

MILITARY, POLICING AND SECURITY DURING 2023 GENERAL ELECTIONS IN NIGERIA

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Abstract: *One of the determinants of free, fair and credible election is the security of lives and property before, during and after the electioneering process. Despite the fact that large number of Military and Paramilitary personnel are mobilized for the conduct of Elections, cases of violence, snatching of ballot boxes, loss of lives and property are on the increase in most elections in Nigeria during the fourth republic. In light of the above, this paper examines the challenges and prospects of 2023 general elections with regards to the security of lives and property through the instrumentalities of the Nigerian Police Force and other security personnel. The main objective of the paper is to assess the implications of using the police and other security personnel on national security in 2023 general elections. Methodologically, the paper adopts a qualitative approach for the purpose of obtaining the required materials through the contents analysis of documents from National Independent Electoral Commission, Election (INEC), Independent Observers reports, observations from the participating political parties, the reports of Transparency International and extant laws. The outcome of the paper revealed that the major challenges envisaged from 2023 general elections is the fact that the security of lives and property of citizens may not be guaranteed if the security Agencies carry out assigned responsibilities in an unprofessional and partisan manner. The study therefore recommended that the security agencies should carry out assigned duties and responsibilities in a professional and non-partisan way in order to guarantee the security of life and properties of citizens before, during and after the 2023 general elections.*

Keywords: *Military, Policing, Security, Election, Electoral process, Democracy, Politics*

Introduction

One of the major features of democracy is the conduct of general elections through the popular mandate of electorates from time to time. The outcome of election can only be considered free, fair and credible when all stakeholders in the electioneering process are neutral and unbiased while carrying out assigned duties and responsibility. Specifically, the electoral umpire should be non-partisan while the security agencies should conduct themselves professionally by abiding strictly with the rules of engagement without fear or favour. Also, all aspirants to political offices are to guide against any act capable of discrediting the outcome of the elections. The greatest concern to all stakeholders in the forthcoming 2023 general elections in Nigeria is how to secure the lives and property of citizens before, during and after the electioneering process. This may not be unconnected with the high rate of insecurity being witnessed in all the States of the federation in form of banditry, terrorism, kidnapping, bombing, armed robbery, cultism and communal violence daily. Subsequent elections since the successful handover of power to a

democratically elected government in 1999 have witnessed heavy deployment of security personnel in order to forestall the breakdown of law and order. This is in line with the provision of section 27 (3) of the Electoral Law, 2022 as amended which states that “notwithstanding, the provision of any other law and for the purpose of securing vote, the Commission shall be responsible for requesting for the deployment of relevant security personnel for elections or shall assign them in the manner determined by the Commission with relevant security personnel”.

According to Ojoye (2019), the Nigerian Police Force deployed over 300,000 personnel nationwide for 2019 Presidential elections. This became necessary in order to prevent a recurrence of the kind of irregularities and violence witnessed in previous elections. According to National Human Right Commission (2015), 915 cases of electoral violence resulting in the death of 3,934 in Nigeria between June, 2006-May, 2014. As a matter of fact, the 2011 general elections recorded one of the worst cases of electoral violence in Nigeria. According to Human Right Watch (2012), 800 people were killed in deadly elections related violence in Northern Nigeria alone. Similarly, it was reported in Vanguard (2022) that 17,374 policemen were deployed for the conduct of gubernatorial election in Ekiti, 2022. Subsequently, Agency Report (2022) confirmed that Inspector General of Police deploys 21,000 Police Officers for Osun, 2022 gubernatorial elections. The above data indicated that the number of security personnel deployed for the purpose of election have being on the onward trends. Nevertheless, elections in Nigeria in the fourth republic have been characterized by allegations of rigging, vote buying, snatching of ballot boxes and thuggery despite heavy deployment of security agencies into election venue. Out of the six (6) general elections in Nigeria (1999, 2003, 2007, 2011, 2015 and 2019) since the return to democratic governance in 1999, there is no one that is entirely free, fair and credible. In light of the above, this paper seeks to determine the challenges and prospects of 2023 generation elections through the deployment of military and police for the electioneering process.

