

Being the text of a lecture delivered at The Electoral Institute at The Conference on Post 2015 General Elections: The Real Issues. By Barrister Mike Igin, titled; “Electoral laws and the conduct of the 2015 General Elections”

Introduction

The Legal framework for an electoral system is a composite of laws including constitutional provisions, electoral Acts, guidelines, legal precedence and codes of conduct. Such statutes/laws must be unequivocal in policy goals and thematic directions that should facilitate the functions of the election management body(EMB) in its engagements with all stakeholders, such as allowing for successful delineation of electoral constituencies, defining contestable positions, eligibility of candidates, and clearly defining the roles and ethical expectations of election managers. Additionally, it should enable effective mechanisms for conflict and dispute resolution before, during and after elections. Such legislation should be coherent, complete, systematic and fully applicable, as their defects would undermine the electoral system. The 2015 General elections encompassed the entire processes enumerated above and same is of necessity governed by laws, the foundation of which are the relevant provisions of the 1999 Constitution of the Federal Republic of Nigeria (As Amended); with broader provisions contained in the Electoral Act 2010 (As Amended), while the guidelines of the Independent National Electoral Commission (hereinafter called INEC) outlined step-by-step procedures/rules and ethical expectations for the election cycle. This lecture will, therefore, examine some of these laws and how they assisted or impeded the management of the 2015 elections. In the first section, a background review of the

principles guiding electoral laws globally and the historical context of the evolutionary development of electoral laws in Nigeria is discussed, in the next section electoral laws which had salience during the conduct of the 2015 election in the key phases of the election cycle are highlighted, in the third section recommendations are made stemming from the observations on the identifiable gaps in the electoral laws in the conduct of the 2015 election and a concluding section is added.

Background

To allow for necessary flexibility in election administration, provisions of the law relating to management of elections are often incorporated into parliamentary legislation such as Electoral Acts, while ongoing plans for elections such as departmental procedures and rules guiding elections are contained in manuals and directives of the Electoral Management Body like the INEC 2015 election Manual. Due to the cumbersome processes associated with constitutional amendments, Electoral laws within a constitution are often limited to grand directives such as the right to vote and to be voted for; time to conduct election, procedure of election, institutions subject to democratic elections and their terms of office; the composition of any non-elected institutions; and the body or agency to be entrusted with the conduct of elections.

Guiding principles of election legislation includes (ACE Project, 2010):

- It should be stated in clear and unambiguous language.

- It should avoid conflicting provisions between laws governing national elections and laws governing sub-national (state) and local elections;

provisions governing the administration of national elections should be in harmony with the provisions governing such other elections because court decisions at one level could affect legislation in other jurisdictions.

- The respective powers and responsibilities of the national and local electoral management bodies, and governmental bodies, should be clearly stated, distinguished and defined to prevent conflicting or overlapping powers being exercised by other bodies.
- It should be enacted sufficiently far in advance of an election date to provide political participants and voters adequate time to be familiar with the rules of the election processes. Election legislation enacted close to election time tends to undermine the legitimacy and the credibility of the law and prevents political participants and voters from becoming informed in a timely manner about the rules of the election processes.
- It should be enacted in accordance with the applicable legal provisions governing the promulgation of laws by the legislature. Election legislation that is not enacted in accordance with the applicable legal provisions may be challenged and risks annulment by the courts.
- It should be published and made readily available for the intended users including the general public.

- It should harmonize with legislation guiding media, party financing and campaigns, party registration, citizenship, national registers and identity documents, and criminal provisions which have bearing on elections
- It is better enacted by the legislature through debate and consensus of contending political groups, than through executive fiat of an EMB
- It should within a clearly defined scope of authority, give the Election Management Body sufficient room to be able to issue instructions consistent with the electoral laws, to further clarify issues related to elections, and deal with gaps in the election law arising from unforeseen contingencies
- It should give room for complaints and appeals from voters and participants regarding issues related to adoption and implementation of election laws and give a time frame to deal with such issues
- It should clearly state the legal hierarchy, namely; the precedence of constitutional and legislative provisions over the instructions of the Election Management Body.

