INTRODUCTION TO THE SPECIAL ISSUE

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BACKGROUND

The use of technology in general elections in Nigeria is not new. However, before the era of Professor Attahiru Jega, Chairman of the Independent Electoral Commission (INEC), its use was half-hearted and inconsistent. Jega was the INEC chair from June 2011 to July 2015. The haphazard use of technology prior to Jega's tenure further deepened the electoral crises in Nigeria. For example, Nigerians had used temporary voters' cards (TVCs) instead of permanent voters' cards (PVCs) to vote at many general elections in the past, which became a recipe for monumental rigging of votes. The 2015 general elections were the first time that the leadership of the election management body showed determination to break with past tradition of use of TVCs and embraced the use of PVCs. The PVCs were to be verified by a smart card reader (SCR), and authenticated through a check on fingerprints and biometric data. This was to prevent impersonation of voters; it also provided an audit trail by keeping records of authenticated voters in the results from each polling unit (PU). The data were also used to analyse the demographics of voters (Nnam 2016, p.1).

This technology was innovative and revolutionary in the annals of electoral history in Nigeria. The move sent cold shivers down the spines of fraudulent politicians who sought to fight INEC and its leadership through all means – including legal, media, political and military. The entire apparatus of political control, from Parliament to the Council of State, from Service Chiefs to the Office of the National Security Adviser (NSA), became panicky and almost paranoid. Some tried to stop the leadership of INEC from using SCRs, claiming it was illegal and unconstitutional to do so.

The 2015 general elections also saw the use of social media and new modes of campaigns and political marketing, and new issues of soapbox sloganeering and campaigning. This special edition of the *Journal of African Elections* seeks to focus on these issues as well as the SCRs.

The conduct of elections in Nigeria has always been challenging. The general elections held between 1999 and 2011 were described as increasingly worse than earlier elections. The 2003 general elections were frankly scandalous, whilst the 2007 general elections were nothing but mere allocation of votes to contestants or candidates. Indeed, the 2007 election was described as 'direct capture' of votes through political banditry and recklessness. The dimension and magnitude of vote-rigging was unfathomable. With respect to the 2003 general elections, Oddih (2007) avers:

> The recorded cases are: multiple registration, hoarding of voters cards, under-age registration, destruction of voters cards, impersonation, forgery, block recruitment of agents, poor training of ad-hoc staff, employment of unqualified ad-hoc staff, non-payment of recruits as and when due, bribery to influence recruits, sponsoring of supporters to be among recruits, supply of poor quality material as electoral materials, poor management of logistic support, inflation of accredited numbers (sic), multiple voting, influencing voters, falsification of results, hijacking of materials, intimidation of voters/officials, collusion by law enforcement agents, incitement during campaigns, inflammatory speeches, slandering of opponents, ethnic/religious sentiments, kidnapping, withholding evidence, deliberate time-wasting in election tribunal etc.
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> (Oddih 2007, p. 160-161)

This scenario led the biggest beneficiary of the 2007 general elections, Umaru Musa Yar'Adua, to openly condemn the outcome. On his inauguration as President, he set up the Electoral Reforms Committee (ERC), chaired by Hon. Muhammadu Uwais (retired Chief Justice of the Supreme Court of Nigeria). The Committee made far-reaching recommendations that were very popular with citizens, but which the government lacked the political will to implement. One member of the Uwais Committee was Professor Attahiru Jega, who was later appointed by the government to chair INEC.

Jega's appointment came after the calamitous general elections of 2007, overseen by Professor Maurice Iwu (then chairman of INEC). Professor Jega and his new team were appointed in June 2011 and they had six months to prepare for the general elections. There were debates on various challenges, including the problems associated with voter registration, accreditation of voters, and voting, as well as a variety of electoral malpractices. Of particular importance are problems associated with security of electoral personnel and materials during these processes, and the reverse logistics. Thus, election results are often contested in courts and sometimes dissatisfaction with electoral outcomes have reflected in

post-election violence. This was the case in Kaduna and elsewhere after the 2007 general elections, in which over 800 people were killed (Karim 2014).

An important factor in the debate on how to improve the integrity of elections is the application of technology to modernise electoral processes and reduce challenges associated with them. It is believed that technology not only makes these processes cleaner, easier and faster but can also make the process more secure, reliable and sustainable. In place of manual registration which has to be repeated, electronic registration eases storage of registration data and facilitates continuous registration. Once a voter is registered, he or she can continue to use a PVC for subsequent elections. In the long run, it is quite cost effective.

