

# Do Nigeria's 2019 General Elections Pass the Electoral Integrity Test?

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## Abstract

Studies and institutional reports have increasingly demonstrated the significance of electoral integrity as a conceptual framework for measuring the quality of elections in contemporary democracies. Apart from measuring the quality of elections, the phenomenal electoral fraud and manipulations which have characterised the post-third wave of democratisation, had given credence to the general benchmark for evaluating the credibility of elections. I use the Electoral Integrity framework popularised by Pippa Norris and co, to examine the integrity of the 2019 general elections to know whether the polls pass the electoral integrity test. While adopting qualitative research method for collecting and analysing the data, I found that contrary to optimistic remarks in some quarters on the outcome of 2019 general elections, the elections failed the electoral integrity test. I offered a proficient perspective that explored the relevant indicators from the electoral integrity framework to establish the veracity of my claim that the 2019 general election is less credible, and consequently, failed the electoral integrity threshold. The findings of this work contribute to theory and practice on electoral integrity and high quality of elections in Nigeria.

**Keywords:** Electoral Integrity, electoral fraud, elections, operationalisation and theorisation

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## 1. Introduction

Following the remarkable gains which led to the peaceful democratic change and acceptable electoral turnover in 2015, the 2019 general election was expected to consolidate the gains of electoral democracy in Nigeria since 1999. However, the outcome of the election was greeted with mixed reactions and controversies which divided opinions on the integrity of the elections. To the incumbents, the election were legitimate and credible, while to the opposition political parties, it was characterised by irregularities and manipulation which undermined their integrity. Given the public comments and some election observer's reports, there is high level of dissatisfaction with the administration of the elections by the Independent National Electoral Commission (INEC) (EU EOM, 2019; NDI, 2019). For example, INEC struggle with logistic and operational preparations of the elections which also conflates with logistical issues and postponement of the elections stifled public confidence and expectation about the preparation of INEC for a credible elections. This concern about shoddy practice further manifested during the polls. During the elections, there were widespread cases of delay in the commencement of voting and phenomenal disenfranchisement, violence and electoral fraud in some polling units which resulted in the nullification of the poll outcome and supplementary elections in some parts of the country (Onapajo & Babalola, 2020).

The conduct and behaviour of the department of the state security forces, which include, the Police, Army and Civil Defence, in ensuring security and safety of the electorates were largely questionable. There were allegations of partisan-intimidation and violence orchestrated by the men of the security agencies during the conduct of the 2019 gubernatorial elections in some states, including, Rivers, Lagos, Kano, Benue, Imo, and Adamawa among others (Fatai, 2020). More worryingly, with 34 per cent voter turnout recorded in the elections, the worst in Nigeria and Africa's elections, the 2019 general elections depicted high level of voter's distrust, and lack of confidence in the electoral process. Some of the factors responsible for this distrust, were captured by the elections observer's groups. For example, the International Republican Institute (IRI) noted that "the 2019 general elections fell significantly short of the standards set in 2015. Citizens' confidence in elections was shaken. Election stakeholders should therefore take concrete steps in addressing the concerns of citizens with regards to the polls in other to rekindle their faith in the power and possibility of credible elections" (IRI/NDI, 2019:23). Similarly, the Situation Room, a platform of about 70 civil society organisations had noted that 'the 2019 general elections had several challenges and failed to meet the threshold for a credible elections. It poses serious questions about the future elections and the quality of democracy in Nigeria' (Situation Room, 2019:12).

Despite the growing concern about the integrity of elections in Africa, electoral democracy across many countries in the continents continue to elicit signs of low quality elections. Except for Norris, (2014), Onapajo, (2015) Birch, (2009) there have been few systematic studies on electoral integrity in Africa. While, the shortage of studies done on this phenomenon have not critically examined elections in post-1999 democratisation in Nigeria, I intend to analyse the integrity of 2019 general elections to offer an empirical and robust analysis that provides an understanding of the phenomenon of electoral integrity and its implication for electoral quality in Nigeria.

Following the above elucidations, scholars have argued that it is not adequate to measure the integrity of elections, going by manifestations on the elections day, there is the need to methodically interrogate the electoral cycle before generalising on whether the election is legitimate or not (Onapajo, 2015). While there is yet to be a generally adopted electoral integrity indicator, I employ the Electoral Integrity Project (EIP) (Norris, et al. 2014b) to measure the integrity of the 2019 general elections and established whether it passes the electoral integrity test. As notable methodological and theoretical postulation that have contributed significantly to the determinant of the legitimacy of elections, the EIP provides a robust analytic and exhaustive illustrative approach to underscores the integrity of 2019 general elections in Nigeria.

