

# Card Reader and Credibility of the 2015 General Elections in Taraba State of Nigeria

Tsokwa Solomon<sup>1</sup>, Prof. Makodi Biereenu-Nnabugwu<sup>2</sup>

<sup>1&2</sup>Department of Political Sciences, Nnamdi Azikiwe University, Awka  
Email: [tsokwa@gmail.com](mailto:tsokwa@gmail.com), [mn.biereennnabugwu@unizik.edu.ng](mailto:mn.biereennnabugwu@unizik.edu.ng)

**Abstract:** Contemporary, democracy has been adjudged as the best and widely accepted form of governance as it empowers or confers on the people popular sovereignty. Elections represents one of the pillars of democracy as it affords the people the opportunity to change or oust leader(s) whose interests and actions does not represent that of the society. Elections provide political education for citizens and ensure the responsiveness of democratic governments to the will of the people. In Nigeria, elections are often marred by irregularities such as rigging, manipulation of results, voter intimidation, thuggery etc. The Independent Electoral Commission tasked with the conduct of elections in Nigeria has repeatedly tried to come up with some policy measures aimed at improving the quality of elections. One of such is the introduction of card readers for voters' accreditation and voting. This paper thus focuses on card reader and credibility of the 2015 General elections in Taraba State in Nigeria. The paper adopted Social Contract Theory as its theoretical underpinning. The paper observes that despite the skirmishes that accompanied the introduction of card reader in the voting process in Taraba state Nigeria, the cases of election malpractice resulting from poor or unfair voters' registration and voters' record keeping were significantly reduced and thereby giving credibility to the election. Against this backdrop, the paper recommends inter-alia that political parties and Nigerians at large should support reforms and initiatives such as electronic voting, e-government that are capable of making the entire electoral process credible.

**Keywords:** Card Reader, Credibility, General Elections, Electoral Process, Taraba State, Nigeria

## 1. INTRODUCTION

As a result of the compilation of the biometric voter roll in 2011, the INEC proposed to issue Permanent Voters Cards (PVCs) to voters who have been duly captured before the 2015 elections. The Permanent Voters Cards (PVCs) replaced the temporary voter cards (TVCs) issued to prospective voters at the point of enrolment. The Permanent Voters Cards (PVCs) which has a microchip containing voters' biometric data differs significantly from the temporal voters' card. The smart card readers (SCRs) were deployed by INEC to authenticate the cards they issued and verify the identity of the voters through their fingerprints. It is hope that the technology would help to prevent multiple voting, reduce incidents of card theft, and control vote-buying. The commencement of the exercise for the distribution of the Permanent Voters Cards (PVCs) witnessed protest by registrants on issues relating to insufficient Permanent Voters Cards (PVCs,) stolen cards, and other irregularities (Mordi 2015; Haruna and Ismail 2015 in Orji 2015). By 14 February 2015, the date initially fixed for elections, only 76 per cent of registered voters had received their PVCs.

More so, the INEC introduced a two-step voter-accreditation process involving the use of smart card-readers to authenticate the voters through their fingerprints. To ensure the optimal performance of the card readers on the day of the election, the INEC conducted test run of the smartcard readers (SCR) two weeks before the elections. The outcome of the test run revealed that 100 per cent of the cards were authenticated while only 59 per cent of the voters were verified through their fingerprints (Chibuzo 2015, Orji 2015). The experiences of the test run as it relates to voter

authentication posed serious challenges during the presidential and National Assembly elections. The European Union Election Observation Mission (EU EOM) reported that the Smart Card Readers (SCR) malfunctioned in 18 per cent of the polling units monitored, while in 91 per cent of the polling units the smart cards were not able to consistently verify fingerprints (EU EOM 2015). The gravity of this problem forced the INEC to change the guidelines midway in the election, allowing officials to manually accredit voters. In so doing, the INEC expedited accreditation, but removed the safeguard of electronically checking for authentic PVCs allocated to particular polling units. Judging from the manner the INEC managed the distribution of Permanent Voters Card (PVC) and the midway change to two-step modes of verification. The INEC's professional capacity to conduct free fair and credible election was in doubt.

Notwithstanding, in most societies of the world where representative democracy hold sway, election constitute an integral aspect of such process, just as it is believed to have a worldwide acceptance as the best means of political change of leadership. However, the electoral system in Nigeria is characterized by certain shortcomings which has made it continually difficult to achieve free and fair elections which constitutes the core of citizens' democratic rights. In West Africa, elections serve more purposes aside being means through which leaders are elected to govern the state; and are also, gradually becoming instruments of structural conflict prevention.

The history of elections in Nigeria since 1959 had witnessed massive electoral fraud through interference and

manipulation of the electoral process in such a manner that would favour preferred candidates against popular choices. This is evident in the manner political gladiators embark on election contest with a zero-sum game mindset, a situation that made observers describe rigging as synonymous with Nigeria (Kurfi 2005). Different scholars of Nigerian government and politics have variously agreed with this point (Adejumobi 2000, Sklar 2004, Ajayi 2006, Nwosu 2008). Desperate measures taken by parties and candidates to win elections at all cost, often lead to the perpetration of a wide range of electoral irregularities and fraud. The situation has been a source of concern to many as politicians, particularly those in government resort to the use of threat, violence and all sorts of irregularities to pursue their political ambitions. The cumulative effect of these problems therefore, seriously compromised the integrity of the elections where they occurred and consequently erodes public confidence in electoral process. More so, many eligible voters have become politically apathetic because they believe their votes would not count. The prevalence of electoral irregularities and fraud in Nigeria's fledgling democracy has accentuated the clamour for and use of voting technologies to uncover and reduce election fraud. It is believed that these technological solutions like the electronic voting machines, polling station webcams and biometric identification equipment, offer the promise of rapid, accurate and ostensibly tamper-proof innovations that are expected to reduce fraud in the process of the elections (Golden, Kramon & Ofosu, 2014).

