

Credible Elections in Nigeria: A Study of the Independent National Electoral Commission's Performance

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Abstract

This research paper examines the performance of the Independent National Electoral Commission (INEC) in Nigeria, focusing on its role in promoting credible elections. The conduct of credible elections remains central to the consolidation of democracy in Nigeria. Since its establishment in 1998, the Independent National Electoral Commission (INEC) has been saddled with the constitutional responsibility of organizing and supervising elections across the federation. Despite numerous reforms and the introduction of electoral technologies such as the Bimodal Voter Accreditation System (BVAS) and the INEC Result Viewing Portal (IReV), questions still persist about the credibility of Nigerian elections. Through a mixed-methods approach, including quantitative data analysis and qualitative interviews with stakeholders, the research assesses the effectiveness of INEC's strategies and reforms aimed at enhancing electoral credibility. The study investigates the historical context of electoral processes in Nigeria, identifying key challenges faced by INEC, including issues of transparency, voter education, and electoral integrity. Anchored on the Democratic Consolidation Theory, the study explores the historical evolution, structure, mandate, achievements, and persistent challenges of INEC. It further assesses case studies of general elections from 1999 to 2023, comparing Nigeria's experience with other African democracies such as Ghana and South Africa. Findings reveal significant progress in certain areas, yet persistent obstacles remain, impacting public trust in the electoral system. The paper concludes with recommendations for policy improvements and stakeholder engagement, emphasizing the necessity for a robust electoral framework to ensure future electoral integrity in Nigeria.

Keywords: *Credible Elections, INEC, Democracy, Electoral Reforms, Nigeria*

1. Introduction

Nigeria's electoral process has been marred by controversy and disputes, undermining the credibility of the country's democratic system. The Independent National Electoral Commission (INEC) is the oxygen of Nigeria democracy and plays a crucial role in ensuring free, fair and credible elections. As the body responsible for conducting elections in Africa's largest democracy, INEC carries the weighty responsibility of determining how power is transferred and how citizens' voices are heard at the ballot box. In a country where elections are often marred by controversy, the commission is constantly under scrutiny. Since its establishment in 1998, INEC has presided over six general elections and countless off-season polls. While progress has been made in strengthening Nigeria's electoral process, the commission has also faced recurring challenges of

logistics, transparency, and credibility. Each election cycle brings both new reforms and fresh accusations, leaving many Nigerians questioning whether true electoral integrity is within reach. Democratic governance happened to be the best form of government all over the world as always pronounced by the proponents of democracy. Elections are the backbone of democratic governance as it provides the public with the platform for selection of political leaders (Aliyu & Ambali, 2021). One of INEC's most significant reforms in recent years has been the adoption of technology. The introduction of the Bimodal Voter Accreditation System (BVAS) and the INEC Result Viewing Portal (IReV) was widely celebrated as a game changer. These tools were designed to reduce electoral fraud, enhance transparency, and restore public confidence in the process. However, the 2023 general elections exposed gaps in implementation, with reports of system glitches, delays in result transmission, and allegations of manipulation. For whatever reason, the Independent National Electoral Commission could not upload the results of the 2023 Nigerian Presidential Election from the polling booths into the INEC's portal. The chair of the commission, unfortunately, could not provide a justifiable reason on why the commission was unable to transmit the result of the election into INEC's portal. Nonetheless, given the opportunity, many Nigerian politicians would like to rig elections so long the electoral misconduct guarantees the chances of them being elected into governments and parliaments as evident in the elections of some of the key leaders of the 10th National Assembly in Nigeria (Godwin & Sunday, 2023). The non-transmission of the presidential scores remains a challenge and therefore undermines the credibility of the election. It is against the backdrop that this study seeks to interrogate INEC and the challenges of credible elections in Nigeria with a focus on the 2023 presidential election.

Logistics remain another major headache for the commission. From the late arrival of materials at polling units to difficulties in reaching remote communities, Election Day operations often reveal the weaknesses of Nigeria's infrastructure. These recurring logistical challenges not only frustrate voters but also undermine the credibility of the results. Many Nigerians argue that until logistics are properly handled, technology and reforms will have limited impact.

Security during elections is another pressing concern. Electoral violence, intimidation of voters, and clashes between rival groups remain common features of Nigeria's elections. Although INEC works with security agencies, it has often been accused of being unable to guarantee a safe voting environment. This has discouraged voter turnout in some areas, weakening citizens' trust in the democratic process. Beyond the mechanics of elections, INEC also faces accusations of bias and political interference. Opposition parties frequently accuse the commission of favouring incumbents, while ruling parties defend its neutrality. This perception problem is as damaging as actual malpractice, since it erodes public trust in an institution that should serve as an impartial umpire.

Despite these criticisms, INEC has recorded notable achievements. Voter education campaigns, expansion of polling units, and improvements in the voter register have helped broaden democratic participation. Nigeria now has one of the largest biometric voter databases in the world, a resource that could be a valuable tool for governance if properly maintained and updated. For many Nigerians, the way forward lies in strengthening INEC's independence. Stakeholders argue that funding for the commission should be guaranteed and insulated from political control, while appointments into its leadership must be based on competence and neutrality rather than political loyalty. Such reforms, they believe, would go a long way in enhancing credibility.

