



RESEARCH ARTICLE

ELECTION MANAGEMENT BODY, CREDIBILITY OF THE 2023 ELECTIONS AND STATE FAILURE IN NIGERIA

**¹GODFAVOUR OLAYEMI BABATUNDE,, ²CHAMBERLAIN AMADI, ³STANLEY
OKECHUKWU ORISAKWE**

¹Department of Political Science, Alvan Ikoku Federal University of Education, Owerri

²Department of Political Science, Ignatius Ajuru University of Education, Port Harcourt.

³Department of Political Science, Kingsley Ozumba Mbadiwe University, Ogboko Imo State.

ABSTRACT

Election malpractices connote those acts of omission or commission involved in by those who organize, canvass or vote during elections. This, by whichever way it is being executed is often targeted to directly or indirectly give undue advantages to some individuals contesting elections and in the same vein, create some handicaps to certain candidates who are also contesting elections, thereby vitiating the reliability or legality of election outcomes. It is disheartening to state that African variant of democracy has lost its value to militarism and one party autocracy to the detriment of multiparty and genuine competitive elections which true democracy is known for. This was in no doubt, practically seen in the 2023 general election, where the two reverent institutions (electoral umpire and the judiciary). This paper sets out to unravel the fact that the history of elections in Nigeria is more or less the history of electoral violence and various categories of malpractices. It shall examine the massive irregularities and monumental Fraud/ violence that have characterized elections in post-independent Nigeria, especially the 2023 general election, the role of INEC during the election and how it has failed to promote sustainable democracy and credible elections in Nigeria. The paper adopts content analysis and quantitative data gathering as research methodology. Findings reveal that electoral fraud or violence has become endemic in Nigeria that election periods are no longer for campaigns and garnering of support for party ideologies, but times of fashioning various methods of circumventing the electoral procedures, particularly through the manipulation of the institutions that determine election outcome. The paper recommends among other things that improved electoral technology and the use of BVAS still remains the best alternative for the achievement of credible, free and fair election at all levels in Nigeria. Therefore, INEC should adhere strictly to its use.

Keywords: Electoral management, credibility, election, state, failure.

Corresponding Author

Godfavour Olayemi Babatunde ; Email: babatundegodfavour@gmail.com: 07031631898

Received: 15/12/2024; **Revised:** 18/1/2025 **Accepted:** 19/2/2025; **Published:** 28/2/2025



1.1. INTRODUCTION

Election has been the usual mechanism through which modern days democracy has operated since the 21st century. Elections are used to fill offices in the legislature, sometimes in the executive and judiciary, and for regional and local government. This process is also used in many other private and business organizations, from clubs to voluntary associations and corporations (Igboke, 2017). The global use of election as a tool for selecting representatives in modern representative democracies is in contrast with the practice in the democratic archetype, and ancient Athens, where the election was considered an oligarchic institution and most political offices were filled using sortition, also known as allotment, by which officeholders were chosen by lot (Amadi, 2016). Currently, in the western world, Africa inclusive, elections are held periodically and by a constitutionally established electoral umpire as named by the countries involved.

In Nigeria, especially, beginning in the Fourth Republic, the Independent National Electoral Commission (INEC) has been the electoral umpire that is charged with the responsibility of organizing and conducting elections since the transition to democratic rule in 1999. This responsibility has however placed the umpire on the scale of deciding smooth democratic transitions of power conducted in a very credible, free and fair manner, (Odum and Babatunde, 2023). It is worthy of note that one of the greatest problems facing Nigeria since her flag independence has been the inability of the members of the governing class to adhere to even the most rudimentary rules and regulations fashioned by them during elections. Though this is one of the basic hallmarks of States in Peripheral Capitalist Societies, there is no area where this has manifested with impunity in Nigeria than in the organization of a transition programme from one civil government to another. It is this problem that underscores the factor that led to the collapse of the First Republic, invariably led to the fall of the Second Republic in 1983. Subsequent elections of 1993, 1998/9 and that of 2003 were also associated with monumental rigging that were done with impunity, (Owunwa, 2007).