Development of Election Laws in Nigeria up to the 2015 Elections

Due to the adversarial nature of politics as a contest for the advantage of interest and access to power, and again given the notorious fact that politicians whose conduct are supposed to be regulated by laws are the ones who design electoral legal framework. Consequently, most of the election laws enacted in Nigeria between 1922 and 2007 were largely influenced by vested political interest and did

not abide strictly by the outlined principles above. Infact, election management during these periods in Nigeria were characterized by one form of crisis or another and sometimes even leading to violence, killings and destruction of properties. However, the electoral law principles above started receiving closer attention in Nigeria from August 28th 2007 when the Yar'adua government instituted the Uwais Committee on Electoral reforms. Infact, the development of electoral legal framework in Nigeria has a very volatile history spanning about ninety three year (93) years from (1922 to 2015) when these changes have occurred (National Working Group, 2009:22; Human Rights Watch,2007).

In terms of historical legal development, the legal framework for elections in Nigeria evolved in the following chronology:

The "**Elective Principle**" introduced by Sir Hugh Clifford was used in 1922 for the Calabar and Lagos Municipal Elections and was also used in the 1946 Council Elections (Eko-Davies, 2011). The guidelines only provided for the participation of a few Nigerians and voting was conditional upon tax payment, restricted to adults with an annual income of not less than 100 Pounds sterling, then a monumental fortune. There was restriction of voting either by tax or sex, up until 1959 when full universal adult suffrage was adopted nationwide when and was also retained in 1979.

The Elective principle of 1922 was modified in 1951 to include provisions for Regional Electoral colleges with the expansion of the representation of indigenous Nigerians in the 148 member House of Representatives out of which 136 got elected. In the legal framework, the Eastern and Western Regional Houses of Assembly had a Primary, Intermediate and Final Electoral Colleges, while the Northern Regional House of Assembly had a system of open voting in wards and

villages as the beginning of a five stage process with the Electoral College as the final stage.

By 1958 the first detailed electoral regulation, the Elections Regulations of 1958 (**For the House of Representatives**) was drafted, but was amended subsequently in 1959, as the Federal Legislative House Regulations of 1959. Yet, this was replaced by The Nigeria Electoral (**Transitional Provisions**) Act of 1961 which was the first comprehensive Electoral law drafted by the Indigenous Nigerian legislature.

The latter Act was replaced by a more comprehensive Electoral Act of 1962, the first most definitive Electoral framework in post-independent Nigeria. The 1962 Act had a post-election dispute requirement including the need to pay deposit on lodging an election petition. This latter addition was later abolished in the amendment of the Electoral Act of 1964. Further developments of Electoral laws were stymied by the post-election conflicts which led to military interventions and civil war in 1966 up to 1970. It wasn't until 1979 that political activities were restored again with the promulgation of the Electoral Decree of 1977.

The 1977 Electoral Decree introduced several milestones including; reduction of voting age from 21 to 18years, the mandatory need to show a three year tax clearance certificate before a person can qualify to contest elections, the disqualification of electoral officers from voting in elections, and for the first time, it placed a time limit for the conclusion of election petitions before winners are sworn into offices different from what we currently have in section 285 of the 1999 constitution (as amended). The 1977 Electoral decree was modified in 1978 and created the procedure for fielding candidates for election. The 1977 Electoral Act was succeeded by the 1982 Electoral Act, with the Federal Electoral Commission

mandated by the Act to compile a new voter's register. The Act was used to conduct the 1983 election that was followed by much disputation with another military intervention due to post election crises. As a result, further development of electoral Laws were put on hold until 1987 with the introduction of the Transition to Civil Rule (**Political Programme**) Decree of 1987 and the formation of the National Electoral Commission of Nigeria by the Babangida administration. The effective period of the framework was extended when the State Government (**Basic Constitutional and Transitional Provision**) Decree No 50 of 1991, the National Assembly (Basic Constitutional and Transitional Provisions) Decree No.18 of 1992 and the Presidential Election (Basic Constitutional and Transitional) Decree No.13 of 1993 were then enacted and became the framework used in 1993 when a General election was finally conducted.

In terms of legal framework development, these frameworks introduced for the first time, educational qualifications for candidates seeking governorship positions and membership of the House of Assemblies to possess at least School Certificate or equivalent. The Decree ousted the jurisdiction of the courts in intra-party and inter party disputes. Thus, Election Tribunals established under the Decree could only entertain election petitions only on the ground of undue return at the election.