The 2015 general elections are indeed symbolic in Nigeria's political history. They mark the first time technology was deployed in the accreditation of voters through the use of the innovative anti – rigging biometric devices. The administration of the elections witnessed the use of Smart Card Readers (SCR) for the authentication of biometric Permanent Voters' Cards (PVCs), and accreditation of voters. It is therefore, against this background that this research examined the contribution of the Smart Card Reader (SCR) on the credibility of the 2015 general elections in Nigeria.

## 2. LITERATURE REVIEW

### 2.1 Character of the Elections and Card Reader Technology

Election is viewed as involving a process by which the people of a place select those who will represent them in government and public offices of various levels of governance. Election provides the people with the opportunity to make their voices heard and their opinions valued by those who occupy positions of leadership and who make key decisions relating to the "authoritative allocation of value" (Osabiya, 2014). For Mapuva (2013), elections are the basis of representative democracy and one of many, but acceptable means of selecting and deselecting leaders in a democratic society. Election functions in many countries as the mechanism for transition from colonial rule to independence. However, the notion that free and fair

election is sine-qua-non for having a democratic system of government is sometime exaggerated as this may not always be the case (Mapuva, 2013). Yet, the question remains to be answered as to what constitute free and fair elections. In other words, at what point can elections be said to be free and fair? Mapuva (2013) asks, "is free and fair election simply the absence of obvious and overt rigging or a reflection of the political institutions; or a process which is judged by the citizens to be fair, honest and reflects the will of the people?"

For Lindberg (2004), a free and fair election is one conducted under a peaceful atmosphere in which opposition parties participate with the outcome or results acceptable to all parties and no anti-democrats contesting for power. The results of elections and the behaviour of actors prior to the conduct of the election as well as the behaviour of actors after the results of the elections have been announced are pointers to the extent to which political actors adhere to the 'rules of the game'. Put differently, a free and fair election can be conducted if the political actors are committed and adhere to the rules of the game:

Mapuva (2013) on the other hand, rejects the idea that a free and fair election is the one conducted in the presence of a mass of election observers who give their seal of approval to the exercise. This is because, as it is argued, although the presence of a mass of observers could be re-assuring, that could be used to mask undemocratic and unfair results. It is observed that the presence of a mass of election observers in certain West African countries during transition from military dictatorship to civilian regimes erroneously acknowledged undemocratic and unfair election results as free and fair (Mapuva, 2013). According to Abuya (2010), a free and fair election is one in which the right to vote is not only protected but also promoted. For this to be achieved, a level playing ground must be provided for all candidates. In order to guard against a situation whereby the political party which controls power will use its power and influence to manipulate the electoral process, each candidate as well as each political party should be given equal access to public resources such as media, security and funding. This way, candidates and their supporters can campaign for votes from any part of the country without fear of any form of harassment or intimidation by state or non-state actors.

Furthermore, "a free and fair election can only be guaranteed under a peaceful atmosphere for any election held in a violent environment lacks all legitimacy" (Ban Ki-moon, 2008). This requires anonymity and neutrality on the part of law enforcement officials who should not attempt to influence or intimidate any voter to cast their vote for a particular candidate or political party. Law enforcement officials must be made to act within their constitutional mandate, to provide security to voters and non-voters alike regardless of their political leanings (Abuya, 2010). Kuhne (2010) delineates three minimal conditions under which elections can be successful. He views a sufficiently secure environment as crucial for the conduct of a free and fair election. However, a secure election environment can be

difficult to achieve without strict adherence to the rule of law and professionalism. The second condition relates to the administrative and communication infrastructures. Individual citizens and prospective voters should be allowed to freely do their registration and voters have been published. The rule which applies to one contestant or contesting group must apply to all. Groups perceived to be in the opposition should not be denied the right to register. The whole process of election from voter registration to the announcement of election results must be done publicly and in transparent manner.

The third condition is the justice or judicial system and law enforcement officials particularly the police. These institutions must be established to a degree of functioning that enables them to deal with cases of fraud, abuse and other legal issues related to the proper conduct of elections so as to build the confidence of opposition parties and the population at large in the fairness of the elections (Kuhne, 2010).

As Markandey Karju argued, "It is of upmost importance for the public to have confidence in the judiciary. The role of the judiciary is to resolve disputes amicably. Without it, people may use violence to resolve differences. To avoid this, the judiciary must be independent. This is an inherent trait. If a judge is independent and knows the law, the losing party is likely to be pacified. He or she will be content, notwithstanding the fact that he or she has lost the action" (quoted in Abuya, 2010). If any nation must organize and conduct free and fair elections, there must be an impartial, non-partisan and competent electoral management body (Mapuva, 2013; Mesfin, 2008). Such electoral management body should be able to function as an umpire: it must have the ability, sufficient resources and real legal prerogative to impartially handle election-related complaints and to effectively redress irregularities. Essential to the conduct of free and fair election is the ability of the electoral management body to build confidence of the electorate and political parties alike. This way, the election-management body can ensure that all parties to elections adhere to the rules of the game by strictly enforcing electoral rules (Mesfin, 2008). In addition, the electoral management body or electoral commission as the case may be, must provide civic education. The electorate needs knowledge, information and understanding of the electoral process and related rules. There is the need to educate the electorate on the competing political forces so as to enable the electorate make informed decisions about policy options and to decide on the correct platform to avoid their concerns (Mapuva, 2013; Mesfin, 2008; Kuhne, 2010). Furthermore, the electorate must be provided with sufficient information and knowledge about the existing election complaint mechanism. Such information ought to be disseminated in all local languages and in as many media as possible (Kuhne, 2010).

