

**AUTOMATIC CANDIDATURE, ELECTORAL ACT 2026 AND PREVENTIVE SECURITY:
LEGALITY, INTELLIGENCE FAILURE AND INTERAGENCY COLLABORATION IN
MANAGING POLITICAL VIOLENCE, TERRORISM AND BANDITRY IN NIGERIA**

Barrister Adebayo Akinade, dfisn

Deputy President & Chief Executive,
Institute of Security Nigeria

Email: bayoakinade77@gmail.com / bayoakinade@yahoo.co.uk

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ABSTRACT

Reports that the All Progressives Congress intends to automatically return incumbent Senators, Members of House of Representatives and State Houses of Assembly to their seats after primaries, disregarding Electoral Act 2026, present grave legal and security risks. Section 84(2) Electoral Act 2026 mandates that nominations for President, Governor, Senate, HoRs, HoAs, Council Chairmen and Councillors shall be by direct primaries or consensus simpliciter. Any deviation is illegal, null and void. Such automatic return, if executed, will trigger litigation, undermine judicial independence, and create political violence that intelligence agencies must manage. This paper analyzes the proposal through security and criminal intelligence surveillance monitoring, information security, international security, international law, international relations diplomacy, and Preventive Security. Drawing on Akinade 2015 Intelligence System: Principles and Practice, Akinade 2017 Contemporary Security Issues in Governance and Statecraft, Akinade 2017b, 2018 Legal and Forensic Issues in Elections and Peace Education, 2018a, 2019 Managing Strategic Security in Statecraft, Public Affairs and Foreign Relations, 2019, 2020, 2021 Enhancing Information Security and Facilities Management in Digital Environments, 2021 Security and Criminal Intelligence for Law Enforcement, plus Nigerian and foreign authorities including Nwabueze 1992, Nwauche 2015, Odinkalu 2019, Ojo 2012, Jinadu 2021, Bayley 2006, Lowenthal 2020, Byman 2014, Gill & Phythian 2018, Clarke 1995, and Heuer 1999, the study shows that unlawful candidature generates actionable intelligence on thuggery, terrorism financing, and banditry recruitment. It proposes an Intelligence Fusion Doctrine where INEC, Police, DSS, NFIU and Judiciary collaborate under Evidence Act 2011 and Cybercrimes Act 2015 to prevent electoral violence. Using illustrations from Security Law, Law Enforcement, Social Sciences, and Environmental Sciences, it demonstrates how deploying Akinade 2019 Legal Records, Data Forensics and Crime Tracking Systems for Law Enforcement, Akinade 2020 Law Enforcement Strategies, Techniques and Tools for Crime Investigations and Prevention, and Akinade 2021 Enhancing Information Security and Facilities Management in Digital Environments secures primaries and post-election stability. NUC must reward deployed systems that monitor primaries, not just papers. Benefits: judicial credibility, deterrence of political banditry, diplomatic stability, and national security. Nigeria must count lawful ballots, not automatic returns.

Keywords: Electoral Act 2026, Automatic Candidature, Preventive Security, Intelligence Fusion, Political Violence, INEC, Judiciary, APC, International Law, Surveillance.

1.0 INTRODUCTION

1.1 The Automatic Return Allegation

Circulating reports allege that APC, under its national chairman and with influence from senior presidential advisers, has concluded plans to automatically return all incumbent Senators, HoRs and State Assembly members to their seats after primaries, contrary to Electoral Act 2026. P J Wakili Shatta contends this violates Sections 77-88, particularly Section 84(1)-(2), which require INEC-monitored direct primaries or consensus. Any breach is “illegal, unlawful and inconsistent” and therefore null and void. Aggrieved aspirants may seek redress in court, requiring “God fearing judges” and an independent judiciary.

1.2 Problem Statement

Automatic candidature creates five security threats:

1. Legal: Breach of Electoral Act 2026 triggers litigation and delegitimizes outcomes.
2. Security Intelligence: Aggrieved aspirants mobilize thugs, increasing banditry and terrorism recruitment.
3. Preventive Security: No surveillance on primary venues, money flows, and arms stockpiling.
4. Interagency Collaboration: INEC, Police, DSS, EFCC, NFIU lack joint protocol for primary fraud.
5. International Law: Violates ICCPR Article 25 on genuine elections; risks diplomatic censure.
6. Academic Incentives: Universities publish on electoral violence but deploy no primary-monitoring systems, because NUC rewards articles.

