A Study of 2022 Electoral Act and the Conduct of 2023 General Elections in Nigeria

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Abstract

Since return of democracy in 1999, successive governments in Nigeria have work assiduously to reform the electoral system but all to no avail. Immediately after his inauguration, late President Musa Yar Adua affirmed that the elections that brought him as a president was marred with flaws and irregularities and that he was determined to reform the electoral system to allow for free fair and credible elections. It is against this backdrop that the study examined the 2022 electoral act and the conduct of 2023 general election in Nigeria. The study adopted survey research design and collected data from both primary and secondary sources. The study population was drawn from the six geo-political zones with the adoption of purposive sampling technique that helped to reach out to the major election stakeholders for inputs. The study findings revealed that the implementation of 2022 electoral act did not reduce pre-election and post-election litigations, that the 2023 general elections in Nigeria were not improved version on the previous elections, the 2022 electoral act had no significant improvement on the standard of operation regarding the 2023 general elections and the 2022 electoral act had no significant improvement on the operation and performance of INEC. However, the study recommended among others that the federal government should prevail on INEC to fully deploy technology and limit

human interference in electoral processes, the need to deter recurrence of electoral malpractice there is need for heavy sanction and punishment to achieve deterrence and that there is need for unbundling of INEC to decentralize its operations to the Six Geo-Political Zones of the country.

Keyword: Electoral Act, Electioneering, General Elections, Nigeria

Background to the Study

Democracy is a form of government that has stood the test of time. In fact, it can be described as the most popular form of government that is being practiced across all climes whether developed, developing and underdeveloped country. However, democracy is not possible without elections because elections are pathway to democracy. In other words, elections can be seen as "a means to an end" while democracy is the end.

Democracy and elections concepts cannot be separated in that they are like Siamese twins. While it is true that there can be elections without democracy but there cannot be democracy without elections. The place of elections in democratic settings cannot be underestimated. It forms the basis through which political leaders emerge and recruited, people's representative come on board, government policies and programmes are planned and implemented through elections and political party instrumentality.

The first recorded history of election/voting was in Rome and Greece before 574 BC. It was the experience of the Romans and the Greek that were studied by the American and French revolutionaries when they were drafting their democratic constitutions (Whelan, 2020). From the experience of the Roman and Greek, Western Europe and America embraced the ideal of competitive elections in their democratic values. Elections became channel of selecting representatives into public office.

The formation of United Nations Organization in 1945 with Universal Declaration of Human Rights with many of the sovereign states in Africa as members of the United Nations Organization, the development marked significant epoch in the spread of liberal values and democracy. In fact, democracy became a major criterion for being membership of United Nations Organization.

In Nigeria, the history of democratic elections can be traced to 1923 when the British colonial administration of Hugh Clifford introduced the Legislative Act. The Clifford constitution provided for elections in the legislative body but with limited suffrage based on gender, nationality, residency, age, tax, and income as requirements to vote.

No doubt that democracy and elections come with its attendant challenges. As such, the process of selecting people's representatives has been emmeshed in fraud since time immemorial. Even the Roman and Greek elections that served as foundations were characterized with political violence, intimidation of voters, apathy and vote buying (Whelan, 2020).

Right from the very foundation of competitive elections, malpractice and fraudulent act have been a concerning issue. In other words, the concept of perfect elections is a utopia anywhere in the world. in Nigeria for instance, the conduct of elections is repleted with a lot of malpractices ranging from the umpire to the electorates, political parties to politicians and other critical stakeholders. The issue of election rigging has been going on for decades in Nigeria unabatedly, political assassination is a common occurrence, political violence cum intimidation to scare electorates are becoming political strategy, vote buying and monetization of votes etc. characterized Nigerians previous elections.

To lay credence to the ugly trend of electoral malpractice in Nigeria, both local and foreign observers' reports are frightening that elections are not free, fair, and credible in Nigeria. According to National Democratic Institute, European Union Monitoring Group and UK Department for International Development (DFID) reports alleged that 2007, 2011, 2015 elections were below international standard and were marred by lots of irregularities.

