Democracy and the Electoral Process in Nigeria: Problems and Prospects of the E-Voting Option

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ABSTRACT

Democracy is currently characterized by immense experimentations in Nigeria. In other words, the usual procedures of enthroning democratically elected governments in Nigeria, are still marked (even marred) by administrative and executive trials and errors. This scenario also implies that the electoral process is on trial. Among the experimental propositions in the electoral process of Nigeria is the e-voting option. In this paper, we take a critical look at the e-voting proposition and examine its problems and prospects. The general objective of the paper therefore, is to examine the problems and prospects of the e-voting option, in Nigeria's democracy and in the Nigerian electoral process. The specific objectives are to: (i) study the problems of the e-voting option in the electoral process of Nigeria (ii) examine the prospects of e-voting in the democratic process in Nigeria and (iii) finally make recommendations on the way forward over the application of e-voting in democracy and the electoral process in Nigeria. The theoretical framework for the study is cultural relativism. In the context of the e-voting option therefore, the paper finally proposes solutions to the electoral process experimentations in Nigeria's democracy.

KEYWORDS: Democracy, Electoral Process, E-Voting

INTRODUCTION

Democracy is currently characterized by immense experimentations in Nigeria. In other words, the usual procedures of enthroning democratically elected governments in Nigeria are still marked (even marred) by administrative and executive trials and errors. This scenario also implies that the electoral process is seriously on trial. Hence, a survey of the history of elections in Nigeria shows that it has been characterized by massive frauds, the intimidation and even assassination of political opponents (Okoye, 2011:3). Hence The Economist (2011) opines that in Nigeria, results of elections come in two separate columns. One records the votes cast at polling stations; the other, the number of people killed around the time of the election; as violence is an integral part of Nigerian politics. Thus, the electoral process in Nigeria, characterized by vote buying, vote rigging and outright violence, remains incapable of producing a leadership imbued with the spirit of public accountability (Uganden, 2010:90). Indeed, all these are attributable to

the inherent unbecoming experimentations of the electoral system. Hence, it is generally agreed by political pundits that a reform of Nigeria's electoral system and practice has become essential to engender the confidence of the Nigerian public in elections and the democratic process in the country (Iwu, 2008:1). Among the experimental propositions for the reform of Nigeria's electoral system and practice is the e-voting option. In this paper, we take a critical look at the e-voting proposition and examine its problems and prospects, under a political culture of experimentations. The general objective of the paper therefore, is to examine the problems and prospects of the e-voting option in democracy and the electoral process in Nigeria. The specific objectives are to: (i) study the problems of the e-voting option in the electoral process in Nigeria (ii) examine the prospects of e-voting in the democratic process in Nigeria and (iii) make recommendations on the way forward over the application of e-voting in democracy and the electoral process in Nigeria. The theoretical framework for the study is cultural relativism

CONCEPTUAL CLARIFICATION

Democracy

The definition of democracy has continued to defy all attempted propositions of common understanding. In Idike (2013), conceptual issues in democracy have also been highlighted as follows: democracy is a political system in which the people in a country rule through any form of government they choose to establish. In modern democracies, supreme authority is exercised for the most part, by representatives elected by popular suffrage (Osakwe, 2011:1). Hence, democracy is rule by the people. Democracy is not for instance, rule by the elite, even when representatives elected by popular suffrage have formed part of the political elite. Democracy is not essentially rule by elected representatives. Democracy is rather essentially rule by the representatives of the people. Central to the concept and practice of democracy therefore, are the wishes and the will of the people. Thus, democracy in the people's reckoning means improvement in their circumstances (Abati, 2006:2). Whenever therefore, an attempt is made to re-conceptualize democracy, the effort ends up reaffirming that people are central to the democratic concept and practices. Awotokun (2004:131) for instance has contended as follows: By democracy I do not mean something as vague as 'the rule of the people' or 'the rule of the majority'; but a set of institutions (among them especially general elections, i.e., the right of the people to dismiss their government) which permits public control of rulers and their dismissal by the ruled, and which make it possible for the ruled to obtain reforms without using violence, even against the will of the rulers (Awotokun, 2004:131). However, besides the express mentioning of 'the right of the people' in this contention; 'the ruled' upon which emphasis is placed in the re-conceptualization, also refers to 'the people'. Democracy is therefore, essentially people-centered (Idike, 2013).