According to Kuhne (2010), electoral management body or election commission is important in the conduct of free and fair election. However, its existence is not sufficient

to allay the fears of the electorate and opposition parties that election results cannot be manipulated. There must be a functional and credible electoral complaint mechanism which must of necessity meet three basic requirements. First, the complaints mechanism must be speedy. Complaint and appeal processes should not subsist over a long period otherwise, rumour and disinformation can engender unrest or even violence. Secondly, the complaint and appeal system must be transparent to all and as simple as possible. Third, the mechanism must be designed in such a way as to grant accessibility to all (Kuhne, 2010). It has been observed and argued that the presence of international election observation team enhances credibility and genuineness of election results (Mapuva, 2013; Mesfin, 2008). As it is noted, an election where observers are restrained is considered fraudulent from the onset. The activities of this putative anonymous body are critical both as a way of validating an election as well as a legitimizing force.

If the role of the international observer missions is strictly to collect and verify information regarding the election process, to analyze the observation so made and then publish their findings (Mapuva, 2013), then they are constrained by certain factors. Their declaration ought to be based on sufficient factual data which may not be easily accessible. They then find it quite difficult to answer effectively the question whether elections were free and fair (Mesfin, 2008). In considering the impact which their declarations can have on the overall political process and the attitudes of ordinary citizens, they are tempted to declare most elections free and fair. Moreover, international observers may not be well aquatinted with the unique history, socio-cultural outlook, demographic diversity, local languages, communication infrastructure, resource distribution, institutional development, prevailing political conditions and urgent security problems of the state in which the particular elections are being conducted (Mesfin, 2008). From the foregoing, it can be said with some measure of confidence that election is a complex phenomenon. It is a robust activity involving a number of various institutions. Its conduct also requires enormous resources.

An election can provide a peaceful means by which a people (citizens) of a state can change their government or political leaders. It can as well be a source or cause of violence and instability in a political system. It all depends on the "character, competence and composition of a number of institutions (Pastor, 1999). Election conduct under a free and fair atmosphere provides a vital means for citizens of a state to hold their leaders accountable. Election is taken to be the single most important indicator of the existence or otherwise of modern representative democratic government (Nwangwu, 2015). Awopeju (2014) contends instead that election is located with meanings that it is necessarily difficult to define. Nonetheless, he attempts a conceptualization of election as "a procedure that allows members of an organization or community to choose representatives who will hold positions of authority within it" (Awopeju, 201). For Dowse and Hughes (1983),

“Election is a procedure recognized by the rule of an organization, be it a state or club, a voluntary organization or whatever, where all or some of the members choose a smaller number of persons to hold an office, or offices of authority within that organization”. Election has also been defined as the act of choosing those who hold power in trust for the state or the common wealth which may be performed periodically. Through election, the authority of those who govern or make rules and decisions on behalf of the state is derived solely from the consent of the governed (Awopeju, 2011).

According to Godwin-Gill (2006), election as a political activity is safeguarded by international human rights law. Election is considered under international human rights law as one of the “elements of justice” that is essential to the full expression of the inherent dignity and of the equal and inalienable rights of all human beings. Such election capable of guaranteeing this political right of man must be organized and conducted at a reasonable interval by secret ballot and a government that is representative in character in which the executive is accountable to the elected legislative or the electorate and in which there is a clear separation between the state and political parties (Goodwin-Gill, 2016). This way the will of the people will form the basis of the authority of government. Genuine election also constitutes the internal dimension of self-determination. In the Universal Declaration of Human Rights, states affirm the profound belief that ‘election rights’ or the ‘political rights’ are parts of the fundamental freedoms which are the foundations of justice and peace in the world (Goodwin-Gill, 2006). Elections conducted under a peaceful and transparent atmosphere adjudged to be free and fair has the potency to promote political stability. On the other hand, elections bedeviled with fraud and irregularities mostly engender violence and political instability.

Law, whether domestic or international, exists for the purpose of maintaining and promoting order, peace and security. In other words, law exists to restrain behaviour and acts that are liable to precipitate threat to peace and security. Hence, the recognition of elections rights by international law. Abuya (2010) posits that: “the success or failure of an election can be gauged by the extent to which it contributes to or hinders ‘political stability. The high rate of electoral fraud and irregularities in many transitional democracies, especially in Africa, has necessitated the use of voting technologies to uncover and reduce fraud (Nwangu, 2015). This situation being what is obtainable in Nigeria especially that the procedures for organizing and counting votes are generally not transparent, makes it more necessary for the country to adopt the use of voting technologies. Corroborating this point Orji (2015) believes that the numerous deficiencies identified in INEC have been heightened by the nature and character of the Nigerian state which thrives on low autonomy. The need for the adoption of technology in Nigeria became essential because public confidence on the electoral process had been almost completely eroded. Therefore, to guarantee a free and fair

election which the right to vote is not only protected but also promoted, there is the need to provide a level playing ground for all candidates (Abuya 2010). The protection of right to vote made it necessary to adopt innovations that would halt the culture of fraud and malpractices that have bedevilled the electoral system in Nigeria.