The 2007 general election in Nigeria that was held in April and was conducted by the independent National Electoral Commission (INEC) had seen the late Umaru Musa Yar Adua of the People's Democratic Party (PDP) as the winner of the highly controversial election. Election Observers from the European Union described the election as "the worst they had ever seen in the world" occasioned by rampant vote rigging, violence, theft of ballot boxes and intimidation of voters were the order of the day. The election monitors, especially the European Union argued that the 2007 General Elections fell short of the basic international standards and the process cannot be considered as



credible citing poor election organization, lack of transparency, significant evidence of fraud, voter disenfranchisement, violence and bias. In this regard, Owunwa (2007) posits that;

“The plethora of electoral malpractices such as ballot box stuffing, snatching of electoral materials and smashing of ballot boxes, inflation of votes and other dimensions of electoral fraud and the high incidences of electoral violence once more rekindled the old fears that the basic institutional weaknesses associated with her electoral system could bring the democratic experiment to grief.”

In spite of the bitter lessons that are there to be learnt from the history of flawed elections in Nigeria, the return of democracy on 29th May 1999, did not lead to any significant changes with regards to the way the electoral umpire which is INEC should conduct elections. As a matter of fact, successive elections in Nigeria; (2011, 2015, and 2019) general elections have also witnessed progressive decline in the quality and integrity of electoral outcomes.

It is in the light of the above backdrop that this research study sets to examine Election body, credibility of the 2023 election and state failure in Nigeria.

2.0. CONCEPTUAL REVIEW

2.1. Election

Election is an act or process of electing, especially: the process of voting to choose a person for office. It is an instance of the electorate voting for candidates for an elective office. Election is an act of choosing, selecting or electing political office holders to represent people of a country in the executive and the legislative arms of government. It also means a standardized process by which citizens cast votes and elect members to different government positions. Elections are the foundation of a democracy, wherein the adult population of a nation elects the people's representatives. In election process, political parties contest among themselves to occupy government positions.

In a democratic dispensation, as in the case of Nigeria, election became imperative as a result of impossibility of direct democracy in modern times. Nnabugo (2013) looks at election as a way of selecting individuals or people through the ballot to occupy political offices that are designated to them. Following the elucidation that has been made above, one can easily deduce that election is a formal decision making process by which the electorates choose candidates to hold public offices. It has been the mechanism by which modern representative governments operates since the 17th century progressing from property franchise, then adult male franchise and finally the universal suffrage (John and Timbee 2013).



In Nigeria, it is pertinent to note that elections period ceases to be period for campaign and garnering of support for party ideologies, but a time of fashioning and refining the various methods for circumventing and manipulating the electoral procedures and machinery. This phenomenon could be attributed to certain superficial or super structural factors like inordinate desire by politicians to win the elections by all means, the quest for blind power and drive towards primitive accumulation, the ethnic political culture (of the north) that abhors opposition, tendency of African leaders to remain and die in office, incompetent partisan electoral commission, use of structural violence by government party, low level of political integration, fragility of political community and institutions etc. (Olisa, 2017). For this reason, Joseph (2017) argued that the character of the post-colonial state is responsible for the primacy of politics and consequently the battle character of elections in Nigeria

2.1.2. Reasons for conducting elections in a democracy

Election is important for the following reasons;

- Elections are the most powerful tool of indirect democracy since they encourage citizens to elect their representatives, who then pass laws on their behalf.
- People will choose who is going to shape the government and make important decisions.
- They will choose the party whose policies will guide the making of government and law.
- Elections provide us with a peaceful transition of power from one form of government to another. People may always nominate another party to form government if they are dissatisfied with the current government, its policies, and the way it operates.
- Elections guarantee that no government is elected for an indefinite period of time and thus becomes tyrannical.
- Elections encourage citizens to engage in their country's affairs while still remaining politically active and alert. It forces political workers to act for the people's well-being

2.1.3. Credibility of Elections.

Credible elections mean 'electoral processes that enjoys considerable support and confidence of the citizenry and international or regional community, leading to mutually agreeable results from competing entities that participate actively in the electoral process. Credible elections devoid of irregularities and violence are therefore crucial for sustainable democratic governance, political stability and national development (Uguru, 2015). However, in spite of the centrality of peaceful, credible, free and fair election and the legal cum constitutional machinations put in place to enthrone credible election process, experiences overtime have shown that elections in Nigeria have been riddled with violence.



