

AN EXAMINATION OF THE LEGAL FRAMEWORK FOR ELECTRONIC VOTING IN KADUNA STATE

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INTRODUCTION

The conduct of an election is a procedure where leaders come to power through a democratic system. It is usually an organized procedure where voters exercise their right of freedom of choice through the casting of ballots. The word 'elect' has been defined to mean to decide, choose, or do a particular thing¹. An election is therefore the process of choosing a person or people to hold a public office. In the modern times, elections have been the main tool for implementing representative democracy. One salient feature that is common amongst the various definitions is that of 'choice amongst alternatives. This is very important in the sense that through periodic election, the will of the vast majority of the electorate prevails, leading to transparent and purposeful leadership. However, the social, political, technological, economic, historical, cultural and legal system of any given society are the determinant factors of the extent of the success or otherwise of a democratic system, that is to say where these factors which determine voters' behaviour and attitude are coherently advanced and aligned to democratic principles, the political system will succeed and where they are not, reverse is the case. The periodic conduct of elections affords voters the opportunity to remove representatives and replace them with more vibrant and competent ones thereby stabilizing any perceived flaw in the representation.

Kaduna State was the headquarters of the former Northern region of Nigeria from colonial times until 1966 when regional Governments were abolished. There are 23 Local Governments

in the Stateⁱⁱ. Local governments are created with the ultimate goal of bringing government closer to the people at the grassroots to accelerate development and to enable the local population participate and hold those in power accountable. In Nigeria and in particular, Kaduna State, electing competent leaders through a robust electoral system is key to socio political development in the sense that competent leaders are catalysts in the effective formulation and implementation of policies that align with the tenets of Law and culture of the of the society especially in the wake of technological advancements. This paper therefore seeks to examine the legal framework that serve as the umbilical cord in the conduct of electronic voting with a view to determining the adequacy of the salient provisions of the law in the conduct and management of Local Government elections in Kaduna State.

ELECTRONIC VOTING

The reforms introduced to suppress electoral malpractices is the introduction of electronic voting system.ⁱⁱⁱ Electronic voting is defined as a form of computer-mediated voting where voters make their selection with the aid of computer touch screen display although audio interface can be made available for voters with visual disabilities. In a computer-based voting, casting of votes, submission and recording of votes casts and tabulation are routinely done with computers. In spite of these features, electronic voting is not without limitations. Especially in Nigeria, even before deployment, there are foreseeable problems such as non-availability of electricity especially in the rural areas and possible failure of the accreditation device may pose a challenge and have to be addressed if deployment of electronic voting in Nigerian elections is to be successful.

THE REGULATORY FRAMEWORK FOR THE CONDUCT OF ELECTIONS IN KADUNA STATE

The Law is the tool that legitimizes any action. The Laws regulating the conduct of elections in Kaduna State are the Constitution of the Federal Republic of Nigeria, 1999, (as amended), the Kaduna State Independent Electoral Commission Law No.3, 2021 and the Guidelines for the conduct of elections.

(a). **The Constitution of the Federal Republic of Nigeria, 1999 (as amended)**

The Constitution of every country is the *grund norm*. It is the living law from which all other laws derive their validity^{iv}. The Supreme Court emphasized on this point when it held that the provisions of the Constitution are supreme and any other law that is inconsistent with its provisions shall to the extent of the inconsistency be void^v. The establishment and recognition of local governments in Nigeria, has been enshrined in the Constitution, thus:

The system of local government by democratically elected local government councils is under this Constitution guaranteed, and accordingly, the Government of every State shall, subject to section 8 of this Constitution, ensure their existence under a law which provides for the establishment, structure, composition, finance and function of such councils^{vi}.