Objective of the Paper

The specific objectives of this paper are:

1. Examine the challenges confronting the conduct of 2023 general elections
2. Articulate pragmatic strategies capable of guaranteeing the success of 2023 general election

Methodology

A qualitative technique was adopted in sourcing for relevant materials obtained from the provisions of electoral law, 2022 as amended, 1999 Constitution of Federal Republic of Nigeria, Universal Declaration of Human Rights documents, publications from INEC, empirical studies, journals, textbooks and monograph. All the above document were subjected to content analysis before drawing valid inference on the challenges and prospects of 2023 general elections

Conceptual Analysis

The beauty of academic research is the ability to chronicle the opinions of scholars on relevant concepts in a given study. Therefore, following terms are conceptualized for readers to fully grasp the gist of the research work.

a. Democracy

The concept of democracy has been defined in various ways by several scholars based on their intellectual orientations and the kind of environment they found themselves. For instance, Abizadeh (2008) conceived democracy as a form of government that encourages the protection of fundamental human rights of citizens. This means that democracy guarantees the rights to life, freedom of speech, movement, assembly and right to own personal properties since the ultimate authority rests in the people. Similarly, the United Nation (2015) says democracy provides an environment that respect human rights and fundamental freedom, and in which the freely expressed will of people is exercised. In the same vein, Omotoso (2021) opined that democracy emphasizes quality of citizens and freedom of expression, such that legitimate power resides with the people while government gains legitimacy only by the consent of the governed. Conversely, Jon (2007) opines that democracy is a government by the people, exercised either directly or indirectly the principle of equality of rights, opportunity, and treatment are practice". By implications, democracy is the process of recruiting political leaders either directly or indirectly through the popular mandate of the people. The direct form of democracy occurred in Greek City State during the formative years when it was possible for all electorates to converge in selected location to form a government while the indirect democracy is a recent development that gives room for the emergence of representative governments. Conversely, Adekeye and Ajape (2021) conceived democracy as any political arrangements which involve either direct referenda of the members of a society in deciding on the laws and policies of the society or it may involve the participation of those members in selecting representatives to make the decisions.. For the purpose of this study, democracy is defined a system of government enthroned by the people, controlled by the people and created for the benefit of the people.

b. Elections

In a simple parlance, election is the process of voting to select a person for public office by the electorates. According to Ali and Ali (2021), election can be defined as an act of choosing or selecting candidates who will represent the people of a country in the parliament and in other positions in the government. This means that election is the process of selecting representatives who will form the government of a given nation from time to time. In the same vein, Benjamin (2009) conceived election as the process that allows members of an organization or community to choose representative capable of holding positions of authorities and governing its administration. By implication, election enables members of a given society to select competent people who will take charge of their affairs. According to Dickerson (1990), election is a democratic avenue through which the people or group express their preference for a particular person or group express their preference for a particular person or group whom they feel can best protect their welfare. This means that election refers to the willingness or the desire of electorates to choose leaders that can best represent their interests in governance. Similarly, Momah (2016) opined that election involves the participation of the people in the act of electing their leaders and their participation in governance. Above all, Nnali (2020) define election as a democratic process by which people select a person or persons for a position by way of vote. To cap it all, this paper conceived election as a democratic process whereby electorates are offered the opportunity to choose leaders that can best represent their interest in government periodically.