Credible elections are characterized by inclusiveness, transparency, accountability, and competitiveness. Inclusive elections provide equal opportunities for all eligible citizens to participate as voters in selecting their representatives and as candidates for election to government. This right to participate is a broad concept and can only be subject to reasonable restrictions that are provided by law (Nnadi and Ahamefula, 2017). Authorities must take steps to assess and remove any barriers to the participation of all citizens. This includes removing barriers for traditionally marginalized populations such as ethnic, religious or linguistic minorities; women, youth or elderly citizens; and persons with disabilities. Reasonable restrictions on participation should be narrowed, like a minimum age for voting and standing as an electoral contestant. Elections are transparent when each step is open to scrutiny, and stakeholders can independently verify whether the process is conducted honestly and accurately. The principle of transparency is linked to the fundamental right of citizens to seek, receive and impart information (which are elements of the freedom of expression), as well as the right to take part in government and public affairs.

Abaseki and Nnadozie (2015) pointed out that decision making processes must be open to scrutiny, and reasonable opportunities for public input should be provided. They stressed that information relating to all stages of the electoral cycle must be made available and accessible to citizens, including voters and candidates. Nonpartisan and partisan observers should be accredited to observe all phases of the election process and be permitted to comment publicly on the process free from unreasonable restriction. Accountability in elections refers to the rights of citizens with respect to the conduct of other electoral stakeholders, including the government, election management bodies (EMBs), political parties, candidates and security forces. Babatunde (2023) argued that elections are a key mechanism through which citizens hold their governments accountable, but there must also be accountability within election processes themselves. There must be effective remedies in place for violations of citizens' election-related rights. There must also be administrative accountability for those organizing elections and those conducting governmental activities related to elections. In addition, there must be timely procedures to bring to account those who conduct criminal acts that affect electoral-related rights. Babatunde stated that elections are competitive when citizens have reasonable and equitable opportunities to compete to be elected to governmental offices. Political competition is a central component of elections that truly reflect the will of the people. The principle of competitiveness relates to aspects of the election throughout the electoral cycle and for this reason, the legal framework must allow citizens to come together and register political parties to represent their interests, and provide access to spots on the ballot for parties and/or candidates. Parties and candidates must be able to campaign and voters to cast their ballots free from illegal influence, intimidation or violence.



2.2. Theoretical framework

This study is anchored on the ethical theory of Androx Fox (1952). The theory which is otherwise called “theory of moral philosophy” is relevant in explaining electoral malpractice as unhelpful to development. This theory points out the moral obligations, the rightness or wrongness and the ideals towards which man is working.

In simple terms, the position of this theory is that any action in the sphere of politics involves the question of whether the action is right or wrong. According to Fox, what is morally wrong can never be politically right. In effect, if this assertion is applied, it could be established that development is conditioned by ethics. In contrast, Nicollo Machiavelli and others are of the view that ethics has no place in politics. This, according to Machiavelli and his adherents is because the end justifies the means. The issues of ‘rightness’ and ‘wrongness’ are relative terms to electoral malpractice such as election rigging and violence and should be viewed in that light, yet, the state exists to promote desirable political acts that will usher development, improve the welfare of the citizen, which are within the purview of ethics. This explains why states of the world including Nigeria formulate rules that ban criminalities like kidnapping, killing and intimidation, electoral violence, rigging and inflation of election figures which are considered morally wrong. We can then conclude that as long as politics is concerned with the question of ‘ought-to-be’, it has contact with ethics. From the above analysis, a number of actions like electoral rigging, killing of opponents to have electoral edge, double registration, ballot snatching, inflation of electoral votes, violence during campaigns and arson are all morally wrong. Hence, equity, fair play, transparency and openness are qualities that are morally good, embraced and capable of enhancing a nation’s development.

