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Democracy at a Crossroads: 2023 General Election in Nigeria, Electronic Results Transmission and Electoral Conflicts

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Abstract:

Democracy in Nigeria is at a crossroads and in dire need of solutions. This informed the new Electoral Act of 2022. This paved the way for introducing the Bimodal Voter Accreditation System (BVAS) as a supposed game changer that would guarantee free, fair, and credible elections in 2023. Based on this background, the paper focuses on the 2023 general election in Nigeria and uses the Elite theory as its framework to examine how the failure of BVAS in transmitting results electronically from the polling unit caused electoral conflicts, endangered democracy in Nigeria and marred the conduct of credible and acceptable elections. The data collected through primary and secondary sources revealed that the inability of the Independent National Electoral Commission (INEC) to transmit results electronically through the BVAS, as stated in the electoral guidelines, gave rise to manipulations of results by politicians and the elites. This paper argued that all forms of manipulation by politicians, elites and the ruling class that would further endanger democracy in Nigeria must be resisted by the citizens and all lovers of democracy globally. In this regard, it is recommended that INEC must be non-partisan, follow electoral guidelines, and capital punishment for staff of the commission found guilty of electoral fraud. The paper emphasized that the Nigerian-State must be an impartial arbiter before, during and after elections, while civil society groups and the citizens should continue to demand transparency and ask for due process to be followed in elections.

Keywords: Democracy, electoral conflicts, elections, Nigeria, BVAS, INEC

1. Introduction

Democracy is the most acceptable form of government in the world today, and it recognizes election as the medium through which citizens have the opportunity to choose those who will represent them in the parliament and other levels of government (Ake, 1994, 1985, 1996; Mimiko, 2007; Nna, 2004; Oddih, 2007; Oke, 2005). It institutes leadership and confers authority and political power to them (Abdulkadir, 2015; Shehu, 2015). The election and electoral process that bring these leaders to power must be excellently conducted and the process reliable and credible. Election is one of the most acceptable features of democracy as it eliminates legitimacy crises and gives credibility and authority to any government in power. It is important to note that for an election to be acceptable to the citizens, it must be free, fair and credible. Mohammed (2017: 1) underscored this point when he argued that: "...one of the striking features of sophistication in the practice of democracy is the ability of democratic institutions to engender free, fair and credible elections, in which the embodiment of the rule of law, social justice and accountability is deeply entrenched and guided by the process and conduct of the election."

In Nigeria, it is sad that most elections are not usually free, fair and credible. It was observed that "even under the supervisory eyes of the British, during the 1959 elections, incidents of violence, stuffing of ballot boxes, as well as obstructions and intimidations of opponents, were reported here and there" (Edoh, 2004:70). In post-independent Nigeria, several scholars such as Abe (2008), Aluko (2009), Awopeju (2009), Mohammed (2015) argued that the elections of 1964, 1965, 1979, 1983, 1999, 2003, 2007 and 2015 were marred by various forms of irregularities such as ballot snatching, falsification of election figures and results, electoral violence, over voting, to mention but a few. This, no doubt, has worsened Nigeria's democratic experience with serious implications for governance and development. This is further exacerbated by a lack of effective and efficient electoral acts, even the supposed weak electoral acts; there is no political and democratic will to implement them (Abe, 2008; Ijayi, 2005; Asamoah, 2004; Igbuzor, 2010; Aluko, 2009; Awopeju, 2009; Mohammed, 2015).

