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NIGERIA'S 2019 DEMOCRATIC EXPERIENCE

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INEC, the Electoral Process and the Conduct of Elections in 2019

Abstract: The electoral process in Nigeria as in many developing democracies of the world has been fraught with several challenges ranging from personnel to operations and logistics. These challenges have resulted in irregularities in the Nigerian electoral process thereby undermining the conduct of free, fair and credible elections. The recently concluded 2019 General Election was not spared these challenges or the consequent questionable and contested outcomes of the election in many parts of the country. In lieu of the foregoing, this chapter discusses the challenges the Independent National Electoral Commission (INEC) confronted during the 2019 election such as insufficient personnel, operations and logistics difficulties right from the time of voter registration, collection of Permanent Voters Card (PVC), campaign regulation, and logistics on election day. These challenges made it difficult for INEC to meet its mandate of delivering free, fair and credible elections. The analysis shows that INEC needs to strengthen her departments of procurement and operations to enable the commission to both recruit and train ad-hoc staff early and deliver electoral materials on time. There is also need to integrate field study in the training of ad-hoc staff in order to get them familiar with their soon-to-be work environment.

Keywords: Democracy, INEC, election, electoral process

Introduction

Electoral processes have shaped the nature of elections and by extension the fate of modern nations in their quest to enshrine and consolidate democratic governance. This is because elections are crucial as they provide the avenue by which diverse interest groups within the nation negotiate to peacefully resolve their claims to power.¹ Elections determine the manner and methods by which legitimate changes in the social order occur. However, elections in Nigeria have continued to generate controversies due to the challenges in the electoral process

¹ Festus Iyayi, "The Conduct of Elections and Electoral Practice in Nigeria" (paper presented at the Annual Nigerian Bar Association Conference, Abuja, 24 August 2004).

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particularly with regards to the activities of political parties, political elites, security agencies, as well as the level of independence of the Electoral Management Bodies (EMBs), their professionalism and the public acceptability of the elections they conduct.

Since Nigeria's return to democratic governance in 1999, the electoral process has been questioned for lack of transparency, integrity, credibility and inclusivity. The Independent National Electoral Commission (INEC), vested with the constitutional powers to conduct elections since 1999, has not been spared varying degrees of controversies and accusations concerning the nature of elections it has conducted. This is largely an outcome of the various challenges that the Commission faces during election seasons. Nonetheless, INEC has consistently accused political actors and weak institutional and legal frameworks of collaborating institutions in the electoral process for the challenges it faces in the quest to conduct free, fair and credible elections. Against this multi-dimensional problematic, this chapter critically analyses some of the challenges that confronted INEC during the 2019 general election. Structurally, this chapter proceeds in seven parts. The first, which is the introduction, is followed by conceptualization of key terms – election and the electoral process. Thereafter, the establishment and mandate of INEC would be examined. A key sector of the chapter dealing with INEC and the conduct of the 2019 general election follow, before both the conclusion and some recommendations.

Conceptualizing Election and the Electoral Process

Election is fundamental to the process of representation in liberal democratic settings. It is a systematic strategy in selecting, among choices, a preferred actor to lead on behalf of a group of people.² Ejumudo sees it as the technical means or instrument of ensuring popular participation in governance with the dictates of modern democracies and hallmark of legitimacy.³ Even so, elections entail the ability and freedom of members of a particular organization, associa-

² John T. Tsuwa, "Making the Votes Count: Interrogating the Role of Collation Officers in Benue North-East Senatorial Elections in 2015 Elections," in *The 2015 Elections in Nigeria: Emerging Issues*, John T. Tsuwa and Elijah T. Ikpanor, eds. (Ibadan: Don Afrique, 2010), 7–16.

³ B. Kelly and O. Ejumudo, "A Critical Analysis of Fiscal Federalism Palaver as Exposition of the Pseudo and Quasi Nature of Nigeria's Federal Arrangement," *International Journal of Political Science and Administration* (2010): 14–20.

tion or society, within the guidelines provided in their constitution, to express their choice by selecting among their members, especially those who indicate interest, who to govern them. Elections are complex set of activities with different variables that act and feed on one another.⁴ Election can be conceptualized as a “formal” act of collective decision-making that occurs in a stream of connected antecedents, with subsequent behaviour aimed at selecting among group members an arrowhead that would provide direction for group members to follow towards achieving their coordinated objectives. In another dimension, elections are periodic legitimate instruments that give the choice makers (electorates or voters) the power to confer authority on the choice (leader) who would authoritatively carry out specified functions on behalf of the choice makers. It also makes provision for the conferred authority to be stripped off when the leadership fails to deliver the collective aspirations of the people into achievable outcomes.

