



EVALUATING THE DEMOCRATIC JOURNEY TO BIRTH A NEW NIGERIA: AN INQUEST INTO THE ROLE OF INDEPENDENT NATIONAL ELECTORAL COMMISSION (INEC) UNDER PROF. MAHMOOD YAKUBU

Rev. Fr. Joseph Chibuzo Inmpey (Ph.D)

General Studies Division,

Enugu State University of Science and Technology (ESUT), Enugu

+234 803 506 6454

joseph.inmpey@esut.edu.ng

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<p>Received: 6th May 2023 Accepted: 6th June 2023 Published: 6th July 2023</p>	<p>The journey towards a new democratic Nigeria has been a tortuous one filled with landmines resulting from both centripetal and centrifugal forces. However, Nigeria's present democratization process, which is subsumed in the Fourth Republic from May 29, 1999, till date, started amidst great hopes and rising expectations. Despite the initial apprehension by some proportion of the citizens on its success, a significant majority still believed it could herald the dawn of good governance in the country. Disturbingly, twenty-four years down the line the political landscape is yet to show clear evidences of sustainability despite the series of general elections rituals every four years. Evidently, elections and electoral processes are subverted and political parties and other important public institutions manipulated in favor of the privileged elite class. This study is an attempt at evaluating democratic journey to birthing a new Nigeria with focus on INEC's role under the headship of Mahmood Yakubu from 2015 to 2023. The paper highlighted the probable sources and dimensions of the impediments confronting the electoral process and democratic desires of the Nigerian people and options for realizing the aspiration for a new Nigeria. The research methodology is both descriptive and analytical, while the theoretical framework is structural functionalism. The study suggests that INEC as an institution in Nigeria need to be strengthened in terms its independence for democracy to thrive. It is noted that although the role of leaders or "who" is in charge cannot be underestimated, the "how" should be emphasized.</p>

Keywords: Evaluating, Democratic Journey, Birth of a New Nigeria, Role of INEC, Mahmood Yakubu

INTRODUCTION

It is historically evident that, virtually all elections in Nigeria have been marred by irregularities and thus accompanied by the report of one committee or another on proposed electoral reform, especially in the last forty years; among them are the Babalakin Commission of Inquiry into the affairs of the Federal Electoral Commission (FEDECO) in 1986), the Uwais Report on electoral reform (2008), the Lemu Committee on post-election violence (2011), the Ken Nnamani Committee on constitutional and electoral reform (2017), the various administrative reports by INEC, investigation reports by the security agencies (the Nigeria Police and the Nigerian Army), the independent studies by the National Human Right Commission (2015), the judgments of the various election petition tribunals, the reports of domestic and international observers, record of public hearing for the amendment of the electoral legal framework by the National Assembly and even confessional statements by some political actors. Despite all these it still remains surprising that even with the new Electoral Act 2022 in place, INEC is yet to live up to the expectations of Nigerians in the quest for free, fair and credible elections, more surprisingly so in the just concluded 2023 general elections.

This paper therefore is an attempt to exploring first and foremost what could be regarded as a historical track of the electoral commission in Nigeria to the present INEC under the chairmanship of Prof. Mahmood Yakubu, which forms the fulcrum of the paper. The remaining parts of the paper evaluate the role of INEC in the journey to birth a new democratic Nigeria pointing out the high and low points of the Mahmood Yakubu headship of the commission and then explore options for election transparency and democratic sustainability in Nigeria going forward.

OBJECTIVE OF THE STUDY

The main objective of this paper was to evaluate the democratic journey towards birthing a new Nigeria with particular focus on the role of INEC under the chairmanship of Prof. Mahmood Yakubu from 2015 to 2023. Pursuant to the above the paper addressed the following specifics;

1. To highlight the evolutionary trajectory of what today has become INEC in the journey to democracy in Nigeria;
2. To carry out an evaluative interrogation of the performance of INEC under Prof. Mahmood Yakubu with respect to organizing and conduct of 2019 and 2023 general elections in Nigeria; and
3. To advance options for a more independent and institutionalized INEC for attaining election transparency and democratic consolidation in Nigeria.

