

IRONICISM IN THE APPLICATION OF THE BVAS DURING NIGERIA'S 2023 PRESIDENTIAL ELECTION

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Abstract

This paper examines language use in the application of the Bimodal Voter Accreditation System (BVAS) technology during the 2023 Presidential election in Nigeria. The aim is to find out how far the Independent National Electoral Commission (INEC) had maintained its promise to conduct free, fair and credible election in 2023 by analysing what happened before and during the Presidential election vis-à-vis the guiding principles set forth by the commission. It adopts a qualitative research design, which has enabled a description and interpretation of the data. The paper reviews Nigeria's electoral system from 2015 to date, discusses the relevance of the BVAS technology for 2023 election, and explicates INEC's choice of words for choosing its guiding principles. Excerpts from statements made by the INEC chairman before the 2023 election as well as statements by individuals on what happened during the presidential election form the data for analysis. The result reveals some elements of irony in INEC's fulfillment of its promise to conduct free, fair and credible election. For example, the final function of the BVAS, which suggests real time transmission of Polling Unit result to INEC Result Verification (IReV) portal for easy verification during collation, was jettisoned for the Presidential election on 25th February, 2023, against INEC's promise of a transparent election.

Keywords: Nigeria's General Election, Nigeria's Electoral System, BVAS, Presidential Election, INEC

Introduction

Election is the process by which leaders are chosen through a democratic means. Every organisation/country organises election from time to time to elect their leaders. Also, in every country, there is usually a body that is saddled with the responsibility of conducting election; that of Nigeria is the Independent National Electoral Commission (INEC). This electoral body is established by section 15(a) of Part 1 of the Third Schedule of the

Nigeria's 1999 Constitution (as Amended), and backed by Section 2(a) of Electoral Act 2022 and Part 1, Section 1 of the Regulations and Guidelines for the Conduct of Elections, 2022. It plans, organizes, conducts, coordinates, and supervises the process of elections in Nigeria for the positions of President and Vice-President, Governor and Deputy Governor, National Assembly (Senate and House of Representatives), State Houses of Assembly, Chairmen and Vice Chairmen of the Federal Capital Territory (FCT) Area Councils, and Councilors of FCT Area Councils Legislature.

The INEC had planned for Nigeria's 2023 general election, which was slated to hold on 25th February, 2023, for Presidential and National Assembly elections and 11th March, 2023, for Gubernatorial and House of Assembly elections in line with the provisions of Nigeria's Electoral Act 2022. In order to assure Nigerians of free, fair and credible elections, INEC embarked on series of advocacy campaigns trying to sensitize the electorates, the parties and their candidates on the Commission's readiness for the general election and the expectations from them. In an address by INEC Chairman, Prof Mahmood Yakubu, at Chatham House, United Kingdom, on Monday 17th January, 2023, some lessons from the 2019 general election are highlighted, among which are:

- 1) the need for early preparations for election in order to provide opportunities for adequate planning, resourcing, and testing of systems that would reduce risks to a minimum;
- 2) the need for early choice of election management tools, especially the main election technology, and the importance of their proper pilot-testing and deployment for a successful election, since early decision on it is paramount in maintaining its integrity, popularising it among voters and addressing any challenges that could arise;
- 3) the need for an early finalisation of changes to the Electoral Act, the principal legal basis for elections, which is critical to proper organisation of elections;
- 4) The importance of adequate funding and early release of funds to the Commission for well-organised elections.

The 2022 Electoral Act has introduced some new measures that would guarantee a transparent election, among which is the use of the Bimodal Voter Accreditation System (BVAS) for voters' accreditation and real time transmission of results to the INEC Results Viewing (IREV) portal after counting the votes at the Poling Units. With INEC's assurances that it would adhere strictly to this provision, confidence was restored on the voters, political parties and their candidates that the election was not going to be business as usual. The question that seriously begs for answer is "how far has INEC fulfilled her promises to Nigerians that the election would be free, fair and credible, and that results would be transmitted to IREV portal real time?"