The power to make regulations for the smooth operation of the State Electoral Commissions including the power to make laws for the conduct of Local Government Elections is by the Constitution vested in the State House of Assembly thus:

The House of Assembly of a State shall have power to make laws for the peace, order and good government of the state or any part thereof with respect to the following matters that is to say:

- (a) Any matter not included in the Exclusive Legislative List set out in part I of the Second Schedule to this Constitution.
- (b) Any matter included in the Concurrent Legislative List set out in the first column of part II of the Second Schedule to this Constitution to the extent prescribed in the second column opposite thereto: and
- (c) Any other matter with respect to which it is empowered to make laws in accordance with the provisions of this Constitution^{vii}.

The matter referred to in (b) above refers to local Government elections as can be seen below:

The National Assembly may make laws for the federation with respect to the registration of voters and the procedure regulating elections to a local government council^{viii}.

Nothing in paragraph 11 hereof shall preclude a House of Assembly from making laws with respect to election to a local government council in addition to but not inconsistent with any law made by the National Assembly^{ix}.

What the above provision implies is that, any law made by a House of Assembly regarding its State Independent Electoral Commission is legitimate and therefore, binding and enforceable in any part of the given state, same having emanated from a lawful authority. This includes, the organization and conduct of local government elections. The conduct of Local Government elections and all its related processes like nomination of candidates, accreditation and voting in all the states of Nigeria including Kaduna State is by the Constitution vested on the State Independent Electoral Commission as follows:

The Commission shall have power to:

- (a) organize, undertake and supervise all elections into Local Government Councils within the State;
- (b) render such advice as it may consider necessary to the Independent National Electoral Commission on the compilation of and on the registration of voters so far as is applicable to Local Government elections in the state;
- (c) conduct voter and civic education;
- (d) promote knowledge of sound democratic electoral processes;
- (e) conduct any referendum required to be conducted pursuant to the provisions of this law or any other law.^x

The composition of the State Independent National Electoral Commissions is further stated thus:

A State Independent Electoral Commission shall comprise the following members-

- (a) a chairman; and
 - (b) not less than five but no more than seven other persons.
- (4) The Commission shall have power-
- (a) to organize, undertake and supervise all elections to local government council within the state;

(b) to render such advice as it may consider necessary to the Independent National Electoral Commission on the compilation of the register of voters in so far as that register is applicable to local government elections in the State ^{xi}.

The election referred to in the above provision has for time immemorial being conducted manually, however with the growing agitations for a more credible election, coupled with changed circumstances brought about by computer revolution; The law is the tool that legitimizes any action. The conduct of Local Government elections and all its related processes associated with it like nomination, accreditation and voting in all the states of Nigeria including Kaduna State are governed by the Constitution, the State Electoral Laws and Regulations made pursuant to the elections. State Independent Electoral Commissions are headed by a chairman while Counselors head the Wards in the various Local Governments within the State. The extant State Electoral Laws and Regulations lost touch with realities of standard best practices of modern elections hence needing a reform.

(b) The Kaduna State Electoral Laws

The Kaduna State House of Assembly had at various times enacted laws to guide the conduct of local Government elections. For example, the State Electoral Commission Law, Cap 50, Laws of Kaduna State, 1991, Conduct of Local Government Councils Election Law No. 13, 2006 as amended by Conduct of Local Government Councils (Amendment) Law No. 2, 2008. One salient feature of the laws is that they are tailored along the conduct of elections by manual process which has proved inadequate for the 21st Century, due to rapid and incessant malpractices, signaling an upgrade. Hence, the Kaduna State Independent Electoral Commission Law No. 2 of 2018 was enacted to guide the conduct of electronic voting as a possible solution to malpractices like over voting, voting by proxy and voting by unregistered persons. The Kaduna State Independent Electoral Commission Law No. 3 of 2021 is the current Law guiding the conduct of electronic voting in Kaduna State. Laws lay down the standards of conduct for compliance by everybody in a society. In furtherance of the Constitutional provisions^{xiii}, the Kaduna State Independent Electoral Commission was established thus:

There shall be established for the State, a body to be known as Kaduna State Independent Electoral Commission which shall be a body corporate with

perpetual succession and may sue and be sued in its corporate name^{xiii}.

