

# The Performance of Independent National Electoral Commission in Election Management: An Appraisal of 2017 Gubernatorial Election in Anambra State of Nigeria.

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**Abstract:** The focus of this study is to appraise the performance of the Independent National Electoral Commission (INEC) in the management of the 2017 Anambra state gubernatorial election in Nigeria. The management of election is paramount in a democratic state because the legitimacy of government is derived mainly from the consent of the governed, primarily through elections; however, the electoral umpire in Nigeria, INEC, which is saddled with the responsibility of election management, most times exhibits plethora of evidence vis-à-vis inefficiency and inadequacies in the electoral process. The basic thrust of the study is therefore hinged on appraising the extent INEC managed the 2017 gubernatorial election in Anambra State of Nigeria, determining the influence of the rentier and elitist character of Anambra state politics on INEC in relation to management of the election, and also ascertaining how the management of the 2017 election influenced legitimacy of the government of the state. Adopting the Rentier State Theory as its framework of analysis, while relying on documentary evidence; the study employed content analysis as method of data analysis. From the analysis herein, the findings revealed that the 2017 gubernatorial election in Anambra state was poorly managed by INEC. Furthermore, the study also showed that the rentier and elitist character of the state adversely influenced INEC in the management of the election. Finally, the study showed that there is a significant relationship between the legitimacy of the government of the state, and the poorly managed election. Against this backdrop, the study recommends that INEC should act with utmost professionalism and impartiality by ensuring compliance with the regulatory frameworks of elections in Nigeria in all circumstances. The study also recommends that INEC in collaboration with National Orientation Agency intensify efforts towards voters' education and mobilization in Nigeria in general, and Anambra state in particular.

**Keywords:** Election Management, INEC, Rentier State, Gubernatorial Election.

## I. Introduction

The relevance and primacy of election and election management in a democratic state cannot be overemphasized. Undoubtedly, election management is the general organization, supervision, and judicious utilization of electoral manpower, and material resources with a view of conducting or undertaking a democratically valid election. Accordingly, the responsibility or onus of election management in Nigeria and its federating units, Anambra state in this extant case, is performed by the Election Management Body- INEC, as guaranteed by Sections 153 (1) (f), and Paragraph 14 of the Part 1 of 3rd Schedule of the Constitution of the Federal Republic of Nigeria (CFRN), 1999, as amended.

Strictly speaking, several publications such (Jega & Ibeanu, 2007), (Obegolu, 1999), (Obianyo & Emesibe, 2015), (Biereenu-Nnabugwu, 2013), and others, have largely observed that INEC has not recorded any hitch-free election in Nigeria and any of its component units thereof. In fact, the state of affairs in relation to election management in Anambra state in particular, has been ridden with plethora of irregularities. Little wonder, Youth Initiative for Advocacy, Growth, and Advancement (YIAGA Africa, 2017), in their Reports on the 2017 Governorship Election in Anambra state titled 'Watching The Vote', revealed that the election was filed with irregularities, which vitiated the efficiency and effectiveness of INEC, even in the face of a seeming tranquility thereof.

Specifically, some of these irregularities are hinged on the unavailability of certain electoral materials, conscious delay in arrival of both materials and personnel, non-functional electronic devices cum card readers, hence, occasioning and revealing a rentier mentality of wastage of funds used in procuring unproductive devices, thereby advertising the miscalculations of INEC, and provoking questions of their credibility. Unfortunately, the rentier and elitist character of Anambra state and its politics largely aided the vulnerability and institutional incapacity of INEC, as there was blatant abuse of sections 90 (1) and 92 (8) of the 2010 Electoral Act of Nigeria, as amended, which sets monetary limits vis-à-vis campaigns and elections.

In view of this state of affair, and with the aid of various post-election reports on the gubernatorial election under focus, the study interrogates the role and capacity of INEC in election management, and contends that such irregularities and inefficiency on the part of the said Election Management Body, hold the potentials of putting the legitimacy of any government that comes through such election in question; as to whether the enthronement is truly derived from the consent of the majority of the governed.

## II. Theoretical Framework

In analyzing this study, Rentier State Theory was adopted as a result of its relevance and explanatory undertone to the subject matter. The theory was propounded by (Hossein Mahdavy, 1970), and expounded by (Hazim Beblawi, 1987) and (Giacomo Luciani, 1990). Accordingly, (Mahdavy, 1970) defined the Rentier States as "those countries that receive on a regular basis substantial amounts of external rent". It is on this basis that (Luciani, 1990), opined that a Rentier state is a state which derives all or a substantial portion of its revenues from rent of indigenous resources to external clients. They contend that such Rentier states are characterized by underdevelopment of its productive forces, consequent upon its basic dependence on external rents, occasioning irrational spending and waste of public resources with little or no productive results by the individuals, governments, or its agencies.