In a strict sense, electoral process has been viewed in many ways by several authors. This diversity stems from the objectives of their studies. However, Jinadu sees the electoral process as the rules, procedures and activities relating to the establishment of electoral bodies, the appointment of their members, selection and training of electoral officials, constituency delimitation, voter education, registration of political parties, registration of voters, nomination of candidates, balloting, counting of ballots, declaration of results and, in some cases, supervision of party nomination congresses.⁵ Ajayi opines that the electoral process is the management and organization of all the activities and stages of an electoral cycle (i.e. the pre-election, election and post-election stages) by an electoral body.⁶ Jega and Ibeanu observe that there is a widespread misconception of equating the electoral process to the election itself.⁷ They argue instead that the electoral process transcends the method of choosing public office holders and includes the entire gamut of all the institutional procedures, arrangements and actions involved in elections. These include suffrage, voters’ registration, delimitation of constituencies, electoral competition between rival political parties, the body charged with the conduct and supervision of election, the method of

4 Festus Okoye, *Assessing the credibility of elections in Nigeria* (Abuja: Human Rights Monitor, 2007).

5 Adele L. Jinadu, “Matters Arising: African Elections and the Problem off Electoral Administration,” *African Journal of Political Science* 2, no.1 (1997): 1–11.

6 Kunle Ajayi, “Elections Administration in Nigeria and the Challenge of 2007 Elections,” *The Social Science Medwell Journal* 2, no.2 (2007): 142–151.

7 Jega M. Attahiru and Okechukwu Ibeanu, eds., “Elections and the Future of Democracy in Nigeria” (paper presented at the Nigerian Political Science Association Conference, Abuja, 2007).

selection of candidates within political parties, the nomination of candidates, the method of voting, the actual conduct of the election, the determination of election disputes, electoral malpractices and their consequences. Going by the INEC Proceedings, electoral process includes a long and complex range of activities that are aptly represented in the diagram below.

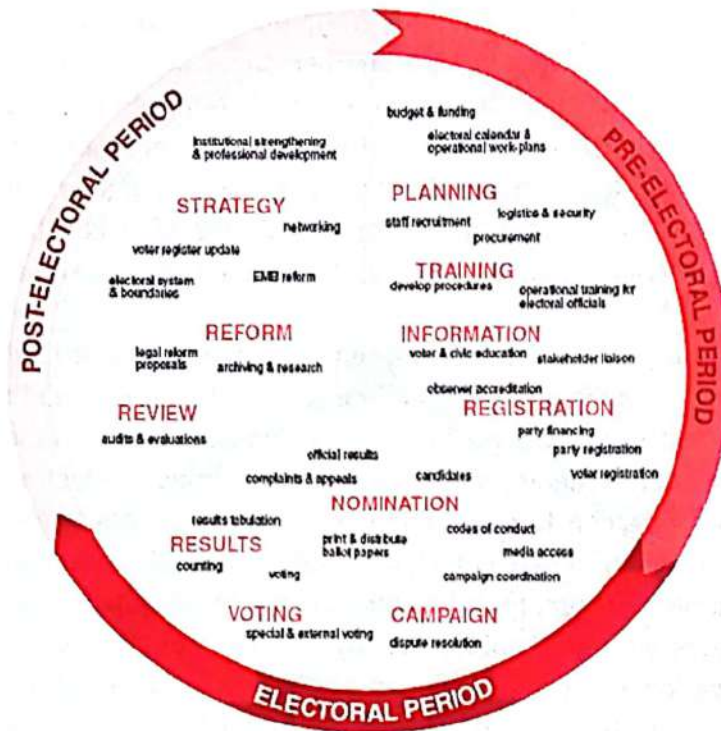


Figure 1: Diagram showing INEC's proceeding of electoral process
Source: The Electoral Institute, Abuja 2015.

