

## The Dynamics of Electoral Malpractice in Nigeria: An Analysis of the 2023 Presidential Election

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### Abstract

Election is a basic feature of democracy. It allows for such concepts as popular will, legitimacy, freedom, political participation and so on. In essence, any serious democratic state strives to establish solid electoral process through constituting independent electoral umpire and encouraging inclusiveness in electoral process. Nigeria appears to continually struggle with instituting formidable electoral process that would ensure that popular will reigns supreme in each election cycle. General appraisal of the history of electoral process in the country shows that only little gains have been made in that area, the 2023 presidential elections and the negative ratings thereof casting doubt on the possibility of solving the intractable problem and establishing a solid democratic system in the country in the near future. Considering the place of elections to ensuring ideal democracy and the challenge which instituting ideal electoral process in Nigeria presents, it is indeed imperative that a searchlight is continually beamed on the process in the country, especially at the end of each election cycle. It is on this premise that this paper chose to interrogate the 2023 presidential election in Nigeria, adopting the historical method of research to analyse the issues therein thematically. The study finds that considering the forces that dotted the prelim to the election and the resources that were expended by the federal government to achieve a credible exercise, the entire process was a disappointment and such disappointment was expressed by observation bodies both local and international. In essence, the intractable electoral problem in Nigeria still persists.

**Keywords:** Elections, electoral malpractice, presidential election, democracy, politics

### Introduction

Election is a major feature of any democratic system. This is because it allows for representative governance, in other words, the people or electorate are empowered by the constitution to decide who pilots the state craft basically to protect their (the people's) interests. Election involves voting and voting is the main form of political participation in democratic societies (Obani and Odalonu, 2019: 2). The function of election is dependent on the political system where it is adopted. For instance, in a unitary system the primary function of election is necessarily to create an adequate regional representation, while in the case of federal states election is necessary to ensure representation not only in the territorial aspect but above all regionally (Wojtasi, 2013: 26). It has been stated that the concept of electoral integrity refers to elections respecting international standards and global norms governing the appropriate conduct of elections (Dominioni, 2016: 20). What this means is that credible election is a universally acclaimed integral feature of democracy and the electoral process of a state serves as a measuring stick to ascertain its level of democracy. Emphasising on the universal sacrosanctity of popular government and also giving it international legal backing, the Article 21 of the Universal Declaration of Human Rights states that "the will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures." (Tuccinardi *et al*, 2014: v) Going ahead to encourage and ensure stable democratic process in the global arena, the International Institute for Democracy and Electoral Assistance (IDEA) provides guidelines for legal frameworks for elections. The guidelines include tables of jurisprudence and checklists, which facilitate review of how far national legal frameworks comply with UN treaty provisions and jurisprudence on elections (Tuccinardi, *et al*, 2014: 1-346).

Furthermore, the importance of election to the internationalisation of democracy could be gleaned from the efforts at independent election monitoring and observation by state and non-state actors who by principle strive to ensure the global employment and sustainability of democracy and ideal democratic processes. This is because credible election constitutes a major factor in democracy, democratisation and good governance globally. The foregoing indeed informed the Foreign and Commonwealth Office of the United Nations to engage in assisting countries in the electoral process. In a publication by the Department for International Development (DFID) and the FCO, the international bodies stated the reasons they get involved in assisting nations in the electoral process. According to the international bodies, they intend to among other things, "help all people achieve their right to participate in government, through a freer and more efficient electoral process, which will produce a fair reflection of the wishes

of all people, and enhance the elected authority's claim to legitimacy (DFID and FCO, 2003: 6). From the aims of the international body stated above, some salient concepts which function alongside election are deduced. These concepts are legitimacy, political participation and popular will. When these concepts of election are interrupted, harmed or truncated the result is electoral malpractice.

At the regional level, Africa has joined the march to democratisation, especially since the 1990s when dictatorship was severely deemphasised in the continent following the demise of the Soviet Union and the concomitant globalisation of Western democratic ideals. This makes elections the fundamental means of determining political power in most countries of Africa. However, considering some anomalies that have constituted challenges to nation-building in Africa, which include entrenched authoritarianism and ethnicity, many African leaders find it difficult to manage political opposition, hence undermining elections and electoral processes. Nigeria has had its own fair share of electoral crises over the years. The country evolved from colonialism in the early 1960s and inherited parliamentary democracy from the British, albeit incompetence in the system. Since then, the country has witnessed divergent patterns of electoral malpractices, which keep evolving up to the 2023 elections.

Electoral malpractice is one of the biggest challenges of democracy. This is because it involves fraud, manipulations and other untoward vices that end up disenfranchising the populace and bringing about the suppression of popular will. Indeed, when popular will is harmed, democracy is harmed. As already inferred earlier, the severity of electoral malpractice as a threat to democracy has made many pro-democracy entities to device means of minimising the practice, especially in less developed countries. Despite the efforts towards curbing electoral malpractices globally, it keeps evolving as various means are adopted to carry out the nefarious acts in order to conform to a particular exigency thereby meeting a particular interest.

