

Evaluating the Impact of Electronic Card Readers on Nigeria General Elections: 2015-2019

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ABSTRACT

The use of the electronic card reader is a common phenomenon in the developed countries of the West and other developing countries around the world including Africa. This study evaluated the impact of the electronic card readers introduced into Nigeria's electoral system during the 2015 and 2019 general elections. Anchored on the functionalist theory, the paper attempted to ascertain if the biometric devices captured thumbprints effectively and enfranchised all registered adult, and also find out whether the inadequacy of trained INEC personnel contributed to the disenfranchisement of Nigerian voters. The paper argued that although the rationale behind the introduction of the smart card reader (SCR) was applauded, the card readers malfunctioned in several polling units, a situation that caused undue delay in the accreditation process. Accordingly, many Nigerians were disenfranchised as people's thumbprints were not captured. Furthermore, the electorates were frustrated and the equipment failure was rife as a result of the inefficiency of the electronic card reader in Nigeria. The paper therefore recommended that the future use of electronic card readers should be thoroughly reviewed in Nigeria, in view of the homogenous and widespread failure in the previous elections.

Keywords: Electronic Card Readers, Election, Political Participation, Nigeria, Impact

INTRODUCTION

Free, fair and credible elections are essential to electoral democracy and provide critical ways of empowering citizens to hold their leaders accountable [1,2,3]. However, accountability of public officials in Nigeria has been weakened by the fact that elections in the country are perennially fraught with irregularities. Africa in general and Nigeria in particular have been grappling with the process of establishing democracy through well run elections, hence, serious flaws and irregularities have been experienced in the conduct of elections in Africa, which in turn obstruct the process of democratization. Similarly, elections have been taking place in Nigeria since independence, more precisely 1959, 1964, 1979, 1983 and 1993; all of which have been associated with lapses except that of 1993, which was adjudged as fair [4,5,6]. The fourth republic did not witness any change either, as the 1999, 2003, and 2007 elections were also far from fair. Worried about the massive electoral fraud observed in previous general elections in Nigeria, the

Independent National Electoral Commission, (INEC) adopted the biometric smart card reader as a means of eliminating the challenges of electoral malpractice. Biometric systems guarantee confidentiality and ensure the availability of an individual's data and information through identification and verification processes. Verification is one to one security procedures aimed at affirming if the identity of a user belongs to him [7]. In the voting context, it helps to affirm that voters that troop out to vote on election day are the actual eligible voters that registered before the voting day. In contrast, identification is one of the security procedures used to verify the identity of an individual among many other individuals. In the voting context, voters' verification helps to confirm if voters that presented themselves on election day are registered voters among other registered voters. These two processes are very germane to the credibility of an electoral process and the eventual result that arises from the process. However, despite the confidence of INEC in the use of card

reader in the 2015 general elections, the machines came with some challenges, even though the elections have been widely adjudged as being successful [8]. The 2015 presidential election was the closest electoral contest since the country's post-1999 transition to multi-party democracy [7]. The election is the most politically engaged in the history of electoral democracy in Nigeria as huge resources were used for the elections including 120 billion naira expended by INEC, 750,000 ad-hoc election staff with over 360,000 security personnel including the use of card readers to ensure credibility and transparency [9]. In the same vein, during the 2019 Nigeria general elections, the country's electoral body-Independent National Electoral Commission (INEC) revealed that a total of 84 million people applied for Permanent Voters Card (PVC). Of these, 86.63% collected their PVC, perhaps intending to participate in the election holding across 119,973 polling units in the country [10]. This implies that an average of 607 voters was expected to be accredited to vote in each polling unit between 8 am and 2 pm. Hence, if the validation process is not fast or there are logistic challenges, then not all registered voters will be accommodated [11]. In view of the above, this paper evaluated the effectiveness of card

readers in the 2015 and 2019 general elections. It argues that although the rationale behind the introduction of the smart card reader (SCR) was applauded, the card readers malfunctioned in several polling units, a situation that caused undue delay in the accreditation process. Other challenges ranged from rejection of permanent voter's card (PVC) by the card readers, inability to capture the biometrics from finger tips, to irregular capturing and fast battery drainage. Also, INEC officials had to abandon their polling units and took the card readers back to their office for proper configuration. In order to salvage the situation, which was almost becoming frustrating, INEC further ordered the use of manual process for accreditation, but before the order could go round the Federal Capital Territory and the 36 states and 774 local government areas, it was already late to conduct accreditation and actual voting in some areas; hence, lack of adequate training of INEC staff could have been partly responsible. This paper therefore attempted to ascertain if the biometric devices captured thumbprints effectively and enfranchised all registered adult and to determine whether the inadequacy of trained INEC personnel contributed to the disenfranchisement of Nigerian voters.