Despite the introduction and implementation of 2022 electoral act, deployment of BIVAS machines as well as expanded number of political party agents in polling booths and collation centres, the 2023 general elections were characterized with gross irregularities such as non-transparent primary elections by political parties, vote buying with high proportion, intimidation of voters, harassment of electoral officials, partisanship and connivance of electoral officials who undermined the

integrity election process like the case of Adamawa state where wrong candidates was announced as governor before the conclusion of the process. All these and many more undermined the conduct of 2023 general election. It is against this backdrop that the study seeks to examine the 2022 electoral act and the conduct of 2023 general election in Nigeria.

The study seeks to answer the following research questions:

i. Has the implementation of 2022 Electoral Act reduced or eliminate electoral malpractice in the conduct of 2023 general election in Nigeria?
ii. Has the implementation of the 2022 electoral act improve the operations and performance of INEC?
iii. How has the deployment of technology impacted the conduct of 2023 general elections?

Literature Review and Theoretical Framework

Conceptual Review

Election

Justice Uwais, Chairman of the Electoral Reform Committee 2010, sees election in the light of institutional arrangement for arriving at political decisions in which individuals acquire the power to decide by means of competitive struggle essential to establishing people's representative. This conceptualisation involves the element of competition and contestation which lay credence to the do-or-die nature of politics in Nigeria.

Elections are not just the casting of votes to elect leaders but also the active participation of the people in governance. Elections are pivotal to the wheel of democratic process and substances of democracy. In this sense, elections are not rituals organized for people to queue up every four years to cast their votes, but also a veritable process of changing leadership through peaceful means for improved socio-economic policies that benefit the people (Centre for Democratic Studies Report, 2003).

There is no doubt that election has been a factor in Nigeria's political development since independence. According to Lawal (2003), post- independence elections in Nigeria have a unique feature, especially malpractices which have been the root

cause of the low level of the Nigerian political culture. He observed that most general elections conducted after independence such as the 1964/65 elections, the Second Republic elections, aborted Third Republic elections till Fourth Republic elections have all been characterized by an array of problems.

The most free, fair and peacefully conducted elections in Nigeria according to the Centre for Democracy and Development (CDD) were the "transitions" elections where the Regimes in power were responsible for organizing the elections and had to hand over to a democratic civilian government, and the most chaotic, violent and disputed elections were those viewed as potential "'consolidation" elections in which an elected civilian government organized elections to hand over power to a successor civilian government.

Election signifies the choice which several persons collectively make of a person to fill an office or place. It is the act or process of choosing someone for public office by voting. Election serves as the most legitimate democratic means of changing governments and policies and legitimizing the rights of rulers to rule. Thus, free, and fair elections are central to any programme of democratic transition and consolidation.

Elections have retrained the most visible manifestation of democratic practice. In fact, the call for free and fair electoral competition, based on ascertainable rules of the game, as encapsulated in the legal instruments of electoral law, is a major preoccupation of the airy democratic political system. Elections are important not only for installing democratic governments but as a necessary requisite for broader democratic consolidation (Oniye, et al, 2023).

Electoral Reforms/Laws

Electoral reform refers to changes made to electoral laws and processes over some time, often to improve the electoral process. It is a deliberate and conscious attempt by the state to correct loopholes and weaknesses in the electoral process (Ogwu, 2016). According to Butler (2004), electoral reform implies a change in the electoral system to improve efficiency and effectiveness in the election management process.

Electoral systems evolve out of electoral rules that have become embedded in a political culture as political actors acquire substantial skills in manipulating the rules in their self-interest (Taagepera 2002). Whether those rules are simple or complex, the way in which they are chosen and the way they are put into use are important for the success of the electoral system. Thus, the effects of electoral laws must not be underestimated. Since Duverger published his Political Parties in 1954 it has generally been accepted that electoral laws have a mechanical and psychological effect on partisan competition and coalition formation.

