

Issues and Challenges in the Management of Elections in Nigeria: An Analysis of the 2015 General Elections

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Abstract

The conduct of free, fair and credible election in Africa remains a major challenge hence; this paper examined the issues and challenges in the management of elections in Nigeria with particular reference to the 2015 general elections. The paper posits that for any election to be free, fair and credible; the electoral umpire must be neutral and unbiased and the processes leading to the election must also be credible and transparent. Data for the study were drawn from secondary sources while analysis was done qualitatively. The study revealed that the political merger (alliance) between the All Progressives Congress and other political parties accounted for the victory recorded by the ruling All Progressives Congress (APC). Findings from the study also show that the pre-election amendments and guidelines introduced by INEC helped to improve the quality of the 2015 general elections. Further findings show that constant policy evaluation and review is fundamental to the attainment of free, fair, transparent and credible elections in Nigeria and Africa in general.

Keywords: *2015 General elections, Management, Free, Fair, Credible, Transparent, Issues and challenges.*

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Background to the Study

The importance of election as a means of providing leaders in the society cannot be over-emphasized hence; it is regarded as an essential component in any democratic process or experiment. It will be recalled that elections in Nigeria started in 1922 via the introduction of the Elective Principle by the Clifford's constitution. Nwolisa (2007), posits that from the 1959 general elections that ushered in the independence of 1960, the Nigerian state began to experience a high level of electoral violence varying from all spheres which include political, religious and social violence. Similarly, the electoral crisis of 1964, 1965, 1979, 1983, and the 1993 June 12 presidential elections almost destroyed the political stability and peace of Nigeria. In the 2015 general elections (Fourth Republic) violence and insecurity was recorded in some states in Nigeria especially River state and the South-south where the ruling party and its agents were accused of deploying all means necessary to clinch victory at the polls at all cost. In Akwa-Ibom state prior to the election, supporters of some candidates were murdered by unknown gunmen and in some cases maimed. There were also barrage of accusations and counter accusations by the All Progressives Congress (APC) claiming that the People's Democratic Party (PDP) used its hoodlums, security agencies and thugs to truncate the elections in their favour. Scholars have however argued that free and fair elections are at the heart of the structure and functioning of any modern democratic state. Jega (2007), corroborated this position when he added that modern elections and democratic processes must be anchored on the citizens who must be given the right and liberty to select, elect, or nominate from among themselves those that will represent them in government. According to him, these representatives as a rule are accountable and responsible to the people that elected them. Thus, the analysis of the issues, challenges and changes that occurred during the 2015 general elections forms the major thrust of this paper.

Method and Scope of the Study

The study is anchored on secondary sources of data which include: textbooks, published articles, materials from the Independent National Electoral Commission, the news media, internet and other government sources etc. Data from these sources were analysed qualitatively. The study also adopted the Marxian political economy approach. This theory according to Ake (1981) recognizes the complimentary relationship between the economic and political spheres of human existence. Emphasis in the study was placed on Nigeria's 2015 general elections.

Theoretical and Conceptual Analysis

As stated earlier, the study adopted the Marxian political economy approach and class analysis in order to examine and analyse the issues and challenges in the management of elections in Nigeria with particular reference to the 2015 general elections. In applying this theory, its principles, tenets and criticisms were highlighted in the paper. The basic principles and tenets of political economy mode of analysis is derived from the inter-connection between the economic, political and other facets of the substructure hence, political economy is the approach which recognizes the complimentary relationship between the economic and political spheres of human existence but in which the economy

plays a determinant role. In the words of Ake (1981), this approach encourages scholars to take account of the interactions of the different elements of social life especially the economic structure and belief system. Marxian political economy scholars therefore see society as a unit for the production and reproduction of social life in order to satisfy material needs which is described as man's most fundamental need. It is further argued that economic needs are man's most fundamental need and unless man is able to meet his needs, he cannot exist. Scholars in this school of thought further posited that individuals must eat and address basic needs before they can do anything else such as worship, pursue culture or become an economist or a politician. This theory is relevant to the study because political actions, attitudes and behaviour of Nigerians such as voting during elections cannot be appraised in isolation from the above considerations therefore, it is believed that political economy approach will explain the inter-relationship between the economy and politics in this context, the issues and challenges in the management of elections in Nigeria with emphasis on the 2015 general elections.