The relevance of this theory to the present research study is that the theory tries to explain the negative implications of electoral malpractices for a country that seeks development of its nation and suggest morality and ethics should prevail as opposed to the Machiavelli and Herold Lasswell theories of politics that blows no good democracy and democratic consolidation of any nation that seeks growth and good of her people and nation at large.

3.0. METHODOLOGY

This study employs qualitative research design. Data were generated through secondary sources such as textbooks, journals, newspapers, online materials amongst others. Analysis was made based on the inferences drawn from the extant literature as the mode of analytical presentations appears in themes which are designed to address the issues in this study

4.0. DISCOURSES



4.1. The Independent National Electoral Commission (INEC)

The Independent National Electoral Commission (INEC) was established by the 1999 Constitution of the Federal Republic of Nigeria to among other things organize elections into various political offices in the country. According to Ndokuba and Unanka (2018) the functions of INEC as contained in Section 15, Part 1 of the Third Schedule of the 1999 Constitution (As Amended) and Section 2 of the Electoral Act 2010 (As Amended), include the following:

1. To organize, undertake and supervise all elections to the offices of the President and Vice-President, the Governor and Deputy Governor of a State, and to the membership of the Senate, the House of Representatives and the House of Assembly of each state of the federation;
2. Register political parties in accordance with the provisions of the constitution and Act of the National Assembly;
3. Monitor the organization and operation of the political parties, including their finances; conventions, congresses and party primaries.
4. Arrange for the annual examination and auditing of the funds and accounts of political parties, and publish a report on such examination and audit for public information;
5. Arrange and conduct the registration of persons qualified to vote and prepare, maintain and revise the register of voters for the purpose of any election under this constitution;
6. Monitor political campaigns and provide rules and regulations which shall govern the political parties;
7. Conduct voter and civic education;
8. Promote knowledge of sound democratic election processes; and
9. Conduct any referendum required to be conducted pursuant to the provision of the 1999 Constitution or any other law or Act of the National Assembly.

Mission Statement of INEC

The mission of INEC is to serve as an independent and effective Electoral Management Board (EMB) committed to the conduct of free, fair and credible elections for sustainable democracy in Nigeria.



Vision Statement

The vision of INEC is to be one of the best Election Management Bodies (EMB) in the world that meets the aspirations of the Nigerian people.

VALUES

The Independent National Electoral Commission (INEC) shall be guided by the following values in the performance of its duties:

1. **Autonomy:** INEC shall carry out all its functions independently, free from external control and influence.
2. **Transparency:** INEC shall display openness and transparency in all its activities and in its relationship with all stakeholders.
3. **Integrity:** INEC shall maintain truthfulness and honesty in all its dealings at all times
4. **Credibility:** INEC shall ensure that no action or activity is taken in support of any candidate or political party.
5. **Impartiality:** INEC shall ensure the creation of a level playing field for all political actors.
6. **Dedication:** INEC shall be committed to providing quality electoral services efficiently and effectively, guided by best international practice and standards
7. **Equity:** INEC shall ensure fairness and justice in dealing with all stakeholders.
8. **Excellence:** INEC shall be committed to the promotion of merit and professionalism as the basis for all its actions.
9. **Team work:** INEC shall create a conducive environment that promotes teamwork among its staff at all levels.