In this paper, the conduct of the Nigeria's 2023 Presidential election is examined, in order to establish whether INEC has been able to redeem her promises to Nigerians or not. The assessment of INEC's performance is based on the Commission's statements before the election, statements showing what happened during and after the election vis-a-vis her guiding principles for the fulfillment of her vision and mission, which are: Autonomy, transparency, integrity, credibility, impartiality, dedication, equity, excellence, and teamwork (Manual of Election Officials, 2023 p. XV).

For the rest of the paper, Section 2 reviews Nigeria's electoral system since 2015 till date. In section 3 is a discussion of the relevance of the BVAS for 2023 general election. INEC's choice of language for its guiding principles is treated in section 4, while data are presented and analysed in section 5. In Section 6 is the summary and conclusion.

A Review of Nigeria's Electoral System since 2015 Till Date

The 2015 general election was guided by the Electoral Act 2010. The Independent National Electoral Commission had had series of election reforms in line with the Act since 2015 to 2022, which were aimed at refining and improving on the processes and conditions for the conduct of elections in Nigeria. The reforms were to enhance the credibility of the electoral system in Nigeria. In 2015 general election, the use of Smart Card Reader (SCR) was introduced for voter accreditation. The SCR served to read the information on the Permanent Voter's Card (PVC) to ensure that the carrier of the card is the rightful owner and that he/she is in the right Polling Unit. In this sense, the voters' cards were subjected to the reading of the Smart Card Reader in order to authenticate the validity of the cards against the carriers on the Register of voters. Also in 2015, separate periods were provided for accreditation of voters, and voting proper. To this end, accreditation was required to commence by 8am and end at 12noon, while voting would start immediately and end at 3pm, provided that the last person on the queue had voted. Immediately voting had commenced, no other accreditation would be allowed.

The electoral system was reviewed in 2019 to improve on what obtained in 2015. The Smart Card Reader was maintained for the conduct of 2019 election, but the voting procedure was reviewed to allow for continuous and simultaneous Accreditation and Voting. According to the Chairman of INEC, Prof Mahmood Yakubu, the essence of the review was to make the process more voter-friendly by assisting voters to cast their votes with minimal delay and in a less cumbersome manner (Manual for Election Official, 2019 p. III). The essence of Accreditation is to ensure that a voter's name is contained in the Register of Voters in a particular Polling Unit where he/she had registered to vote in an election. The Accreditation comprises the verification of voters using the Smart Card Reader; cross-checking the voter's name in the Register of Voters as well as inking the

cuticle of the specified finger of the Voter. With the Smart Card Reader, which was in accordance with section 49(2) of the 2010 Electoral Act, intended voter had his/her PVC read, the PVC verified as having been issued by INEC, and the bearer of the card authenticated as its legitimate owner through fingerprint matching. The 2019 general election provided for polling units/voting points/voting point settlements; and the polling units and voting points are situated within a designated polling stations (comprising two or more polling units and voting points). The Voting Point Settlement was for FCT and the newly developed location or settlement that is too far from the closest Polling Unit; it was treated as a Polling Unit. While Voting Points were created under Polling Units, based on multiples of 500 and maximum of 750 registered voters in a Polling Unit, or as may otherwise be decided by the Commission. The Voting Points (VPs) are manned by an Assistant Presiding Officer (APO) (VP) assisted by three Assistant Presiding Officers (APO's) appointed by the Commission, but under the supervision of the Presiding Officer (PO). At the end of accreditation, the Presiding Officer was required to transmit accreditation data to INEC portal using the Smart Card Reader (Manual for Election Officials, 2019 p. 5). The Accreditation and Voting were to commence at 8am and close at 2pm provided that any voter already on the queue at 2pm is granted access to Accreditation and Voting in the prescribed manner. In the 2019 election is also a provision for Tendered Ballot Paper, which APO II issued to a Voter who applied for a ballot paper after another person had voted in the claimant's name, just like any other voter, on conviction that the person has satisfactorily answered any questions put to him/her by the APO II. Before issuing the Tendered Ballot Paper, the name of the Voter and the Voter's number as contained in the Register of Voters are written on the Tendered Vote List-Form EC 1A(1) as well as at the back of the Tendered Ballot Paper. After voting, the Voter would have to deliver the Tendered Ballot Paper to the Presiding Officer who would put it in an envelope provided for tendered ballot papers. The Tendered Ballot paper(s) were required to be counted by the Returning Officer.