Laski (2008:17) additionally posits that the democratic form of government is doubtless, a final form of political organization, in the sense that men who have once tasted power will not without conflict, want to surrender it. The issue of whom the power would have been surrendered to, however remains outstanding. In all, the contention of Laski (2008:17) refers to the primacy of the people in the democratic concept. In all societies of the world today, argues Ogundiya (2010:204) the issue is not which political system is appropriate but rather when will society become democratized or fully democratic. According to Owolabi (2003) cited in Ogundiya (2010:204), the democratization project is therefore, regarded as the age of civilization, that every society should strive to attain, rather than a political option among many others. Ogundiya (2010:204) further posits that democracy has thus been recognized as the only moral and legitimate way, through which a society can be administered (Idike, 2013). In the meantime, democracy in this study stands for a system of government by freely and fairly elected representatives of the people. Accordingly, the primary purpose of government by the representatives is the welfare of the citizens. The primary concerns of this study therefore cover an enquiry into how the electoral process contributes to the enthronement of democracy or negates the outcome of the democratic project in a polity. How does the electoral process promote or impede the evolution of strong democratic culture?

Electoral Process
According to Elekwa (2008:30), the election process (electoral process) relates to the entire cycle ranging from the provision of voter education to the dissolution of the National Assembly. Furthermore, INEC (2006), in Elekwa (2008:30), deposes that the different phases of the electoral process include the following:

(i) Delimitation of electoral boundaries
(ii) Registration of voters
(iii)Notice of elections
(iv)Nomination of candidates
(v) Election campaigns
(vi)Elections, announcement of results and completion of tribunal sittings
(vii)   Participation of other organizations
(viii)   Resolution of electoral conflicts resulting from the participation of other organizations, people, groups, etc.

The electoral process is therefore a complex process that encompasses the good intentions and undesirable outcomes of election administration, particularly in emerging democracies where general elections are often marred by culturally hued electoral malpractices. In the Nigerian case, the truth remains that the electoral process is immensely characterized by a culture of electoral malpractices. Electoral malpractices refer to illegalities committed by government officials

responsible for the conduct of elections, political parties, groups or individuals with sinister intention to influence an election in favour of a candidate or candidates (Ezeani, 2004:145). Intense electoral malpractices often lead to electoral violence which in every polity must be considered undesirable. How would electronic voting (e-voting) countervail the periling incidence of electoral malpractice, in the electoral process of Nigeria?

For purposes of proper delimitation of the scope of this study, we highlight that in conceptual and empirical terms, an electoral process is distinct from an electoral system. Reynolds, et al (2005:5) describes an electoral system as follows: At the most basic level, electoral systems translate the votes cast in a general election into seats won by parties and candidates. The key variables are the electoral formula used (i.e. whether a plurality/majority, proportional, mixed or other system used, and what mathematical formula is used to calculate the seat allocation), the ballot structure (i.e. whether the voter votes for a candidate or a party and whether the voter makes a single choice or expresses a series of preferences) and the district magnitude (not how many voters live in a district, but how many representatives to the legislature that the district elects). In the opinion of this paper, the electoral process commences with the announcement of intention to conduct elections, till the elections have been won and invariably lost.

Electronic Voting
Voting is at the center of the electoral process in a democratic system of government. It is indeed, the first in the democratic process. The journey to democratic governance not only starts with the voting process but its consolidation is determined by it (Ujo, 2008:62). The goal of any voting system is to establish the intent of the voter and transfer that intent to the vote counter. The efficiency of the voting method and the accuracy of the vote counter are the crucial determinants of the ability and capacity of the system to correctly determine the wish of the voters (Iwu, 2008:1). The ability and capacity of the system to correctly determine the intent of the voter it appears, is the superior technology, inherent in the in e-voting methodology. According to Iwu (2008:5), Electronic Voting System (EVS for short) is one of several forms of automated voting methods which employ computer technology devices, to improve several aspects of the electoral process. In most cases, it allows the conduct of elections without using the traditional ballot paper and box for making a choice at an election. It incorporates largely paperless voting methods prominent among which are electronic voting machines (EVM), internet voting, telephone IVR voting, digital TV voting, electronic kiosk voting, etc. The system provides for increased efficiency, anonymity, scalability, speed, audit and accuracy, which are major attributes of a good electoral system (Iwu, 2008:5). The Nigerian electronic voting system as proposed therefore, is an image based integrated programme, which consists of the following:
  (i) Electronic voters register (ii) eligible voters' authentication (electronic balloting, via voting machines and (iii) electronic transmission of results (Iwu, 2008:6).

TENETS OF CULTURAL RELATIVISM AND ITS APPLICATION IN THIS STUDY

Cultural relativism is a complex concept that has its intellectual roots in discussions about relativism in the philosophy of science and the philosophy of language. Relativism is typically viewed in contrast to realism, which is the idea that what is true and real exists independently of the mind. This opposition between realism and relativism was influenced by the work of Immanuel Kant in his (1788) Critique of Pure Reason, who argued that the material and social world is mediated through our minds: that people's experience of the world is mediated through the knowledge and ideas they hold about the world. Consequently, this relative epistemology - or cognitive relativism - makes it difficult to identify universal experiences that hold true for everyone, because it is likely that one person's experience of an event or activity will not be the same as that of another person. Cognitive relativism, then, refers broadly to an intellectual stance that rejects the idea of an absolute viewpoint and the existence of objective criteria for making judgments about what is or is not real or true (Howson, 2009:1).