The provision of the Constitution on the powers of the State Independent Electoral Commissions to conduct local government has been adopted and inserted into the Kaduna State Independent Electoral Commission by the Kaduna State National Assembly thus:

The Commission shall have power to:

- (a) organize, undertake and supervise all elections into Local Government Councils in the State;
- (b) render such advice as it may consider necessary to the Independent National Electoral Commission on the compilation of and the registration of voters so far as is applicable to Local Government elections in the state;
- (c) conduct voter and civic education;
- (d) promote knowledge of sound democratic electoral processes;
- (e) conduct any referendum required to be conducted pursuant to the provisions of this Law or any other Law ^{xiv}.

(i) The Kaduna State Independent Electoral Commission Law No. 2 of 2018

The Kaduna State Independent Electoral Commission Law No. 2 of 2018 law was enacted after the repeal of the Kaduna State Independent Electoral Commission Law No. 10 of 2012. It is important for this discourse despite its repeal because it is the law that introduced electronic voting in Local Government elections in the State. This Law appear to be drafted and enacted hurriedly as it is replete with spelling errors, defective paragraphing techniques and vague provisions which signal the need for further amendment.

(ii) The Kaduna State Independent Electoral Commission Law No. 3 of 2021

This Law was enacted to regulate the conduct of the Local Government elections in 2021. It repealed the Kaduna State Independent Electoral Commission Law No. 2, 2018^{xv}. The draftsmen of this law made frantic effort to correct most of the spelling errors, vague provisions and paragraphing errors replete in its predecessor and also, it introduced new provisions which clarify most of the vague provisions inherent in its predecessor as outlined below:

(a) New Provisions

- i. Electronic Device is specifically defined, unlike in the repealed Law where it was not^{xvi}.
- ii. A provision is introduced on verification of voter's card by an approved electronic device. The use of the word device instead of card reader is wide enough to accommodate any later innovation including the newly introduced Bi-Modal Voter Accreditation System (BVAS)^{xvii} by the INEC which replaced the Card reader for accreditation in 2021 bye-elections.
- iii. A provision was introduced on "indictment" as a disqualification factor from contesting election^{xviii}.
- iv. A provision was introduced disqualifying any voter whose card is rejected by accreditation device^{xix}.
- v. A subsection was introduced authorizing verification of voters with electronic device^{xx}.
- vi. A subsection was introduced specifying that the Election Tribunal is to open its registry seven (7) days before the election^{xxi}.

(b) Amended Provisions

- i. The language of the mode of appointment of the Chairman of the Kaduna State Independent Electoral Commission amended to be subject to confirmation by the State House of Assembly^{xxii} as opposed to subject to confirmation by resolution of the State House of Assembly in the repealed Law^{xxiii}.
- ii. The Secretary of the Kaduna State Independent Electoral Commission must be of the rank of Permanent Secretary or its equivalent^{xxiv} as opposed to what was in the amended provision where no qualification is indicated^{xxv}.
- iii. Disbursement of funds of the Kaduna State Independent Electoral Commission shall now be in accordance with Public Finances Management and Control Law and the rules established by the Commission^{xxvi} as opposed to previously when it is only the Commission carries out that function^{xxvii}.