THEORETICAL FRAMEWORK

The structural-functional approach is a 'grand' theory popularized by sociology and political science scholars such as Talcott Parsons, Robert Merton, and Marion Levy, Jr. Gabriel Almond and David Apter. In comparative public administration, Fred Riggs has been the chief proponent of this approach (Riggs, 1961). The terms, 'structure' and 'function' in this context have distinct meanings than what are used in traditional social analysis. A social structure is considered as "any pattern of behaviour, which has become the standard feature of a social system" (Simon, 1966). Structures may be of two-types: 'concrete' such as government departments, corporations, bureaus, or they may be 'analytic', namely, concepts abstracted from concrete reality such as structures of 'authority', 'power', 'control' or 'accountability.' Generally, analytic structures have some concrete referents or bases. Thus, the term 'structure' goes beyond formal structures and carries an additional connotation. Generally, in traditional administrative analysis, 'function' is a synonym of 'task', like the functions of a chief executive or of President, Prime Minister, Chief Minister, or Chief Secretary (Arora, 2021).

However, in structural-functional analysis, a 'function' has two meanings: It is a pattern of interdependence or relationship between two or more structures. It refers to the consequences of a structure on other structures or on the whole system. They denote reciprocity of relationship between and among various structures or sub-structures or between structures and the total system. Further, we also study under this approach the influence of a structure on the larger administrative system and the impact of the total administrative system on a particular structure (Heady, 1995). Structural functional approach takes dynamic view of administrative structures and functions. It is 'systemic' in nature, looking at interactions and interrelationships among various structures. It is value-neutral. It emphasizes that certain structures that are found in developed administrative systems may not have their counterparts in developing nations, yet administrative functions are common in both. It convinces that various indigenous structures in non-western nations may be useful in their distinct settings, even though they appear to be 'dysfunctional' from the point of view of western nations. The approach is ecological in character (Waldo, 1955).

With respect to government or political structure, for the Independent National Electoral Commission (INEC), the manifest functions are organizing and conducting credible, free and fair elections, registration and supervision of political parties' activities as provided by the law, voter registration and more. However, the latent functions with disruptive consequences to society may include various forms of electoral malpractices, such as manipulation of election results, deliberate refusal to follow laid down rules and guidelines with intent to favour a particular political party, subverting the democratic process by announcing a compromised election result and declaring someone who has not met the legal requirements as winner in an election. It is with recourse to the above that we rely on the structural functional approach to providing a fundamental understanding of the democratic journey to birth a new Nigeria and the role of INEC under the headship of Prof. Mahmood Yakubu from 2015 to 2023.

The Trajectory of What Today has Become INEC in the Journey to Democracy in Nigeria

Suffice to say *ab initio* that, Nigeria's Fourth Republic, having witnessed seven general elections (1999, 2003, 2007, 2011, 2015, 2019 and 2023), is yet to manifest significant evidence of a growing democracy despite a number of legal and regulatory regimes put in place in the form of electoral acts. To say the least, 95 percent of these elections were marred with irregularities and controversies, just as their processes and outcomes were subsumed in gross credibility and legitimacy crises (Dhikru, 2011). The Independent National Electoral Commission (INEC) is the electoral body empowered under the law to oversee elections in Nigeria. Sequel to the commencement of preparations for fourth republic transition programmes, it was established in 1998 to organize and conduct Nigeria's elections to ensure transition of power from military to civilian rule (Odeyemi, Igwebueze, Abati, & Ogundotun, 2022; INEC Nigeria, 2022). However, it is worthy of note that the administration of democratic elections in Nigeria dates back to the pre-independence era when in 1958, the Electoral Commission of Nigeria (ECN) was inaugurated to conduct the 1959 federal elections (Odimayo, 2019). Prior to 1958, regional laws and governments regulated and conducted elections. ECN was headed by an expatriate, Ronald Edward Wraith and four Nigerian members representing each region and the Federal Capital Territory of Lagos. On attainment of independence in 1960, the Federal Electoral Commission (FEC) was established to conduct the first post-independence federal and regional elections of 1964 and 1965. The Chairman of the first Nigerian Federal Electoral Commission (FEC) was Chief Eyo Esua (1964–1966) in the First Republic. The election had a lot of credibility issues. The electoral body was dissolved after the military coup of 1966 in Nigeria (Alao, 2001).