In Africa, electoral malpractice has been a major challenge as the continent struggles to solidify internationally acceptable forms of government and also entrench sustainable development through good governance. Conducting credible elections in Africa has been enormously tasking, thereby making the question of electoral malpractice a very visible one in most discourses on politics in Africa. Although the factors negatively impacting on the African electoral process are multifaceted, these factors ranges from ethnicity, lack of independence in the operative of the judiciary and the electoral body, poor political culture among others (Ojo *et al*, 2013: 15). Cases of electoral malpractices in Africa have caused different magnitude of crises that have at times snowballed into civil wars in some countries such as Republic of Congo in the 1990s (Ojo *et al*, 2013: 20).

The 2023 Presidential election in Nigeria is an example of a situation where electoral malpractice appears to have been designed to suit the exigencies of the time and to achieve a particular desired result, which may be outside the popular will. This statement is made considering the popular movement of the pre-elections period, the reported cases of electoral malpractices and the eventual result which appeared to have been anti-popular will. The effects of electoral malpractice on Nigeria's democracy necessitated the need for this study. Therefore, the study sets out to interrogate the evolving electoral malpractices in Nigeria with particular reference to the 2023 Presidential election.

This study basically sets out to interrogate the scourge of electoral malpractice in Nigeria and its possible continuity in the 2023 presidential election in Nigeria. To achieve this aim, the study purposefully engages in the following:

- Present a detailed analysis of the concept of elections and electoral malpractices
- Discuss the threat of electoral malpractice to Nigeria's democracy
- Analyse the 2023 presidential election and the cases of malpractice therein
- Proffer solutions to the problem of electoral malpractice as a threat to Nigeria's democracy

### Conceptual Discussion

The nature of this study is such that there is an inevitability of the usage of concepts, which may need further definition and clarification. The removal of some complex cobwebs around these concepts would aid broader understanding of the submissions of the study. Herein, the study would attempt a clarification of the concepts of election; electoral malpractice; democracy; ideal democracy; and political party.

- **Election:** The concept of election was defined by Sinha *et al* (2022: 21) as a formal group decision-making process by which the personnel can choose their representative. A rather more detailed definition of election was provided by African Policy Conversations. According to the source, "Election is a procedure by which members of a community or organization choose representatives who will hold office and represent them as leaders, policy makers, change makers, influencers and public servants." (Africa Policy Conversations, 2023: 1) The importance of election to a democratic system is highlighted by the Bureau of International Information Programs U.S. Department of State thusly, "When

voters elect representatives, they elect the leaders who will shape the future of their society. This is why elections empower ordinary citizens: they allow them to influence the future policies of their government, and thus, their own future.”(Bureau of International Information Programs U.S. Department, 2023: 2) Considering the forgoing, it becomes an enormous crime against humanity to engage in electoral malpractice. This justifies the need to equally examine the concept of electoral malpractice.

- **Electoral Malpractice:** According to Boye (2006:24), electoral malpractice is a fraudulent act of manipulating election result with the aim of increasing the votes share or chances of a rival candidate at winning an election. Indeed, electoral malpractice goes against the basic principle of democracy which is the principle of popular will. The idea of popular will, which was birthed in the European Age of Reason, revolutionised forms of government which was hitherto hinged on authoritarianism. In line with the foregoing, Isma’ila and Othman (2016: 103) averred that elections became an instrument for the demise of authoritarianism or a transition to democracy. In essence, any form of electoral malpractice would only set back the gains made in institutionalising democracy and representative governance.

There are three types of electoral malpractices, pre-election, election period and post-election period. The pre-election malpractice involves the manipulation of rules; the election period malpractice involves the manipulation of voters while the post-election period malpractice involves the manipulation of voting (Isma’ila and Othman, 2016: 103).

By manipulation of rules, electoral laws are distorted so as to favor one party or contestant in an election. Within the three types of electoral malpractice stated above, the nefarious act can come in the form of manipulation of electoral rules, voter buying, ballot box snatching, voter intimidation, doctoring and mutilation of result sheets and so on. As reported by different media and in different quarters, the 2023 general election in Nigeria featured almost all the characteristics of electoral malpractice stated above. This is indeed a worrisome development that portends serious threat to democracy in Nigeria.

- **2023 Presidential Election:** The February 25, 2023 presidential election in Nigeria was the seventh presidential polls conducted in the country since the return of democratic dispensation in 1999. (CDD-EAC, 2023: 2) The election took place as scheduled as against what appeared to have been normal practice of shifting election dates from the initially stipulated date. Indeed, the days that led up to the election were full of uncertainties caused by insecurity, fuel scarcity crisis and currency scarcity crisis among others. These challenges threatened the possibility of conducting the election as scheduled but to what may be regarded as credit to the administration of President Muhammadu Buhari, the election was not postponed.

However, from observation, the 2023 presidential election was an exercise fraught with controversies. The controversies range from the failings of the Independent National Electoral Commission (INEC) to commence electoral exercise in due time at certain zones, especially the South East, to incidents of reported result manipulations and failure to transmit results through the Bimodal Voter Accreditation System (BVAS) to the INEC Result Viewing (IReV) portal. In between these major controversial developments were cases of reported vote buying, systemic disenfranchisement, voter intimidation and violence, ballot snatching and destruction, distortion of electoral figures and many more vices that suggested electoral malpractices. Other controversies that emanated from the elections were the eligibility of some candidates to run for the presidential election, social media bullying of some supporters of a particular candidate, misinformation and distortion of facts among others. It is indeed expected that the tribunal process emanating from the election would be a historic one.