Conceptual Analysis

Okoye (2018), posited that election all over the world is seen as the most acceptable means of leadership recruitment and change in liberal democratic societies. He added that for election to be seen as a foundational process that enhances democratic consolidation in a society, the electoral contest has to be transparent, free, fair and credible. In his words: This is to ensure that the outcome of the process truly reflects the choice made by people and as such legitimizes whatever government that is formed on the basis of election. The premium placed on democratic electoral contest lies on the fact that through campaigns, political parties and candidates vying for public offices submit their programmes and credentials to the voters: and through voting, voters make their choice among contesting interests (political parties and candidates). Kalama (2011) also defined election as the choosing by vote of representatives, delegates or officers. It also means a process of making political choice especially in the selection of leaders and the determination of issues. On the other hand, election management body refers to the agency or institution charged with the constitutional mandate to conduct, monitor and supervise elections in the country. Within the context of this study the Independent National Electoral Commission (INEC) is the institution responsible for election management and administration in Nigeria. In the same vein, Ogedi (2018), described election as part of the politics and the political process in any society. According to him politics can be referred to as those activities usually associated with politicians in the whole process of politicking and attempt at outsmarting themselves over electoral victory. In his words: politics in this regard includes such activities like elections, speeches by political leaders, formulation and implementation of government policies. Other activities may also include political attitudinal dispositions such as struggle for political power among individuals and groups, attempts and influencing or lobbying government policies to reflect a particular interest etc. While making reference to Ake (2001), and Ihonvbere (1989), he stated thus, politics is practiced with the intent of ending politics, that is to gain power and use it to bar all others to power and even to rights as the struggle became so intense and so absorbing that it has overshadowed everything else including the pursuit of development.

Okoye (2018), corroborated the above position when he stated that despite the lofty ideas and mechanisms that makes election an instrument of conflict management and resolution, it had been observed that the practice of electoral democracy in Nigeria and other parts of Africa has continually manifested in the formation of governments that suffer from crisis of legitimacy, which further divides the people along the various fault lines that exist in these countries. Specifically, he noted that the Nigerian electoral and political landscape as manifested in the 1999, 2003, 2007 and 2011 general elections have fallen below expectation (of democratic elections) and have moved from violence to greater violence as the parties and candidates in addition to the voters' contest of the validity of the announced results for not being a true representation of the choice they made as well as their systemic disenfranchisement in extreme cases. This point was reiterated in Okoye (2012), when he lamented that election environment in Nigeria use to be tensed and as such represent a hotspot of contest for both the ruling and opposition parties. In his words: The atmosphere use to be charged with brigandage that manifests in inter-party clash during campaigns, engagement of cult groups by political parties and hate speech, electoral violence, vote buying, vote theft, primitive accumulation of votes etc. The implication of this is that the winner of the contest appears to be determined more through the logic of bullet as against the logic of ballot, which undermines the right of the people to choose and determine their leaders as well as erode their confidence in the outcome of the process. This creates a social distance between the ruler and the ruled and as such make such democratic cultures like accountability, transparency, rule of law and government as trust a forgone alternative. From the forgoing analysis, it is therefore a consensus among scholars that since the advent of the fourth republic in 1999, successive elections (1999, 2003, 2007, 2011 and 2015) have been marred by countless irregularities ranging from voter intimidation, harassment, disenfranchisement, stuffing of ballot boxes, high-jacking of electoral materials, use of fake ballot papers and results sheets, fraudulent accreditation, kidnapping and assassination of political opponents etc.

On the contrary, Maduagwu (2012) attributed the electoral and political crisis facing Nigeria to ethnic and religious factors. According to him, that ethnicity plays enormous roles in politics is a fact very well known, especially in the ethnically diverse societies of Africa. He added that modern African nation/states are the creation of European colonial powers and that in most cases; the countries were created without any regard to the diverse ethnic groups that inhabit the territories. In his words: The geographical area called Nigeria, for instance, encompasses over 250 ethnic groups. Colonial policies of divide and rule ensured that the various ethnic groups did not develop a sense of belonging to the country. Citing Weber (1958) he cautioned that no electoral process can be successful without the active involvement and participation of the people hence, he defined political participation as any act involving the making of binding decisions or the attempt to influence the content of such decisions. Political participation according to Maduagwu (2012) includes not only the acts of ordinary citizens, such as voting, but also acts of political office holders. He went further to distinguish between routine and non-routine forms of political participation. According to him routine acts of political participation are those that are encouraged as part of the civic duties of citizens (e.g.