Fig. 1 shows that election is a long process that starts not only from the election management bodies (EMBs) but also from the political actors because the actors also begin by indicating intentions to contest, carryout consultations, mobilize and organize campaign teams, carryout publicity, participate in party primaries before coming in direct contact with the EMBs.⁸ It is therefore noteworthy that elections are not necessarily about election day activities only as it encompasses a wide-range of activities before, during and after the election day proper. Put differently, election process includes the formation and construction of the legal and constitutional frameworks of elections – the registration of political parties, voter registration, collection of voters' cards, party campaigns, the activ-

⁸ Tsuwa, "Making the Votes Count," 7–16.

ities of the security agencies, the activities of (international and local) election monitors/observers (missions), and the electorates. The evidence here is that the electoral process is not unidirectional, but involves all the state and non-state actors that play different roles leading to the actual conduct of the election and the post-election activities.

Establishment and Mandate of the Independent National Electoral Commission (INEC)

INEC is Nigeria's electoral body charged with the mandate and responsibility to conduct elections in Nigeria. The Commission was established in accordance with Section 153(f) of the amended 1999 Constitution of the Federal Republic of Nigeria with a Chairman and 12 National Commissioners.⁹ The functions of the Commission as stipulated in part 1 of the third schedule of the 1999 Constitution are as follows:

- a) Organize, conduct and supervise all elections and matters pertaining to elections into all elective offices provided in the Constitution of the Federal Republic of Nigeria 1999, as amended, or any other enactment of law.
- b) Register political parties in accordance with the provision of the relevant enactment or law.
- c) Monitor the organization and operation of the political parties, including their finances.
- d) Arrange for the annual examination and auditing of the funds and accounts of political parties and publish report of such examination and audit for public information.
- e) Conduct registration of persons qualified to vote and the preparation, maintenance and revision of the register of voters for the purpose of any election.
- f) Monitor political campaigns and provide rules and regulations, which shall govern the political parties.
- g) Delegate power to Resident Electoral Commissioner
- h) Carryout such other functions as may be conferred upon it by a Decree or any other enactment of law.
- i) Divide the area of the Federation, or as the case may be, into such constituencies as may be presented by law for the purpose of elections to be conducted by the Commission.

⁹ Babayo Sule, "The 2019 Presidential Elections in Nigeria: An analysis of the Voting Pattern, Issues and Impact," *Malaysian Journal of Society and Space* 15, no. 2 (2019): 129–140.

Situated within the above constitutional powers are the principles guiding INEC in the fulfillment of its mandate. These principles were designed to serve as the code of conduct so as to create confidence in the EMBs and the process adopted towards the conduct of the elections. These include:

- a) Transparency – INEC will be open and transparent in all its activities and in its relations with political stakeholders, media organizations, INEC service providers and the people of Nigeria.
- b) Truthful and honest in all its dealings with people, its political stakeholders and each other
- c) Credibility – INEC will strive to ensure that the people of Nigeria and in particular, the political stakeholders will readily accept all its actors.
- d) Impartiality – INEC shall endeavour to create a level playing field for all political actors.
- e) Dedication – INEC shall be committed to providing the highest quality election services to the people of Nigeria and will also work to ensure that merit will continue to be the basis for compensation, promotion and recruitment of staff.¹⁰

Methodological and Theoretical Considerations

A mixture of primary and secondary sources was used for this chapter. For the primary source, two focus group discussions (FGDs) were held each with INEC staff, politicians and INEC ad-hoc staff in Makurdi, Abuja, Lokoja, Obudu and Wukari areas. In addition, 10 key informant interviews (KII) were conducted among INEC staff, ad-hoc staff and politicians. The findings from these primary sources were analyzed in thematic and descriptive formats and collaborated with secondary data, which were derived from relevant books, journals, INEC publications and credibly verified Internet sources.

The theory of structural functionalism was used to analyse the data collected. Structural functionalism has its intellectual roots in the writings of social anthropologists such as Redcliffe Brown and Bronislaw Malinowski, which was adopted into the field of political science by Gabriel Almond. At its basic level, structural functionalism posits that a political system is made up of institutions (structures) such as interest groups, political parties, the executive, legislative and judicial branches of governments and bureaucratic machinery.