The military truncated and dominated the political space from 1966 to 1979, with the country witnessing a civil war between 1967 and 1970. However, in 1978, the Federal Electoral Commission (FEDECO) was constituted by the regime of General Olusegun Obasanjo, headed by Chief Michael Ani to organize and supervise the 1979 elections, which ushered in the Nigerian Second Republic under the leadership of Alhaji Shehu Aliyu Shagari. Ani was succeeded by Justice Victor Ovie Whisky who conducted the general elections of 1983, the outcome of which was short-lived as a result of another military takeover (Odimayo, 2019). General Ibrahim Babangida seized power from General Buhari in August 1985 and subsequently embarked on the longest transition programme in the history of Nigeria democratic experiment, thus establishing the National Electoral Commission (NEC) in 1987. During the Ibrahim Babangida and Sani Abacha regimes, which attempted returns to democracy, the National Electoral Commission of Nigeria was headed by Professor Eme Awa (1987–1989), Professor Humphrey Nwosu (1989–1993), Professor Okon Uya and Chief Sumner Dagogo-Jack (1994–1998) (Human Rights Watch, 2004). Prof. Humphrey Nwosu as chairman of NEC organized an election considered the freest and fairest in the history of Nigeria democratic process adopting the option A4. Unfortunately, the result was annulled by the military government, bringing an end to what would have been the third republic.

In December 1995, the military government under the leadership of General Sani Abacha established the National Electoral Commission of Nigeria (NECON), which conducted another set of elections. The process was aborted following the sudden death of General Abacha in June 1998. General Abdulsalami Abubakar assumed power and immediately dissolved the National Electoral Commission of Nigeria (NECON) and established the Independent National Electoral Commission (INEC) for the purpose of ushering in the fourth republic on May 29, 1999 (Chika & Ejike, 2015; NBF News, 2010; Opara, 2009), with Justice Ephraim Akpata as chairman. Despite efforts to ensure free and fair elections, the process drew serious criticism from international observers. After Akpata died in January 2000, the government of President Olusegun Obasanjo appointed Abel Guobadia Nigeria's Chief Electoral Officer, and he was responsible for the 2003 elections, which were marred by widespread violence and other irregularities (Mohammed, 2010). In June 2005, Guobadia retired and was succeeded by Professor Maurice Iwu, who conducted the 2007 elections which was again criticized as falling below acceptable democratic standards.

On 8 June 2010, Professor Attahiru Muhammadu Jega was nominated by President Goodluck Jonathan as the new INEC Chairman, subject to Senate confirmation, as a replacement for Iwu, who had vacated the post on 28 April 2010 (Idonor, 2010). Reactions to the announcement from a broad spectrum of political leaders and organizations were positive, although some voiced concern that it could be too late to implement real reforms before the 2011 elections. During the campaign for the 2015 Nigerian general elections, Attahiru Jega "faced fierce criticism from both the opposition and the ruling party" (Soni, 2015). Jega's five-year term came to an end on June 30, 2015 (Soni, 2015). President Mohammadu Buhari then appointed Professor Mahmood Yakubu as INEC Chairman, and Yakubu took over from Amina Bala-Zakari, who was the acting chairperson the expiration of Jega's tenure (Vanguard Newspaper, 2015).

INEC under Mahmood Yakubu and the Journey to Birthing a new Democratic Nigeria

Nseobong (2020) writes that despite the challenges of managing elections in Nigeria, the Independent National Electoral Commission under the leadership of Professor Mahmood Yakubu has taken courageous decisions in a continuous attempt to improve the balloting process. The above statement is against the backdrop of the fact that the Independent National Electoral Commission (INEC) has conducted seven general elections since the return to democracy in 1999 (1999, 2003, 2007, 2011, 2015, 2019 and 2023); and conducting general elections in a country as vast as Nigeria with over 923,000 square kilometers of landmass, with difficult terrains and riverine communities no doubt pose significant logistical challenges. In spite of these challenges, the commission has continued to record some improvements over the years; the human interference notwithstanding.

At inception in November 2015, the Prof. Mahmood Yakubu-led INEC sought to consolidate the gains recorded in the 2015 general election and further expand the frontiers. It embarked a number of innovations and planned meticulously for the 2019 general elections. In 2017, INEC launched a five-year strategic programme of action to help the commission develop a pragmatic roadmap that will serve as a practical, action-oriented guide for its work over a five-year period. The process of developing the strategy was guided by the need for ownership of the process by INEC staff and engagement with key stakeholders.

