

2023 GENERAL ELECTIONS AND THE POLITICAL INCLUSION OF PERSONS WITH DISABILITIES (PWDS) IN NIGERIA

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Abstract

To what extent are Persons with Disabilities (PWDs) in emerging democracies allowed to participate in the electoral and political process? This paper examines the implementation of laws, reforms, and policies related to the participation of PWDs in Nigeria's political process. Despite recent efforts to improve political inclusion and respect for PWD rights, there is a need to assess the impact of these reforms on PWD participation, especially in light of the 2023 general elections. Using direct observations, semi-structured interviews, focus group discussions, and document analysis, this study evaluates compliance with the Disability Law, reforms, and frameworks. Challenges include weak inter-agency synergy, slow replication of laws at subnational levels, and poor accountability, which hinder the effectiveness of disability-inclusive elections. Findings highlight the non-implementation of the UN Convention on the Rights of Persons with Disabilities (CRPD) in Nigeria, which calls for accessible and inclusive voting procedures. The paper recommends enhancing political inclusion and strengthening PWDs' capacity to participate equally in Nigeria's political process.

Keywords: Research instrument, Validity, Reliability, Quantitative research, Qualitative research

Introduction

Participation in electoral and political processes is a fundamental right of all citizens irrespective of gender, class, ethnicity, and ability. However, Persons with Disabilities (PWDs) in Nigeria and many other African countries have often experienced difficulties in participating in electoral processes due to legal, institutional, cultural, administrative, and procedural barriers (Policy and Legal Advocacy Centre, 2022; Africa Polling Institute, 2022; Bhavisha Virendrakumar, et.al, 2018). Prominent among the difficulties militating against the electoral participation of PWDs in Nigeria are inaccessible polling units, limited availability of relevant voting materials, inaccessible campaign materials, limited economic resources to engage in politics, discrimination, stigmatization, violent/riotous electoral processes, political intimidation, and over-militarization of elections (Shittu, et.al 2022; PLAC, 2022; Olorok, 2022; Thompson, 2020; Stefanie Reher, 2020; Haruna, 2017).

Various legal frameworks, reforms, policies, and strategies have been proposed and implemented to facilitate the electoral inclusion of PWDs, including the ratification of the United Nations Convention on the Rights of Persons with Disabilities (UN CRPD). Article 29 of this treaty requires all states to

ensure that "voting procedures, facilities and materials are appropriate, accessible and easy to understand and use," and to protect the rights of all disabled people to participate fully and equally in political and public life. Nigeria, a signatory to the UN Convention, has also domesticated the Disability Act. For instance, Part IV; Section 30 (1&2) of the 2018 Disability Act state that:

- Government shall actively promote an environment in which persons with disabilities can effectively and fully participate in-
- (a) the conduct of public affairs without discrimination;
 - (b) non-governmental organisations and associations concerned with the public and political life of the country; and
 - (c) activities and administration of political parties.

In furtherance of disability-inclusive participation in Nigeria's election, the new 2022 Electoral Act made provisions for the participation of PWDs in elections and charged the election management body to make provisions for its implementation during elections. Specifically, Section 54 (1) and (2) of the 2022 Electoral Act state as follows:

56. (1) A voter who is blind or is otherwise unable to distinguish symbols or who suffers from any other physical disability may be accompanied into the polling unit by a person chosen by him and that person shall, after informing the Presiding Officer of the disability, be permitted to accompany the voter into the voting compartment and assist the voter to make his mark by the procedure prescribed by the Commission.

(2) The Commission may take reasonable steps to ensure that voters with disabilities are assisted at the polling place by the provision of suitable means of communication, such as Braille, Large embossed print or electronic devices or sign language interpretation, or off-site voting in appropriate cases.

In line with the 2022 Electoral Act, the electoral management body was saddled among other responsibilities to compile and update continuously, a National Register of Voters as contained in Part III of the Electoral Act. Specifically, Part III Section (9a&b) states that:

The Commission shall register shall include the names of all persons— (a) entitled to vote in any Federal, State, Local Government or Federal Capital Territory Area Council election; and (b) with disability status disaggregated by type of disability.