- iv. The defective Paragraphing technique in the amended provision^{xxviii} has been amended to conform to the introduction^{xxix}.
- vii. The provision of the Law was further explained to include “elected” to make it specific.
- viii. The age limit on qualification to contest for election has been reduced to 25 years^{xxx} unlike in the amended provision where it was 30 years^{xxxi}.
- ix. The provision on eligibility to vote was expanded to include possession of voter’s card^{xxxii} unlike in the amended provision where it was not stated^{xxxiii}.
- x. The election to the office of Councilor has been specified^{xxxiv}. Unlike in the amended provision where the mode of assumption of office of Councilor was not specified^{xxxv}.
- xi. Electronic Voting Machines are specifically prescribed as the medium of conducting elections^{xxxvi}. Under the repealed Law, boxes only, were prescribed^{xxxvii}.
- xii. The provision was further explained to read as “ballot box or voting device”^{xxxviii} instead of “ballot box or device”^{xxxix}.
- xiii. A sentence in the provision was qualified with the word “to accompany the voter”^{xl} as opposed to in the amended law where the word was “to accompany voter”.
- xiv. The words “only” and “electronically verified are added to the provision on the removal of voters suspected to be under age^{xli}.
- xv. The provision on the criteria for winning Chairmanship election was rearranged subsections (2) and (3) were interchanged to be sequential^{xlii}. The amended provision was not sequential^{xliii}.
- xvi. The word “not less than” was added to the fine to be imposed on a person who forges a nomination paper to set limit of the minimum^{xliv}, the subsection was also incorporated into the main provision of the law, as opposed to in the repealed provision which set the fine as the maximum to be imposed and in a subsection^{xlv}.
- xvii. Election Petition is to be presented within 14 days^{xlvi} unlike in the amended provision where it is to be presented within 21 days^{xlvii}.

xviii. The filing of reply to an election petition is now to be done within 7 days^{xlviii} as

xix. opposed to 14 days in the amended provision^{xlix}

xx. The fee payable upon presentation of an election petition has been increased to N100,000^l as opposed to N10,000 in the amended provision^{li}. Though the amount is wrongly stated as 1000,000^{lii} in the new Law.

By the paternal motive of law, which states that the function of Law is aimed at guiding the conduct of individuals towards what will benefit them, the purpose for the introduction of electronic voting is perfect for the objective.

PROCEDURE FOR ELECTRONIC VOTING

The procedure for the conduct of electronic voting is as stated thus:

The Commission shall have power to determine the method by which voters shall:

- a. be verified and accredited for the purpose of casting their votes;
- b. cast their votes
- c. such verification and voting shall be through the use of approved electronic device, smart card reader and electronic voting machine.^{liii}

The above provision of the law unambiguously laid bare the intention of the legislature to the effect that, it approved the use of electronic voting machine in Kaduna State Local Government Elections in conformity with the technological reality of the 21st century and global best practices.^{liv} The philosophy behind the adoption of the above steps in the conduct of electronic voting is not farfetched in view of the golden principle of law that says “where there is wrong there is a remedy”^{lv}.

Relating this principle to the conduct of elections in Nigeria, with Kaduna State Local Government elections in focus, where allegation of malpractices is the order of the day and even more pronounced in Local Government elections more than in National elections. This in essence means that, the advent of computer brought about ‘changed circumstances’ that

necessitate amendment to the Electoral Laws and this changed the mindsets of the general public to the belief that due to the acclaimed accuracy of computer and little human interference (which is blamed as the cause for the malpractices) and most importantly speed in timely computation of results (the lack of which is attributed to malpractices), can guarantee the attainment of the desired free and fair election.

It is worth mentioning that so far, none of the elections conducted through electronic voting machine in Kaduna state was overturned by the Election Petition Tribunal, this is either due to inadequate pleadings or on technical grounds. The election Petitions dismissed on technical grounds as stated above include:

- a. *Yusuf Sani Bello & Anor vs Usman Mohammed Dankoli*^{lvi}.
- b. *Malam Bala Umar & Anor vs Khalid Ibrahim & 2 Ors*^{lvii}.
- c. *Haruna Shuaibu & Anor vs Aminu Hassan & 2 Ors*^{lviii}.

In the above petitions for example, the Petitioners misconstrued the word “within” in the provision of the law in the computation of the time as implying “excluding” instead of “including” for the application of issuance of pre hearing notice^{lix}. The Election Tribunal found that the exclusion of one day in the computation of time for application of pre-hearing rendered the petitions incompetent and thus were dismissed *in limine*. This confirms the assertion that election related matters are strict and any slightest defect in the procedure of prosecution of same, leads to fatal consequences.