Accordingly, Nseobong (2020) commenting on the strategic programme of action reports that;

The purpose of the strategy is to provide a strategic direction for INEC and the actions to be taken to achieve its mandate given the international and national context of its operations, propose what needs to be done by the organization to achieve its mandate following a review of the previous strategic plan, provide a framework and focus for improvement within the Commission as a whole and optimize the Commission's organizational systems and structures

Nseobong (2020) further asserts that the Strategic Programme of Action was put together to ensure that the key five objectives of the Strategic Plan are achieved. It identifies the activities to be undertaken to achieve each objective, the time frame needed and the expected outcomes. These five objectives as reported by Nseobong (2020) include; providing electoral operations, systems and infrastructure to support delivery of free, fair and credible elections; improving voter education, training and research; registration political parties and monitoring their operations;

interacting nationally and internationally with relevant stakeholders and strengthening INEC for sustained conduct of free, fair and credible elections.

To continually enhance election credibility from 2015 to 2023, one critical area that the Commission sought to engage the National Assembly was on the status of the Smart Card Reader (SCR). According to the INEC Chairman, Prof. Mahmood Yakubu, "the SCR has come to stay" and "it cannot be jettisoned or abandoned. Rather, the Commission will seek ways by which its utility in elections can be enhanced for the triple objectives of verification of the genuineness of the Permanent Voters' Cards (PVCs), confirmation of ownership and fingerprint authentication of voters" (Mahmood, 2017).

The INEC Chairman, Mahmood (2017) further submits that:

The status of the SCR must be provided for and protected by law. Similarly, accreditation data from the SCR should be used to determine over-voting and the margin of lead principle. The judgment of the Supreme Court on the primacy of the voters' register as the determinant of over-voting in law merely draws attention to the lacuna in the electoral legal framework which must be addressed through immediate and appropriate amendment to the Electoral Act. The commission will present a proposal to the National Assembly on this matter as well as other areas in which further deployment of technology will deepen the integrity of our electoral process.

Deducing from the assertions of the INEC boss, it's apt that the Commission is deeply concerned that general elections in Nigeria, especially for executive positions, are evidently characterized by brazen acts of executive recklessness by the incumbents. Consequently, the commission plans for all elections to be successfully concluded and for votes to count. It is unfortunately inconceivable that INEC would make elaborate arrangements for the deployment of personnel and materials for elections and then turn around to undermine itself in the field on Election Day. Impunity has become the bane of our elections. The best antidote to impunity is the enforcement of sanctions under our laws without fear and favour. Where offenders are not punished, bad behaviour is encouraged.

An Evaluation of INEC Performance under Prof. Mahmood Yakubu: 2019 and 2023 General Elections in Focus

As earlier noted, Prof. Mahmood Yakubu was appointed chairman of the Independent National Electoral Commission in 2015 by President Muhammadu Buhari. He was further reappointed less than 30 months to the 2023 general election. By his reappointment he became the first INEC chairman to serve two terms. In this section therefore, we are set to evaluate the trajectory of his headship of INEC and roles whether manifest or latent in the democratic journey to birth a new Nigeria. It is apt to assert that the core element of modern representative government is universal adult suffrage. No wonder democratic countries all over the world invest heavily for that purpose. Nigeria is no exception. This notwithstanding elections in Nigeria has been marred by irregularities thus the clarion calls for election reforms after each election cycle. Since the emergence of the fourth republic, there has been series of amendments to the electoral laws culminating in the most recent; the Electoral Act 2022. First things first, let's look at the 2019 general elections, which was the first to be conducted by Mahmood Yakubu as INEC chairman.

Preparatory to the 2019 general elections, a number of reforms and amendments were proposed in the electoral act, but some of such amendments could not come into effect because it was not signed into law by Mr. President at the time. However, INEC deployed the use of smart card reader as part of the accreditation process. In 2019, the number of registered voters stood at 84 million, and 189.2 billion was budgeted to conduct the election. Following the outcome of the 2019 general elections, Ukpong (2019) reported that civil society groups across Nigeria have released a report, detailing the failings of Nigeria's 2019 general elections, and how the country can achieve credible elections in future. The report released in Abuja, under the aegis of the Nigeria Civil Society Situation Room, examined the role of the Independent National Electoral Commission (INEC), the Nigerian government, the security agencies, as well as the political parties in the elections. The report in part reads:

"There should be an independent inquiry into the poor management of the electoral process by INEC, and other agencies involved in the conduct of the 2019 Nigeria General Elections, ...this independent inquiry should address amongst other issues; procurement, logistics management, role of the security agencies and abuse of process by INEC officials. This is urgently needed to identify challenges and recommendations towards repairing the damaged credibility of Nigeria's electoral process. INEC should work with civil society and development partners to operationalize this enquiry."