The lack of political will, accompanied by manipulation by the elites, resulted in the inability of Independent National Electoral Commission (INEC) to transmit election results electronically through BVAS from the polling units as stated in the electoral guidelines, led to electoral malpractices and other irregularities experienced in the 2023 general elections. This rendered it not free, fair, credible, and unacceptable to the majority of Nigerians. Before the elections, INEC

had, through various press statements, briefings and other platforms, assured Nigerians and the international community that the 2023 general elections results would be electronically transmitted and billions of funds were released to INEC to purchase BVAS and other equipment to make this possible (Guardian Newspaper, 2022). Electoral violence associated with killing, destruction of life and property, and harassment of INEC staff started when this promise was not kept. There were such cases of electoral violence in Rivers, Imo, Lagos, Delta, Abuja, Enugu, Akwa Ibom, Bayelsa, Edo and other States in Nigeria. This development has raised so many questions begging for answers. Such questions raised due to the electoral backdrop are: Why did INEC not transmit election results electronically as provided in the electoral guidelines? Why are some elites opposed to the electronic transmission of election results? Why insistent on manual collation of results? How has INEC's inability to transmit results electronically endangered Nigeria's democracy and put Nigeria's democracy at a crossroads? While several studies in the past such as Igbuzor (2010), Ijayi (2005), Adejumbi (2000) and Abe (2008), to mention but a few, focused on various dimensions of elections and democratization in Nigeria, the current study examines BVAS, which is newly introduced in Nigeria's electoral system and how the failure of the BVAS to transmit results electronically from the polling units caused electoral violence, marred the conduct of credible and acceptable elections in 2023 and endangered democracy in Nigeria.

The study utilized qualitative data and content analysis, which seek to interpret recorded communications in a bid to explain the context that gives birth to a particular human behaviour, emotion or action (Bhattacharjee, 2012). The remaining segment of the paper is structured into five parts. Following this introduction is the conceptualization of democracy, elections, and electoral violence. The third part is the theoretical framework and the fourth component discusses how the failure of BVAS resulted in electoral violence and the unacceptable outcome of the elections by the majority of the citizens, while the fifth section assesses the role of different stakeholders in the 2023 general elections and the overall implications of their actions for Nigeria's democracy, governance and development. Thereafter, some conclusions would be drawn and recommendations provided.

2. Conceptualizing Democracy, Election and Electoral Conflicts

In the Social or Behavioural Sciences, concepts are constantly subjected to different interpretations and meanings, depending on the orientation and the ideological leaning of the analyst. In this note, a brief clarification of the basic concepts utilized in this study is admissible. The basic concepts that require clarification include Democracy, Elections and Electoral Violence. "Democracy has become an ambiguous thing, with different meanings, even apparently opposite meanings for different people." (MacPherson (1975:2). This different interpretation may not be unconnected to the fact that different countries of the world have adapted democracy to their different peculiarities, needs and environments. Asamoah (2004:23) defined it as "a political arrangement in which political power is vested in the majority of the citizen." Implicit in this definition is the fact that democracy is a rule by the majority and it promotes accountability, transparency, honesty and integrity in governance by allowing majority decision and participation. Diamond (2008:13) summarized the democratic principle as: "...a transition to democracy is ever to be achieved and sustained... a deeper transition must somehow be effected from prebendalism to real institutionalism, where the legal and constitutional rules function with effectiveness to constrain behaviour. This will require not simply wise imaginative institutional designs...but powerful forces and agencies to enforce them."

Another concept relevant to this study is election. Election is defined as a "procedure recognized by the rule of an organization, be it a state, a club, a voluntary organization or whatever, where all, or some, of the members, choose a smaller number of persons to hold an office, or offices, of authority within that organization" (Dowse & Hughes, 1983: 322). What this suggests is that through elections, those who occupy political offices and leadership positions derive the authority and power they weigh from the people they govern. This consent that the people give to those who govern them eliminates the legitimacy issues associated with most administrations. In a democracy, a periodic and regular election is an essential feature, as elections serve as the medium through which the people elect those who will serve as their representatives in the executive and other organs of government.