Similarly, the following election petitions filed against the outcome of election conducted by electronic voting machine were dismissed for being devoid of merit.

- a. *Ayuba G, Mathew & Anor vs Sunday Somalia & Ors*^{lx}.
- b. *Danladi Dansa & Anor vs Iliya James & Ors*^{lxi}.

Bashir Tanko Dawaki & Anor vs Shuaibu Goma & Ors

ACCREDITATION AND VOTING PROCEDURE

Voting is the most crucial stage in the entire election process; it is the stage where decision of the people is made manifest. This being the case, the procedures are strictly followed such that only authorized personnel are authorized to take charge of the polling unit to ensure that there is transparency and equality of the votes cast.

(a) Accreditation

The Manual and Guidelines for election provide that the Presiding Officer shall accredit a voter by:

- i. confirming his name in the voter's register.
- ii. checking his permanent voter's card to confirm his finger print using the Smart Card Reader.
- iii. marking his thumb nail with indelible ink and:
- iv. directing the voter to the Electronic Voting Machine to vote.^{lxii}

It is worth mentioning that failure to accredit voters before the conduct of an election once established is fatal^{lxiii}.

(b) Voting

- i. The ballot box or device is placed in full view of all present and be so maintained until the close of the poll."^{lxiv}
- ii. Where it becomes impracticable to verify a voter through the use of Smart Card Reader or such other Electronic Device and his name appeared on the voters register, he may be allowed to vote as envisaged in Section 41 of this Law. Despite this, a new subsection has been added to the provision of Section 41, which prohibits allowing a voter to vote if he cannot be verified"^{lxv} the amended Section 41, provides that "Every person intending to vote shall present himself to a Presiding Officer at the polling unit in the Ward in which his name is registered with his voter's card"^{lxvi}

iii. People living with disability in an electronic voting environment are to be accompanied into the voting compartment to make their mark in accordance with the procedure prescribed by the Commission.^{lxvii}

iv. People Living with Disabilities requiring special attention are to be assisted at the polling station by the provision of suitable means of communication devices or sign language interpretations or offsite voting in appropriate cases^{lxviii}.

Elections are liable to be cancelled once it is established that there were overvoting, multiple voting and voting by unregistered persons unless if it can be shown that the number of votes in the affected polling units are not enough to tilt the outcome of the election one way or the other.^{lxix}

THE ELECTORAL MANUALS AND GUIDELINES 2021

The Electoral Manual and Guidelines (the flyer) is a pamphlet issued pursuant to the Kaduna State Independent Electoral Commission Law, No. 3, 2021 as a form of Delegated Legislation, to enhance the integrity of the process towards achieving free, fair and credible Local Government elections in Kaduna State^{lxx} It prescribes the step-by-step procedures of the conduct of electronic voting from pre-voting procedures, actual voting procedures and activities after casting of votes up to declaration of results. Compliance to the rules contained in Electoral Manual and Guidelines though subsidiary legislations have been held to be mandatory^{lxxi} as the law is trite that laws are not made in vacum but to be obeyed^{lxxii}. The Electoral Laws specifically provides that:

Subject to the provisions of this Law, the Commission shall issue and publish in the gazette, guidelines for election provisions, among other things for the step-by-step recording of the poll in the electoral forms as may be prescribed beginning from the polling unit to the last collation center for the ward or constituency where the result of the election shall be declared^{lxxiii}.

Notwithstanding this however, there is no provision in the manuals and Guidelines on the procedure for retrieval of electronic voting machine in the event it malfunctions, this signals the need to incorporate into the manuals and Guidelines the procedure for retrieval and repair

in the event of malfunction during election, as resorting to self-help by the presiding officer always leads to snatching and destruction of the election materials and ultimately, cancellation of the election and the more elections are cancelled, the less likely are they adjudged credible.