Free and Fair Elections

The outcome of any election can only be adjudged as credible, acceptable and dependable if it is “free and fair”. However, existing literature reveal that the opinion of scholars are sharply divided on the factors that determine whether an election is free and fair or otherwise. For instance, Goodwin-Gill (2006) identified ten broad criteria and activities as markers ‘ or indices for measuring free and fair election ‘. These are:

- (1) Electoral law and system;
- (2) Constituency delimitation;
- (3) Election management;
- (4) The right to vote;
- (5) Voter registration;
- (6) Civic education and voter information;
- (7) Candidates, political parties and political organization, including funding;
- (8) Electoral campaigns, including protection and respect for fundamental human rights, political meetings, media access and coverage;
- (9) Balloting, monitoring and results; and
- (10) Complaints and dispute resolution

A glance at the above criteria for free and fair election it fails to include issues such; as absences of electoral violence, rigging, electoral malpractices or the non-partisanship of the electoral umpire and security agencies. In view of the above unidentified factors, the Civics Academy, (2022) opined that free and fair election refers to an election that is free from all forms of fraud or malpractices. By implication an election is a said to be free and fair when it is conducted in a peaceful atmosphere free from all forms of individual harassment and other coercive or non-coercive means by political parties to bend the will of voters, which are not in the Constitution or Electoral Act. A cursory look at the above view on free and fair election reveals that issues regarding the provision of a level playing field for participants and whether the declared results actually reflect the number of vote cast by the electorates. Therefore, the Civics Academy, (2022) stated that Free and fair election means that all registered political parties have equal rights to contest the elections, campaign for voters support and hold meetings and rallies. It is an election in which all voters have an equal opportunity to register, where all votes are counted and where the announced results reflect the actual vote cast (Civics Academy, 2022). Above all, free and fair election according to this paper refers to an election whose outcome is adjudged to be in compliance with the provision of extant laws by both local and international observers. Such election must be violence free, electoral umpire and security agencies must be none partisan, level playing field must be provided to participants, the outcome of the election must reflect the actual vote cast while the declared result must be widely accepted.

Security Agency

The security Agencies refer to the officers charged with responsibilities of meaning law and order in the society or the enforcement of the will of the state. They are divided into two broad categories (Armed Forces and Paramilitary). The duty of the Nigerian Army is to defend the country from external attack while the Nigerian Police Force and paramilitary are ensure internal security of the state. According to Kalu, (2020) security agency refer to personnel of the conventional Nigeria Police Force, State Security Service, Nigeria Security and Civil Defence Corps, Nigerian Immigration Service, Nigerian Prison Service (now Nigerian Correctional Service), Nigerian Custom Service, and other similar organizations as well as Nigerian Armed Forces that are assigned to oversee candidates’

activity, day volunteers, electoral materials and poll watching in an apolitical character. In other words, this constitutes state agents employed to ensure elections are conducted in a peaceful, fair and in transparent manner.

According to section 91 (1) of 2022 Electoral Law as amended, “the Commissioner of Police in each State of the federation and Federal Capital Territory, Abuja shall provide adequate security for proper and peaceful conduction of political rallies and processes in their respective jurisdiction and for this purpose, Police may be supported by Civil Defence Corp”. The role of the security agency is to protect lives and electoral materials before, during and after the conduct of elections. They are to assist the Independent National Electoral Commission (INEC) to carry out assigned responsibilities as the need arises through the observance of the rules of engagement.

According to Ugwuanyi (2011), the major roles of security agents during election are to:

1. Safeguarding the security of lives and properties of the citizens during campaigns/ voting so that citizens would not feel unsafe on account of holding, associating with or expressing a political opinion.
2. Ensuring the safety of electoral officers before, during and after elections.
2. Providing security for candidates during campaigns and elections.
3. Ensuring and preserving a free, fair, safe and lawful atmosphere for campaigning by all parties and candidates without discrimination.
4. Maintaining peaceful conditions, law and order around the polling and counting centres; and
5. Providing security for electoral officials, voting and counting centres, and ensuring the security of election materials at voting and counting centres and during their transportation thereto. It is the duty of the police and/or security agents to ensure that election materials are not stolen, hijacked, destroyed or fraudulently altered by any group or person.