Long before the 2023 general election, the electoral system was reviewed in 2022 by the National Assembly as an improvement to what was used in 2019. The new Electoral Act is known as Electoral Act 2022. A major change from 2019 election is the introduction of the use of modern technology in order to enhance free, fair, credible and inclusive polls in Nigeria. The voting procedure, which was reviewed in 2019 to allow for continuous and simultaneous Accreditation and Voting, is maintained in 2023 election. However, the Smart Card Reader (SCR) used in 2019 elections has been dropped, while INEC Voter Enrolment Device (IVED) and Bimodal Voter Accreditation System (BVAS) were introduced. As pointed out by INEC Chairman, Prof. Mahmood Yakubu, the new introductions became necessary in order to make participation in elections more appealing

and reduce voting apathy of eligible Nigerians thereby making the processes seamless (Manual for Election Officials, 2023 p. III). The BVAS is a technological device used to verify and authenticate the biometrics of a voter before voting. Also, the 2023 electoral process is made to better accommodate persons with disability and the vulnerable in the society by according them priority status and introducing technological innovations in the new arrangement. The voting points and voting point settlement created in the 2019 general election are no longer in existence in the new Electoral Act 2022. The Tendered Ballot Paper, which was provided for in the 2019 general election, is also no longer accommodated in the 2023 general election by the 2022 Electoral Act. The 2022 Electoral Act also provides for ICT Technical Election Officials known as Collation Support and Result Verification System (CSRVS), who provide assistance to collation officers during the collation of election results. It also makes provision for an ICT Web Portal designed for real time viewing of uploaded election results called INEC Result Viewing (IREV) Portal.

The BVAS and its Relevance for 2023 Elections

The Bimodal Voter Accreditation System (BVAS) is a vital instrument for the 2023 General election. It is an improvement to the previous device used for 2019 general election. It's an electronic device introduced in the Nigeria's electoral system and used for 2023 general election for voters' fingerprint authentication and facial recognition. The INEC Manual defines the BVAS thus:

The INEC Bimodal Voters Accreditation System (BVAS) is a system that allows for voter authentication using fingerprint and facial recognition technology. The BVAS comprises software and hardware components. It can also be used to scan and electronically transmit PU/RA/LGA/State election results to INEC Result Viewing (IREV) (Manual for Election Officials, 2023 p. 23).

The BVAS is designed in such a way that it can excellently perform the expected functions, which are:

- i. Verifying a voter's PVC during accreditation by entering the last six digits of the VIN, or scanning the Barcode on the PVC or using the last name of the voter or entering the last name of the voter or scanning the QR code on the voter register.
- ii. Authenticating the bearer of the card as the legitimate owner of the PVC by either fingerprint or facial matching.
- iii. Scanning and uploading of the Polling Unit (PU) result sheet and making it visible on the IREV portal.
- iv. Storing the number of accredited voters.

Following from the above, the BVAS could be said to perform the same function as the Smart Card Reader (SCR) used for 2019 general election, alongside other additional important functions. The chief among the additional functions of the device is its ability to scan and upload the Polling Unit results to the IReV portal real time, thereby making it possible to easily verify the results. It is this additional function of the BVAS introduced by the INEC that seems to have restored confidence on the electorates that the 2023 elections would be free, fair and credible. The INEC ad hoc staff whose responsibility it is to do the verification and authentication is the Assistant Presiding Officer I (APO I). The process requires the following steps:

1. Clearing of the BVAS with the prescribed disinfectant wipes after every use.
2. Clicking on the voter's image displayed on the screen of the BVAS, and then clicking 'VERIFY' to initiate the authentication process, which involves two options of fingerprint or facial authentication. The option to verify the fingerprint, according to INEC election Manual (2023, p. 31) activates the Fingerprint scanner in readiness to authenticate the fingerprint of the voter. Once the option is clicked on, it would activate the fingerprint scanner and the APO I would request the voter to place his/her finger on the fingerprint window on the BVAS to authenticate him/her. When successful, a dashboard indicating "Verification successful" would appear and the APO I would click on "Return" to enable him/her accredit another voter; but if it fails, the dashboard would display "Verification failed". After three attempts without positive result, the APO I would have to use the 'verify photo' option to authenticate with the facial of the voter. The 'verify photo' option activates the device camera to capture the voter's photo for facial authentication. Once you click on the 'verify photo' icon, it would launch the camera, wait for the camera to align with the face of the voter before capturing a passport photo of the voter. When it is clicked, the BVAS will automatically compare the captured photo with the voter's photo already stored on the BVAS; if successful, it will display 'verification successful', and the APO I would click on 'Return' to continue.
3. Confirmation of a successful facial authentication will display a Tick (✓) sign, which will make the APO I to then click on 'Accredit another' to return to the dashboard to continue with the next voter on the queue.