CHALLENGES IN THE CONDUCT OF ELECTRONIC VOTING IN KADUNA STATE

In spite of the attempt by the Kaduna State House of Assembly to upgrade the provisions of the Kaduna State Independent Electoral Commission Law to strengthen the integrity of local government election, the following challenges still persist:

1. The Kaduna State Electoral Law does not contain provisions empowering Legal officers of the Commission to liaise with the Police in conducting investigation and prosecution of electoral offenders. Engaging in-house solicitors ensures confidentiality and commitment.
2. Legal restraints, Weak Electoral Laws, and lack of confidence in the Judiciary - This challenge was termed by the Kaduna State Independent Electoral Commission as ‘weak electoral-judicial-electorate linkage system’ which led to failure of the electoral and judicial systems to effectively respond to the real needs of the electorate and its inability to handle election disputes partially. It results in low confidence in the judicial system thereby leading to mistrust of the electoral umpire^{lxxiv}.

There are instances where the Court grants injunction restraining the conduct of elections which is akin to judicial interference in the electoral process. Importation of the provision of Section 84 of the Electoral Act, 2022 into the Kaduna State Electoral Law is therefore necessary as it prohibit the court from stopping the conduct of an election or the processes thereof, merely because a case challenging the outcome of election or its processes is pending before it.

There is also the allegation of slow pace in the dispensation of justice by the judiciary which affected the conduct of rescheduled elections^{lxxv}. This is an indication of clear violation of the Constitution which fixed time limits for the determination of pre- and post-election disputes which provides thus: “An election tribunal shall deliver its judgment in writing within 180 days from the date of the filing of the petition.” Needless to state that the provisions of the Constitution have a binding effect on all persons and authorities notwithstanding which body

conducted the election^{lxxvi}. “A Court in every pre-election matter shall deliver its judgment in writing from the date of the filing of the suit”.

3. Disregard/Disrespect of the provisions of the law by stakeholders- the Law and Regulations are not always strictly followed in the electoral process and Political parties do not always adhere to the provision of Section 38 (1) of the Electoral Law which requires that Political Parties wishing to deploy Party Agents to the polling units to apply officially to the Commission^{lxxvii}.

4. Election staff were influenced to tamper or slow down the function of software of election equipment meant for a specific location.^{lxxviii} The “Supervisory Presiding Officers were left unsupervised and most of the Electoral Officers were not careful enough with the management of the ad-hoc staff^{lxxix}”.

CONCLUSION

The Kaduna State Independent Electoral Commission Law No. 2 of 2018 ushered in electronic voting in Kaduna State Local Government elections, while the Kaduna State Independent Electoral Commission Law, No. 2, 2021 consolidated it further with more advanced strategies which as usual quelled most of the corrupt practices and non-compliance be delving Local Government elections in Kaduna State which raised the level of expectation and boosted the confidence of the people in the process. The fact that remains glaring is that this tempo can be sustained and advanced even further, if the suggestions stated in the recommendations are given due consideration. From the foregoing, the following findings have been made thus:

1. Despite attempts to clarify and strengthen the provisions of the Kaduna State Electoral Law, it still suffers from lack of adequate provisions to tackle electoral offences relating to Cybercrimes which occurrence is highly likely during the conduct of electronic voting.
2. The Electoral Law completely bars a voter from voting if his voter’s card is rejected by the accreditation device.
3. The Grounds for challenging an election conducted by electronic voting are the same as the grounds for challenging election conducted manually.

Accordingly, the following recommendations were put forward:

1. the Kaduna State Electoral Law ought to be further amended to include specific crimes involving the process of operating Electronic Voting Machine and appropriate penalties for the offences specified as was done in the 2022 amendment to the Electoral Act, 2022, or in the alternative, the Kaduna State Electoral Law should subject electoral offences involving electronic voting machine to the provision of Cyber Crimes Law.
2. Stopping a voter from voting because his voter card is rejected by the accreditation device spells disenfranchisement without justification. This signals the necessity of amending the provision. Perhaps, the Kaduna State Independent Electoral Commission should resort to the now INEC upgraded accreditation device called Bimodal Voter Accreditation Device (BVAS) which utilizes both face and finger print device in accreditation rather than to disenfranchise a voter.
3. The grounds for challenging the conduct of electronic voting should be amended to include processes of electronic voting so as to give room for reference to specifics. allegations of electoral malpractices involving electronic voting machine. More so, the grounds for questioning an election should be updated in tandem with the Electoral Act, 2022. For example, The Electoral Act, prohibits in clear terms, the manufacturing by unauthorized persons of ballot box, voting device or mechanism to manipulate an election.

