



LEGAL APPRAISAL OF POLITICAL PARTY SYSTEM IN NIGERIA

Obugheni William Arugu*and Benjamin Israel Eke**

Article

Abstract

Nigeria is one of the democracies in the world and a leader in Africa. Nigeria operates a multi-party system that affords politicians to form political parties according to an agreed ideology after meeting the minimum requirements provided for by law for registration by the electoral umpire which is the Independent National Electoral Commission. The multiparty system made democracy flourish through competition, and permitted diverse shades of opinion and wider choices of political ideologies but promoted unhealthy rivalry, corruption, election violence, and political instability in Nigeria resulting in military coups that have truncated Nigeria's democracy. The Electoral Act 2022 introduced laudable innovations to the procedure for the conduct of credible and peaceful elections in Nigeria. The paper appraised the political party system in Nigeria, identified the gaps, and made suggestions for reforms to comply with international standards and best practices. The doctrinal research methodology is adopted and the paper employed the use of primary and secondary sources of law. This paper is divided into six parts covering introductory issues, conceptual framework, legal and institutional framework, legal appraisal of political party systems in Nigeria, and conclusion. The paper found that the institutions in charge of the implementation of the electoral laws are corrupt, weak and dependent on the executive arm of government. The paper recommended strengthening the institutions in charge of the implementation of the electoral laws in Nigeria through adequate funding and combating corruption.

Keywords: Nigeria, Political Party, Party System, Electoral Act 2022, elections

1.0 Introduction

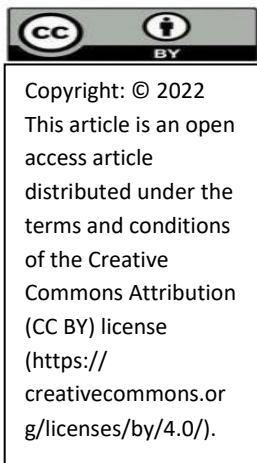
The legitimacy of every government in Nigeria is birthed in the Constitution of the Federal Republic of Nigeria (CFRN) 1999¹ which is the basic law of the land except for military regimes whose legitimacy is derived from the barrel of the gun and draconian Decrees² ousting

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¹ CFRN 1999, s. 1;

² Constitution (Suspension and Modification) Decree 1967; Constitution (Suspension and Modification) Decree 1984 (Decree No. 1); *E. O. Lakanmi v. The Attorney-General (West)* (2000) 6 NWLR (Pt.660)228;



the operation of core provisions of the Constitution. The CFRN 1999³ provides for freedom of association as a fundamental right which is the pillar that governs the foundation and operation of political parties in Nigeria. The reason there is law is to bring order and harmony in the workings of society. To conduct elections in Nigeria, the political gladiators are forced to sign a peace accord because the election in Nigeria is like a battle.⁴ Elections in Nigeria are characterized by violence, electoral malpractices, and many other vices. This has been the situation since independence irrespective of the many laws on ground to check these vices.⁵ Pound believed that the law should function as a highly specialized form of social control, that is, the law as a powerful instrument for the purpose of social engineering.⁶ Instead of being prescriptive of pragmatic reforms, social engineering refers to a description of an objective process. This also means that the law was created for the sole purpose of securing societal ends. The military junta on 29 May 1999 returned power to civilian rule in Nigeria with so much expectations but no appreciable progress has been recorded as almost all the performance indicators are in the negative. Nigeria is beset with security issues like terrorism, banditry, kidnapping, secret cultism and farmer-herders clashes and has since 2016 occupied the unenviable position of the ‘World Poverty Capital’ with about 32% of the population living in extreme poverty. The report provides:

Sluggish growth, low human capital, labour market weaknesses and exposure to shocks...Conflict is spreading and intensifying across Nigeria, so it is important to implement programs to support poor and vulnerable Nigerians that are simple and flexible while also limiting the risk of exacerbating fragility and conflict.⁷

The paper employs the doctrinal research methodology, interrogates the political party system in Nigeria and the ways in which the legal and institutional framework can be operated as instrument for economic growth and make necessary recommendations to improve the political party system in Nigeria for the benefit of all citizens.

2.0 Conceptual Framework

A few concepts used this paper are prone several meanings. So to put the issues in proper perspective, we will adopt some definitions of some core concepts that are in line with the aim and objectives of this paper. Some of the words defined here are Nigeria, political party, and political system.

2.1 Nigeria

Nigeria is a British handiwork crafted with the annexation of Lagos in 1861 giving Britain a foothold and the subsequent amalgamation of northern and southern protectorates by the British Colonial Governor *Lord Donald Fredrick Lugard* on 1 January 1914.⁸ Nigeria remained

³ CFRN 1999, s. 40

⁴ AFP, Nigeria candidates sign ‘peace’ deal for election campaign, *The Guardian*, 29 September 2022 <<https://guardian.ng/news/nigeria-candidates-sign-peace-deal-for-election-campaign/>> Accessed 29 Oct. 2022

⁵ CFRN 1999, s. 227; Electoral Act 2022, s. 78; Violence Against Persons (Prohibition) Act, 2015

⁶ R. Pound, “The Scope and Purpose of Sociological Jurisprudence. I. Schools of Jurists and Methods of Jurisprudence,” [1911] (24)(8) *Harvard Law Review*, 591–619.

⁷ Nigeria, World Bank <<https://worldpoverty.io/map>> 29 October 2020; J. W. Lain and T. Vishwanath, A Better Future for All Nigerians: Nigeria Poverty Assessment 2022, World Bank Group, February 2022, <<https://documents1.worldbank.org/curated/en/099730003152232753/pdf/P17630107476630fa09c990da780535511c.pdf>> Accessed 28 October 2022

⁸ J. Paxton, *Federation of Nigeria*. In: J. Paxton, J. (eds.) *The Statesman’s Year-Book* (Palgrave Macmillan, 1970), T. Falola and A. Genova, *Historical Dictionary of Nigeria*, (The Scarecrow Press, Inc., 2009),

under the yoke of British imperialistic hegemony for over five decades until her independence on 1 October 1960. See Figure 1 below:

