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E-registration and Democratic Process in Nigeria: Challenges in Post – 2007 Nigeria

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ABSTRACT - The paper provides background information of the effort the Independent National Electoral Commission (INEC) has been making to checkmate electoral fraud in Nigeria electoral process. The paper identifies this process as e-registration, which seeks to register qualified Nigerian voters using Direct Data Capture Machines in order to eliminate fraudulent multiple registrations. The paper goes on to examine the benefits, problems, and challenges that faced the process when the exercise took place in Nigeria between October 2006 and February 2007. The paper concludes by identifying possible ways of correcting the problems that characterize the exercise for the benefits of Post 2007 Nigerian political process.

Key words: E-registration, democracy, fraud, politics, Nigeria.

INTRODUCTION

These past nine months, Independent National Electoral Commission (INEC) chairman, Professor Maurice Iwu has had to do more than just over seeing the body constitutionally charged with the responsibility of conducting elections in the country. In the faced of a hail of criticisms by an increasing skeptical public, he had done more of the talking and 'image making' on behalf of INEC than anyone else. This is because there had been some hues and cries especially from politicians and parties about the sincerity of the Federal Government and INEC in conducting the 2007 general elections. Some of the fears are borne out of the fact that INEC has not been able to provide a comprehensive voter's register for the country.

In late August at the INEC National Forum on the 2007 Elections, Iwu was so explicit and so reassuring, but from all indications, it seems the body has a long way to go in convincing Nigerians. At the forum where he interacted with stakeholders, Iwu declared: *"The challenge of the 2007 General Elections in our dear country is to uproot what is flawed and decadent in the electoral process and in its place raise and ensure values of democratic contests that will in the end leave no doubt the actual will of the people.... The leadership of the Independent National Electoral Commission was never under any illusion about the enormity of the task involved in the conduct of 2007 elections. The task was made more hectic by its very background because it was very apparent that the existing platform cannot ensure the level of transparency Nigerians are yearning for in the 2007 elections, the commission set out, at great expense, to take on ancillary but fundamental task that are strictly speaking, outside the direct assignment of conducting elections. In this process some time was lost, but we are convinced beyond doubt that the nation and the election of 2007 and beyond will be better off for any extra effort made to forestall the continued reign of fraudulent elements in the electoral system. The commission had no hesitation in choosing to lose some time (although still within our strategic time table) than to have the 2007 election rigged right from its very foundation. Now we are about to commence the nation wide registration of voters. The exercise will commence on October 7, 2006.... "It is extremely important that the election of 2007 are credible, free and fair. We fully recognize this imperative" (Iwu, 2006:i-vii).*

This paper will examine in details the just conducted voter's registration in Nigeria. In view of the above, the objectives of this paper are:

1. To define electronic registration and its components;
2. To examine the benefits of e-registration in Nigeria;
3. To explore the problems and challenges of e-registration and to proffer solutions.

ELECTRONIC REGISTRATION (E-REG)

Electronic registration refers to an automated registration method, which employ computer technology device to improve several aspect of the electoral process in a polity. In other words, it is a technologically-driven process in which digital cameras and biometric finger print technology machine known as the Direct Data Capture are used to register the nation's estimated 60 million voters in a manner that will prevent fraudulent multiple registrations.

According to Biometric Finger Print Technology News (2002:1), Biolink's Biometric Authentic on template matching services will be used to store mathematical models of voters' finger prints (templates) and to match each new template against all previously enrolled templates. This strategy will prevent individual

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voters from enrolling more than once under multiple identities. This system, the Biometric Finger Print News goes on to posit that the system is capable of delivering over 2.4 million single-finger print matches per second and will make over the 40-day enrolment period to ensure that each person votes only once with a voter's card.