4.2. CO-OPERATION AND COLLABORATION WITH OTHER ELECTION MANAGEMENT BODIES (EMBs)

For some time now, INEC has made efforts to establish and maintain close working relationships with other Election Management Bodies especially in Africa. The aim is to identify areas of common interest, encourage collaboration and exchanges to enhance the work of the various EMBs (Onoja, 2016). These collaborations have served as a basis for different organized programmes which have been of mutual benefit to the collaborating EMBs. The programmes focus on areas related to technical support, capacity building of staff, exchange of knowledge and experiences, etc. in specific areas of interest. As a result of the strengthened relations with similar institutions from other countries, INEC has received and sent out invitations to participate in inter-national technical



assistance programmes, exchange programmes and electoral activities promoted by electoral authorities, with the purpose of exchanging technical information. As such, INEC is always willing to collaborate and explore every opportunity by participating in these programmes which help in strengthening INEC's capacity in the discharge of its statutory responsibilities.

In March 2012, INEC in partnership with UNDP organized and hosted a two day Conference on Knowledge Sharing among African EMBs in Abuja, Nigeria. Sixteen countries were in attendance, namely; Liberia, South Africa, Ethiopia, Gabon, Ghana, Sierra Leone, Mali, Tchad, Zimbabwe, Kenya, Niger, DR Congo, Burkina Faso, Cameroon, Zambia and Uganda. Other notable stakeholders included the Academia, CSOs, Development Partners, Representatives of Foreign Missions, etc. In the past eight years, INEC officials have also participated in almost 30 election observation missions in more than 20 countries. Some of these include France, USA, Ghana, Kenya, Sierra Leone, Liberia, Pakistan, Venezuela, Mexico, Bulgaria, Ireland, Argentina, Ukraine, Jordan etc. (Echezor and Udeh, 2024)

4.3. The Independent National Electoral Commission (INEC) and Credibility of the 2023 presidential Elections in Nigeria.

Many local and international Election observers submitted scathing reports that indicted both the INEC and the police. For instance the Yiaga Africa, a civil society organization, seemed to submit the biggest indictment. Yiaga faulted the presidential election results in Rivers and Imo States declared by the INEC, saying the results were inconsistent with its observations. This is contained in a post-election statement of the group released in Abuja on Wednesday and signed by Aisha Abdullahi, the board chair and Samson Itodo, the executive director, Yiaga Africa. The state-level presidential results for Imo and Rivers are inconsistent with the Yiaga Africa Watching the Vote (WTV) projections for both states. The election observers' team stressed that For Rivers; INEC announced 231,591 votes for APC or 44.2%; 175,071 for LP or 33.4%; and 88,468 for PDP or 16.9%. This is in sharp contrast to the Yiaga Africa WTV estimates for Rivers which are: APC 21.7% or 5.0%; for LP 50.8% 10.6%; and for PDP 22.2% or 6.5%. Continuing, they expressed that in Imo, INEC announced 66,406 for APC or 14.2%; 360,495 for LP or 77.1%; and 30,234 for PDP or 6.5%. Again, this is at variance with the Yiaga Africa WTV estimates for Imo which are: APC 5.1 2.3%; LP 88.1% 3.8%; and PDP 5.7% 2.3%.

It is said that Yiaga Africa had deployed 3, 014 observers to a random sample of 1, 507 polling units and 822 mobile observers in all the 774 local government areas in the country, including Abuja. This review of INEC performance indicated that the BVAS worked only where the INEC wanted it to work. Inside sources said INEC is an institution operated by law but individuals operating the laws



at different levels decided what to do. So, politicians brought demands with a fee each. It was up to an INEC officer to reject or agree. However, what was lacking, according to insiders, was an external authority such as the presidency to call them to order, and this did not happen. Thus, pressure came on INEC from outside in some states especially Rivers, Abia, and Enugu. As a result, the Commission performed abysmally poor. Depending on the check level of a candidate, INEC swindled a candidate and gave it to the other.