Above the report clearly identified the perennial challenges of INEC in the conduct of free and fair elections in Nigeria. These are procurement, logistics management, role of the security agencies and abuse of process by INEC officials. The Situation Room comprised of 72 civil society groups across Nigeria. It served as a coordinating platform for civil society engagement on governance issues. The performance of INEC, according to the report was below the standard the electoral commission recorded in the 2015 election won by President Muhammadu Buhari against Goodluck Jonathan, the first time an opposition candidate would defeat an incumbent president in Nigeria.

Furthermore, postponing voting barely six hours to the opening of polls did more than expose how ill-prepared Mahmood's INEC was, it also dampened the nationwide enthusiasm that had built up for the elections. The report said. "It made it impossible for many who had travelled earlier to vote in their constituencies to make a second trip, exacerbating voter apathy. "The collation of results, another major weakness of Nigerian elections, remained a concern throughout the elections, with observers reporting interference with the process, especially by political parties

and security agencies and oftentimes with the active connivance of INEC officials” (Ukpong, 2019). The report vehemently asserts that;

Despite the initial postponement of polls, INEC was still unable to deploy its officials and materials to many polling units on time nationwide. Voting ended late in many places, delaying collation and leaving room for malpractices, the elections were characterized by violence, voter intimidation, and ballot stealing. The elections were also plagued by high rates of apathy among the voters as national voter turnout rate dipped from 43.7% in 2015 to just 35.6 %.

Of more concern also was that data in the voters’ register, as well as results figures declared by INEC, threw up several glaring discrepancies that have yet to be explained. There were also differences between the number of accredited voters and the total number of votes cast in many polling units. In a similar vein, Situation Room observation as reported by Ukpong (2019) revealed that there was significantly more votes cast in the presidential elections than was cast in the National Assembly elections which took place simultaneously with the presidential election. At this point INEC under Prof Mahmood Yakubu faced credibility questions due to its inability to speak out in real-time about these challenges and indiscriminate cancellation of election returns without clear explanation, the report stated. The report, however, submitted that INEC was somehow constrained by poor funding and President Buhari’s refusal to sign into law the Electoral Act amendment passed by the National Assembly (Ukpong, 2019). It’s on record that the 2019 general elections introduced a new dimension in the election lexicon tagged inconclusive election which by extension increased the number of election petition matters and rerun elections in Nigeria during the period.

For the just concluded 2023 general elections, INEC projected 100 million registered voters; proposed N305 billion budgeted for the conduct of the general elections alone. Following the signing into law of the new electoral act there was optimism among Nigerians especially the youths and first time voters that votes will count due to guarantees of adopting the Bi-modal Voter Accreditation System (BVAS) and the assurances of electronic transmission (uploading) of polling units’ election results in real time to the INEC portal. However, contrary to expectations prior to the elections, post-election public opinion reveals that the election process (especially the presidential election) was in gross violation of the 2022 Electoral Act and promises made by the INEC chairman, who, apparently, took Nigerians for granted.

Let’s recall that sometime in November 2022, a story made the rounds that INEC had jettisoned the idea of uploading polling unit results in real time. The INEC chairman Prof. Yakubu in reaction to the supposedly “rumour”, while addressing a group that came to seek assurance on the 2023 polls, as reported in the Vanguard Newspapers of November 22, 2022, reassured:

Let me seize this opportunity to respond to a story emanating from a section of the media that the Commission has decided to jettison the uploading of polling unit level results in real time on Election Day. It should please be disregarded as fake news. The commission will upload polling units’ level results and citizens will have access to those results in real time. This innovation was introduced by the Commission. The Commission cannot turn around and undermine itself. So, this technology has come to stay. We will upload polling units’ results from the polling units. Citizens will have the right to view these results.

The INEC chairman further assured and reassured the group that the 2023 general election would be the best-ever elections. In his words; “We are committed that votes cast by Nigerians will determine the outcome of the elections, nothing more, nothing less!”

Unfortunately, evidence based on results on the INEC portal and the results declared especially in the presidential elections leaves Nigerians in deep doubt as to the sincerity of INEC under Prof. Mahmood Yakubu. Without contradicting the facts, INEC reneged on this solemn vow. When some of the political parties complained at the Collation Centre, Yakubu pleaded for time to complete the collation, after which their complaints will be addressed before announcing the results. But that was another promise he never intended to keep. And he didn’t. People have mockingly asked those dissatisfied with the outcome of the elections to go to court. That reminds me of the East African proverb which says: “Whenever a thief encourages you to go to court, just know that his elder brother is the judge.” It is a tragedy that in Nigeria’s so-called democracy, the two least trusted institutions are the Supreme Court (judiciary) and INEC.