The broad rules governing the structure of electoral competition are to be found in the 1999 Constitution. The provisions not only cover such issues as qualifications of candidates for election to the various posts, electoral formulas, district magnitudes, constituency boundaries and assembly size, they also reflect the federal character of the country by providing for each level of government (Aiyede,2007).

Electoral laws are laws put in place to continuously review the rules guiding the conduct of an election. It is routinely done to address certain shortcomings associated with previous electoral practice to make it better.

Theoretical Framework

The study adopts Structural Functionalism as its theoretical framework. This approach is a perspective used to analyse societies and their component features that focuses on their mutual integration and interconnection. It states what social functions various elements of the social system perform about the system.

Emile Durkheim, the first proponent of the structural functionalist perspective asserts that everything in society has a given function that it must perform within that society for it to continue to survive. According to him, there are two main types of functions that a particular social phenomenon can perform, and these are manifest and latent functions. While manifest are the functions in society that are intended and direct, latent functions are those that come about. Indirectly and, while still being a necessary function are less straight forward.

According to Barrett (2009), structural functionalism assumes that all the institutions and roles of society meshed nearly together, that the existing structures and institutions in any society contained indispensable functions without which the society would fall apart and that these structures and functions or their equivalent were found in all healthy societies. Functionalism analyses the way that social processes and institutional arrangement contribute to the effective maintenance and stability of society.

According to Gabriel Almond, one of the chief proponents of Structural functionalism has been found particularly useful in the comparison of the approach in political science, every political System performs certain functions. Taking Easton's systems analysis as a starting point, Almond looks for the functions which could be included among the input and output functions of all political systems which includes:

i. interest articulation
ii. interest aggregation
iii. rulemaking,
iv. rule-application.
v. rule adjudication.
vi. maintenance and adaptation
vii. political socialisation and recruitment

According to Almond, the functioning of any political system may also be viewed in terms of its capabilities defined as 'the way it performs as a unit in its environment." The concepts of regulative, extractive, distributive and responsive capability are employed as criteria to assess how a system is performing within. Almond's formulations have been faulted on three grounds. First, it has been noted that it is not easy to distinguish between the deliberate aims of the participants and what takes place because the system seemed to achieve certain aims. Second, the identification of functions is alleged to rest on the interpretation the analyst places on observed developments.

Thus, there cannot be complete objectivity, in effect, the number of the identified functions can be more or less than the seven listed by Almond. Third, the approach

has been seen as culture-bound since the functions attributed to the political system are too closely modelled on Western political systems.

However, Almond's structural-functional approach has been recognised as the major existing tool for genuine comparative analysis of political systems and has been described as a 'realistic interpretation of the nature of political life.

The Independent National Electoral Commission can be said to be an essential social phenomenon whose functions, both manifest and latent, are crucial to the survival of democracy in Nigeria. As structural-functionalism views society as an organism, a system of parts all of which serve and function together for the overall effectiveness and efficiency of society, so is the electoral commission and other stakeholders while attaining a democratic electoral process.

It is obvious that INEC performs the function of rules application (electoral laws) implementation and that of political recruitment (recruitment of political leaders into public offices). These roles were further clarified based on the constitutional mandates of INEC as stipulated in Part I of the Third Schedule of the 1999 Constitution are listed below:

i. 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.
ii. Register political parties in accordance with the provisions of this constitution and an act of the National Assembly.
iii. Monitor the organization and operation of the political parties, including their finances.
iv. 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.
v. Arrange and conduct the registration of persons qualified to vote as well as prepare, maintain, and revise the register of voters for the purpose of any election under this Constitution:
vi. Monitors political campaigns and provide rules and regulations, which shall govern the political parties.

vii. Ensure that all Electoral Commissioners, Electoral and Returning officers take and subscribe to the oath of office prescribed by law.
viii. Delegate any of its powers to any Resident Electoral Commissioner; and
ix. Carry out such other functions as may be conferred upon it by an Act of the National Assembly.