The history of the 1993 General Election is well documented; suffice to say that it can be used as an example of the fact that even if an election was well conducted with a good legal framework, we can still have an unacceptable outcome if the political ambiance is unsupportive of transition, indicating that more than a good legal framework and good election management is enough for political transition. At any rate, as a legal framework, the 1993 framework gave way for Decree No.3 of 1996 by the General Sani Abacha Government, which also established the

National Electoral Commission of Nigeria (NECON) with this decree. The latter framework was replaced by the Local Government (Basic Constitutional and Transitional Provisions) Decree of 1997, the State Government (Basic Constitutional and transitional Provisions) Decree No.22 of 1997 and the National Assembly (Basic Constitutional and Transitional Provisions) Decree No.6 of 1998 all of which were meant to guide the transition elections planned by the General Sani Abacha Government which allowed the existing five registered parties to adopt him as their consensus presidential candidate, just before his untimely death. Upon the demise of General Sanni Abacha, the General Abdulsalam Abubakar regime commenced a new transition program using a new legal framework that includes; the Transition to Civil Rule (Political Programme) Decree No.34 of 1998; the National Assembly (Basic Constitutional and Transitional Provisions) Decree No.5 of 1998; and The Presidential Election (Basic Constitutional and Transitional Provisions) Decree No.6 of 1999.

These frameworks led to the restoration of political activities that heralded the current political dispensation. Since the use of the latter framework, there have been several amendments of the main electoral framework in the form of the 2001 Electoral Act, the 2002 Electoral Act, the Electoral Act of 2006 and the Electoral Act of 2010 (as amended). The last amendment provided for tenure of Office of The Secretary to INEC, and empowers INEC to determine the procedure for voting at an election, but rejected the proposal for INEC to conduct all elections the same day, the committee noted that the commission lacked the capacity to manage large scale elections in a single day and also rejected the proposal to make presidential debates mandatory before an election. In holding the latter position, the committee argued that, election debates should not be made a constitutional matter. Thus, it can be seen from the long periods of development and the constant changes even

within short periods to the legal framework for elections that many interest and factors influence the development of such frameworks, hence, it has been more of an evolutionary development than a revolutionary one.

For the sake of students of political science and staff of INEC, I shall present the chronology of development of Legal frameworks for Elections in Nigeria in tabular form below:

Era/ Time Frame	Electoral legal framework	Elections used for	Regime
Elective principle 1922-1951	Elective Principle in the Hugh Constitution up to the McPherson Constitution	Municipal Council elections, and later Regional legislative elections	Colonial regime
Federal Legislative elections Regulations 1958-1961 Elections Regulations of 1958 Federal Legislative House Regulations of 1959.	Post-independence Federal principles	Federal legislative Elections	Late Colonial to early Post-Independence Civilian regime

<p>Early Post Independence Electoral Acts Nigeria Electoral (Transitional Provisions) Act of 1961 Electoral Act of 1962 Electoral Act of 1964</p>	<p>Post-independence Federal principles</p>	<p>Regional and Federal parliamentary elections</p>	<p>Early Post Independent civilian regimes</p>
<p>Post-independence Military inspired electoral Frameworks Electoral Decree of 1977 Transition to Civil Rule (Political Programme) Decree of 1987</p>	<p>Post-independence Federal principles after military interventions</p>	<p>1979 General elections 1993 General Elections</p>	<p>Post- Independence military regimes</p>

<p>The State Government (Basic Constitutional and Transitional Provision) Decree No 50 of 1991.</p>			
<p>The National Assembly (Basic Constitutional and Transitional Provisions) Decree No.18 of 1992.</p>			
<p>The Presidential Election (Basic Constitutional and Transitional) Decree No.13 of 1993.</p>			
<p>Decree No.3 of 1996 Local Government (Basic Constitutional and Transitional</p>		<p>1999 General Elections</p>	

<p>Provisions) Decree of 1997.</p> <p>The State Government (Basic Constitutional and transitional Provisions) Decree No.22 of 1997.</p> <p>The National Assembly (Basic Constitutional and Transitional Provisions) Decree No.6 of 1998.</p> <p>The Transition to Civil Rule (Political Programme) Decree No.34 of 1998.</p> <p>The National</p>			
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<p>Assembly (Basic Constitutional and Transitional Provisions) Decree No.5 of 1998.</p> <p>The Presidential Election (Basic Constitutional and Transitional Provisions) Decree No.6 of 1999.</p>			
<p>Post Military Era Civilian Legal Frameworks</p> <p>The 1982 Electoral Act</p> <p>The 2001 Electoral Act, The 2002 Electoral Act, The Electoral Act of 2006</p> <p>And the Electoral</p>	<p>Post Military Intervention Civilian legislature developed frameworks</p>	<p>1983 General Elections</p> <p>2003 General Elections</p> <p>2007 General Elections</p> <p>2011 and 2015</p>	<p>Post-military intervention civilian Regimes</p>

Act of 2010 (Amended in 2011, 2012 and 2015).		General Elections	
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Electoral Laws in the conduct of the 2015 Elections

As already stated, electoral laws are a composite of several laws that cannot all be reviewed in one lecture exercise, thus with respect to the conduct of the 2015 election, the key legal issues that gained salience during the election will be the focus of this section.

