Full Length Research

Credible Election in Nigeria: Challenges and Prospects of Bi-Modal Voter Accreditation System (BVAS) Technology

Adekunle Ogunmilade[1], O. J. Akhigbe (Ph.D)[2] and M. Z. Momodu[3]

[1]Department of Office Technology and Management, Auchi Polytechnic, Auchi, Edo State.
Corresponding author's Email: adekunleogunmilade22@gmail.com
[2]Department of Office Technology and Management, Auchi Polytechnic, Auchi, Edo State
[3]Department of Office Technology and Management, Auchi Polytechnic, Auchi, Edo State.
E-mail: Mustaphazekeri123@gmail.com

This paper reflected on the February 2023 elections with an over 210 million population, Nigerians go to the polls every four years to choose their representatives at the local, state and federal government levels. The Independent National Electoral Commission, the apex body for election conduct in the country, has been saddled with the responsibility of overseeing the electioneering process while ensuring credibility. Despite efforts of the commission to keep the electoral process as transparent as possible, there have been widespread reports of electoral malpractice aided sometimes with violence. Hence, INEC had over the years sought for the deployment of technological innovation to improve the credibility and safety of the electoral process in Nigeria. The use of such technology includes Permanent Voter Card (PVC), Z-Pad, INEC Voter Enrolment Device (IVED), INEC Results Viewing Device (IReV), Card Reader and Bi-modal Voter Accreditation System (BVAS). INEC's Bi-modal Voter Accreditation System (BVAS) may not have been maximally put into use with the failure to allow for the electronic transmission of results in real time, thus giving room for manipulation; it should still be considered as a major breakthrough. It concluded that with the right technology, commitment to making technology work and the determination of the citizens and their active participation in the electoral process, Nigerians can truly determine who leads them and make their leaders accountable.

Keywords: Credible Election, Challenges and Prospects of BVAS Technology.

INTRODUCTION

There is this cruel joke about elections making the round at present in Nigeria. It states that at an international gathering, the representative of Britain stood up to say that elections in his country take a few hours to be declared. Another man from America cautioned to say his country has a faster method as election results are declared there just as the electorates are voting. The Nigerian in their midst laughed at their snail speed. "You

guys are too slow. In mine, results are known long before the elections". When asked "how" he told them to come and consult Professor Mahmmud who was so generous that he awarded himself a pass mark of 80% after the 2023 fiasco. The above story may sound flatulent, but Africa in the poorest, most unstable continent on earth and Nigeria is a brutal representative of this understatement. We say this because election time is the period of influx of dirty money into Nigeria: stolen millions from past despots and their cronies, drug money, '419' dollar and Euro, ritual tainted naira and other undeserved cash bankroll illegal mandates. Bribery, transfer pricing and tax evasion earnings equally mount gurard against decency. With exception of Murtala Muhammed and Muhammadu Buhari, every other Nigerian president has exhibited gross incompetence occasioning national disasters. As of today, the problem is that there is a frightening assault on democracy which is damaging electoral politics throughout the nation. Unless the lessons of history are irrelevant, it is fantasy to think that we can get it right without fighting for it. Power hungry politicians, Reform weary power blocks and Chronic and unrepentant umpires. All the dynamics are there for a country sliding towards a bottomless cliff. Therefore, INEC had over the years sought for the deployment of technological innovation to improve the credibility and safety of the electoral process in Nigeria (Adeyeye, & Aladesanmi, 2021).

The importance of technology in human lives cannot be underestimated. Our realities have been greatly influenced by technological advancements, particularly in the 21st century.

Technology affects the way individuals interact with one another on a daily basis. It can also be said that technology has affected every other aspect of human life: health, education, finances among others. The fusion between technology and governance starts in many parts of the world, particularly at the electioneering process. The deployment of technology in different countries of the world to the electioneering process has recorded an enormous impact. Most electoral management bodies around the world use new technologies with the aim of improving the electoral process. Some of the technology employed by these bodies includes basic office automation tools such as word processing and spreadsheets to more sophisticated data processing tools, such as database management systems, optical scanning and geographic information systems (Adeyeye, & Aladesanmi, 2021).

Government and politics impact nearly every aspect of human lives ranging from the amount of tax an individual pays to the kinds of household items they can possess. Voting on its part is the process of selecting a candidate for a political position. It is one of the electioneering processes.