Nigeria witnessed the first use of biometric registration in the 2007 general elections. However, there was no electronic verification during accreditation, and voters were issued with TVCs for use at the elections. The election turned out to be very controversial, with some scholars and observers describing it as the worst election in the annals of general elections in the country (Suberu 2007). In an effort to improve the standard of general elections, a major issue of debate – even within INEC – was whether the voter register system inherited from the days when INEC was led by Maurice Iwu should be used or jettisoned. Some supported its use, in light of the short time left before the elections. Others said the voter register was a major source of the rigging, malfeasance, malpractice and infractions witnessed on a grand scale in 2007.

In the end, biometric voter registration was conducted but TVCs were still used for the 2011 general elections. There were claims and counter-claims of exclusion by prospective voters. The voter turnout could not be reconciled with the total number of registered voters. It became apparent to INEC that the voter register was oversubscribed with fictive and non-existent citizens; many TVCs were cloned or fake. Using an Automated Fingerprint Identification System (AFIS), INEC was able to identify about 870 000 duplications (INEC Report on the 2011 General Elections).

This experience in 2011 convinced INEC, now under the leadership of Professor Jega, of the necessity of using PVCs in general elections. The faults, leakages and loopholes of the TVC in previous elections, along with faulty and inaccurate voter register and the collusion of electoral officials (both permanent and ad hoc) and security personnel had all added up to undermine successive elections in Nigeria before 2011.

ROAD TO SMART CARD READERS

The need to clean the voter register, weed out fictive voters, and have an authentic and accurate list of voters resulted in INEC strengthening its ICT department. They

engaged a consultant to work with the ICT team and introduced an automated fingerprint identification system (AFIS), which complemented the direct data capture (DDC) machine in the pioneering effort towards the Anambra State gubernatorial election in August 2013.

In Anambra State (province) alone, AFIS identified over 88 000 fake voters prior to the conduct of the Governorship election. It became apparent to INEC that if the electoral process must be made credible then it should commence with its internal processes, mechanisms and institutions as far as permissible by law and under the INEC Guidelines. The reforms that the Commission had not been able to introduce before the 2011 elections had to begin to germinate in the next electoral cycle, heading towards the 2015 elections. For instance, in 2011, the total number of registered voters in Nigeria was 73 528 040 million people; by 2015, after the use of AFIS and registration of old and new or first-time voters, the voter register had dropped to 68 833 476 million people. These figures were cleared with the political parties through IPAC and with other relevant stakeholders, and nobody disputed the INEC figures. It is believed that the figures can be further screened to weed out fictive and fictitious names.

The use of SCRs in the 2015 Nigerian general elections was a most innovative deployment of technology aimed at enhancing and improving public trust in the electoral process. Nonetheless, the change occurred in the context of a large programme of electoral reform. These reforms had begun with preparation for the 2011 elections and included the new biometric register of voters, the remodified open ballot system (REMOBS), a revised framework for results collation and returns, and improved voter education and citizen engagement. There was improvement in the quality of sensitive electoral materials (serial numbering and colour-coding of ballot papers and results sheets, and security coding of ballot boxes). An inter-agency consultative committee on election security (ICCES) was created to ensure coordinated engagement of all security agencies during the election period (Jega 2014, p. 6).

POLITICS OF SMART CARD READERS

Once politicians realised that the AFIS had eroded their fictitious voters, the next point of focus was to play out the politics around the registration exercise and issuance of PVCs. Several politicians of various persuasions began to insist that INEC disenfranchised their supporters because they could not collect their PVCs. This became a major issue for the Senate, and together with other issues – especially the use of SCRs – resulted in the Senate summoning Jega to one of its sessions.

Jega was confronted with two core issues. The first was whether dis-enfranchising some people in order to have a credible election was far less hurtful than resorting to the use of TVCs – with a repeat of the situation in the 2007 general elections (or worse). INEC felt that under the circumstances of Nigeria's recent electoral history, it was better to tolerate a situation where some people (for both human and logistical reasons) could not collect their PVCs than to resort to use of TVCs, which was harmful to the electoral process. The total number of PVCs which INEC had was 66 890 131, while the total number of PVCs distributed nationwide was 58 201 135. A total of 8 688 996 PVCs remained uncollected in various INEC offices nationwide before the 2015 elections. This is not such an alarming figure, knowing that multiple registrations took place and this was the first major nationwide attempt to clean, print and distribute PVCs.

Some of the problems that affected non-collection of PVCs were high mobility of voters from one place to another, due to workplace transfers or new employment and the conclusion of studies by students, as well as the fear of being seen and caught for multiple registrations. Several reasons made it impossible for people to collect the over 8 million PVCs from INEC.