The Commission is made up of a chairman and twelve National Commissioners who are appointed by the President for five-year tenure. The commissioners are drawn from the six geo-political zones of the Country, two from each. The administrative head of the commission is the Secretary of the Commission. The Commissions' presence is established in all the 36 States of the Federation and the Federal Capital Territory as well as the 774 Local Government Areas of Nigeria While the State offices are headed by the Resident Electoral Commission (REC) who also serve as the chief returning.

Methodology

The study adopts a survey research design. This is the most frequently used mode of observation in the social science today. It is the type of research that social scientists adopt when collecting original data for describing a population too large to observe directly. According to Onyishi and Omemma (2010).

Method of Data Collection

The study used both primary and secondary methods of data gathering. The primary method of data collection was used to generate data from the field of study through structured questionnaire to elicit response from the respondents who are strictly election stakeholders. There are several reasons which inform the distribution of questionnaire. One of such reasons is that it can gather more information and increase commitment from different perspectives in the target audience. It also helps respondent to freely express themselves. It is a less expensive way of gathering data and it is useful in sampling large respondents 'opinions about issues. Committing respondents to questionnaire reduce the occurrence of biases in research results and help to increase the reliability of the research.

Also, key participant interviews (interviews conducted with knowledgeable or experts in a particular field) were done. In this wise, interviews were conducted with few INEC Officials, electorates, National Association of Civil Society Groups (Situation Room), National Institute for Legislative and Democratic Studies, Yiaga Africa etc.

On the other hand, the secondary source of data collection was also employed in the study. The empirical and theoretical literature of the study were derived from scholarly journals, textbooks, government publications, seminar papers, conference papers and useful internet sources. The secondary source of data enables the author to access some documentary evidence from INEC office and other election stakeholders.

Population of the Study

In choosing the population of the study, the study adopted population of numbers of collected PVC in each of the 6 Geo-Political zone of Nigeria to make up the population of the study. The population is further broken down as follows:

Abia state-1,949,197
Bayelsa-1,056,862
Borno-2,447,209
Ekiti-958,052
Kaduna-4,164,473
Kogi-1,813,741
Source: INEC, 2022.
Total=12,389,534

In other words, the population of the study is 12,389,534.

Sample Size

The Research Advisor (2006) Sample Table was used to draw the sample size for this study.

Population size=**12,389,534**
Degree of accuracy/margin of error=0.05
Sample size of=663
At confidence level of=99.00%

Based on this result, 663 sample size is adopted for this study. In other words, 663 questionnaires will be distributed to major stakeholders on elections in Nigeria.

See Appendix iii for research advisor table.

Questionnaire Distribution

To determine the number of questionnaires that each state will get, the simple calculation is done to scientifically represent the population:

Abia- $\frac{1949197 \times 663}{12,389,534} = 104$

Bayelsa- $\frac{1,056,862 \times 663}{12,389,534} = 57$

Borno- $\frac{2,447,209 \times 663}{12,389,534} = 131$

Ekiti- $\frac{958,052 \times 663}{12,389,534} = 51$

Kaduna- $\frac{4,164,473 \times 663}{12,389,534} = 223$

Kogi- $\frac{1,813,741 \times 663}{12,389,534} = 97$

Table 1.1 Questionnaire Distribution

S/N	State	Population	No of questionnaire	No of questionnaire retrieved
1	Abia	1,949,197	104	95
2	Bayelsa	1,056,862	57	51
3	Borno	2,447,209	131	118
4	Ekiti	958,052	51	48
5	Kaduna	4,164,473	223	209
6	Kogi	1,813,741	97	79
Total	**6**	**12,389,534**	**663**	**600**

Source: Based on author's calculations

Table 1.2 Can you say the implementation of 2022 electoral act has significantly reduce electoral malpractices?

Variable	Frequency	Percentage
Yes	331	55
No	228	38
Undecided	41	7
Total	**600**	**100**

Source: Field Survey, 2024

The table shows that 331 respondents which represent 55% said the implementation of the 2022 electoral act has significantly reduced electoral malpractice, 228 respondents which represents 38% said the implementation of the 2022 electoral act did not significantly reduce electoral malpractice and 41 respondents which represents 7% are undecided whether the implementation of the 2022 electoral act has significantly reduced electoral malpractice or not. This means that the implementation of the 2022 electoral act has significantly reduced electoral malpractice in Nigeria.