1.3 Aim and Research Questions

Aim: To develop a Preventive Security framework using intelligence fusion, international law, and digital forensics to ensure Electoral Act 2026 compliance and prevent election-induced violence.

Research Questions:

1. What does Electoral Act 2026 Section 84(2) require and what are the legal consequences of breach?
2. What surveillance technologies and devices detect automatic return and related violence?
3. How can intelligence fusion prevent political banditry?
4. What results-oriented academic work should NUC reward?

1.4 Methodology

Doctrinal analysis of Electoral Act 2026, Constitution 1999, Evidence Act 2011, Cybercrimes Act 2015. Case study of party primaries 2019-2023. Application of Akinade 2015, 2017, 2018, 2019 Managing Strategic Security in Statecraft, Public Affairs and Foreign Relations, 2019, 2020, 2021 Security and Criminal Intelligence for Law Enforcement. Comparative review of Nigerian and foreign electoral security literature.

2.0 LEGAL FRAMEWORK: ELECTORAL ACT 2026 AND AUTOMATIC CANDIDATURE

2.1 Section 84 Electoral Act 2026

1. Section 84(1): INEC shall monitor primaries.
2. Section 84(2): Nomination for President, Governor, Senate, HoRs, HoAs, Council Chairman and Councillors “shall be by direct primaries or consensus simpliciter.”
3. Section 84(13): Where a political party fails to comply, its candidate “shall not be included” in the election.

Nwabueze 1992 Military Rule and Constitutionalism and Ojo 2012 Elections and Electoral Fraud in Nigeria affirm that “shall” is mandatory. “Automatic return” is neither direct primary nor consensus. It is void ab initio.

2.2 Judicial Precedents and Forensic Issues

Amaechi v INEC 5 NWLR 1080: candidate must emerge from valid primary. PDP v Sylva : consensus requires written consent of all aspirants. Lado v CPC : substitution outside Act is null. Akinade 2018 Legal and Forensic Issues in Elections and Peace Education Chapter 3 provides forensic templates for invalid primaries: digital chain-of-custody, video evidence, and delegate biometrics admissible under Evidence Act 84. Thus, courts have precedent and forensic tools to void automatic returns.[2008][2012][2011]

2.3 Criminal Liability

Section 123 Electoral Act 2026: undue nomination is an offence. Section 126: breach of peace at primaries. EFCC Act: use of state funds to induce automatic return is corruption. Akinade 2020 Law Enforcement Strategies, Techniques and Tools Chapter 5: political corruption forensics.

3.0 SECURITY AND CRIMINAL INTELLIGENCE SURVEILLANCE

3.1 Surveillance Technologies for Primaries

Akinade 2021 Enhancing Information Security and Facilities Management in Digital Environments Chapter 6 and Akinade 2021 Security and Criminal Intelligence for Law Enforcement Chapter 3 list:

1. CCTV + ANPR: At primary venues to capture accreditation fraud.
2. Drone GEOINT: Monitor thug movements around venues.
3. SIGINT: IMSI catchers detect cloned delegates.
4. OSINT: Social media scraping per Akinade 2019 Legal Records, Data Forensics Chapter 6 flags “automatic” deals.
5. Financial Intelligence: NFIU tracks bulk cash to delegates per Akinade 2020 Chapter 11.

3.2 Information Security of INEC Server

Akinade 2021 Enhancing Information Security Chapter 8: INEC Result Viewing Portal and primary monitoring portal require SOC, SIEM, and blockchain hashing to prevent post-facto insertion of “automatic” candidates. Evidence Act 84 mandates certificate of authentication.

3.3 Preventive Security Application

Clarke 1995 Situational Crime Prevention: increase risk for godfathers. Deploy:

1. Bodycams on INEC monitors.
2. RFID delegate tags to prevent substitution.
3. Real-time transmission of accreditation to INEC HQ.

Akinade 2020 Chapter 3: pre-crime intervention stops thuggery before shooting. Akinade 2015 Intelligence System: Principles and Practice Chapter 4: early warning indicators of electoral violence. Akinade 2017 Contemporary Security Issues in Governance and Statecraft Chapter 5: infrastructure of elections as critical national asset.

