voting and elections are rituals in



democracy and in every democratic society, they are the fundamental elements of democracy as a philosophy of state. Democracy, today, is unarguably the most preferred form of government the world over. One of its cardinal principles is the participation of the people by making a choice on who governs them (Elaigwu, 2014). Hence, it is germane that a functioning democracy requires an informed and active public that understands how to voice its interests, act collectively, and hold government officials accountable through credible electoral process (National Democratic Institute, 2011).

Diamond (2004) defines democracy as a system of government that is associated with four key elements namely "a political system for choosing and replacing the government through free and fair elections; the active participation of citizens in politics and civil life; protection of the human rights of all citizens; and a rule of law in which the laws and procedures apply equally to all citizens". O' Donnell (2005) identifies the characteristics of democracy as "legal equality, political freedom and rule of law". Legal equality demands that all citizens must be treated equally by the law. Political freedom ensures that citizens are free from oppression or coercion. Rule of law requires every citizen to be subject to the law; this is a departure from dictatorship where the ruler is above the law.

Idike (2013) highlighted the conceptual issues in democracy as follows: democracy is a political system in which the people in a country rule through any form of government they choose to establish. Loeper, (2016) buttresses that representative democracy is based on the principle of elected officials. Government officials are elected to represent the people. This political system is also called indirect democracy. It is an exact opposite of direct democracy which allows every person to participate in government. There are variants of representative democracy: Nigeria is a federal republic because it is a federal state where the president is elected, Ghana is a unitary republic because it is a unitary state with an elected president, and Britain is a constitutional monarchy because the Queen is an unelected Head of State while the prime minister and other members of British Parliament are elected.

In the work of Duruji, Ayo, Oni and Oni (2015), the authors presented a case for e-voting in Nigeria with strong emphasis that open and secret ballot was not suitable for conducting election in Nigeria given our political environment. The authors proposed the use of e-voting for subsequent election in Nigeria which according to the authors will eliminate all the flaws of open and secret ballot system. Ahmad, Abdullah and Ashard (2015), in their study on issues and challenges of transition to e-voting technology in Nigeria, the authors carried out critical appraisal of challenges of e-voting in other countries of the world and the implementation of e-voting in Nigeria. Their recommendation to the Nigeria government agencies is to invest more on research and development to grasp the in-depth of challenges and sustainability of e-voting system.

#### **The study conducted by Ayo, Adebisi and Sofoluwe (2008), on e-voting**

Implementation in Nigeria: the success factor; proposed an implementation of an integrated system that comprises of an Electronic Voting Machine (EVM), the Internet Voting (i-Voting) and the Mobile Voting (m-Voting) for conducting election in the country to enhance participatory democracy. Similarly, in the work of Musa, Ayo and John (2011), on building a multi-modal trust-based e-voting system. The authors advocate the use of a multimodal authentication method for



the electorate when casting their votes. These methods includes biometric enabled voters card, finger print authentication and the use of PIN (Personal Identification Number) for voters to avoid time wastage during voting especially when one of the authentication methods failed, they can easily switch to another one.

Also, Abu-Shanab, Knight and Refai (2010), in their work, e-Voting System: a tool for e-democracy argued and stressed the importance of the use of e-voting system in conducting election across board because of it attendance benefits, convenience and enhancement of integrity of the election process. They also explore the factors influencing the adoption of e-voting system in a University environment. Moreover, Yekini, Oyeyinka, Oludipe and Lawal (2012), in their work on computer-based automated voting machine for Elections in Nigeria, proposed the design of an automated voting machine that will automate the entire election procedures in the future election in Nigeria. Similarly, Ajiboye et al (2013), conducted their research on modelling and evaluation of e-voting system for sustainable credible election. They proposed a model for evaluating e-voting system by using fuzzy logic approach. The model developed was simulated and tested with student union election in a Federal University in Nigeria and obtained a promising outcome. Gerlach (2009), propounded seven design principles for a secured e-voting system, among which are: proven security, trustworthy design, published source codes, vote verification, voter accessibility, ensure anonymization and expert oversight. In the work of Momodu and Omogbhemhe (2013), the authors used different Unified Modelling Language (UML) artifacts to model the requirements and implementation of electronic voting system that can be used to conduct election in Nigeria.