### **2023 Presidential Election and the Changing Patterns of Electoral Malpractice in Nigeria**

The 2023 Presidential election in Nigeria can be said to be one of the most anticipated events in the recent history of the country. This development is predicated on several factors *viz* the perceived bad governance of the All Progressives Congress (APC) under the Rtd. Gen. Muhammadu Buhari, the introduction of new technology in electioneering process and the promises by Nigeria’s INEC of a highly credible election, an increased awareness and broader participation in politics by Nigeria youths among other factors. Added to this was the huge budget for the election. Appearing before the Senator Barau Jibrin Senate Committee on Appropriations, the INEC Chairman, Professor Mahmood Yakubu declared that it would require N305 billion as projected expenditure for the 2023 elections. However, defending the 2023 Budget estimates subsequently before the Senator Kabiru Gaya, the Chairman Senate Committee on INEC, the INEC boss said that the electoral body has budgeted another N50 billion for its annual budget in 2023, an increment of N10 billion compared to 2022 budget which was N40 billion as approved by the National Assembly.(Umoru, 2022) The proposed N305 billion was indeed a 62 percent increase over what was spent on the previous general elections which was that of 2019.(Anyagu, 2023) Furthermore, the earlier off-season elections conducted in Ekiti, Osun and Anambra States using the new technology of Bimodal Voter Accreditation System (BVAS), which was the main focal point of the newly introduced technology designed to achieve near accuracy to ensure credible elections, were relatively successful and in furtherance increased the people’s confidence in the Yakubu led INEC. Considering these developments,

the 2023 Presidential election became a much anticipated event, encouraging a larger population of the people, especially the younger generation, to be eager to participate through voter registration and acquisition of voter's card.

Evidence of the efforts by many Nigerians, especially the younger generation, to participate in the 2023 Presidential election is seen in the marked upward trend in the figures of voter registration as certain candidate(s) who were perceived to have the character and competence needed to transform the country emerged on the presidential race. As seen on the INEC data, the total number of eligible voters rose by 9,464,924 or 11.3 per cent from the 84,004,084 recorded in the 2019 general elections to 93,469,008 eligible voters in 2023 (Suleiman, 2023). According to data from the commission, 37,060,399 or 39.65 per cent of voters were between the ages of 18 and 34. Also 33,413,591 or 35.75 per cent were middle-aged persons between the ages of 35 and 49 (Suleiman, 2023). This statistics paint a picture where younger people dominated in the participation in electoral exercise and is also a reflection of the zeal of the young people to effect desirable political change that would ensure good governance which Nigeria appears to have been bereft of for so many years.

When one puts into consideration the popular movement that emerged at the build-up to the presidential election, it may be correct to aver that younger people, who constituted majority of registered voters, yearned for a generational change in Nigerian presidency as the older generation, which had spent most of the times on the seat of presidency appeared to be bereft of clues on how to set the country on the path of sustainable development through good governance. The movement that emerged was the Obidient or Obi-Datti Movement. Several factors can be said to be responsible for the emergence and unprecedented popularisation of the Obidient Movement. These factors included the Endsars protest of 20 October 2020; the exit of a popular political figure and aspiring presidential candidate, Peter Obi from one of the major political parties in the country the Peoples Democratic Party (PDP) and the perceived vote buying and corruption which appeared to have characterised the ruling APC primaries that produced a controversial figure of the older generation, Bola Ahmed Tinubu as the party's presidential candidate.

On the Endsars factor, in 2020 a popular protest rocked the streets of major cities across many southern states of Nigeria. The protest was as a result of the overbearing police brutality in the country, especially by the Special Anti-Robbery Squad (SARS), which high point came when a police officer was captured on video killing a young man in Delta State. After the video came online and went viral, a massive protest erupted with youths chanting Endsars and also spreading the protest on social media with the hashtag #Endsars. The protest took different dimensions but culminated in the notorious Lekki Toll Gate shooting where some persons were reportedly killed. The Endsars protest was later suppressed by the Nigerian authorities but the scares remained. By the time Peter Obi (who appeared to be a character that would address such social anomalies that led to the Endsars protest) emerged as a presidential candidate, the former Endsars champions did not hesitate to throw in their support for him.

Another factor that led to the popular Obidient Movement was the exit of Peter Obi from the PDP. Peter Obi who had already amassed massive following from Nigerians of different backgrounds, especially the younger generation who are very visible on social media, sought to secure his presidential candidature under the major opposition party, the PDP. Considering the party's principle of rotational presidency (Okoye, 2023), Obi was appalled by the trajectory of his party at the time, which appeared to have eschewed the principle of rotational presidency and embraced other considerations such as regional demography of voters and also vote buying. At the time when the accusation of vote buying was rife in the Nigeria's political landscape and the determination expressed by the younger generation to reverse this trend, Peter Obi left the PDP amidst the chanting by his followers that he was by principle opposed to the corrupt trend as seen in the major political parties of PDP and APC. He went further to join the Labour Party, which was rather disadvantageous considering its lack of grassroots presence, which was considered as the basic political structure needed to win national elections in Nigeria. However, with the chants of "*we no dey give shi shi*" (an expression of opposition to vote buying), Obi's followers formed a type of political structure unfamiliar to traditional Nigerian politicians and hoping on a credible election, a rallying cry of "Obidient" was sounded across the social media space by some known social media influencers and their message was found desirable by many, especially the youths and younger generation of different backgrounds and regions.