From another view point, evidence abounds on the non-compliance of the electoral umpire to compromise the credibility of the 2023 presidential election. The chairman of Rivers State Coalition of Civil Society Organizations (CSOs), Georgewill Enefaa, said: “For us in the civil society space and INEC accredited observers, it is our position that INEC failed in the area of late arrival of materials, inability to upload result on record time on their IREV portal, announcing result of units not captured by their BVAS machine or result clearly mutilated, improper coordination of security for ad-hoc staff and lack of logistics like vehicles, food, water, etc, for staff.” He admitted that whilst the BVAS and IREV were able to reduce the outrageous figures associated with our elections, the human factor shows for us to get it right in our elections in Nigeria, we have to go full electronic. Both the Labour Party and PDP listed what went wrong with the elections. In Rivers State, the APC was a whipping boy. The former transportation minister, Chibuike Rotimi Amaechi, dropped what sounded like a bombshell, saying after voting that the INEC chairman was re-nominated into the job by the Bola Ahmed Tinubu camp. He also said Mahmood was close to Governor Nyesom Wike of Rivers State, having worked under the former education minister (Wike) as executive secretary of the Tertiary Education Trust Fund (TETFund). When asked to advise the FG on elections, he said he was not the president to make comments on INEC and elections, saying he had made all his opinions known to the appropriate quarters before the elections. He asked the journalists what they expected when the INEC chairman was a nominee of the Tinubu camp. He also said by the relationship he thinks exists between Wike and Mahmood right from the days of Wike as education minister and Mahmood as executive secretary of TETFund under Wike, that the APC, SDP, Labour and other parties in Rivers State were not contesting against the ruling PDP.

In the view of compares of the INEC’s pattern of election conduct and the credibility of the 2023 presidential election in Nigeria, Asotaibe (2023) quoted Professor Babatunde Wole Soyinka who pointed out that; “If you are not strong and cannot shout or if people did not threaten fire and brimstone, INEC steals the mandate and gives to the highest bidder.” The bitterest part was that this happened when Nigerians were expecting freest and fairest election, but INEC delivered what could pass off as the worst in the history of the country.



For Odum and Babatunde (2023), it was predicted by INEC and the APC Party that mass voting and thumb-printing would not work, politicians devised another method. They allowed peaceful voting in most places but when it is time for sorting, counting or entering into Form EC8A (result sheet) at the polling units, they sent thugs and compromised police squads to go hijack the ballot boxes. The two policemen usually posted to a unit would look on while this happened. The youths against this would try to protect their votes but armed thugs were prepared for this. Continuing, they stressed that the hijackers would take the boxes to an agreed place and they would write their own results and upload in the BVAS. In the presidential election, they were believed to have had issues and so arranged for network not to be or for it not to allow presidential entries while others were going in. they pointed out that the International observers team have also held onto the fact that National Assembly results were going but presidential was not going to prove that it was human manipulation. So, it was INEC and Nigeria that failed the BVAS, the BVAS did not fail Nigeria, the experts said. The riggers targeted from the polling units after voting to the collation centres. INEC officials and security agents at these levels either helped to hijack or looked on while evil took place. Odum and Babatunde pointed out that testimony from the professor and Vice Chancellor of the Federal University of Technology Owerri (FUTO), Prof. Nnenna Oti that Mahmood Yakubu called her to announce the Obingwa result and let them go to court has shocked the nation. By this, it appeared clear that every level in the commission was involved. INEC simply looked on and announced results clearly fractured and let angry persons go to court. For this, the ward, local government and state collation officers thus had a field day. Some have confessed they were offered \$40,000 to change the results while news of mere N20, 000 at polling unit level has been heard. Some State Collation Officers have alleged that they were under pressure from the INEC to rig the election. The Abia State case is thus trending.