Suffice it to say that the above activities are to be performed in line the directive of Independent National Electoral Commission as stipulated by the provision of electoral laws. For the purpose of this paper, security agency consist of members of the Armed Forces and paramilitary personnel charged with the responsibilities of maintaining law and order in the society.

Theoretical framework

The proper was anchored on the theory of prebendalism propounded by Richard Joseph in 1987. The proponents of the theory postulated that prebendalism is a political behaviour which reflects as it justifying principles that offices of the state may be competed for and then utilized for personal benefit of the office holders as well as that of their cronies or support groups. Fundamentally, prebendalism refers to the practice of utilizing official positions by public office holders for selfish and personal gain.

This theory is applicable to this paper since the major cause of violence during elections is the desire of aspirants to engage in politics of do or die affair through the use of political thugs, security agencies and electoral body to rig elections and attain political office fraudulently for personal gains and the benefits of their political gladiators.

According to Kalu (2020), a report from Centre for Democracy and Development (CDD) report of 29th March, 2015 indicated that there were record of cases of intimidation

and harassment of voters by overzealous security agents in Sokoto state during presidential and National Assembly elections. Worse still, the group (CDD) also reported that the same security agents from taking photos and recording the voting processes in the same state equally stopped voters. In the same vein, another dimension of excessive and varied impulsively unprofessional acts of security agents during 2015 general elections was captured by a Non-governmental Organisation, the Youth Initiative for Advocacy, Growth and Advancement (YIAGA), the NGO accused the security agents of failing to act while the electoral processes were being disrupted during governorship and House of Assembly polls in Rivers state. The group further reiterated Police's non-response stance to distress tweets by Nigerians regarding snatching of ballot boxes, voters' intimidation, violence and INEC staff harassment (Ademowo, & Ojo, 2015). Similarly, Kalu (2020) stated that, an INEC National Commissioner, Prof. Okechukwu Ibeanu, reported his car broken into and his laptop, tablet and official documents stolen, in an area where security agents attached to the Electoral Commission were present (Nigeria Civil Society Situation Room, 2019). Similarly, Yoroms (2019) observed that security agency during election has been involved in the intimidation of opposition parties by show of presence and force.

Security Challenges Confronting the Peaceful Conduct of 2023 General Elections

The reviewed literature reveals that the following challenges that characterized previous elections in Nigeria have the possibility of being confronted in the conduct of 2023 general elections:

- a. Non-compliance with the provisions of Electoral Laws: The signing of 2022 Electoral amended Bill into Law on 25th February, 2022 by President Muhammadu Buhari has raised the hope of witnessing the smooth conduct of 2023 general elections. Therefore, any attempt by the electoral umpire and security agencies to effectively enforce the provisions of electoral laws during the 2023 general elections may lead to a breakdown of law and order.
- b. High rate of Unemployment: According to Endurance (2022), unemployment rate rose to 35% in Nigeria in 2021. The continuous increase in the rate of unemployment in Nigeria is largely responsible for high rate of insecurity in the country since and "an idle hand is the devils workshop". It is common knowledge that unemployed youths are normally used as political thugs by politicians during elections. Therefore, the rising level of unemployment rate posed a great danger to the successful conduct of 2023 general elections.
- c. Partisanship by the Security Agencies: The purpose of deploying security personnel for the management of elections is to forestall the breakdown of law and order. It is expected that both the electoral umpire and security agency would discharge their responsibilities without discreetly without fear or favour. However, there are cases whereby the security agencies take side with the ruling party or engage in partisan politics in order to obtain certain benefits or the other. According to (2020), there were high level partisanship of security operatives before June 21, 2015 Gubernatorial election in Ekiti state; stalwarts of the People's Democratic Party (PDP) from Abuja, the capital territory and others from outside the state were given easy access to Ekiti state; whereas former Governor Rotimi Amechi of Rivers State, some other Governors and other stalwarts in the opposing party, All Peoples Congress (APC) were barred by security operatives from entering Ekiti to

attend a rally organized by their party (Ademowo, & Ojo, 2015). According to Yoroms (2019), the arrogance and compromising attitude of the security agencies in elections is worrisome as the debate, as to whether to deploy security agencies for election activities is worth it or not; continue to rage on until the experience with the Edo, Ekiti and Osun elections. Any attempt by security agency to be partisan in their conduct during the 2023 general election would lead to none observance of the rules of engagement or unprofessional conducts.