After accrediting, voting and determining the votes of candidates and entering the information on the results sheet Form EC 8A, the BVAS is used to snap the results entered in form EC 8A and transmit/upload and publishing same to the INEC Result Viewing (IReV) portal. This is introduced to take care of problems and irregularities from

the previous elections. INEC Manual succinctly captures the reasons for applying this means, thus:

One of the problems noticed in the electoral process is the irregularities that take place between the Polling Units (PUs) after the announcement of results and the point of result collation. Sometimes the results are hijacked, exchanged, or even destroyed at the PU, or on the way to the Collation Centres. It becomes necessary to apply technology to transmit the data from the Polling Units such that the results are collated up to the point of result declaration (Manual for Election Officials, 2023 p. 36).

According to the INEC Manual, the real time publishing of Polling Unit-level results on IReV Portal and transmission of results using the BVAS is a demonstration of the Commission's commitment to transparency in results management as backed by Sections 47(2), 60(1,2&5), 64(4a&4b) and 64(5) of the Electoral Act 2022. The Act through these sections empowers INEC to transmit election results electronically. INEC Manual points out that the system minimizes human errors and delays in results collation and serves as an improvement to accuracy, transparency, and credibility of the results collation process.

The electronic uploading/transmission of election results can be done with or without network (Manual for Election Officials, 2023 p. 36-49). Twelve steps are required for online transmission with BVAS, which are that the Presiding Officer (PO) shall:

1. launch the chrome browser on the BVAS homepage,
2. type the training URL in the address bar of the browser to launch the result portal, <https://iup-uat.inecelectionresults.net>
3. enter the unique login details (username and password) provided for the Presiding Officer (PU) (the password and username are different from the accreditation login details),
4. select the election type from his/her assignments list and click "Upload Result" to display the results transmission (in case there are more than one election on that day, repeat the process to upload/transmit the results of all the elections),
5. click on the "Start Result Upload" button on the results transmission page to begin the result upload and to display the camera,
6. read the Important Notice and agree by checking the Agreement Checkbox,
7. agree by checking the agreement checkbox and then proceed with the upload button,
8. click 'Upload result now', select the camera to snap the result from your device, ensuring that the Picture is clear,
9. select the "check sign" if the image of the result sheet is clear to accept or "X sign" to retake the picture again,

10. write your name in the Text box “Enter your full name” and sign in the Text box “Sign in the box below” and proceed to click on the upload result now,
11. finally, check to ensure that the document is correct, and if correct, click on “confirm document” or if otherwise, delete and start all over,
12. the confirmation page is displayed once the result sheet is successfully uploaded.

For offline transmission of results where there is no network, the PO would first switch to any of the backup endpoints where the main network channel is down, since the upload platform has three reserve network channels, by going to the Network setting, and then selecting the backup network endpoint he/she wishes to use. Where the Network continues to fail, the PO would use offline means by:

1. clicking the menu (three dots on the top right),
2. selecting “work offline” to open the offline login page, which enables him/her to login in offline mode without internet connectivity,
3. entering his/her username and password to login to the portal offline.

After the result upload is completed, it becomes open for the general public to view via the IReV Portal. The web address that can be used to view the live Polling Unit result(s) by the public (once the viewer has internet access) is <https://www.inecelectionresults.ng> (Manual for Election Officials, 2023 p. 49).