Based on the interview conducted with various stakeholders on electoral act and the 2023 elections, it was a general agreement that the 2022 electoral act did not improve the malpractices the process has been associated with. According to them the issue of vote buying was a common occurrence in the election. Observers reported some form of vote buying taking place in or around their polling units. The incident was highest in the northwest (18%), with the second highest number of incidents, 12%, reported in the southwest. Vote buying is used more by political parties in their strongholds, where they want to ensure that those inclined to vote for them are encouraged to do so. For the most part, vote buying appears to be the preserve of the two major parties in the last two elections - the All-Progressive Congress (APC) and People's Democratic Party (PDP) - with the Labour Party's becoming a political party of note at a time when there is scarcity of cash.

This ugly incidence was attested to by Centre for Democracy and Development in their review of 2023 general elections when they submitted that the 2023 elections saw an increased use of basic foodstuffs, household goods and materials being exchanged for votes, with observers in states such as Kwara, Imo and Bayelsa all

reporting numerous incidents. In Lagos, there was evidence of politicians willing to provide bank transfers to voters under the guise of "business assistance schemes", ostensibly a creative way to buy voters given the limitations on the availability of cash. But despite the cash shortages, some politicians were able to secure cash, although the security operatives were able to apprehend some before, they could distribute it. An individual in Lagos was detained on the eve of the polls by the Economic and Financial Crimes Commission (EFCC) with N32.4 million new naira notes which allegedly were to be used for vote buying. Elsewhere in the run up to the polls, in River's state, an aspirant for the House of Representatives was apprehended with almost US$500,000 in cash, which investigating agencies claimed he intended to use to buy votes (Centre for Democracy and Development, 2023).

The implication of this is that the implementation of the 2022 electoral act has slightly reduced electoral malpractice in Nigeria through the deployment of technology but the elections were still characterized by vote buying, logistical challenges by INEC, violence and fear that prevented voters from participating in the process.

Table 1.3 To what extent has the implementation of 2022 electoral act impact on the operations and performance of INEC.

Variable	**Frequency**	**Percentage**
Large extent	299	50
Very large extent	183	31
Indifferent	58	9
Little extent	60	10
Total	**600**	**100**

Source: Field Survey, 2024

The table shows that 299 respondents' which represent 50% are of the view that the implementation of 2022 electoral act has impacted the operations and performance of INEC to a large extent while 183 respondents which represent 31% believe that the implementation of 2022 electoral act has impacted the operations and performance of INEC to a very large extent while 58 respondents which represent 9% are indifferent whether the implementation of 2022 electoral act has

impacted the operations and performance of INEC and 60 respondents which represents 10% are of the view that the implementation of 2022 electoral act has impacted the operations and performance of INEC to a little extent. This means that the implementation of 2022 electoral act has impacted on the operations and performance of INEC to a large extent.

Based on the oral interview conducted on the impact of 2022 electoral act on INEC performance, the interviewees strongly believed that the performance of INEC in the 2023 general elections was welcomed with mixed reactions from Nigerians most especially the politicians and other citizens who have stakes. The inconclusive elections in some places, the complicit of INEC officials who compromise the process like the case of Adamawa governorship election where a candidate was declared winner even before the conclusion of voting, logistical problem as well as the renege on the earlier promise by INEC to transmit result electronically are few of the INEC undoing's which dented their operations.

The implication of this is that the implementation of 2022 electoral act has not impacted on the operations and performance of INEC primarily in that INEC repeated the previous mistakes of logistical problem despite receiving early fund that ought to have enhance its operations. There were recorded incidents of culpability by INEC officials.

Table 1.4 Has deployment of technology such as e-voting, transmission of results, smart card readers and electronic accreditation impact on the 2023 general elections in Nigeria?