d. Political Apathy or low turnout of voters during elections

There is no doubt that heavy deployment of security personnel during elections would infringe on the fundamental human rights of citizens to freedom of movement, association, expression and treatment. Any time election is to be conducted in Nigeria, it is like preparation for war due to heavy deployment of security personnel to the election venue. This has led to drastic reduction in the number of voters during elections in the fourth republic. According to Salihu and Yakubu (2021), in 2011, 69.3 million electorates registered to vote but only 40.7 million voted due to previous experiences of violence during elections. As a matter of fact, low turnout of voters during elections could give room for manipulation and outbreak of violence.

According to Kareem (2022), the percentage of voters turnout in 2019 elections stood at 35.66% with a total of 84 million registered voters and turnout rate of 28.6 million. The above statistics was corroborated by Salihu and Yakubu (2021) who opined that voter turnout has been on the decline from 69% in 2003 to 35% in 2019 due to the deployment of violence as electoral strategy by political gladiators. This unfavourably compares to the average voter turnout of 65-70% in other countries and even in West Africa sub-region. In the opinion of Yakubu (2021), the turnout of voters in Nigeria hovers around 30-35% of registered voters (84,004,084) as at 2019 general elections.

e. Loss of confidence in the Electoral process: The electorate may lose confidence in the electoral process if their votes do not count. This may eventually snowball into electoral violence and break down of law and order. Also, the inability of political aspirants' to fulfill electoral promises when elected into public offices may discourage voters from participating in subsequent elections. According to Transition Monitoring Group (2021), Nigerians are losing confidence in the electoral system because of malpractice, manipulation, violence, commercialization and privatization of political parties and offices for self-centred interests. The loss of confidence in the electoral process has the tendency of discrediting the outcome of 2023 general election.

f. Lack of adequate political education: Most citizens who are not properly educated about the numerous benefits inherent in casting their votes during elections may be apathetic and nonchalant in performing their civic responsibilities making themselves available to vote or be voted for. According to the conversation Newspaper (2022) politicians and their paid agents are known to have been involved in violence against opponents and their supporters. This is sometimes done directly, with mobilisation of thugs, or indirectly through hate speech and incitement of violence, against targeted opponents. This became possible because such individuals were not properly education about the danger inherent in participation in electoral violence, manipulation and malpractices

g. Proliferation of Security Agencies

Security agencies in Nigeria consist of the Nigerian Police Force, Members of the Nigerian Armed Forces (Army, Navy, Custom and Air Force), Nigerian Security and Civil Defence

Corp, Traffic Warden, Road Safety, Fire Service, Directorate of State Service, Vehicle Inspector Officers (VIO), Nigerian Intelligence Agencies. However, the Nigerian Police Force and Civil Defence are to be assisted by other security personnel during election based on the provision of Electoral Laws and the 1999 Constitution of the Federal Republic of Nigeria.

Specifically, the responsibilities of the Nigerian Police Force and Civil Defence Corp are to take charge of internal security while the duty of the Nigerian Army is to defend the territorial integrity of Nigeria from external aggression. On the contrary, the Nigerian Army has been saddled with the responsibilities of assisting the Nigerian Police Force in the maintenance of internal security in the fourth republic due to increase in crime wave, insurgency, banditry and kidnapping. The interconnectivity in functions of surety personnel has therefore resulted into role conflict among members of Armed Forces and the Paramilitary during the period of elections.