voting, campaign activity, discussing politics etc.) while non-routine political participation involves those acts that are not encouraged within the social system but are usually aimed at radical change of the existing social order, e.g. socio-economic conditions, policies, political officials etc. In the same vein, Adams (2012) also contended that given the types of political cultures (parochial and subject) prevalent in the Third-world, attempts at legitimacy building and political institutionalization have failed to reduce arbitrary decisions which stem from highly personalized rule. He reiterated that in the developing world, public policies are skewed and incomplete because of fluid or weak political institutions and the absence of entrenched legitimacy. Thus, he wondered why the reverse is the case in advanced democracies such as the United Kingdom, France, Canada, and Germany etc. Citing Jacksons (1971) he posited that the form of the policy process depends largely on the goal sought by the political leaders of a political process. In his words: public policy is contingent upon the values, perspectives, ideologies and idiosyncrasies of the political leadership of a political process... weak political institutions, subject political culture and low literacy level, for the policy process in the less developed countries is that the policy process is dominated by the few who rule. This often results in the failure of public policy to address societal problems (Adams, 2012:p.166). This implies that without political education and mobilization of the electorates and citizens elections will not be credible hence, leading to the emergence of half-baked/semi illiterate leaders who will inturn formulate policies and programme that are detrimental to democratic values and principles.

Analysis showing the Issues and Challenges in the Management of the 2015 General Elections in Nigeria

In his analysis of the electoral reforms carried out by the federal government to ensure credibility in the electoral process, Magaji (2018) posited that section 8(1) of the 2010 Electoral Act (as amended) was amended to fix a definite term of office for the secretary to the Independent National Electoral Commission (INEC) to serve for a period of four years that is renewable for another four years only. He noted that the 2006 Electoral Act was silent over the issue of tenure for the Commission's secretary and its management hence, he maintained that making the office of INEC chairman, national commissioners and resident electoral commissioners to be on tenure will check abuse of office and abuse of power and sit-tight syndrome by public officials. Magaji (2018) therefore contended that the various amendments to the constitution of the Federal Republic of Nigeria 1999 and the Electoral Act 2010 did not contribute in enhancing the electoral process towards free and fair elections both in the 2011 and 2015 General Elections.

In the same vein, Okoye (2018) contended that all the pre-2015 electoral reforms in Nigeria were aimed at improving the quality of elections in Nigeria. According to him, it attempted to resolve the logical deficiencies and procedural inconsistencies within the country's Electoral Management Body (EMB). In his words: This is demonstrated in the financial independence and power to appoint the secretary of the commission granted to INEC. As a way of restoring the integrity and sanctity of the Electoral Monitoring Body (EMB), the Jonathan's administration appointed persons of unquestionable character

starting with its Chairman in the person of Prof. Attahiru Jega in order to cleanse the institutions of all negative tendencies that have given it a sordid image. The tables below revealed that the 2015 general elections had issues which clearly show the shortcomings in INEC and the judiciary

Table 1: Summary of Election petitions filed by Political parties

POLITICAL PARTY	NO. OF ELECTION PETITION CASES FILED	%
ACCORD	25	4.4
ADC	4	0.7
APC	249	45.0
APGA	48	8.4
AD	1	0.1
CPP	1	0.1
DPP	1	0.1
LP	34	6.0
MPPP	2	0.3
NCP	1	0.1
PDC	5	0.8
PDM	5	0.8
PDP	167	29.5
PPA	7	1.2
PPN	1	0.1
SDP	8	1.4
UPN	1	0.1

Source: Adapted from Nigeria Civil Society Situation Room Report, p.28, 2017.