A third factor that contributed to the emergence and popularisation of the Obidient Movement was the allegations of vote buying in the ruling APC and the emergence of a very controversial politician, Tinubu as the party's presidential flag bearer. As different political parties in Nigeria conducted their primary elections determining who flies the flags of the respective parties at the presidential polls, the ruling APC was becoming more unpopular amongst the people considering the obvious failures of the APC-led federal government under Muhammadu



Buhari, especially in the areas of security, economic development, national unity and integration and so on. The retention of political power by the APC at the national level appeared to be hinged upon who emerges as its presidential candidate to replace the already very unpopular President Buhari. While some younger aspirants in the APC fold, including the then Vice President Prof. Yemi Osibanjo and the then Minister of Transport Mr. Rotimi Amaechi appeared to be very popular candidates, the political influence of the national leader of the party and also an aspirant, Bola Ahmed Tinubu, was very visible. During his consultation visits, Tinubu made some remarks in an attempt to convince APC party delegates, who were to vote in the convention, to support him as the party's presidential standard bearer. Some of the remarks were either seen as contemptuous, self-exalting or even outright divisive. For instance, at the Presidential Lodge in Abeokuta, Ogun State, Tinubu was recorded to have addressed the APC party delegates thusly:

If not for me that stood behind Buhari, he wouldn't have become the President. He tried the first time, he failed. The second time, he failed. The third, he failed...He even wept on national television and vowed never to contest again but I went to meet him in Kaduna and told him he will run again, I will stand by you and you will win, but you must not joke with Yorubas and he agreed (Bello and Egobiambu, 2022).

He went further to declare that it was his turn to become Nigeria's president in the popular *Emi lokan* retort. These statements were found quite controversial by many Nigerians as some President Buhari's loyalists found it rather offensive. In fact, Garba Shehu, who was Buhari's spokesperson, replied Tinubu by declaring that millions of Nigerians brought Mr Buhari into power and not just one person. (Iroanusi, 2022) Furthermore, in connection to Tinubu's remarks, the national Chairman of the APC, Abdullahi Adamu warned all presidential aspirants on the platform of the APC to desist from attacking President Muhammadu Buhari. He went further to declare that the party would mete out punitive measures against any aspirant who makes scathing comments against Buhari (Majeed, 2022).

What is more, the *Emi lokan* retort did not enjoy positive reception amongst many Nigerians especially the youths. Translated as "My turn", the *Emi Lokan* declaration was popularly interpreted as contemptuous sense of entitlement by Tinubu. Former President Olusegun Obasanjo in a public letter condemned Tinubu for saying *Emi lokan*. As Obasanjo puts it, the claim of "my turn" cannot form the new pedestal to reinvent and to invest in a new Nigeria based on an All-Nigeria Government for the liberation and restoration of Nigeria (Akinlotan, 2023). In essence, Obasanjo's opinion was that *Emi lokan* was a wrong attitude and mentality for the leadership of Nigeria considering the myriad of challenges the country was facing. The leader of the pan Yoruba socio-political organisation, Afenifere, Pa Ayo Adebajo, went further to allege that the *Emi lokan* chant by the APC presidential candidate, Bola Ahmed Tinubu, was the outcome of his succession agreement with President Muhammadu Buhari and did not represent the interest of the Yoruba people, but instead the selfish interest and ambition of Tinubu. (Chukwu, 2023) The Yoruba phrase "*Emi lokan*" eventually became a taunting tool used by the supporters of the opponents of Tinubu, especially the Obidients, against Tinubu and his supporters, who were also at times referred to as BATist.

The APC convention for the party's primary elections conducted at the backdrop of the foregoing was marred by allegations of vote buying. An APC stalwart and presidential aspirant under the party, Rotimi Amaechi alleged that some party delegates were induced with money to vote at the party's presidential primary (Majeed, 2022). Such allegations were rife in the political space at the time as same conduct was also said to have characterised the PDP primaries. Riding on the perceived anomalies as seen in the two big parties, which were already viewed by many young Nigerians as representing the oppressive old order, Peter Obi emerged hence an unanticipated third force was introduced to the race for presidency and the approach to political power tussle was markedly changed.

Indeed, the emergence of a third force (Peter Obi and his Obidient Movement), which was a massive threat to the previously established contending parties, changed the trajectory of election campaigns. The approach towards soliciting for votes markedly changed and became more dynamic. So also were the cases of electoral malpractices that were later recorded.