INEC: A HISTORY OF UNCERTAINTY

The Independent National Electoral Commission (INEC) has had a history of controversy and delayed preparation prior to the conduct of general elections. The commission established via a military decree in 1998 was to, among others, register political parties in line with the constitution and an Act of the National Assembly, monitor the organization and operation of the parties, arrange for annual auditing of the accounts of political parties, and monitor political campaigns (The Constitution of Federal Republic of Nigeria, 1999) Following the inauguration of the civilian administration of President Olusegun Obasanjo on May 29, 1999, the National Assembly promulgated the Electoral Act 2001 – which has been severally amended – to be in conjunction with the 1999 Constitution guides the conduct of elections in the country. But INEC has seemed to find it very difficult to apply these laws for the conduct of suspicion-free polls. The commission has been criticized for undue delays (Obia 2006:B12) In what was seen as a deliberate attempt to starve the commission of funds, INEC could not do in good time an update of the voters' register before the 2003 general elections. A couple of months to the first tentative date for council polls agreed by governors – April 13, 2002 – INEC was yet to concretize arrangement for the registration of more political parties. Its excuse was the controversial 2001 Electoral Act which was extensively voided by the Supreme Court ruling of March 28, 2002 (Eme 2005 and Obia 2006:B12) The date for the council elections that was subsequently shifted to May 18, 2002 was again moved to August 10, 2002 because INEC was yet to review the voters' register.

The review of voters register was hastily fixed for September 12-13, 2002, but it ran into hitches midway due to shortage of registration materials. Then INEC chairman, Dr. Abel Guobadia, said the shortage was caused by “widespread hoarding of forms by lower-level officials, possibly in collusion with other unscrupulous persons for purposes other than those for which they are meant” (Obia, 2006:B12) The law says there must be 60 days between conclusion of voters' registration and elections. Many believe the delays that preceded the 2003 general elections prepared the ground for the massive rigging that attended the polls. Both local and international observers are agreed that no other election in history of Nigeria was rigged like the 2003 elections.

INEC said the 1998/99 elections cost ₦5.7 billion, while the presidential, National Assembly, governorship/state House of Assembly and local government

elections conducted in 2003 cost ₦28 billion, excluding salaries and allowances of members of the commission and other permanent staff Obia added. The same problem of lack of funds, which the present INEC under Professor Maurice Iwu had admitted and then adjusted positions on, is raising anxiety about the capacity of INEC to organize credible elections in 2007. After months of uncertainty, INEC draw up a timetable fixing the governorship and state assembly elections for April 21, 2007.

There have been arguments that the INEC timetable scheduled elections too close to the swearing in date for the next administration. The 1999 Constitution states in section 132(1), "An election to the office of President shall be held on a date to be appointed by the Independent National Electoral Commission. "(2) An election to the said office shall be held on a date not earlier than sixty days and not later than thirty days before the expiration of the term of office of the last holder of that office" (Federal Republic of Nigeria, 1999) INEC went for the second option – having elections 30 days before the expiration of office of the Obasanjo government. Presidential candidate of National Conscience Party (NCP) in the 2003 elections, Chief Gani Fwehinmi, Senior Advocate of Nigeria (SAN), was quoted as saying that INEC was "being mischievous by not utilizing the maximum period provided by the constitution of the Federal Republic of Nigeria, "which is 60 days before the conclusion of tenure of the incumbent (Obia 2006).

INEC commenced the registration of voters on October 25 through its newly introduced direct data collection system – an obvious part of the commission's electronic voting system that the National Assembly rejected. Iwu had expressed optimism that the exercise would be highly effective. But that optimism has been severely tested on the first days of the voters' registration exercise with the failure or malfunctioning of many of the direct data-capturing machines. There are also several reports of shortage or downright absence of registration materials. The next section will examine these problems and challenges in details.

CHALLENGES OF E-REGISTRATION

In previous exercises, registration of voters was believed by a poor display of voters' register for verification after the exercise; inadequately trained INEC officials which often results in employment of party faithful as INEC ad-hoc staff; domineering influence of state governors on INEC officials and closely related to this is the intimidation of opposition by the government. The Electoral Act 2006 stipulates that voters' register must be ready at least three months before the commencement of election. Section 10(5) of the Act provides that the registration of voters, updating and revision of the register of voters shall stop not later than 120 days before any election. In other words, this means that the register supposed to be ready by December 2006 in preparation for 2007 election.