In the same vein, Gelband Decker (2012), believes that where government have not previously established reliable or authentic paper-based voter register for their populations, the use of voting technologies like the biometric capture machine are particularly useful in such settings. Furthermore, African democracies often have persistent difficulties in registering their voters and establishing their identity. Due to this challenge and difficulty of having reliable and quality voter register some of the African countries have introduced reforms to their voter registration system like the use of voter identities and biometric technology. Gelb and Clark (2013) aver that biometric identification system have been adopted widely for voter registration and as of early 2013, 34 countries that fall within the ranking of low and middle income countries had adopted biometric technology as part of their voter identification system. For instance, some African states like Ghana, Mali, Kenya, Cameroun, Sierra Leone, Mozambique, Zambia, Malawi, Rwanda, Senegal, and Mauritania have adopted different types of biometric infrastructure with varying degree of success to improve transparency in recent elections (Nwangu 2015).

According to Omolaye, Pius, and Orifa, (2015), the character of the election technology i.e the card reader machine is one that we can feel and touch. It supports both touch and keyboard input and configure to red contactless card and output display same on the LCD. The makeup of the hardware adopts the following specifications:

- Dual Core Cortex – A7 Central Processing Unit (CPU)
- ARM Ultra-Low Power Consumption
- Single core frequency of 1.2GHz
- Baseband Version – MOLY.WR8.W1315.MD.WG.V23
- System Version – ALPS.JBS.MP.VI.46
- Software Version – 14.1220.
- Android Version – 4.2.2

The components/features include:

- Fingerprint Window
- Speaker and Indicator
- Display and Touch Pad
- Main Key Area
- Card Reading Area
- Battery (320mAh)
- USB Interface

Enabled by the specifications and features listed above, voters’ cards are scanned along with the voters’ fingerprint. The emp5500 machine compares both the



fingerprints, if there is a match, indicates that the bearer of the card owns the card, and the converse if not true; before storing the voter Identification Number (VIN) with the authentication status. The use of anti-rigging biometric devices was one of the most prominent issues about the 2015 general elections in Nigeria. The conduct of the elections saw the deployment of smart card readers for the authentication of biometric permanent voters' cards (PVCs) and the accreditation of voters. The introduction of these devices became necessary to restore public confidence in the process and to guarantee a free, fair and credible election.

## **2.2 Electoral Process, Malpractices and Democratic Practices**

Jose, Ortegay and Gasset (1930) cited in Animashaun (2008) declared that: "the health of any democracy, no matter its type or status, depends on a small technical detail: the conduct of elections, everything else is secondary. Elections have been closely associated with democracy and is seen as an important ingredient of democracy.

The indispensability of election in democracy becomes more obvious in contemporary representative democracy. In a political system where elections are conducted in free and fair manner, political stability is promoted. On the other hand, in a political system where elections are manipulated and malpractices perpetrated, electoral violence becomes imminent; and consequently, political instability (Samuel, Felix and Ade, 2013). Democracy is perceived as system of government that promotes political freedom and promotes political rights of the citizens (Vorrath, 2011) yet; the role of elections in democracy has been the subject of debate. While some scholars argue against the relevance of elections to democracy and criticize the current international emphasis on the exercise, others argue that elections have causal impact on improving the quality of democracy (Lindberg, 2004). Those who argue that elections have nothing to do with democracy posit that elections are only an emblem used to legitimize a regime even when such a regime is authoritarian or has acceded to power through armed struggle. It is argued that even in the advanced and mature democracies like the United States, elections are sometimes not "free and fair". It is argued that the United States ballot box has been stuffed, numbers have been faked and people have either been prevented from voting by intimidation or by simply excluding them from the voter list. Up to the 1960s in the United States, most African Americans were blocked from voting through various devices that included literacy tests in which potential black voters had to demonstrate a thorough knowledge of the constitution before they could be registered, where a white voter had much less demanding tests. That was by any standard unfair yet it was considered democratic (Ackerman, 2004).

Furthermore, money matter a lot in the democratic process. It costs large sums of money to run for national

public offices and this necessarily transforms the fundamental process of democratic competition. It is almost always the candidate that raises the most money that wins (Ackerman, 2004). This partly explains why the poor and indigent members of the society hardly contest for elective positions at elections. Besides, the electoral system varies across different political system (states) posing a challenge of using elections to access the level of democracy of a particular state. In some states the electoral system is a plural system in which the candidate or party that gets the highest number of votes is declared winner in only one round even when the proportion of the votes secured does not constitute a majority (Mesfin, 2008). In another political system (State), the electoral system may be absolute majority system in which a candidate or political party must secure an absolute majority of the total vote cast; say two third or more than fifty percent. Yet in another political system or state, the electoral system may favour the proportional representation system.

However, Anglin, (1998) argues that the founding pillars of any democratic political system, whether considered fragile or established, remain undoubtedly elections. Democracy is generally seen as a way of government firmly rooted in the belief that people in any society should be free to determine their own political, economic, social and cultural systems. Democracy is a concept used to describe a political organization designed to broaden the participation of ordinary citizens in government. For this, it is argued that elections, the most basic constraint on oppressive state authority that the people (citizens) have is the fact that they elect the decision makers and can get rid of them if the citizens want. The whole idea behind democracy is that those who govern must of necessity derive their authority and legitimacy from the will and consent of the governed. The consent is then expressed by voting at elections. The idea is for the citizens (electorates) to hold their leader accountable to them and to prevent authoritative tendencies (Anglin, 1998).

