E-Voting in Nigeria: Barriers to Full Implementation

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E-VOTING IN NIGERIA: BARRIERS TO FULL IMPLEMENTATION

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ABSTRACT

Over the years, Nigeria has been desirous of a credible voting system due to the irregularities that hampered previous elections which include: ballot stuffing, intimidation of voters, destruction of election materials, attack on election officials, hijacking of ballot boxes, violence, vote buying and manipulation of election results. The gory experience of the 2019 Nigeria general election is a pointer to the inevitability of electronic voting in Nigeria. The Independent National Electoral Commission (INEC) introduced Direct Data Capture Machine (DDCM) technology in 2007 which produced the Electronic Voters' Register (EVR) and the Smart Card Readers(SCR) which has since been used for all elections. Though the introduction of EVR and the SCR improved the electoral process, research reveals that it is yet to achieve the desired results. Hence, this paper aims at studying the required e-voting system in Nigeria; the barriers to its full implementation as well as the way forward. It is believed that the full implementation of e-voting system in Nigeria would save the country from the awful experiences of the past as it promises free, fair, transparent, convenient and confidential elections as well as the speedy processing of results.

Key words: election, democracy, e-voting, technology, INEC, vote buying, smart card reader, DDCM,

1.0   INTRODUCTION

Election is key to the stability of democracy in any country because it enables the citizens decide who represent and govern them.   In Nigeria, representatives of the three arms of government (federal, state and local) are chosen by election. Kuye *et al.*, (2013) stressed that the integrity of the election process is fundamental to the integrity of democracy, therefore the electoral process of a country must be transparent and comprehensible enough to enable voters and candidates accept the results [1]. However, the election circle in Nigeria is characterized with numerous problems. The major problems include: missing names of some registered voters, intimidation and disfranchisement of voters, multiple and underage voting, snatching or destruction of ballot boxes, miscomputation and falsification of result [1]. In addition, there is lack of probity, accountability, transparency and trust on the part of government. In light of these, Olagbegi (2007) suggests that the introduction of information technology in the electoral process of Nigeria (e-voting) would curb this ugly menace [2].

Electronic voting (e-voting) is an electronic system which uses electronic ballot that allow voters transmit their secure and secret voted ballot to election officials over the computer [3]. It is one of the pillars of the e-democracy that harnesses computers or computerized voting equipment to ease and tabulate ballots in an election in a trustable manner. There are three types of e-Voting which include: polling station e-Voting, kiosk e-voting and remote e-voting [1]. Polling e-voting enable voters cast their votes electronically on an electronic machine within the polling booth while in Kiosk e-Voting, voters cast their votes at pre-selected stations through ATM-Iike terminals. Remote e-Voting allow voters cast their votes anywhere and anytime through the use of mobile devices or personal computers with Internet connectivity. However, research revealed that a comprehensive Electronic Voting System would enhance the standard of elections in the country because it would alleviate the shortcomings of paper-based method. It is also believed that e-voting would save the country from the horrible experiences of the past as it promises free, fair, transparent, convenient and confidential elections as well as the speedy processing of results [4].

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2.0. AN OVERVIEW OF THE ELECTORAL PROCESS IN NIGERIA

Election is central to the existence, stability and development of democracy in any country [5]. Therefore, the electoral system of a government determines the political growth and democratic stability of that society. In Nigeria, the agency charged with the conduct and supervision of elections is the Independent National Electoral Commission (INEC) which was empowered by the 1999 constitution to conduct a free and fair election. Four methods of voting have been used so far in Nigeria. These are Open Ballot System (OBS), Modified Open Ballot System (MOBS), Re-modified Open-secret Ballot System (REMOBS) and Continuous Accreditation and Voting System(CAVS).

Open Ballot System (OBS), also known as Option A4, is a voting method in which voters vote openly by queuing or otherwise, indicating the candidate of their choice. This is opposed to a secret ballot, where a voter's choices are confidential. The system minimizes incidences of election rigging that come with the secret ballot system as well as other fraudulent-related electoral practices. This method was used for the 1979, 1983 and the June 12, 1993 election, which is regarded as the fairest and freest election in the history of Nigeria.

The Modified Open Ballot System (MOBS) is a modified version of the popular open ballot system. The difference between the two is that while the open ballot exposes to everyone at the polling booth the choice of a voter, the MOBS, though open, allows voters make their choice secretly. This method was adopted in 1999, 2003 and 2007 general election respectively. Furthermore, Re-modified Open-secret Ballot System (REMOBS) is an advanced form of MOBS in which accreditation and release of ballot papers to a voter are done openly, while the voter would thereafter retire alone to a private place to exercise his franchise. Under this method, accreditation of voters commence at the same time throughout the country while voting takes place immediately after accreditation simultaneously across the federation. Whoever is not accredited is disallowed from voting. After accreditation, voters are asked to queue up while they are being counted loudly by the presiding officer. After counting, nobody is allowed to join the queue. The total number of votes cast should not exceed the number of people on the queue. Voters are enjoined to stay and ensure that their votes count. REMOBS was adopted for 2011 and 2015 general elections.

