

ELECTION IN NIGERIA: A REVISIT OF THE JANUARY 13, 2018 ANAMBRA CENTRAL SENATORIAL DISTRICT RERUN ELECTION

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ABSTRACT

The credibility and acceptability of any election outcome in Nigeria is based on the transparency, freeness and fairness of the electoral process. The study focused on election in Nigeria with particular emphasis on the 13th January 2018 Anambra central senatorial district rerun election. The study relied on the elite theory as its framework of analysis. The elite theory is of the view that the elites dominate the formal institutions of government and are a determining factor in governance and decision-making processes. Data for the study were basically selected from secondary sources and personal observations. The study revealed that, although the rerun election was neither perfect nor faultless, logistic and operational problems were identified. Finally, the paper recommended among others that the issue of vote-buying and challenges posed by INEC card reader should adequately be addressed. Also INEC should insist on strengthening its human resources in the use of smart card reader.

Key words: *Anambra Central, Democracy, INEC, Political Parties, Rerun Election.*

INTRODUCTION

Election which could be described as an indispensable tool for facilitating the process of democratization and democratic good governance simply because it provides the eligible voter the opportunity to openly choose credible candidate for effective representatives in government. Within this scenario, election creates the social contract

between the stakeholders and their representative. According to Nnadozie (2005,p.112) if the elementary definition of democracy is accepted as the government of the people, by the people and of the people, then elections would appear to be the only mechanism by which a democratic government can be realized and entrenched particularly in modern era. Thus, the key variable in election is “choice” which it is ultimately organized to enable the eligible voters of a determinate *polis* express their choice by voting for the credible candidate of their choice. The bone of contention in election is to avail the individual an opportunity to choose between contending ideologies and methods of public administration.

However, the history of democratic elections in Nigeria date back to 1922 when Sir Hugh Clifford disposed the Nigerian Council of Lord Lugard (1914) and set up a new legislative council for the Southern Protectorate. The membership of the Clifford legislative council was 46. Twenty- seven out of the 46 members were officials while 19 were unofficial members. Ten out of the 19 unofficial members were Nigerians and out of the 10 unofficial Nigerians, 4 were elected, 3 from Lagos and 1 from Calabar. The remaining six were appointed by the governor. The Northern protectorate was excluded from the council. The governor continued to govern the North by proclamation. The Clifford constitution of 1922 for the first time established the elective principle in Nigeria. However, the elective principle was restrictive to male adults that have resided in Nigeria for over 12 months and have gross annual income of 100 pounds. The Clifford constitution of 1922 also created the consciousness and awareness for the establishment of political parties in Nigeria. For example in 1923, Herbert Macaulay founded the first political party in Nigeria, the Nigerian National Democratic Party (NNDP), and also established a newspaper called the West African Pilot (Dibie, 2008).

According to Abubakar (2015) shortly after Nigeria’s independence there was a transition from the colonial rule to the country’s first ever election fueled largely by an electoral process in crisis. The country and her leaders have refused to learn from history and avoid the pitfalls of past mistakes in order to pave the pathway for a secure political future. Rather, the electorates and politicians alike have continued to perpetuate the worst forms of our political processes characterized by ugly incidents of political thuggery and violence, electoral malpractices both at political party level and general elections, unending law suits, crisis of legitimacy, instability and chaos. The issues indentified with the first post independence national election of 1964 and the 1965 Western Region election culminated in the January 15, 1966 coup. The former was characterized by wide spread rigging, intimidation and chaos that some of the major political parties decided to boycott the election, creating in its aftermath serious constitutional dilemma. The latter election of the Western Region was also marred by the problem of massive rigging and other irregularities plus wide spread violence,

giving the impetus for the first military coup in Nigeria and the culture of instability that was to beset the country for over three decades (Abubakar, 2015).