As earlier inferred in this paper, there was lots of optimism from Nigerians at the build-up of the 2023 presidential election. This was due to what appeared to be INEC's resolve and diligence to conduct credible elections. To its credit, the electoral umpire kept to its time table, an attitude that it was not really known for over the years. By 28 February 2022 Notice of Election was published as stipulated in the Section 28(1) of the Electoral Act 2022 which provides that the notice must be published not later than 360 days before the election. By 1<sup>st</sup> March 2023 the commission conducted the collection of forms EC9 (formerly CF001) and EC9A, 9A, 9B, 9C, 9D, and 9E (formerly CF002) for the election by political parties from INEC website. Commencement date for party primaries

was scheduled for 4<sup>th</sup> April 2022 to end 3<sup>rd</sup> June 2022. The submission of forms EC9 and EC9A, 9B, 9C, 9D, and 9E on the INEC online nomination portal were scheduled as follows: Presidential and National Assembly 9:00am 10<sup>th</sup> June-6:00pm 17<sup>th</sup> June 2022. The Commission stipulated 24<sup>th</sup> June 2022 for the publication of personal particulars of presidential candidate and 15<sup>th</sup> July 2022 as the last day for withdrawal by candidate(s)/replacement of withdrawn candidate(s) by political parties. Last day for the submission of nomination forms for presidential election was fixed on 8<sup>th</sup> August 2022. Publication of the final list of the nominated candidates for the presidential election was scheduled for 20<sup>th</sup> September 2022 while the commencement of campaigns by political parties was slated for 28<sup>th</sup> September 2022. December 30<sup>th</sup> 2022 was stipulated as the last day for the submission of names of Polling Unit agents for the election to the electoral officer of the local government area by political parties through the Commission's dedicated portal. Publication of official register of voters for the presidential election by the INEC was slated for 12<sup>th</sup> January 2023 and 30<sup>th</sup> January 2023 was set aside for the publication of notice of poll by the Commission. The last day for campaign for the presidential election by political parties was fix on 23<sup>rd</sup> February 2023 and finally the election date was fixed for 25<sup>th</sup> February 2023 (INEC, 2023: 9-11) All these activities on the INEC calendar as explicated above were backed by the provisions in the 2022 Electoral Act. INEC seemed to be doing everything right, following its guidelines and timetable, until the time for the conduct of the election proper.

It has been stated that the INEC budgeted enormous amount of money for the 2023 elections. New technology which included the BVAS and INEC Result Viewing (IREV) portal, were introduced, thereby presenting some form of justification for the huge budget. These technologies were expected to provide fool-proof authentication of voters and near real-time uploading of results to the point where electorates would have been able to do their own computation and calculation of votes even before the official declaration of results at the INEC collation centre in Abuja (Omotayo, 2023). These new and advanced technologies were launched, and they resultantly boosted the people's confidence in the electoral system as headed by Mahmood Yakubu. The effect of this was seen in the massive increment in voter registration where younger people constituted the majority.

It therefore became a national catastrophe when the new trust and confidence conferred on the INEC (a privilege that the Commission hardly enjoyed in the past years) was betrayed through the manner in which the election was conducted. As Omotayo (2023) opines "...when compared to other polls in the past in terms of budget, logistical deployment and expectations of the electorate, the presidential and National Assembly elections were a failure in all parameters." From the opinion of Omotayo as presented above, it appears that the preparation for the 2023 election was more elaborate than the previous ones and therefore was expected to yield better results. Clearly for the first time the Electoral Act empowered INEC to accredit voters and transmit results electronically. And also as rarely seen in the previous years, funds were made fully available to INEC early enough to ensure adequate and hitch-free preparations. Specifically, the Section 41 Act empowered INEC to opt for the BVAS as the sole means for voter accreditation and results transmission. Also, Section 3 of the Act mandated the federal government to release funds for the election at least one year prior leading to the commission receiving the bulk of its projected N305 billion fund by March 2022. Thus, for the first time in its history, INEC was able to print ballots and other election materials locally while also finalising the acquisition of its BVAS machines months before election day. (Ibewuiké, 2023) There was also improvement in security as demanded by INEC. When he met with the heads of the security agencies at the Office of the National Security Adviser, the Chairman of the electoral umpire, Mr Yakubu's demands were responded with assurances that the security personnel were prepared for the elections and the deployment of additional security to INEC offices nationwide were made. (Suleiman, 2023) Consequently, the Commission said that it would deploy 500,000 security agents to service its activities (Makinwa, 2023).

At logistical levels available information indicates that INEC may have received most of the partnership and support it sought before the election. To solve its logistics problem Yakubu met with the Governor of the Central Bank of Nigeria (CBN), Godwin Emefiele, to request the provision of more cash than the already stipulated withdrawal limit to enable INEC to pay for logistics during the elections. Furthermore, when the Group Chief Executive Officer of the Nigerian National Petroleum Company Limited (NNPCL), Mele Kyari, hosted him, Mr Yakubu sought the partnership of the company to provide fuel for election duty vehicles. Despite the scarcity of naira notes and petroleum products, Messrs Emefiele and Kyari were said to have assured the INEC chairman that provisions would be made for the Commission. Kyari also assured the Commission that in locations where the NNPC does not have a filling station, it would partner with other filling stations to provide the products. The INEC Chairman also met with the members of the National Union of Road Transport Workers (NURTW), and for the first time, the Marine Workers' Union of Nigeria (MWUN) who were going to transport both the election officials and materials to the polling units. Election duty staff and materials were stipulated to be at their polling units before the time scheduled for voting, as directed by the INEC Chairman. These levels of preparations as explicated above, couple with the use of BVAS and IRev boosted the confidence on INEC by the people that the 2023 elections would be credible.