A total of 182 000 SCRs were purchased and deployed nationwide for the 2015 general elections. The SCRs were used to verify the PVCs and the authenticity of prospective voters. Once the political gladiators found out that INEC was determined to persist with the SCRs, they began to mobilise their arsenal – the media and public opinion – to discredit the process. This was done in several ways: legal, political and international best practice point of view. I will highlight a few of these issues.

The legal argument was that the use of SCRs amounted to electronic voting, which was unconstitutional and not approved by the NASS. The political argument was that INEC ought to have piloted or tested the SCR in stand-alone elections, such as in Anambra, Ekiti and Osun State gubernatorial elections, to fine-tune its efficacy before deploying it for a general election. Hence, INEC was taking a gamble on a national scale that could result in political and electoral crises worse than those of 2007. It was also argued that from the point of view of international best practice, an election management body (EMB) must not be the arrow-head to disenfranchise people. Since many people did not get their PVCs, voters should be allowed to use their TVCs to vote. But the use of TVCs implied that the SCRs could not be used to verify and authenticate both the card and the voter's identity. Yet at the heart of rigging in Nigeria is that some voters engaged in multiple voting by presenting several TVCs.

The first argument could not stand because the DDC machine that was used by previous EMBs in Nigeria, including during the registration of voters for the 2007 elections under Maurice Iwu, was an electronic device. If the claim

of electronic voting can be made against the use of the SCRs then the same can be made against the use of DDC machines. To be sure, electronic voting can truly be said to have taken place if the ballot is cast by electronic device. However, this was not the case in Nigeria. The SCR is merely a means of verifying and authenticating the card and the voter. It is an irony that some politicians kicked against it. However, its use was at the core of the electoral success of the 2015 general elections.

Beyond all these, there are clear advantages and challenges associated with the use of the SCRs which need to be examined for the purpose of future elections. I will merely outline them here.

Strengths of using the SCR
1. It conferred credibility and integrity, and rekindled trust in the electoral process.
2. It drastically reduced ballot box snatching, over-voting and rigging.
3. In spite of all attempts by political gladiators they could not clone the PVC. All cloned cards were identified by the SCRs.
4. It made accreditation of voters seamless and less rancorous.
5. It has backup information, which can assist in electoral adjudication (in the same way that the PVC has a contactless chip which is not destroyable and contains all vital information about the voter).
6. It has paved the way for Nigerians to clamour for electronic voting in the 2019 general elections.

Challenges of using the SCR
1. The lack of experimental, incremental pilot runs with SCRs led to a lot of unmitigated challenges before and during the elections.
2. Hands-on training in the use of SCRs was taken for granted by many ad hoc staff, and time allocated to training was not adequate to master its use.
3. The inexperience and lack of diligence and attentiveness in the use and application of the device by ad hoc staff occasioned failure in many parts of South-East and South-South Nigeria. Such staff did not remove the cellophane seal on the eyes of the device where fingerprints are read, and did not adjust the date and time setting on the device.
4. There was sabotage and compromise by some ad hoc and permanent staff, which resulted in the Commission issuing a memo urging the use of manual accreditation wherever the SCR failed, during the presidential and NASS elections of 28 April 2015. This was taken by many to mean that INEC had approved the resort to manual accreditation for all elections. That assumption, however, was not correct. But if INEC had not taken an on-the-spot decision, the country could have been consumed by conflagration.

5. The SCRs were not protected in the same way that sensitive materials such as ballot papers and result sheets (Form EC 8 series) were protected. There is a need to properly safeguard the SCRs.
6. There is also the problem of storage of the SCRs in a humid climate. There is a need to think creatively about how to do this. If the SCRs are not well preserved and stored, it will amount to a huge cost for INEC during the 2019 general elections.
7. SCRs cannot be used without PVCs. Some people collected PVCs by proxies, some with the intent to impersonate, and others did not protect their PVCs. Hence the SCRs could not read some cards, leading to complaints lodged with incident forms.
8. PVCs were wrongly packaged and hence sent to the wrong states, but this was only discovered at the point of distribution. Politicians made political capital out of the errors.
9. There was data mismatch, whereby either biometric data or the bio data on the card did not correspond with the true information of the owner of the card.
10. Through negligence, some batteries were not fully charged and ran out fast.

(Adeshina 2016, p.17; INEC Report on the 2015 General Elections).

Chynwe Nnam summarised the operational challenges of the SCRs and how the EMB responded, as follows:

• In some cases the SCR could read PVCs, but the voter's fingerprints could not be authenticated.
INEC approach: If the PO/APO (VP) is satisfied that it belongs to the voter, he/she should allow the voter to vote and fill in an incident form.