Since the inception of the fourth republic, the 1999, 2003, 2007, 2011 and 2015 elections, elections conducted during this period of Nigeria's democracy have been lampooned by many critics as far from being free and fair. The Anambra State central senatorial district rerun election conducted on 13th January, 2018 were, on average, adjudged to be free and fair, and acceptable to the majority of the people of the constituency and the election observers; though they were limitations such as logistic challenges, the elections was considered as an improvement over the previous election conducted in the State. Against this backdrop, this paper focus on election in Nigeria with particular emphasis on Anambra Central senatorial district rerun election of 13th January, 2018.

Research Methodology

Data for this study were generated through a careful review of relevant literature. The relevant literature were drawn from text books, journals, newspapers, Internet sources and documentaries from the Independent National Electoral Commission (INEC). The study also benefitted from participant observation based on the fact that the researchers were Ad-hoc officials of INEC and have been actively involved in the electoral and governing process as observers including interaction with some INEC officials and voters during which the authors discussed their different experiences with regards to Anambra Central senatorial district rerun election of 13th January, 2018. The data for this paper were analyzed using the discourse analytic method. It focuses on the analysis of knowledge information deducted from the issues raised in the paper in the light of available data gathered.

Conceptual Issues of the Study

Understanding Election in Nigeria Democracy

Election is the doorway into a any democratic practices and facilitates a stable and progressive society. Without free and fair elections, there can be no sustainable democracy. According Sagay (2008), elections are part and parcel of the democratic process, and as the right to democratic governance has become established as a human right, so too has the right to regular, free and fair elections. Election is conducted periodically as the case may be to fill public offices at various level of government be it federal, state or local. Eya (2003) succinctly put it that election is the selection of a person or persons for office as by ballot and making choice as between alternatives. Osumah & Aghemelo (2010) posited that election is a process through which the people choose their leaders and indicate their policies and program preference and consequently invest a government with authority to rule. Election is a major feature in

a any democratic dispensation and this is because the people must have their voices heard and opinions valued in making decisions that concerns them.

Democracy is the system of government that is concerned with the rule of many and also a representation of genuine interest of the people. These qualities of democracy differentiate it from other forms of government that are dictatorial and which does not adequately put into consideration the wishes and desires of the people in whatever sphere be it in the choice of a credible candidate who will represents them in government or in overall decision making. Democracy is a system of government that many countries across the globe seek to adopt and those countries which have already adopted it seek to make it more developed for the purpose of reaping the dividends of democracy. Olaitan (2005) argues that the problem of sustaining democratic rule have coalesced around disputations on elections, suggesting the need to isolate the conditions under which elections contribute to the collapse of democracy since it is ordinarily expected to contribute to the building of democracy. From the above discussion, it becomes imperative that election in a democratic setting lies in its ability to help produce legitimate and democratic rule by adequately ensuring that those elected are not just the representatives of the elector, but are also responsible to them. This implies that the will of the people must be fully put into consideration and has to be expressed in a particular manner to meet some excepted conditions. In words of Peter (1987,p.77) cited in Olatitan (2005):

....the key to mass participation in democracy is... (election).
Elections represent a way of making a choice that is fair to all- one that leaves each member of the electorate reasonable hope of having his alternative elected.

This therefore implies that election would cease to be meaningful if it does not in anyway manifest the interest of the elector. However, a situation where the political environment has forced many to see elections in Nigeria as a mirage or a mere 'selection'; selection in the sense that the electorate are left out of the entire system, owing to the fact that elections are conducted with or without the active participation of the elector, who are supposed to choose those who rule over them. Election management in Nigeria have often been carried out without active involvement of the eligible voters. Therefore, elections are critical and very sensitive in the sustenance of our democracy.

The January 13, 2018 Anambra Central Senatorial District Rerun Election: An Overview The Independent National Electoral Commission (INEC) insisted that the Anambra Central senatorial district rerun election be conducted as scheduled, on January 13. According to Tsa (2018), the Resident Electoral Commissioner (REC) in Anambra State, Dr. Nkwachukwu Orji, who made the disclosure, said its legal

department had studied the judgement and asked it to go ahead with the election as ordered by the Court of Appeal. In his words:

We're going ahead with the election as scheduled. We've started training ad hoc personnel in that respect. Our legal department has asked us to go ahead and obey the Court of Appeal order against the Federal High Court judgement.