Lindberg (2004) argue that the realizations of the essential qualities of democracy are not constant but variables. Democratic qualities such as equal participation, free competition and legitimacy may or may not exist in a political system to different degrees. Elections may co-exist with systemic abuse of human rights and the disenfranchisement of parts of the population. He emphasizes nevertheless, that elections remain the necessary condition for democracy. The international peace institute (2011) posits that election is not just an element of a broader political process and not a one-off event. Free and fair elections held periodically are only one component of a healthy democratic society. Elections on the African continent are said to be mere emblem of a political system devoid of political freedom. According to Mesfin (2008), elections in Africa are just administrative formalities which have become standard signs of good conduct adopted by governments in Western States. Affirming the position, Mapuva (2013) observed that elections in Africa are a mere

trick undertaken by politicians to secure recognition from the international community and donor communities as having acceded to power by legitimate means. According to Lindberg (2004), the quality of election organized and conducted in Africa has its roots from colonialism. The quality of election on the African continent would have been good and high, had the first class of political leaders learned and maintained its attributes.

The initial elections conducted under colonial powers were generally peaceful, fairly free and fair, and the results of the elections were never generally protested. As a result, the first generation of African aboriginal political leaders could claim to have acceded to power through competitive elections (Lindberg, 2004). However, subsequent post-independence elections on the African continent are generally associated with vote buying, politically motivated violence, intimidation and harassment as different political parties seek to outwit each other (Mapuva, 2013). Elections on the African continent are also associated with violence in which several thousands of people were killed either in inter-ethnic or inter-religious fighting that arose out of dissatisfaction with election results. Several thousands more have been displaced (Mapuva, 2013). This way, elections on the African continent tend to be more a device for division among various sectional, ethnic and religious groups within a political system than a device for national integration. This constrains the process of national building as well as political and economic development.

Consequently, an election in Africa becomes a dangerous enterprise. The period of elections brings with it uncertainty and fear. Competitive elections are generally fierce and stiff for the reason that African states do not have real economic base due to the disjunction between politics and economy articulated by colonialism and sustained right through independence. For that reason, the state has become the only source of primitive accumulation. In other words, African states are devoid of an economic (bourgeois) class that emerged from entrepreneurial acumen and ingenuity. Those who stand as economic (bourgeois) class in Africa emerged from the state structure. Thus, access to and control of state power for the control of state resources becomes a matter of do-or-die (Mesfin, 2008; Vorath, 2011). On the basis of this, elections in Africa are hardly “free and fair”. Election results have, often than not, been protested and disputed which often culminates in post elections violence. The ruling party adopts various strategies from the point of voter registration to the actual conduct of elections, to manipulate and rig elections results in its favour; although manipulation and election rigging are made possible by institutional weakness.

In Africa, the institutions upon which the success or failure of elections depends are weak. These institutions include the Elections Management Body otherwise known as Electoral Commission, Judiciary and the military. Ruling parties in Africa exploit the weaknesses in these institutions to manipulate and rig election results in their favour

(Vorrath, 2011). African states have struggled to ensure the existence of an independent and effective judiciary as well as independent, impartial and competent electoral commission. Abuya (2010) observed that the appointment of members of the electoral commission is done by the president who ensures that those appointed are either his loyalists or sympathizers, even though the electoral commission is expected to perform up to international standard.

Similarly, the appointment of judges in African state is done by the president, usually on the basis of certain considerations rather than merit. Consequently, African judges have had to operate in an atmosphere in which the pressure of undue influence from the ruling party is explicit and strong, rendering them reluctant to take decisions that might be detrimental to their benefactors or critical of the ruling party (Mesfin, 2008). This way, the judiciaries in African States win little public confidence as the judiciary loses credibility in the eyes of the citizenry as anonymous arbiter. These weaknesses are part of the structural conditions and practices inherited from the colonial era.

Another institution weakness is seen in the military which is the institution of the state that enjoys monopoly over the control and use of the physical instrument of violence. For that reason, the primary role and function of the military is that of the state and its citizens. The military is expected to be neutral in political affairs but only fight against external and internal enemies of the state. However, in African states, the military is hardly neutral as it has been very much politicized. A biased system of recruitment, reward and deprivation ensures a loyal and pliable military that is deeply involved in politics that they sometimes prey on the society rather than protect it.

It has been observed that election in Africa or electoral politics in Africa is characterized by patron – client relations in which voters vote for candidates on the basis of ethnic or religious affiliations. Voters also vote candidates based on how good the candidates are ‘patrons’ of their respective community or constituency. This contrasts with the logic of elections elsewhere where elections are primarily about policy choices. For that reason, there is a remarkable proliferation of political parties with the attendant challenges of uniting the opposition in fighting the government party at elections (Lindberg, 2004).