The Way Forward

From the issues raised in this paper, there is no doubting the fact that INEC has made some improvements in terms of introducing new technological devices in electoral process in the last one decade especially in the eight years of Mahmood Yakubu as its chairman. First the smart card reader and now the BVAS, which was considered a game changer. Nevertheless, the ultimate concern is that these devices are controlled and operated by Nigerians, who are indeed corrupt, thus the efficiency of these devices has remained questionable as evidently manifest in the outcome of elections conducted. Technical glitches are more about human interference than anything else in the case of election management in Nigeria. Be that as it may there are still options for a more credible electoral process in the quest for democratic sustainability in Nigeria.

To ensure the strengthening of the democratic process via free, fair and credible elections there is urgent need to consider a number of other options; e-voting which has the potentiality of taming electoral violence, vote buying,

reduce voter apathy as well as cost of printing millions of ballot papers and other voting materials. To achieve e-voting there is need to improve the IT base to support BVAS in future elections. More so, it has become long overdue to put in place relevant legal frameworks to making political offices less lucrative, give room for independent candidacy as well as putting a law in place to allow for Nigerians in the diaspora to exercise voting rights electronically (Nwankwo, 2023).

With the widespread violence, killings and disruptions that characterizes elections in Nigeria, stakeholders and election observers have blamed human factors for the flawed polls. While there is consensus that the Bimodal Voter Accreditation System (BVAS) helped to improve the electoral process greatly, there is also consensus that Independent National Electoral Commission (INEC) needs to do more to curb the large-scale violence witnessed during the polls.

Commenting further, Agunloye (2023) noted that the introduction of BVAS was one of the best things in the last election since it addressed issues of multiple voting and ballot stuffing.

"The 2023 election is one of the most prepared for poll, in that the INEC chairman assured us of tenacity, transparency and introduction of technology. These things were achieved and we all saw them but for the human factors and implementation. So, we all failed; not only INEC, Nigerians deliberately left what is good to choose the bad things in the last elections."

To address the human factor challenges, Agunloye (2023) admits that we must re-orientate ourselves to do the right thing. For instance, despite all the processes put in place to stop vote buying, surprisingly, politicians perfected other strategies to buying votes. It is however surprising that despite viral evidences no electoral offender has ever been tried and convicted in Nigeria. There is the need for a system to bring electoral offenders to book to deter future reoccurrence.

In his submission the National Chairman, African Democratic Congress (ADC), Chief Ralph Nwosu said that the last elections brought out the demons in all the political actors in the country, he further noted: "If anybody is saying this or that is what we can do or should do to get our electoral processes right, it is merely an academic gesture because we are yet to get any satisfactory explanation from INEC on why the election went the way we saw it." He also blamed government agencies that are responsible for the election process, adding that the country has a lot of hypocritical elite, who joined hands in destroying the electoral processes (Nwosu, 2023). Nwosu admonishes that elections must not be seen as war, thus a change of mindset is very important by politicians and their supporters. More so, our leaders need to check the country's poverty indicator. When people are not empowered and unemployed, they become vulnerable then mischief makers and politicians will find it easy to use ethnicity, religion and region to divide the country. But when people are adequately engaged, they won't care about ethnicity, religion or region. There is need to put in place measures to curtailing and checkmating this.

In Nigeria, politics is a zero-sum game and political power is very lucrative, a situation that has turned many into career and professional politicians with manifest rent-seeking and prebendal tendencies. Thus no politician wants to lose out in the elections; thereby they adopt all kinds of tactics and maneuvering to win elections. Going forward politicians need to understand that in every election, there must be a winner and loser. In democracy, there must be winners and losers and winners are supposed to be magnanimous in victory rather than using their victory to suppress the opponents. The deployment of technology by INEC has curbed rigging via over-voting to some extent, but both supporters and politicians still need a change of mindset (Adeoye, 2023).

On way forward, Adeoye (2023) urged Nigeria to look at the issue of political structure, which, according to him, is currently owned by few money bags that dictate who gets what in the party. "This is why we always have a do or die primary elections because the people do not have strong say over who represents them." Adeoye suggests building a strong technology base to further improve on the BVAS. "We should be able to vote via IT and over a period of days and not necessarily going to queue."