Continuous Accreditation and Voting System (CAVS) was introduced immediately after the 2015 general election by INEC Chairman, Professor Mahmood Yakubu. Has said it adopted the method from the recommendations made by the commonwealth Observer Mission which observed the 2015 general election in Nigeria. This method allows for accreditation and voting being done concurrently. The accreditation process comprise of verification by the SCR, checking of the register of voters and inking of the cuticle of the specific finger. After accreditation, the voter is issued ballot papers to make his choice secretly inside the cubicle while he deposits ballot papers inside the box in the presence of everyone in the polling station. This method was adopted in all the elections conducted after 2015 general election. It was eventually used for the 2019 general election.

INEC modernization plan as regards the electoral process of the country led to the discovery of electronic voter register (EVR) which was adopted in 2007 for the registration of prospective voters. It involved the use of direct data capture machines (DDCMs) to capture the records of voters electronically with a view to eliminating most of the problems associated with previous elections and ensure free and fair elections in Nigeria. Although the implementation of EVR eliminated duplication of names on the register, which subsequently minimized discrepancies in the electoral process in Nigeria. However, research shows that it was not very successful because it was marred by poor logistics [6] and all manner of irregularities. Hence, INEC reached further to modernize the process during the 2011 and 2015 elections by the

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introduction of smart card readers and linking its various polling locations around the country to EVR. Sadly, research reveals that the desired result was not achieved as the irregularities persisted. Therefore, this paper discusses the required e-voting system in Nigeria and barriers to its full implementation.

3.0. REQUIRED E-VOTING SYSTEM IN NIGERIA

In this era of information and communication technology, electronic democracy is a necessity because it allows the use of computers and computerized voting equipment in an election. Therefore, INEC introduced the EVR and SCR so as to improve the credibility of elections in Nigeria. Although, the system mitigated some problems associated with election malpractice and was able to provide some level of democratic dividend to about thirty to forty percent, research reveals that it is yet to meet up with international standard for the provision of viable, successful and generally accepted electoral system for democracy [1]. Also, it is observed that an average Nigerian is yet to fully trust the body in the conduct of free and fair elections.

In view of this INEC is expected to combine EVR and SCR with the deployment of electronic voting machines and election result transmitting devices that will be acceptable by all stakeholders such that these devices would be self-auditing and fully equipped with real time facilities, that is, intermittently displaying progress reports and transmitting these reports in real time and a transparent manner. Also, the operations of these devices should be simple, understandable by an average electorate and transparent enough to alleviate fear of manipulations. In addition, the required e-voting system in Nigeria should be the one that is secure and reliable enough to be a suitable alternative to the paper based system. It should also guarantee the desired transparency, credibility and acceptability by the electorates and give all stakeholders (every participating political party, relevant agencies of government, internal security services, the media and interested electorates) the access to independently keep track of logs in order to make sure that it is beyond manipulation.

4.0. BARRIERS TO THE FULL IMPLEMENTATION OF E-VOTING IN NIGERIA

INEC through its modernization plans has been able to put in place enabling platforms that would enhance the full implementation of E-voting in Nigeria which include the introduction of EVR, use of technologies in the accreditation of voters with the aid of SCR and transmission of election result via e-collation platform. In spite this, some barriers are hindering its full implementation. These include lack of enabling laws for the use of technology in elections, difficult topographical terrains, low level of voters'sensitization, inactivity of security agents at polling units, security threat, network quality, cyber-attack, short-changing trained staff at eleventh hour, recruitment of new sets of ad-hoc staff for every election and complementary ICT infrastructure.

Lack of enabling laws for the use of technology in elections is a major factor hindering the full implementation of e-voting in Nigeria. Constitutional provisions or Acts providing legitimacy for the use of e-voting remains a blatant challenge to adoption in Nigeria [7]. The various verdicts of the Supreme Court on the use of smart card readers are a clear indication that deployment of technology for the conduct of election is alien to the Nigerian constitution. The card reader, despite its marginal success has been declared illegal by the Supreme Court. Technologies such as DDC machines, smart card reader (SCR) e.t.c. are workarounds occasioned by legislative limitations and they only bring marginal improvements at great cost[8].

Also, difficult topographical terrains of some communities and low level of voters' sensitization in the interior villages are a great challenge. Voters who do not understand how an electronic device works might find it difficult to believe in the transparency or credibility of such device. In addition, many voters don't even know their civic rights and responsibilities with regard to exercising their franchise during the elections [9]. Meanwhile, difficult topographical

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terrains of some communities are among the biggest challenges of the existing traditional voting system in Nigeria [10]. The deployment of sensitive and fragile e-voting devices to some communities in Nigeria would be very difficult or practically impossible in some cases due to the available means of transportation in such communities.