INEC's Choice of Language for its Guiding Principles

INEC has nine guiding principles for achieving her vision and mission. As provided in the Manual for Election Officials (2023, p. XV), the Mission of INEC is “To serve as an independent and effective Electoral Management Body (EMB) committed to the conduct of free, fair and credible elections for sustainable democracy in Nigeria”, and its Vision is “To be one of the best Election Management Bodies (EMB) in the world that meets the aspirations of the Nigerian people”. The guiding principles, which are selected by the Commission to guide her in pursuing the Mission and Vision statements are: 1) autonomy, 2) transparency, 3) integrity, 4) credibility, 5) impartiality, 6) dedication, 7) equity, 8) excellence, and 9) teamwork. The guiding principles are explained one by one.

1. Autonomy - The principle of autonomy represents INEC's effort to remain autonomous for effective electoral service. It means that in conducting the election, the Commission would be on her own without any form of interference.
2. Transparency – INEC pledges openness in all her activities and in relating with the stakeholder, the media, service providers and the people of Nigeria. This suggests that INEC would not hide anything from all interested person in the election. With this principle, INEC should live by her words and be seen as doing exactly what had been scheduled for and how it had been chosen to be done.

3. Integrity – Through the principle of integrity, INEC is supposed to demonstrate high moral standards and be honest in all dealings with the people of Nigeria.
4. Credibility – INEC is through this principle telling Nigerians the need to trust all the Commission's actions and activities as well as have total confidence with them. With this principle, there is an assurance of a very free and fair election which result can be trusted by the people of Nigeria.
5. Impartiality – INEC is promising a level playing field for all political actors. In other words, everyone, every political party would be accorded equal treatment; the way and manner party A is treated would be the way and manner to treat party B, party C, party D, and so on. No one nor any political party would be given undue advantage over another.
6. Dedication – This is used by INEC to express her commitment to providing quality electoral services for the people of Nigeria. It shows INEC's readiness to operate by her words to provide free, fair and credible elections.
7. Equity – Equity principle represents INEC's fairness and justice in dealing with all people. It is a promise by the Commission to be fair and just to every Nigerian (including the candidates, the electorates, the media, and political observers) irrespective of party, tribe, and religious inclination.
8. Excellence – This principle is used to show that INEC would promote excellence and be guided by merit as the basis for staff recruitment and compensation. It suggests that excellence and merit are INEC's watchwords for recruitment and compensation of every staff of the Commission, whether a regular staff or an ad hoc staff, without any form of undue advantage to any political party or a section of the country.
9. Teamwork – With this principle, INEC is assuring Nigerians that a conducive environment that promotes teamwork and harmony among the staff of the Commission at all levels would be created.

Looking at all these guiding principles, one can comfortably conclude that INEC has carefully selected/chosen the terms, and that if the principles are strictly adhered to in the conduct of elections in Nigeria, there would not be any cause for alarm. How far was the Commission guided by these principles in conducting the 2023 Presidential election in Nigeria on 25th February, 2023? It is this question that this paper struggles for its answer. In the next section are some statements that disclose what happened before, during and after the Presidential election, which serve as data that are matched with the INEC's guiding principles and used to draw conclusion.

Methodology

This paper adopts a qualitative research design, which enables a description and interpretation of the data. As noted by Wiersma and Jurs (2005), this design uses the inductive process to reason from a specific situation to a general conclusion. Qualitative research involves a narrative report with rich description rather than a statistical report (Johnson and Christensen 2008). It, therefore, aims at explaining rather than measuring or quantifying (Onuoha and Uchechukwu 2022, p. 8).

The data are obtained from the secondary source. Precisely, the data are from the newspapers, internet, and 2019 and 2023 INEC election manuals. The excerpts from these sources are descriptively analysed vis-à-vis the INEC's guiding principles.

Data Presentation and Analysis

This section covers data presentation and analysis. The data represent excerpts of the statements made by INEC Chairman before the election, and statements by individuals commenting on what happened during and after the election. The data are descriptively analysed vis-à-vis INEC's guiding principles of *autonomy, transparency, integrity, credibility, impartiality, dedication, equity, excellence, and teamwork*.

1) Excerpt from Mahmood Yakubu's Address at Chatham House:

"This informed the early choice of a new voter accreditation technology using an electronic device we call the Bimodal Voter Accreditation System (BVAS). We have tested it in several bye-elections and off-cycle Governorship elections. In addition, the decision to make polling unit election results available for public viewing, which has always been a major demand by citizens and election observers, falls into this early choice of election technology.