4.0 INTELLIGENCE FUSION AND INTERAGENCY COLLABORATION

4.1 Intelligence Failure in Past Primaries

2019 APC Rivers primaries: courts cancelled all candidates due to violence and no monitoring. 2022 PDP primaries: DSS had intelligence on thugs but no fusion with Police. Heuer 1999: failure of analysis. Gill & Pythian 2018: stovepipes. Akinade 2017 Contemporary Security Issues in Governance and Statecraft Chapter 2 documents how party-state fusion enables impunity.

4.2 Election Security Fusion Center Model

Akinade 2019 Chapter 8, Akinade 2015 Intelligence System: Principles and Practice Chapter 7, and Akinade 2019 Managing Strategic Security in Statecraft, Public Affairs and Foreign Relations Chapter 4 propose:

Structure: INEC, Police, DSS, NFIU, EFCC, NSCDC, Military DMI co-located 90 days to primaries.

Technology: Common dashboard using Akinade 2019 crime tracking system.

Process: OSINT flags “automatic return” rumors → HUMINT confirms venue → GEOINT drones deploy → Police interdict thugs → EFCC traces cash.

Legal: Section 84(1) + Section 94 Police Act + Section 3 DSS Instrument.

Metrics: Zero death primaries.

4.3 Interagency Partnership Protocols

Akinade 2020 Chapter 7 MoUs:

1. INEC-Police: Police provide security only for INEC-monitored primaries.

2. INEC-DSS: DSS vets delegates for terrorism links per Akinade 2021 Security and Criminal Intelligence for Law Enforcement Chapter 9.

3. INEC-NFIU: Flag suspicious transactions 48hrs to primaries.

4. Judiciary: Designated Election Offences Courts with 180-day timeline per Akinade 2018 Legal and Forensic Issues in Elections and Peace Education Chapter 8.

Bayley 2006: democratic policing requires joint doctrine.

5.0 INTERNATIONAL SECURITY, LAW AND DIPLOMACY

5.1 International Law Obligations

1. ICCPR Article 25: Genuine periodic elections. Automatic return violates.

2. African Charter on Democracy, Elections and Governance Article 17: State parties ensure democratic change. Nigeria ratified 2012.

3. ECOWAS Protocol on Democracy Article 1: Zero tolerance for unconstitutional change. Party imposition is internal coup.

Odinkalu 2019: breach invites suspension. Akinade 2008c and Akinade 2019 Managing Strategic Security in Statecraft, Public Affairs and Foreign Relations Chapter 6: diplomacy requires compliance to avoid sanctions.

5.2 International Relations and Election Observation

EU, AU, ECOWAS, NDI observers use PVT. Automatic return = “pre-determined” election. US State Department 2023 Human Rights Report already flagged party imposition. Byman 2014: illegitimate elections fuel terrorism as groups claim “no ballot option.”

5.3 Transnational Terrorism Links

Jinadu 2021 Elections and Security in Nigeria: bandits offer services to politicians for primaries. Payment = arms. NFIU 2024: N12bn suspicious transfers before 2023 primaries. Automatic return removes competition, but losers may fund bandits post-election. Akinade 2020 Chapter 11: follow the money. Akinade 2015 Intelligence System Chapter 9: link analysis of terror financing.

6.0 RESULTS-ORIENTED ACADEMIC WORK FOR PROMOTION

NUC must reward deployed primary-security systems, not just papers on electoral violence.

6.1 Security Law: Illustrations

Problem: No regulation for INEC digital monitoring.

Results-Oriented Project: Law + INEC draft “Primary Monitoring Regulations 2026” under Section 153 Electoral Act. Mandates bodycams, RFID, real-time transmission per Akinade 2021 Enhancing Information Security and Akinade 2018 Legal and Forensic Issues in Elections and Peace Education. Adopted by INEC. Promotion Metric: Regulation gazetted; used in 36 states; zero cancelled primaries.

Balance: Nwauche 2015 on law; Donnelly 2013 on rights. Foreign: Pippa Norris 2014 Why Electoral Integrity Matters.

6.2 Law Enforcement / Criminology: Illustrations

Problem: Thugs disrupt primaries.

Results-Oriented Project: Criminology + Computer Science, per Akinade 2019 and Akinade 2021 Security and Criminal Intelligence for Law Enforcement, build “Primary Security App.” Delegates scan NIN; geofenced venue; AI detects crowd surge. Deployed by Police.

Promotion Metric: 50 primaries with zero violence; arrests of 200 thugs.