The last concept that requires clarification in this study is electoral conflicts. To discuss electoral conflicts, it is important to start with the term conflict. Conflict is a disagreement or misunderstanding between two or more persons or groups that have or think they have interests or objectives that are not compatible with both parties (Dennen, 2005). This means that conflicts are unavoidable in human life and are not necessarily hurtful or dangerous. It becomes harmful, dangerous and problematic when individuals and groups involved decide to achieve their goal and objective through forceful or violent means. Electoral conflicts, therefore, refer to those conflicts associated with the electoral system, which may result in loss of life and property.

3. Theoretical Framework

In the study of elections and electoral conflicts, different theories offer complementary and opposing views on the importance of elections, the processes involved and their role in democracy and the democratization process. This study adopts the Elite theory as a theoretical perspective to guide this study. Mosca (1968) and Vilfredo (1991) are the major exponents of this theory. The elite theory argues that every society is ruled by a few persons or individuals known as the Elites. This means that every society has two social classes or groups: the rulers and the ruled. The rulers in this context refer to a small group of persons in the society who are in the minority, while the ruled consists of large members of the society who are in the majority. Though the elites are very few, they control all domains of society (Anifowose et al., 2000; Dye & Ziegler, 1996). Hence, we have the political, economic, intellectual, religious, and educational elites and so on. There are elites in every sphere of society who make decisions and formulate policies and programmes for the rest members of

the society. What, therefore, comes out as public policies are the wishes and preferences of these elites. Dye and Ziegler (1996:4) summarize the argument of the elites' theory thus:

Society is divided into the few who have power and the many who do not. Only a small number of persons allocate values for society; the masses do not decide public policy. The few who govern are not typical of the masses that are governed. Elites are drawn disproportionately from the upper socio-economic strata of society and the movement of non-elites to elite positions must be slow and continue to maintain stability and avoid revolution; only non-elites who accepted the basic elite consensus can be admitted to governing circles. Finally, public policy does not reflect the demands of the masses but rather the prevailing values of the elites.

Therefore, the elites are the influential smaller group in society who perform all political functions, are in charge of power and enjoy the benefits inherent in controlling power and allocating scarce resources (Mosca, 1896, cited in Ikpe, 2010). In his hypothesis, the "Iron Law of Oligarchy," Mitchel (1949) posits that every society, despite its original arms, is ultimately reduced to an oligarchy, that is to say, a rule of the chosen few. The basic tenet of this theory is that power is not decentralized but concentrated on a few individuals known as the elites; they are united and every society is governed by them. Using the lenses of this theory, we see clearly how the elites continue to be responsible for the lack of free, fair and credible elections in Nigeria as they see the Nigerian state as their personal property, which they have privatized for personal gains (Ekekwe, 1986, 2009; Ake, 1981, 1995; Aaron, 2006). These elites use their political power and influence electoral outcomes by using state funds at their disposal, security agencies, uneducated youths and so on, to manipulate election results to fit into their wishes and preferences. This accounts for the electoral violence, manipulations and rigging in the 2023 and previous elections in Nigeria. These elites or cabals are only interested in retaining power at all costs at the expense of the majority of the citizens.

4. Failure of BVAS, Electoral Conflicts and 2023 Elections in Nigeria

Electoral conflicts may take different forms or approaches depending on when it occurs in the timeline of the election cycle. It could be a conflict associated with identity. This occurs during the registration process, where under-aged, migrants, refugees and other persons who are not qualified to vote or be voted for in the election are denied access to registration. It could also be campaign conflict where different candidates and rival groups seek to disrupt the campaign of their opponents through the use of threats, violence and intimidation of the candidates and voters. It could yet take the form of a ballot conflict. This occurs on the day of the election when disagreements, fighting and other issues of concern occur at the polling units. It can also be a result of conflict. Results conflict occurs when there is disagreement or disputes over election results. It is this results conflict that is of interest to this study.