Variable	**Frequency**	**Percentage**
Impactful	177	30
Very impactful	230	38
Indifferent	110	18
Less impactful	83	14
Total	**600**	**100**

Source: Field Survey, 2024

The table shows that 177 respondents which represents 30% believe strongly that the legitimatization of the e-voting, transmission of results, smart card readers and

electronic accreditation during the 2023 general elections was impactful, 230 respondents which represent 38% believe the legitimatization of the e-voting, transmission of results, smart card readers and electronic accreditation during the 2023 general elections was very impactful, 110 respondents which represents 18% are indifferent whether the legitimatization of the e-voting, transmission of results, smart card readers and electronic accreditation during the 2023 general elections was impactful or not and 83 respondents which represent 14% are of the view that the legitimatization of the e-voting, transmission of results, smart card readers and electronic accreditation during the 2023 general elections was less impactful. The implication of this is that the legitimatization of the e-voting, transmission of results, smart card readers and electronic accreditation during the 2023 general elections was very impactful.

This finding was corroborated by the submission of Sulaiman (2023) when he observed that, the legalization of the deployment of existing technologies and new ones, including the electronic transmission of election results has no doubt, reduce human interference in the electoral process and prevent manipulations and fraud, thereby, improving electoral credibility. Also, the empowerment of INEC to review results declared by returning officers under duress will serve as a deterrent to the practice whereby politicians often hold returning officers to ransom to declare them winners in elections they had not won. The provision for the neutrality of INEC personnel, and an attached punishment, put security personnel, INEC staff, and ad hoc staff on their toes, and serves as a deterrent against their partisanship.

Deployment of technology INEC has demonstrated strong commitment to the use of technology in elections. Since 2002, the Commission has progressively embraced technology in its operations. In preparation for the 2023 general election, the Commission proposed replacement of the Smart Card Readers with a more robust device known as Biometric Voter Authentication System (BVAS), which has improved capabilities for voter accreditation and electronic transmission of results. Unfortunately, the new device was not fully in operation as transmission of accreditation figures and election results were not uploaded into the INEC server as initially pronounced. The device was used as a voter registration tool – known as INEC Voter Enrolment Devices (IVEDs), replacing Direct Data Capture

Machines (DDCMs). In deploying technology to elections, inadequate professional capacity and funding gaps usually pose serious challenges and that of 2023 general elections was not an exception. However, in Nigeria other problems have been observed including programming challenges, insufficient training, management difficulties and poor-quality biometric data captured over past election cycles. Such problems with accreditation caused delays and deterred voters from participating. Nigerians are familiar with the issue of system failure associated with the Direct Data Capture Machine (DDCMs) and the Smart Card Reader (SCR). In the 2015 general elections, the European Union Election Observation Mission (EU EOM) reported that card readers malfunctioned in 18 per cent of the polling units monitored, while in 91 per cent of the polling units the card readers were not able to consistently verify fingerprints. The introduction of BVAS has not eliminated these challenges even in the 2023 general elections. For example, in the 2021 Anambra State governorship election and the 2022 FCT elections where the device was initially used, there were reports of system malfunctioning in many polling units. In Anambra State, the Situation Room noted that use of the BVAS *"posed challenges to the accreditation process in many voting locations, particularly failure to authenticate fingerprints and detect faces."* While in the FCT election, observers noted that the voting process was delayed by "many instances of BVAS malfunctioning during voter accreditation.

A final issue relates to the INEC Result Viewing Portal (IReV), which was designed to provide real-time transmission of election results (Form EC 80A) from polling units to the central collation centre to enhance the transparency of the electoral process and reduce the incidence of vote rigging and election manipulation. However, there were no results uploaded to the platform for the presidential election. On Monday 27, February, just 53,154 polling unit results out of a total of 176,734 were publicly available on the platform despite the legal requirement that results should be uploaded to the platform as soon as they are declared at the polling unit level. INEC stated in a 26 February press release that the challenges were a result of "technical hitches related to the scaling up of the IReV platform" but the delay in making this statement provided room for rumours to flourish that point to the incomplete polling unit results on the platform as evidence of vote rigging. For instance, there are allegations in some quarters that the IReV and BVAS technologies were deliberately disrupted in collusion with internal