In line with Article 29 of the UN CRPD, the 2022 Electoral Act, and the INEC framework for access and inclusion for PWDs, various assistive devices were proposed to be implemented throughout the election phases to ensure the effective participation of PWDs in the electoral process. The legal provisions empower the election management body to formulate policies and guidelines towards enhancing the participation of PWDs in the electoral process.

Consequently, in 2018, the Independent National Electoral Commission (INEC) developed a framework for access and inclusion for PWDs, aligning with Article 29 of the UN CRPD and Nigeria's Electoral Act (INEC, 2018). INEC pledged to provide assistive devices such as braille ballots for the blind, magnifying glasses for people with albinism, sign language interpreters or large print posters, picture animations, and short videos in the absence of sign language interpreters (INEC, 2018). Additionally, ramps were to be placed across slightly elevated surfaces to allow voters with physical impairments access to polling areas, and priority was to be given to PWDs in queues to enable them to cast their votes without delay (INEC, 2018). While these measures aim to improve PWD participation in the electoral process, empirical studies on their implementation and compliance during elections remain underexplored in the Nigerian political participation literature.

Previous studies on the democratic inclusion of vulnerable and marginalized groups have focused on ethnic and racial minorities, immigrants, and women using various socio-economic variables such as age, sex, and education status (Verba et al., 1995; Milbrath, 1965, 1981). Disability has been a missing variable in the participation literature (Priestley et al., 2016; Reher, 2020). Yet, disability

represents one of the largest minority groups in both developed and developing democracies (Reher, 2020; Friedman, 2018; PLAC, 2022). In Africa, and Nigeria in particular, studies on the inclusion of PWDs in the democratic process have been spearheaded by advocacy groups, civil society organizations, international agencies, and volunteers, leading to the enactment of the Disability Act, Electoral Reforms Act, and many other disability inclusion policies and strategies. However, there is a dearth of empirical research on how successive electoral reforms and policies have impacted the participation of PWDs in Nigerian elections.

Against this background, this study examined the implementation of the existing legislative framework and policies regarding the political inclusion of PWDs, identified the gap between such policies and their implementation, and investigated the availability and use of assistive devices supporting PWD participation in Nigeria's 2023 electoral process. This paper sought to determine the extent to which voting materials, procedures, facilities, and assistive devices were appropriate and accessible for PWDs to participate in elections, assessed the level of INEC compliance with extant conventions and laws relating to PWDs, and identified challenges currently impeding PWD participation in Nigeria's political process.

Provisions of assistive devices

In line with Article 29 of the UN CRPD and Nigeria electoral laws, the election management body made provisions for various assistive before election day to be used to support voters with disabilities on election day. These include magnifying glasses for people with Albinism, brail ballot guides for people with visual impairment, bold posters or picture animation for people with hearing impairments as well as ramps and rails to make mobility easier for people with physical impairment. Provisions of these devices were consistent with the position of law in Section 56 (1&2) of the 2022 Nigeria Electoral Act which mandated the election management body to make provisions for reasonable accommodations to support voters with disabilities during elections. Participants in both interviews and FGDs attested to the level of compliance by the INEC in terms of making available several assistive devices to support PWDs during elections. Participants affirmed that they saw devices such as brail ballot guides, and magnifying glasses among others. In an interview with the INEC desk officer in charge of PWDs in Oyo State, he narrated his experience before the election:

I am very happy to say as regards the just concluded 2023 general election, before the election, I was able to receive the assistive materials right from the headquarters. I received it myself because I had the data before the election, we had meetings with various CSOs and JONAPWD where we gathered some data on PWDs all over the federation right from the polling unit level. After receiving the materials, we distributed them through our electoral officers to various local governments. We also received a form for persons with disabilities, a voter who comes with any kind of disability, has to fill out that form to capture their data.

Corroborating the above, the State Chairman of JONAPWD in Kwara State narrated his experience during the presidential election in the State where various assistive devices were sent to the State from the headquarters to support PWDs to vote during elections in which he was called to witness at the Central bank of the state. According to the participant:

Before election day, the Brail ballot guide was given to us to showcase how we can use it and how to do that as observers in the State. Also, when the INEC-sensitive materials arrived in the state at CBN, at least I was there. Some of the CSOs were also there and we saw all these assistive devices and we were very, very, very happy.