¹⁰ "Regulations and Guidelines for the Conduct of Elections, 2019," <https://inecnigeria.org/elections/regulations-and-guidelines-for-the-conduct-of-elections/> (accessed 28 September 2021).

This theory stipulates that all these institutions function together to make the political system work more effectively. For Almond, a better understanding of the society emerges only when one begins to examine how these institutions act within the sphere of a specific political process.¹¹ As Almond describes it, interest groups serve to articulate political issues, parties then aggregate and express them in a coherent meaningful way, while government enacts public policies to address them, and bureaucracies finally regulate them.

Almond and Powell, in modifying and expanding this theory, added an important set of system functions to this model by acknowledging the crucial role played by political culture in determining the unique characteristics of a political system.¹² According to Tsuwa, the major assumptions of structural functionalism are: the social system is the prior causal reality and the system parts are functionally interrelated; all social phenomena have functions for the larger social system; the higher the level of integration between these intermediate groups, the more cohesive society will be as a whole.¹³

The functionalism theory, therefore, serves as a means of explaining the roles performed by the structures in a political system. It argues that some of the roles are unintended and unrecognized while others are manifest and intended roles, and therefore recognized as latent. These social patterns that contribute to the maintenance of a political system are regarded as functional, while those that have negative consequences are considered dysfunctional.¹⁴ This is further buttressed by Adejoh who holds that a political system is made up of interrelated parts that are supposed to work harmoniously to ensure the survival of the whole system.¹⁵ However, when related to politics, structural functionalism is the means of explaining basic functions of political structures within the political system.

Since every political system is made up of various parts, this theory has proven vital in helping to explain the relationship between the various existing parts (structures) within any given institution. These structures being many, can take any form, but it is the contribution of each part (structure) that sustains the whole (political system). Thus, building upon the tenets of the functionalism theory, this chapter makes a strong postulation that for the Nigerian political sys-

11 Gabriel A. Almond, "Comparative Political Systems," *Journal of Politics* (1956): 391–409.

12 Gabriel A. Almond and Bingham G. Powell. *Comparative Politics: A Developmental Approach* (Boston: Little Brown, 1966).

13 John T. Tsuwa, "Collective Security and Peace in Africa: A study of the AU Collective Security Architecture," *NPSA* 2, no. 3 (2017): 74–88.

14 Pius Adejoh, "Elections and Democracy in Nigeria," *Journal of Politics* 1, no. 3 (2019): 51–64.

15 Adejoh, "Elections and Democracy."

tem to consolidate its democracy and ensure collective survival, INEC and all stakeholders need to perform strategic functions in the electoral process as parts (structures) of the whole system, by so doing, INEC would succeed in fulfilling its constitutionally given mandate.

Conduct of Elections in Nigeria: An Overview

The Election Management Bodies (EMBs) mandated to conduct elections in Nigeria, starting from the colonial era, have consistently changed in form, nature and character over the years. These EMBs include: the Electoral Commission of Nigeria (ECN) in 1959, the Federal Electoral Commission (FEC) in 1964, the Federal Electoral Commission (FEDECO) in 1978, the National Electoral Commission (NEC) that conducted the June 12 elections in 1993, and the National Electoral Commission of Nigeria (NECON) in 1994. The General Abubakar Abdulsalami-led administration established the current EMB, INEC, in 1998, which would go on to conduct the 1999 elections when Nigeria reverted to civilian rule. INEC has since then conducted six general elections in Nigeria, making it the longest serving EMB in Nigeria's political history. Over the years, as Adejumobi and Agbaje note, the autonomy and capacity of EMBs in Nigeria became suspect.¹⁶ This appears to reflect in their endless renaming and restructuring, not to mention the varying levels of influence on it by successive governments. This has largely accounted for the twin malady of malpractices and violence that characterized elections in Nigeria, which severally threatened and even successfully truncated democratic rule.¹⁷

Since Nigeria's return to civilian rule in 1999, the succeeding elections of 2003, 2007 and 2011 were embroiled in controversy, rejection and legitimacy crisis because of the massive fraud and violence that attended them. Although the blame may not be completely laid on the shoulders of INEC alone, nonetheless, there were blames for acts of commission or omission by INEC, which largely contributed to the wide-scale irregularities that characterized the 2003 and 2007 elections, thus, generating a massive lack of confidence in the electorates. Consequently, the 2011 elections started on a pessimistic note as many Nigerians doubted the sincerity of INEC to conduct credible elections going by its past re-

16 Said Adejumobi and Adigun Agbaje, "Do votes count: The Travails of electoral Politics in Nigeria" (CODESRIA Special Working Paper, Dakar, 2006).

