

Courtroom Contradictions and the Challenges of Electoral Governance in Nigeria's Fourth Republic

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Abstract

This paper focuses on the increasing role of judiciary in the Nigeria's electoral process. It argues that since the return of democracy in May 29, 1999 electoral outcomes have increasingly been shaped by the judiciary pronouncements, giving rise to what is generally captured as judicialization of politics. Many a times, the court pronouncements are contradictory and dragged endlessly, thereby complicating the works of the electoral umpire. Using series of landmark tribunal rulings and constitutional provisions, the paper contends that Nigerian courts have functioned simultaneously as guardians of electoral integrity and inadvertent facilitators of democratic erosion through their pronouncements. The study employs a qualitative method of inquiry that relies on secondary sources of data drawn decided court cases, texts, newspapers and the internet. The study discovers a recurring pattern of legal formalism, procedural technicality, and contradictory pronouncements that continue to influence electoral outcomes. The consequences include increasing politicization of the judiciary, erosion of public confidence in both electoral processes and the rule of law, allegations of corruption and complicated electoral administration. The study calls for electoral reforms as one of the pathways to reconciling judicial oversight with resilient electoral governance.

Keywords: Courtroom controversies, electoral integrity, democratic governance, election petitions, rule of law, Nigeria's fourth republic.

1. Introduction

Since the return of democratic order on 29 May 1999 to usher the Fourth Republic, Nigeria's democratic trajectory has been shaped by various forces, one of which has been the judiciary. Starting from the first election in 1999, the judiciary has become a major actor in the democratic order, and its pronouncements have greatly altered the course of electoral outcomes in the country (Enweremadu, 2011). To a large extent, the increasing involvement of the judiciary in Nigeria's election, particularly the contradictory and paradoxical pronouncements, have become one of the major defining characteristics of

Nigeria's democratic history (Osumah & Ikelegbe, 2009; Adefisoye, 2015; Oluwaleye & Adefisoye, 2023; Adefisoye, 2026).

Without doubt, the judiciary occupies a central place in any country because of its role as the independent arbiter, supreme authority, and defender of the constitution. Yet, in the recent time, it has been deeply enmeshed in giving conflicting judgments and confusing interpretations of the constitution, which calls for critical interrogation. While judicial intervention has, at times, rectified constitutional violations and reinforced democratic accountability, the Fourth Republic has been marked by a recurring pattern of contradictory rulings emanating from courts of coordinate and superior jurisdiction (Idowu, 2023).

In essence, the courtroom has increasingly given a semblance of being a contested political arena, where electoral decisions are made, reversed, and reinterpreted with far-reaching consequences for governance and democratic legitimacy. From the highly volatile gubernatorial disputes of 2003 to the headline-dominating post-2023 presidential election petitions, there has been a mix of judicial power and electoral governance in Nigeria, which bore the imprimatur of judicialization of elections in Nigeria (Danjuma et al., 2025)

As an independent arbiter, the Nigerian courts are constitutionally empowered to dabble into electoral disputes, and ensure justice is done. In fact, Section 6 of the 1999 Constitution (as amended) vests judicial powers in the courts to uphold the rule of law, while Sections 33–46 guarantee fundamental rights such as fair hearing and personal liberty. However, the proliferation of conflicting judicial decisions has generated significant challenges for the administration of justice (Okoye, 2017; Danjuma et al., 2025). Put differently, the exercise of judicial mandate has often produced outcomes that corrode the very democratic values the judiciary is tasked to uphold (Omotola, 2019; Okoye, 2020).

On several occasions, procedural technicalities have been used to overturn elections clearly won at the polls. Also, conflicting rulings from coordinate courts have generated legal uncertainty that the Independent National Electoral Commission (INEC) has struggled to navigate (Ezeani & Nwogu, 2022). Moreover, the protracted duration of election petition proceedings has enabled individuals irregularly elected to serve substantial portions of their tenures before judicial resolution. Post-2003 electoral litigation in states such as Anambra, Ondo,

Osun, and Ekiti gave rise to staggered election cycles across the federation (Sulaimon & Gambo, 2025).

There are implications of the foregoing: First, contradictory judgements on similar cases, particularly in high-profile electoral disputes, erodes public confidence in the judiciary as an impartial arbiter, regardless of the technical correctness of any individual decision. Second, it has serious implications for electoral integrity and security (Iroanya & Dzimiri, 2024: 72). Third, it tends to cast the judiciary as caught between enforcing electoral justice and resisting political pressures. This paper interrogates the scenario of court contradictions within the ambit of electoral governance in Nigeria.