As Nigeria's population continues to grow, elections will only become more complex and competitive. INEC must therefore adapt by embracing innovation, improving logistics, and rebuilding public trust. Credible elections are the foundation of any democracy, and without a

trusted electoral body, Nigeria's democratic experiment will remain fragile. This paper examines the challenges facing INEC and proposes solutions to enhance the credibility of elections in Nigeria.

2. Literature Review

2.1 Conceptual Review

Concept of Election

An election is a formal group decision-making process whereby a population chooses an individual or multiple individuals to hold public office. Elections have been the usual mechanism by which modern representative democracy has operated since the 17th century (Manin, 1997). According to Ojo (2003a) 'elections do not only serve the purpose of peacefully changing government, it also enhances and confers political legitimacy on the government'. This is done through involving citizens in political decision-making. Put differently, elections are the instrument through which people choose their leaders and keep them accountable

The Independent National Electoral Commission (INEC)

The Independent National Electoral Commission (INEC) is the electoral body that is saddled with the responsibility of election conduct in Nigeria according to Nigerian 1999 Constitution and the Electoral Act 2010. It was established shortly before the final transition to civilian rule in 1998 to replace the previous electoral bodies that were scrapped by the military during their sojourn in power. The Nigerian Military on 5th August 1998 established the INEC under Decree No.17 (Suleet al.2017). INEC is empowered by Section 225 Sub-Sections 1-6 and Section 226 Sub Sections 1-3 of the Nigerian 1999 Constitution to monitor and supervise all electoral processes and activities in Nigeria. Besides, the Electoral Act 2010 provides in Section 88-92 that INEC has the powers to register political parties, deregister them, monitor their activities including finance such as sources of income, expenditure, maximum campaign spending limit, audit their financial books and sanction violators of regulations accordingly.

2.2 Theoretical Framework

Democratic Consolidation Theory

According to this theory, there will be some types of regimes that, prior to becoming democracies, may be better suited to eventually become consolidated democracies. If the previous regime had any democratic characteristics, whether these were partially free or fair elections. If there were any institutions that were representative of the people, perhaps these regimes will eventually have a higher likelihood of consolidating. On another point, if there is a deeply embedded military dictatorship preceding a democracy, perhaps it will have more difficulty eventually becoming a democracy. Perhaps the people will be fearful of the regime backsliding into a military dictatorship. Perhaps this will limit the opportunities to fully democratize over time. Some authors have argued that it does not necessarily matter what the regime was prior to the transition. What is important is an established state which had some form of legitimacy. To this end, Beethem wrote: "A 'state' which is incapable of enforcing any effective legal or administrative order across its territory is one in which the ideas of democratic citizenship and popular accountability can have little meaning." (Beethem, 1994)

3. INEC and Credible Elections in Nigeria

i. Voter Turnout

Voter turnout refers to the percentage of people who actually take part in an election relative to the total number of registered voters. While over 93 million voters registered, only a little over 25 million voted in the presidential election (Nwangwu, 2023). The vote count during the presidential election was the lowest in more than 40 years especially when compare to the number of eligible voters. INEC accepted 24 million voted in the 2023 presidential election representing less than 30% of voters. The lower number of votes during the 2023 presidential election meant that the ultimate winner, Bola Tinubu, who scored 8.79 million, had the lowest number of votes for a presidential election winner in Nigeria since the country returned to democratic rule in 1999. Each winner since 1999 had scored not less than 12 million votes. In 2011, Buhari despite scoring 12 million votes lost the election (Omotayo, 2023).

ii. Over Voting

Despite the promises by INEC to correct all the electoral anomalies that characterized voting in the pass and its new technologies, there were cases of over voting leading to the cancellation of some polling units and even before the announcement of the result, Abubakar Atiku of PDP and Peter Obi of LP vowed to go to court to reclaim their stolen mandates. Some asserted that INEC had failed to deliver on its promises to ensure credible elections and preserve the sanctity of voting which was look like the main process that differentiates between a military dictatorship and a civilian government whereas, some gave INEC kudos for conducting free, fair and credible election. For instance, APC National Executive Council (NEC), passes vote of confidence on INEC 2023 presidential election. They added that, the 2023 presidential election that brought President Bola Tinubu to power was free, fair and credible (Premium Times, August 3, 2023). Following the outcome of the 2023 presidential election result, the two major opposition parties, the PDP, LP and their presidential candidates Aitku Abubakar and Peter Obi as well as about three other political parties disagreed with the outcome of the elections and have gone to the Presidential Election Petitions Tribunal to challenge it (Adebambo, 2023).