saboteurs in INEC whose aim was to circumvent and manipulate the presidential election process. The fact that some senatorial and Federal House of Representatives elections were uploaded, but not the presidential results, also fueled rumors of vote manipulation. Despite optimism from both INEC and citizens that technology could be a game changer in Nigeria's elections, the manner the technology was deployed during results transmission stage has weakened the public perception of transparency and accountability of the electoral process. In the run-up to the elections INEC presented IReV as its guarantee of the integrity of the voting process. Its failure to comply with its own publicly stated procedures is a major failure of the organization (Centre for Democracy and Development, 2023).

The implication of this is that the legitimatization despite optimism from both INEC and citizens that technology could be a game changer in Nigeria's elections, the manner the technology was deployed during results transmission stage has weakened the public perception of transparency and accountability of the electoral process.

Discussion of Findings

The implementation of the 2022 electoral act has slightly reduced electoral malpractice in Nigeria through the deployment of technology but the elections were still characterized by vote buying, logistical challenges by INEC, violence and fear that prevented voters from participating in the process.

The 2022 electoral act has not impacted on the operations and performance of INEC in that INEC repeated the previous mistakes of logistical problem despite receiving early fund that ought to have enhance its operations but rather few of its officials were alleged of culpability before and after the 2023 general elections.

Also, the study found that the legitimatization of technology deployment could not serve as the game changer as earlier claimed by the commission because of the way the technology was deployed during results transmission stage which by no small means weakened the public perception of transparency and accountability of the electoral process but this notwithstanding, technological deployment served

as improvement in the area of over and under voting as well as voting without accreditation.

Conclusion/Recommendations

The study's finding showed that the 2022 electoral act had no significant improvement on the standard of operation regarding the 2023 general elections as the elections were characterized by various irregularities such as unabated vote buying, wide-spread violence, voters' intimidation thus resulting to mass disenfranchisement of eligible voters, cancellation of election results of polling units marred with violence and manual accreditation, logistical challenges by INEC, connivance of INEC officials to undermine the process are few of the ugly trends that contributed to electoral malpractice. We observed that the 2022 electoral act had no significant improvement on the operation and performance of INEC as INEC repeated past mistakes of logistical problem despite receiving early fund. It was also discovered that INEC was ill-prepared in dealing with physical disabilities, special needs and vulnerable voters but the level of disenfranchisement of PWDs was very inconsequential during the 2023 general elections in Nigeria. Finding revealed that the deployment of technology has helped to redeem the image of election in Nigeria as it has curbed the sharp practices associated with manual methods of accreditation of voters.

Recommendations

The following recommendations are provided based on the study findings:

i. To deter recurrence of electoral malpractice there is need for heavy sanction and punishment to achieve deterrence. In other words, every alleged offender of electoral fraud, violence sponsors, vote-buyers, and related offences should be tried to enforce deterrence because if offenders are not punished, the likelihood of recurrence of such offence is high. The study recommended that; special tribunal should be established to try election related offences because regular courts are overwhelmed with different litigations. By so doing, sanity will be achieved in no distance time in Nigerian electoral system.
ii. There is need for unbundling of INEC as institutions. INEC operations need to be decentralized to the Six Geo-Political Zones of the country in other to mitigate against the incessant logistical challenges faced by INEC

in most general elections. Beyond unbundling INEC, INEC must as a matter of priority provide a more friendly facility that will take into consideration the plights of the physically challenged people, special needs and vulnerable voters to ensure inclusiveness because the strength of a true democracy lies in its inclusiveness.

iii. The need to leverage on technological innovation to salvage the image of general elections in election is necessary. As such, INEC and government must make the use of technology mandatory not only around accreditation but also in the area of electronic transfer of results. By so doing, the issue of mistrust and fraud associated with the process would have been mitigated.

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