Table 2: Summary of Court of Appeal Decisions on Appeals by States

STATE	NO. OF APPEALS ALLOWED	NO. OF APPEALS DISMISSED	NO. OF APPEALS STRUCK OUT
ABIA	6	13	1
ADAMAWA	0	0	0
AKWA IBOM	1	2	0
ANAMBRA	2	12	0
BAUCHI	0	3	1
BAYELSA	1	11	1
BENUE	3	2	1
CROSS RIVER	0	14	0
BORNO	0	1	0
DELTA	2	7	1
EBONYI	0	6	0
EDO	0	4	0
EKITI	0	3	0
ENUGU	1	10	1
GOMBE	2	5	0
IMO	2	11	5
JIGAWA	0	6	0
KADUNA	0	6	0
KANO	1	1	0
KATSINA	0	3	0
KEBBI	0	2	0
KOGI	4	8	0
KWARA	0	3	0
LAGOS	0	31	0
NASARAWA	1	0	0
NIGER	0	6	0
OGUN	6	3	0
ONDO	3	7	0
OSUN	1	3	0
OYO	1	21	0
PLATEAU	2	3	0
RIVERS	19	25	0
SOKOTO	2	0	0
TARABA	7	11	0
YOBE	0	1	0
ZAMFARA	0	1	0
TOTAL	67	251	11

Source: Adapted from Nigeria Civil Society Situation Room Report, p.34-35, 2017.

The above data clearly shows that the All Progressives Congress (APC) filed the highest number of petitions 249 representing 44.4 percent. This is followed by the People's Democratic Party (PDP) 167 petitions representing 28.8 percent followed by the All Progressives Grand Alliance (APGA) and Labour Party (LP) which filed 48 (8.5%) and 34 cases (6.0%) respectively. In the same vein, records from the above data further revealed

that most of the elections petitions by candidates and political parties progressed beyond the election petition tribunals to higher levels indicating that the 2015 general elections were not entirely free, fair and transparent as it was presented. Despite the conflicting judgements of the election tribunals and court of appeals on the legitimacy and legality of the Smart Card Readers, the Supreme Court in its historic ruling on *Wike vs Peterside* on 12 February, 2016 stated thus:

... I am of the view and do hold the Tribunal and the lower court were unduly swayed by the INEC directives on the use of the Card Readers. As held by this court, the INEC directives, Guidelines and Manuals cannot be elevated above the provisions of the Electoral Act so as to eliminate manual accreditation of voters. This will remain so until INEC takes steps to have the necessary amendments made to bring the usage of the Card Reader within the ambit of the Substantive Electoral Act (Nigeria Civil Society Situation Room, 2017:p.195).

It is pertinent to note that in the above judgment, the Supreme Court agreed that Section 153 of the Electoral Act donates power to INEC to issue regulations, guidelines or manuals with respect to the administration of the electoral process and system, but held that the power so conferred does not authorise INEC to amend any provision of the Electoral Act. The Supreme Court therefore views the introduction of the Smart Card Reader by INEC for accreditation of voters, as a conflicting directive with the express provisions of the Electoral Act. This judgment clearly affirms that the Smart Card Reader as at when it was introduced into Nigeria's electoral system was not backed by any known legislation in the country. Why INEC refused to press for electoral and constitutional amendments to accommodate the Card Reader before its introduction in 2015 remains a concern to most Nigerians. While expressing doubt over the sincerity and neutrality of INEC during the 2015 general elections former President Goodluck Ebele Jonathan stated thus:

... I flew to my community, Otuoke in my state, Bayelsa, to cast my ballot. Some hours into the election I received some disturbing signals. INEC officials in Southern Nigeria were insisting on the use of card readers while in the Northern part of the country, the decision to use card reader had been de-emphasized. It was clear that something was wrong somewhere. Tension was brewing in the country because the card readers were malfunctioning (Jonathan, 2018:p.7).

Emphasizing that INEC in 2015 still have some questions to answer he added that there were many instances of irregularities and series of problems of card readers, resulting from widespread technical hitches leading to the non-uniform application throughout the country. In his words:

For some inexplicable reason, INEC had been able to achieve near 100% distribution of permanent voters cards in the North, including the North-East, which was under siege with the Boko Haram insurgency but failed to record a similar level of distribution in the South which was relatively more peaceful... the world saw my ordeal at the polling unit in my community in

Bayelsa state, where the card readers refused my PVC even after we tried repeatedly during accreditation. And it was the same with my wife and my mother. It was a moment that exposed the short comings of INEC. However, I was heading towards peace. Stopping the election on voting day would have been like detonating an automatic bomb. After we managed to vote upon filling the incident forms ... (Jonathan, 2018:p.75).