In the 2023 general elections in Nigeria, the inability or failure to upload results to the INEC site is one of the major causes of conflict that led to killings, people being injured, attack on INEC staff, and the different election petitions and the continuous protests by citizens and civil society groups on the outcome of the elections. Before the elections, the Chairman of INEC had assured Nigerians and the international community through different press briefings and conferences that election results would be uploaded in real-time directly from the polling unit to the INEC site to avoid rigging and other forms of manipulations associated with previous elections in Nigeria (Guardian Newspaper, 2022). This was the major innovation brought by INEC and believed to be a game changer as many citizens across Nigeria, including the aged and elderly, came out to vote with the belief that the results of the elections would not be manipulated since they would be electronically transmitted from the polling units to the INEC site.

The major conflict started when the Presiding Officers (POs) could not upload the results to the INEC site after counting as stated in the electoral guidelines. The reasons for this range from the POs not being given the password to transmit results electronically to the inability of the POs to log into the BVAS because of wrong login details, while POs in some other places even attempted to leave the polling units without counting the results or attempting to upload the results to INEC site. Cases of electoral violence associated with killing, destruction of life and property, and harassment of INEC officials were recorded in Presidential, National Assembly and Governorship elections in Rivers, Imo, Delta, Abuja, Enugu, Lagos, Akwa Ibom, Bayelsa, Edo and other States in Nigeria. This development gave rise to the old manual practice that is usually manipulated by politicians and their cronies. The different protests and electoral violence witnessed during and after the 2023 general elections could be traced to this misgiving, as people believed that not transmitting the results electronically, as stated in the guideline, gave room for manipulations and rigging.

It is important to ask why INEC was afraid to transmit the results electronically after stating it so clearly in the electoral guidelines and given the billions of naira spent purchasing the BVAS for that purpose. Why are some Politicians opposed to the electronic transmission of results? One can go on and on, but it is abundantly clear that this innovation of electronic transmission of results from polling units will not favour rigging and other forms of manipulation and irregularities. This accounts for the reasons politicians are interested in maintaining the status quo. These politicians, who are unpopular and see the Nigerian-State as their personal estate and as a 'means of production' (Ekekwe, 1986), believed that they would lose out, which is why they continue to kick against it. It is unfortunate that the 2023 general elections, which ought to have deepened Nigeria's democracy through the innovation of BVAS and electronic transmission of results, thereby ending the negative narrative of rigging and other forms of manipulations that had raped Nigeria's democracy in the past, has instead contributed to a further rape on Nigeria's democracy as both international and local observers expressed disappointment with the way and manner the 2023 elections were conducted. It is also heart-breaking that voters who came out in large numbers to vote given the promise that results would be electronically transmitted ended up

being disappointed at the end of the day. All these, no doubt, have serious implications for future elections and democracy in Nigeria.

5. 2023 General Elections: Roles of Stakeholders and Implications for Future Elections and Nigeria's Democracy

In the 2023 election in Nigeria, different stakeholders have played different roles that have implications for Nigeria's democracy and future elections in Nigeria. The stakeholders include: INEC, security agencies, elites and political parties. INEC is the statutory body saddled with the responsibility of conducting elections in Nigeria. One of the major reasons why there has been political apathy during elections in the past years is the notion or allegation that INEC prevented the electorates' votes from being counted. This makes citizens unwilling to go out on Election Day to vote because they believe their votes do not count at the end of the day. After elections, even if they vote or not, the final results would be manipulated somewhere in one office or the other and those figures are changed before the pronouncement of the winner of the election. The assumption here is that it is a waste of time and effort to engage in such an unfruitful adventure. So, citizens think that it is not necessary to come out and waste their precious time because, in the long run, their votes would not count. INEC promised to correct this negative narrative and impression in the hearts of Nigerians by introducing BVAS, which would allow results to be transmitted electronically from the polling units to the INEC site. This innovation is responsible for the large number of voters who came out to vote during the 2023 Presidential Election. The implication of INEC's failure to keep this promise and some irregularities experienced during and after the election is that people may not come out en-mass to participate and vote in future elections. This is evident in the 2023 Gubernatorial Elections, where low voter turnout was recorded across Nigeria.