To Ndukwe (2023), Nigeria should look to other countries that have done good elections to emulate. Her worry however is stranger elements from outside Nigeria that vote in Nigeria. How do you know those that can vote because there are too many strangers in Nigeria with votes. She stressed the point that good census is needed, but where do one get those to train before talking about technology. To her, INEC killed youth voting appetite. She explained that how would they be brought back. Security is needed. Imagine where Presiding Officers (P.Os) of INEC were held hostage for 10 hours in the LGA where the Governor comes from, and the army and police could do nothing. The way forward can only be by synergy between the citizens, INEC and security. For governors to do what they like and get away with it is dangerous. It's not yet uhuru. If there is justice, the Labour Party (L.P) will recover many states. Other individual election observers who wrote on newspaper timelines and other information sources on the way forward about the immediate past election have suggested setting up what they call Election Crimes Tribunal in each state to try all reported cases of violence and fraud, apart from civil cases at tribunals. The criminal



trials should run fast and swiftly (Ike, 2024). They have also suggested full electronic voting to eliminate human decisions since Nigerians have proved they cannot be trusted with anything.

Onovo (2023) explicitly enunciated the outcome of the 2023 presidential election in his prediction. Onovo argued that the conduct of the 2023 polls was mostly lawless and criminally fraudulent. INEC brazenly wasted N355 billion on electoral frauds. He stated that his crew had accurately predicted the electoral fraud seven months before the presidential elections. Our prediction was widely published, yet INEC lawlessly proceeded with the fraud even after it had been exposed repeatedly. **Firstly**, INEC removed the INEC ICT Director that led the development of the ICT system for the elections. **Secondly**, INEC accepted the incomplete and fraudulent nomination of Bola Tinubu. **Thirdly**, INEC concealed the incomplete and fraudulent nomination form and refused to release a CTC. **Fourthly**, after INEC was compelled, with a court order, to release a CTC, INEC failed to review and reject the incomplete and fraudulent nomination. **Fifth**, after Barrister Mike Enahoro-Ebah had filed a criminal case of forgery and perjury against Bola Tinubu in an Abuja court, INEC did not even query the nomination. **Sixth**, as Nigerians roundly rejected Tinubu at the polls as expected, INEC underhandedly shut down the ICT system for the presidential elections to conceal the authentic election results and then INEC proceeded to doctor and forge results by stealing votes from the Labour Party to favour Tinubu of the ruling party. **Seventh**, the collation frauds at different levels that removed votes from the LP candidate and added the same to the ruling party's candidate in very many states particularly Rivers, Plateau and Lagos States.

Eighth, in a period of over ten days, INEC populated the IReV portal with the forged results to cover the fraud contrary to the rules that require transmission from the polling units. Ninth, during the final collation, many parties complained of deviations and irregularities but INEC desperately ignored the complaints and proceeded with the fraud. Tenth, the INEC Chairman falsely promised a review of the challenged results but quickly declared the false results and issued Tinubu an unlawful certificate of return without the review. Eleventh, INEC lawlessly frustrated the court Order that permitted the Labour Party to inspect the election materials. The INEC Chairman has committed a treasonous crime, he said, so, he must resign and face prosecution. Then, INEC must use the authentic results from the polling units to determine the winner of the elections.

According to Afenifere, a Yoruba youth forum in the South-West report (2023), the results of the lawful votes at the presidential election available to the Afenifere through credible sources confirm that Peter Obi, the presidential candidate of the Labour Party, won the said election. The main point of disagreement among opposition parties was INEC's refusal to transmit election results electronically and subsequent announcement of Bola Tinubu as the winner.



5.0. CONCLUSION AND RECOMMENDATIONS

5.0. Conclusion

The Independent National Electoral Commission (INEC) as an election umpire and the judiciary has a very significant role to play, especially towards the conduct of credible, free and fair elections in the Nigerian political system. Unfortunately, INEC has not helped to promote a credible election in Nigeria in the recent time. Corruption among the officials of the electoral body which posed hindrances to the successful achievement of a credible, free and fair election, and INEC partisanship during election which makes them favour a candidate or political party against others, whether on merit or not also poses a challenge to the achievement of credible, free and fairness of the 2023 general election by the commission. The judiciary that was expected to be the last hope of the common man suddenly became a party and amalgamated with INEC to legitimize the corruption that was carried out with impunity. This however could be attributed to the literature piece of the Nigerian renowned novelist Chinua Achebe's work- "*There was a country*" and "*The Trouble with Nigeria*".