It is therefore obvious that INEC's neutrality and impartiality in the 2015 general elections in Nigeria is questionable hence, the need for a surgical evacuation of the bad eggs within the institution. Some scholars have called for more radical electoral reforms that will truly make the election management body in Nigeria truly independent, fair and free from all forms of executive interference and control.

On the need for citizens to be patriotic, Dr. Goodluck Ebele Jonathan unequivocally stated that the stability and peace of Nigeria was paramount to him when he stated thus:

The essence of my campaign was to promote democracy and social justice which encompasses love, peace and togetherness. I did not preach hate ... The security agents attached to me would have been justified if they had used deadly force, but I restrained them. Perhaps that is what those who instigated the attack wanted... I encouraged my supporters not to dwell on the issue. When I accepted the PDP nomination for the re-election, I had charged myself and my supporters to campaign in peace, with hope in our hearts, on the facts and truth, on issues and ideas, on our record of performance, not violence; ours was a campaign of ideas... (Jonathan, 2018:p.58-59).

On his assessment of the role of the Election Management Body (INEC) in the 2015 elections Jonathan stated that the leadership of INEC was yet to tell Nigerian electorates the whole truth as to what actually transpired during and after elections. In his words:

It was clear that something was wrong somewhere. Tension was brewing in the country because the card readers were malfunctioning... I had every reason to contest the result, starting from educational qualification for election and electoral malpractices. These were the facts in my hands, but there was also the question of worth. Was it worth it? I reflected on some details... I thought deeply about the hand it has pleased God to deal me. My rise to the pinnacle of power in a country of 180 million people (as at 2010), most of who would give anything to be where I had been, was already cause for eternal gratitude... (Jonathan, 2018:p.70-71).

Even when the actions of INEC affected his personal rights, interests and liberty Dr. Goodluck Ebele Jonathan refused to allow his personal emotions and sentiments to influence the national interest of the entity called Nigeria. My hope is that African leaders must embrace the concept of democracy that delivers purposeful leadership that improves the lives of their citizens. The conversation below was a major step taken by Dr. Goodluck Ebele Jonathan which averted violence and instability during the 2015 general elections:

I reached for the telephone and placed a call through the State House Operators at about 4:45pm. A peace I had never felt since my political sojourn, descended on me. It showed me where I had been in the past sixteen years and where I was then. I smiled at the thought of what I was about to do. I waited calmly for the person at the other end of my call to answer.

Buhari: "Hello Your Excellency"
 Jonathan: "Your Excellency, how are you?"
 Burhari: "I am alright Your Excellency"
 Jonathan: "Congratulations"
 Buhari: "Thank you very much Your Excellency..."

...After my conversation with Mohammadu Buhari, which lifted my spirit greatly, I felt better and lighter, it was time to break the news to my Ministers and aids. I wondered back into the living room. These are people I came to know over a period of time. I anticipated what their response would be... I hung up the phone, confident that my decision was right for Nigeria and would probably have a great impact on Africa. This may well be the beginning of a new perspective to power; a perspective which places national interest above personal preference. It should not always be about winning... (Jonathan, 2018:p.77).

The data below further shows the major issues and challenges that occurred during the 2015 general elections in Nigeria:

Table 3: Major Policy Actions Introduced during the 2015 Elections in Nigeria

NO(S)	Selected Policy Actions/Event	Policy Outcomes
1.	Introduction of new INEC guidelines and regulations	Improvement in the electoral process.
2.	Introduction of Smart Card Reader Machines and the Permanent Voters Card (PVCs) (SCRs)	To ensure credibility and transparency in the accreditation of voters
3.	INEC received more external funding worth ₦5,207,260,433.55	Technical support for the conduct of the 2015 general elections.
4.	Constitutional and electoral reforms which led to the passing of the 2010 Electoral Act.	To ensure credibility in electoral process
5.	Signing of a peace agreement between the two candidates of the major political parties, former President Goodluck Ebele Jonathan of the PDP and Mohammadu Buhari of the APC	To prevent any form of post-election dispute or violence arising from the elections.
6.	Voluntary concession of defeat and the spirit of sportsmanship exhibited by former President Goodluck Ebele Jonathan who put a phone call through to his opponent, Mohammadu Buhari even before the official release of the election results by INEC.	Greatly reduced nationwide tension and violence which could have claimed several lives and critical national assets. This explains why there were no post-election litigations and petitions for the first time in Nigeria's political and electoral history.