Extant works on the contradictory and paradoxical roles of the Nigerian Judiciary in the electoral process have deployed the judicialization of politics at a broad and theoretical plane, leaving out ways wherein contradictory judgements have unfolded across different electoral cycles, particularly in the Fourth Republic. As such, the discourse is left at a very superficial level. In addition, at instances where specific individual cases were examined in the literature, including the 2007-2008 Amaechi case in River State, the Zamfara case, or the Bayelsa case, they have largely been treated in isolation rather than examined together as a connected pattern running through the Fourth Republic. Again, although studies including Danjuma et al., (2025); and Alayinde & Ijalana (2025) admit that conflicting court decisions complicate the work of INEC, few go further to translate this observation into concrete, actionable reform proposals capable of reconciling judicial oversight with the practical demands of electoral administration. It is this combination of the identified gaps that the present paper sets out to fill.

Therefore, the significance of this study lies in both its scholarly and its practical contributions. Scholarly, it extends the literature on the judicialization of politics by offering a more grounded, comparative account of how judicial contradiction has played out across Nigeria's electoral history, rather than treating individual cases as isolated curiosities. Practically, the study is of value to INEC and other electoral administrators, who must navigate the operational uncertainty created by conflicting court orders.

Following this introduction, the study provides a conceptual analysis, which is followed by a historical overview of the evolution of electoral adjudication in

Nigeria. This is followed by a compilation of series of conflicting judgement in the Forth Republic. The section that follows examines the institutional implications for INEC and electoral administration in Nigeria. Then, a framework for reform is presented after which conclusion and recommendations are drawn.

1. Literature Review

2.1 Judicialization of Politics

Judicialization of politics has become a significant feature of governance in the contemporary time, and has had effects on democratic practice across nations. Hirschl (2008) explains this trend as the increasing blunting of the boundaries between law and politics to the extent that courts are emerging as the ultimate decider of critical political issues. According to Iroanya and Dzimiri (2024: 73), judicialization connotes “the elevation of the judiciary as not only the final decider of political fates but a guarantor of political stability, peace, and security in a state”. In short, it is a trend whereby political actors are increasingly relying on courts and judicial processes to resolve fundamental moral dilemmas, public policy debates, and political disputes.

In the traditional political parlance, most political issues, including disputes, are resolved within the spheres of legislative or executive arms. However, there has been a shift in which such disputes eventually ended in courts where judicial actors make final and binding judgements (Hirschl, 2008). Even matters within the legislative spheres are taken to the courts for resolution. This development is neither ethnic-bound nor nation specific. It is a global trend happening within advanced and emerging democracies, where fragile institutions often rely on judicial intervention to stabilize political competition (Hirschl, 2008).

In relation to electoral studies, judicialization refers to over reliance on the courts for resolution of all electoral disputes (Andza & Dera, 2019; Etti & Lateef, 2023). By this, judges are indirectly influencing who flags the flag of a party, who contests election and who emerges as the final winner. In essence, in transitional democracies, courts have become decisive actors in shaping political legitimacy, as their rulings often determine whether electoral outcomes are upheld or overturned (Ginsburg, 2003; Helmke & Ríos-Figueroa, 2011).

Furthermore, the trend of judicialization makes the judicial role goes beyond technical adjudication. It has evolved into shaping the trajectory of democratic

order by interpreting electoral laws, resolving disputes over candidate eligibility, and determining the credibility of electoral processes (Etti & Lateef, 2023). In a way, however, the increasing judicialization has brought to the fore two scenarios of democratic institutions: On one hand, that courts provide a mechanism for dispute resolution, but on the other hand, political actors are gradually abdicating their responsibility to judicial bodies (Idowu, 2023). This paradoxical reality can therefore be described as the strength and weakness of the democratic institution.

Nigeria's Fourth Republic offers a good example of the rampaging momentum of judicialization of politics, as evidenced in the centrality of the courts in election matters at all levels (Omotola, 2010; Idowu, 2023). While this judicial involvement has provided a constitutional mechanism for dispute resolution, it has also produced significant challenges. In the process of performing this role, Nigerian courts have frequently delivered conflicting judgments on similar electoral matters, thereby constraining the effective functioning of the Independent National Electoral Commission (INEC) (Alayinde & Ijalana, 2025, Olaniyan, 2026).