In addition to this, provisions were also made for bold posters pictures or animation that can support people with hearing impairment in the absence of a sign language interpreter. Many election observers including the leading civil society organisation in Nigeria reported that more bolder posters were spotted at the various polling units as compared to other assistive devices like brail ballot guide and

magnifying glasses. Some participants who were representative leaders of the association of PWDs at sub-national levels in addition to INEC desk officers in charge of PWDs confirmed that provisions were made for the assistive devices. Many domestic and international observers also commended INEC for its efforts at fostering greater inclusion of PWDs in the 2023 general elections. According to the African Union preliminary observation report, it was reported that:

INEC is also to be commended for its efforts at fostering greater inclusion, especially for persons with disabilities, by providing assistive devices at polling units, including braille ballot guides and magnifying glasses (African Union Observation Report, 2023)

In a related comment, a participant who is a leading member of JONAPWD in Oyo State attested to INEC provisions of various assistive devices to support PWDs to vote during the 2023 elections. The participant noted that INEC had significantly improved in the provisions of these devices owing largely to the level of collaboration and consultation that had existed between them before the election period. The participant revealed that:

One of the improvements on the side of blind persons from the INEC is the provision of a brail ballot guide. For individuals with hearing impairment, INEC did pictures which are expected to be pasted at every polling Unit for deaf people to read to know the procedures they have to follow during voting. And the placement of the ballot box this time around makes it easy and accessible. You know in the past, where they placed ballot boxes is one of the areas we complained to INEC during some discussions that it is difficult for a person who is on crutches or wheelchairs to access those places on their own and drop in their ballot papers. So, this time around, across the board, INEC now arranged that those ballot boxes will be placed in a more convenient place.

Priority Voting

Almost all the participants in the FGDs and interviews attested to the INEC compliance level of compliance in the aspect of priority voting. It was reported that once PWDs arrived at the polling unit, they were allowed to cast a vote and leave immediately. It is important to note that giving priority to PWDs to vote on time is not at the INEC discretionary power, it is a fundamental right of PWDs backed by laws and other policies. For instance, Section 26 (1&2) of the Nigeria Disability Act stated that *'in queues, persons with disabilities shall be given first consideration and, as much as possible be attended to outside the queue.'* Many domestic and international election observers commended INEC compliance in this aspect. For instance, the Campaign for Equal Voting Access to Persons with Disabilities (EVA4PWD) reported having deployed observers across the six geo-political zones of the federation that priority voting remained the dominant of all areas of INEC compliance to disability laws in the 2023 general elections in Nigeria (News Agency of Nigeria, 2023). This is further supported by the JONAPWD leader in Oyo State who also observed elections at various polling units in Southwest Nigeria. He affirmed that:

Let me be objective, I said earlier that the 2023 election was the best so far when it comes to election review in the community of persons with disabilities. Every rule was followed to the letter by INEC as regarding the easy participation of persons with disabilities. Not only INEC this time around but even citizens now. Gone are the days when some citizens found it very difficult to allow individuals with disabilities to vote as they reached the polling unit.

However, in a slightly different opinion, a few participants reported on the contrary with respect to their observations during the elections that priority voting was not given in some polling units because voters were shouting that PWDs should join the queue they are human beings like other voters. Another report says that INEC was not the one giving priority to voters, it was the general public or voters who felt that PWDs should cast their vote and leave due to their condition which in the

participant's opinion means that *'PWDs are perceived as an object of pity that needs help rather than seeing them as holders of right like every other citizen on the queue which align perfectly with the charity model of disability rather than human right model'*.

While the two scenarios might portray citizens' recognition of PWDs as equal members of society like others, it could however represent the situation where the citizens had limited understanding of disability rights in elections. Continuous education and sensitization programs will foster citizens' awareness of disability rights in future elections.

Areas of Poor Compliance

Deployment of Assistive Devices

Despite the INEC's effort to provide assistive devices, deployment of these devices remained a challenge as participants who directly observed the elections across various polling units confirmed that many of these devices were not found where voters with disabilities were.