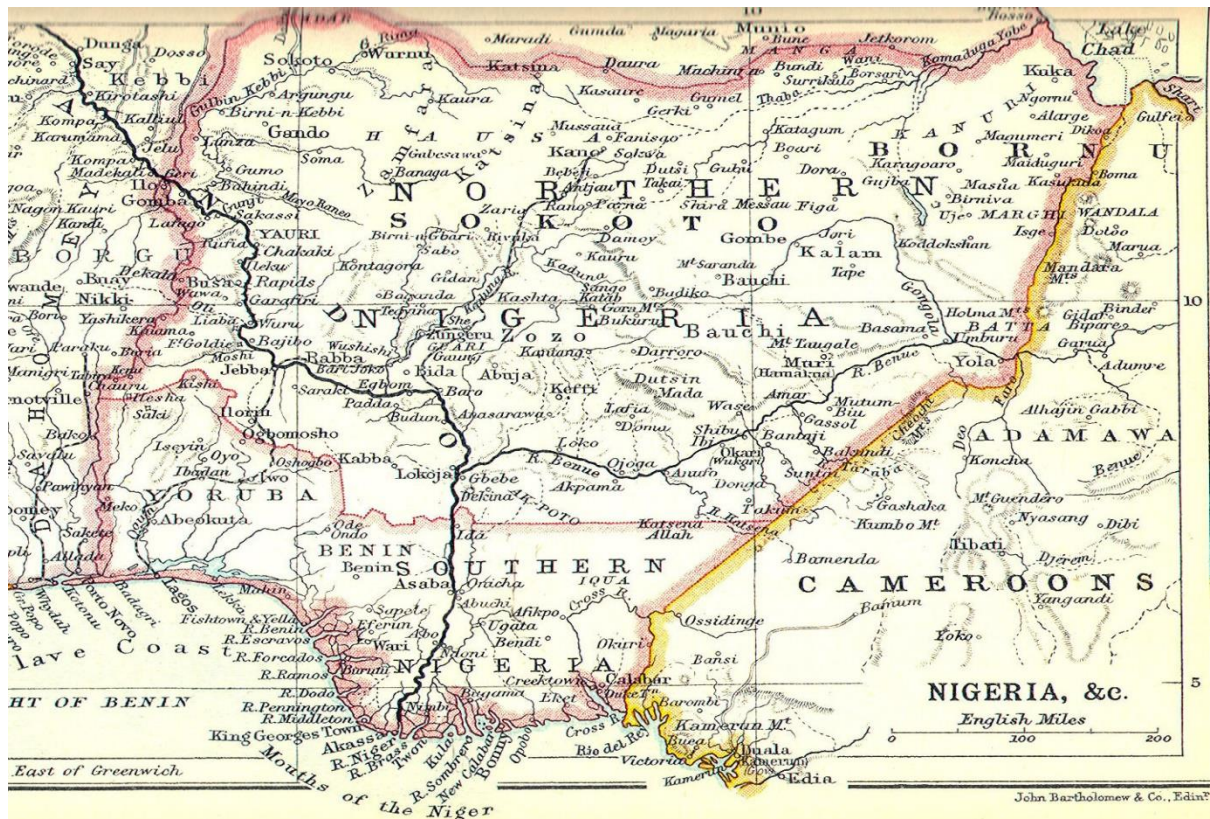


Figure 1: 1914 Map of the Northern & Southern Nigeria Protectorates⁹

The history about the name ‘Nigeria’ dates back to 1879 when the British Colonial Administrator *George Goldie* formed the United African Company (UAC) by the amalgamation of British companies and used it to control the lower areas of the river Niger. By the 1880s, UAC became the dominant commercial power and was renamed the National Africa Company (NAC) and granted a royal charter in 1886 which permitted the NAC to administer the Niger Delta and the adjoining lands of the Benue and Niger Rivers, collect taxes and enter agreements with local leaders. The NAC charter was a pivotal tool in denying France and Germany a foothold into the Niger Delta. NAC became the Royal Niger Company (RNC). Britain’s quest for territory increased towards the end of the century leading to the revocation of the RNC charter and forcing *George Goldie* to sell his holdings in the RNC to the British Government for £865,000 in 1899 as the price for territory of Nigeria.¹⁰ The name Nigeria was coined by *Flora Louise Shaw* from the famous river Niger in an anonymous essay published by British journalist who later became the wife of Governor *Fredrick Lugard*. Shaw in her essay argued that the title “Royal Niger Company’s Territories” is not only inconvenient to use but to some extent also misleading.¹¹ It is pertinent to note that before the name Nigeria

⁹ J. Bartholomew et al, 1914 map of the Northern & Southern Nigeria Protectorates < https://upload.wikimedia.org/wikipedia/commons/thumb/5/5e/Southern_and_Northern_Nigeria_c._1914.jpg/800px-Southern_and_Northern_Nigeria_c._1914.jpg > Accessed 28 October 2022

¹⁰ C. Newbury, Trade and Technology in West Africa: The Case of the Niger Company, 1900-1920, [1978] (19)(4) The Journal of African History, 551–575; J. Derrick, Trade Winds on the Niger: The saga of the Royal Niger Company 1830–1971, [1998] (97)(387) African Affairs, 282–283.

¹¹ Nigeria, Time Magazine, 8 January 1897.

was suggested, the area was known by several descriptive names like “Royal Niger Protectorate,” “Niger Empire”, “Niger Sudan”, “Central Sudan”, “Hausa Territories”, etc.

Nigeria is a multi-ethnic, multi-racial, multi-religious governed through a federal system comprised of the three tiers of government - Federal Government with the Federal Capital Territory (FCT) in Abuja, 36 State Governments and capitals and 774 Local Government Areas (LGAs).¹²Nigeria is the most populous black nation in the world with a population estimated at 216.7 million¹³and the largest economy in Africa with a GDP amounted to \$441.5 billion (USD) in 2021.¹⁴ Fig 2 below shows that Nigeria has a coastline of about 853 km and shares maritime borders with Equatorial Guinea, Ghana, and São Tomé and Príncipe:

Nigeria is an African country on the Gulf of Guinea endowed with many natural landmarks and wildlife reserves situated on the west coast of Africa, and lies on latitudes 4° north of the Equator and latitudes 3° and 14° on the east of the Greenwich Meridian. Nigeria shares land borders that extend up to 770 km with the Republic of Benin to the west, around 1,500 km with the Republic of Niger to the north, 1,700 km with Cameroun to the east, 90 km with Chad to the north-east.¹⁵

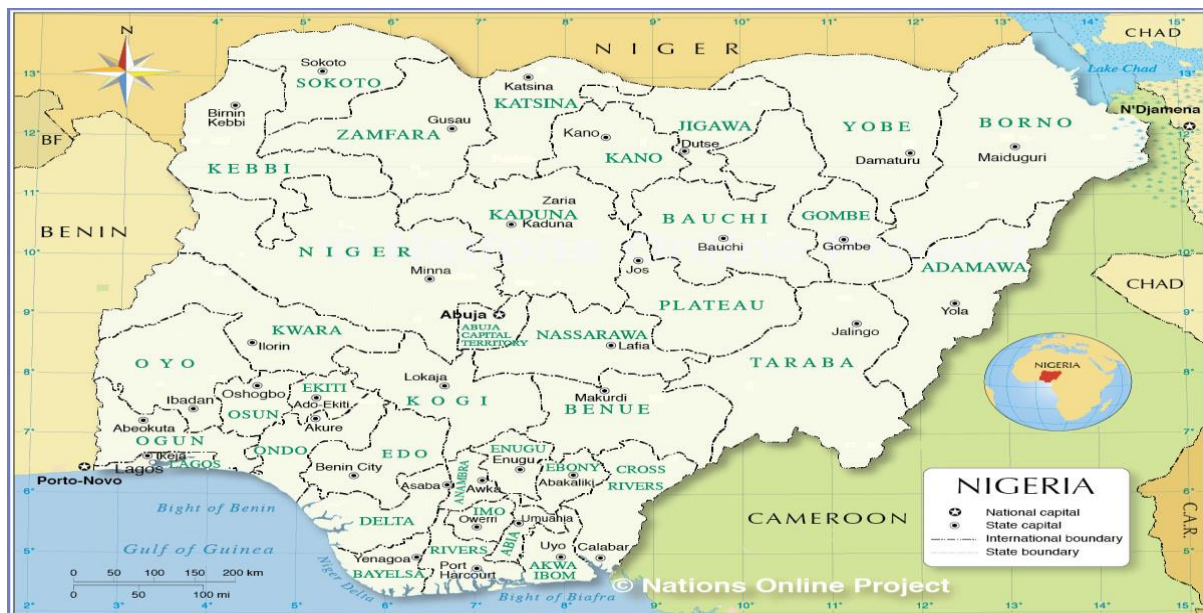


Figure 2: Administrative Map of Nigeria¹⁶

¹²CFRN 1999, ss, 2 & 3

¹³ D. D. Sasu, Population of Nigeria 1950-2022, Statista, 10 March 2022 <<https://www.statista.com/statistics/1122838/population-of-nigeria/#>> Accessed 3 July 2020