The History of Nigeria Election

The history of elections in Nigeria dates back to 1983 when the President Shehu Shagari led NPN's Federal government superintended over the elections of 1983, it was glaring in its outcome that the seed of destruction was again sowed by the NPN's plan and intention to win everywhere and for strong political office holders to "deliver the states" whatever that means in classical political terms, beyond the warped reasoning of the average Nigerian politician, who behaves like the proverbial sheep, who pollutes its own body imagining it was cheating its owner.

The second tenure of President Shehu Shagari lasted only three months and ended in a military coup, because of the 1983 rigged elections. Nigerians welcome a Head of State called Major General Muhammadu Buhari and his men. However, the General Muhammadu Buhari administration, which was the result of December 31, 1983 coup d' etat was later ousted from power by General Ibrahim B. Babangida on August 27, 1985. Babangida then put in place structures and institutions for election to hand over power to a civilian government. In order to avoid the pitfalls arising from the formation of ethnic political parties as in the old, only two political parties the Social Democratic Party (SDP) and National Republican Convention (NRC) were formed. All these processes culminated in the June 12, 1993 presidential election, which came up in later years, after much political turbulence (Nzongola- Ntalaja, 2006). It was an election that marked a turning point in the political development of Nigeria in several respects. For one, the event, which was a climax of series of elections that started in 1991, put an end to the process of a transition that was almost endless; two, the results of the election did not lead to the enthronement of the acclaimed winner of the elections, Chief M.K.O Abiola of the SDP; and three, the election was believed to be fairest and freest ever in the electoral history of Nigeria.

In any case, suffice it to say here that the elections of 1993, which were held using the modified Open Ballot System (MOBS), an electoral system that required voters to make their choice of candidates in secret but to cast their votes in the open did not lead to the enthronement of democracy at the presidential level. As Emordi and Andu remarked, the Option A4 formula; "sought to determine those who had grass-roots, those who had neither grass nor roots. In other words, the formula ensured politics from grass to roots". It was a system that did not include the use of ballot papers or boxes. People simply queued for candidates of their choice and then were counted. So there was nothing to snatch and it also reduced the chances of rigging and manipulation of results (Nzongola- Ntalaja, 2006). This precaution notwithstanding, the election was annulled, but with obvious consequences, as evident in the imposition of

Interim National Government (ING) on the country, and the continuous stay of military in power with the attendant unprecedented political crises in the country, till 1999 general election which marked the beginning of a new era in Nigerian politics, as it marked the end of military rule and the return to civilian democracy. The election was held under the supervision of the Independent National Electoral Commission (INEC), which was established to oversee the electoral process and ensure that it was free and fair. The election produced President Olusegun Obansanjo. The election was believed to have been rigged in some states of the federation in favour of the winner, but because Nigerians were already do away with military dictatorship, they accommodated the electoral flaws. However, compared to those of 2003, the election of 1993 was relatively free.

When the election came in April 2007, the situation was worse in the exercise was marred by electoral flaws. The verdicts of both local and international observers portrayed the elections as monumental failure arising from well-orchestrated electoral frauds perpetrated by both politicians and electoral officers. From the outcries that trailed the results of the elections across the country, the conduct of the general elections left much to be desired in terms of meeting minimum global, regional and local standards of democratic elections. No doubts, the flawed elections of 2007 constitute major setback in building just, democratic, peaceful and egalitarian society. The PDP and Obasanjo foisted Governor Umaru Musa Yar'Adua on the country as President. The election was so badly and violently rigged under the Chairmanship of Professor Maurice Iwu's Independent National Electoral Commision (INEC), the European Election Observer Mission in Nigeria reported that "Nigerian leaders had deceived their people". This drew the anger of Obasanjo's government which asked the foreign election observers to leave Nigeria. President Umaru Musa Yar'Adua in his inaugural speech, acknowledge the fraudulent nature of the election that brought him to office to the admiration of the whole world and his countrymen. He went on to set up a high-powered Electoral Reforms Committee (ERC) which was chaired by Justice Muhammed Uwais to examine the electoral process and recommend ways of reforming it.