• With respect to sustained malfunction of the SCR.
INEC approach: Accreditation will be suspended until a replacement is provided. The problem created here was that the suspension caused delays in the voting process.

• Wherever a backup SCR was not provided at the polling unit by 1 pm on E-Day.
INEC approach: The PO or APO (VP) will inform the voters that accreditation and voting will continue the next day.

• Battery life: Some SCR batteries were defective whilst others were not fully charged; as a result they could not hold power for a long duration.
INEC approach: Batteries were taken from the backup SCRs and inserted into the SCRs being used, and were later taken for charging.

- Some SCRs malfunctioned because the secure access module (SAM) cards were faulty.
  INEC approach: Some SAM cards were replaced from backup SCRs.

- Some of the subscriber identity modules (SIMs) inside SCRs had no network.
  INEC approach: We had to use Internet WIFI to do the transmission.

- Some ad hoc staff handling the SCRs were not proficient at operating the device.
  INEC approach: We had to do on-the-spot swapping of APOs with better and more capable hands who could handle the machines.

- Some SCRs were not properly configured or were wrongly configured.
  INEC approach: On-the-spot reconfiguration was done in such cases.

- Some SCRs were wrongly deployed to different Polling Units (PUs) than those for which they were configured. Part of the problem had to do with a lack of diligence to crosscheck and do appropriate matching.
  INEC approach: On-the-spot reconfigurations were done.

- Some SCRs lost their IP address because of a problem with the central server.
  INEC approach: We had no solution for that except to change the SCR.

- Some of the SCRs could not read PVCs.
  INEC approach: The then Chairman of the Commission, Prof. Jega, approved the use of manual accreditation in such circumstances.

Nnam 2016, pp. 4-5

The prospects of modernisation of Nigeria's electoral processes through technology call for deeper research into the problems and issues arising from the use of SCRs, PVCs and other electronic devices during the 2015 general elections. Such studies would enable remedial measures towards future elections and usher in electronic voting.

SCOPE AND FOCUS OF THE SPECIAL ISSUE

This edition of the *Journal of African Elections* focuses on the use of technology and smart card readers in the 2015 general elections in Nigeria. The authors are concerned mainly with issues arising from the use of technology for biometric registration and biometric verification, where this involved smart card readers and

permanent voters' cards. The general theme is the conduct of the 2015 elections. However, the discussions are situated within the context of electoral politics in Nigeria, and at least one paper examines this general context in some detail.

In the first article, Grace Ojekwe notes that political advertisement campaigns have become popular among politicians in relation to previous preference for personal contact and campaign rallies or speeches. Indeed, rallies are usually a carnival-like event suffused with instrumental music, popular choruses with political meanings, and dance. The size of the crowd at such rallies is often considered to demonstrate the popularity of the party and candidate in the locality where such rallies are held. Thus, politicians 'rent a crowd' to show off their electoral competitiveness and ensure that their rallies are huge enough to buttress their claim to popularity among voters. Politicians point to such crowds as a reflection of the eventual outcome of the contest.

Since 2007, the use of political ad campaigns has expanded in terms of the mode of delivery, type of language used, and forms of media used to communicate electoral messages. Whilst noting an overflow of both traditional and new media with political ad campaigns, Ojekwe tested the efficacy of campaigns in general as a strategy to attract voters in elections in Nigeria. She examines the extent to which voters' choices in the gubernatorial election in Lagos State were influenced by Akinwunmi Ambode's ad campaigns. She did so partly to determine the most effective campaign strategy used by the gubernatorial candidate, and partly to show that voters are becoming more aware about political information – including information on candidates and their manifestos, party policies and election guidelines – through the ads. Ojekwe concludes that political ad campaigns do not have a strong effect on the electorate's voting behaviour.

In the second article, Anthony Aduloju examines how youth in Nigeria redefined the 2015 general elections through the social media platforms of Facebook and Twitter. The youth left an indelible mark on the electoral system, at the same time carving out new directions for elections in the country. Aduloju argues that social media can play a potent role in galvanising the youth for political discourse, conscientisation and education.

The next three articles focus on the consequences of various technologies applied in the 2015 general elections. Aremu Ayinde and Idowu Aluko address improvements in the 2015 elections through innovations in Anti Electoral Fraud Procedures (AEFP), specifically the use of PVCs and SCRs to address security challenges. They argue that these technologies helped to reduce electoral malpractices to an acceptable minimum. Malpractices that were reduced included multiple voting, underage voting, voter impersonation, ballot stuffing, ballot snatching, irregular accreditations and general insecurity. According to the authors, these problems accounted for the positive perception by Nigerians of

their electoral environment and of INEC's level of preparedness for the elections, as reported by the Afrobarometer survey.