So, we are going ahead to conduct the election on January 13," he stated.

Though some analysts and pundits were then of the opinion that the Anambra central senatorial district rerun election may not hold as scheduled due to the definite hearing of the suit brought by the candidate of PDP, Dr. Obiora Okonkwo who was to appear in court on Wednesday, January 10, 2018.

The INEC National Commissioner, Mr Solomon Soyebi, revealed that the decision to conduct the re-run election in the state was contained in a statement signed by an INEC National Commissioner and member of the Information and Voter Education Committee, Mr Mohammed Haruna. The Anambra Central Senatorial seat became vacant in December 2015 after a Court of Appeal in Enugu nullified the election of Uche Ekwunife, who contested under the platform of the Peoples Democratic Party (PDP). After the Independent National Electoral Commission declared her victorious at the March 28 poll, the candidate of the All Progressives Grand Alliance, Victor Umeh, filed a petition before the National Assembly Election Petitions Tribunal in Awka, challenging Uche Ekwunife's victory (Tsa, 2018).

However, in October 2015, Justice Naiyi Aganaba, upheld her election, declaring that Umeh failed to prove that Ekwunife was wrongly declared the winner of the Anambra Central senatorial district election by INEC. Again, Umeh challenged the verdict, at the Appeal Court, gaining some reprieve as the court nullified Ekwunife's election on December 6, 2015. In nullifying the election, Justice A.H. Yahya ruled that the election of Ekwunife, who had started serving as a Senator at the time, did not meet the provisions of the Electoral Act. The judge also ordered that a fresh election should be conducted for the senatorial district within 90 days. That, however, did not happen as Senator Ekwunife took her case to the Supreme Court. With the legal issues surrounding her election lingering, Ekwunife defected from the PDP to the All Progressives Congress on January 8, 2016 (Tsa, 2018).

On February 10, 2017, the Supreme Court dismissed her appeal, saying it did not have the jurisdiction to hear disputes from National Assembly elections. Nine months after, on November 20, 2017, the Court of Appeal sitting in Abuja delivered a judgment in which it ordered INEC to conduct the re-run election within 90 days of the judgement. Following the determination of the case, the electoral body observed that all hindrances to the conduct of the re-run election have been removed while there was no court order restraining it from conducting the election. The commission therefore had no other option than to consider all the circumstances surrounding the election,

particularly the 90-day timeframe ordered by the Court of Appeal; the demands for preparing adequately for the election, as well as the coming yuletide and decided that the rerun election shall take place on Saturday, January 13, 2018

(<https://www.channelstv.com/2017/11/23/breaking-inec-fixes-date-anambra-senatorial-re-run-election>).

The election conducted on 13th January 2018 were clear demonstrations that despite the clamour for democratic governance, majority of Nigerians were still politically apathetic. This is evidence from the official INEC (2018) document of the total Voting Age Population (VAP) in Anambra central senatorial district which stood at 747,695. Out of this figure, the total numbers of registered voters in the seven local government areas were 745,828. Regrettably, only 67,710 voters actually turned out to vote. The implication is that majority of the registered voters did not turnout for the election. Below are further details of the election.

Table 01: Delimitation and Voter Registration Information in Anambra Central Senatorial District

S/N	LGA	No. of RAs	No. of PUs	No. of VPs	No. of RAC Stations	Registered Voters
1.	Anaocha	19	310	316	6	96,105
2.	Awka North	14	130	140	5	56,284
3.	Awka South	20	255	337	7	151,599
4.	Dunukofia	14	146	156	5	64,164
5.	Idemili North	12	306	414	5	189,249
6.	Idemili South	12	200	231	4	101,501
7.	Njikoka	18	201	222	6	88,793
	Total	109	1,548	1,816	38	747,695

Source: *Independent National Electoral Commission (INEC) (2018)*

Keys: LGA =Local Government Area

RAs = Registration Areas

PUs = Polling Units

VPs = Voting Points

RAC = Registration Area Centres

Table 1 above implies that Anambra Central Senatorial district is made up of seven (7) local government as shown in the table. The total number of registration areas were 109. The total polling units stood at 1,548, voting points were 1,816, registration centres were 38 in number while the total registered voter as earlier indicated stood at 747,695. The table below shows the various political parties and their respective candidate.