¹⁴ L. Kamer, African countries with the highest Gross Domestic Product (GDP) in 2021(in billion U.S. dollars), Statista, 17 May 2022 <<https://www.statista.com/statistics/1120999/gdp-of-african-countries-by-country/>> Accessed 30 October 2022

¹⁵ E. Egede, Who Owns the Nigerian Offshore Seabed: Federal or States? An Examination of the Attorney General of the Federation v. Attorney General of Abia State & 35 Ors Case. [2005] (49)(1) Journal of African Law, 73-93.

¹⁶ Administrative Map of Nigeria <<https://www.nationsonline.org/oneworld/map/nigeria-administrative-map.htm>> Accessed 28 October 2022

2.2 Political Party

Definition of a political party is scarcely an objective assignment, it is rather normative and therefore the definitions given by scholars vary. In this paper, attempt shall be made to aggregate the opinions of the leading scholars on the meaning of a political party before we adopt a working definition that suits the aim and objectives of this paper. The EA 2022 provides that a political party “includes any association of persons whose activities includes canvassing for votes in support of a candidate for election under this Act and registered by the Commission”¹⁷ The 40th US President, *Reagan* stated that a political party isn’t a fraternity. It isn’t something like the old school tie which you wear. You band together in a political party because of certain beliefs of what government should be.”¹⁸ *Schlesinger* stated thus: “political party is a group organized to gain control of government in the name of the group by winning election to public office.”¹⁹ *Burke* stated that “a political party is a body of men united, for promoting by their joint endeavours the national interest, upon some particular principle in which they are all agreed.”²⁰ *Downs* defined a political party thus:

In the broadest sense, a political party is a coalition of men seeking to control the governing apparatus by legal means. By coalition, we mean a group of individuals who have certain ends in common and cooperate with each other to achieve them. By governing apparatus we mean the physical, legal and institutional equipment which the government uses to carry out its specialised role in the division of labour. By legal means, either duly constituted or legitimate influence.²¹

The right to join and to form a political party in Nigeria is entrenched in the CFRN 1999²² and right to form a political party is subject to the powers of the INEC which lays down guidelines for the formation and registration of political parties. In *Amaechi v INEC*²³ the Supreme Court (SC) held that votes are casted for political parties and not for candidates. In *Labour Party v INEC*, the SC held that “a political party is any association whose activities include canvassing for votes in support of candidates for election to the office of the president, vice president, governor, deputy governor or membership of a legislative house of a local government council.”²⁴

2.3 Party System

A “party system refers to a political order in which the formation, mobilization and contestations of political parties”.²⁵ It is thus a concept in comparative political science concerning the system of government by political parties in a democratic country. The idea is that political parties have basic similarities; they control the government, have a stable base of

¹⁷ E. A 2022, s. 152

¹⁸ H. Sidney, A Conversation with Reagan, Time, 3 September 1983

¹⁹ J. A. Schlesinger, Political Parties and the Winning of Office (University of Michigan Press, 1991), 1; J. A. Schlesinger, On the Theory of Party Organization, 1984] (46)(2) The Journal of Politics, 369–400.

²⁰ G. Smith, Burke on Party. [1905] (11)(1) The American Historical Review, 36–41; A. D. Morse. What is a Party? [1896] (11)(!) Political Science Quarterly, 68–81

²¹ A. Downs, An Economic Theory of Political Action in a Democracy, [1957] (65)(2) *Journal of Political Economy*, 135–150.

²² CFRN 1999, ss. 40, 221, 222

²³ [2008] 5 NWLR (Pt. 1080) 227

²⁴ [2008] 13 NWLR (Pt. 1103) 73

²⁵ T. A Olaiya, ‘Party System, its Peculiarities and Development of Political Parties in Nigeria’ [2016] 10 (10) *African Journal Of Political Science and International Relations* 119 -130 @ 119

mass popular support, and create internal mechanisms for controlling, funding, information and nomination. A political system is a pattern of interaction among political parties in electoral, parliamentary and governmental areas of a given political context. Party systems constitute important elements of modern democratic system without which there cannot be electoral system.²⁶ Party system constitutes an important and veritable tool or mechanism in the democratization process and democratic governance of any political system is incontestable.²⁷ The forms and modes of their parties` coexistence define the party system of any given country.²⁸ It is a system of interactions resulting from inter-party competition. This implies that each party, as a unit, influences and is influenced in turn by behaviour of the other parties in the system.²⁹

Party system share certain features such as, relative size and strength of the active parties, the number of active parties winning elections, the number of ideological issues on which they differ, the gap between them on this ideological issues on which they differ and their readiness to cooperate with each other to form alliances.³⁰ Also, party system is the products of many complex factors peculiar to each country. Therefore rigid adherence to these schemes ill suit developing democracies such as Nigeria that still grapples with the challenges of consolidation. It is therefore pertinent to note that the character and pattern of party system did not follow the general trends that characterized party system formation in other African States. In most African states, a dominant party system was entrenched *ab-initio*.

3.0 Legal and Institutional Framework

National and international legal framework will be discussed with respect to their importance to this paper. The domestic legal enactments that regulate party system in Nigeria are the Constitution of the Federal Republic of Nigeria (CFRN) 1999 and the Electoral Act (EA) 2022. Certain international instruments are relevant to this paper like the Universal Declaration of Human Rights 1948 (UDHR) and the International Covenant on Civil and Political Rights 1966 (ICCPR).

3.1 The Constitution of the Federal Republic of Nigeria (CFRN) 1999

The CFRN 1999 is the foundation and stronghold upon which every other law that govern party system is premised. It is the basic law of the land which can neither be added to nor taken from by any other legislation or enactment except by due process of constitutional amendment.³¹ The CFRN 1999 is the *grundnorm* (basic norm) or the *fons et origo* (*source and origin*) of the laws of the land.³² The CFRN 1999 is therefore the barometer or standard upon which the legitimacy or legality of any law is assessed and any law that falls short of the standard of the

²⁶ A. A Olaniyi, `Analytical Study of Political Party Systems in Nigeria` [2015] 5 (12) *Public Policy and Administration Research* 1

²⁷ M. Yusuf, `Party Politics, Electoral Crisis and Democratic Consolidation in Nigeria` [2015] 3 (1) *International Journal of Academic Research and Reflection*, 19 - 27

²⁸ M. Duverger, *Political Parties: Their Organization and Activity in the Modern State* (London: Cambridge University Press 1967) 203

²⁹ G. Sartori, *Parties and Party System: A Framework for Analysis* (London: Cambridge University Press 1976) 44

³⁰ S. B. Wolinetz, `Party System and Party System Types` in R. S Katz, W. Crotty, *Handbook of Party Politics* (London: Sage Publication 2006) 53

³¹ *Kwarra v. Innocent* [2009] 1 NWLR (Pt. 1121) 179 at 218, Paras B-E.