Considering the level of commitment as seen above, it becomes worrisome that INEC will perform below par. Early indication of the direction the INEC's performance in the election would take manifested in the late arrival of INEC officials across the country and the concomitant delay of the exercise. There were wide spread reports of either lateness of INEC staff or their outright absence. Such reports were rife mostly across the southern states of the country. The Nigeria Bar Association (NBA) which deployed 1,000 members from its 128 branches to monitor the poll across the country, identified late arrival of INEC officials and ballot materials at the polling stations as one of the glitches that marred the election exercise. (Premium Times, 2023) Furthermore, of significance is the complaint from the Director General of the World Trade Organisation, Dr. Ngozi Okonjo-Iweala about the lateness of INEC staff at her Polling Unit at Umuda Isingwu village, Umuahia, Abia state. (Opanuga, 2023) In a related report, the News Agency of Nigeria (NAN) reporters monitoring the polls in Owerri area Imo State reported that there was a large turnout of voters at the various polling units visited but voting did not begin as of 8.30 a.m. as scheduled by INEC. (Agency Report, 2023) These developments raised questions at various quarters on the preparedness of the INEC to conduct a credible election devoid of electoral malpractices.

Another vice that has always been present in the Nigerian electoral process which also reared its head in the 2023 presidential election is violence. Voter intimidation, ballot box snatched, destruction of election materials and outright attacks on voters featured glaring in the election, especially in Lagos and Rivers States. According to the EU Election Observation Mission (2023: 1):

Overall, on election day, multiple incidents of thuggery and intimidation interrupted polling in various locations, primarily across the south but also in states in the central and northern areas. There were reportedly some 21 fatalities. In polling units in several states, violent incidents targeted voters, INEC personnel, citizen observers and journalists.

The social media trended many incidences of violence, images and videos showed scenes of voter intimidation, destruction of electoral materials and even physical clashes between thugs and unrelenting voters. Further investigation shows that a major contending political party may have employed these weapons of electoral malpractice to either intimidate voters to vote for the party or frighten those who were not eager to vote for them away. According to a report from a major media house in Nigeria, Vanguard:

In Aguda, Surulere, Lagos, a woman, Mrs Jennifer Efedo was stabbed on her face by thugs who disrupted the voting process. The political thugs who were armed with dangerous weapons went about snatching ballot boxes, attacking voters and preventing those suspected to be opponents from voting. Sporadic gunshots also erupted in front of the palace of Alamuwo of Kuje Amuwo, Mazamaza, old Ojo Road leaving voters running for dear lives. The thugs ordered the people should leave the polling booths for their safety, warning that they would come back. Many voters could not return to the scene despite assurances from security men who rushed to the scene to restore normalcy (Vanguard, 2023).

Also the Vanguard narrated incidences of violence in Rivers State during the presidential election. According to a report by the media house, the February 25th Presidential Elections ended up in violence in most parts of Rivers State, as angry youths allegedly protesting against attempts to manipulate the results of the presidential election took to the streets in the late hours of the day. There were sporadic shootings and vandalism of properties and vehicles along the busy Igwuruta-Elele- Airport Road at the Igwuruta axis of the Ikwerre local government area. The angry youths who were shooting sporadically alleged that a prominent politician in Ikwerre local government area carted away ballot boxes at the collation center to frustrate further declaration of results. (Vanguard, 2023) As noted by the Vanguard, three youths suspected to be political thugs were said to have been killed during a clash at Ogbakiri Community in the Emohua Local Government Area of Rivers state. The thugs were allegedly hired by two leading political parties in the community (Vanguard, 2023). Many other states in the country also witnessed violence of different magnitude prompting many observers to publish negative reports on the election, thereby showing that Nigeria is yet to rise from the murky waters of electoral malpractice.

On the positive side, the cash crunch which was caused by the Central Bank of Nigeria's decision to redesign the upper denominations of the naira note proved to have minimised vote buying during the presidential election. Vote buying is a reoccurring feature of electoral malpractice in Nigeria because of its effectiveness in influencing results. In fact, as already noted in this paper, vote buying played an enormous role in the outcome of the primary elections for the presidential race in some of the big political parties in Nigeria. It is also important to note that incidents of vote buying were largely reported in the off-season gubernatorial elections in Ekiti and Osun States

making it a worrisome reality of electoral malpractice in Nigeria. Commenting on the issue of vote buying in both states, Fatima Dauda in an opinion piece on *Daily Trust* newspaper writes:

...the manipulation of ballots has gradually given way to material or cash incentives and the sales of the Permanent Voter's Card (PVC) and their accompanying Voter Identification Number (VIN). This could be seen in the 2022 governorship elections in Ekiti and Osun states, where voters were persuaded by party agents with inducement offers ranging from N3,000 and above. (Sunday, 2023)