Table 02: Political Parties and Candidates for the Election

S/N	Parties	Candidate (s)
1.	Accord (A)	Oyeh Mercy Uche
2.	Advanced Congress of Democrats (ACD)	Oby Kate Okafor
3.	African Democratic Congress (ADC)	Chief Anayo Nweke
4.	All Progressives Congress (APC)	Senator Chris Ngige
5.	All Progressives Grand Alliance (APGA)	Chief Victor Umeh
6.	Green Party of Nigeria (GPN)	Christopher, A Chukwendu
7.	Independent Democrats (ID)	Okafor Ikehukwu;
8.	Kowa Party (KP)	Chief Dennis Oguguo
9.	Labour Party (LP)	KingsleyChukwuma Nwafor
10.	Mega Progressive Peoples Party (MPPP)	Ekweozoh Nkem
11.	National Conscience Party (NCP)	Ubakamma Ikenna
12.	People For Democratic Change (PDC)	Rev. Charles Ekwueme
13.	Progressive Peoples Alliance (PPA)	Igwilo Michael.
14.	United Progressive Party (UPP)	Ikehukwu Obiekwe

Source: *Tsa (2018)*

Table 03: Voters Turnout and Election Results

S/ N	LGAs	A	ACD	ADC	APC	APGA	GPN	ID	KP	LP	MPPP	NCP	PDC	PPA	UPP
1.	Anaocha	8	1	10	120	12,245	7	0	4	19	14	1	1	19	12
2.	Awka North	2	2	8	157	7,572	3	2	1	5	11	3	0	4	1
3.	Awka South	7	12	22	231	4,647	13	4	2	23	10	23	1	8	6
4.	Dunukofia	5	3	6	124	7,307	7	3	2	9	4	6	3	41	8
5.	Idemili North	3	10	4	81	9,218	6	2	1	11	3	35	0	16	17
6.	Idemili South	5	0	4	104	12,384	5	3	0	11	0	1	0	12	4
7.	Njikoka	5	5	3	158	11,506	7	0	2	17	69	3	0	16	7
	Total	35	33	57	975	64,879	48	14	12	95	111	72	5	116	55

Source: *Eleke (2018)*

Looking at the analysis of the election in table 3 above, 14 candidates participated in the election. INEC (2018) reported that APGA won the election in the seven council areas. In announcing the result, Prof. Charles Esimone, the Returning Officer (RO), said Umeh having scored the highest number of votes with 64, 879, was the winner of the contest and returned elected. According to Eze & Muruako (2018) the removal of PDP from the ballot paper an added advantage to Mr. Umeh as he now has one less major challenges to the seat. The APC, with Sen. Chris Ngige as candidate, was second with 975 votes while Progressive Peoples Alliance (PPA) came third with 116 votes. Although, Sen. Chris Ngige, who is now the Labour Minister, listed as the APC candidate for the election did not participate in the election. This effectively means the APC has no candidate for the election. His words as reported by Eze & Muruako (2018):

My attention has been drawn to a list by the Independent National Electoral Commission(INEC) which contains my name as a candidate in the rerun Anambra Central Senatorial Election being conducted Saturday, January 13, 2018. For the information of the General Public and voters as well as my numerous supporters in Anambra Central Senatorial District, I'm not participating in the said election which can be described as a charade

From our observation although APC was voted for, it was actually 13 candidates that actively participated in the election. According to Chukinidi (2018) Umeh won the election by a very wide margin. Other parties that also garnered votes in the election were the Mega Progressive Peoples Party (MPPP), 111 votes; Labour Party (LP), 95; National Conscience Party (NCP), 72; Alliance for Democratic Congress (ADC), 57; United Progressives Party (UPP), 55; Green Party of Nigeria (GPN), 48 and Action Congress for Democrats (ACD) among others.