Along this line, (Obianyo & Emesibe 2015; p.4), posit that, "The Nigerian state is rentier not just because of its sole dependence on oil rent but also because of the underdevelopment of its productive forces. These factors combined to produce the type of instrumentalist state that it has become and the unproductive character of the ruling class that it has continued to reproduce". To be sure, Anambra State as one of the federating units of Nigerian federation by virtue of federalism shares this character with the Centre and significantly receives federal revenue allocations accruable from oil money and funds from sale of national resources to external clients, hence, exhibiting every indices of rentier mentality, and occasioning the influence of the Election Management Body. This is aside the fact that INEC budget itself is furnished with rentier proceeds. In this kind of state, the political class thrives on popularity rather than performance; hence, irrational spending and waste of public resources characterize the rentier state and the state agencies, (Obianyo & Emesibe 2015; p.6). It is against this backdrop that we can understand the effect of the character of Anambra state politics and the influence it has on election management by the Election Management Body. INEC- the umpire of electoral politics, is sustained by proceeds from state rent; hence the fruit cannot fall far away from the tree that bears it. Consequently, democratic elections and its associated elements of political campaigns and electioneering have been replaced with seeming mindless intense struggle and varying degrees of ostentatious display of wealth, thus, occasioning financial inducement of voters and even the electoral umpire, resulting to structural manipulation of elections and its attendant inefficiencies.

In line with the forgoing, the relevance of the theory is largely tied to the observation in (Obianyo & Emesibe, 2015: p.4), that "Politics including political contests do not operate in a vacuum, but within the socioeconomic and political context of the state. In other words, electoral contests and the character of democracy that it conditions is not indifferent to the character of the state in which it operates, including the character of the hegemonic class that controls it".

### **III. Method of Data Collection and Analysis**

This study utilized documentary method of data collection. The documentary evidence and contents of documentary materials related to the subject matter such as post-election reports of certain institutions, published articles, newspaper reports, and so on were examined.

Furthermore, this study employed content analysis as a method of data analysis. This method aided in making replicable and valid inferences by interpreting textual materials, and systematically evaluating them. Relevant data and information were extracted thereof; and based on logical chains of evidence, inferences were made and conclusion arrived at.

### **IV. Literature Review of Election and Election Management**

It pertinent to attempt a fleeting review of the concept of election before delving proper into election management, as regards to the management of electoral resources, viz: manpower, materials and money. Accordingly, (Oddih, 2007; p.152) in (Jega & Ibeanu, 2007), while writing on the concept of election, quoted (Gwinn & Norton, 1992), stating that "election is the formal process of selection of a person for public office or accepting or registering a political proposition by voting". He argued further that an election is one of the means by which a society may organize itself and make specified formal decisions, adding that where election is well managed, it acts simultaneously as a system for making certain decisions regarding the power relations in a society, and as a method for seeking political obedience (legitimacy) with a minimum of sacrifice of individual's freedom. He further added that the essence of a democratic election is freedom of choice.

In the light of the above therefore, election is a process of conclusive political decision through voting. (Chukwu, 2007; p.75), in (Jega & Ibeanu, 2007), posits that, "elections are properly regarded as the central institution of democratic government". This explains why (Heywood, 2007; p.253) could not help but to concur that "elections may not in themselves be a sufficient condition for political representation, but there is little doubt that they are a necessary condition. Indeed, some thinkers have gone further and portrayed elections as the very heart of democracy". The point being made here is the indispensability of election in any democratic and civil dispensation. Albeit, these authors did justice to the concept of election, they appear to have missed a gap, since while they concurred that election is a process, they however failed to identify those processes and steps involved inefficient and effective management of such exercise.

Similarly, (Egwu, 2007) in his contribution in the chapter two of “Perspectives on the 2003 Elections in Nigeria (A Special Edition of IDASA Conflict Tracking Dossier)” made a brief but interesting submission about the import of election. He did not only make it clear that election offer a way through which the people exercise their right to determine their rulers, but equally stated that election promotes legitimacy and accountability. This informs his subsequent submission that the Election Management Body must therefore be “Proficient and efficient in election management”. To him, election has been defined as “one procedure of aggregating preferences of a particular kind”. He added that “an essential requirement of election in a democracy is that it should be free and fair in both procedures and outcome” (Egwu, 2007; p.11). He therefore used (Mackenzie 1967) four conditions of a well-managed election, to drive home his postulations. These identified four conditions are thus:

- 1.) An independent judiciary to interpret the electoral laws.
- 2.) An honest, competent and non-partisan administration to manage the elections.
- 3.) A developed system of political parties, well organized to put their programmes and candidates before the electors as alternatives between which to choose.
- 4.) A general acceptance throughout the political community, of certain rather vague rules of the game.