³² *A.G. Abia State v A.G. Federation* [2002] 6 NWLR (Pt. 763) 204; *I.G.P v. A.N.P.P.* [2007] 18 NWLR (Pt. 1066) 457 at 495- 496

CFRN 1999 is inconsistent with the CFRN 1999 is to the extent of the inconsistency null and void.³³ Therefore, it is safe to say that the CFRN 1999 controls the businesses and outlines the power of political parties in Nigeria. The Electoral Act (EA) 2022 and any other law dealing with party parties and elections that contradicts the provision of the CFRN 1999 will to the extent of the inconsistency be of no effect.³⁴ No one can occupy elective offices at the local, state or federal level unless he or she has been elected in accordance with the provision of the CFRN 1999 or any law made in accordance with the CFRN 1999.

Section 40 of the Constitution provides for the freedom to associate freely and belong to any political party. The only limitation to that section is where INEC has not conferred recognition to the political party. Section 224 CFRN 1999 provides that the programs and objectives of a political party shall conform to the provisions of Chapter II CFRN 1999 dealing on fundamental principles and directives of state policy. However, the CFRN 1999 has made the said Chapter 11 to be non-justiciable.³⁵ Sections 221-225 CFRN 1999 mandates political parties in Nigeria, its identity, structure, mode, finance and membership. S. 221 CFRN 1999 explicitly states that no association other than a political party can canvass for votes in Nigeria. INEC and the EA derived their power from the provision of s. 153(f) and paragraphs 14 & 15 of the Third Schedule CFRN 1999. The constitutional requirements for party system in Nigeria and election into various offices are as spelt out in the CFRN 1999.

3.2 Electoral Act 2022

Another piece of legislation related to the political systems in Nigeria is the EA 2022 which repealed the Electoral Act, No. 6, 2010.³⁶ The President Muhammadu Buhari signed the Bill into law on 25 February 2022. The EA 2022 brought some fundamental changes to the electioneering process in Nigeria. The EA 2022³⁷ establishes the Independent National Electoral Commission Fund (INECF) wherein payments from the FGN, investments made from INECF and other aids and grants shall be paid to enable INEC perform its functions. The funds due to INEC for any general elections are to be released not later than one year before the next general election.³⁸ Before the introduction of the INECF under the EA 2022, under the EA 2010,³⁹ funds for INEC were obtained only upon vetting by the Federal Minister of Trade; this no doubt created a situation of undue influence by the executive on INEC. This is a good and practical provision, with an establishment of an independent fund, INEC now has financial autonomy and can now receive funds for the conduct of elections directly, and this would no doubt make the INEC truly independent in the discharge of its functions in line with the provisions of s. 81(3) CFRN 1999, provides financial autonomy for INEC and *ss. 158(1) & 160(2) CFRN 1999* which deal with the appointment and disciplinary control. This is a step towards the conduct of credible elections in Nigeria. INEC can now plan and undertake necessary procurements for elections in advance. Not having money on time can constrain the capacity of the electoral management body to have adequate electoral materials and deliver them on time.

³³*Abacha v. Fawehinmi* [2000] 4 SC (Pt. 11) 1; *Balonwu v. Governor of Anambra State* [2009] 18 NWLR (Pt. 1172) 13, CFRN 1999 s 1 (1) (3)

³⁴ CFRN 1999, s. 1.

³⁵ CFRN 1999, s. 6(6)C; O.V.C Ikepeze, 'Non-Justiciability of Chapter 11 of the Nigerian Constitution as an Impediment to Economic Rights and Development' [2015] 5 (18) *Developing Country Studies* 48-56

³⁶ EA 2022, s. 151

³⁷ EA 2022, s. 3(1)

³⁸ EA 2022, s. 3(3)

³⁹ EA 2010, s. 5

Elections are slated for February 2022, with the new provision, funds are supposed to have been released to INEC by February 2021, it is doubtful that this has been done.⁴⁰ The EA frowns at and criminalizes an act by any individual who misrepresents or fails to disclose his/her membership, affiliation, or connection to any political party in order to secure any appointment with INEC in any capacity.⁴¹ The provision was inserted to ensure political neutrality of INEC personnel as it excludes politicians or members of political parties from becoming INEC officials. This ensures objectivity and impartiality of the INEC in the conduct of elections. In practice there have been allegations of appointment of politicians and relatives of the President into INEC.⁴²

3.3 The Universal Declaration of Human Rights (UDHR) 1948

The UDHR is a world cherished and milestone document in the history of human rights⁴³ and provides for the right to vote and be voted for at periodic and genuine election which shall be by universal and equal suffrage and shall be held by secret ballot or by equivalent free voting procedures, guaranteeing the free expression of the will of the electors, and that everyone has a right to equal access to public service in his or her country.⁴⁴ The UDHR agrees with local legislation on the freedom of peaceful assembly and association. It further states that no one shall be compelled to belong to an association.⁴⁵ A political party is an association and the right to belong to any party of choice is voluntary as captured in the UDHR.

3.4 International Covenant on Civil and Political Rights (ICCPR) 1966

The ICCPR is an international instrument that guarantees voting rights, free elections and a standardised version of the UDHR.⁴⁶ The ICCPR provides that voting and participation in election is a universal right not to be denied because of any status.⁴⁷ ICCPR provides that every citizen shall have the right and opportunities, without any of the distinctions mentioned in art. 2 and without unreasonable restrictions take part in the conduct of public affairs, directly or through freely chosen representatives, to vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors and to have access, on general terms of equality, to public service in his country.⁴⁸ A provision is consistent with our municipal laws especially the CFRN 1999 on universal adult suffrage.

⁴⁰ E. Gabriel, We've Received Substantial Funds to Prepare for 2023 Elections, Says INEC, Guardian, 11 Mar 2022 <<https://www.thisdaylive.com/index.php/2022/03/11/weve-received-substantial-funds-to-prepare-for-2023-elections-says-inec/>> Accessed 20 October 2022

⁴¹ EA 2022, s. 8(5)

⁴² C. Okocha and E. Gabriel, CSOs Raise the Alarm over Appointment of Politicians, Alleged Corrupt Persons as INEC's RECs, Thisday, 29 Aug 2022 <<https://www.thisdaylive.com/index.php/2022/08/29/csos-raise-the-alarm-over-appointment-of-politicians-alleged-corrupt-persons-as-inecs-recs/>> Accessed 30 October 2022

⁴³ E. Schwelb, "The Influence of the Universal Declaration of Human Rights on International and National Law" [1959] (53) Proceedings of the American Society of International Law at Its Annual Meeting (1921-1969), 217-29; S. I. Özler, (2018). The Universal Declaration of Human Rights at Seventy: Progress and Challenges, [2018] (32) (4) Ethics and International Affairs, 395-406.