Theoretical Framework

The adoption of a reliable theory in explaining the Anambra Central Senatorial District Rerun Election of 13th January 2018 is a necessity. Several theories call for usage, however, the elite theory is deemed most appropriate. The proponents of this theory were Vilfredo Pareto (1848-1923), and Gaetano Mosca (1858-1941) (Dowse & Hughes, 1983). Elites are the decision makers in the society whose power is not subject to control by any other body in the society (Arowolo & Aluko 2012,p. 799). Elites, accordingly dominate the formal institutions of government and are a determining factor in governance and decision-making processes. The theory tries to explain the various relationships of power in the society. It states that a small minority consisting of members of the economic and political elites and policy-planning networks hold the most power, and that this power is independent of a state's democratic election process. Current elite theory defines 'elites' as actors controlling resources, occupying key positions and relating through power networks (Yamokoski & Dubrow, 2008). One of the core tenets of the theory is that major decisions which affect the society are considered by the elite, and these decisions usually reflect the interest of the elite rather than the wishes of the electors.

Application of the Theory

The level of stability and progress achieved in any society is a function elites' initiatives. Many of the civil unrest experienced and election irregularities in Nigeria cannot be divorced from the inclusion and activities of elites. The fact that Nigeria is oscillating between democratic stagnancy and governance backwardness is reflexive of elites' pursuit of personal aggrandisement and promotion of egocentrism rather than altruistic policies, that are nationalistic and 'people centric' in nature. It is obvious that the political party system within this period has failed to chart a course that could entrench genuine democracy (Ibietan & Ajayi, 2015). This idea was further stressed by Ikeanyibe (2009,p.70) while building on the works of other scholars that political parties, especially in Nigeria's fourth republic are "lacking in organization, discipline focus or souls. Their membership is filled by corrupt, unpatriotic and undisciplined political elite that sees election more as an investment than a call to serve people." The desperation of politicians to capture state power becomes clearer in

the light of these averments. In a related discourse, Onyishi (2007,p.199) was more pungent in positing that the inordinate quest to acquire and retain state power implies the deployment of “resources of the state in the struggle to retain it.” He submitted further that they “block every democratic tendency and continue to use all kinds of means to capture state power in order to protect themselves against the vagaries of politics.” This is evidence in the election in question where the issue of monetization of the political process for personal gain is given top priority. The implication of this practice is that its influence undermines democracy as a contest of ideas and can dilute the genuine expression of the popular will. It is predicated on this, that the discussion of this paper has its theoretical base laid in the elite theory.

Anambra Central Senatorial District Rerun Election: Operational Lapses

The Anambra Central Senatorial District Rerun Election of 13th January, 2018 although free and fair to some reasonable extent, but was still face with some challenges among which are:

▪ **Security Challenges**

The Nigerian nascent democracy has, without any shadow of doubt, become engulfed by the security challenges especially during elections. The sole responsibility of any government is to keep its citizens safe because like Hobbes observed, only the state has the wherewithal to guarantee security and save society from anarchy (and since government represents the state), the state through its government should provide adequate security to justify its *raison d'être* (Gaskin, 1996). Invariably, insecurity is the antithesis of security and has attracted such common descriptors as want of safety, danger, hazard, uncertainty, want of confidence, state of doubt, inadequately guarded or protected, instability, trouble, lack of protection and being unsafe, and others (Achumba, Ighomereho & Akpor-Robaro, 2013).

Revisiting the election, Elekwa (2018) reported that the Independent Service Delivery Monitoring Group (ISDMG) expressed dissatisfaction over the near absence of security operatives in the just concluded Anambra Central Senatorial District rerun. The Executive Director of the group, called for proper investigation of the claims by the police which said it deployed over 4,000 officers for the election. Further, preliminary findings indicated “gross inadequacy of security agents in many of the polling units visited”, a development he said exposed the electorate to unforeseen danger. For example in Enugwu-Agidi Secretariat, the security agents left the polling unit earlier before the official closing time.