Espousing a qualitative approach through documentary sources, agency and INEC materials, finding of elections observers and news reports, I examine the integrity of Nigeria's 2019 general elections. The EIP utilises eleven components for evaluating integrity of the elections which include electoral laws, electoral procedure, boundaries, voter's registration, party registration, campaign media, and campaign finance, the voting process, vote count, the post-elections matters and electoral management. However, I harmonised these components into three major contexts of the electoral cycle. That is the pre-elections period, elections period and post-elections period easy analysis and explanation. Hence, the paper proceeds as follows. The first part, runs from the introduction to the conceptual understanding of electoral integrity. The second part, presents the EIP framing and its imperative to electoral credibility. The third part analysing the integrity of the 2019 general elections in Nigeria, the last part of the conclusion and commendations.

## **2. Electoral Integrity: Conceptual Approach**

There is a growing literature on the issue of electoral integrity, especially with the waning democratic optimism induced by the low quality of elections in the post-third wave of democratisation in Africa. Emerging research agenda on electoral integrity, has recently captured the attention of scholars (Norris, 2014; Birch, 2011; Alistair, 2017; Onapajo, 2015). This effort is gaining currency in Africa and other transitional electoral democracies where the issue of electoral integrity is problematic due mainly to the pervasiveness of electoral irregularities, fraud and violence (Onapajo, 2015). Several scholars are motivated to understand the phenomenon of electoral integrity, and theorise on commonly agreed and acceptable methodological framework for determining the quality of elections (Norris, 2014). For example, both Norris (2015) and Birch (2009) have interrogated the causes of electoral integrity. Coma & Trinh, (2017), national studies have also established the relationship between electoral integrity, violation of electoral rule and voter's turnout. The same way Fortin-Rittberger, (2014; Norris, 2014) have studied electoral integrity and legitimacy of government. Hence, this paper contributes a new perspective to the literature by seeking to know whether the 2019 general elections passed the electoral integrity framework in Nigeria.

Simply conceived, electoral integrity is used to define elections which concord with democratic standards and sometimes the concept is often used interchangeable with "free and fair election", "electoral quality", "transparent and accountable elections" (Alistair, 2017: 472). Though, these procedural requirements of electoral integrity are minimum requirements for defining the quality of elections. However, this approach is seemingly too simplistic, because elections may be free and fair, but not necessarily pass the integrity test. In a more comprehensive competing operationalisation, Alemika (2007:2) conceptualised electoral integrity as, "the degree of the freeness and fairness of elections" which are underlined by certain conditions that include legal framework, electoral system, technological efficiency of electoral body, the relative autonomy of the electoral agency from interference by other organs of government or ruling party, degree to which the electoral processes, decisions, participation and outcomes are insulated from manipulation, corruption and violence".

Drawing from the above conception, Norris (2014:12) defined electoral integrity as "the agreed-upon international conventions and universal standards about elections reflecting global norms and which applied to all countries worldwide through the electoral cycle". By this electoral integrity involves all the aspects, rules, procedures and activities implemented during the pre-electoral period, the campaign, polling day and its aftermath (Alejandro, 2022). This is why elections is not only about casting a ballot, it involved all aspects that

are significant to its success. As noted by the Uberti & Jackson, (2018: 25), the electoral cycle approach by observing only the balloting, vote count and results is too limited unless there is a longer term assessment of each contest. The electoral cycle therefore is heuristic for accounting for all the different elements involved in the conduct of elections. Although, much media attention focuses more on polling day documenting multidimensional and combination of irregularities such as fraud, manipulations, and nepotism, vote-buying are behind many of these factors resulting in the violation of electoral integrity, but also intimidation, threat, violence and voter's theft (Uberti & Jackson, 2018), undermining other aspect of the electoral cycle before the elections. This is what Schedler, (2002) referred to as the "menu of manipulation" or stratagem through which democratic quality of elections is damaged (Schedler, 2002:42). Consequently, Schmitter & Karl (1991) have warned against the fallacy of electoralism. By using elections characterised by fraud as a measure for democratic quality of elections.