### **Theoretical Framework**

The theoretical consideration will be based on the concept of electronic democracy as espoused by Hagen (2000). Hagen construes e-democracy as a strategic tool to strengthen democratic practices using the information and computer technology (ICT). He thinks certain people are usually omitted in the process of making important political decisions of their countries by way of unintended but unsatisfactorily explained disenfranchisement. For Hagen, e-democracy is a form of development and reinforcement of democracy which uses new communication technology to strengthen political power of those often omitted in important political processes. The theory of e-democracy has been adopted in many democratic political systems across the world especially in Europe with uncommon success. It can serve affirmative action purpose for the large number of citizens negatively affected by the paper-based voting system.

### **Methodology**

The study adopts the content analysis approach, using survey literature to generate relevant information on the justifications for adopting e-voting. The sources include journal articles, INEC bulletins and pamphlets, Newspapers, interview conducted with INEC stakeholders, magazines among others.

### **Electronic Voting and the Search for Free, Fair and Credible Electoral System in Nigeria**

Modern democracies rely on free, fair and credible elections (Gauja, 2010). The outcomes of elections can impact voters' personal freedoms, taxes, and other aspects of daily life that they



take for granted. Free, fair and credible elections are therefore essential pathways to achieving sustainable development in any country (Sorensen, 2007). Given the far-reaching impact that an election can have, people have the duty to cast their vote if they want a say in how their futures play out. The electoral process in democratic societies is significant. Centuries ago, people gave their lives to be allowed to vote (Mcool, 2012). The sacrifice of citizens to exercise this all-important right underscores the importance of elections. Voting is a formal expression of preference for a candidate for office (Patrick, 2016). Voting is the heart of democracy; our votes are our voices, and collectively a country's vote is its voice. Whether it is a vote to elect the dean of a faculty or a vote to elect a country's president; all votes are important (Azinge, 1994).

It is in realisation of the importance that the electioneering process plays in the fortunes of any country that much attention is always given to the electoral process itself. In the quest for the perfect election, Nigeria has experimented with different balloting systems including the secret ballot system with some modifications. In the 1993 presidential election, voters exercised their franchise by queuing behind the photograph of their choice. It was this system that produced the late Aare MKO Abiola as the winner of the election which is still widely regarded as the best in the history of Nigeria as a nation (Babalola, 2021).

However, since that system did not guarantee the anonymity of votes resulting in voter intimidation in some instances, we have since gone back to the open secret ballot system. Under this system a registered voter presents himself at the polling station and undergoes the process of accreditation in the open. After this he is issued a ballot paper with which he exercises his franchise and drops same in a transparent ballot box. After the close of voting, the ballot box is opened, ballot papers sorted and counted, and the results of the polls announced. As we have subsequently noted, this system is not without flaws. There are always instances of ballot box snatching, ballot box stuffing, inflation of votes, thuggery, violence, etc. The result is that the Election Petition Tribunals are usually inundated with a deluge of petitions filed by dissatisfied candidates. It is on record that some of the petitions filed after the April 2007 elections were concluded just a few months to the next general election in 2011. This informed amendments to the Constitution to set a time limit for the hearing of election petitions. It was in this context that some Nigerians called for the introduction of e-voting. Such was the clamour in some quarters for the introduction of the system of voting that it attracted an appreciable level of debate before both chambers of the National Assembly during the passage of the Electoral Act 2010 itself.

In Nigeria, elections have almost always been dogged by allegations of rigging, vote buying, and ballot box snatching amongst a myriad of issues that have bedevilled the electioneering process since the return to civilian rule in 1999. Between 1999 and 2021, there have been at least six national elections and there is hardly one that is entirely devoid of allegations of rigging. For the discerning, this immediately creates question marks about the integrity of our electioneering process (The Guardian, 2021). The problem of free and fair elections has lingered so long partly due to the greed of the ruling class to perpetuate themselves in power and the indulgence of the citizens in accepting gratification for votes. The notion of electronic voting is not an entirely new development in the Nigerian political space but for some strange reasons, it has always hit a snag as the political class always seems to distrust the process.

The conduct of these elections is the sole responsibility of the Independent National



Electoral Commission. INEC, is strictly guided by the country's constitution and the Electoral Act. Since the return of democracy to Nigeria in 1999, several efforts have been made to consistently improve on the country's electoral system, which include the review of the laws that guide the operations of INEC and the conduct of elections. While the commission has also introduced several guidelines and technology to improve on Nigeria's electoral system, the National Assembly has altered the constitution and Electoral Act from time to time to enhance the performance of the election management body. Between 1999 and now, the Electoral Act has been amended in 2001, 2002, 2004, 2006 and the 2010. This is not just to guarantee that election processes are free, fair and credible, but to also ensure that the outcome of elections is widely acceptable as well for INEC to win the trust of the citizens.