5.2. Recommendations

Following from the findings and conclusion of this study, the following recommendations have been made;

1. Improved electoral technology and the use of BVAS still remains the best alternative for the achievement of credible, free and fair election at all levels in Nigeria. Therefore INEC should adhere strictly to its use.
2. All collated results must be compared with the ones at the IREV portal to confirm its consistency before announcing the winner at any poll
3. The Chairmanship of electoral body (INEC) should be done by election and not appointment so as to avoid presidential or the executive influence on the decision of the commission
4. The electoral umpire should be corrupt-free in its totality and should sanction politicians who try to influence them financially. This must be done an independent judiciary.

Competing Interest

The author had declared that no conflicting interest existed regarding this paper.



REFERENCES

- Abaseki, G & Nnadozie, P.C (2015) Nigeria we fail thee; Nigerian military and Government. Lagos: Pearl Publishers Ltd.
- Amadi, D.S (2016) A sustainable electoral process is the panacea to Nigeria's electoral process. Africa policy conversation, 2019.
- Androx, F (1952) Ethical theory .McGraw United Kingdom.
- Asotaibe, G.D (2023) Nigeria and Credible election: problems and prospects of democracy and democratic consolidation. Owerri: Evans Publications Ltd.
- Babatunde, G.O & Onyekwere, B. (2023) The Leadership shenanigans and Prospects of Democratic Consolidation: implications of the 2023 General Elections on Socio-Economic development in Nigeria. Alvan International Journal of politics and Administration. Vol.1 ISSUE 1, 2023.
- Echezor, U.C & Udeh, U (2024) Electoral malpractices. Being an assignment submitted to Tansi International college, Awka. Sat, 01/08/2020.
- Igboke, N (2017) "Electoral process, electoral malpractices and electoral violence". Enugu: Sages Publication Nigeria LTD.
- John, R.A. & Timbee, K.(2013). Understanding corruption in Nigeria and its implications to National security and sustainable development. Journal of the Humanities and social sciences 1 (10), 62.
- Joseph, R. (2017) "Africa 1990-1997: From Abetura to Closure" in Journal of Democracy Vol.9 No.2.
- Ndukwe, A & Unanka, B. A (2018) Democracy, leadership and good governance in the 21st Century: contending issues and Options for Nigeria. Gamint Corporate Publishers, Makurdi, Benue State.
- Ndukwe, A.E (2023) Democracy, leadership and good governance in the 21st Century: contending issues and Options for Nigeria. Gamint Corporate Publishers, Makurdi, Benue State.
- Nnabugo, E. U (2013) Transition to Democratic governance in Africa. Ibadan, Spectrum Books
- Nnadi, P.O & Ahamefula, C.I (2017) ."Curbing electoral corruption in Nigeria; A mirage of the 21st century.
- Odum, I. A & Babatunde, G.O (2023). Re-examining electoral malpractices and the role of election observer teams towards sustenance of democracy in Nigeria. Alvan international Journal of Political Science and Administration. Vol.1, No1, pp5-25
- Olisa, M.S.O (2017). "Electoral malpractices in Nigeria: explanation and way out". Paper presented at the national conference on the conduct of elections in Nigeria, UNN Feb, 1st- 4th
- Onoja, S (2016). Democracy and prebendal politics in Nigeria: The Rise and fall of the Second Republic. Ibadan, Spectrum Books.
- Onovo, K.C (2023) Democracy and Prebendal Politics in Nigeria: The Rise and fall of the Second Republic. Ibadan, Spectrum Books.
- Owunwa, S. C (2007) Nigerian government and politics since independence. Versatile Publishers. Owerri.
- Uguru, M. (2015). Basic Religion & National Values for Junior Secondary Schools Owerri; Meybiks Publishers.
- Yiaga Africa (2023). Report on general election in Nigeria. corruption perception index. Accessed and Retrieved from transparency.org/country/ng.