Extant literature have also presented competing operationalisation and conceptual frameworks which include legal, institutional and international norms for understanding electoral integrity. From the legal perspective, Norris (2015:4) viewed electoral integrity as "the contests respecting international standards and global norms governing the appropriate conduct of elections". These legal norm indicates that electoral integrity is the consequence of an existing electoral laws that govern the electoral process (Alistair, 2017; Nwabueze, 2008; Birch, 2009). In the absence of electoral law, elections is not likely to have integrity. This explains why the Nigeria's 1999 general elections conducted in the absence of a legal framework were largely condemned for not meeting international standard and protocol of quality election (Nwabueze, 2008). The legal instruments is the basis upon which institutions like the Global Commission on Elections, Democracy and Security founded their conceptualisation. According to the GCEDS (2012), elections with integrity 'must be conducted competently in a professional, non-partisan, transparent manner, and just as importantly, voters must have confidence in their conduct. Such confidence is derived from a professional Electoral Management Bodies (EMBs) with full independence of action. EMBs are responsible for ensuring that elections are both technically credible and perceived to be free, fair and credible. This suggests that EMB independence is a determinant of electoral integrity. Global comparative studies on the impact of EMB on electoral integrity is not parallel (Ham & Garnett, 2019). For example, while Birch (2011) discovered an adverse effect of the electoral body on electoral integrity, Norris (2015) suggests there is no evidential correlation between EMB and electoral integrity. Yet, some literature on the single case approach has concluded that EMB autonomy is quintessential for electoral integrity (Ham & Garnett, 2019). This is not to say that electoral integrity is the exclusive preserve of the EMB, there are other actors such as the parliament, political parties, and election observers groups whose roles are crucial to the integrity of elections.

Recent methodological and theoretical postulations, have taken account of the commonly agreed international norms on the best practices which apply to all democratic countries (Norris, 2013). Such norms stress the Universal declaration on the rights of citizens as they relate to liberty, democratic promotion and fundamental human rights, which emphasise the principles of free and fair credible elections (Inter-Parliamentary Union, 2006). For instance, Article 21(3) of the Universal Declaration of Human Rights demands that "the will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures". Despite this conceptualisation, the universal norms do not promote a uniform best practice across the world. It is frequently conditioned by the dictate of the established democratic countries in the name of democratic promotion (Birch, 2009). Going by the preceding discussion, a combination of the legal, international principles and institutional conditions appears critical to the integrity of elections. Most democratic countries rely on domestic and international code as well as state institutions to determine the credibility and acceptability of their elections. This range of factors provides a robust analytic for understanding the working and dynamics of electoral integrity.

### **3. Revisiting the Electoral Integrity Framework of Analysis**

Following the increasing debates on the crisis of elections in the post-third wave of democratisation, the electoral integrity initiative emerged as a methodological framework for evaluating credibility of elections. This initiative was developed by scholars from the John F Kennedy School of Government (Harvard University) and the University of Sydney under the academic leadership of Professor Pippa Norris. Their goal is to provide a systematically robust framework for independent assessment of the quality of elections across democracies (Norris, et al. 2014). The framework offers a persuasive and systematic global-wide instruments for measuring elections and presents evaluation criteria that revolves around the stages of the electoral cycle, organised into pre-election, election-day, and post-election stages (Norris, et al. 2014). In the pre-election day, the measurement of electoral integrity takes into consideration electoral laws, electoral procedures, boundaries, voter's registration

and party registration and campaign finance (Norris, et al. 2014). The second stage revolve around the election day and the events which characterised it, in contrast the third stage is the post-election phase of the electoral cycle, which covers vote counts, post-election and assessment of electoral authorities. The stages above are a reflection of the questions and indicators presented in the EIP framework below.

Table 1. The electoral integrity indicators

| Electoral Phases          | Indicators And Framework Of Analysis  |
|---------------------------|---|
| Pre-Election              |   |
| 1. Electoral Laws         | Electoral laws were unfair to smaller parties.<br>Electoral laws favored the governing party or parties.<br>Election laws restricted citizens' rights.  |
| 2. Electoral Procedure    | Elections were well managed.<br>Information about voting procedures was widely available.<br>Election officials were fair.<br>Elections were conducted in accordance with the law.  |
| 3. Boundaries             | Boundaries discriminated against some parties.<br>Boundaries favored incumbents.<br>Boundaries were impartial.  |
| 4. Voters Registration    | Some citizens were not listed in the register.<br>The electoral register was inaccurate.<br>Some ineligible electors were registered.   |
| 5. Party Registration     | Some opposition candidates were prevented from running.<br>Women had equal opportunities to run for office.<br>Ethnic and national minorities had equal opportunities to run for office.<br>Only top party leaders selected candidates.<br>Some parties/candidates were restricted from holding campaign rallies. |
| 7. Campaign Media         | Newspapers provided balanced election news.<br>TV news favored the governing party.<br>Parties/candidates had fair access to political broadcasts and advertising.<br>Journalists provided fair coverage of the elections.<br>Social media were used to expose electoral fraud.                                   |
| 8. Campaign Finance       | Parties/candidates had equitable access to public subsidies.<br>Parties/candidates had equitable access to political donations.<br>Parties/candidates publish transparent financial accounts.<br>Rich people buy elections.<br>Some state resources were improperly used for campaigning.                         |
| Elections Day             |   |
| 9. Vote Count             | Ballot boxes were secure<br>The results were announced without undue delay<br>Votes were counted fairly<br>International election monitors were restricted<br>Domestic election monitors were restricted  |
| Post-Election             |   |
| 10. Post-Election         | Parties/candidates challenged the results.<br>The election led to peaceful protests.<br>The election triggered violent protests.<br>Any disputes were resolved through legal channels.  |
| 11. Electoral Authorities | The election authorities were impartial<br>The authorities distributed information to citizens<br>The authorities allowed public scrutiny of their performance<br>The election authorities performed well   |