⁴⁴ UDHR, art. 21

⁴⁵ UDHR, art. 20

⁴⁶ C. Harland, The Status of the International Covenant on Civil and Political Rights (ICCPR) in the Domestic Law of State Parties: An Initial Global Survey through UN Human Rights Committee Documents, [200] (22)(1) Human Rights Quarterly, 187-260.

⁴⁷ ICCPR, art 2

⁴⁸ ICCPR, art. 25

4.0 Institutional Framework

Certain domestic institutions are established under Nigerian laws are relevant to this paper. The apex institution on election matters in Nigeria is the Independent Electoral Commission (INEC) ably supported by the Nigeria Police Force (NPF) in providing security for the election materials, staff and electorates.

4.1 Independent Electoral Commission (INEC)

INEC has a chequered history traced from 1958 till date. Before the 1960 Independence, the 1958 Electoral Commission of Nigeria (ECN) was set up to conduct the 1959 election and in 1960 ECN metamorphosed to the Federal Electoral Commission of Nigeria (FEC) and conducted the post-independence federal and regional elections of 1964 and 1965 before it was dissolved in 1966 after the first military coup in Nigeria. General Olusegun Obasanjo constituted in 1978 the Federal Electoral Commission (FEDECO) which conducted 1979 and 1983 elections which ushered in the Second Republic under presidency of Alhaji Shehu Shagari before the government was toppled by the 1983 coup of General Muhammadu Buhari. General Ibrahim Babangida took over government 1985 and attempted to return power to civilians with the formation in 1987 of the National Electoral Commission (NEC) to midwife the process. General Sani Abacha dissolved NEC in 1993 to establish the National Electoral Commission of Nigeria (NECON) in 1995 and in 1998 General Abdulsalam Abubakar dissolved NECON and formed the extant INEC which organized the elections that ushered in the 4th republic on 29 May 1999 and all subsequent elections in Nigeria.⁴⁹

INEC is saddled with the responsibility of conducting elections in Nigeria established by s. 153(1)(f) CFRN 1999 and s. 1 EA 2022, a body corporate with perpetual succession and may be sued or sue in its corporate name with headquarters in the Federal Capital Territory (FCT). INEC has offices in all the 36 States, the FCT as well as in the 774 Local Government Areas of Nigeria to perform the functions of INEC.⁵⁰ INEC comprise of a Chief Electoral Commissioner who serves as Chairman and twelve National Electoral Commissioners who are persons of unquestionably integrity and not less than fifty years and forty years of age, respectively.⁵¹ INEC is currently chaired by *Professor Mahmood Yakubu*⁵² and twelve National Commissioners.⁵³ INEC has powers to conduct voter and civic education, promote knowledge of sound democratic election processes and conduct any referendum required to be conducted pursuant to the CFRN 1999 or any other Act of the NASS.⁵⁴ INEC fund is established to received funds due it from the FGN, aids, grant, interest from investments made from the funds. All payments to INEC for the purposes of election must be made not later than one year to the election.⁵⁵ INEC funds shall be used to pay administrative cost, salaries, allowances, pension, maintenance of property, etc.⁵⁶ INEC is a neutral umpire in the electioneering process thus must not sympathize with any political party.⁵⁷ INEC has the duty to publish valid timetables of activities for party primaries not later than 90 days before the commencement of election.⁵⁸

⁴⁹ INEC History, INEC <<https://www.inecnigeria.org/home/inec-history/>> Accessed 18 October 2022

⁵⁰ EA 2022, s. 6(1)

⁵¹ CFRN, Third Schedule, Part 1 (F)(14)

⁵² The Chairman, INEC <<https://www.inecnigeria.org/home/the-chairman/>> Accessed 18 Oct. 2022

⁵³ National Commissioners, INEC <<https://www.inecnigeria.org/home/national-commissioners/>> Accessed 18 October 2022.

⁵⁴ EA 2022, s. 2; *N.D.P v. INEC* [2013] 6 NWLR (Pt. 1350) 392 at 419

⁵⁵ EA 2022, s. 3

⁵⁶ EA 2022, s. 4.

⁵⁷ *Emeka v. Lady Margery Okadigbo & Ors* [2012] 18 NWLR (Pt. 1331) 55 at 98-99

⁵⁸ EA 2010, s. 30

Again, the registration and deregistration of political parties is within the powers of the INEC. Thus, any political party not given recognition by INEC would not have a taste of the polls. Notwithstanding, at the end of every poll, INEC shall issue certificate of return to candidates that emerge victorious. INEC has power to conduct elections to offices at the federal and state level, register political parties and monitor their operations, maintain a voter register, monitor political campaigns, etc.⁵⁹

INEC is riddled with allegations of partisanship, corruption and failure to enforce the electoral laws in Nigeria. Elections supervised by INEC since 1999 are filled with allegations of brazen fraud and irregularities while INEC watches with reckless abandon. The Nigerian political environment is fraught with violence and blatant electoral malpractices against the spirit and letter of the electoral laws in Nigeria. From 1999 when the military handed over the reins of government to civilians, elections in Nigeria have never been free and fair. A former President once admitted that the process that brought him to power was not free and fair.⁶⁰ The burden of illegitimacy on elected office holders from flawed elections to international assignments where the independent press kept taunting them about their stolen mandate as President Jonathan once observed:

Although we took oath of office and the Supreme Court declared us winners, but each time one travelled abroad, people asked all kinds of questions that even got one angry. That was when I promised myself that if have an opportunity to oversee elections in Nigeria, no other President or Vice President should suffer that can kind of harassment and embarrassment by the international community.⁶¹

The litany of petitions filed by the losing candidates has almost overwhelmed the Election Petition Tribunals (EPT) constitutionally vested with the powers to decide these petitions as 658 petitions were filed before EPT in Nigeria following the elections in 2015, about 10% lower than the 732 petitions filed in the EPT after the 2011 general elections.⁶² The INEC which is the electoral umpire that oversees these contested elections has a big share of the blame for its partisanship and corruption. The National Human Rights Commission (NHRC), an agency of the FGN indicted the Nigerian Judiciary, the Nigerian Police Force (NPF) and INEC for perpetrating electoral impunity in Nigeria.⁶³

4.2 Nigeria Police Force (NPF)

The NPF is a security apparatus established to maintain peace, law and order.⁶⁴ The roles and duties of the police during and after the election cannot be overemphasized. Thus, if there must be a smooth and peaceful election, the police must be at their very best. Elections and

⁵⁹ CFRN, Third Schedule, Part 1 (F)(15)

⁶⁰ C. McGreal, Ruling party candidate wins 'flawed' Nigerian election, *The Guardian*, 23 Apr 2007 <<https://www.theguardian.com/world/2007/apr/23/chris-mcgreal>> Accessed 10 October 2022;

⁶¹ The election that brought Yar'Adua to power a huge embarrassment, says Jonathan, *Premium Times*, 8 April 2014 <<https://www.premiumtimesng.com/news/158357-election-brought-yaradua-power-huge-embarrassment-says-jonathan.html>> Accessed 16 October 2022