The INEC Results Viewing (IReV) portal is a dedicated web portal for the public to view polling unit results as soon as they are finalised on Election Day. This has been employed in several elections conducted by the Commission in the past few years. In particular, the uploading of Polling Unit results on the IReV portal has been deployed in 105 constituencies where the Commission conducted off-season elections since August 2020. The result can still be viewed on the portal, making the IReV an invaluable repository of elections results in Nigeria." (*The Cable News*)

The essence of the BVAS technology highlighted by Prof. Mahmood Yakubu is to curb the irregularities witnessed in the previous elections in Nigeria as well as enhance transparency in the entire exercise. For the elections on February 25, 2023, the BVAS is widely praised for its efficiency in accrediting the voters during the 2023 general election

generally, and performing all its functions for the National Assembly election; but for the Presidential election, it was noted not to have performed its last function of snapping the Polling Unit result and transmitting same to the INEC Result Viewing (IREV) portal real time. The transmission of result to IREV portal enhances transparency, while non-transmission leads to non-transparency.

2) Excerpt from Address of Mahmood Yakubu at Chatham House:

“In order to avoid the usual challenges with the application of new election technologies, the Commission introduced and tested our innovations for the election early enough. There are three critical components namely, the INEC Voter Enrolment Device (IVED) for improved registration of voters, the Bimodal Voter Accreditation System (BVAS) for both voter accreditation and e-transmission of results for collation and the INEC Result Viewing (IREV) portal to offer the public access to view Polling Unit results.”

.... Deploying this technology in these major elections afforded the Nigerian public and the Commission opportunities to get acquainted with the device and to review its performance with a view to enhancing it towards the general election. For the Commission, several lessons have been learnt from these deployments and we believe that we are ready to deploy these technologies for the general election.” (*The Cable News*)

INEC Chairman has noted in excerpt (2) that the application of the new technology in the elections held between the 2019 and 2023 general elections had made the Commission to be acquainted with the device and subsequently fortified it for use in the 2023 general election. What this suggests is that the BVAS technology should not be heard to have developed any hitch in the 2023 Presidential election. Therefore, the report of ‘hitch’ that made the BVAS not to perform its last function of snapping the Polling Unit result and transmitting same to the INEC Result Viewing (IREV) portal real time in the 2023 Presidential election runs contrary to the Commission’s promise to strictly apply the BVAS through which the confidence of Nigerians was won.

3) Excerpt from address of Mahmood Yakubu at Chatham House:

“Our Commission remains fully committed to making Nigerian elections inclusive. Over the years, we have worked with various stakeholders to increase the participation of young people and women. The work that the “Not too Young to Run” movement did in reducing the age requirement for contesting in some electoral positions has been underscored by the Commission’s youth policy.” (*The Cable News*)

In excerpt (3), the INEC Chairman vouched for the Commission's commitment to making Nigerian elections inclusive. But the INEC Chairman's non-pursuing to verify the veracity of the claims by the party Agents during final collation of results coming from the 36 States and Abuja with a view to taking appropriate action to remedy the situation and restore confidence on the party Agents negates the promise of inclusiveness of Nigeria's elections.

4) Excerpt from Daniel Kanu:

"The opposition parties have already called for the cancellation of the election, alleging that it was marred by widespread violence, rigging, intimidation of voters, doctoring of results, and violation of the laid down electoral process, which was communicated by INEC." (*cf. Daniel Kanu, Sunday Sun Newspaper, March 5, 2023 p. 2*)