**Source:** See [www.electoralintegrityproject.com](http://www.electoralintegrityproject.com).

Although the criteria above are significant for the analysis of elections, reliable election observer's group frequently employ it for their assessment of elections. Not all the indicators in the EIP are applicable to Nigeria's electoral cycle. For example, internet voting is inapplicable. Also, the constituency boundary too does not apply because it had already been addressed by INEC before to the 2015 general elections (Onapajo, 2015). Hence, I

make use of some of the pertinent indicators in the EIP to analyse the 2019 general elections in relation to the Nigerian electoral process.

#### **4. 2019 General Elections and Electoral Integrity Test in Nigeria.**

The 2019 general elections, the sixth in the democratic transition of the country since 1999, offered the opportunity to consolidate the gains of the 2015 democratic elections which ushered a first peaceful transfer of power from the incumbent to the opposition party. The 2019 general election took place on 23 February; for President and National Assembly constituency positions and were followed by the governorship, state House of Assembly elections and supplementary elections on 9 March, 2019. I used the electoral integrity lens, to analyse the conduct of the elections by interrogating the pre-election process (electoral laws, party primaries, voter registration, campaign media, and campaign finance); elections day (voting process, vote buying, election security, conduct of elections officials and post elections period (vote counting, result declaration, post-election violence and assessment of the EMB) to established whether the 2019 pass the electoral integrity test.

##### **4.1. Pre-Election Phase**

###### **4.1.1. Electoral Law**

As noted by the EIP, the legal framework is crucial to measuring electoral integrity. The legal framework that regulates the 2019 general elections was derived from the 1999 Constitution of the Federal Republic of Nigeria (as amended), the 2010 Electoral Act (as amended) and INEC's 2019 Electoral Guidelines and procedures for the conduct of elections (General Elections, Bye-Elections, Re-run; and Supplementary elections) legislation and judicial precedence (EU EOM, 2019). These legal mechanisms was strengthened by the civic procedure code, the police Act and Guidelines for Election duty (INEC, 2019). INEC argued that the new guidelines, especially the simultaneous accreditation and voting pattern, the use of number box for failed fingerprint authentication by Smart Card Reader (SCR) and new voting points are innovations aimed at reducing multiple voting to ensure the credibility of the electoral process (INEC, 2019). However, INEC violated some of these regulations, themselves, during the 2019 general elections. For example, the EU EOM, (2019: 34) reported that some electorates whose fingerprint was not validated voted in some polling centres (EU EOM, 2019). This similar case also occurred when INEC permitted voters not authenticated by SCR to vote through the use of the "Incident Form" during the 2015 elections (Fatai, 2022).

In the period leading to the 2019 elections, INEC initiated some reforms which dropped the age requirement for contestant to promote electoral inclusion. There was also the timeline for speedy resolution of election litigation. By this, election cases are expected to be resolve within 180 days from the date the petitioner approach the tribunal. Despite some of the elections petition dragged unnecessarily, because of the administrative bottleneck and bureaucratic lapses (Onapajo, 2015). In 2018, the National Assembly approved some reforms of the Electoral Act, including imposing fines on media houses not providing a level playing field for parties, electronic transmission of election results to ensure transparency of poll outcomes, capping of nomination fees charged by political parties and application of the Electoral Act to grassroots polls. Instead of signing these bills into law, President Muhammad Buhari withheld his accent, claiming it was too close to the elections (NDI, 2019). The failure of the president to sign the bills into law delayed the INEC electoral guidelines.

From the general assessment, the election was engulfed by several challenges because it failed to pay cognisance to the reforms suggested by INEC, civic society groups and other stakeholders to ensure quality of the 2019 elections. Some of these reforms include the exclusion of persons convicted of electoral offences from vying and occupying positions in political parties; the creation of an election offences tribunal to prosecute election offenders; defections of candidates, imposition of candidates, violation of internal party democracy and militarisation of elections among others (EU EOM, 2019, NDI, 2019). The 2010 Electoral Act do not provide effective accountability measures for the 2019 election. For example, no obligation for INEC to provide a complete results of the election on its website. This allowed for dissemination of fake results on social media before INEC official declaration of results (NDI, 2019).