⁶² E. Onyekpere & K. Nnajiaka, *The Judiciary and Nigeria's 2015 Elections*, Centre for Social Justice, 2016 <<http://csj-ng.org/wp-content/uploads/2018/06/The-Judiciary-and-Nigeria%E2%80%99s-2015-Elections.pdf>> Accessed 16 October 2022

⁶³ National Human Rights Commission, *An Independent Review of Evidence of Gross Violations of the Rights to Participate in Government, to Public Service, and to Fair Trial Through the Election Petition Process in Nigeria 2007 & 2011*, February 2014 <<https://www.premiumtimesng.com/wp-content/files/2014/02/Initial-Report-Final-Version.pdf>> Accessed 16 October 2022

⁶⁴ CFRN 1999, s. 214(1); Nigeria Police Act 2020, s. 3(1)

campaigns are usually marred by violence whenever there is a breach of security. The EA only mentioned the deployment of the military to the extent of safeguarding election materials;⁶⁵ it however means that the police is the primary security agency used for election as provided under the EA.⁶⁶ The EA empowers INEC to provide Guidelines and Regulations for the conduct of elections,⁶⁷ as well as the Code of Conduct applicable to security personnel during elections.⁶⁸ Meanwhile, it is not the law that a political party that intends to organize campaigns and rallies must secure a permit and authorization before hosting such campaign or rally.⁶⁹ It is argued that informing the police to provide security is not the same as obtaining permit or authorization.

Again, the NPF has failed to stem down the tide of crime and criminality in Nigeria and is one of the most corrupt institutions in Nigeria.⁷⁰ Crime has spiraled out of control in Nigeria because of the NPF is complicit.⁷¹ Nigeria is bleeding from the endemic illegal oil bunkering that has crippled the Nigerian economy to the rise of terrorism and other criminal activities like kidnapping, cultism, drug abuse, armed robbery and piracy at sea, etc. Insecurity in Nigeria lately is almost the norm.⁷² It is but difficult to see how a corrupt NPF will provide security to Nigerians during elections. INEC is worried by the wave of violence in Nigeria prior to the 2023 general elections⁷³ and “the violence comes in various forms, such as arson, assassinations, ballot box snatching, coercion, forceful disruption, kidnapping, hate speech-induced crises, shooting, thuggery and so on.”⁷⁴ The figure below shows the staggering number of dead Nigerians because of elections since independence.⁷⁵

⁶⁵ EA 2022, s 27 (3); A. A. Tobi and G. I. Oikhala, *The Police and Election Administration in Nigeria*, [2018](14) *Journal of Public Administration, Finance and Law*, 85-93

⁶⁶ A. A. Adeyemi, *The Role of the Police in Free and Fair Democratic Elections in Nigeria: The Legal Framework*, [2015] (18) *Nigerian L.J.* 29

⁶⁷ INEC, *Regulations and Guidelines for the Conduct of Elections*, 2022, 24 May 2022 <https://inecnigeria.org/wp-content/uploads/2022/06/Regulations-and-Guidelines-for-the-Conduct-of-Elections-2022_updt.pdf> Accessed 17 October 2022.

⁶⁸ *Standard Operational Guidelines/Rules for Police Officers on Electoral Duty*, Nigeria Police Force <<https://www.inecnigeria.org/wp-content/uploads/2019/11/Standard-Operational-Guidelines-Rules-For-Police-Officers-on-Electoral-Duty.pdf>> Accessed 17 October 2022

⁶⁹ *ANPP v. IGP* [2006] CHR 181; CFRN 1999 s 39, 40

⁷⁰ Editorial, *Police most corrupt institution in Nigeria, survey reveals*, *The Guardian*, 27 March 2019 <<https://guardian.ng/news/police-most-corrupt-institution-in-nigeria-survey-reveals/>> Accessed 25 October 2022

⁷¹ “Everyone’s in on the Game”: *Corruption and Human Rights Abuses by the Nigeria Police Force*, Human Rights Watch, 17 August 2010 <<https://www.hrw.org/sites/default/files/reports/nigeria0810webwcover.pdf>> Accessed 25 October 2022

⁷² A. Umar, *Insecurity: An abnormality turns normal*, *The Guardian*, 23 June 2021 <<https://guardian.ng/opinion/insecurity-an-abnormality-turns-normal/>> Accessed 25 October 2022; S. Agbelusi, *Insecurity: A norm in Nigeria*, *The Guardian*, 6 June 2022 <<https://guardian.ng/opinion/insecurity-a-norm-in-nigeria/>> Accessed 25 October 2022

⁷³ B. C. Onochie et al, *INEC worries over insecurity as crises stall APC, PDP, LP campaigns*, *The Guardian*, 13 October 2022 <<https://guardian.ng/news/inec-worries-over-insecurity-as-crises-stall-apc-pdp-lp-campaigns/>> Accessed 25 October 2022; 2023: S. Omolayo, *INEC worries over insecurity in Southeast, Northwest*, *The Guardian*, 13 October 2022 <<https://guardian.ng/news/2023-inec-worries-over-insecurity-in-southeast-northwest/>> Accessed 25 October 2022

⁷⁴ K. Adebajo, *Nigeria’s Deadly History of Electoral Violence in Five Charts*, 27 June 2022 <<https://humanglemedia.com/nigerias-deadly-history-of-electoral-violence-in-five-charts/>> Accessed 25 October 2022

⁷⁵ *Lives Lost to Election Violence in Nigeria Since Independence* <<https://datawrapper.dwcdn.net/Qfwis/3/#>> Accessed 25 October 2022

Lives Lost to Election Violence in Nigeria Since Independence



Chart: Kunle Adebajo/HumAngle • Source: HRW, ICG, CD, Africa Watch • Created with Datawrapper

5.0 An Appraisal of the Political Party System in Nigeria

The struggle for independence from British colonial rule led to the formation of political parties in the British West African Colonies. Nigeria was not left out leading to the formation of the Nigerian National Democratic Party (NNDP) in 1922 after the enactment of Clifford Constitution which paved way for the active participation of Nigerians in political affairs.⁷⁶ The success of NNDP in the Lagos municipal elections of 1923, 1928, and 1933 led to the formation of the Lagos Youth Movement (LYM) in 1934 which became the Nigerian Youth Movement (NYM). The National Council of Nigeria and Cameroon (NCNC) was formed in 1944 by Herbert Macaulay and Nnamdi Azikiwe after Southern Cameroun joined Nigeria. NCNC later became the National Council of Nigerian Citizens in 1959 and dominated Nigerian politics until the mid-1930s. Clifford's Constitution spurred political movements in Nigeria but the MacPherson Constitution of 1951 opened up the political space in Nigeria leading to the formation of two more political parties - the Action Group (AG) and the Northern People's Congress (NPC) in 1951. The Nigerian political environment was first framed by the NNDP, NYM, NCNC, AG, and NPC. Other political parties came on board to challenge the dominance of the major political parties either as opposition or to protect regional interest.⁷⁷

In 1979, upon the return to civilian rule, five political parties - Unity Party of Nigeria, National Party of Nigeria, Nigerian People's Party, Greater Nigeria Peoples People's Party, and People's Redemption Party - were registered for the elections by the Federal Electoral Commission. The military struck again in 1983 and plans to hand over power in 1993 failed with the annulment of the election between the Social Democratic Party (SDP) and the National Republican Party (NRC) by General Ibrahim Babangida. The 1999 elections ushered in democracy back in Nigeria. There are 18 registered parties in Nigeria including but not limited to the All Progressives Congress (APC), All Progressives Grand Alliance (APGA), Labour Party (LP), New Nigeria Peoples Party (NNPP), Peoples Democratic Party (PDP), Young Progressive Party (YPP), etc.⁷⁸ Nigeria operate a multi-party system like other major democracies like Germany, Brazil, Finland, Netherlands, Ukraine, Argentina, etc.