iii. Technological Failure

Another serious challenge that hampered the credibility of 2023 presidential election is that technology is not enough and the record of technological failure. The outcome of the elections showed that the deployment of technology was not enough. While voter accreditation was largely carried out with the Bimodal device, the electoral commission's failure to carry out real time transmission of the presidential election results created room for alleged result manipulation. Despite the electoral body's assurance that its decision to deploy the Bimodal Voter Accreditation System for voter accreditation and real time transmission of results to its result viewing portal was irreversible, the latter was disregarded. While the accreditation system was used, results were not transmitted to the viewing portal (Nwangwu, 2023). INEC has continued to face questions over logistical shortcomings and technology failure, notably challenges with the Bimodal Voter Accreditation System (BVAS) and the limited functionality of the INEC Results Viewing portal (IREV). IREV was supposed to improve transparency by displaying digital copies of results from all the nearly 180,000 polling units once they were signed. The manner in which the poll was conducted and determined appears to have dashed the hope and faith of many Nigerians had kept in the commission (Kazeem, 2023)

iv. Electoral Violence

Nigeria's elections are still prone to violence and Nigeria has a long history of violence during elections and it sadly manifested again in 2023 presidential election (Nwangwu, 2023). The

integrity of democratic processes, political stability, and societal well-being are threatened when confronted with complex and varied threats of violence in elections. Fierce political rivalry coupled with Nigeria's existential security crises heightened public apprehension before, during and after the elections. Yiaga Africa noted tactical use of violence to intimidate political opponent's prospective voters and democratic institutions like INEC. Throughout the pre-election period, security challenges persisted across several locations. Aside insurgency, banditry and kidnapping, the prevailing security situation leading to the 2023 Presidential election was exacerbated by vandalism and destruction of properties belonging to political parties or candidates (Yiaga, 2023).

4. Challenges Facing INEC to Conduct Credible Election in Nigeria

- i. Violence and Attacks on INEC Offices: Before the 2023 elections, INEC reported attacks on 53 of its offices across Nigeria, with ongoing violence persisting. This has raised concerns about the safety of electoral officials and the security of the electoral process and led to the displacement of electoral operations and increased costs for the commission.
- ii. Lack of Transparency and Accountability: Critics argue that INEC's processes and procedures lack transparency, leading to mistrust and suspicion among stakeholders.
- iii. Electoral Technology Challenges: The use of technology in elections has raised concerns about security, reliability, and transparency.
- iv. Institutional Weaknesses: INEC's institutional capacity has been questioned, with calls for reforms to strengthen its independence and effectiveness
- v. Logistical Issues: INEC faced challenges with election logistics delivery, particularly in locations with difficult terrain and riverine areas. The commission required over 100,000 vehicles and 4,000 boats, which were not readily available.
- vi. Fuel Scarcity: Fuel shortages across the country affected the transportation of election personnel and materials, leading to delays and increased costs.
- vii. Electoral Malpractices: Instances of vote-buying, ballot stuffing, and intimidation of voters and electoral officials were reported, undermining the credibility of the election.
- viii. Security Challenges: The security environment posed significant threats to the electoral process, including terrorism, kidnapping, and election-related violence, which disrupted voting and deterred participation.
- ix. Inadequate Funding: INEC faced funding challenges, which impacted its ability to effectively conduct the election.
- x. Currency Swap: The Central Bank of Nigeria's currency swap policy caused cash shortages, economic hardship, and social unrest, affecting the electoral process. INEC had to request supplementary appropriation to meet unanticipated expenditures.

5. Solution to Credible Election in Nigeria

- i. Securing INEC's True Independence: Granting INEC financial autonomy and shielding it from undue political manipulation.
- ii. Overhauling Electoral Laws: Amending electoral laws to plug loopholes and ensure transparency.
- iii. Ensuring Enforceability of Laws: Strengthening the enforcement of electoral laws, particularly regarding the mandatory use of BVAS.
- iv. Fostering Internal Democracy: Promoting internal democracy within political parties to prevent the imposition of candidates.
- v. Investing in Technology: Harnessing technology to modernize voter registration, accreditation, and result transmission.
- vi. Stakeholder Engagement: Fostering collaboration with stakeholders, including civil society organizations, political parties, and security agencies.
- vii. Electoral Offences Tribunal: Establishing a special tribunal to promptly deal with electoral offenders.
- viii. Voter Education: Educating voters about their rights and the electoral process to empower them to demand accountability.

6. Conclusion and Recommendations

The paper "Credible Election in Nigeria and INEC Performance" highlights the challenges facing the Independent National Electoral Commission (INEC) in conducting free, fair, and credible elections in Nigeria. Despite efforts to improve the electoral process, INEC still grapples with issues of transparency, accountability, and security. The paper concludes that credible elections are essential for Nigeria's democratic development and that INEC's performance is crucial to achieving this goal.

Based on these findings, the study recommends:

- i. The government should grant INEC financial autonomy ensuring INEC's financial independence to prevent undue political interference by President, Governors and other top elected/appointed office holders.
- ii. The national assembly should review and amend electoral laws to prevent electoral malpractices and ensure transparency.
- iii. Through civil society organizations and other means, they should improve voter's education about their rights and the electoral process to empower them to demand accountability.
- iv. The government should provide adequate security for electoral officials, materials, and voters to prevent violence and intimidation.
- v. Implement technology to improve the electoral process, including voter registration, accreditation, and result transmission; encourage collaboration between INEC, civil society organizations, political parties, and security agencies to ensure credible elections.

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