Amongst these recommendations include: establishing electoral tribunals to deal with electoral offenses; constituency delimitation; proportional representation in elections to Federal and State legislatures and local government councils as well as removing the power of appointing the INEC chairman from the President and vesting it on the Judiciary (The Cable, May, 18 2019). Similarly, INEC under the leadership of Professor Maurice Iwu and Professor Attahiru Jega in 2011 and 2015 respectively also introduced some electoral reforms aimed at reducing electoral malpractices in the country. Professor Maurice Iwu introduced the idea of using

Nigerian Service Youth Corp (NYSC) members as polling agents as against the old practice of recruiting anybody from the street; some of whom turn out to be agents of different candidates and political parties, Professor Attahiru Jega initiated the technologically based reforms with the use of the Permanent Voter's Card (PVC) and introduction of Smart Card Reader technology, a device used to scan the PVC in order to verify the identity of a voter in a polling booth.

The 2011 and 2015 elections under the supervision of Professor Attahiru Jega's INEC and under the superintending influence of President Goodluck Jonathan saw to the decrease in tension in our body polity as it relates to elections and its associated crises in Nigeria. The only ugly side of this electoral period was General Muhammadu Buhari's aspiration and utterances. He had registered a political party called Congress for Progressive Change (CPC), which statements and body language during campaign in the northern part of Nigeria triggered electoral violence, when he lost in 2011 to President Jonathan. Several people, among who were Nigerian youths on national service lost their lives in the northern part of the country, while working as ad-hoc staff of electoral INEC.

In 2015, Goodluck Jonathan lost to General Muhammadu Buhari who had become a candidate of a new alliance called the All Progressives Congress (APC). Jonathan congratulated Buhari even before the results were fully announced. Neither Jonathan nor the PDP went to court to challenge the outcome of the elections and these had a trickle-down effect on other candidate. The election could not be rigged because of the deployment of Permanent Voters Card (PVC) and Card reader technology for the conduct of the elections.

Electoral Fraud and other Malpractices in Nigeria

Nigeria is a law governed nation as the 1999 Constitution stipulates. The Electoral Act 2006 spells out the procedures for valid elections in the country. Before then, the Third Schedules of the 1999 constitution section 14(1) (a & b) is of the view that the Independent National Electoral Commission shall comprise the following members:-

(a)   a Chairman, who shall be the Chief Electoral Commissioner; and
(b)   Twelve other members to be known as National Electoral Electoral Commissioners who shall be person of unquestionable integrity and not be less than fifty years and forty years of age respectively.

Electoral fraud is therefore the manipulation of the election process to the advantage of a particular candidate or some candidate. Perhaps the most

common of these fraudulent practices is the manipulation of the ballot on polling day. This strategy is usually with active connivance of poll officials. Some of the methods for achieving this are listed below:

(a)   Delay in the opening of polling stations to frustrate voters. As Nigerian are mostly impatient, the delay would occasion some very uncanny remarks like; "I don tire O". I no fit die for any politician etc.
(b)   Non supply of or short supply of voting materials;
(c)   Disappearance of polling papers;
(d)   Directing voters on what to do;
(e)   Allowing impersonation to take place;
(f)   Using pre-stamped ballot papers;
(g)   Inflating or deflating batches of counted ballot papers;
(h)   False declaration of election results; and
(i)   Other inventions of the jet age

In the past, especially after President Obasanjo declared that the 2007 elections show would be a "do or die" matter, umpires became loyal party men who were sent to return predetermined results. A Chieftain of PDP is famous in charging his party men to go and win "by all means". After this, he always admonish, the loser can go to the tribunal while we are in the State House. This fraud is usually obtained by the use of military and other security operatives to chase opponents and voters away so they can set the ballot papers ablaze and put in the boxes, already thumb printed papers which they will themselves take to the polling stations being aware of this scenario easily accept the boxes as legitimate. In some instances, ballot boxes are swapped on their way to the polling stations. In most of the state in the 2007 election, results were prepared by the ruling party and handed over to electoral officer to announce. The introduction of technological device has changed the generational attitude of cynic people like Nigerians. Technology, no doubt, has reinforced the social contract between the elected president, governors, legislators and electorate.   Technology   has   commenced   the transformation of the psyche of politician to be more loyal to the electorate than godfathers. It is a revolution for if it is federal might; APC could have won Lagos and Abuja, Kaduna, Katsina and Plateau states squarely. This was the folly of those who continue to hope to rig elections at collation centers.