With the benefit of hindsight, elections in Nigeria have always been handled in slipshod manner. Among the factors that may constitute a spike in the wheel of the performance of INEC with regard to the compilation of credible voters register is the huge size of the country and its varying topographies in the 774 local governments. (Avwode 2006:B8). Avwode goes on to argue that some of these areas have no access roads. Some hinterlands are far removed from the state capitals and will take a day or two to access. But the most difficult are the riverine areas of the South-South, which can only be accessed by water. INEC cannot boast of modern communication gadgets to cover the entire country. Yet, it is expected to compile and display the voters' register for members of the public to check their names. And at the end of this exercise, the commission is expected to effect all necessary corrections and produce final Register of Voters. All this will be done by INEC within the stipulated time. It is doubtful if the electronic voters register (EVR), which INEC intends to use in the conduct of the 2007 elections, will capture on the spot, the correct information about the voters.

Second Republic Governor of Kaduna State, Alhaji Balarabe Musa, expressed some misgiving about INEC's capacity to cover the whole country within a short period of time. "When issues of elections are involved, political parties are participants. The most important people to be involved in an election are the political parties because they are the ones to contest elections and INEC is about elections. INEC knows this and it does not seem to be bothered and that is why people doubt the capability of INEC to conduct free, fair and credible election." (Oditta et al 2006:B11)

In the same token, constitutional lawyers and human rights activist, Mr. Ebun Adegboruwa, said INEC did not take into cognizance the huge size of the country because the people in those far-flung areas do matter in the conduct of elections. According to him, the prevailing socio-political upheavals in the country are a pointer that the 2007 elections may be a farce.

"Talking about the terrain of the country, you are giving the impression that it matters. If it actually matters in the choice of who wins an election, definitely in Nigeria, the decision of the people in the geographical areas is not put into reckoning because elections are rigged and manipulated. The reason why they even conduct elections in places like Lagos is to give international observers and the elite the impression that an election held," he said. (Avwode 2008:B8)

Despite these mounting odds by way of criticisms, however, each time the occasion presents itself, the INEC chairman has never wavered in assuring Nigerians and the international community that the commission is poised and ready to deliver a credible, free and fair election. Besides, the INEC chairman has on several occasions expressed his desire to retire when his tenure is up with his integrity intact, and unblemished.

Based on the assurances Iwu has given, there is no doubt he knows that the mandate is not for the faint-hearted. It is one huge task that requires eyes on ball, courage, sincerity of purpose and living up to the responsibility vested on the commission by Nigeria's constitution. Many see the promise made by the INEC chairman to give the country credible, free and fair elections as a full force of his conviction and that he needs the support of all-politicians and other stakeholders in the Nigerian project to deliver on the promise Avwode concludes.

Irrespective of Iwu's assurances as the exercise progresses, the big question are, is INEC really ready for the exercise? Only INEC chairman can answer that question. But one thing that is clear is that enough money was not released to the commission in time for the exercise. Even where the National Assembly passed the budget early enough and it was assented to by Mr. President, there were delays for the release of the money by both the Budget Monitoring Price and Intelligent Unit (BMPIU) otherwise known as Due Process and Central Bank of Nigeria.

The National Assembly tries its best to intervene but the administrative rascality of the BMPIU made the intervention useless. INEC had however decided to go ahead to conduct a fresh comprehensive voter registration exercise. They are aware of the feelings of Nigerians on the issue and will not want to disappoint the nation. They have therefore decided to stagger the exercise. The exercise is expected to run from October to November. The important thing is for the commission to come out with a comprehensive voter's register for the nation. This is because the conduct of a credible election begins with a credible voter registration exercise. Without a credible voter's register, we cannot have a reliable election Egunyanga (2006:B2) argued.

PROBLEMS OF E-REGISTRATION

Registration of voters organized by the Independent National Electoral Commission (INEC) commenced across the country on Wednesday with low turnout of prospective voters. This was compounded by late arrival and malfunctioning of the Direct Data Capturing Machines, the so-called Electronic Voting Register (EVR) and shortage of other materials. These logistic problems tending to affirm suspicion in some quarters that the Obasanjo administration lacks wholehearted commitment to its avowed objective of conducting credible elections come 2007.