17 E. Obioye and A. Emesibe, "Elections and Governance in Nigeria's Fourth Republic," in *The 2015 Elections in Nigeria: Emerging Issues*, eds. John T. Tsuwa & Elijah T. Ikpanor (Ibadan: Don Afrique, 2015).

cords.¹⁸ INEC, under the leadership of Professor Attahiru Jega, however, rose to the challenge of conducting credible elections beginning with a more transparent and effective registration of voters. As a result, the pessimism that initially greeted the INEC chairman and his commission members gradually gave way to trust and promise as the Commission assured the Nigerian electorates of free, fair and credible elections. Though INEC recorded giant strides in the 2011 elections that attracted applause from both national and international election observers' missions, the election also had certain shortcomings and challenges. Nonetheless, the confidence of several Nigerians in INEC towards conducting credible elections in subsequent election seasons was rejuvenated.

Attahiru Jega's second election in 2015 was historic for two major reasons. Firstly, the introduction of an electronic accreditation process (EAP) remarkably increased the credibility of the entire election process. Secondly, it was the first time in Nigeria's electoral history that an incumbent president and his political party would lose elections and concede defeat to the opposition. Yet, the 2015 general election administration process as Moveh reports was not without controversy.¹⁹ Responses from FGDs conducted indicate that the 2015 elections were unique especially in the manner in which the campaigns were carried out by political parties and their candidates. According to our respondents, Abu Amali and Benson Oogwu, political campaigns in the pre-election period were heated with hate speeches, fake pictorial representations of opposing candidates and debates were non-issue based. In several states across Nigeria, the pre-election period recorded varying degrees of election-related violence more than on the actual day of election. They noted that the election and post-election activities were more peaceful than the pre-election period. Indeed, the 2015 general election was described as the most keenly contested set of elections in the history of Nigeria, but at the same time, regarded as the most free and fair election since 1999. Little wonder that expectations were high that the 2019 general election would be an improvement of the 2015 experience.

¹⁸ E. Obioye, "Elections and Governance."

¹⁹ David O. Moveh, "INEC and the Administration of Elections in Nigeria's Fourth Republic: The 2015 General Elections in Focus" (paper presented at the National Conference Organized by the Electoral Institute, Abuja, 27–28 July 2015).

INEC and the Administration of the 2019 General Election

The elections of 2019, originally scheduled to hold on 16 February and 2 March 2019, respectively, were postponed to 23 February and 9 March 2019 because of logistics challenges. Prior to the postponement, however, there were high expectations from Nigerians that the exercise would be an improved version of the 2015 general election. According to two key informant interviews and aggregation of FGDs, the conduct of the 2019 general election was questionable and the expectations of many Nigerians were shattered as the neutrality of INEC was strongly questioned because of the postponement. Ukiwo identified three further factors that fueled this suspicion.²⁰ The first factor was that contrary to convention, President Muhammadu Buhari appointed a person from his own geopolitical zone as INEC chairperson. Besides being against the norm, it was construed as having serious implications on the neutrality of the Commission's chairman and, indeed, the conduct of elections for that season.

The second factor was the decision of President Buhari to decline assent to the proposed amendment of the Electoral Act, which was supposed to enhance the independence and capacity of INEC to deliver free, fair and credible elections. And the third factor was the postponement of scheduled elections by INEC six hours to the commencement of accreditation and voting. This called into question INEC's neutrality as the conditions surrounding the shift in date was not satisfactorily explained to Nigerians. Even so, the Peoples' Democratic Party (PDP), the main opposition party to the ruling All Progressives Congress (APC), and other political parties joined millions of Nigerians to condemn the postponement of the elections and INEC was accused of incompetence and biases in its dealing during that election season.²¹

Reports from the FGDs, collaborated by Key informant interviews, indicate that INEC's activities commenced from voter registration, the sourcing and distribution of materials and personnel to the final announcement of results. Based on INEC's election process presented earlier in diagram 1 and Elklit and Reynold's steps in election administration process presented in Table 1, INEC activities in the 2019 general elections are discussed thus:

²⁰ Ukoha Ukiwo, "Democracy, Development and Governance: Nigeria's 2019 General Elections: A Postscript" (SSRC on Kujenga Amani, April 2019).