Considering the relatively small amounts of money involved in vote buying at the polls as explicated in the *Daily Trust* article above, it has become worrisome that Nigerian politicians are obviously exploiting the endemic poverty in the country to their electoral advantage. This made the people, especially those at the Obidient fold, hopeful for minimal vote buying activities as the CBN Governor, Godwin Emefiele announced the bank policy to redesign the ₦200, ₦500 and ₦1,000 notes in October 2022. Even though the cash crunch that followed the policy caused excruciating hardship on the people, some quarters of supporters of particular candidates restrained from criticising it for obvious reasons that it would check vote buying which was a common strategy adopted by the more established political parties of the old order. Reactions and bitter criticisms by the old order politicians of the CBN decision, especially the APC politicians, tended to have reaffirmed the stance of the supporters of the less established parties (mostly the Obidients) for the redesigning of the naira notes. This was because the bitter criticisms from the camps of the former mostly heightened the suspicion of their plans to effectively engage in vote buying in the presidential election. An American-based media house, Bloomberg even ran a commentary on the issue titled "Bright Side of Nigeria's Cash Shortage: Vote Buying Declines." (Clowes and Oluroubi, 2023)

By the twilight of 25<sup>th</sup> February 2023, the results of the presidential election had started trickling into different social media platforms. Even when INEC warned against posting election results on social media (Radio Nigeria, 2023), before midnight of the election day different result forms of the Commission had saturated the social media space most of the indicating the tilt of the election towards a particular candidate. Even though it may be foolhardy to fully determine a winner of an election from results posted on social media spaces even as collation was still ongoing, it became a matter of concern when the results announced after collation were outrightly different from what were seen on the social media. In many cases, same results that were already viewed on X (formally known as Twitter) or Facebook or any other social media platform were seen visibly mutilated. The appearance of mutilated results and the announcement of same results by the INEC indeed caused a very heavy uproar across the Nigerian social media space. This uproar was further magnified by the failure of the BVAS to upload the presidential elections results to be transmitted to the IReV so that the electorate could view them in real time as stipulated on the INEC guideline and reiterated by the Commission's Chairman on several occasions.

Disenchantment continued to trail the INEC announcement of results until the final declaration of Tinubu as the President-Elect in the wee hours of Wednesday 1<sup>st</sup> March 2023 after a very chaotic vote counting and collation. Expectedly, the two major opposition parties, the PDP and the LP, which were announced to have come second and third respectively, rejected the result and did not waste time in filing a suit challenging the outcome of the election at the Presidential Election Petition Tribunal (PEPT).

### **Implications of Cases of Electoral Malpractices in the 2023 Presidential Election**

The 2023 presidential election has proven to be no different from the previous ones before it as it was also marred by irregularities and electoral malpractices which had characterized the previous exercises. The implication of this reality is that the desired change expected from the elections did not materialise. A keen observer of the activities surrounding the election and the exercise itself would point out deep discrepancies that may further threaten good governance, unity and development of the country. First, as already observed, the INEC was lavishly funded and also on time to conduct what the Commission itself described as an effort to correct all anomalies that characterised previous elections in the country. (Omotayo, 2023) The introduction of what may be referred to as advanced technology in electioneering process in the country equally boosted the expectations of the people. However, the failure of the Commission to convincingly deploy its technology to ensure credible election has largely dampened the hopes of many Nigerians, especially the younger ones, of a truly reformed system that would ensure that the peoples' votes counted.

What is more, the INEC did not only fail to observe its own guidelines that stipulated that all results must be uploaded to the Commission's server through the BVAS at the Polling Units, it went ahead to announce mutilated results, which were shown to have been different from what were originally produced at the Polling Units, Ward, Local Governments or States. The uproar that followed this act was to be later justified by the discovery on INEC portal that some of the results announced were in total variance with what were later uploaded on the portal. For



example, Premium Times newspaper conducted an examination of the results on INEC portal and found out that Peter Obi of LP actually won in Rivers State as against the declaration of Tinubu of APC as the winner by INEC. Premium Times further observed mutilations on presidential election results sheet from some local governments in the state. According to the media house, the result from Rumuorluoji Open Space II polling unit in Oro-Igwe Ward, for instance, showed that the APC originally scored 17 but the number, '2' was added to the figure to read '217.' For the LP, 227 was recorded, but the number '2' was erased and altered to read '027.' At the column meant for recording the scores in words, there were evidence of adjustments to suit the changed figures. In Rumuokoro Ward, it was noticed that in 34 polling units, results earlier written for the LP were erased and the figures swapped with that of the APC. (Premium Times, 2023) In like manner, a civil rights organisation, Yiaga Africa also noticed and exposed some discrepancies between the presidential election results as was announced by INEC in Rivers and Imo states. In a statement by the organisation, the state-level presidential results for Imo and Rivers are inconsistent with the Yiaga Africa WTV projections for both states. For Rivers, INEC announced 231,591 votes for APC or 44.2 percent; 175,071 for LP or 33.4 percent; and 88,468 for PDP or 16.9 percent. This is in sharp contrast to the Yiaga Africa WTV estimates for Rivers which are: APC 21.7 percent  $\pm 5.0$  percent; for LP 50.8 percent  $\pm 10.6$  percent; and PDP 22.2 percent  $\pm 6.5$  percent. (Olokor, 2023) A damning implication of these inconsistencies and failures on the part of INEC to establish accuracy in electoral figures is the depiction of sustained electoral malpractices and the reality that Nigeria has made little or no progress towards achieving electoral credence and integrity, thereby indicating that the hydra-headed monster of corruption as seen in the electoral commission still remains.