In this regard one will start with the pre-election legal issues including laws relating to constituency delineation (sections 71,72,73 and 74) polling units creation (S.42), party finances (S.91,92 and 93) Third schedule pt 1, paragraph 15(1) Card Readers vis-a-vis section 52 of the Electoral Act, the law on media access (S.100), time for commencement of campaigns (S.99), law on party nomination (S. 31),(S.87).

An important pre-election electoral law issue is that of delineation of constituencies or re-districting. Section73 of the constitution stipulates that "*INEC shall within review the division of states and of the federation into senatorial districts and federal constituencies at intervals of not less than tens years....*".

The last exercise was carried sixteen years ago by the military government in 1996. Its usually a very sensitive and volatile issue even in matured democracies across the world because if not properly handled, it could skew elections in favour of candidates/parties even before votes are cast through the process of

gerrymandering in areas where voting favours specific outcomes, or redrawing the district to exclude or include certain voting demographics for expected outcomes. That is why laws are made to preclude such actions close to elections, not within six months to one year before an election and in Nigeria, such exercise though a statutory responsibility of INEC, its outcome is made subject to the approval of the National Assembly (S.74). An important question that arises, therefore, is could this exercise ever be carried out in the foreseeable future given that it requires the approval of politicians with vested interests? The last exercise was carried out by the military in 1996, the Commission under Prof. Attahiru Jega made efforts in that direction, but it was inconclusive .

The second aspect of constituency delineation with regards to the 2015 general elections was the efforts by the Commission to create additional polling units prior to the general elections, to ease over-crowded polling units and to serve new settlements. In response, some stakeholders approached the courts seeking the nullification of the exercise prior to the 2015 polls even though Section 42 of the Electoral Act 2010 (As Amended) empowers INEC to establish sufficient number of polling units in each registration area and allot voters to such polling units. Due to the controversies that this issue generated and its likely effects on public confidence on the Commission few months to a General election, the exercise was suspended.

On party finance, the law relating to the funding of parties theoretically limits the amount of funds individuals can contribute to a party campaign (S.91) but with an overriding subsection (8)(c) that says " In determining the total expenditure incurred in relation to the candidature of any person at any election, no account shall be taken of : (c) *political party expenses in respect of the candidate standing for a particular*". In the 2015 election, political parties, politicians and donors took

advantage of this and also found ways around other laws in monetising the electoral process. Some raised several billions as “Committee of friends” without detailing the individual contributions of these friends, while others raised hundreds of millions as groups with similar opacity on the individual contributions, perhaps the next audit report of the Commission may throw more light on such donations as the Law mandates INEC to audit the finances of parties. But these were even the cases that were widely reported, much of the financing of candidates and parties were conducted outside public knowledge. At the moment, money-bags continue to hold sway regarding party financing, until the self-ab-negating provision of subsection (8)(c) is removed, in order to bring campaign finances to public scrutiny and sanction where there are violations. But then it is globally acknowledged that the control of the financing of parties is a problematic issue requiring very creative legal approaches to stem the hegemony of financiers and control of the machinery of government.

The law on media access in (S.100) of the Act requires all media organisations particularly government owned media to grant equal access, airtime time parity and coverage to candidates and their parties. However, the law did not specifically empower INEC to monitor compliance and how violations would be sanctioned. The result was that many opposition parties and their candidates were denied access and they complained to INEC that is helpless in the circumstance, given that the only regulatory body for such matters is the Nigerian Broadcasting Commission (NBC). This shows that newer legal control approaches are needed, and an acknowledgement of the practical realities is necessary, rather than having laws that are only prescriptive but not effective in their regulatory potentials.

Another pre-election legal issues relates to the conduct of party primaries. The conduct of party primaries have traditionally been an area with many legal challenges, at some point, the Commission was in court as a respondent, defendant and interested parties, that is, in different capacities in over 150 cases just days to a General election. Some of the cases even subsisted months and years after the elections have been conducted with legal representatives of the Commission sometimes compelled to hold contrasting positions on similar issues because of the variety of positions it had to hold in such cases.