Although the exercise has been devoid of violence, except for isolated instances of physical assault on registration officials in some urban centers, it was however been marred by poor logistics and inadequacy of the required administrative support, especially the absence of technical assistance from the state offices. The situation was amply demonstrated in Lagos on Wednesday,

where potential voters were subjected to as long wait, occasioned by repeated breakdown of the electronic registration machines due to battery problems. Registration officials left their various centers earlier than the closing hour of 5pm (Odittal et al, 2006:B9)

Sunday Independent spoke with the Resident Electoral Commissioner of INEC in Lagos State, Chief Ayo Dada, who placed the blame for the dismal exercise on malfunctioning registration machines and absence of engineers, who would rectify technical problems at the various centers.

His words:

“There is no local government you go to here in Lagos where you will not see our people at work. We make sure that we are spread. We have given them about four machines each as at now. In some places, some of them have more than four machines; like in Mushin, where we have about eight machines. “A good number of these machines given to us from Abuja are not functioning well. They have battery problems...”

“There are some of our engineers who are on standby to rectify some of the problems. The turnout of the people is okay. But we don’t have the number of machines to cope. But Abuja has promised that we are likely to have more machines, very soon, probably before the end of today (Thursday). We have over 10,000 ad hoc staff we recruited in Lagos State only, and we have given them manuals to study,(Oditta et al, 2006:B8)

Even when Dada averred that the turnout of potential voters was satisfactory, the Resident Electoral Commissioner warned against the consequence of voter apathy for political parties, advising Lagos residents to come out en-masse and be registered, positing that their vote is their right.

“Anybody who does not come out to register will not have the right to vote. We want members of the public to be patient with us, because all they are witnessing are teething problems. We want to implore them not to embark upon any violent act. The system we have adopted now is one man, one vote. There is no way you can register or vote in two places. So, political parties should mobilize their supporters to come out and register against next year’s elections. What we are saying in effect is that the more you are able to sensitise your people to go out and register, the better for you as a political party,” he pleaded (Oditta et al, 2006:B10)

Reports have shown that the exercise, contrary to Dada’s conscious optimism, had a shaky start in Lagos and everywhere else in the federation, and with no tangible improvement in sight. Governor Bola Tinubu of Lagos State has predicted its failure. After registration in Governor’s Office at Alausa, Ikeja, Tinubu disclosed that 55 machines were deployed in the state for 8,465 polling booths. He expressed regret that the INEC still relied on the same number of booths used

in the state for the 2003 elections, despite the fact that "Lagos State is expanding in different directions." He said that the ratio of machines to polling booths was high and unacceptable to the government. Berating Abuja for not providing enough funds for the INEC, he appealed to Lagos residents to exercise patience and register.

For Lagos residents and their compatriots in other sates of the South-Western geo-political zone and beyond, the registration exercise has commenced in such sloppiness that the passage of time could rather aggravate than alleviate. In nearby Ogun State, the exercise did not commence in most of the state on Wednesday. At Totoro, Ita-Eko, Ijemo and other parts of Abuokuta, people were waiting for the INEC officials. As at 4pm that first day, officials had not arrived in most of the centers, including those that were outside the capital. Residents who thronged many of the centers such as Totoro and Post Office went home disappointed, as there was nobody to attend to them (Oditta et al, 2006:B10).

The Alake of Egband, Oba Adedotun Gbadebo, was kept waiting by INEC officials for over 45 minutes before he was registered, but not after the EVR broke down and was fixed. The INEC officials who arrived the palace of the monarch around 9.45am, kept him waiting as they worked on the machine. They had to change the battery of the machine after fiddling with it for 30 minutes.

The Ogun State Resident Electoral Commissioner, Jacob Nwapa admitted that there was a problem with the machine. "Before I arrived here (Aleke's palace), there was a report that one of the machines was malfunctioning. We brought an additional machine and at the same time somebody who is an expert in that area," he said, adding that the exercise had started in the state with 13 machines and that 11 more were being expected.