In another reaction, human rights activist, Abiodun Kolawole, described the last general elections as pathetic. According to her, "To get the election processes right, the country must address the issue of political parties' structure, especially as it bothers on selection and imposition of candidates that are not the people's choice." She noted that what usually escalated into major electoral crisis starts from the party primaries, which are mostly tainted with fraud, vote buying and violence perpetrated by miscreants. In many cases, the shenanigans that characterized party primaries extended into the major elections, which are unpleasant for our democracy." Kolawole (2023) said there should be an absolute respect for Rule of Law and strict compliance from INEC officials in respect of transmission of results if Nigeria wants to get the process right.

Another legal practitioner, Barnabas Hunjo, also said the process must begin at the level of the parties' primary for any position. He said government must look at how to address those setting the ground for violence through hate speeches and or media incitement. According to Hunjo (2023), "If we want to have a free and fair election in the future, at least in 2027, the issue of voters' suppression, violence, and intimidation must be addressed". A civil rights lawyer, Jonna Onwumere, stated that the various changes introduced in elections since 1999 were aimed at combating hooliganism and violence in the electoral process, stressing however that Nigerians have continued to witness the ugly side of elections because of lack of will to implement laid down rules. There is no better way to summarize the point here than aligning with Onwumere (2023) thus; "the laws are there on how the police (INEC, political parties etc) should be involved in elections management to improve security and the entire electoral process. But what we have is a situation where even when the police are there, they look the other way while thuggery and

violence, among others, are perpetrated. These are infractions, and any day our institutions decide to be responsible, we will get our elections right.”

RECOMMENDATIONS

In the light of issues raised above the following recommendations are apt for policy;

1. Considering the perceived uncertainty on the independence of INEC, there is need to address this by adopting relevant legal reforms to remove the power of appointing INEC chairman and other officials from the president.
2. The complete overhaul of INEC operational system is long overdue. IT should be seen as the new direction and e-voting should be integrated into our electoral framework going forward.
3. Proposals have been made for establishment of an electoral offender's commission. This should be giving speedy consideration within the law to handle all manner of election irregularities by INEC officials, politicians and the general public at large.

CONCLUSION

INEC been one of the most critical institutions in the Nigerian democratic process, accountability and transparency demand that Prof. Mahmood Yakubu reveals totally what transpired at the agency he heads with respect to the 2023 presidential elections. His obscurantist approach deepens doubts, rather than clearing the miasma. The so-called “glitches” or “neglect” that marred the electoral process, for which N305 billions of public funds was expended, were not isolated in some polling units, but was a national catastrophe for a country that prides itself as the giant of Africa.

By way of conclusion, therefore, it is germane at this point to however affirm that although democracy in Nigeria is on the path of growth but the journey has not been seamless especially with respect to the autonomy of INEC, transparent application of relevant electoral laws and guidelines in the electoral process. In the present circumstance, birthing a new democratic Nigeria remains a far cry. There was high hopes prior to the 2023 general elections given the preparations, assurances from INEC and more importantly the innovative provisions of the Electoral Act 2022 with respect to use of BVAS and electronic transmission of polling unit results in real time. Most young Nigerians were challenged to make their votes count for the first time. They turned out en masse for continued voter registration and PVC collections ready to take back their country via the general elections. Today the elections have come and gone but its outcome still generates a lot of heated reactions and debates locally and internationally, especially with recourse to the presidential election.

Against the background of dashed hopes and the intrigues that shadowed the conduct of the 2023 presidential election, it is difficult to rush to the defense of Prof Mahmood Yakubu, the chairman of the Independent National Electoral Commission, INEC. However, after an examination of the highs and lows and what could be a threat to the Nigerian democratic renaissance, this paper joins men with conscience in setting the INEC chairman in the negative corridor of Nigerian history. Indeed, there still remains apprehension in the nation since Yakubu did his unusual night duty of penultimate declaration of the presidential election results. All eyes are now on the judiciary in the journey to birthing a new democratic Nigeria.