### **2.3 Behaviour and Credibility of Elections in Nigeria**

Scholars seem to hold common negative notion about elections in Nigeria. It is generally held that general elections in Nigeria have always been turbulent and violent arising from inability of the government to conduct peaceful, free, fair and transparent elections. (Igbuzor, 2010; Osumah and Aghemelo, 2010; Awopaju, 2011; Samuel, Felix and Ade, 2013; International crises Group, 2014). However, scholars differ in their opinions as to why elections in Nigeria have not been free and fair. Animashaun (2008)

opines that the crisis of election administration in Nigeria will be better appreciated if placed within the context of the nature of the political economy of the Nigerian state. In other words, the crisis of election management in Nigeria is a function of the Nigerian state as an institution for the regulation of human behaviour and competition in the society. It is opined that the Nigerian state has an undeveloped private capitalist sector. Devoid of capitalist class emerging from ingenuity and entrepreneurial drive, the Nigerian state becomes the primary source of primitive accumulation.

The Nigerian state serves as the locus of the struggle for resources for personal individual as well as group advancement. In a situation such as this, the capture of state power becomes especially important. Politics thus goes beyond mere competition for political power to include a struggle for positions in the bureaucracy and access to those who have influence over government decisions (Animashaun, 2008). Ensuing from the profitability of state power for primitive accumulation, political contest and elections are reduced to warfare by factions of the governing elite. Therefore, political elites employ every means and resources at their disposal, including the election management body (INEC) where possible, to ensure their victory at the polls. In fact, the Independent National Electoral Commission (INEC) was once branded as a spineless body always willing to do the bidding of the ruling party (Animashaun, 2008).

According to Aderemi (2015), Nigeria's electoral system can be understood from the perspective of its socio-cultural, multi-ethnic and linguistic composition. It is posited that Nigeria's political landscape presents a particularly difficult electoral problem. There are hundreds of distinct ethnic nationalities and linguistic groups and only three of these are dominant: Yoruba, Igbo and Hausa/Fulani, even though none of these three majority groups makes for more than twenty – five percent of the total population. Each of these majority ethnic groups is dominant within certain geographic regions of the Nigerian federation and they tend to dominate and pocket the other smaller ethnic groups within the regions where they are dominant. Political contestations at the center oscillate among the three dominant ethnic groups. Additionally, there is also the challenge posed by religious divide (Aderemi, 2015). Another aspect of the Nigerian political landscape that makes the conduct of free and fair election difficult is the nature of the political elite. The political elite in Nigeria is divided along ethnic, regional and religious lines. This is viewed as a logical outcome of colonialism and British policy of indirect rule which allowed for autonomous groups to exist in parallel with geographically contiguous but culturally diverse groups as rival co-federates. Nationalism reflected this pattern with all the attendant distrust and acrimonies (Aderemi, 2015).

Consequently, elite competition since the early days of nationalism in Nigeria was for ethnic group representation, particularly in the federal fiscal structure.

Therefore, there is no coalescing goal in the spirit of nationalism as every ethnic group is encouraged to see itself as a distinct and marginalized group at different levels. Policy making for national development is often secondary to ethnic group interests as articulated by sectional elites. This situation reproduces itself in turbulent and violent elections as political elites fan ethnic, religious and regional cards to canvass support at elections (Aderemi, 2015). According to Awopeju (2011), there are various factors precipitating irregularities and malpractices in elections and the major factor is the flaws of electoral act. He posits that the problem of electoral malpractices and irregularities are not peculiar to Nigeria alone as other countries including Kenya and Sierra-Leone are also plagued, with the same qualms. It is argued that factors such as incompetence of the electoral commission which serves as umpire in the electoral process, do-or-die syndrome of the political parties to capture power by all means, widespread procedural irregularities, numerous incidence of violence, intimidation of the electorates, stuffing of the electoral box and highly impoverished and indigent electorate are chief among the factors responsible for electoral fraud in Nigeria.

Furthermore, the incidents of electoral malpractices and irregularities keep increasing with successive elections instead of decreasing (Awopeju, 2011). Corroborating this argument, Elaigu (2007) observed that, "the electoral process has been crisis-ridden since 1999. It seems each successive election since then has been worse than earlier ones. The result is that governments emerge with baggage of crisis of legitimacy which often complicates the dynamics of federalism. This was what happened after the 2003 and 2007 elections". Awopeju (2011) adds that electoral frauds in Nigeria are logical outcomes of flaws of the electoral act. He argued that political parties as well as the Independent National Electoral Commission violate and flaw the provisions of the electoral act with impunity. Certain provisions of the electoral laws are not adhered to. Olayiwola (2014) attributes the causes of electoral frauds in Nigeria to the weakness of the Nigerian state as an institution. The Nigerian state is weak and deficient in its responsibility of social provisioning. The vacuum so created is then filled up by other parochial institutions and so the electorates are more attached and loyal to certain sectional and parochial institutions than the Nigerian state, as they feel more fulfilled with parochial institutions than the state. This way, national interest is downplayed at elections.

Consequently, a competition is precipitated among the various sections and groups. The competition is so stiff that every group or section wants to outwit the other no matter what it will take to achieve their aim. In the face of unhealthy competition, frustration is bound to ensue. Osabiya (2014) avoided the attempt to adduce causes to electoral malpractices. Instead, emphasis is shifted to the modes of electoral fraud in Nigeria. He argues that politicians manipulate the electoral process at the levels of formulation of rules establishing the bodies that are saddled with the responsibility of managing and conducting

elections. This they do out of fear of losing elections through liberal competition. They want all uncertainties associated with liberal democratic elections removed. The process of electoral manipulation includes thuggery, assassination of opposition, multiple voting, impersonation and falsification of election results.