Participants affirmed that INEC's lack of accurate data on PWDs before Election Day contributed to the poor deployment of assistive materials. On the contrary view, many participants who were INEC officials confirmed the deployment of assistive devices to polling units was based on PWDs' data available to INEC before election which was gathered through the support of various NGOs working for PWDs inclusion in the election. While these strategies do not amount to having accurate data on disabilities that can be relied upon by INEC to distribute assistive materials during elections, INEC officials accepted that the distribution of assistive devices to various polling units was not adequate as many assistive devices was not enough to cover all the polling units. A participant who is a disability desk officer for INEC at the subnational level reveals that:

For instance, we had more than enough of the brail ballot guides, but that of magnifying glasses were not enough to the extent that we had to struggle it among ourselves because it was expensive to procure.

One of the reasons for poor deployment is the lack of accurate and comprehensive data on PWDs in addition to other logistics issues.

Independence Voting

Ensuring that PWDs, especially the visually impaired could vote independently and privately remained a concern during the 2023 general elections. Participants affirmed that some polling units did not have the Brail ballot guide and where it is available, many blind voters did not know how to use the device due to poor election personnel training especially, the INEC ad-hoc staff and PWDs themselves. This narrative fits perfectly with researchers' direct observation during both presidential and governorship elections in Oyo State where visually impaired voters were presented with brail ballot guides to enable them to vote independently without the support of any polling official or trusted persons. Unfortunately, many could not make use of it because they had no prior training on how to use it.

However, variation in terms of disability status could be a factor responsible for poor usage of the brail ballot guide, for instance, some participants believed that brail ballot guides are for those who develop blindness from childhood (congenital blindness) because they have been taught from the beginning of their life compared to somebody that develop it along the line (acquired). Some participants who were polling officials perceived that the Brail ballot guide were for people who were partially sighted and not for people who were completely blind. This study argued that regardless of whether a person's blindness was congenital or acquired, the kind of brail ballot guide made available by INEC was easy to use for elections where proper pre-election training has been carried out. In line with this thought, one of the polling officers noted that *'those blind voters do not need to know how to read brail before he/she can make use of the brail ballot guide to vote the moment such a person can identify the position of the political parties'*.

Inaccessible Polling Units

Accessibility to polling units is a fundamental right of PWDs, especially for wheelchair users. As a matter of law, Part One Section 7 (a&b) of the INEC 2018 framework for the conduct of election under the location of polling units stated that *'polling units shall be in places accessible to all voters including persons with disabilities.'*

Also, Item (ii) objective (iii) of the INEC strategic plans for the implementation of framework for inclusions stated that the commission shall 'collaborate with relevant stakeholders to ensure that centres used for electoral activities are disability friendly and accessible. However, this study found INEC's poor compliance with placing the polling units in inaccessible places for people with physical disabilities. Many polling units according to reports lack assistive devices such as ramps, handrails, and other necessary facilities to support voters with physical disabilities, especially wheelchair users. A participant who is a wheelchair user in a focus group discussion narrated his experience:

What I will say is that anyway, I am disabled myself. I'm a wheelchair user. From my raw experience at the polling unit, INEC did not do very well for PWDs, especially wheelchair users. You know, why I am particular about wheelchair users, you see, for instance, a visually impaired leaving his home can be guided either by a stick or by someone right to the polling unit, once you approach the polling unit, INEC will give everybody including pregnant woman, the elderly and the disabled the priority, and they did that, especially at my polling unit and some other polling unit we visited, they did that. But with respect to wheelchair users, there is hardly any polling unit that is wheelchair friendly. I repeat, there is hardly any polling unit across the federation that is wheelchair friendly (you can quote me anywhere). So, if you are in a wheelchair and you approach the polling unit, you are most likely to abandon your wheelchair and must crawl to go and vote or else they have to carry you. Let me be honest with you, I crawl to where I voted.