²¹ Ukiwo, "Democracy, Development and Governance."

Table 1: Elklit and Reynold's steps in Election Administration Process.²²

Steps in the EAP	Important element
1. Legal framework of the EMB's structure	<ul style="list-style-type: none"> • Constitutional/legal basis • Rules/regulations/guidelines • Set allocation system
2. Elections management	<ul style="list-style-type: none"> • Electoral commissions appointment & independence, including terms of tenure • Commission/ administration relationship • Method of allocation of resources
3. Constituency and polling district demarcation	<ul style="list-style-type: none"> • Relevant body identified and active • Principles for delimitation identified • Rules about automatic periodical revision • Adequate resources available • Rules for handling complaints in place
4. Voter education	<ul style="list-style-type: none"> • Timing • Quality • Outreach • Adequate resources available • Relationship between electoral commissions efforts and efforts by parties and NGOs
5. Voter Registration	<ul style="list-style-type: none"> • Automatic or voluntary registration • Appointment and training of registration personnel • Adequate time for registration and access to registration stations. • Rules for public scrutiny of voters register • Complaints procedure
6. Access to and design of the ballot, nomination and registration of parties and candidates	<ul style="list-style-type: none"> • Registration of parties/ candidates • Rules about independent candidates • Mechanism for ballot paper access • Ballot paper design
7. Campaign Regulation	<ul style="list-style-type: none"> • Spending rules • Public funding of party expenditure/ campaign costs • Access to public media • Rules for meeting and rallies • Codes of conduct

²² Source: Jorgen Elklit and Andrew Reynolds, "The Impact of Election Administration on the Legitimacy of Emerging Democracies: A New Research Agenda," in *Commonwealth Comparative Politics* 40, no. 2 (2000): 86–119.

In the light of the above table, the authors integrated these two processes and discussed their findings in four thematic areas in the electoral process namely; legal framework, voter education, voter registration and permanent voter card (PVC) collection, campaign regulation and logistics.

Legal Framework

Elections and the electoral process in Nigeria are governed by laws domiciled in the Constitution and the Electoral Act, which from time to time need amendment for maximum results. For the 2019 general election, a number of alterations were made to the constitution in 2018. Some of these alterations bore on election matters such as: reducing the age limit for running members of House of Representatives (HoRs) and State House of Assembly (SHoA); governorship and presidential candidates; and increasing the time for INEC to conduct re-runs for the office of president and state governors from the initial 7 to 21 days.²³

Since 1999, it has become an established norm for the Electoral Act to undergo some amendment after every general election. This is usually informed by the lessons taken from preceding elections. The preparation for the 2019 elections were not different; several changes were initiated and put into process by the National Assembly towards the amendment of the Electoral Act. However, the Electoral Act (Amendment) Bill went back and forth between the lawmakers and the president who rejected it on several occasions. The amendment proposals as put together by the National Assembly, contained provisions that were to make significant and positive impacts on the conduct of elections in Nigeria. For instance, the use of biometric technology would have helped in preventing inflation of figures in the registers of voters as multiple registrations would be rendered technically impossible. Unfortunately, the non-approval of the amendment proposals of the Electoral Act Bill (EAB) cast a shadow of uncertainty around the 2019 elections. INEC was constrained to work with the existing Electoral Act of 2015 with its already identified imperfections.

23 "Regulations and Guidelines for the Conduct of Elections, 2019."