Balance: Ratcliffe 2016; Arase 2018.

6.3 Social Sciences: Illustrations

Problem: Godfatherism and automatic return.

Results-Oriented Project: Political Science creates “Primary Integrity Index” measuring compliance with Section 84(2). Published before primaries. Parties ranked using Akinade 2015 Intelligence System Chapter 6 metrics and Akinade 2017 Contemporary Security Issues in Governance and Statecraft Chapter 7 governance indicators.

Promotion Metric: Cited by INEC; APC drops plan after low score.

Balance: Joseph 1991; Jinadu 2021. Foreign: Larry Diamond 2008 The Spirit of Democracy.

6.4 Environmental Sciences & Information Security: Illustrations

Problem: Venues vulnerable to attack.

Results-Oriented Project: Environmental Science + Engineering, per Akinade 2021 Enhancing Information Security, design “Secure Primary Venue Kit”: perimeter sensors, drone shield, emergency exits. Deployed in 100 venues.

Promotion Metric: Zero breach; 500 local jobs.

Balance: Clarke 1995; Adedoyin 2020.

7.0 PREVENTIVE SECURITY DOCTRINE FOR PRIMARIES

7.1 Principles

1. Anticipation: OSINT on “automatic return” rumors per Akinade 2020 and Akinade 2015 Intelligence System Chapter 4.
2. Fusion: INEC-Police-DSS-NFIU joint ops per Akinade 2019 and Akinade 2019 Managing Strategic Security in Statecraft, Public Affairs and Foreign Relations Chapter 4.
3. Speed: Arrest thugs within 10 minutes per Ratcliffe 2016.
4. Legality: Section 84 Electoral Act + Evidence Act 84.
5. Diplomacy: Invite observers early per Akinade 2008c.

7.2 Operational Workflow

1. Detect: Fusion Center OSINT flags “automatic” messages.
2. Verify: DSS HUMINT confirms plan per Akinade 2021 Security and Criminal Intelligence Chapter 5.
3. Secure: Police deploy to venue with bodycams.
4. Monitor: INEC streams accreditation to public portal.
5. Prosecute: EFCC files charges under Section 123 within 48hrs.

7.3 Deterrence Effect

Byman 2014: certainty of punishment deters. If 10 godfathers jailed for Section 123, automatic return ends.
Akinade 2017b: deterrence cheaper than post-election insurgency.

8.0 POLICY RECOMMENDATIONS

8.1 Legal

1. NASS: Amend Section 84 to criminalize “automatic return” with 10 years.
2. CJN: Issue Practice Direction: 14-day hearing for primary suits per Akinade 2018 Legal and Forensic Issues in Elections and Peace Education.

8.2 Institutional

1. INEC: Deploy Akinade 2019 Primary Monitoring System nationwide.
2. IGP: Create Election Violence Fusion Unit per Akinade 2020 and Akinade 2015.
3. President: Sign Executive Order: no security for non-INEC primaries.

8.3 Academic

1. NUC: 60% promotion for deployed systems from Akinade 2015, 2017, 2018, 2019 Managing Strategic Security in Statecraft, Public Affairs and Foreign Relations, 2019, 2020, 2021 Security and Criminal Intelligence for Law Enforcement.
2. TETFund: Fund “Primary Security Labs” in 12 universities. KPI: 1 state covered yearly.

8.4 International

1. MFA: Brief AU/ECOWAS on compliance measures to prevent sanctions.
2. INEC: Sign MoU with IFES, IRI for technical audit.

9.0 BENEFITS FOR NATIONAL PROGRESS

1. Security: Lawful primaries deny bandits political sponsors.
2. Judiciary: Independent courts restore trust per P J Wakili Shatta.
3. Economy: Stable polity attracts FDI; election violence costs Nigeria 2% GDP.
4. Diplomacy: Compliance with ICCPR improves image.
5. Academic Relevance: Professors secure primaries with tech.

10.0 CONCLUSION

Electoral Act 2026 Section 84(2) is clear: direct primaries or consensus. “Automatic return” is null and void. If executed, it will generate litigation, violence, and terrorism financing.

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As P J Wakili Shatta prayed: we need judiciary independent of other arms. As Dr. Asiedu 2025 demanded: stop counting publications. Start counting lawful delegates, peaceful primaries, and jail terms for electoral criminals. That is Preventive Security. That is democracy.

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