The participant further revealed that if you find such an accessible pooling unit with wheelchair users, that was most likely never intended. That might be an accident and maybe the place is naturally flat and then you can access it. Otherwise, it's not possible. There's no infrastructure made available by INEC for wheelchair users in particular. Some issues emerged in an interaction with INEC officials concerning accessible polling units. Prominent among which is non-compliance to disability laws by builders to ensure that every building is disability friendly and there is nothing INEC can do about that especially when it falls within the location of polling units. Notwithstanding, there are variations in the reports from participants as the majority of FGD participants attested to INEC's good compliance with locating polling units in an accessible place. Evidence suggests that participants who experienced easy accessibility were people using crutches to walk, majority of the wheelchair users lamented bitterly about the inaccessibility of the polling unit. A physically challenged participant using crutches reveals that:

In order not to be repetitive of other speakers, in the Oyo West polling unit where I voted, the ballot box and pooling station were situated in an accessible place, and I voted without any support.

Barriers to the INEC's poor compliance with disability-electoral laws during elections

This paper earlier stated to unravel barriers limiting the election management body to fully comply with disability laws in the administration of elections. Some of the barriers found are discussed under the following themes.

Inadequate election personnel training

Despite the INEC's effort to comply with laws in the use of assistive devices, this paper found poor pre-election personnel training as a barrier militating against INEC's full compliance. It was gathered that many INEC ad-hoc staff lack adequate knowledge of the functions of various assistive devices.

Specific reference was made to the use of a bold poster otherwise called form EC30E (PWD) made available for the deaf voters to vote independently in the absence of a sign language interpreter at the polling unit. Reports from the participants revealed that the attention of deaf voters was not directed at the posters as many of the posters were pasted at a distance away from the polling unit. Also, many of the polling officials do not even know the usefulness of the poster. A participant, who is a member of the leading advocacy groups for PWDs political inclusion in Nigeria, narrated her experience during observation of the presidential and governorship elections at the subnational level:

When I got to the polling unit, I saw the bold poster for the deaf pasted on the wall. I then approached the polling officials that what is the usefulness of this poster, many of them were just looking at me that it was one of the documents they said we should display on the wall...they did not know it was meant for deaf voters to understand the voting process in the absence of sign language interpreters at the polling unit.

Clauses in the existing laws

Two clauses have been identified in the existing laws that could be partly responsible for INEC's poor compliance with disability inclusion during elections. The first clause is the lack of a clear-cut section for different clusters of disabilities and their respective assistive devices to be used during elections. For instance, while Section 56 1&2 of the 2022 electoral Act made provisions for PWDs generally, emphasis was placed on visually impaired voters compared to other types of disability. This has been partly responsible for INEC's concentration on the provision of brail ballot guides during the recent elections. The second clause is the condition of the law that says PWDs especially the blind can come with their trusted person to the polling unit to assist them to cast their vote if they are unable to use the brail ballot guide. Participants observed that this could weaken INEC's commitment because there is an alternative means to vote. Participants further affirmed that INEC has tried concerning the issue of inclusion of PWDs this time around but most of their efforts were focused on the blind voters, they did not consider many other disability types.' INEC disability desk officer at the state level revealed that:

...like this braille ballot guide, they gave us excess I still have extra in my drawer there but those magnifying glasses were not enough we just had to ration them among ourselves.'

It is important to note that the position of law that allows PWDs especially people with sensory impairment to vote by proxy is consistent with the practice of disability inclusion in many countries, however, choosing whom to assist them in voting is always a challenge in Nigeria as studies reveal lack of trust among polling officials to vote according to their choice (Shittu, et. al 2022).

Disaggregated Data of PWDs

The lack of accurate data on PWDs further limits the INEC's capacity to properly allocate assistive devices to various polling units with the highest number of PWDs. Reports had it that some polling units with no PWDs had more assistive devices than some polling units with a higher number of disabled voters. Although, INEC claimed to have partnered with some stakeholders to map out some locations with a concentration of PWDs ahead of the election, nevertheless, the total number of PWDs and their respective disability status in Nigeria remained unknown and this has been partially responsible for INEC's poor compliance in terms of distributing relevant assistive materials to support them during elections.