Theoretical framework

This study is anchored on Functionalist theory. Functionalism, also called functionalist theory posits that society is more than the sum of its parts; rather, each aspect of it works for the stability of the whole. Durkheim envisioned society as an organism since each component plays a necessary role but cannot function alone. When one part experiences a crisis, others must adapt to fill the void in some way. In functionalist theory, the different parts of society are primarily composed of social institutions, each designed to fill different needs. Family, government, economy, media, education, and religion are important to understanding this theory and the core institutions that define society, politics, and governance. According to functionalism, an institution only exists because it serves a vital role in the functioning of society. If it no longer serves a role, an

institution will die away. When new needs evolve or emerge, new institutions will be created to meet them, thus, the Nigerian society relies on the Independent National Electoral Commission as an institution, to steer the electoral system in a manner that is capable of delivering quality leaders whose form of governance will guarantee the dividends of democracy. When the system is faulty or dysfunctional, it destabilizes the society. Thus, from the functionalist perspective, if all goes well, the parts of society produce order, stability, and productivity. If all does not go well, the parts of society must adapt to produce new forms of order, stability, and productivity. Therefore there is need to re-evaluate the effectiveness of the usage of card readers for elections in Nigeria, with the aim to correct and improve on all the hitches so far

witnessed so that subsequent elections

Overview of Electoral Fraud in Nigeria

According to [12], the process for conducting the 1999 General Elections and the overall outcome were more acceptable and relatively less outrageous than the successive elections of 2003, 2007 and 2011. Specifically, the situation during the 2003 General Elections conducted by the administration of President Obasanjo was markedly different. The elections were so replete with irregularities and violence that observers described them as the most fraudulent in the annals of the country. Legal opinions maintained that the April/May 2003 elections conducted under the contentious Electoral Act 2002 should be rendered null and void. This flows from the fact that the Act was found to be inconsistent with the 1999 Constitution of the Federal Republic of Nigeria. According to Nwabueze [13], "the April/May 2003 General Elections, being a proceeding or act founded on a law that is a nullity are themselves a complete nullity". Thus, the tendency of the political leadership to flout and subvert the rule of law with impunity laid foundation for the flagrant irregularities and monumental fraud perpetrated during the elections. The elections were characterized by violence, intimidation and use of coercive apparatuses of the state to commit acts of rigging, suppression and disenfranchisement of eligible voters [14]. Both domestic and international election observers in their various reports admitted that there were massive electoral malpractices during the general elections. A statement issued by a coalition of civil society groups in Nigeria indicates that in many polling stations across the country, after balloting, results were declared at some polling stations, while in others there was a conscious decision by electoral personnel not to declare the result [15]. Whether declared or not, these results were manipulated by electoral officers and party officials at collation centres. This was the situation in many Local Government Areas in Anambra State- Njikoka, Aguata, Onitsha and Nnewi; Imo State- Owerri North-East, Orlu; and widespread in Rivers, Enugu and Delta States. Comparison of results declared

will be free of anomalies.

at these polling stations and recorded by the observers also show substantial discrepancies [16]. Similarly, the findings of the EU EOM corroborated the foregoing reports on the general elections when it branded the election as a fraudulent selection exercise rather than a democratic election. All the 28 opposition presidential candidates and their respective party chairmen addressed several press conferences rejecting the results of the elections. The presidential candidate of ANPP, General Muhammadu Buhari [17] described the elections as the most fraudulent Nigeria had had since independence and, therefore, called for their cancellation and the constitution of interim government to take over from May 29, 2003. [18], identified other electoral misconducts perpetrated by INEC and its unscrupulous officials to include unlawful possession of ballot papers and boxes, unlawful possession of authorized and unauthorized voters cards, stealing ballot box keys, stuffing of ballot boxes, forgery of results, falsification of result sheets, tampering with ballot boxes, collusion with party agents to share unused ballot papers for fat financial rewards, inconsistent application of INEC's procedures across the country, among others.