###### **4.1.2. Party Primaries**

The problem of internal democracy in Nigeria's political parties had become a major albatross to electoral democracy in Nigeria. This is so because political parties have been notorious for undermining democratic rules and procedures (Orji, 2015). The lack of a clearly defined ideology and programmes has led to the emergence of personality cult, big men or political godfathers who use their resources and influence to control the heart and machinery of political party without recourse to party rules and discipline (Onapajo, 2015). Contrary to party

regulations, they determine and impose candidates for elections at their whims and caprices. Such anti-democratic disposition has laid bare at the premium placed on political power and has become a prominent feature of post-1999 democratisation in Nigeria.

In the preparation to the 2019 elections, the primary election conducted by political party to select candidates that will represent the party in the general elections was characterised by flagrant violation of party discipline and procedures. Party primaries were inundated with manipulation, imposition and substitution of candidates who neither won nor participate in the primary election. This phenomenon was responsible for the growing intra and inter party disputes among political parties in Nigeria. Party leaders are in the habit of using different stratagem or tactics to frustrate party aspirants and members (NDI, 2019). For example, during the 2019 election, “the APC guidelines and procedure which was supposed to have been released before the commencement of the party primaries was only made public when the electoral process had commenced”. Party primaries conducted across the country expose the vulnerability of internal party democracy. Apart from serious manipulation of primaries, the process was characterised by violence and irregularities. For instance, during the Imo State APC primaries, a report has it that several persons were killed and properties destroyed across the state (CLEEN, 2019). Similarly, APC was plunged into crisis in the Ogun state because of parallel primaries conducted by the faction of the state APC chapter produced two candidates that declared themselves as the rightful candidate under the platform of the party (Premium Times, 2019).

In River, Kwara and Benue states, for the PDP, gubernatorial aspirants were dispersed by armed thugs, with a bomb explosions during the party primaries. In Adamawa state, the former EFCC Chairman, Nuru Ribadu and Mahmud Halilu accused the Yarima-Giade-led committee of conspiring with the incumbent Governor of the state; Mr. Jubrilla to manipulate the primaries in his favour. The inconclusive primaries and blatant violation of party rules in Zamfara state, resulted into the Supreme Court, voiding all votes won by the party during the 23 February and 16 March 2019 elections and declared the runner’s up, the PDP candidate as the winner. This has implications for party institutionalisation and the many controversies which enveloped the credibility of the 2019 general elections.

#### 4.1.3. Voter’s Registration

Since the 2011 general elections, INEC has taken fundamental steps to enhance the administration and integrity of elections. It introduced Direct Data Capture Machine (DDCM) and Biometric technology. This reforms promotes the credibility of the electoral process by preventing multiple registrations, which often aggravate electoral malfeasance during the elections (Onapajo, 2015). INEC also introduced the Smart Card Reader (SCR) in registration centers to verify the details of PVC holders. In 2017, INEC introduced the continuous voter registration process to update the existing voters register and in the process, officially registered an additional 15.3 million, which is about 84,004,084 million voters registered for the 2019 general elections (Election Factbook, 2019). The technology driven voter’s registration exercise which was expected to enhance the integrity of the 2019 general elections, really became a major source of public concern. Many registered voters find it difficult to collect their PVC due to omission and lack of organisation of INEC. According to an Electoral officer of Eti-osa Local Government in Lagos State-Mrs Folayemi Bisoye, “INEC have omitted cards of voters, but irrespective of the closing date, they will still receive SMS to come and collect their voter’s cards”<sup>1</sup>. Moreso, there were poor PVC distribution to potential voters because of logistical and technical challenges (Akhaine & Adigbuo, 2022). The PVC were not decentralised for easy access and collection. The stress of travelling from their homes and still being delayed or not find INEC official to attend to them frustrated many potential voters and in the process jettisoned the collection of their PVC. Amidst these challenges, civil society groups made far-reaching and efforts through social and conventional media platforms to sensitize the public on PVC collection. Despite this, only 72,775,585 of the registered PVC were collected, compared to the 82 million distributed by INEC in 2015. Of the 84,004,084 million official registered PVC, 11, 228, 582 of it were uncollected. (Premium Times, 1 October, 2022).