Discussions

Relying on the specific objectives of the study, the findings showed that the Nigeria election management body tried in recent general elections towards improving the inclusion of PWDs in the electoral process when compared to previous elections in Nigeria. This finding was consistent with many international and domestic observation reports that appraised INEC efforts towards ensuring disability-inclusive electoral processes in the 2023 general elections. (AUEOM 2023; EUEOM 2023;

The Commonwealth 2023; IFES 2023). However, this study found mixed reactions among participants concerning INEC's level of compliance with disability laws which this paper classified into areas of good and poor compliance. Concerning areas of good compliance, the study found that provisions for various assistive devices including brail ballot guides, magnifying glasses and bold posters among others were made to support voter with disabilities.

Provisions of these devices, no doubt showed that the Nigeria election management body committed itself to inclusive electoral processes which is consistent with Article 29 of the UNCPRD which mandated the State parties and its institution to provide reasonable accommodation for PWDs to participate in electoral processes on an equal basis with people without disabilities. INEC also demonstrated its commitment through the creation of a special department such as Gender and Inclusivity in which PWDs' inclusion in election remain their priority. It is also important to note that the Nigeria Electoral Act has mandated INEC to make provisions for assistive devices for PWDs to vote during elections. Among other areas of good compliance is the priority voting given to all PWDs as they arrive at the polling station to cast their vote which is consistent across different disability clusters. Reports from different quarters have attested to priority voting as the major provision made by election management bodies for PWDs during elections in Nigeria. In the assessment of the provisions made for PWDs to vote in the July 2021 Local government election in Lagos State, the Centre for Citizens with Disabilities reported that priority voting was found as the major provision that PWDs enjoyed during elections (Ogwo and Uchediunor, 2023).

Although there are variations for priority voting across various polling units due to peoples' attitudes and ignorance of disability rights during the elections, previous studies reported that negative attitudes and stigmatisation towards PWDs constitute barriers militating against their electoral inclusion in many African countries due to culture, believe system and orientation towards PWDs which perceives them as object of pity and charity rather than owners of rights (Haruna 2017; PLAC 2022; IFES; 2022).

Despite INEC's effort to ensure an inclusive voting process for PWDs in the recent elections, there were some areas of poor compliance observed and reported by the participants during the recent elections. Prominent among these was the inaccessible voting location for persons with physical disabilities especially wheelchair users. Several studies have alluded to inaccessible polling stations as major barriers affecting PWDs to participate equally in the political process across many democracies (Shittu. et.al 2022; Agran, MacLean, & Andren, 2015). Goldman (2005) specifically reported that PWDs were forced to vote in inaccessible polling stations during the 2005 US general elections which is contrary to the provision of the American Disability Act. This is however contrary to the experiences of PWDs in Canada where the election management body in Canada provided several alternative voting processes including mail-in-ballot, accompanying elector behind the voting screen, level access at all polling stations, interpreter service, among others to support voters with disabilities during elections (Prince, 2012). A civil society organization committed to disability-inclusive elections in Nigeria reported in its recent assessment of the level of PWDs inclusion in local government elections in Abia and Lagos States, as well as the extent to which States Independent Electoral Commissions provide an accessible environment for PWDs to participate.

The study found several barriers including the absence of disability-friendly election frameworks at the state level, little or no involvement or consultation of organizations representing persons with disabilities before and during elections, and inaccessible polling units among others affecting the turnout of PWDs during the elections (Nwokoro, 2022). A report in this direction negates previous studies which recommended that any policy and programmes that will promote the inclusion of PWDs must first all involve the organisation and representatives of PWDs to be meaningful (Prince, 2012). Previous studies have also reported that PWDs in Africa do face critical and multifaceted challenges in an attempt to participate in electoral processes and critical of these challenges include inaccessible electoral information, transportation to electoral venues, and inaccessible formats of ballot papers among others (Bhavisha Virendrakumar et. al 2018).

Poor implementation of the disability law during elections is not limited to the political experiences of PWDs in African countries. Studies on compliance to CRPD among OSCE participating States revealed that PWDs are keen to be engaged in the political life of their communities, they face several barriers including gaps between the promise of law and policy and their actual implementation particularly, in the aspect of inaccessible polling stations (European Union Agency for Fundamental Rights [FRA 2014] despite the availability of legal accessibility standards that applies to all polling stations. A report from the Lagos State primary election also attributed architectural design as a barrier limiting PWDs from accessing the venue of the election as the election organisers made no special arrangement for PWDs in this aspect (Okoli, 2013).