REFERENCES

1. Adeoye, A. (2023). Nigeria's vote count marred by delays as electoral body faces criticism, Accessed online on Daily Digest, Abuja February 27, 2023.
2. Agunloye, O. (2023). Reactions Trail INEC Performance in the Just Concluded 2023 Presidential Elections,
3. Alao, A. (2001). "The Republican Constitution of 1963: The Supreme Court and Federalism in Nigeria". *University of Miami International and Comparative Law Review*. 10 (2): 91.
4. Arora, Ramesh K. (2021). *Comparative Public Administration: An Ecological Perspective*. New Delhi: New Age International Publishers.
5. Chika, M. & Ejike E. (2015). "allAfrica.com: Nigeria: Elections - BBOG Group Raises the Alarm over Plans to Exclude Chibok from Voting". *Leadership Newspapers- allAfrica.com*. Retrieved on 2022-01-08.
6. Dhikru, H. (2011). INEC and Institutional Constraints in Election Management in Nigeria: A Call for New Direction. *Online News*, Retrieved on 2023-03-08.
7. Heady, F. (1995). *Public Administration: A Comparative Perspective*. New York: Marcel Dekker.
8. Human Rights Watch (2004). "Nigeria's 2003 Elections - The Unacknowledged Violence". Human Rights Watch. June 1, 2004. Retrieved 2022-05-14.
9. Hunjo, B. (2023). Civil Society and Election Observers React on Outcome of 2023 General Elections. *NEWS Direct Online*, Accessed on 2023-04-24.
10. Idonor, D. (9 June 2010). "Attahiru Jega is New INEC Boss". *Vanguard Newspaper*. Retrieved 10 October 2022.
11. INEC (2020). "INEC History – INEC Nigeria". www.inecnigeria.org. Retrieved 2022-05-24.
12. INEC Nigeria (2022). INEC website. Independent National Electoral Commission. Retrieved 2023-04-19.
13. Kolawole, A. (2023). The Highs and Lows of the 2023 General Election: What Hope for Democracy in Nigeria. Accessed online @New Age News, 2023-004-27.

14. Mahmoud Y. (2017). As reported in the Vanguard Newspapers of November 22, 2017
15. Mohammed, S. (9 June 2010). "Attahiru Jega a Radical at INEC". Daily Trust Newspaper. Retrieved 2022-09-10.
16. National Human Rights Commission (2015). NHRC Independent Study and Report on the 2015 General Elections in Nigeria, Abuja, Nigeria.
17. NBF News (2010). "Electoral Commission through the Years". NBF News. 7 June 2010. Retrieved 2022-06-10.
18. Nseobong, E. (2020). The 2023 General Elections Outcome: INEC, Politicians, the Police and Voters to Blame. *Skynews Online*. Accessed on 2023-05-16.
19. Nwankwo, C. (2023). INEC, all ears for more on "negligent" staff, Electoral absurdities swept under the carpet do not help any democracy; rather they kill and bury the system. *Premium Times*, March 6, 2023
20. Nwosu, R. (2023). Between Theory and Action: Questioning the Missing Link in INEC's Performance in the Conduct of the 2023 General Elections. *News Direct Online*, Accessed on 2023-04-28.
21. Odeyemi, T. I. Igwebueze, G. U. Abati, O. O. Ogundotun, A. O. (2022). "Political hibernation in-between elections? Exploring the online communication and mobilization capacities of Nigeria's political parties". *Journal of Public Affairs*. 22: (e28) 04.
22. Odimayo, K. (2019). "History of INEC in Nigeria". Legit.ng - Nigeria news. Retrieved 2022-07-30.
23. Onwumere, J. (2023). Only Responsible and Uncompromised Institutions can Ensure Election Transparency in Nigeria, Accessed online @ Naijanews.com. 2023-05-26.
24. Opara, J. (2 June 2009). "INEC 10 Years after - an Appraisal". *Daily Champion Newspapers*. Retrieved 2023-02-13.
25. Riggs, F. W. (1961). *The Ecology of Public Administration*. Bombay: Asia Publishing House.
26. Simon, H. (1966). *Administration: Administrative Behaviour*. OUP: International Encyclopaedia of Social Sciences. Vol. I.
27. Soni, D. (2 March 2015). "Tension Mounts on Presidency over Jega". Vanguard Newspaper. Retrieved 17 July 2018.
28. Ukpong, C. (2019). Nigeria's 2019 elections flawed, poorly managed – Civil Society Organizations Report, July 30, 2019
29. Vanguard News (10 June 2010). "Cautious Optimism Trails Jega's Appointment". Vanguard. 10 June 2010. Retrieved 10 October 2019.
30. Vanguard News (2015). "Breaking: Buhari appoints Mahmood Yakubu as INEC chairman". Vanguard Newspapers. 2015-10-21. Retrieved 2020-05-24.
31. Waldo, D. (1955). *The Study of Public Administration*. New York: Double Day Publishers.