#### 4.1.4. Campaign Media

The 90 days campaign period for the 2019 general elections began on 18 November and 1 December 2018 for federal and state-level elections. The media play an influential role in the electoral process because they serve as the pivot through which the electorates is informed about the manifesto of candidates and their parties. Following this, the media must be impartial during the campaign process to enhance the credulity of the electoral process. Contrary to this, the media were biased, frequently supporting specific candidates and parties against the

<sup>1</sup> Interview with Mrs Folayemi Bisoye on 20 July 2018.

others. The most disturbing aspect is media involvement in encouraging revulsive language and outbursts during the campaign period (NDI, 2019). Several media coverage found that the Nigerian Television Authority (NTA) and the Federal Radio Corporation of Nigeria (FRCN), which are federal establishments, favoured the APC and PDP against other parties, during the campaign period. Similarly, state owned-media, provided over 80% of their news coverage to affiliated incumbent parties. Such an advantage often undermines a level playing field, preventing access to voter information and political education. While the Rivers and Lagos -based radio stations showed a preference for the ruling APC, (Daar Communication-AIT (TV) and Ray Power (Radio Station) privately owned media organisations owned by a PDP chieftain, not only provide a preference for the PDP, in terms of media coverage, it also leverages the airing of revulsive campaign speech against the prominent opposition figure (Onapajo, 2015). The Nation, TheNews, and PM newspaper were allegedly sympathetic to the Lagos APC and its National Leader, (Bola Tinubu), frequently showing preference for the party in their media reportage (EU EOM, 2019).

#### 4.1.5. Campaign Finance

An apparent questions raised by the AIP framework is whether parties/candidates had reasonable access to public political contributions/sponsorships or candidates furnish the public with their financial account. It also focuses on whether state resources were used for political party campaign (Norris, et al. 2014). Nigerian politicians and their parties during the 2019 elections did not adhere to campaign financing. The existing laws on campaign financing is not only weak, it is vulnerable, frequently being undermined by contestants and parties. According to the 2010 Electoral Act, political parties must submit three reports to INEC to verify their commitment to campaign finance. These reports includes; the contributions report, an election expenses report and an annual report (Electoral Act, 2010). However, all the parties failed to submit their financial statements. In INEC tracking and monitoring of campaign finance of these parties, it discovered that APC and PDP spent above the financial limit for the presidential campaign in the 2019 general elections. While the “APC spent 4.6 billion, the PDP gulped 3.3 billion naira”. These figures are at least three times more than what the law permitted them to spend at the time” (Premium Times, 1 October, 2022). These parties frequently displayed excessive spending and lack of financial control in their campaign activities. For example, “14 of 29 major parties violated the financial rule during their state governorship campaign in 2019. From this, 11 states were APC, PDP in 5 states, All Progressive Grand Alliance (APGA) and Accord Alliance (AA) in one state, respectively. The candidates spent above the threshold of 200 million set for the campaign financing for the governorship election” (Premium Times, 1 October, 2022).

The excessive spending, bribery, vote-buying, illegal use of state resources and undisclosed use of state finance, was evident in the 2019 elections. According to a report “some candidates spent on the media 8 times the legal limit legitimate for running an entire campaign” (EU EOM, 2019:24). A major factor responsible for this misdemeanour is the INEC lack of administrative sanctioning power. INEC operates in an ecosystem where litigation of political actors could exacerbate a backlash against the institution or individuals. Hence, the structural limitation of INEC to prosecute is responsible for the non-compliance with campaign finance regulation. The lack of commitment of these parties, also weakens Nigeria’s compliance with international protocols.

#### 4.2. Election Day

Although, the fact that the outcome of the election did not receive severe consternation does not mean the election are free of condemnation. Contrary to claims, the application of the biometric technology reduced multiple voting and other forms of electoral irregularities in the 2019 general elections. There was an operational improvements on the application of election-related materials and personnel administration. The voting process was peaceful and was commended by elections observers (EU EOM, 2019). However, there were severe trepidations about the electoral process. The technical hitches which undermined the credibility of the 2015 election also resurfaced again in 2019 with the incidence of SCR malfunctioning to capture the fingerprint of voters. Many election observers, including the Nigerian Civil Society Situation CLEEN Foundation, IRI and NDI, expressed concern in their reports on the failure of card readers in several parts of the country (CLEEN, 2019, NDI, 2019). Though, INEC provided a contingency plan to ensure those affected voted, it violated INEC regulations for the conduct of the 2019 election which posited that voters not accredited by the smart card readers, should be disqualified from voting (INEC, 2019).