Similarly, inactivity of security agents at polling units and security threats are barriers to the full implementation of e-voting in Nigeria. The security of electronic devices and election materials is germane, considering the cost of procuring such devices and the importance of such devices to the election. Security agents are very inactive at polling units. They often times turn deaf ears to the plight of election officials. Election materials and malpractices being perpetrated at various units are also overlooked by the security agencies. An effective voting system must ensure adequate protection of the voting clients and votes cast including other election materials [11].

Furthermore, the risks of e-voting adoption are program error, software attack or system hacking, risk of fake voting sites and eventual submission of electronically altered result as a result of computer virus [12]. Citizens' perception of e-voting security to protect individual identity from exposures as well as ensuring votes cast are counted correctly would guarantee confidence and trust to adopt e-voting, otherwise, it dissuade voters from participation [13].

In addition, inadequate funding, lack of IT specialists, erratic electricity supply, growing level of cybercrimes and gender imbalance access to ICT are challenges confronting Nigerian pre-adoption of e-voting technology [14]. Any electronic voting machine that will produce transparent and credible elections in Nigeria must have real-time transactional monitoring capability. Some villages do not have access to internet and communication network. In such villages, it would be difficult to transmit data in a real- time process. Transmitting accreditation and result data immediately after the poll will reduce instances of electoral fraud most especially at collation centres.

Lastly, recruiting new set of staff for every election and shortchanging trained staff at the eleventh hour by omitting their names will have a negative impact on the outcome of the poll. The idea of recruiting and training new sets of staff for every election is a setback in a technology-driven process. Efficient use of technology requires constant training and practice. Recruitment of new sets of election officials at every election does not give room for professionalism and may hinder the effective implementation and success of the e-voting process. Deployment of non-ICT compliant staff for ICT related duties will hinder the success of such work. This is because the devices to be used for the election require a well trained and experienced operator in order to achieve a desired result.

5.0 WAY FORWARD

In order to overcome barriers to the full implementation of e-voting system in Nigeria, it is expected that the Electoral Act be amended to give room for electronic voting system. This will make the results of voting machines the only acceptable results and the idea of manual voting as alternative in case the e-voting fails should be discouraged as it would threaten the use of technology. In addition, appropriate technology use with policy and legal framework would guarantee elimination of avoidable death, voters' intimidation, collusion, results' manipulation and other malfeasances associated with Nigeria electoral experience. It will eliminate systemic failure manifesting in unnecessary needs for vote extension, delays, apathy and doubts occasioned by extant unwieldy processes while promoting quick administration of justice via incontrovertible evidence logs thereby ending years of lengthy litigations and wastage of fund [8].

In addition, thorough voters' education at community group level with comprehensive and down-to-earth demonstration of newly introduced technology should be done for electronic voting to thrive in the Nigeria. If a voter does not understand how a

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technology works, he would never trust the technology no matter how transparent the process seems. The government should provide basic infrastructure for rural areas to enable easy dissemination of and access to necessary information as regard the electoral process.

Furthermore, the idea of using new set of ad-hoc staff for every election should be discouraged because it consumes lots of funds and time and does not give room for expertise knowing fully that the use of experienced staff is expedient for any technology-driven process. Instead of using Youth Corp members to handle electronic gadget in an election, INEC staff and federal civil servants may be used. The commission staff and selected federal civil servants may be made to undergo certifications on the use of INEC technologies. Such certified staff may be deployed to handle technology devices in any election both within and outside their state of residence.

ICT staff and other well trained and certified staff should be used for technology support roles during elections. In addition, ad-hoc staff that has not undergone necessary training and passed necessary examinations should not be allowed to participate in any election activities. INEC staff should be used as Supervisory Presiding Officers. This will help the commission in the reverse logistics and proper accountability for all the election materials, since they are readily available to answer questions for their various registration areas of posting.

More so, security agents at polling unit should be made to account for any loss or damage of electronic gadgets at polling units. This will make them more responsive to the plight of ad- hoc staff and to protect election materials at polling units. Caution must also be applied in designing the technology to ensure security, confidentiality and convenience to avoid losing public confidence in the technology [15]. Although, real time electronic voting machine may not really work in Nigeria at the moment, the device can be designed in a way that it would automatically transmit its data as soon as it comes in contact with network. Lastly, helicopters can be used for the deployment of election materials to difficult topographical terrains. The use of Registration Area Camp (RAC) centres the night prior to election should be enforced while such centres are fully protected by security agents.

6.0   CONCLUSION

Research revealed that Nigeria is yet to meet up with international standard for the provision of viable, successful and generally accepted electoral system of democracy despite efforts of INEC to modernize the electoral process in the country. Therefore, the body is expected to employ electronic voters register and smart card readers as well as deploy electronic voting machines and election result devices which would be self-auditing with real time facilities. Hence, the full implementation of e-voting system in Nigeria would save the country from the horrible experiences of the past as it promises free, fair, transparent, convenient and confidential elections as well as the speedy processing of results.

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