⁷⁶ T. N. Tamuno, Governor Clifford And Representative Government, [1967] (4)(1) Journal of the Historical Society of Nigeria, 117–124; O. Ikime, Groundwork of Nigeria History, Heinemann Educational Books (Nig.)

⁷⁷ L. P. M. Nigeria under the Macpherson Constitution, [1953](9)(1)The World Today, 12–21; T. N. Tamuno, Separatist Agitations in Nigeria since 1914 [1970] (8)(4) The Journal of Modern African Studies,

⁷⁸ INEC, Political Parties <<https://inecnigeria.org/political-parties/>> Accessed 16 October 2022

China operates a one party system which is a political arrangement whereby only one political party is allowed to control the reins of government in a given state. The Communist Party of China was founded in 1921 is the only political party in China.⁷⁹ One common feature of these one-party states is the fact that they operate a communist ideology and very repressive regimes with human rights abuses because powers are concentrated in the hands of one person or few.⁸⁰ North Korea, Vietnam and Cuba are other nations in the current global order with a one-party system. The Arab Socialist Ba'ath Party in Syria and Iraq is another example of one party state used as a platform for Arab nationalism, freedom from foreign rule and creation of a single Arab state.⁸¹ A common feature applicable to all states practicing one- party system is the inclusion of a particular party in the constitution of the state and it is therefore illegal to form any other political part other than the one constitutionally allowed. The constitution grants the ruling party unlimited powers to regulate all facets of life within the sovereign boundaries of the state.⁸²

It is noteworthy that several African nations like Kenya, Ghana, Zambia, Mali, Senegal and Tanzania operated the one-party system before they switched over to the multi-party system as it was erroneously assumed that operating the one party state system would lead to racial bonding because of the multi-ethnic nature of many African countries. The proponents of one party state in Africa like the Tanzanian politician Julius Nyerere and Ghanaian politician Kwame Nkrumah canvassed that the multi-party system was divisive and alien to Africa.⁸³ A very clear example of a one-party state in Africa is Kenya where a year after independence in 1963, the Kenya African National Union merged with the Kenya African Democratic Union to form a single party that would run government. The Kenya People's Union was formed in 1966 and subsequently banned and in 1982 Kenya officially became a one-party state through a constitutional amendment though repealed on December 1991.⁸⁴ Today, Kenya, Ghana, Zambia, Iraq are examples of multi-party states with thriving democracies.

A two-party system as the name implies is a political arrangement in which two main political parties overshadow others in the contest for political offices in approximately huge proportion in comparison to all other parties. It does not mean that there are only two political parties recognized by the constitution as is the case with one-party system, but the important thing is that the two dominant parties control elections into nearly all political offices in the state. The US, UK, Malta, Australia and other states practice the two-party system but the most famous example of this system is the USA and has been since the first organized political movements emerged in the late 1700s. Available records show that the Republican and Democratic Parties have won every USA presidential election since 1852 and have controlled the USA Congress to some extent since 1856. But through history the Federalists and the Democratic-Republicans, then Democrats and Whigs have represented opposing political ideologies and campaigned

⁷⁹ M. Mark, Chinese Communism, [1951] (13)(2) *The Journal of Politics*, 232–252.

⁸⁰ M. Bogaards, Counting parties and identifying dominant party systems in Africa, [2004] (43) *European Journal of Political Research*, 173–197

⁸¹ J. F. Devlin, The Baath Party: Rise and Metamorphosis, [1991] 96(5) *The American Historical Review*, 1396

⁸² T. A. Olaiya, 'Party System, its Peculiarities and Development of Political Parties in Nigeria' [2016] 10 (10) *African Journal of Political Science and International Relations* 119 -130 @ 121

⁸³ P. A. Nyong'o, Africa: The Failure of One-Party Rule, [1992] (3)(1) *Journal of Democracy*, 90-96; M. L. Kilson, Authoritarian and Single-Party Tendencies in African Politics. [1963] (15)(2) *World Politics*, 262–294.

⁸⁴ R. Doorenspleet and L. Nijzink, One-Party Dominance in African Democracies: A Framework for Comparative Analysis In: R. Doorenspleet and L. Nijzink (eds.) *One-Party Dominance in African Democracies* (Lynne Rienner Publishers, 1973), 195; J. A. Widner, *The Rise of a Party-State in Kenya* (University of California Press, 1993), 1.

against each other for seats at the local, state and federal levels.⁸⁵ It is important to note that though the USA is the most famous example of a two-party system, even though there are other minor parties in the USA like the American Independent Party, Green Party, and Peace and Freedom Party. Another very famous example of a two-party state is the Britain that has since the 1920s had two dominant political parties – the Conservatives (Tories) and Labour Party founded in 1662 and 1900 respectively. Before the Labour party rose to prominence, the Liberal Party has been the main opposition of the Conservative Party. Alongside these two dominant parties exists other minor “third party” like the Liberal Democrats formed from the merger of the Liberal Party with the Social Democratic Party in 1988 mostly relied upon by the major political parties to form majority in Parliament.⁸⁶

Nigeria had a taste of the two-party system under the defunct CFRN 1989 which provided for the two-party system.⁸⁷ This period led to the creation of NRC and SDP as the only two political parties during the ill-fated third Republic.⁸⁸ Presently, Nigeria runs a multi-party system which is a system that has three or more parties with equal chances of winning significant votes and enjoys electoral coverage for forming government. It is noteworthy that from the beginning of the development of political parties in Nigeria, political parties have always struggled with the important issue of internal democracy. Internal democracy in political party is a crucial element for the proper development of party system. The provisions of ss. 221-229 CFRN 1999 made provisions for intra-party democracy. It is very important to note that

Internal democracy encompasses two instruments of intra-party democracy: organization of free and fair elections and a periodic election of party members and representatives- equal and popular participation of its members and equal representative of interest. This ranges from the nomination of candidates to party primaries, alliances and many others. The question of internal democracy in Nigeria political parties is of a paramount importance for the development of a political and democratic process in a contemporary society. The strength and health of a democratic party system serves as a determinant factor and success of any democratic experiment in a nation. The ways of ensuring internal democracy include popular participation, accessible party leadership to the people after winning elections, involvement of non-governmental organizations such as churches, mosques, student, trade unions and farmers.⁸⁹

In the Nigerian context, internal democracy appears to be theoretical and far from reality as seen in the activities of political parties which have resulted to several court decisions that even prevented the parties from fielding candidates during elections.⁹⁰ The party primaries by the APC and PDP were meant for the super-rich because the cost of the form kept the poor out of the contest. A political commentator posited thus:

The high nomination fees being charged by leading political parties to secure their tickets for the 2023 general election have reawakened the conversation

⁸⁵ G. Anthony and A. Carl, Two-Party system: A Case Study of United States of America, [2019] (4)(1) *Journal of Communication and English*, 18-26.