On the polling day, there were cases of security breach and interference in elections by political actors and security agencies. A principal issue raised against the 2019 elections is the involvements of security agencies in the elections, especially the Nigerian Army. In River state for example military personnel interfered in the electoral process. There were incidents of military personnel in uniform harassing and interfering in the voting

and collation process (CLEEN, 2019). The security agent's misconduct and interference in election especially the 2019 governorship election raises dust about the integrity of the 2019 general elections. Despite the Nigerian Army announcing the creation of a committee to investigate these allegation of misconduct and intimidation and revert through its findings, no report has been submitted to the public domain until now (Situation Room, 2019). The consequence is the strange cancellation of ballots by INEC without providing adequate information and justification for cancellations (Wilmot, 2019). The number of cancellations in the 2019 elections was greater than the one of 2015 elections. Cancelled votes was 3million for 2019 elections, while it 1million for 2015 elections. This clearly raises suspicion of a ploy by INEC to swindle the ballots and disenfranchise the Nigerian electorates (EU EOM, 2019). As with the general elections, the supplementary elections were also condemned for serious infractions. According to the European Union election observer, "the supplementary elections were systematically vulnerable to parties strategically pressuring voters and disrupting the process; elections in Kano were compromised by intimidation and interference" (EU EOM, 2019:32). By some approximations, the 2019 elections witnessed the lowest voter's turnout since the emergence of democratic rule in Nigeria in 1999.

### 4.3. The Post-Election Stage

#### 4.3.1. Collation of Result

Though the voting process was acknowledge as being peaceful, there was manifest problems with the collation process. According to the NDI (2019:28), the collation process during the 2019 general elections was characterised by irregularities and distortions in most of the voting point. As noted by the EU EOM (2019: 41) "the collation witnessed inconsistent numbers, lack of clear checks and explanations and insufficient public information on INEC decisions undermined confidence in the integrity of the elections". The discrepancies uncovered between the registered votes and figure announced by INEC during the collation process validated this claim. As noted by NDI, (2019:18) "there was a large discrepancies of 1.66 million fewer registered voters recorded than previously announced votes by INEC".

The collation process was also marred by irregularities and violence during the governorship elections in several states. In Rivers state, for example, it was reported that an unidentified security agencies and armed thugs delayed the commencement of the collation, leading to the suspension of the collation process (EU EOM, 2019: 35). In Benue state, four polling officials was kidnapped on their way to the collation centres (NDI, 2019). In the same circumstance, Adamawa, Lagos and Nassarawa state witnessed violence eruption during collation. INEC officials had to flee the collation point because of rumoured warnings of violence. Hinging on violence and the incidence of over-voting, INEC cancelled about 2.8 million registered votes during the collation of the 2019 elections (NDI, 2019). The problem with the collation of final result led the EU EOM (2019:41) to conclude that, there were "significant anomalies in the handling of result sheets and consistent errors in the result forms". Indeed, there was a severe lack of transparency and accountability in the collation of election results.

#### 4.3.2. Post-Election Disputes

Compared to previous elections, the 2019 elections recorded an increase in the cases of electoral disputes. It totalled 766 cases of electoral petitions. Apart from the 2007 elections which recorded a higher electoral petitions 1290, the other previous elections in the post-1999 democratic transition in Nigeria recorded a relatively low election petitions when compared to the 2019 general elections. For example, the 2003 elections petitions was 560 that of the 2011 election was 732. The 2015 general elections recorded 611 across presidential, National and State Houses of Assembly elections (Situation Room, 2022). The increase in the number of election petitions filed after the outcome of the 2019 general elections is a consequence of low legitimation. The more the petitions against an elections, the more the negative perceptions about the elections. The mere fact the main opposition challenger Alhaji Abubakar Atiku [who contested for the presidential elections] and his party, the PDP rejected the result and proceed to the court is an indication that the elections has some imperfections. This explains the controversy which greeted the elections in some part of the country. The 2019 election therefore do not manifests a good development for the integrity of the Nigeria's electoral process.

#### 4.3.3. Post-Election Violence

Although the 2019 general elections did not record large-scale violence after its outcome, the eruption of protests and violence following allegations of fraud in some parts of the country raises critical concerns about the 2019 elections. The election witnessed one of the most violent post-electoral processes, as over 70 persons lost their lives during and after the exercise (Onimisi and Amolegbe, 2019). Premium times (2019) also reported that Rivers, Benue, Kaduna, Imo, Nassarawa, Katsina, Adamawa, Kano and Akwa-Ibom States recorded the highest



casualties of post-election violence. In Kano state, for instance, a series of violence led to the extermination of some PDP members, causing the party leadership to ask for the outright cancellation of the supplementary elections (ThisDay, 2019). Following the rejection of the election result by the PDP, the Coalition of United Political Parties (CUPP) also condemned the violence in the Kano elections, urging INEC to immediately cancel the election. They described it as a “vampire ceremony and not election” (ThisDay, 2019). The post-election violence not only undermined the integrity of the 2019 general elections, it also suggested that political elites are exploring an alternative which is capable of undermining democratic stability in Nigeria.