The declining quality of Nigerian elections is increasingly seen as a threat to democratic consolidation. The 2007 General Elections were the third in the series that map Nigeria's democratization since 1999. The elections offered another opportunity for change and power turnover in the country. However, judging by the overall quality and outcomes of the elections, the expectations of many Nigerians and international partners were dashed. The elections were marred by massive irregularities as reported by different accredited election observers like the TMG, Carter Centre, NDI, IRI, and EU EOMs. The results of the elections were bitterly contested in an unprecedented but largely non-violent manner. According to Aiyede [19], "from the conduct of the elections alone, 1,250 election petitions arose. The presidential election had 8, the gubernatorial 105, the senate 150, the

House of Representatives 331, and the State Houses of Assembly 656". With a few exceptions, especially the gubernatorial elections in Osun and Ekiti States, most of these cases were decided in the final appellate court. For example, the two leading opposition candidates in the presidential election pursued their cases to the Supreme Court where the case was decided in favour of President Umaru Musa Yar'Adua of the PDP. However, results were annulled in several states and at different levels, including the gubernatorial elections in Kogi, Edo, Kebbi, Sokoto, Adamawa, Ekiti and Ondo States. In most of these cases, a re-run was conducted, which the PDP won save for Ondo and Edo States where declaratory judgments were given, leading to the restoration of the electoral victory of the Labour Party and Action Congress in the respective states. Thus, [20] notes that the 2007 elections recorded an alarming 6,180 cases throughout the electoral process. This may be correct given the high level of impunity that characterized the political scene. The most relevant example relates to the manipulation of party primaries to pave the way for anointed candidates of the godfathers, especially within the ruling PDP. Also, as a proof of its weak institutionalization, INEC was unabashedly enmeshed in barefaced political partisanship. The Commission was severely distracted by its demeaning stance of serving as a tool in the hands of President Obasanjo to stop the presidential bid and candidature of the Vice-President, Alhaji Atiku Abubakar. However, INEC was stopped from disqualifying Atiku through the Justice Iorgyer Katsina-Alu-led Supreme Court judgement of April 16, 2007 which ruled that the Commission has no powers to disqualify candidates already cleared by their political parties [21]. The maladministration of the 2007 General Elections intensified civil activism for electoral reform and pressured the government to grant some limited concessions. Civil society organizations, pro-democracy forces and opposition political parties fought relentlessly for a comprehensive reform of the electoral system. For example, the Electoral Reform Network and the Centre for Democracy and Development shining examples of credible election advocacy

groups submitted memoranda to the Mohammed Uwais Electoral Reform Committee and also followed them up in the National Assembly [22]. The changes in the leadership of INEC, including the removal of the controversial and discredited Maurice Iwu and his replacement with Professor Attahiru Jega a leading political scientist, trade unionist and pro-democracy activist are some of the gains of the Uwais reform process.

Arising from the implementation of the electoral reform by Yar'Adua/Jonathan administration, the 2011 General Elections were relatively credible, free and fair. Preparation for the elections began as far back as August 2009 with a strategic retreat by INEC in Abuja. This came against the backdrop of a number of challenges that confronted the Commission. One of these was the credibility gap, especially those that arose from the conduct of the 2003 and 2007 General Elections. To overcome these challenges, the first step taken by the Federal Government was to build public confidence on the credibility of the 2011 elections through the appointment of Professor Jega as the new INEC helmsman. According to [23], "the Commission significantly improved the conduct of the elections, creating a new voters' register, improving transparency in reporting results, and publicly pledging to hold accountable those who broke the rules". Elections were held in most areas of the country in a largely peaceful atmosphere, with fewer reported incidents of violence or blatant police abuses than in previous years. Despite the improvements, there were still incidents of violence, reports of police misconduct, voter intimidation, hijacking of ballot boxes by party thugs, ballot box stuffing, vote buying, multiple voting, over voting, underage voting, falsification of results and other associated electoral irregularities [24]. The outcome of the presidential election also led to the eruption of post-election violence with the attendant destruction of valuable lives (including those of some members of the National Youth Service Corps) and property in states like Bauchi, Gombe, Kaduna, Kano, among others. Corroborating the above, National Democratic Institute holds that "the

violence...caused over 800 deaths and substantial destruction of property” [4]. It is pertinent to note that the outbreak of violence was not only as a result of poor handling of the elections by INEC but also a practical expression of frustration and disappointment as well as a demonstration of the ‘do or die’ attitude of the political elite to electoral contests. Utterances of some of the

candidates that lost and the general inability of politicians to accept defeat did not help matters. Thus, INEC (n.d) surmises that “the painstaking approach to the 2015 General Elections is informed by its perception that the 2011 polls, though qualitatively better than many previous elections, was by no means perfect”.