In a move to further consolidate on the gains made in the country's electoral system, the 9th National Assembly in 2022 also passed the bill to amend the 2010 Electoral Act. The bill was assented to by President Mohamadu Buhari on 21<sup>st</sup> May, 2022. INEC at the inception of 9th National Assembly initiated discussions with the federal lawmakers to ensure early commencement of the process for the amendment to the bill. The National Assembly in early 2022 passed the harmonised version of Clause 84 of the 2010 Electoral Act (amendment) Bill 2022, which allows political parties' to adopt three modes of primaries. The bill earlier passed last year, was not assented to by Buhari, who cited the provisions of Clause 84 that made direct primary compulsory for all political parties in electing their candidates for elections. The act also gave a nod of approval to electronic voting and transmission of results, thereby empowering the Independent National Electoral Commission, INEC, to determine the mode of conduct of elections and transmission of results.

Political watchers and scholars have noted the imperative of endorsing the harmonised Electoral Bill 2022 by the President as good step in the right direction. The reason being that the choice of an electronic voting system that makes for the electronic transmission of results has the propensity to combat the menace of rigging but beyond that, it is quite simply the modern option. A modern option that has been embraced across the globe and throughout many industries. From French Casinos to Asian industrial processes. The embrace of new technology is sweeping away the old ways of executing important data related tasks. Manual transmission of results is simply archaic and non-feasible in a corruption-riddled society like ours. There are just so many layers of ambiguity and complexity which makes manual transmission of election results improbable. Firstly, Nigeria is a nation with a chunk of its population domiciled in rural areas which may not be quite motorable at short notice and this could delay transmission of election results as well as unnecessarily jeopardize the safety of electoral officers who have to accompany the ballot from the polling unit down to the collation center.

### **Challenges of Electronic Voting and the Electoral Process in Nigeria**

With every innovation comes some hindrances and challenges that will be experienced to ensure improvement in the technology. E-voting is one of them, despite all the benefits provided by e-voting, most people are concerned with the potential fraud during the counting of casted votes as malwares and cyber criminals can affect the outcome of the results. Svensson and Leenes (2003) argue that e-voting will reduce the cost and also increase voter's turnout during elections. But in some cases people are more reluctant to participate in the electoral proceedings. Xenakis





and Macintosh (2005) also states that e-voting will increase youth participation and increase the low turnout of a paper based election. Barker and Moon (2013) cited in Abubakar (2018) states that e-voting will improve the participation of disable persons. E-voting will also solve the issue of mother tongue by allowing voters to vote in different languages (Garson 2006). As any technology e-voting system is used to lure the youth to be more active in selecting a leader to govern them. It can also be used as a tool to involve the physically challenged in performing their rights.

To reduce and possibly eradicate election fraud and malfeasance, many EMBs have had to turn to the use of E-voting to improve the integrity and credibility of elections (Gelb 2018). Upon the return to civil democratic rule in Africa in the 1990s and 2000s, the use of the analogue/manual systems in election management became untenable given the increasing incidence of fraud in elections. Thus, many countries embraced the use of digital cameras and digital fingerprint pads for voter registration and validation. In Africa, presently more than half of all countries have adopted electronic voting (Gelb 2018), an increase that is tandem with world trends (Wolf, IDEA, 2017). Such reforms by EMBs, according to Wolf (2017) are done with the understanding that electronic voting would generate trust and confidence in the electoral process, and at the same time, eliminate the loopholes exploited in manual processes.

Despite the advantages posed by the acceptance of technology in election processes, there are many issues and challenges facing the system (Carter & Balenger, 2005). This challenge includes security, social, technical, political, legal and economic implications. Indeed, in many places in Nigeria, where power (electricity) infrastructure is weak, and complaints of malfunctioning of the card readers are common (Afolabi & Ogunne, 2018). The 2015 and the 2019 elections readily attested to these findings. There were a variety of issues with the card readers on Election Day. In some cases, as noted by Sweeney (2015), biometric information could not be read, in other cases poll workers did not seem to understand how to use the machines (Omilusi, 2018).

These issues pose a real challenge to the adoption of e-voting in Nigeria. It has also been well documented in other studies. Esan and Ayeni (2018) in their study on E-voting in Nigeria: Barriers to Full implementation remarked that 'the risks of e-voting adoption are program error, software attack or system hacking, risk of fake voting sites and eventual submission of electronically altered result as a result of computer virus'. The findings of Iwuoha (2018) are in tandem with this result. According to the previous study, the application of e-voting in some rural communities presents a significant challenge because 'Nigeria's remotest communities generally face social deficits such as the non-availability of proper infrastructure and long distances between polling stations and their dwellings. Generally, the lack of effective electrical power supply and Internet services impinged on the functioning of the biometric technology and other ICT components deployed during the elections; on the part of rural voters, meanwhile, it largely limited their exposure to the digital media channels such as television through which voter education is promoted' (Bisong, 2019).