Permanent Voter's Card (PVC) and Smart Card Reader Technology

Professsor Attahiru Jega initiated the technologically based reforms with the use of the Permanent Voter's Card (PVC) and introduction of Smart Card Reader technology, a device used to scan the PVC in order to verify the identity of a voter in a polling booth. The smart

card reader was one of the greatest innovations of biometric verification technology as well as a crucial aspect of the 2015 general elections especially as the electorates as well as civic societies and the international community were determined at ensuring the conduct of a credible, free and fair election in the country (Premium Times, 2019)

In Nigeria, the card reading machine was introduced in the conduct of 2015 general election as well as during the gubernatorial elections in Edo, Anambra, Ondo and in Ekiti state. However, electoral observers posits that despite the adoption of card readers, electioneering process in the country is still plagued with myriads of challenges evident in late arrival or non-availability of electoral materials, falsification of election results, failure/malfunctioning of the card reader machines and thurggery aimed at subverting the electioneering process (Eleckwa, 2008). Under the current system, voters show up at polling units and have their PVC verified by card readers before being allowed to vote. The two-step authentication   eliminates   the   dual   problems   of impersonation and multiple voting previously rampant rigging tactics. It's a major shift from the past when only paperwork (which could easily be faked) was enough to allow voters cast a ballot.

"The smart card readers and PVCs were a very important innovation that really enhanced the credibility of the elections," says Richard Klein, senior adviser for elections at the National Democratic Institute (NDI). As Quartz Africa has reported, improvements in making elections more secure have forced politicians to rethink their campaign tactics to reach and convince voters directly. Despite major progress, INEC's processes remain far from perfect. The commission's technology could ultimately be undermined by its people if electoral officials abandon the card readers on Election Day as a result of intimidation by party agents or in a bid to speed up voting, Klein says. It's a red flag that election observers will keenly watch out for. INEC commitment to improve the electoral process via technology introduced BVAS device which allows for accreditation of voters through biometrics capturing, uploading of polling results and other function.

Bimodal Voter Accreditation System

For decades now, fast changes have been taking place in all aspects of human life including the office environment. This is as a result of technological advancement. Every organization (public or private sector) requires facts and accurate information for quick decision-making. This support can be technological (machines and equipment) and human. Most recently, business have developed word processing centers and are related on personal computers and even electronic mail in an effort to reduce the need for service support

and make the employee very productive (Ainabor, 2017). Technological innovations have brought changes in all areas of human endeavour and these changes are growing rapidly with accurate acquisition of knowledge and skills that are essential to capture the competitive advantage and remain viable (Kraemer, 2014).

In confirmation of this assertion, these technological changes have made traditional office function to be out modeled. In the same vein, the introduction of Bimodal Voter Accreditation System (BVAS) is an electronic device designed to read Permanent Voter Cards (PVCs) and authenticate voters using the voter's fingerprints – in order to prove that they are eligible to vote in a particular polling unit. These changes are mostly driven by information technology (IT). Voting on its part is the process of selecting a candidate for a political position. It is one of the electioneering processes technologies called the Smart Card reader introduced by the Independent National Electoral Commission (INEC) in the bid to raise the quality of elections in the country over the years. Bi-modal Voters Accreditation System (BVAS) and the earlier smart card readers are vaccines against vote-rigging (Tribune, 2022). In no distance future, electoral system in Nigeria will be one the most credible free and fair. Naturally, there is going to be hitches as is always the case in the early usage of any type of technology.

The introduction of this technological device, has given hope to voters as it is believed that electoral fraud and manipulation will be curtailed. This has given serious hopes to those who want credible elections and has created panic in those who cannot win clean and fair elections, those who collaborate with security agents and some disgruntled INEC staff to manipulate themselves to victory. The typical Nigerian voter is tired of such manipulations and would want to do anything legal to protect his or her votes

Why we need Credible or Free and Fair Election

Although democracy is not synonymous with election, free and fair election is generally accepted to be at the heart of democracy. Unless there is free and fair election, the meaning inherent in the definition of the term, 'democracy' cannot hold – government of the people, by the people and for the people, 'By the people' and 'of the people' denote a government composed through the freely given consent of the people, expressed in an election. Once the element of the 'free consent' is absent in an electoral process, and then the product is no longer democracy but dictatorship. This is what is implied in Section 14(2) (a) of the 1999 Constitution of the federal republic of Nigeria, which categorically proclaims; "It is hereby, accordingly declared that – Sovereignty belongs to the people of Nigeria from whom government through this Constitution derives all its powers and authority". Any election that is fraught with

fraud and violence is therefore a usurpation of the sovereignty of the people. In other words, it represents an electoral coup, which is a violation of Section 1(2), which provides; "The Federal Republic of Nigeria shall not be governed, nor shall day person or group of persons take control of the Government or any part thereof, except in accordance with the provisions of this Constitutions"[6].