Complaints of irregularities and insufficient materials marred the exercise in Oyo State. A former Governor of the state, Alhaji Lam Adesina accused the INEC and the Peoples Democratic Party in the state of hijacking the materials. Instead of the more than 1,199 machines approved for the exercise, he pointed out that the commission released only 20. He alleged that the rest were taken to the residence of prominent PDP leaders in the state. He said that the only machine available in Saki for the exercise was not functioning and had to be taken to the commission's office in the state capital (Shittu et al, 2006:B10).

In Osun State, the exercise started in only Osogbo, Olorunda and Odo-Otin Local Government Councils out of 30 local councils in the state. Though the excise went on smoothly, a governorship aspirant on the platform of the Action Congress, Dr. Yemi Oladimeji, expressed dismay that the electronic machines provided by INEC were inadequate. But the state governor, Olagunsoye Oyinlola, expressed satisfaction with the exercise.

The governor, who was the first to be registered with his wife, Omolola, at the Ward 1, Okuku, Odo Otin Local Government Area, said he was happy that

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even on the first day, many people trooped out to register. He reminded the people that they would be able to choose the leaders only when they were registered as voters. The Resident Electoral Commissioner for Osun State, Mallam Mohammed Ahmadu, corroborated Oyinlola, saying that the turnout for the exercise was wonderful, Shittu concludes.

Apart from the South-West, other geo-political zones witnessed the same abysmal take-off of the voter registration exercise. Whereas the registration machines needed to carry out the exercise was in short supply in Akwa Ibom State, the exercise commenced in only three out of the eight local government areas in Bayelsa State. Out of the 31 local government areas of the Akwa Ibom State, only two were able to commence registration on Wednesday. According to a document by INEC made available to journalists in the state, only Uyo and Ibesikpo Asutan Local Government Area were involved in the exercise. Though the Resident Electoral Commissioner, Solomon Soyebi, was not available for his comment; the Machines could not go round all the units in Ibesikpo Asutan (Okepngete et al, 2006:B10).

The exercise commenced in only three out of the eight local government areas in Bayelsa State. Out of the 270 registration machines required for the state, only 15 has been received as at Wednesday afternoon, thus restricting the exercise to Yenagoa, Nembe and Ogbia Local Government Areas. The Public Relations Officer of Bayelsa INEC, Timidi Wariowei, said that more machines were being expected to arrive before the end of the week.

The exercise appeared to take off on a clean slate in Ebonyi State as Governor Sam Egwu and immediate past Minister for culture and Tourism, Ambassador Franklin Ogbuewu, rallied support for INEC, especially with the introduction of the electronic machine for the exercise. In a brief remark, shortly registering at his Umuebe registration unit in Izhia, Ezzamgbo Local Government Area, Egwu Expressed regret that Nigerians are quick at conducting any exercise or policy introduced by the government without first giving it a trial (Nzomiwu et al, 2006:B10).

In Edo State, Mr. Omorogieva Gbajumo, a chairmanship aspirant in Oredo Council area of Edo State and his wife arrived George Ida Primary School on Ihama Road in Benin City last Wednesday at about 12 noon to be registered in the on-going revalidation of voters register exercise. To their surprise, at 2pm, they had not been attended to. The situation at the venue that day was no different from the general situation across Edo State as the exercise kicked off on a shaky footing (Abugu et al, 2006:B10).

Just like the November 2005 National Population Census, voter registration exercise commenced in Enugu State on a low key. In the state, three local government areas, selected from its three senatorial zones were chosen for the first phase of the exercise, which kicked off on 25th October amidst complaints

from a handful of citizens who visited the designated registration centers. The selected pilot areas include Enugu North Local Government for the Enugu East Senatorial zone, Awgu Local Government council for Enugu West Zone and Nsukka for Enugu North. Three pilot centers were also chosen in each of the selected local governments for the exercise. The four Direct Data Capture Machines (DDC) were made available to each of the centers, according to Sunday Independent findings.