Biometric Smart Card (BSC)

A Biometric Smart Card (BSC) is simply a smart card that possesses a biometric sensor (mainly fingerprint sensor for now) and can self-authenticate itself. Biometric security entails capturing the needed biometric trait, pre-processing the captured trait, extracting features from it, template generation and finally template matching; all these stages are also carried out within the BSC [3]. The

card reader uses a highly secure and cryptographic technology that is used commonly in devices that need to perform secure transactions, such as paying terminals. It has ultra-low power consumption, with a single core frequency of 1.2GHz and an Android 4.2.2 operating system. The card reader was introduced in the 2015 election.

Extent to which Biometric Devices captured Thumbprints

Prior to the 2015 election, INEC announced that the card reader units have been broadly subjected to Quality Assurance, Integrity and Functionality testing and found reliable in ease of use, battery life and speed of processing. For instance, it takes an average of ten seconds to authenticate a voter. The electoral umpire also explained that the card readers would be subjected to Stress testing in the states and the FCT ahead of the March 28 and April 11, 2015 elections. INEC promised to make a card reader available at every voting point in all the states and the Federal Capital Territory (FCT) during the 2015 elections, with a substantial number of spares available to address contingencies. However, in spite of the assurances given by INEC to address the issues that arose with the card readers after its test-run in twelve states of the federation, the 2015 general elections witnessed the inability of the device to deliver effectively in a large number of polling units especially in the Presidential and National Assembly Elections [7]. Reports from parts of the country indicated that the malfunctioning of the device caused delays and frustration for voters. The device was part of the registration and authentication of duly registered voters - those who had Permanent Voter Cards (PVCs) - and who ultimately participated on election day. The card reader was promoted by INEC as an anti-electoral

fraud device and was introduced to enhance the integrity of the voting process and dissuade multiple voting, as only duly accredited and verified PVC holders could vote. The card readers were also configured to work for specific polling units. This means that PVCs could not be used in multiple polling units. [9], reports that INEC officials and ad-hoc staff had issues with the usage of the card readers in some units like Polling Unit 006 at Kofar Kudu Primary School in Gezawa Local Government of Kano State for instance, as voting did not begin until 11:10 a.m as a result of smart card readers failure. It was a similar experience at Polling Unit 033, Fagge Local Government of the state where voting could not start until 11:30 a.m. Also, problems with card reader disrupted voting at 11:21 a.m at Polling Unit 011 in Shiyar Ajiya, Tambuwal/Shinfiri, in Tambuwal Local Government of Sokoto State (Premium Times, 2019). At PU 006, in Ovoko (Umuolo Ward) Igbo Eze South Local Government Area of Enugu State, the assistant APO II complained that the card reader could not identify some voters whose names were on the register. Both the presiding officer and her assistant said they were confused whether to allow the affected voters to cast their votes or not. According to the presiding officer, 1209 voters registered in the unit. As at 11:48 a.m in Ipaku Maternity 1 and 2, Osi Ward 8, Adavi

Local Government of Kogi State, there was an issue of card reader failure in one of the voting points. INEC officials later replaced the device. As at 11:55 am, at Igbariam Primary School I, Achara Layout West, Enugu South in Enugu State, there were also issues with the card reader [8]. Voters complained that the officers were slow in conducting their activities. According to the report, the Kogi State Governor, Yahaya Bello, expressed dissatisfaction with INEC over the malfunctioning of the card reader at Agasa Polling Unit 11 where the governor and his wife were registered to vote. [9], equally reported that in 2015 three voter card readers failed to read former President Goodluck Jonathan's biometrics and accredit him for voting at the Otazi playground polling centre in his home town, Otueke, Bayelsa State, during the 2015 elections. President Jonathan arrived the Polling Unit 13 at about 9. 20 a.m for the election on that day, but could not be accredited as at 10 a.m. After four repeated trials and failures, Goodluck was accredited to vote manually in line with stipulated INEC procedure - i.e. filling the incidence form. But the media soon caught wind of the situation, and there were a range of reports circulating about similar card reader and finger recognition challenges nationwide. This prompted the INEC to instruct those polling units that were experiencing