Another fallout from the 2023 presidential election in Nigeria as conducted and concluded by the INEC was the inability of the Commission to properly screen candidates before they were declared eligible to run for the seat of presidency. Some of the candidates presented to run for the election may have had some criminal records which have been swept under the carpet. A popular case that greatly haunted the APC presidential candidate Bola Tinubu, who later emerged winner, was his association with illicit drug dealings in the United States. The drug case has been variously interpreted and defended by his ardent supporters, however, some evidences as dug up and re-exposed by the independent investigative journalist, David Hundeyin shows that the presidential candidate may have indeed been indicted. Coupled with other controversial aspects of his personality, which include unclear personal and educational background, Tinubu has appeared to be a misfit to many and cases where Nigerians are made jest of because of their supposed choice of president abound in some international tabloids and on social media.

Indeed, ethnic and religious violence has proven to be an effective instrument of electoral malpractice in Nigeria. Right from the First Republic, the ethnic sentiments of different people of the country have been variously weaponised to achieve electoral gains. With the interjection of military juntas, these differences and the politics thereof were largely thawed. However, at the dawn of democratic dispensation in 1999, the cankerworm resurfaced and has since proven effective. Those who summon it are hardly prosecuted hence its sustainability and the accompanying strain on Nigeria's unity.

An unfortunate incidence of electoral violence which has occurred in Nigeria in recent times was the 2011 post-election crisis that saw scores of Nigerians dead, especially southerners either resident in some parts of the north or deployed to the region to perform INEC duties during the elections. The violence had its roots traceable to intra-party disagreements that trailed former President Goodluck Jonathan's decision to run for presidency in 2011 as he concluded the first term of Late Umaru Musa Ya'adua. Considering the ruling party PDP's policy on rotational presidency, northern elements in the party frowned at the decision of Jonathan with the argument that the north needed to complete their tenure cut short by the sudden demise of Ya'adua. Even though the northern party members, by party agreement, later agreed to support Jonathan, ethnic and religious sentiments had already been whipped up by them across the region. (Okolo and Itu, 2022: 1-12) Therefore, when Muhammadu Buhari emerged to run against Jonathan under the flagship of Congress for Progressive Change (CPC), he had the majority of northern support. With his failure at the polls, he whipped up ethnic and religious sentiment which was responsible for the riots that saw to the deaths of many people including National Youth Service Corp members who were employed by INEC as ad hoc staff.

Since then, ethnic and religious violence have continued to be a tool of electoral malpractice in Nigeria. It again came in handy during the 2015 presidential and state elections in Lagos when the Oba of Lagos was quoted to have threatened to drown the Igbo residents in the city if they failed to vote for his choice candidates in the election. (Adibe, 2023) Similar scenario repeated in the 2023 presidential election when a known gang lord popularly known as MC Oluomo and who was a known affiliate to Bola Tinubu, the presidential candidate of the APC was captured in a video clip subtly threatening the Igbo with violence if they failed to vote for APC. He was again captured on camera in a Polling Unit in Lagos on the presidential election day, this time making no pretenses

about his threats but sternly warning that Igbo people should not vote in the unit. Subsequently, there were widespread attacks on Igbo people and some reprisals which saw scores of fatalities and some others injured. Considering the foregoing, the 2023 presidential election has seemed to further entrenched the normalisation of ethnic and religious violence during elections in Nigeria as non of the perpetrators of the crime had been known to be arrested and prosecuted. Indeed, this is a dangerous implication of acculturating violent electoral malpractice in Nigeria. It basically hangs the unity of the country on a very fragile balance.

### Conclusion

This paper has interrogated the cases of electoral malpractice as recorded in the 2023 presidential election in Nigeria. Indeed, the cases of malpractices in the election are multi-dimensional as a result of the nature and pattern the exercise was planned to take, thereby underscoring the dynamism of electoral malpractice in the country. The election was planned to be tech-based with the introduction of BVAS and IReV. The electoral umpire, INEC was empowered with unprecedentedly enormous funds for the exercise and the expectations from an average Nigerian was a total reform from previous methods of voter accreditation and voting system, which had given room for manipulations and furtherance of electoral malpractices, perhaps as a result of the persistent analogue electoral procedures.

However, electoral malpractice has proved to be a growing cancer that is very difficult to eliminate from the Nigerian system. The recorded failures of INEC in the election amidst the financial and logistical supports it enjoyed give cause for concern. This is because the implications of such failure may be very costly considering the fact that Nigeria has been left in a chaotic condition by the previous government of Rtd. Gen. Muhammadu Buhari.

Peter Obi whose highly publicised ideas of governance resonated on the young people, many of whom championed the EndSars movement and good governance in 2020, easily inspired the Obidient Movement that ravaged the Nigerian political landscape at the buildup to the presidential election. Indeed, the Obidients formed an unanticipated third force that kept the old order found in the two big parties on their toes. Obi and his Obidients, through the instrument of social media, enlightened many people, especially the younger generation on the need to eschew political apathy but participate in electoral processes in order to contribute in effecting the change which they desired. Even though they have not been able to achieve their desired goal, their efforts may at the long run prove to be the spur Nigeria needs in order to start up towards good governance and concomitant sustainable development.

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