ENDNOTES

ⁱ *Isitor vs Fakorede* (2018) 5 NWLR (Part 1612) 349

ⁱⁱ First Schedule, Part I, Constitution of the Federal Republic of Nigeria, 1999 (as amended).

ⁱⁱⁱ www.brittanica.com accessed on 21st December 2022 at 11:38 am

^{iv} Section 1 (3) of the Constitution of the Federal Republic of Nigeria, 1999 (as amended).

^v *Inspector General of Police vs ANPP & Ors* (2007) 18 NWLR (Part 1066) 456

^{vi} Section 7 (1) of the Constitution of the Federal Republic of Nigeria, 1999 (as amended).

^{vii} Section 4 (7) of the Constitution of the Federal Republic of Nigeria, 1999 (as amended).

^{viii} *Ibid*, Second Schedule Part II, Item 11

^{ix} *Ibid*, item 12

^x Section 4, Third Schedule, Part II of the Constitution of the Federal Republic of Nigeria, 1999 (as amended).

^{xi} *Ibid*, Section 3.

^{xii} *Ibid*

^{xiii} Section 4, Kaduna State Independent Electoral Commission Law No. 2 of 2018. See also *AD vs Plateau State Independent Electoral Commission* (2004) 10 NWLR (Part 880) 19

^{xiv} Section 8, Kaduna State Independent Electoral Commission Law No. 2 of 2018