card reading challenges to immediately revert to the old system of manual accreditation. The announcement seemed to have eased accreditation in these places; however, the announcement may have inadvertently opened the flood gates for electoral fraud by some politicians and polling officials. There were further allegations of voter list mark-up's (manipulation) and ghost voting (electoral fraud), even though, according to the INEC, the card readers functioned in 99% of polling units nationwide [6]. The same scenario also played out at the Ekiti Governorship election of 2018, where the Peoples Democratic Party flagbearer, Prof. Olusola Eleka, and wife's voters' card were not read by the card reader. The card reader also failed to read the PVC of the wife of the then All Progressives Congress governorship candidate's wife in Ekiti, Erelu Bisi [9]. Card readers also malfunctioned in some areas during the Osun State governorship election. Though, later rectified, the device malfunctioned in Ife and Oriade, among other places and that slowed the process. In November in Kebbi State, no less than 56 out of 3,882 card readers failed to capture the people's data in the state when they were tested. These are some of the failures that had played out since it was introduced in 2015.

Power failure or running down of the device batteries caused the frustration of the electorates.

According to Olanipekun and Adesanya [4], fast battery drainage, rejection of permanent voter's card (PVC) by the card readers, inability to capture the biometrics from finger tips, to irregular capturing are among the challenges that INEC officials had to grapple with during the general elections in Nigeria. Card readers malfunctioned in several polling units, a situation that caused undue delay in the accreditation process. INEC officials had to abandon their polling units and took the card readers back to their office for proper configuration. In order to salvage the situation, which

was almost becoming frustrating, INEC ordered the use of manual process for accreditation, But before the order could go round the states and local government areas, it was already late to conduct accreditation and actual voting in some areas, a situation that forced INEC to extend the exercise to the next day in all affected areas. [13], also adds that a few of the card readers were unable to function due to blank screen, non-activation of the Subscriber Identification Module (SIM) card in the device and low battery.

Inadequacy of trained INEC personnel contributed to the disenfranchisement of Nigerian voters.

The training given to the ad hoc and INEC staff on the use of the card reader was inadequate. Majority of the Presiding Officers and Assistant President Officers I in the polling units were not effectively trained on the proper use and handling of the card reader. In most cases the venues provided by INEC for their training were crowded and not conducive such that most of the trainees did not properly receive the instructions on the use of the card reader. There were imperfect practical demonstrations of how the card reader would properly be effective. In some cases two card readers were provided for a class of hundred trainees [14]. A large number of the trainees did not have the opportunities of operating the device. In some few cases, those that received training were replaced with those that had no proper idea of the effective use of the device. All of these led to the poor handling of the card reader during the elections to the extent that the protective film of some of the card readers were not removed thereby leading to the impossibility of the device to detect thumbprints. According to [17], the Centre for Democracy and Development(CDD) also reported that misconduct and mistakes by INEC staff during the 2019 general elections undermined ward-level collation in many locations, especially in cases where the commission's ward-level officers or ad hoc staff lacked sufficient knowledge of the rules and procedures designed to ensure successful and credible results collation. "Some staff lacked the basic arithmetic skills needed for timely and accurate collation of results, thereby leading to errors in the result sheets, inconsistencies in collated figures, and delays in the time-sensitive process. The report highlighted such states as Kaduna, Ondo and Bauchi, where incompetence of collation officers created errors and delayed the process." "In Kaduna State, for example, collation was slowed by late arrival of materials and the incompetence of some presiding officers. Observers reported that Governor Nasir El-Rufai returned to his ward collation centre at 6pm on election day to observe the counting of ballots but left out of frustration four

hours later as the presiding officer continued to struggle to calculate the polling unit results," the report said. "In Ondo State, some ad hoc staff made errors in entering the results in the sheets, causing unnecessary delays and confusion. In one such instance, an ad hoc staff member erroneously entered the House of Representatives result on form EC8B1, but labelled it as the Senate result." In a report by the [14], "Observer reports also revealed widespread failures to follow correct INEC-mandated processes regarding ward-level collation. Many election staff appeared to be confused or lacked knowledge of these procedures. Local and state INEC staff also demonstrated a willingness to ignore procedures. Instead of seeking guidance from their superiors, they readily used their own discretion to change collation procedures and relocated collation centres with little or no notice."