Cultural relativism is associated with a general tolerance and respect for difference, which refers to the idea that cultural context is critical to an understanding of people's values, beliefs and practices. It is viewed as a progressive stance that a researcher can take to make sure that she does not privilege her own understanding of the world in her explanation of what is happening in the context she is studying—a stance that ensures her portrayal of a culture to which she does not belong is faithful to its internal understandings. Where there are many different kinds of relativism - epistemological, moral, cultural, and cognitive - they have two features in common: (i) they assert that one thing (e.g. moral values, knowledge, meaning) is relative to a particular framework (e.g. the individual subject, a culture, an era, or a language) and (ii) they deny that any standpoint is uniquely privileged over all others. This latter feature of relativism has implications for how people develop and test knowledge about the social world (methodology) and how people make judgments about what kinds of social practices are better than others (Howson, 2009:1). Hence, in the application of cultural relativism to this study, it is believed that what holds true for other political environments in the usage of e-voting technology, may not be true for Nigeria because, it is likely that one country's experience of an activity will not be the same as that of another country.

E-VOTING AND THE ELECTORAL PROCESS IN NIGERIA: PROBLEMS AND THE UNSETTLED ISSUES

Before the 2003 elections; Nigeria's Independent national Electoral commission (INEC) acquired modern information and communications technology for its electoral operations, prominent among which were the implementation of Virtual Private Network Security System nationwide, establishment of Zonal Processing centers for the Electronic Voters register and so on. Part of the funding for some of these projects and programmes came from Nigeria's development partners (Iwu, 2008:4). The Independent National Electoral Commission had earlier

compiled an Electronic Voters Register (EVR) in 2002, preparatory to the 2003 elections. A major component of the EVS was the biometric based voter validation programme using fingerprints, which had already been introduced in Nigeria, during the voter registration exercise (Iwu, 2008:6). However, according to Nwatu (2004a:1), electoral process is seen as a human-oriented and human-based activity, which finds fulfillment in democratic values. By way of contrast, electrical engineering cannot be correctly described in the same terms. INEC's e-voting preparations were finally not accommodated by Nigeria's democratic values. According to Iwu (2008:9) before adopting any form of electronic voting method, a critical appraisal of such a method must be undertaken. Such chosen system must as a matter of fundamental necessity possesses certain basic attributes that will recommend it. These include among others:

 (i)   The system must increase and guarantee voter confidence and secrecy;
 (ii) Must be voter and user friendly;
 (iii) Offer the best in terms of reliability, usability and recountability; and
 (iv) Must be secure.

Above all, the system must be able to gather, count and tally the votes cast at an election with speed and accuracy (Iwu, 2008:9). On the shortcomings and disabilities of the e-voting system, Iwu (2008:9-10) further posits:

> As with every modern technological concept, the EVS is not without its share of disabilities and disadvantages. One serious flaw with a typical EVS is the absence of a voter-verifiable paper audit trail (VVPAT) necessary for providing an independent external check on accuracy and also acting as a back-up system. The result of an electronic voting machine can hardly be recounted manually as in the paper system. Some have actually suggested that EVS presents a veritable case-study of the digital age cliché of "garbage-in-garbage-out". Another flaw is with the legal issues involved in electronically-generated evidence when the result of such an election is challenged before the courts or election tribunals. Similar to this is the issue of opinion of experts in such matters of electronic voting. Who is the expert in such a case; the designer, the user or the copyright owner? Besides, there will be testy issues as to the extent of liability of the EVM manufacturer, the vendor and the end-user. These thorny issues will surely challenge our fledging jurisprudence in the area of information communications technology.. Furthermore, the EVS presents serious sociological problems as with any new technology. With low level of literacy and erratic power supply, the application of EVS will be vulnerable to scammers, manipulators and '419ers'. Voter assistance for the illiterate voters and people with disability will surely violate their right to secrecy of ballot.

Despite the foregoing shortcomings and disabilities, e-voting still retains a measure of attraction for the electoral process in Nigeria. It is believed by some pundits; particularly in the INEC

environment that e-voting can facilitate the processes of free and fair elections in Nigeria. The proposition on the introduction of e-voting in the electoral process of Nigeria, subsequently reached the Nigerian Senate again, as component of a new Electoral Act to drive the 2015 general elections. However, in April 2014, the Nigerian Senate again rejected the proposal. Section 52 of the Electoral Act 2010, had earlier prohibited the use of electronic voting by the Independent National Electoral Commission; INEC (Okocha and Ogunmade, 2014). In any case, the last has certainly not been heard on the e-voting proposition for the electoral process in Nigeria. It largely remains an unsettled issue. What are the prospects?