▪ **Political Apathy**

Political apathy could be described as the lack of interest in taking active part in matters of politics either by voting or being voted for or having no share in political activities. This is not unconnected with the belief that vote does not count in Nigeria.

The election registered poor voters turnout in all the seven local government areas of Anambra State involved. Commenting on this, Nwanosike (2018) noted that apathy mars Anambra central senatorial election. Most eligible voters did not just show adequate interest in the election. In some polling units, electoral officers were seen sitting idle as a result of low turnout by voters. The most noticeable manifestation of these attitude according to Chukindi (2018) were in Ebeakpu square unit 11, Amawbia ward one, Awka south LGA. Also in Agulu, the Agulu Lake Migrant School polling unit was desolate, with only polling officers seen in the square. One of the INEC staff who refused to disclose his name said the officials will remain at the centre until the stipulated time for voting before leaving.

▪ **Vote-Buying**

Vote-buying connote the exchange of voting right by the voters with money from a candidate in an election. It is a process whereby the individual conscience and views are manipulated to the advantage of the political parties' candidates in an election through the use of money or other material things to induce and appeal to the electorate directly or indirectly. According to Fredrick & Andreas (2005), candidate 'buy' and citizens/electorate 'sell vote', as they buy and sell apples, shoes or television sets. Parties and candidates buy votes by offering particularistic materials to voters. Candidates may generally aspire to purchase political support at the ballot box in accordance with the idea of market change. Vote-buying may carry different meaning in different cultural context (Owasa, 2013,p.3).

To buttress this point, the place of money in Nigeria politics again reared its head during the election as agents of different political parties were sighted openly distributing cash gifts at polling booths to sway the support of voters. According to an eye witness, the party agents, who are believed to belong to one of the major political parties in the election, were secretly canvassing for votes by distributing various gift items to the voters. For example it was further noted that in some polling units in Njikoka LGA, party agents and supporters were seen distributing cash to voters after ensuring that beneficiaries voted for their party. The idea of money politics and vote-buying is the major factor inhibiting credible elections in contemporary Nigeria.

▪ **INEC Card Reader Hitches**

The INEC card reader is a portable device used in voting. The Electronic voting authentication device is configured to read only the Permanent Voter Cards (PVCs) issued by the Independent National Electoral Commission (INEC). According to INEC (2017,p.53) the Card Reader is used to verify the biometrics of the voter, thereby check-mating all forms of impersonation by voters. The Card Reader was configured to read only the PVCs of a particular polling unit and can only work on election day.

The card reader posed some challenges in some polling units in the course of the election. In places like Ichida Ward 1, Umuezesue Hall in Anaocha LGA, accreditation and voting were delayed due to card reader hitches. Also in some polling units in Idemili North there were difficulties in operating the Card Readers. A few of the Card Readers were unable to function due to non activation of the Subscriber Identification Module (SIM) card in the device and low battery.

Concluding Remarks

The study has demonstrated that the January 13, 2018 Anambra Central Senatorial District Rerun Election conducted in Anambra State, Nigeria were neither perfect nor faultless; thereby revealed persistent challenges, which includes logistical and operational problems. Nevertheless, the elections provided a genuine opportunity for eligible voters in Anambra central to exercise their right to vote and for their votes to count compared to the previous elections. However, there are still critical areas of concern which need urgent attention as shown in the paper. These includes strengthening the legal instruments governing the country's elections especially in light of outstanding issues that have been highlighted in case of Anambra Central Rerun Election. The challenges posed by card reader should adequately be addressed. INEC should insist on the use of trained /competent human resources in smart card reader.

It may further be argued that money politics and vote-buying cannot be completely eradicated in Nigeria election. However to some extent strict adherence to spending limit during election campaign should be put into cognizance. Conclusively, the Nigerian economy must be repositioned to empower the people economically. This is because where poverty is minimal the electorates can then make independent electoral decisions in voting for credible politicians' rather than least qualified candidate that specialized on money spending.

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