In the same vein, the presidential candidate of the Young Peoples Party (YPP), Kingsley Moghalu, decried the non-performance of card readers in his ward at Nnewi North Ward Two in Anambra, which he attributed to the lack of (or poor) understanding among INEC's ad-hoc staff on the need to remove film covering from the screen of the device which facilitates better fingerprint decoding. Mr Moghalu told journalists on Channels Television shortly after voting by 11.55 a.m that faulty card readers delayed voting in the area (Premium Times, 2019). Some INEC officials according to [12] attributed the failure of the card readers to INEC engineers who could not decode the inbuilt security installation in the card reader. The security code in the card reader was reportedly designed to update the time and date of voting. One official claimed that the cards were initially programmed for February 14 and that with the postponement to March 28, some of the cards readers had not been re-programmed [2]. A number of the PVC issued to voters by INEC could not be authenticated thereby disenfranchising some eligible voters in the elections. Wherein some voters' cards were authenticated, their biometric data could not be verified

after several trials; and where it is verified, it was slow in some cases especially the fingerprints. In Borno State for example, ten percent of eligible voters cards were authenticated and biometric data verified by the card readers at most of the polling units [3]. However, the inability of the device to capture the fingerprints of some voters was attributed to greasy or dirty fingers of the voters. In most cases, people had

to scrub their hands on the ground just to ensure that the device recognizes their finger prints [4]. Following the widespread failure of the card reader, Jega, changed the guidelines (while the election was ongoing and after millions of frustrated voters had gone home disenchanted) in the conduct of the election and approved the use of manual accreditation in areas that the smart card readers malfunctioned [9].

CONCLUSION

From the above discourse, this paper concludes that the biometric devices failed to capture thumbprints effectively and this led to the disenfranchisement of a good number of registered voters; secondly, power failure and the running down of the device batteries caused the frustration of the electorates; similarly, the inadequacy of trained INEC personnel contributed to the disenfranchisement of Nigerian voters because some of them got in as gate-crashers while some bribed their way in. nonetheless, it is important to state that the level of awareness among the electorates about the card reader was poor and therefore equally contributed to the failure of the smart card readers.

A large number of Nigerians especially the electorates in rural communities were completely unaware of the device and how it functions. Many of these categories of people had neither seen nor heard about the card reader until the election day. These categories of people had no information on the role of the card reader in the elections. There was a lot of misconception about the device. To some of the electorates, the card reader was a voting device. This inadequate information dissemination and poor sensitization of the electorates on the card reader led to some poor human relations and uncooperative attitudes between some of the electorates and election officials.

RECOMMENDATIONS

In line with the analysis, the study recommends as follows:

- i. Thorough voters' education at community level with comprehensive and down-to-earth demonstration of newly introduced technology should be done for electronic voting to thrive in the Nigeria. If a voter does not understand how a technology works, he would never trust the technology no matter how transparent the process seems. The government should provide basic infrastructure for rural areas to enable easy dissemination of and access to necessary information as regard the electoral process. Improving the process of voter education and political sensitization especially for young people will greatly influence the success of elections in Nigeria.

- ii. ICT staff and other well trained and certified staff should be used for technology support roles during elections. Also, ad-hoc staff that have not undergone necessary training and passed necessary examinations should not be allowed to participate in any election activities. The idea of using new set of ad-hoc staff for every election should be discouraged because it consumes lots of funds and time and does not give room for expertise; hence, the use of experienced staff is expedient for any technology-driven process. Instead of using Youth Corp members to handle electronic gadget in an election, INEC staff and federal civil servants may be used. The commission staff and selected federal or state civil servants may be made to undergo certifications on the

use of INEC technologies. Such certified staff may be deployed to handle technology devices in any election both within and

outside their state of residence.

- iii. Furthermore, the 1993 model of Option A4 remains the best option for the large illiterate electorates of Nigeria.

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