Alebiosu, in his article, examines the debate generated among election stakeholders before, during and after the 2015 general elections over the use of SCRs as a technological device to authenticate and verify PVCs on election day. He then considers the challenges and impact of the card reader on the elections. There are many gains to be derived from the use of card readers, including statistical analysis of demographic data of voters and voting – for purposes of research and planning, building public confidence and trust in election management, and reduction of electoral conflicts. Alebiosu concludes that deployment of the device ensured credible, transparent, free and fair elections in 2015 and thereby deepened Nigeria's democracy. In his view, SCRs and other election technology should be used for all future elections in Nigeria.

Leveraging on the assumption that the 2015 general elections were a clear success, Osita Agbu discusses whether the success could be attributed to a single factor or a combination of factors, thereby assessing the extent to which the use of the PVC and SCR contributed to the success of the elections. He explores the circumstances that occasioned the use of PVCs and SCRs, the polemics surrounding their use, and the significance for the 2015 presidential election. He argues that the use of PVC and SCR ensured free, fair and credible elections. These items made it extremely difficult for results to be manipulated, either by anonymous individuals or through arbitrary and fraudulent manipulation of figures. The electronic devices were very difficult to clone or compromise. Like Alebiosu, Agbu suggests that Nigeria should improve on the quality of future elections by improving and upscaling the use of technology.

In their respective articles, Hakeem Onapajo, Moses Aluigba, Ebenezer Oluwole and Chris Ojukwu return to the broader context of the 2015 general elections. Onapajo focuses on the factor of religion in elections. He argues that an analysis of the 2015 presidential election showed that religion played a central role in the pre-election period, but was less significant in the actual choices or voting pattern of the electorate on election day. Other factors, especially a candidate's profile and performance records, took precedence over religious and ethnic considerations. Voting patterns, according to Onapajo, revealed an increasingly sophisticated electorate and the consolidation of democracy in Nigeria.

Aluigba provides a litany of electoral malpractices experienced at the polls since Nigeria's transition to civil rule in 1999. He examines the consequences of these malpractices for democracy and governance, stressing at least five consequences. In general, malpractice leads to higher levels of voter apathy in a population. This is often the case because voters believe that their vote does not count. Malpractice therefore erodes the legitimacy of elections and fuels

insensitivity and lack of accountability by a government. Inordinate use of money in politics, especially vote buying, promotes the privatisation of public offices and diverts resources away from development, as politicians try to recoup their 'investment' once they are elected into public office. Malpractices also engender distrust in the political system and trigger protests, thereby leading to political instability. The employment of foul means by a dominant party to secure power, and the pervasiveness of autocratic party leadership, prevalence of patronage, party switching and defections, prevent the strengthening and institutionalisation of political parties as building blocks of electoral competition. Aluigba warns that electoral malpractice is a monster that must be killed by resolute steps to overhaul the entire electoral process.

In the final article, Oluwole and Ojukwu examine the salience of ethnic political associations and alliances in Nigeria's multiple transitions from dictatorship to democracy, and from electoral democracy to consolidation of democracy. They argue that while the manipulation of ethnic identity has been divisive, ethnic compensation (principles and constitutional provisions that promote inclusiveness) and balance of power tend to mediate such division.

This collection of articles provides an initial engagement with the bold application of technology in a difficult electoral context – one that is characterised by intense competition, weak political parties, pervasive electoral malpractices, hate speech and patronage politics. The lesson is that technological interventions can go a long way in curbing the pathologies of electoral governance. The various authors provide robust discussion of Nigeria's electoral experience with the use of PVCs and SCRs in the country's quest to advance the integrity of the electoral process, with modest success.

CONCLUSION

It appears that the use of PVC and SCR will continue in Nigeria. I base this assertion on the popular support the technology has received from the electorate, and the common-sense perception by many politicians that any further campaign against such technology will amount to a battle lost. However, urgent challenges include how to improve the ethical conduct and professional capacity of electoral personnel; how to further clean the bloated voter register to make it authentic; and how to improve reverse logistics on E-Day by e-tracking, e-collation and transmission of election results – all of which will reduce the chain and risk of snatching ballot boxes or rigging election results by party thugs. There is also the issue of diaspora voting and electoral voting. It is hoped that the next electoral cycle will include appropriate debate and programme design, proper strategic design, and fuller electoral training – including better training of security

personnel on election duty, and better voter and civic education. The appropriate legal instruments should also be revised, particularly the Electoral Act. If these steps are accomplished, there will be better electoral service delivery in the 2019 general elections.

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