The point must be made that e-voting has its downside. And besides, it is susceptible to fraud as hackers can easily compromise E-voting; this has inclined some observers of the process to suggest a mix of traditional methods with digital ones so that voters get the best of both systems. This may have necessitated the caution that electronic voting should not be seen as a technical solution to a problem of lack of capacity or of competence within the election administration. On



the contrary, it will require more expertise and more capacity building at all levels of the EMB as well as with other key external stakeholders (IDEA, 2011:21).

However, the semi electronic voting system deployed in the 2015 election had brought to the fore the need for total Electronic system. From 2007 when Electronic registration was introduced till the last election, one thing is certain, that electronic data base cannot function well with a manual voting system. Even with the deployment of PVCs and SCRs, a high number of elections from the 2015 and 2019 exercise were subjects of litigation. Accordingly, INEC has been saddled with 80 rerun elections from the 2015 polls that were overturned by the courts because of rigging. No matter the level of the downside, it is certainly better in our environment that is characterised by electoral heist. The electorate had hitherto lost interest in the electoral process until the Mahmud Jega-led INEC introduced the card reader that was a climax of sorts. In other climes, the application of technology has increased transparency and integrity of the electoral process. So, the embrace of technology in the conduct of our elections will, for sure, enhance our electoral process and the legitimacy of government. INEC should go on with this drive to improve the electoral process in the Country.

The digitisation and digitalisation of just about every aspect of modern life has been a major outcome of the technological revolution. It has seen super-fast computers and smart phones revolutionise banking. It is forcing central banks globally to deal with the threat to their ability to create fiat money from crypto-currencies. The virtualisation of stock markets has aided the transition from the open outcry system, favoured by the famous halls in New York, London and Paris, to automated algorithms that initiate and complete buying/selling decisions. In all of these, the surprise is that elections, given their importance to the governance of our societies, remain largely unaffected by this revolution throughout the world. Only two countries have an established tradition of e-voting – India and Brazil. Both countries have had very free, fair and credible elections through e-voting. Currently, however, President Jair Bolsonaro of Brazil is determined to scrap e-voting because the polls indicate that he might not win the forthcoming election if it is free and fair. Significantly, the United States was the first country to introduce voting machines in the world; but it is still a contested method in the country. Other countries such as Estonia, Namibia, Philippines and Mongolia have made valiant efforts to introduce and regularise e-voting, but in most of them it remains a contested methodology.

For Africa, the cost of paper ballot elections, with their massive logistics requirement, movements of hordes of adhoc voting staff and security officials, high security printing costs, slow and ponderous counting, often open to manipulation and fraud, is the best case that can be made for the transition to e-voting. The problem is that because electoral credibility often requires trust, the evidence of the eyes of citizens, in most parts of the world, points that e-voting is viewed with suspicion. The Indian example, where results are never contested, offers scant consolation. This trust deficit has been overcome in the Southeast Asian country by decades of use. Indian voters know it is a credible system. The burning question is: What if the system is hacked and results changed? It appears that exercised by this concern, President Buhari initial refusal to sign the Electoral Bill preceding the 2019 elections because his party worried that the opposition Peoples Democratic Party (PDP) was capable of hacking the proposed electronic transmission of results,



even if there was no evidence that the fear was justified. As the blockchain technology develops, it has become clearer today that it is possible to do e-voting without the fear of hacking. Nonetheless, technology assurance may not be enough to put the fear at bay.

The deployment and successful use of electronic voting machines in the just concluded Local government elections in Kaduna State has again proven those averse to the initiative wrong. This is the second time the state is using e-voting in its elections successfully. The first was in 2018. In 2018, Kaduna State became the first state in Nigeria to conduct an election using an electronic voting system. The feat was repeated on September 4.

### **The Kaduna State Government had in 2018 substituted the Kaduna State Independent**

Electoral Commission Law No. 10 of 2012 and other Matters Ancillary, with the Kaduna State Independent Electoral Commission Law, 2018 to pave the way for electronic voting in the State. Section 16 (3) of the law provides that the State Independent Electoral Commission shall have the power to determine the method by which voters may be verified and accredited for the purpose of casting their votes. It states that: “Such verification and voting shall be through the use of approved electronic devices, smart card reader and electronic voting machine”.