As INEC Chairman, who was the Returning Officer for Presidential election, was collating manual results as presented by State Collation Officers, on 26th and 27th February, 2023, the party Agents of some political parties, especially Agents of the Peoples' Democratic Party (PDP), the Labour Party (LP), and African Democratic Congress (ADC) raised objection. They alleged widespread rigging, intimidation, doctoring of results and non-transmission of Polling Units results real time to INEC Results Viewing (IREV) portal as promised by INEC in most places, and requested that the collation be put on hold by the INEC Chairman and an immediate investigation be carried out with a view to remedying the situation. The INEC Chairman declined their request, as a result of which those party Agents finally staged a walkout from the venue of collation. It is this objection by the party Agents that has been re-echoed in excerpt (4). The INEC Chairman's non-pursuing to verify the veracity of the claims by the party Agents, which would have made him take appropriate action to remedy the situation and restore confidence on the party Agents seems to negate the Commission's guiding principles: autonomy, transparency, integrity, credibility, impartiality, dedication, equity, excellence, and teamwork. This is because once the transparency of the exercise is in doubt; it definitely affects INEC's autonomy and integrity, and could mar the credibility of the exercise. It would also portray INEC as being partial, lacking dedication to get it right, favouring some parties/candidates against others, and lacking excellence and teamwork in the discharge of her duty.

5) Excerpt from Fred Nzeako, a lawyer and an analyst:

"The voting was good; the BVAS did its work, but the last assignment of the BVAS which was the transmission of the result was not done." (*cf. Omegoh, Sunday Sun Newspaper, March 5, 2023 p. 19*)

The analysis of excerpt (1) suffices for excerpt (5). It is clear from excerpt (5) that transmission and non-transmission are two opposing words. Other opposing words are transparency $\approx$ non-transparency since the use of BVAS ensures transparency, while its non-use leads to non-transparency. There is negation of INEC's promise to make the election transparent.

6) Excerpt from Liborous Oshomo, a lawyer, an analyst and commentator:

“The non-transmission of the presidential election results is going to be the sour point of those elections. That was to eliminate the presumed manipulation at the collation centres. But INEC ended up taking the results to where they were going to be manipulated; certainly, that was going to happen.” (cf. *Omegoh, Sunday Sun Newspaper, March 5, 2023 p. 19*).

The analysis for excerpt (5) suffices for excerpt (6). The transparency of the 2023 Presidential election is affected by the non-transmission of the Polling Unit result to INEC Result Viewing (IReV) portal real time with the BVAS in most places in the country. Just as in excerpt (5), excerpt (6) displays the opposing words transmission $\approx$ non-transmission. It also portrays irony in INEC's fulfilling of her promise. One may, otherwise, ask how the BVAS could have worked for the transmission of the results of the National Assembly election, but failed for the Presidential election when the two elections went simultaneously the same day? The possible answer to this question gives room for serious suspicion and leads to the belief that the BVAS's final function was sabotaged for the Presidential election.

7) Excerpt from Dankofa Yusuf, a Law Lecturer and an analyst:

“The fulcrum of a transparent and credible election, therefore, rests and starts from this electronic transmission in that other layers can only be deemed valid if the foundation is not jettisoned. INEC, therefore, jettisoned that foundation and it became difficult for party agents and Nigerians to compare the manually-collated results with the non-existent ones as at the point of announcement. It, therefore, fuelled suspicion that is rooted in the unpardonable omission of INEC which was given enough resources and time to conduct what could have been the best elections in recent times.” (cf. *Omegoh, Sunday Sun Newspaper, March 5, 2023 p. 21*).

As noted for excerpt (5), the non-transmission of Polling Unit result to INEC Result Viewing (IReV) portal real time as inter alia planned by INEC makes the exercise to look non-transparent for the Presidential election. It has also left a question mark on INEC's claim of being autonomous, transparent, honest, credible, impartial, dedicated, equity, excellent, and harmonious in the discharge of her duty.

Summary and Conclusion

This paper focused on finding out the extent INEC had kept its promise of conducting free, fair and credible election in 2023 through the analysis of what happened during the Presidential election vis-à-vis the INEC's guiding principles. Excerpts from statements made by INEC Chairman before the 2023 election as well as statements by individuals analysing what happened during the Presidential election formed the basis for a descriptive analysis. It is discovered that against INEC's promise to conduct free, fair and credible election which necessitated the introduction of the BVAS technology to enhance transparency of the 2023 general election, INEC jettisoned the final function of the BVAS that is to snap the Polling Unit result and transmit same to INEC Result Verification (IReV) portal real time for ease of verification during collation. There is irony in the fulfillment of INEC's promise to Nigerians and maintenance of the Commission's guiding principles for the conduct of an election that could have been adjudged one of the best elections in the whole world.

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