Also writing on the primacy of electoral exercise in a state, (Eya, 2003), viewed election as the selection of a person or persons for office as by ballot and making choice as between alternatives. The elucidation of (Onyeka, 2003) complements (Eya, 2003), when the former averred that election “reinforces the concept of self-rule, celebrates it and legitimizes governmental power”. The concern this raises is whether or not an election result that glaringly falls below twenty seven percent of the entirety of registered voters (majority) is qualified to be said to have enhanced the legitimacy of the government it enthrones, since elections, according to (Onyeka, 2003), enhance the amount of popular participation in the political system. Albeit (Onyeka, 2003), succeeded in illuminating clearly the concept of electoral politics, it failed to point out that it is not all elections that enhances legitimacy, of course, election ridden with apparent inefficiency on the side of the electoral umpire can neither promote legitimacy nor encourage popular participation. This leads the review of this study to literatures bordering on management of election and electoral resources.

Accordingly, election management has been described as the organization of all stages of the electoral process, “It involves the planning, organization and the conduct of elections”, (Ajayi, 2007; p.144). He further opined that election management can be classified into three stages which include pre-election, election and post-election activities. The pre-election phase involves delimitation of constituencies, registration of political parties and eligible voters. It also includes screening and verification of candidates for elections, (Ajayi, 2007; p.144). Election activities includes: voting by eligible and registered voters, counting of votes, collation and announcement of final results, and the declaration of results. Post-election activities according to him includes: attending to election complaints and litigations by aggrieved candidates and parties. To be sure, this view tends to revolve mainly around voting activities. It did not take into necessary cognizance of other aspects of the management of electoral process such as the implementation of certain statutory provisions that spells out the responsibilities of INEC, and how manpower and materials can efficiently and effectively be managed.

(Adebiyi, 2015; p.5), observed that election management involves the facilitation of voting and administration of elections at all levels, from local to federal, which according to him includes “the organization of election agencies, the behaviour and character of state and local election officials, the process of conducting elections and the implementation of election policies”. It further includes according to him, the running election at different stages in relation to activities such as maintaining voters’ registration lists, drawing precincts, selecting polling sites, procuring equipment, recruiting and training poll workers, evaluating and implementing improvements to the electoral process itself. Election management ranges from the maintenance of the state-wide voter registration and the implementation of federal and state laws and policies concerning elections.

Furthermore, (Alemika & Omotosho, 2008; p.3), did not only describe election management as a conscious organization, supervision and conduct of elections by the electoral management body, but equally maintains that any electoral process devoid of elements of management prowess in terms of the materials and personnel, portrays every indices of inefficiency on the side of the electoral umpire. They went further to state certain elements of a hitch-free electoral exercise, viz:

- 1.) Inclusive and popular participation;
- 2.) Comprehensive and up-to-date voters’ registration;
- 3.) Ad hoc staffing and effective training;
- 4.) Judicious procurement of voting materials;
- 5.) Regulated political campaigns;
- 6.) Free and fair elections with outcomes that reflect legitimacy of government;
- 7.) Accountability of the rulers through democratic institutional oversight;
- 8.) Scrupulous observance of the rule of law supported by independent judiciary.

Also writing on different aspects or facets of the management inadequacies of INEC, (Obegolu, 1999; p.22) mentioned and explicated in passing some of the challenges, such as:

- 1.) Registration of fake names as voters during the registration of voters exercise.
- 2.) Tampering with register of voters.
- 3.) Absence of electoral officials and materials at the polling stations.
- 4.) Voting by non-registered or unaccredited voters.
- 5.) Unguided political campaigns.
- 6.) Candidates supply of ad hoc officials.
- 7.) Inadequate training of electoral officers, etcetera.

In summary therefore, having consulted widely various textbooks, newspapers, journals and internet materials on the subject matter of election management, it is safe to contend that the level of efficiency or otherwise in relation to election management by INEC will be largely determined by certain multifactorial variables, notably the institutional capacity of the electoral umpire to effectively and judiciously manage electoral manpower and materials, and of course, the character of the state politics.