If the people are the source of power as provided in the Constitution, then the emerging government is likely to govern in the interest of the people in expectation of the reward of re-election. In a democratic system of government, a government can only ignore the welfare interests of the people to its own electoral peril. Any society, which is characterized by wanton disregard of the welfare interests of the people, it can be assumed that the people are the source of access to power. Lack of free and fair election also implies existence of minority government, which by nature, is crisis prone. The preoccupation of a minority government is how to survive in power as it faces the twin crisis of legitimacy and credibility. The phenomenon of minority government also encourages the politics of self-perpetuation in power in order to prevent succession by a government that may investigate corrupt practices of previous governments.

Bi-Modal Voter Accreditation System (BVAS) as the Journey to the 2023 Election

Nigerians are conversant with the technology called the Smart Card reader introduced by the Independent National Electoral Commission (INEC) in the bid to raise the quality of elections in the country over the years. The deployment of the device on election days in the past had elicited mixed feelings. Then, came the **Z-Pad**, which the INEC used to conduct a few offseason elections. But the commission has since raised the bar by introducing what is referred to as Bi-modal Voter Accreditation System (BVAs). The INEC deployed it to conduct a few bye-elections and the governorship poll in Anambra State last November. It was not without hitches, which the commission had said were being addressed.

INEC described BVAS as to capture three stages of the voting process: it acts as the Voter Enrolment Device (IVED) during voter registration, performs the voter accreditation on an election day and as INEC Results Viewing Device (IReV Device) to be used for election results upload on an election day. Incorporated into the INEC Voter Enrollment Device, the BVAS is said to combine fingerprint and facial authentication to ensure true identity of a prospective voter. Therefore, BVAS performs the functions of both the Smart Card Reader and Z-Pad, as it is designed to ensure fingerprint authentication during the accreditation of voters and eliminate any need for the filing of incident forms.

Some of the technologies the INEC introduced in the past included Permanent Voter Card (PVC), which

contains voters' biometric information in an embedded microchip. It replaced the Temporary Voter Card that was used in the 2011 general election. It is also on record that the commission deployed the electronic card readers with fingerprint scanners for the first time in the 2015 elections. The card reader displayed the picture of the voter so that poll workers can visually establish the identity of the voter against the card, and allows for scanning of fingerprints to check voters' fingerprints against the biometric information contained in the PVC.

INEC officials are upbeat about the performance of BVAS because the device, according to the authorities, enables human recognition through biometric verification mechanism, using fingerprint and facial recognition. The test-run for the technology took place during the Isoko South 1 State Constituency bye-election in Delta State, and INEC boss, Professor Mahmood Yakubu had used the occasion to underscore the importance of the technology. Independent Electoral Commission (INEC) introduced the Bimodal Voter Accreditation System (BVAS) for efficient human recognition through a biometric verification mechanism, using fingerprint and facial recognition of voters. It took an average of just one minute for the device to locate the voter in the system and another two minutes to authenticate a voter. In terms of the ruggedness of the device and its battery life, no single BVAS was replaced due to discharge of battery. They guaranteed the credibility of voter accreditation by preventing multiple voting or the use of stolen PVCs to vote.

Bi-Modal Voters Accreditation Machine System

The first primary obligation of the BVAS, is the verification of the genuineness of the PVCs and the fingerprint or facial authentication of voters during accreditation, to replace the Z-pad for uploading the polling unit results to the INEC Result Viewing Portal (IReV) in real time on Election Day and also acts as the INEC Voter Enrolment Device (IVED) during voter registration. The use of BVAS, appears to have eliminated the use of incident forms during accreditation on an election day. According to INEC guidelines, BVAS shall be the only mode of accreditation for the purpose of the election. All voters are subject to it before they are issued with ballot papers to vote. After elections, the results are then collated and entered manually on INEC form EC8As. More importantly, the number of voters on INEC Form EC8A must never exceed the number of accredited voters on BVAS. If that happens, over-voting would be established and the implication is automatic cancellation of the result of the affected polling unit as prescribed by the Electoral Act 2022.