⁸⁶ A. R. Ball, *The Emergence of British Political Parties* In: *British Political Parties* (Palgrave, 1987), 26 – 51.

⁸⁷ CFRN 1989, Part III, s. D, subsection 220(1)

⁸⁸ T. Adeniran, “The Two-Party System and the Federal Political Process”, [1991] (21)(4) *Publius*, 31–44

⁸⁹ D. A. Odigwe, ‘Nigerian Political Parties and Internal Democracy’ [2015] (4)(2) *African Journal of Good and Development*, 65-78

⁹⁰ *APC v. Ibrahim Umar* [2019] 8 NWLR (Pt. 1675) 564

around the monetisation of politics in Nigeria. To run for president in the ruling All Progressives Congress (APC), an aspirant must cough out a whopping sum of N100 million just for the nomination form, while those who aspire to the office of governor would pay N50 million. Aspirants for the Senate, House of Representatives and House of Assembly are charged N20 million, N10 million and N2 million respectively for forms. Costs of nomination forms in the main opposition Peoples Democratic Party (PDP) are relatively lower, though still high: N40million for presidential; N21 million for governorship; N3.5 million for senatorial; N2.5 million for House of Representatives; and N600,000 for House of Assembly.⁹¹

The tenure of a politician in Nigeria is four years and no Nigerian public official earns close to N100 million as legitimate income in eight years, that is, for two terms based on 2020 report published by the Revenue Mobilization and Fiscal Commission (RMAFC),⁹² the agency of the FGN which fixes the salaries and allowances of public officials in Nigeria. A breakdown of the RMAFC annual package for public officials shows that the President earns N14 million, Vice-President earns N12 million, Ministers and Governors earn N7.8 million and N7.8 million respectively. Interestingly, the Vice-President, Governors and Ministers doled out a N100 million just to procure a nomination form only. The cost of the nomination form is more than the legitimate earnings of these public officials for the four years of their tenure should they end up getting elected. After paying these outrageous amounts to secure the nomination for the primaries in the APC and PDP, there are reports that contestants had to bribe the delegates to vote for them.⁹³ The monetisation of the political process in Nigeria has made very honest Nigeria to stay away from the political process. The political process is only a veritable ground for drug barons, public officers have looted public coffers dry and money launders. The monetisation of the electoral process is a ticking time bomb because it reserves the political offices for the super-rich and discourages the younger generation from involvement in politics and the expected gains of the **Not Too Young to Run Act** will be a mirage.⁹⁴

One of the advantages that come with the multi-party system is the availability of options to fall back on if the process is rigged or unfair to the participants. When some of the presidential aspirants in PDP released that the conduct of the primaries was not going to be fair, they looked for other platforms to pursue their ambition. Rabiu Kwankwaso dumped the PDP and emerged the Presidential candidate of the NNPP⁹⁵ and Peter Obi dumped the PDP to emerge the

⁹¹ Editorial, Monetisation of Political Aspirations, Thisday, 1 May 2022 < <https://www.thisdaylive.com/index.php/2022/05/01/monetisation-of-political-aspirations/> > Accessed 25 October 2022

⁹² Revenue Mobilization and Fiscal Commission, Remuneration Package for Political and Judicial Office Holders, <<https://rmafc.gov.ng/wp-content/uploads/2020/01/Remuneration-Package-for-Political-and-Judicial-Office-Holders-.pdf>> Accessed 25 October 2022

⁹³ A. A. Maishanu, PDP delegate shares bribe money allegedly received for participating in primary, Premium Times, 2 June 2022 < <https://www.premiumtimesng.com/news/top-news/534409-pdp-delegate-shares-bribe-money-allegedly-received-for-participating-in-primary.html>> Accessed 26 October 2022

⁹⁴ S. Ezea, High cost of nomination forms, Nigerian youths and challenges of electioneering, The Guardian, 8 September 2018 <<https://guardian.ng/saturday-magazine/high-cost-of-nomination-forms-nigerian-youths-and-challenges-of-electioneering/>> Accessed 26 October 2022

⁹⁵ E. Nzor, After dumping PDP, Kwankwaso, loyalists take over NNPP, The Guardian, 1 April 2022 < <https://guardian.ng/news/after-dumping-pdp-kwankwaso-loyalists-take-over-nnpp/>> Accessed 26 October 2022

presidential candidate of the LP.⁹⁶ This is the beauty of the multi-party system.

6.0 Conclusion

The problem with Nigeria is the absence of laws but the absence of weak institution to enforce the laws of the land. The relevant and applicable laws that regulate political parties in Nigeria are not duly implemented. INEC barks alone but cannot bite. Apart from the deregistration of 74 moribund political parties by INEC, there have not been any other disciplinary measures on political parties with respect to violation of electoral laws, failure to submit electoral finance forms and audit to INEC. The finance of political parties is opaque and they appear to champion only the interest of few. Political parties have now become commercial ventures rather than a platform that connects the citizens to the government.

The most important recommendation is to fight corruption in Nigeria and restore sanity in our apex regulatory institutions responsible for the conduct of elections and supervision of INEC in Nigeria. If corruption is not reduced, no matter the how good the laws on ground, the institutions mandated to enforce the laws will not deliver on their mandate. The sweeping reforms introduced by the EA 2022 will not see the light of day with a corrupt and comprised INEC. If INEC and NPF are not purged of corruption, there will be no peaceful and credible elections in Nigeria. Corruption *“is a poison that erodes trust, robs citizens of their money and their future and stifles economic growth in the places that need it most”*⁹⁷ and every other solution employed to solve the bedevilling issues of insecurity and poor governance will fail without first fighting corruption in Nigeria. If politicians are allowed to use the lucre of office to and buy their way back to government without the support of the electorates, the much needed change for good governance and accountability will elude the nation. There is absolutely nothing more discouraging, damaging and belittling to the electorates than the feeling that an election is rigged and winners already determined before the ballot is cast and elected officials are crooks who are stealing the future of their own people and using their illicit gains to stash them away in foreign banks, seek medical services abroad and send their children to ivy-league universities abroad. INEC must as matter of national security strictly implement of the use of bimodal voter accreditation system technology to read the permanent voter cards in Nigeria to reasonably reduce electoral fraud inherent in the extant manual system in the voting, transmission and collation of results. INEC should engage actively in voter education before the commencement of the next election to encourage the electorates that votes will not be manipulated and instil confidence in the electoral process.

⁹⁶ A. M. Jimoh et al, 2023: Obi quits PDP, eyes Labour, NNPP tickets, The Guardian, 26 May 2022 <<https://guardian.ng/news/2023-obi-quits-pdp-eyes-labour-nnpp-tickets/>> 26 October 2022

⁹⁷ J. Kerry, Time To Treat Corruption With the Seriousness It Deserves, 12 May 2016 <<https://2009-2017.state.gov/secretary/remarks/2016/05/257175.htm>> Accessed 30 October 2022