#### **V. Brief Account and Particulars of the 2017 Anambra State Gubernatorial Election**

Strictly speaking, the 2017 gubernatorial election in Anambra state- one of the thirty six (36) states of Nigeria, as organized by INEC was held on November 18, 2017, across the twenty one (21) Local Government Areas of the state, and was contested by thirty seven (37) political parties recognized by INEC. The total number of registered voters by INEC were 2, 158, 171 million, (Vanguard Newspaper, October 18, 2017). From this large number of registered voters, the INEC Returning Officer of the Election, Prof. Zana Akpagu, declared that only 448, 771 total number of votes were casted, which constitutes roughly 21.74% of the total number of registered, (Vanguard Newspaper, November 19, 2017; thereby raising a question in relation to whether or not a government midwived by such an election is truly derived from the consent of the majority of the people or electorates.

At the heart of the issue of poor voters turnout thereof, were other plethora of issues bordering on the inadequacy of proper conduct of the said election. Along this line, there were multiple incidences of late arrival of electoral materials and manpower, non-functionality of card reader devices, and suchlike; which alongside the already existing challenges, culminated to a poorly managed election. It also worthy to note that part of the constitutional and statutory duties of INEC is to ensure voters education aimed at increasing the political consciousness of the people vis -à-vis elections; this, INEC clearly failed to achieve.

From the foregoing, it became pertinent, to interrogate and appraise the performance of INEC in the election under focus via various Post-election Reports and observations; particularly in view or anticipation of another gubernatorial election in the state recently scheduled to hold on November 6, 2021.

#### **VI. An Appraisal of the Evaluations by Various Post-election Reports and Studies of the Performance of INEC in the 2017 Anambra State Gubernatorial Election**

The basic thrust of this arm of the study is to make a modest attempt at appraising certain research-oriented Post-election Reports of some institutions vis-à-vis the level of performance of INEC in the management of the Anambra state 2017 gubernatorial election. The level of performance of INEC in this context, was largely viewed from the birds-eye-view of the plethora of inadequacies and inefficiency that trailed the election. Accordingly, these existential realities which form the documentary evidence used herein, were retrieved from the Post-election Reports for the purpose of establishing a nexus between these inadequacies of INEC and the poorly managed election; in fact, the significance or relationship is such that the former represents the indices of the latter.

In line with the foregoing, Youth Initiative for Advocacy, Growth, and Advancement (YIAGA Africa, 2017), in their Reports on the 2017 Governorship Election in Anambra state titled 'Watching The Vote (WTV Report, 2017; p.25), states that based on the data received from 243 out of 250 sampled points across all twenty one (21) Local Government Areas of the state, the following field survey-oriented observations were made:

- 1.) Election logistics: The management of election logistics for the election was significantly poor, especially in rural areas. For Awka North and Awka South LGAs INEC officials arrived 67% and 69% of the polling units by 7:30 am while the average for the state is was only 28%. This relates to the early deployment of sensitive materials from the local government offices to the Registration Area Centres and polling units. From the data in the Report, it was

obvious that Registration Area Camps (RAC) were not activated in some LGAs due to absence of security personnel or poor transportation arrangements by INEC. When compared to the 2013 Anambra governorship election data, YIAGA WTV notes a trend of poor management of deployment of election materials. In 2013, only 39% of polling units recorded arrival at 7:30am.

- 2.) Accreditation of voters using the card readers: The perennial challenges of failure of the card reader to authenticate fingerprints of registered voters remains prevalent. YIAGA WTV Reports suggests that some voters were accredited to vote without fingerprint authentication. Approximately, one (1) in four (4) voters were accredited even though the card reader could not authenticate their fingerprints and in certain cases, only their permanent voters' cards were authenticated by the card reader.
- 3.) Poor Voter turnout: YIAGA WTV Reports suggest poor turnout for the 2017 election - between 21% and 25%. They noted that in 2013, the gubernatorial election was similarly low with only 26.3% of registered voters going to the polls.
- 4.) Secrecy of the ballot, vote buying and bribery: According to the Report, evidence abound that the secrecy of the ballot in the 2017 gubernatorial election was undermined in the polling units. This created opportunity for vote buying and bribery of election officials. These illegal acts occurred in the presence of security officials who made no arrests or attempts to abate the illegality.