Many of these issues arose from the fact that those who make electoral laws are the ones to be regulated by these laws resulting in the making of nebulous and opaque laws guiding party primaries in (S.87), obfuscated by provisos such as (S.31) of the Electoral Act; requiring the Commission to accept any candidate presented by a party which it cannot reject *"...for any reason whatsoever"* irrespective of the process by which the individual became a candidate.

It should be noted that the Electoral Act 2010 had prior to its amendment provided under Section 87 (9) the procedure for the nomination of candidates by political parties to be observed by INEC under (Sections 85,86) and where a different candidate other than the one that emerged from the primary, INEC could reject such candidate but this subsection was amended to allow political parties to submit list of candiates irrespective of how they emerged.

This particular amendment had fundamental consequences for the 2011 and 2015 elections and would continue to negatively affect future elections unless the issues surrounding internal party democracy are comprehensively examined and legislated upon.

Closely tied to the issue of party primaries was the issue of delegates list. The foundation of any election is the identification of who is qualified to vote and a compilation of a register of voters that is made public. For example, (S. 20) of the Act requires INEC as an election management body to make available to all stakeholders, the register of voters 30 days before election, a specified time-frame prior to the election so that candidates can campaign effectively to such electors. However, the law is opaque on some procedures in party primaries, no rules compels parties to make available at any deadline either to INEC or to aspirants the list of elected delegate party members who will vote in a primary or convention. The result has been that delegates list for party primaries became a “Holy grail” and frustrated by the mystery, some candidates resorted to self-help, by conducting their own primaries and inviting their own observers. The height of this confusion occurred in a state where they had four separate primary venues with their own delegates in one town for one position for one party. In some states, two delegates primaries were conducted and as soon as they made a nominees list, they headed to court to place an injunction on the list produced by their opponents, creating the type of anarchy that St Thomas Aquinas envisaged when he said that “ a nation, is nothing but a band of rogues without the law”. Where party nominations are guided by a free for all law, free for all nominations become the order of the day.

Having examined the legal challenges of pre-election period, we may now turn to the issue of the accreditation process using the Card Reader. Election in the conduct of the 2015 Election. Of particular note was the issue of differentiating between electronic voting prohibited for the time being by section 52 of the Act and voter authentication in the accreditation process, using a hand-held device (Card Readers) . Some stakeholders challenged its use insisting that voter authentication was part of the voting process, that a voter cannot vote if not

authenticated, and both processes could not be separated. But is that view correct having regard to the powers given INEC in the constitution ?

Paragraph 15 of Part 1 of the Third Schedule to the 1999 Constitution (As Amended) empowers INEC to organise, undertake and supervise all elections apart from local government council elections of the states.

Section 76 of the Electoral Act 2010 (As Amended) empowers INEC to determine the forms to be used for the conduct of elections.

Pursuant to INEC's powers as stated above; INEC decided that in the 2015 General election, the card reader would be used for the accreditation of voters prior to the casting of votes.

This decision generated a lot of controversy in the polity despite the fact that INEC had informed the nation since 2012 when it commenced the process of de-duplication process preparatory to the production of the permanent voters card (PVC) to be verified with the card reader. A number of court actions were even instituted to forestall the use of the card readers as same were regarded as providing for electronic voting Section 52(2) of the Electoral Act 2010 (As Amended).

INEC put up a lot of enlightenment and media campaigns to get the buy-in of the political parties and the voting public on the use of the card readers.

Although the jury is still out there as to the net effect of the use of the card reader in the 2015 elections, what is undoubted is the fact that the use of the card readers brought a tremendous energy of hope and a bright future in our efforts to enthrone the principle of one-person-one vote in our electoral process thereby compelling

those who seek elective office to go to the electorates as the giver of mandate and not election officials.

Another issue of salience that arose in the 2015 election was the issue of non-delivery of result sheets with ballot papers at polling units at the sametime as expected. Some voters refused to vote unless result sheets were seen, sighted or palpated before voting commenced. INEC guidelines stipulate that all sensitive materials be distributed to the polling units prior to polling, how result sheets became vanishing materials was quite strange. Deliberate or negligent acts on the part of poll officials to deliver form EC8A result sheets at polling units is a serious act that must be sanctioned seriously because it may become a new form of vote snatching.