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- xv Section 110 of the Kaduna State Independent Electoral Commission No. 3, 2021
- xvi *Ibid*, Section 3.
- xvii BVAS Replaces Smart Card Reader In: INEC Weekly Volume 1 No.6, September 13-19, 2021
- xviii Section 20 (k) of the Kaduna State Independent Electoral Commission No. 3, 2021
- xix *Ibid*, Section 41(3).
- xx *Ibid*, Section 16(4) and 18(c)
- xxi *Ibid*, Section 84(3)
- xxii *Ibid*, Section 5
- xxiii *Ibid*, Section 5, of the Kaduna State Independent Electoral Commission No. 2, 2018
- xxiv Section 20 (k) of the Kaduna State Independent Electoral Commission No. 3, 2021
- xxv Section 11 Section 13(3) of the Kaduna State Independent Electoral Commission Law No. 2, 2018
- xxvi Section 13(3) of the Kaduna State Independent Electoral Commission No. 3, 2021
- xxvii Section 13(3) of the Kaduna State Independent Electoral Commission Law No. 2, 2018
- xxviii *Ibid*, Section 16(3)(a)
- xxix Section 163(a) of the Kaduna State Independent Electoral Commission Law No. 3, 2021
- xxx *Ibid*, Section 19 (c)
- xxxi Section 19 (c) of the Kaduna State Independent Electoral Commission Law No. 2, 2018
- xxxii Section 19(b) of the Kaduna State Independent Electoral Commission Law No. 3, 2021
- xxxiii Section 19 (b) of the Kaduna State Independent Electoral Commission Law No. 2, 2018
- xxxiv Section 17(2) of the Kaduna State Independent Electoral Commission Law No. 3, 2021
- xxxv Section 17(2) of the Kaduna State Independent Electoral Commission Law No. 2, 2018
- xxxvi Section 37 of the Kaduna State Independent Electoral Commission Law No. 3, 2021
- xxxvii Section 37 of the Kaduna State Independent Electoral Commission Law No. 2, 2018
- xxxviii Section 40(2) of the Kaduna State Independent Electoral Commission Law No. 3, 2021
- xxxix Section 40 (2) of the Kaduna State Independent Electoral Commission Law No. 2, 2018
- xl Section 46 of the Kaduna State Independent Electoral Commission Law No. 3, 2021
- xli *Ibid*, Section 49 (2)
- xlii *Ibid*, Section 66
- xliiii Section 66 of the Kaduna State Independent Electoral Commission Law No. 2, 2018
- xliiv Section 67 of the Kaduna State Independent Electoral Commission Law No. 3, 2021
- xliv Section 67(2) of the Kaduna State Independent Electoral Commission Law No. 2, 2018
- xlvi Section 85 of the Kaduna State Independent Electoral Commission Law No. 3, 2021
- xlvii Section 85 of the Kaduna State Independent Electoral Commission Law No. 2, 2018
- xlviii Paragraph 12(1) of First Schedule to the Kaduna State Independent Electoral Commission Law No. 3, 2021
- xlix Paragraph 12(1) of First Schedule to the of the Kaduna State Independent Electoral Commission Law No. 2, 2018
- ¹ Paragraph 37 of First Schedule to the of the Kaduna State Independent Electoral Commission Law No. 3, 2021
- ^{li} Paragraph 37 of First Schedule to the of the Kaduna State Independent Electoral Commission Law No. 2, 2018
- ^{lii} Paragraph 37 of First Schedule to the of the Kaduna State Independent Electoral Commission Law No. 3, 2021
- ^{liii} Section 16(3), of the Kaduna State Independent Electoral Commission Law No. 2 of 2018.
- ^{liv} *Ibid*, Section 40 (1)
- ^{lv} *Makanjuola vs IGP* (2020) 13 NWLR (Part 1741) 301
- ^{lvi} KSLGEPT/08/2021
- ^{lvii} KSLGEPT/12/2021
- ^{lviii} KSLGEPT/27/2021
- ^{lix} Paragraph 18 (1), (2), (3), (4) and (5) of the of First Schedule to the Kaduna State Independent Electoral Commission Law No. 3, 2021.
- ^{lx} LGET/KDS/27PT/2018
- ^{lxi} LGET /KDS/28PT/2018
- ^{lxii} Item 3.0 of the Flyer of Kaduna State Independent Electoral Commission, Electronic Voting for Local Government Elections in Kaduna State.
- ^{lxiii} *Wike vs Peterside* (2016) 7 NWLR (Part 1512) at 522
- ^{lxiv} Section 40(2) of the Kaduna State Independent Electoral Commission Law No. 3 of 2021.
- ^{lxv} Section 16(4) of the Kaduna State Independent Electoral Commission Law No. 3 of 2021.
- ^{lxvi} *Ibid*, Section 41(3).
- ^{lxvii} *Ibid*, Section 46.
- ^{lxviii} *Ibid*, Section 46 (2)
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^{lxxix} *Ikpeazu vs Otti* (2016) 8 NWLR (Part 1513) 38

^{lxxx} *Access Bank plc vs Ogboja* (2022) 1 NWLR (Part 1812) 575, *NNPC vs Famfa Oil Ltd* (2012) 17 NWLR (Part 1328) 163.

^{lxxxi} *Faleke vs INEC* (2016) 18 NWLR (Part 1543) 73

^{lxxxii} *Orker Jev vs Iortyom* (2014) 8 NWLR (Part 312) 382

^{lxxxiii} Section 60 of the Kaduna State Independent Electoral Commission Law No. 3, of 2021.

^{lxxxiv} Op. Cit.

^{lxxxv} Op. Cit.

^{lxxxvi} Section 285 (6) and (10) of the Constitution of the Federal Republic of Nigeria, 1999 (as amended)

^{lxxxvii} Op. Cit.

^{lxxxviii} Op. Cit.

^{lxxxix} Section 78 of the Kaduna State Independent Electoral Commission Law No. 2, 2018