In a similar vein, the general overview of the Post-election Report issued by the Nigerian Bar Association Working Group (NBAEWG) on the Anambra state gubernatorial election is as follows:

- 1.) INEC officials were not very adequate in most of the polling units visited.
- 2.) There was generally a poor turnout of voters, especially when compared to the number of registered voters in the voters' register.
- 3.) Late deployment of electoral materials and INEC officials to the polling units.
- 4.) The election was marred by a lot of logistics challenges.
- 5.) The team observed that parties were involved in vote buying at the various polling units, and even financial inducement of INEC officials. Parties have shifted from ballot box snatching to outright buying of votes at the polling station.
- 6.) The card reader devices could not authenticate the finger prints of most voters, and in some cases, could not also authenticate their permanent voters' card.
- 7.) The team observed that civic cum voters' education was lacking on the part of INEC, and even the political parties, as they noted that there were instances of elderly and illiterate persons going to cast votes without a clue as to who was being voted for, and for what purpose.

Along this line, CLEEN Foundation (Centre for Law Enforcement Education), reported that albeit voters' accreditation exercise for the Anambra state gubernatorial election was scheduled to start at 8:00 am, that the setup of polling units and accreditation of voters in some local governments actually started very late. This was attribute to the late arrival of INEC officials and materials for the election. To be sure, this is in rhyme with the NBA Election Working Group (EWG) report that at some electoral wards it visited in Idemili North local government, such as Ogidi wards, accreditation started between 11:00 am to 11:30 am; while at other places, the situation was a lot worse, thus, in Awka South local government area, particularly at Umunono Hall PU/007 and 008, as at 12:00 pm, no INEC official nor voting materials had arrived. In Idemili North local government area of Anamba state, specifically Awada primary school, PU(Polling Unit) 003, Nwaziki Playground PU 004, as at 1:00 pm, no INEC officer or materials had arrived at the polling units; so also at Nkpor junction PU 010, 011, 012 and 013.

It is not extraneous to equally note that Transition Monitoring Group (TMG), Nigeria, also observed that in some of the polling units visited, the voters came with cards that had a different picture from that in the voters register. This was also the case in Aguata local government area. Furthermore, from the findings in a thesis traceable to (Omaliko, 2021), the responses retrieved through the instrumentality of questionnaire issued via a field survey therein, reveal that more than 67% of the respondents are of the conviction or view that INEC poorly performed the role of election management in the 2017 gubernatorial election in Anambra state, and that the rentier and elitist character of the state politics adversely influenced the level of performance of INEC at the said election.

## VII Conclusion

Taking cognizance of the combined effects of the relevant sections of the Constitution of the Federal of Nigeria, 1999, as amended, and the 2010 Electoral Act- both mentioned ab initio at the introductory portion of the study; the basic essence of an Election Management Body in any democratic state is to effectively and efficiently organize, supervise, and conduct elections.

Against this backdrop, it is therefore clear that when an electoral umpire such as INEC fails in discharging these functions efficiently, or poorly does same, questions in relation to the level of its performance in that regard often crop up; threatening the credibility of the Election Management Body, and the legitimacy of any government that is constituted thereof.

The thrust of this study is thence to appraise the performance of INEC in the Anambra State 2017 gubernatorial election, as well as determine the significant relationship between the phenomenon under study and the character of Anambra State politics, and its concomitant effect on the legitimacy of the government of the state. The outcome of the study indicated that the institutional incapacity of INEC, and the rentier and elitist character of Anambra State politics are significantly responsible for the poor management of the 2017 gubernatorial election. Accordingly, there is significant relationship between the inefficiently and ineffectively managed election, and the legitimacy of the government of the state which was midwived by the said election. These assertions stem from the findings evident in the several Post-election Reports and research-oriented studies appraised and evaluated herein.

#### **VIII. Recommendations in Relation to Possible Enhancements of the Performance of INEC in Subsequent Election Management**

Based on the various appraised evaluations, reports, and findings of this study, the following recommendations are made:

- 1.) There is need to reorient the character of Anambra state politics, in order to make it more participatory, and also in order to do away with the rentier mentality of excessive money-bag politics, which has the propensity of affecting INEC adversely.
- 2.) INEC should act with utmost professionalism. This requires strict compliance with the regulatory framework of elections in all circumstances, despite the odds or pressures from the political class or any quarter. Additionally, INEC needs to revisit the model it adopts in deployment of personnel and materials, so as to arrest the preponderance of late commencement of accreditation and voting.
- 3.) INEC in collaboration with the National Orientation Agency (NOA) should intensify efforts geared towards voters' education and mobilization. There is need for targeted voter education for special interest and marginalized groups such as youths, women, People Living with Disabilities (PWDs). This holds the potential of strengthening the legitimacy of any government that emerges, among other things.

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