The introduction of this technological device, has given hope to voters as it is believed that electoral fraud and manipulation will be curtailed. This has given serious

hopes to those who want credible elections and has created panic in those who cannot win clean and fair elections, those who collaborate with security agents and some disgruntled INEC staff to manipulate themselves to victory. The typical Nigerian voter is tired of such manipulations and would want to do anything legal to protect his or her votes. In spite of the introduction of BVAS, there are still fears that the technology can still create issues which the politicians might capitalize on. This can be seen in the use of BVAS and that of the end server. According to the Independent National Electoral Commission, BVAS does not use data or network but the back end server does. The information loaded in the BVAS May not all drop at the same time or may not drop at all because of the back end server network and technology inadequacies. This is the reason why the physical inspection of the entries in BVAS by agents of political parties is very important, to be sure of number of voters that have been accredited.

Reasons for Malfunction

On why BVAS keeps malfunctioning, an IT expert, Damilola Akinsola, said the device required regular software updates and serviceable broadband access, requiring 4G technology for convenient download. According to Akinsola, quality internet access is a major challenge as several areas (especially remote locations) within the country don't have 4G network coverage. For instance, MTN, the leading carrier in the country with 38 per cent market share, currently reports only 60 per cent 4G penetrations.

How can BVAS Failure be minimized?

- It is sometimes assumed that biometric systems always work correctly and without failure. In reality, biometric technologies and related matching processes cannot be expected to work with 100 per cent accuracy.
- The electoral umpire, INEC, has touted the BVAS as an unbreakable system that prevents any form of electoral malpractice. However, like every other technology out there, the BVAS is not without its loopholes.
- Also, the loopholes associated with the voting system can affect the credibility of an election.

Challenges of BVAS

However, while the voter accreditation system has been praised for eliminating electoral malpractice, there have been some shortcomings in its usage. While it prevents multiple registrations, it may not affect many other fraudulent strategies. The network problems can

be attributed to an internet blackout that cut off access to news, social media, and messaging services ahead of the election.

The complexity of the biometric voting processes, many electoral agencies requires external partners, or provide companies, that can assist the effecting the new process seamlessly. However, this often raises new concerns for citizens including protection of voters' data when trusted with a private vendor. Many rightfully want to know what will happen with the personal information and biometric data they provide.

Prospect of BVAS

- BVAS can help to prevent voter fraud and electoral malpractice.
- BVAS can improve the transparency and accountability of the electoral process

However, some loopholes are associated with using BVAS in EVS; BVAS may introduce additional complexity to the electoral process, necessitating more user accreditation.

- BVAS may enhance and ensure Nigeria's democratic process and consolidation.

CONCLUSION

In elections, perception is everything introducing the BVAS and IReV into the framework for election results management has transformed the public perception of the accuracy and credibility of election results. It is one of the most significant innovations and reforms to Nigeria's election process. Therefore, INEC, Civil Society, and Citizens' insistence on using BVAS and IReV for the election are justified. The urgent way forward outlined below will ensure the BVAS and IReV performs optimally when scaled up for the general election. Nigerians want to go to the poll with the assurance that the BVAS and IReV will protect their vote.

Way Forward

In order to increase the trust quotient in the BVAS and IReV, INEC should implement the following actions as a matter of urgency

- A comprehensive audit of BVAS will prevent possible disenfranchisement of voters and inspire public confidence in electoral technologies being deployed by INEC for future elections.
- INEC should take immediate measures to enhance

the infrastructure behind the technology and ensure adequate training for ad-hoc staff on the efficient use of the device going forward.
- The commission should make significant investment in the training of polling unit officials, with special focus on result transmission, ballot paper accounting as well as the capturing of polling unit results using BVAS. All poll officials with the responsibility of handling the BVAS should undergo practical simulation session using BVAS before Election Day.
- INEC's national commissioner and chairman, information and voter education committee should expand the base of the training of its ad-hoc staff to acquaint them more with the workings of BVAS and other technological innovations of the commission.
- BVAS Software should be modified and upgraded to improve voter accreditation and picture quality. Its 105 should be upgrade to introduce a feature that enables the camera to detect or capture/focus on the object of interest, such as the entire result sheet. In addition, a PDF compression script should be integrated into the portal to ease download of election results.

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