According to Mahmud (2015), security could improve without the use of the Army. In the most civil of political activities, the presence of the Armed Military personnel makes voting look more like a war than an occasion of civil responsibility. Well trained police equipped with the appropriate tools can handle elections and should be left to do so. The proliferation of security agencies therefore posed a great challenge to the successful conduct of 2023 general elections.

h. Separatist Agitations: The continuous trial of the Leader's of the Indigenous Peoples of Biafra (IPOB), Nnamdi Kanu has lead to violence uprising in most parts of the Eastern region of the country. IPOB has warned on several occasions that elections wouldn't hold in the South Eastern part of the country if Nnamdi Kanu was not released unconditionally. In the same vein, there have been unending agitation that it is the turn of South Eastern part of Nigerian to produce the President in 2023 general elections. The fact that the two dominant political parties (The All Progressive Congress and Peoples' Democratic Party failed to choose South Easterners as their Presidential flag bearers have heightened the security situation in the region in preparatory for 2023 general elections. Similarly, the agitation for Oduduwa Republic by Sunday Ogboho is still very fresh due to high level of insecurity and other unmet expectations. The above agitations by separatist have the potential of affecting the outcome of 2023 elections negatively.

I. Threats from Terrorists, Bandits and Kidnappers: The upsurge of banditry, terrorism and kidnapping in all States of the federation has continued unabated. In-fact, terrorist organizations have threatened that no political activities should take place in some parts of Brini-Gwari Local Government Areas of Kaduna State forth with. Also, states like Katsina, Zamfara, Plateau, Niger, Bornu, Adamawa, Yobe, Taraba and the Federal Capital Territory, Abuja are under the full control of terrorist organistions. Suffices it to say that the activities of terrorists in most states of the Federation may adversely affect the success of 2023 general elections if the current situation is not put under control by the security agencies

Conclusion

The outcome of this paper revealed that none of the general elections (1999, 2003, 2007, 2011, 2015 and 2019) conducted in the fourth republic is devoid of security lapses in one way or the other. This may not be unconnected with the desire of the power that be

to manipulate the electoral umpire and security agencies to do their bidden in order to be returned elected or to become godfathers to their anointed godsons. At times, any Commissioner of Police or resident electoral commissioner who fails to dance to the dictate of state Governors are usually replaced before or during the period of electioneering process. The ruling party or opposition party may equally use thugs to disrupt elections or snatch ballot boxes in order to win election at all cost. All the above challenges posed a great threat to the successful conduct of 2023 general elections.

Recommendations

It is true that no election is perfect anywhere in the world. Therefore, there is always room for improvement. In view of this, the following recommendations are considered fundamental to towards the enhancement of peaceful conduct of 2023 general elections in Nigeria.

1. There is need to speed-up the passage of Electoral Offences Commission Bill. This will go a long way in prosecuting offenders during elections. For instance, the inability to stamp out the menace of vote buying during elections is due to the delay in the passage of the bill.
2. The use of electronic voting has the potential to drastically reduce the level of violence during election to a negligible proportion. It will equally go a long way in reducing the number of security agencies to be deployed for the conduct of general elections as long as the polling centres are well secured. Also, political thugs will have little or no influence over proceedings since results could be transmitted within minutes or seconds to the collation centres. It will equally reduce the number of party agents to be deployed to man each polling units by political parties. Above all, the judiciary may record lesser litigation notices.
3. The security agency agencies and electoral umpire should be neutral and none partisan in the 2023 general elections. This will guarantee a level playing ground for all aspirants and peaceful conduct of elections. Any attempt for them to compromise the electoral process could lead to a breakdown of law and order.
4. The provisions of 2022 Electoral Law as amended should be strictly adhered to by all stakeholders in 2023 general elections. This will go a long way in conducting free, fair and credible elections.

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