Samuel, Felix and Ade (2013), locate the cause of electoral malpractices and frauds in the weakness of electoral institutions. Although there is an electoral act according to which elections in Nigeria are to proceed, the provisions of the act are violated with impunity. They observe that the Independent National Electoral Commission which supposed to play the role of an umpire is weak: a weakness arising from its lack of autonomy. Lack of autonomy of the Independent National Electoral Commission turns the commission into a spineless body that is always willing to do the biddings of the ruling party (Animashaun, 2008). Security agencies that are expected to maintain law and order so as to ensure a peaceful conduct of election ought to be neutral and anonymous. However, the manner in which the security forces are deployed facilitates the act of election malpractice and fraud. In some quarters, security agencies are involved in snatching of ballot boxes as well as intimidation of the electorates (Omotola, 2010; Idowu, 2010). Security forces are expected to provide election security which is the process of protecting electoral stakeholders, information facilities or events. It involves the protection of election stakeholders including voters, candidates, poll officials, media, observers, election materials such as ballot boxes, voter register and election results (Samuel, Felix and Ade, 2013).

However, security forces in Nigeria have failed in providing election security. All through the processes of election from campaign to the actual voting, security forces have been used at varying degrees to intimidate opposition and to influence prospective voter's choices of candidates (Samuel, Felix and Ade, 2013). Inability of security forces to provide election security and to be neutral in the process of election pave way for election irregularities and fraud, as well as rigging. The perpetration of electoral malpractices is not without implication. The implications of election rigging and fraud are political, social and economic. At the political level, lack of free, fair and transparent elections in Nigeria has negative implications for legitimacy. Election malpractices and irregularities produce political leaders that are not acceptable to the people and in who the people lack confidence. The implication is that the people question the credibility as well as the legitimacy of the government that emerges thereof (Samuel, Felix and Ade, 2013). This has resulted in the breakdown of law and order, instability in the polity and political violence. This situation is reproduced with people becoming increasingly afraid at the turn of succeeding elections. (International Crisis Group, 2014).

Furthermore, election malpractices and fraud have engendered political corruption in which incumbent political office holders use their offices for personal or parochial group interest. Political leaders embezzle public funds part

of which is used to bribe the electoral regulating body, the election tribunals and security agencies, all in the effort to win or be declared winners at elections (International Crises Group, 2014). At the social level, election malpractices, irregularities and fraud have adversely affected the process of nation-building in Nigeria. The electorate is divided along ethnic, regional and religion lines. Supporters of the candidate or group that is declared winner looks at the opponent as enemies and vice-versa. National unity has eluded Nigeria consequent upon poor electoral system.

## **2.4 Theoretical Framework**

This paper is anchored on the Social Contract Theory. The social contract theory originated during the Age of Enlightenment, and sought to typically address the questions of the origin of society and the legitimacy of the authority of the state over the individual. Social contract arguments typically posit that individuals have consented, either explicitly or tacitly, to surrender some of their freedoms and submit to the authority of the ruler or magistrate (or to the decision of a majority), in exchange for protection of their remaining rights. Social contract theorists Hugo Grotius (1625), Thomas Hobbes (1651), Samuel Pufendorf (1673), John Locke (1689), Jean-Jacques Rousseau (1762), and Immanuel Kant (1797) demonstrated in different ways, why a rational individual would voluntarily consent to give up their natural freedom to obtain the benefits of political order with each attempting to solve the problem of political authority in a different way.

However, the theoretical framework for this study is based on the Social Contract Theory as articulated by the English philosopher, John Locke (1632 – 1704) in his “Two Treatises of Government”. John Locke wrote the Glorious Revolution of 1688 in which a corrupt, absolutist British monarch was replaced by Williams and Mary in a bloodless coup that established a constitutional Monarchy. Locke appears to have been inspired by the protestant notion that every individual has a direct relation to God and so, no political intermediary in the form of a king or monarch is necessary. With God removed from the political equation, man must then have a reason to form the civil society. Hence Locke's move to address the state of nature. Locke argues that prior to the emergence of the state; man lived in a state of nature that was governed by reason. Locke's state of nature was not a state of anarchy but a state of perfect equality: it was not a state of violence but the state of nature was peaceful. Man is a rational being. Man is guided by reason and with the help of reason; human beings learn to control their emotions such as love and anger. Man is naturally good and this virtue makes man to possess love, sympathy and affection towards one another. In the state of nature, relations among human beings as well as their behaviour were governed by the law of nature (reason and morality).

The civil society (the state) is formed for the preservation of life, liberty and property. He emphasized the



fact that government is a process. Government is not static, rather it responds to the process of human development and to changing human needs. Governments can be altered or abolished accordingly as it suits our need. The constitution of government represents a process of moving from the state of nature where total freedom and equality reign, to a civil society where people give up certain liberties in order to gain security. The social contract establishes a two-way relation between the people and the government. The people are expected to obey the government and the government in turn is expected to protect the rights of the people. If the government fails in its responsibility to protect the rights of the people, the people are no longer bound to obey that government and the people have every right to revolt against the government by setting up a new one to replace it. Therefore, the civil society (the state) is a voluntary association. John Locke contended that the government should derive her authority from the consent of the people and the right of revolution is the sole prerogative of the governed (the people). This way, the principle of constitutionalism is enforced. Locke advocates the establishment of an independent and impartial judiciary to arbitrate between and among citizens and the state, and to adjudicate law. He also emphasizes constitutionalism. The application of this theory in this study is based on the fact that election provides the citizens of a state the medium by which to revolt against the government that fails to protect the citizen by voting the government out of power and to replace it with a new one. The independent and impartial judiciary advocated by Locke is an essential institution in election administration. Through periodic elections, constitutionalism is enhanced and the political rights of the citizenry are promoted and protected.