E-VOTING IN THE ELECTORAL PROCESS OF NIGERIA: THE PROSPECTS

The challenges to the practice of democracy in Nigeria include the incidence of an intolerable political culture to the e-voting proposal. Simply put, political culture means the orientations of the citizens of a nation to politics (Agboola, 2008:44). According to Agboola (2008), Almond and Powel (1966) have made excellent pioneering contributions in the area of political culture. They described political culture as the totality of an individual's attitudes and orientations towards politics. For members who make up a political system, such orientations include: cognitive orientations which involve knowledge of political objects and beliefs, affective orientations which involve feelings of attachment, involvement and rejection about political objects and lastly evaluative orientations which involve the application of value standards to political events and objects (Agboola, 2008:44). Ball (1979:52), also cited in Agboola (2008:44) puts it very concisely when he says that political culture refers to the attitudes, beliefs, emotions and values of society that relate to the political system and political issues. The prevailing political culture in Nigeria is fundamentally apathetic (see Agu, Okeke and Idike, 2013). According to Uganden (2010:94), given that corrupt public officials continues to benefit from the prevailing unaccountable system, there is little confidence in the ability of state created institutions to provide solutions to the plethora of maladies plaguing the Nigerian political landscape. According to Uganden (2010:90), politics in Nigeria is particularly plagued with historically rooted ills that five decades of sovereign statehood have failed to eradicate, as essentially, most identifiable problems of Nigerian politics predate independence and all have succeeded in reproducing themselves through systematically entrenched and sustained vicious circles. Iwu (2008:14) thus argues that all Nigerians, need reforms of the mind and attitude to elections. In this dimension, this paper opines that it is the political class that has a more critical need of the reforms of the mind and attitude to elections. Once the political class reforms their collective attitude that promotes violence and impunity in elections, the rest of the citizens would have logically reformed their resultant apathetic attitude. We further posit in this paper that the current political culture of Nigeria is particularly apathetic to e-voting. Hence, the e-voting proposal has for now only remained highly popular within the INEC - Independent National Electoral Commission circle.

The prospects of e-voting, in the electoral process in Nigeria therefore hinges heavily on the reversal of a culture of apathy that currently plagues the Nigerian electoral process. Indeed, a highly worrisome dimension to the apathetic culture is that the state is in denial of its existence, simply because of the activities of a sycophantic minority that usually multiply at election periods to sing the praises of the candidates that dole out the most cash. In other words, the

prospects of e-voting in the electoral process in Nigeria must be preceded by reforms in other areas. E-voting would remain largely academic to the unemployed graduate and purely unattractive to the malnourished peasant. As a matter of fact, the attractiveness of e-voting to the potential voter, his acceptance of this technology as a convenient method of casting his vote are all important factors in the effectiveness of the electoral process. These issues contribute to the fairness or otherwise of the electoral process Essentially, the introduction of technologies by itself would not transform the Nigerian society; it is entirely the business of Nigerian citizens (Iwu, 2008:4). In the same vein, the introduction of technologies (inclusive of e-voting technology) by itself would not transform the electoral process in Nigeria.

CONCLUDING REMARKS: THE WAY FORWARD

As a matter of fact, findings of this study indicate that the e-voting proposition for the electoral process of Nigeria is currently marked by apathy arising from the history of elections in Nigeria, which has led to the undermining of democratic values. The history of elections in Nigeria has shown that Nigerians cannot rely on them as veritable means of installing the kind of leaders they want and by implication in changing the material conditions of their existence. This is because; elections in Nigeria have been marred by the ugly incidents of electoral malpractice (Ezeani, 2004:144). Democratic values thus, remain impaired. The integrity of elections in Nigeria has therefore remained largely questionable. Naturally, the integrity of an election process is fundamental to the overall integrity of the democratic process as well as stability of the political system (Iwu, 2008:7). Hence the prospects of e-voting in the Nigerian electoral process are highly dependent on the reversal of prevailing voter apathy in denial. In essence, the e-voting option seems to be a veritable means of minimizing electoral malfeasance in Nigeria. However, the guiding principle in the final analysis, should be what Nwatu (2004b:172) describes as technology for society and not society for technology. Therefore, despite the current challenges, the e-voting option must not be introduced on experimental basis in the electoral process of Nigeria. Let the surrounding debates go on for now. Let the attendant political education preceding the adoption of the e-voting technology be in progress. Let access to modern information and communication facilities become fundamentally democratized. Let e-voting finally come in as one of those ultimate panacea that would place Nigeria's democracy on the global democratic map.

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