Voter Registration and Permanent Voters Card (PVC) Collection

A register of voters is an indispensable document for the conduct of election; it should consist of only eligible voters in a constituency.²⁴ According to Moveh, a reliable voters' register is devoid of names of under aged, deceased, fictitious or fake names. Rather, the register should consist of names of eligible voters' resident in the area where they intend to vote. The process of voter registration is a major test of credibility of an election process as well as for the EMB.²⁵ In Nigeria, a registration of voters conducted by INEC precedes every general election. The most significant development of the continuous voter registration exercise was the decision to issue permanent voters' cards to the electorate. Agaigbe, describes this decision as a "highpoint" in the attempt to develop a credible voter register as well as conduct credible elections in Nigeria.²⁶

For the 2019 elections, the enrollment of new voters in the continuous voters' registration began in April 2017 and was scheduled to last until August 2018. Eventually, the deadline was extended by two weeks to give as many people as possible the opportunity to register. Ugbede notes that during the exercise, apart from enrolling new registrants, INEC replaced 998,993 cards and transferred 640,796 cards to new voting centres. In all, over 84 million voters were registered across the country and a close scrutiny of the state-by-state registration of voters revealed a remarkable successful turnout of voters for registration.²⁷

At the level of Permanent Voters Card (PVC) collection, no state was able to achieve 100% collection after the public verification of the register of voters.²⁸ On a general note, however, there was an increase in voter registration and a rise in PVC collection rates between 2015 and 2019. The percentage was from 82.03% to 86.63%.²⁹

²⁴ "Regulations and Guidelines for the Conduct of Elections, 2019."

²⁵ "Regulations and Guidelines for the Conduct of Elections, 2019."

²⁶ Faeren M. Agaigbe, "Voter Apathy and Voter Turn Out in the 2015 General Elections: The Benue Experience" (paper presented at the National Conference on Elections organized by the Electoral Institute, Abuja, 27–28 July 2015).

²⁷ Fredrick Ugbede, "Nigeria: 2019–INEC Appoints Controversial Officials as Head key Election Committee," *Premium Times*, 3 January 2019, <https://www.premiumtimesng.com/news/top-news/303981-2019> (accessed 15 June 2019).

²⁸ "Regulations and Guidelines for the Conduct of Elections, 2019."

²⁹ "Regulations and Guidelines for the Conduct of Elections, 2019."

Campaign Regulation

One major feature of the electoral process in Nigeria is that electioneering campaigns in the country hardly address the major issues that border on the interests, welfare and security of the people. Instead, campaigns were often characterized by name-calling, mudslinging, thuggery, hooliganisms, maiming and even killing of political opponents.³⁰ The challenge of campaign regulation in the electoral process in Nigeria arises to a large extent from two inter-related factors, namely; the inability to effectively regulate the finance and funding of political parties and the inability to establish and enforce a code of conduct for political parties and the mainstream media.

Aderemi notes that political party funding is the process whereby parties generate monies and assets that are used in running their day-to-day activities and funding of political campaigns. In addition to private funding, all registered political parties in Nigeria are entitled to receive public funding to support general operations and costs of campaigning. Public funding of political parties began in Nigeria during the Second Republic, prior to which there was no clearly defined regulatory framework on party finance. Funding of political parties was predominantly through private funding as parties and candidates were responsible for election-related expenses.³¹ Nonetheless, the 2019 general election saw robust campaigns among parties. Even so, a few of the parties that conducted primary elections failed to conduct transparent primaries and such anomalies led to allegations of the imposition of candidates. The two main political parties that dominated the campaign circle were the incumbent APC and the main opposition PDP. Indeed, there was a flagrant abuse of electoral law by both the APC and PDP. In addition, there were activities such as intimidation, use of hate speech, fake news and eventual vote-buying and selling during the 2019 election.³² The failure of political parties to abide by the laws guiding campaign regulations during elections as well as the monetization of the entire electoral process and the inability of INEC to enforce a code-of-conduct for political parties contributed in no small measure to their heating up the polity during the elections. And such a scenario affected the ability of INEC to delivering a free, credible and transparent election.

³⁰ Moveh, "INEC and the Administration."

³¹ Adewale Aderemi, "Election Funds and The Conduct of 2015 General Elections in Nigeria" (paper presented at the National Conference on Elections organized by the Electoral Institute, Abuja, 27–28 July 2015).

³² "Regulations and Guidelines for the Conduct of Elections, 2019."