#### 4.3.4. Electoral Administration

In terms of electoral administration, the 2019 elections were the first election that Prof Mahmud Yakub and his national commissioners would administer. The election is the most expensive poll administered by INEC. In terms of budgetary provision, it increased by an additional 69 billion when compared to that of the 2015. To ensure an effective electoral administration, they introduced several electoral innovation to enhance the quality and outcome of the electoral process. These innovations are focused on reducing the incidence of electoral fraud, especially multiple registration and ensuring votes count. However, INEC failure to include sufficient transparency measure let some of these technologies susceptible to misuse and perversion. There were lack of verification mechanism for accredited voters and biometrically verified voters. This no doubt reduced the accountability process on the cancellation of polling units on the ground of over-voting (EO EOM, 2019). Vote cancellations were therefore guided by unguided discretion of polling officer against the INEC regulations. Such decision affected many opposition stronghold and the eventual electoral violence which characterised the supplementary elections in Kano, Benue, Adamawa, Plateau and Sokoto. The poor administration and procedural weakness of the 2019 general elections reduced confidence in INEC and also on the quality of the elections. For example, INEC unexpected postponement of elections on the 16 February and the eventual irregularities during the elections undermined the credibility of the election. Before the postponement INEC neither informed the public nor consult the major stakeholders of any potential challenges. Contrary to the impression since the commencement of the 2019 electoral process that INEC was fully ready to deliver credible elections, the lack of openness by INEC raises dust on the sincerity of the electoral body.

This inadequacies is not unconnected to the awkward registration process and the failure of INEC to publish the final list of polling units. There was insufficient knowledge of procedure by INEC staff, logistical hitches and lack of transparency in the collation process. As concluded by the Situation Room (2019: 4) “the 2019 elections was not credible they suffered from logistic failures by the electoral commission, interference by the military, widespread violence and voter’s suppression. They also noted that there was a high level of abuse of the process by INEC officials which negatively impacted the credibility of the elections”. Since 1999, INEC has not been able to engender public confidence in the electoral process or conduct a credible electoral processes (Agbaje & Adejumbi, 2006). From one elections to the other, INEC has always been the victim of electoral mal-administration and controversy. The implications is such that the INEC has not always being in control of elections, forces outside the institution frequently employ undemocratic methods to determine outcome of elections in Nigeria.

## 5. Conclusion

In this paper, I have used the electoral integrity framework to determine whether the 2019 general election pass the electoral integrity test. Evidence suggests that the entire electoral cycle was characterised by manipulations and irregularities. From the pre-election process, the elections witnessed a number of drawbacks, including INEC to inadequacies to fully register and distributes the PVCs of registered voters. Such lapses also explains the shoddy preparations for the elections, resulting in the postponement of the elections few hours to the poll. There were reported cases of delay in the commencement of voting and failure of INEC to move voting materials to some polling areas. The voting environment was overwhelmed by violence and intimidation of voters and elections observers by security forces and some desperate politicians. The consequence was a phenomenon apathy from voters who walk away for fear of being injured. The violence during the elections was responsible for vote cancellation, rescheduling and re-rerun in some polling centres. The “violentisation of the elections” was a fall-out of the many intra and interparty conflicts which was prevalent during the party primaries election. There were also evidence of biometric technology and smart card reader machines malfunctioning in some voting units, thereby denying potential the opportunity to exercise their civil right.

While it can be said that there was operational improvement and orderly voting in the 2019 general elections, determining the integrity of elections on the occurrence on an election day without a holistic examination of the entire process which precede the election (pre-election, polling day and post-election period) is often misleading. This is not to reduce electoral integrity to achieving exceptional outcomes in a particular area of the electoral

process. It is about improving the multitude of aspects of the electoral process to engender high quality elections and outcomes acceptable to the broad spectrum of the domestic and international stakeholders. Consequently, there is the need to strengthen the constitutive and regulative framework through increasing reforms of the electoral process. Such reforms has more to do with the enhancement of the autonomy, capacity and professionalism of INEC. There should also be a democratic reorientation for political parties to imbibe party discipline and internal democracy, campaign media and financial regulations must be fully enforced, speedy punishment of electoral offenders to serve as deterrence to the violators of the electoral law.

### Conflict of Interests

The authors have not declared any conflict of interests.

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