In the election that followed, Governor Nasir El-Rufai was reported to have lost his polling unit. His response was: “People were laughing that I lost my polling unit, but you know, it is democracy that won... those that claim that the machines were programmed were ashamed when it was reported that APC lost in my polling unit”. Clearly, the best advert for electronic voting is that both in the 2018 and 2021 local government elections in Kaduna State, the ruling party did not win all the seats. The security situation in the state however made it impossible to conclude the elections in all parts of Kaduna State (Premium Times, Editorial, 2021). However, on November 6, 2021, Anambra State made history as the first governorship election in Nigeria in which the Independent National Electoral Commission (INEC) deployed the Biometric Voter Accreditation System (BVAS) device. The BVAS, deployed in its pilot phase for the Isoko South I State Constituency Bye-election in Delta State on September 11, 2021, is a new device that replaces the Smart Card Reader (SCR) used in previous elections since 2015. The BVAS has the dual capacity for fingerprint and facial authentication of voters, and according to the Chairman of INEC, Prof Mahmood Yakubu, BVAS is important to guard against voting by identity theft where one person uses another person’s Permanent Voter’s Card (PVC) to vote using the incident form.

The Anambra election showed that that digital accreditation and transparent collation make a difference. This INEC has not always been a model of efficient electoral administration and the Anambra election didn’t disappoint on this. The Bimodal Voter Accreditation System has struggled since INEC first introduced it in an election in Delta State in the last quarter. The system was equally far from reassuring in Anambra. In Akabo Hall II, in Ezinifitte, Nnewi South LGA, for instance, there was no voting because of the failure of the BVAS. As Odinkalu (2021) noted, it may be that it deserves time to prove itself but INEC will not get too many more opportunities. It must be stated here that its adoption in Ekiti and Osun election recently has given hope to electoral umpire and the electorates that it would be a success in the 2023 general elections.



Yet, the system makes traditional ballot stuffing and analogue alteration of results more difficult to get away with because the numbers have to align with the digital accreditation records which cannot be changed easily. That system made it possible to easily lance egregious cases of over-voting such as took place in Ifite Agbaja II, in Abatete in Idemili North in this election (Odinkalu, 2021). Additionally, the electronic transmission of results from the polling units directly to the collation centre eliminated the usual transactions and violence for results alteration, increasing public confidence in the outcome. It remains to be seen whether INEC can scale this up to nationwide elections in which serious technology disruptions are likely to be more consequential.

### **Conclusion**

Contemporary discourse of liberal democracy has recognised and appreciated the place of a free and fair electoral process as a critical component of any effort to enthrone a democratically responsive and development-focused government (Ibrahim, 2007). What makes democratic governance the most preferable system of government today is the institutionalization of periodic elections. The conduct of credible elections on a typically political party basis is the preferred means of choosing elective public officeholders. It follows, therefore, that the electorate must play a central role in the electoral process, not only by just participating in the process, but also, by doing so in a manner that makes their vote secure so that it counts and is respected (INEC, 2012:1).

Much of the enduring logic of the country's fourth republic is the little credibility the gradual introduction of technology into the process has engendered. The use of card readers brought some credibility to the 2011 and 2015 general elections despite the deficits of the electoral process. Recall that the 2007 elections were so marred by fraud and violence that Human Rights Watch noted that, "instead of guaranteeing citizens' basic right to vote freely, Nigerian government and electoral officials actively colluded in the fraud and violence that marred the presidential election polls in some areas.

Considering that the level of political distrust in Nigeria is very high, the adoption of electronic voting to enhance electoral credibility has become necessary as the 2023 election approaches. To achieve significant improvements, electronic voting must be implemented in such a way as to improve efficiency and enhance transparency, accountability and accuracy.

### **Recommendations**

Flowing from the above the following recommendations have been made.

1. Nigeria should as a matter of necessity fix power and internet related problems before nursing the thought of adopting e-voting aspect of e-democracy. This is a sine qua non for e-voting.
2. The Independent National Electoral Commission (INEC) must develop strong antivirus and anti-hacking software to ward off credible threats capable of throwing the country into serious confusion. This is a protective strategy.
3. The electronic voting system be adopted but there should be much education and enlightenment about the system and its workability in a political system like ours where



many of the voters are illiterate. INEC may achieve it in collaboration with National Orientation Agency (NOA) and its official's resident in the localities.

4. An electoral process should be designed in such a way that elections would be conducted at different levels at particular times instead of the current arrangement where all elections are conducted at the same time leaving members of the commission a long period of idling away without any work a development that had not only brought about inefficiency in the job but made the electoral officials to be corrupt.

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