Operations and Logistics

For the 2019 general election, an Electoral Logistics Committee (ECL) was set up to coordinate logistics support as well as the clearance and transportation of election materials to designated locations nationwide. This logistics support included the delivery of sensitive and non-sensitive materials to almost 200,000 locations ranging from polling units to the various wards, local governments, states and national collation centres for the 1,558 constituencies in which elections were to be conducted. The Electoral Logistics Committee included relevant security agencies whose roles were clearly defined in Section 29(3) of the Electoral Act of 2010 (as amended). The ECL was also charged with the recruitment, training and deployment of INEC ad-hoc staff. Even though the INEC National Commissioner of Operations (NCO), Professor Okechukwu Ibeanu, and its chairman, Professor Yakubu Mahmood, had assured Nigerians of INEC's preparedness for the conduct of 2019 elections, there were significantly two components of the operations and logistics that flawed the entire process during the 2019 exercise. These, on one hand, were the recruitment, training and deployment of ad-hoc staff and, on the other, the distribution and transportation of election materials.

The report on Nigeria's 2019 elections indicates that out of all the states where elections were supposed to have taken place on Saturday, 16 February 2019, prior to its postponement, the following 18 states, along with the Federal Capital Territory (Abuja), were yet to receive sensitive election materials: Abia, Akwa-Ibom, Benue, Cross River, Delta, Ebonyi, Enugu, Gombe, Imo, Kaduna, Kano, Kogi, Lagos, Nasarawa, Niger, Ogun, Taraba, and Zamfara States and Abuja.

As mentioned, the recruiting and training of ad-hoc staff was another responsibility that INEC unsatisfactorily executed. All categories of ad-hoc staff had only three days of training. In many cases, they had only two days. Consequently, such a deficiency in training those who would be in the field to conduct the elections ensured INEC was left with improperly trained and unequipped ad-hoc staff. In most of the local government areas like in Benue State, for instance, the Presiding Officers (PO), Assistant Presiding Officers (APO) I, II and III only completed two days of training meaning that they were improperly trained to carry out their assigned roles. Consequently, several ad-hoc APO II staff could not deal with problems that arose from operating the smart card readers (SCR).

In sum, INEC operations fell short of its expected role and obligations as set in the threshold document. Logistic and operational challenges, therefore, marred the credible conduct of elections and the integrity of INEC. The first sign of this flaw manifested itself in the unexpected postponement of election in the

early hours of the election start date on 16 February 2019. The second manifestation was the inability to move ad-hoc staff and election materials to the various constituencies where elections were to hold. By the time the postponement of the election was declared by the INEC chairman, all ad-hoc staff were still at their various local government INEC offices. Again, in Benue State, for instance, the ad-hoc staff were yet to know the polling units and registration areas (RAs) they were posted to.

Postponing voting six hours to the start of polls exposed how ill-prepared INEC was for the 2019 general election. It also dampened citizens' enthusiasm that had built up towards the election. It made it almost impossible for many who had travelled out of their states of residence in order to vote in their constituencies to make a second trip back to vote the next weekend. This situation exacerbated voter apathy in the 2019 general election. The inability and failure of the respective INEC organs to perform their functions and work together for the success of the 2019 general election led to low output of the system. This indeed confirms the assumptions of the functionalist perspective that the conduct and outcome of the 2019 elections, which should have greatly improved on performance of the 2015 elections, invariably fell below expectations. Instead, the 2019 general election revealed serious shortcomings that cast doubts on the credibility of the exercise and, indeed, INEC's integrity and independence to conduct credible, free and transparent elections in the future.

Conclusion

This chapter identified some major steps in the electoral process of 2019 and also highlighted some major challenges that characterized the process. The two key flaws that undermined the 2019 election exercise bordered on operations and logistics: the movement of personnel between the time of voter registration up to the election day and the movement or distribution of election materials. These constituted the biggest challenges in the conduct of the 2019 general election. INEC's inability to adequately address these problems in a timely manner resulted in a flawed process that heightened citizen's doubts over its capacity to conduct free, credible and transparent elections in the future. The findings from this study underscore the need for INEC to strengthen her procurements and operations departments in order to enable timely delivery and distribution of election materials to the designated destinations for elections to hold as scheduled. Further, ad-hoc staff should be recruited and trained early as well as getting them adapted to their various constituencies of assignment. Lastly, INEC should carry out its oversight functions on political candidates and their parties and

conform them to carry out their electioneering process within the provisions of the laws guiding elections in Nigeria. This, will, in turn, minimize the challenges INEC confronts while trying to deliver on its constitutionally given mandate.