Another key stakeholder is the security agencies. If you check the history of elections in Nigeria, you will notice that on Election Day, voting in the polling unit is usually characterized by shooting and violence. These anomalies, shooting, snatching of ballot boxes, increased violence and manipulations in the wards and polling units are what INEC and the Nigerian State promised to correct in the 2023 general election. Security agencies as stakeholders contribute to the success or failure of an election by providing adequate security or otherwise. When there is no adequate security and people are not sure of their safety, they cannot go out to vote. As witnessed in the 2023 general election in most of the units and wards, the security agents were on the ground and even provided security for persons snatching ballot boxes and causing violence. What this implies is that people are increasingly becoming afraid to come out to vote on Election Day, given all the security issues and deaths recorded in the 2023 election. There is the likelihood of low voter turnout and general apathy in subsequent elections.

The Elite and elites' influence is yet another area of consideration that has implications for future elections and democracy in Nigeria. As observed in the 2023 general elections, some ballot boxes snatched were alleged to be carried to the houses of these elites, while it is also alleged that some other elites bought over INEC officials and security agencies to manipulate election results and outcomes to their advantage. The overbearing influence of the elites in the 2023 general elections calls for concern and intervention for future elections to be free, fair and credible and ensure the sustainability of Nigeria's democracy. The masses are beginning to resist these overbearing influences of the elites. The possibility of the masses clashing with elites in future elections cannot be ruled out.

Political parties are yet another critical stakeholder in the 2023 election whose actions are without implications for future elections and our democracy in Nigeria. Political parties should understand that the era of imposition of an unpopular candidate is best in the past; if they plan to win an election, they must present a candidate with integrity and a track record of achievements. The imposition of unpopular candidates and attempts to rig those candidates into power is now being strongly resisted by the masses and account for most of the electoral violence witnessed in some parts of Nigeria. Media agents and agencies (print, electronic) and social media are also stakeholders and partners that cannot be ignored before, during, and after elections. If the media do not report what is happening, particularly the evil that is taking place, then it will continue. Evil thrives when it is secret. This tells the importance of the media in a democracy.

6. Conclusion and Recommendations

This paper discussed the 2023 general elections in Nigeria and used the Elites theory as a framework of analysis to examine how the failure of BVAS to transmit results electronically from the polling unit, as earlier stated by INEC, caused electoral conflicts, endangered democracy and marred the prospects of transparent, credible and acceptable elections. The study argued that the inability of the Independent National Electoral Commission (INEC) to transmit results electronically weakened the performance of INEC in the election and gave room to all forms of manipulation by politicians, elites and the ruling class. This further endangered Nigeria's democracy and put it at a crossroads. On this note, the following policy recommendations would strengthen electioneering processes and increase the prospects of having free, fair and credible elections in Nigeria:

- INEC must be non-partisan and follow electoral guidelines without any form of compromise,
- Capital punishment for staff of the electoral commission found guilty of electoral fraud to serve as a deterrent to others who may think of doing so in the future,
- The Nigerian-State must be an impartial arbiter before, during and after elections; it must not interfere with the activities of INEC to enable them to execute their job independently,
- INEC staff, both temporary and permanent, must be people with track records of integrity, honesty and transparency,
- Civil society groups and citizens must continue to demand transparency and ask for due process to be followed in elections,

- The electoral commission must be professional in executing its functions; no excuse whatsoever should hinder it from delivering its core mandate;
- The Nigerian-State must provide adequate security before, during and after the election,
- Elections must be conducted on time, without any delay in providing electoral materials, and results must be transmitted electronically as stated in the guidelines;
- Adequate supervision and monitoring to ensure due process is followed in the conduct of elections.
- The international community should not endorse elections adjudged to be rigged, and visa restrictions and rejections should be extended to individuals and politicians guilty of election rigging and malpractices.

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