Source: Kalama, 2018 (Fieldwork).

The data above clearly summarizes the policy actions and steps that made the 2015 general elections in Nigeria distinct from other elections hence, an incumbent president was unseated for the first time in the annals of our history. It is imperative and fundamental to note that political alliance and merger of political parties which had failed in the past succeeded in 2015 with the coming together of the Action Congress of Nigeria (ACN), Congress for Progressive Change (CPC), All Nigeria Peoples Party (ANPP) and a faction of the All Progressives Grand Alliance (APGA) to form the ruling All Progressives Congress (APC).

Conclusion

The study examined issues and challenges in the management of elections in Nigeria with particular reference to the 2015 general elections. Relying on the descriptive research method and secondary data the study observed that the 2015 general elections started with pre-election constitutional amendments and electoral reforms which culminated into the passing of the Electoral Act 2010 and the introduction of new electoral guidelines and regulations by the Independent National Electoral Commission (INEC) which in turn led to the use of the Permanent Voters Cards (PVCs) and the Smart Card Readers (SCRs) for the authentication and accreditation of voters etc. The study also observed that although these policy actions gave credibility to the electoral process in 2015, it also led to series of litigations which challenged the superiority of INEC's electoral guidelines and election manuals over Nigeria's constitution and Electoral Act 2010. However, the actions of political parties, the police, security agencies and other stakeholders coupled with judicial pronouncements on the 2015 general elections clearly shows that all is not well with Nigeria's electoral and democratic process hence, there is need for more commitment, political and electoral reforms that will open the political space and make the entire electoral process more credible, peaceful, free, fair and transparent this will no doubt guarantee legitimacy of governmental actions, policies and programmes at all levels.

Recommendations

Elections play a major role in the building and reconstruction of the society therefore, if the electoral process is faulty it will affect the society negatively thus the following recommendations will no doubt help to promote the conduct of free and fair elections in Nigeria:

1. The appointment of the Chairman and other members of election management body (INEC) should not be vested in the president but rather it should be appointed by the other arms of government as suggested by the Justice Uwais' commission.
2. The functions of INEC should be limited and restricted to the monitoring of political parties and conduct of elections in the country. The power to arrest and prosecute electoral offenders should be vested in other boards or tribunal established by law. This will enable the election management body to concentrate on its primary responsibility.

3. The Election Management Body (INEC) should be democratized to ensure that all those nominated to serve in INEC are further subjected to election or referendum from their states or constituencies. This will ensure that the chairman and commissioners are answerable to the people and not the president who unilaterally appoints members of the Election Management Body as it is the case in Nigeria and other African countries.
4. Election guidelines that contravene existing laws should not be smuggled into the system under the guise of new election manual/ guidelines as it was the case with the Smart Card Readers in 2015. It will be recalled that while the election petition tribunals and the lower courts saw nothing wrong in INEC's action, the appeal court and the Supreme Court made it categorically clear via the judgment delivered by Olatokunbo Kekere- Ekun that "the INEC directives, Guidelines and Manuals cannot be elevated above the provision of the Electoral Act".
5. To ensure speedy trial of those involved in electoral fraud and manipulations, there is need for the establishment of special election offences courts and tribunals across the country. This will also help to promote accountability and trust in the electoral process.
6. There is need for more political and electoral reforms in Nigeria and Africa to ensure that political parties and other stakeholders do not circumvent existing electoral rules and guidelines especially in the area of conducting free and fair party primaries, political party financing and other pre-election matters. This is crucial and fundamental because political parties play a major role in the survival of any democratic process.
7. To avoid external interference there is also need to check and control all funds received by INEC for the conduct of elections. Such funds and assistance received from development partners should be subjected to investigation and audit by independent professional bodies to ensure accountability and transparency.
8. The role of the police, army and the media during and after elections should also be defined to avoid conspiracy and manipulation of the electoral process by the state. This is important because available records show that the media, police and the army often deviate from their professional and constitutional responsibilities.

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