Collation of results at various centres presented another challenge in the 2015 elections. There were alleged cases of Collation/Returning officers who were trained and given the guidelines of collation procedure and legally designated centres refused to collate results in those official centres. At crucial moments in some collation centres, some collation officers disappeared and maintained what military coup plotters refer to as “radio-silence” or “electronic silence”, this is one area that requires stiffer regulatory laws.

Also salient during the election period were arguments advanced for and against the use of military personnel for election. Although, it has often been stated that the level of election security personnel used in each context reflects the level of political consolidation in a democracy, the argument also reflects some degree of ambiguity in the governance of security personnel during election, and should therefore be made clearer through legislation and voter education.

A final observation on Election Day, is unauthorised substitution of trained ad hoc staff by supervising presiding officers (SPO) or replacement of collating officers with pliant untrained individuals by Commission staff. All these are indications that Election Day requires closer supervision and more conformance with effective regulatory laws.

Recommendations for Electoral laws beyond the 2015 Elections

From the foregoing, the following recommendations are made to improve the operations of INEC in future elections:

Pre-election legal recommendations:

1. INEC should be strengthened to act as both a management and regulatory body that the outcome of its operational decisions subject only to judicial review.
2. Delineation/districting electoral laws should be unambiguous, time bound and subject to standardized demographic and scientific rigour informed by the consensus of all affected stakeholders through clear decisional rules .
3. If INEC is empowered by the Electoral Act to observe and monitor party primaries process, INEC should also be allowed to reject any candidate sent to it that did not emerge from the nomination process, monitored by INEC and other stakeholders in line with the provisions of the Electoral Act and the guidelines of any such party. In other words, **Section 31(1) of the Electoral Act** that prevents INEC from rejecting candidates forwarded to it by political parties "*for any reason whatsoever*" should be repealed. Ultimately the Courts remains the final

arbiter if any party or candidate is dissatisfied with the outcome of the primaries or INEC's decision to reject a candidate that did not go through a primary process monitored by INEC.

- Media access laws (S.100) of the Act should be enforceable with clear monitoring indicators to ensure compliance during electioneering campaigns.
- The legal provisions on funding of parties should balance enforceable rules with the goals of preventing the overbearing influence of money-bags in the political process, by being contextually pragmatic than prescriptive.

Post-election legal recommendations

As the Constitution was amended to limit the time within which the Tribunals and the appellate Courts must complete post-election matters (S.285). It is most desirable if the culture of impunity and political malfeasance is to be curbed that pre-election matters of constitutional significance, such as; decamping from one political party to another in breach of the provisions of the constitution; the question of, who is a candidate of a party for election arising from primary disputes, etc, should be given a time limit in the Constitution, within which they must be concluded at all levels of our judicial system. This would no doubt help to stabilize our polity.

General recommendations

For the prompt prosecution of electoral offences, I again re-align myself with the long standing proposal for the establishment of an Electoral Offences Tribunal to be inaugurated on the year of elections to handle all pre-election and Election Day offences ranging from registration of voters, buying and selling of voter's cards, violation of time of commencement of campaign, financial inducement of voters on Election Day, corruption of ad hoc election officials etc. I recommend a tribunal instead of a commission that should be inaugurated on election year due to the legitimate concerns that have been expressed that a Commission would create an entirely new bureaucracy with little difference in terms of effectiveness. The proposed election year tribunal should be manned by both serving judges and retired judicial officers that are still active to handle strictly electoral offences throughout all stages of elections in an election year and six months after the election.

Finally, I recommend that the Commission as part of its mandate to educate the Nigerian public on good practices of democracy, shall empower the Voter education and Legal units to compile after every election election, a list of extant electoral laws with practical difficulties and the suggested legal solutions to such laws by a body of jurists and very senior and experienced lawyers drawn from the Bar on such authoritative legal opinion guide that could be called "**Code of Good Electoral Legal Practices**" that will act as a normative control of deviations from global standards, and a check against partisan influences and moral hazards in the legislative amendments to the legislative framework guiding elections.

Conclusion

This discussion has examined the role of law in a democracy, the significance of the legal framework and guiding principles, issues of salience in the conduct of the 2015 General elections, the challenges of implementation and management of elections and the reality of Election Day and what should be done in future elections. It is our hope, therefore, that relevant authorities would take into account these recommendations to address the legal and the practical Election Day implementation challenges that were of salience during the 2015 elections for a sustainable and enduring democracy in our country.

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