Overall, many election observers in the just concluded 2023 general elections in Nigeria reported that polling units were not accessible to persons with physical disabilities. One of the reasons for this is that fact the election management body did not conduct a polling unit accessibility audit before the general elections. Another issue that emerged from this study is the fact that barriers to political participation do not affect all persons with disabilities equally as wheelchair users are more affected in accessing polling stations compared with other forms of physical disabilities such as people using crutches. One of the ways to encourage the participation of PWDs who cannot or find it difficult to reach a polling unit is to create alternative forms of voting including mail-in voting, and elector behind the voting screen, among others which had been adopted and practised in Canada and many European countries (FRA, 2014; Prince; 2012).

The study further found that despite the problem posed by the scarcity of disability data to INEC in fully distributing assistive materials to the polling unit, INEC also failed in making use of the form EC40H meant to capture the data of PWDs and their respective disability types that come to vote which will assist INEC in preparing for future elections. The study also identified barriers limiting INEC from effectively complying with the provisions of laws during elections concerning PWDs. Prominent among these are inaccurate data on PWDs, poor representation of PWDs as ad-hoc staff, insufficient training for INEC ad-hoc staff and poor voter education and awareness programmes, and societal perception of PWDs as neither holders of rights nor objects of pity among others. Previous studies related to issues affecting the political inclusion of PWDs in Africa found that negative perceptions and discriminatory attitudes are the critical factors towards these minority groups (United Nations Department for Social and Policy Development) [UN DSPI, 2016]. Overall findings of this study negate Nigeria's initial report submitted to the UN Committee on the Rights of PWDs by Article 35 of the CPRD which claimed that the INEC framework has effectively addressed the barriers such as social, institutional, attitudinal, and environmental affecting the effective participation of PWDs in Nigeria's political process (United Nations Human Rights Treaty Body, 2021).

Conclusion and Recommendations

There was no doubt that the election management body made some significant improvements in the recent 2023 general elections towards improving the participation of PWDs in the electoral process as provisions were made for various assistive devices before election day, however, there were issues with deployment and application on election day due to poor disability data and inadequate pre-election training, as well as poor voter education and sensitisation programmes. One critical issue that emerged from this study was the question of accountability on the part of the election management body in a situation where laws were not followed or flagrantly disobeyed in the administration of elections. The second issue was whether PWDs had opportunities to make a complaint when their rights to political participation were not realized. Addressing these issues in the legal and policies would strengthen the implementation of laws, reforms, and policies relating to the participation of PWDs in Nigeria's political process. This is crucial for right realisation and personhood because, without an opportunity to participate in politics, an individual is effectively denied citizenship and potentially rendered inconsequential to those who hold power. Considering the centrality of the election management body as one of the democratic institutions in ensuring inclusive electoral processes, this paper concluded that strengthening the capacity of this institution through accountability and removing various barriers limiting its ability to effectively deliver on its mandate

become imperatives towards mainstreaming disability-inclusive election in Nigeria's democratic governance.

It is therefore recommended that INEC should endeavour to find out the number of PWDs and the types of disabilities in the Polling Units before election day. This exercise should be carried out in collaboration with the organisations of PWDs across the 774 local governments of the federation. Also, further visits to the polling units before the election day to identify their accessibilities will guide the staff in the positioning of the polling area for easy accessibility for PWDs. This should also be done in collaboration with organizations representing persons with disabilities and other stakeholders ahead of the next general elections. The data from this assessment will support INEC in its vital work of providing assistive devices based on the need for polling units across the country. The election personnel and their Ad-hoc staff should be sufficiently trained on the functions and usefulness of the various assistive devices made available to support PWDs before election day. At the point of deployment, INEC staff should ensure that their deployment kit contains various assistive devices including magnifying glasses, braille ballot guides, and bold posters, among others. To ensure proper compliance, a certain percentage of PWDs should be recruited to work as INEC personnel or ad-hoc staff on the day of the election. Finally, future reforms to disability electoral laws should include alternative voting strategies such as mail-in voting and explicitly list all the PWDs that require assistive devices to vote during elections.

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