### **2.5 Specific Character of Card Reader used in the 2015 General Election in Taraba State**

But what is the nexus or connection between the specific character of the card reader technology and election credibility? How does this link help promote the political right of the individual in a political system? From existing literature on elections in Nigeria, elections malpractices and fraud begin from the point of registration in which it is often alleged that multiple entries were made for individuals. In addition, deceased members of certain families were included in the voter register as though they were living. This way, two categories of prospective voters emerged: nominal and actual prospective voters which permit's rigging of election results, thereby making nonsense of the political rights of the people. The introduction of election technology is aimed at enhancing the rights of the people to make their choice by ensuring correct and accurate voters' records. Protest against elections results in Nigeria often begin with the claim that voters' records are not accurate at the time of election (voting) in which case a gap is created that makes room for rigging of election results. Accurate and safe keep of election results are no doubts right steps toward

mitigating rigging of elections result and by extension, enhancing the political rights of the people in choosing their leaders through voting.

Each and every stage of the electoral process is as important as the other in determining the results of elections. For the most part, excoriation or rejections of election results are usually premised on unfair and inaccurate voter registration exercise that favours one political party or the other over another. Once voter registration is biased toward a certain political party, the results from such elections are bound to reflect such bias in which case the political right of a segment of the electorate would have been violated or infringed upon.

The Card reader technology that was introduced in the 2015 general elections was aimed at foreclosing any chance of election malpractice that was likely to arise from poor or unfair voter registration and voters' record keeping. With the technology every prospective voter was given equal chance of enrolling for the election. Moreover, every voter was given equal chance of voting at elections.

### **3. CARD READER AND THE CREDIBILITY OF ELECTION IN TARABA STATE**

The exercise of political right of citizen begins with the freedom which they enjoy in making the choice of their leaders. Political right can only be mere appellation without freedom to express it. The card reader technology employed in the 2015 general elections brought to the Nigeria citizens the freedom to freely exercise their political rights. With intimidation and harassment obviated, the electorate (voters) are assured of the freedom to exercise their political rights either in supporting or changing an unpopular government. Card reader technology helped to promote the political rights of the Nigeria citizen in the 2015 general elections. Scholars of political science and analysts have described elections in Nigeria as mere rituals due to the extent of direct and indirect illegal interference in the electoral process by those who wield power that manipulate and tilted elections results in favour of certain interest against popular will. This has often denied the masses their political right to choose those whom they believe that the destiny of the country can be entrusted to.

The Lockean theory presupposes that every government be founded on popular will. During the 2015 general elections incidents of electoral violence that usually trail elections in Nigeria were greatly reduced. In Taraba State in particular such was almost inexistent. The reason being that the people were convinced that their political right exercised at the poll counted and has given them what they wanted.

In previous elections, the physical violence in protest of election results often trailed the announcement of election results. But the card reader technology adopted during the 2015 general elections substantially curbed such effect, paving way for credible election. Election is actually a tool for protecting and promoting the political rights and

freedom of the citizens within a settled and organized political community. Election can only be said to be credible if such upholds the political rights of citizens by reflecting the choices made at the poll. Where elections are not credible, the political right of the citizens are denied and suppressed as the state itself becomes predatory, intimidating and threatening. This way the right which the citizen surrendered in exchange for protection is seized and the citizen lies exposed to danger because such a settled and organized community cannot provide protection for the citizen. Only a credible election can guarantee the physical and psychological protection for the citizens' rights and freedom. This explains why citizens in states where elections are not credible are killed maimed and brutalized along with their property during precipitated electoral violence.

Within the context of John Locke's social contract theory, the authority of the government should be derived from the consent of the people. The only way the people can give their consent to a government is through the exercise of this primary political right: election. John Locke also emphasized constitutionalism. Excesses of government can hardly be checked without election, but not "ritual" election. It is only elections that are credible. On the whole, the card reader technology adopted in the 2015 general elections has greatly increased the political rights of the people thereby increasing credibility of the elections.

#### 4. CONCLUSION AND RECOMMENDATIONS

Electronic device employed during 2015 general elections enabled the collection of biometric data of prospective voters. The technology also enabled the conversion of prospective voters biometric into electronic chip. This technology was introduced from the first stage of the electoral process and it facilitated verification and authentication of prospective voters at the stage of voting.

The technology was introduced consequent upon prevalent outcry for the need to conduct elections that were credible. Almost all stakeholders wanted the adoption of technology that could curb electoral malpractices. Voters' records were properly and correctly kept.

Technology adopted during 2015 general elections greatly reduced acts that directly or indirectly interfered with the electoral process. This illegal interference which often culminated in electoral malpractice was pre-empted and as a consequence, 2015 general elections in Taraba State were credible. The credibility of 2015 general elections in Taraba State manifested in the near absence of electoral violence that usually trailed elections. Consequently, political rights of citizens were protected and promoted.

In line with the above, the paper recommends that political parties and Nigerians should support reforms and initiatives that are capable of making elections credible in Nigeria. Furthermore, government should give necessary support to the Independent National Electoral Commission (INEC) to effectively discharge their constitutional roles. Lastly, the introduction of technology at the stage of voter

registration and at every stage of the election process would help improve election credibility.

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