In Enugu North, the exercise started behind schedule as a result of the late arrival of officials of INEC. From Polo Park to Okpara Square, both designated centers within Enugu-North, the story was the same. The situation was not different in New-Haven Shopping complex, the third center in Enugu North (Nzomiwu et al, 2006:B10)

On October 25, the day the exercise took off in all parts of country, the situation in Rivers State was a familiar one. Not many people were eager to visit the polling units to register. Some persons made an attempt, at least to avoid the normal last minute rush. But they all went home disappointed as no officials of INEC were found in their respective units to carry out their duties. Those who know old Port Harcourt Township very well will agree that it has the largest concentration of polling units within the metropolis.

Surprisingly, there were no signs that the revalidation exercise was going on. In the Diobu axis, another crowded area with many polling units, the story was the same. At the Rumuji Town Hall, which is adjacent to the Mile 1 market popularly called 'Ojukwu field', a group of persons who had called about noon to register ended up waiting in vain at the veranda of the hall.

"We've not seen any officials here," one of them who gave his name as Chidi told some journalists who visited the center. But when confronted with the realities, the Head of General Administration at the INEC Official in Port Harcourt, Pastor Linus Kpokpo, claimed that the exercise was going on smoothly (Okpongete et al, 2006:B10).

In his opinion, the problem would be with the public who might not turn up, being the first day of the exercise. He refereed the journalists to the Port Harcourt City Council Hall where the distribution of materials for the metropolis was supposed to take place. There was some ad hoc staff at the council hall no INEC officials were available for comments on the delay.

Complaints dogged the voter registration in Oyo State with Governor Adebayo Akala nothing that the process was too slow. Akala, who had gone to his hometown in Ogbomoso to register, waited for close to one hour before he could be attended to. But in Ona Ara Local Government area in Ibadan, there were reports that thugs scared people from registering at the center. Taiwo Ibrahim, an Action Congress chieftain, told INEC State Commissioner, Alhaji Isyaku Maigoro, that he witnessed the incident. Similarly, in Egbeda and Ibadan North

Local Government, there were complaints that INEC officials were collecting passports from people and listing their names for registration instead of following the proper procedure (Shittu et al, 2006:B10).

The exercise did not start on schedule in Kaduna State. The exercise, scheduled to start at 8:00am and end 5:00pm, actually commenced at about 1:30pm Wednesday in only two local governments areas out of the 23 in the state. The exercise was programmed to take place in 5,108 registration units in the state, only 16 Electronic Voters Registration (EVR) machines were allocated to 16 units to capture eligible voters. Out of the 898 registration units in both Kaduna South and Kaduna North Local Government areas, only 14 units commenced the exercise on the first day (Adi et al, 2006:B10). Other registration officers who were supposed to be mobilized to their various units within the two local governments mentioned complained that there were no EVR machines provided to commence the exercise, hence they had to continue hanging out at the INEC office pending when they would receive the machines.

However, at the Kaduna South area, particularly the Barnawa Registration Units, four machines were discovered to have developed battery problems. Meanwhile, the INEC Electoral Officer in charge of Kaduna South, Mallam Ibrahim Abubakar, told Sunday Independent correspondent that the engineers were making efforts to rectify the battery problem, adding, "immediately the problem is rectified the machine will be returned to the field in order to continue with the exercise", Adi et al concludes.

It is hoped, however, that by the time the exercise folds up, most of the obstacles, including problems arising from malfunctioning machines and the apathy of Nigerians, would have been arrested.

THE WAY FORWARD

The fallout of the recent voters' registration exercise is one of the big hang-up, which INEC must take adequate steps to combat if it does not want to disenfranchise qualified electors. It can get this done by bringing in more registrants. This could be achieved if the current 500 electors per polling unit is further reduced to 200 per polling unit. This equally requires more personnel (both permanent and ad hoc staff). Again, INEC should engage in more aggressive publicity to educate the voters about their civic obligations and duties. Voters' education by INEC and political parties and civil society organizations is necessary for the exercise to achieve its aims. Also, INEC should commence the registration of new voters immediately after the 2007 elections and should insist on the deadline it has set for itself. Furthermore, the commission should conduct pilot studies ahead of the real exercise in an effort to correcting the lapses identified in the essay. Finally, funds should be released to the commission early to enable it prepare well for the exercise.

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