For instance, contradictory rulings on important electoral matters such as candidate substitution, party primaries, and vote tabulation have created uncertainty in electoral administration, undermining INEC's authority, and credibility (Suleiman & Gambo, 2025). These contradictions weaken public confidence in the judiciary and put the electoral umpire on the spot because court judgments must be implemented even when they appear inconsistent or politically contentious (Aiyede, 2006). The problem is compounded by the perception of judicial overreach, where courts are seen as encroaching upon the constitutional mandate of INEC, thereby blurring the line between legal adjudication and electoral management (Hirschl, 2008; Issacharoff, 2010).

The contradictory presents two opposing scenarios: On one hand, judicial intervention is indispensable for resolving disputes in a polarized political environment; on the other hand, conflicting judgments erode institutional coherence and hinder the consolidation of Nigeria's democratic process (Omotola, 2010; Idowu, 2023). The Nigerian case thus exemplifies both the promise and the peril of judicialization in transitional democracies, where courts serve as arbiters of political legitimacy but simultaneously risk undermining the stability of electoral governance (Idowu, 2023).

2.2 Historical overview of the evolution of electoral adjudication in Nigeria

The history of electoral adjudication in Nigeria predates independence. Electoral principles were introduced to colonial Nigeria by the Clifford Constitution of 1922, which acted as an impetus to party formation and electoral politics in Lagos and Calabar. The Richards Constitution of 1946 and succeeding constitutional arrangements utilized executive and legislative channels as mechanisms for resolving electoral disputes, rather than judicial ones. It was the Independence Constitution of 1960 and the Republican Constitution of 1963 that began the formalization of judicial oversight of elections, vesting jurisdiction in the Federal Supreme Court and High Courts over electoral matters (Osaghae, 2015; Nwabueze, 2018).

During the First Republic (1960–1966), however, electoral disputes were marked more by political violence and executive interference than by principled judicial resolution (Osaghae, 2015). The Western Region electoral crisis of 1965, which degenerated into the “Wild Wild West” period of arson and killings, demonstrated the catastrophic consequences of contested electoral legitimacy in a fragile democratic environment; a lesson that contemporary Nigeria has not fully absorbed. The First Republic was brought to an abrupt end by a military coup on January 15, 1966; and thereafter became a recurring decimal in the country's history (Osaghae, 2015).

Successive military regimes that dominated Nigeria between 1966 and 1999 (with brief democratic interval between 1979 and December, 1983). Deeply twisted the development of electoral jurisprudence (Osaghae, 2015; Nwabueze, 2018). Military fiat habitually kicked out court jurisdiction over political and electoral matters. During the period, the constitution was replaced by obnoxious clauses, that were inimical to human rights and electoral activities were subverted. The annulment of the June 12, 1993 presidential election, widely adjudged to have been won by Chief M.K.O. Abiola, represented the most dramatic instance of executive subversion of the electoral process; a subversion that the courts were powerless to remedy due to ouster clauses embedded in military decrees. The failure of judicial institutions to protect the June 12 mandate left an abiding scratch on the Nigerian democratic psyche and established a troubling precedent that electoral outcomes could be determined by political will rather than legal process (Osaghae, 2015).

The return to civilian rule in 1999 under the Fourth Republic opened a new era of electoral adjudication, marked by an exponential increase in election petitions. The 1999 Constitution established a hierarchical system of Electoral Tribunals and Governorship/Legislative Houses Election Tribunals, with appeals flowing to the Court of Appeal and ultimately to the Supreme Court of Nigeria (Sagay, 2012; Osaghae, 2015). This structure, mirrored in the Electoral Act 2010 and its subsequent amendments of 2022, was designed to provide specialist adjudication of electoral disputes while insulating such disputes from the generalist docket of the regular courts.

However, the bulk and complexity of post-election litigation has consistently overpowered this structure. Following the 2003 general elections, over 500 petitions were filed across the country (Sagay, 2012). The 2007 elections, which was widely condemned as among the most flawed in Nigeria's history, generated an excess of 1,200 petitions (Sagay, 2012). The 2011, 2015, 2019, and 2023 electoral cycles each produced their own waves of litigation, with petitions challenging outcomes from presidential contests down to councillorship positions in local government areas (Sulaimon & Gambo, 2025).

2. Methodology

3.1 Research Design

This study adopts a qualitative research approach, with doctrinal (black-letter) and historical orientations. The centrality of this approach is to understand the pattern, character, and consequences of contradictory judicial rulings on electoral disputes. Specifically, the paper examines actual court judgments, constitutional and statutory provisions that guided them, and the existing scholarly commentary and news coverage, with a view to build a consistent analytical image of how Nigerian courts have behaved across different election cycles since the return to civilian rule in 1999.

3.2 Sources of Data

Data for this paper were obtained from secondary sources. These include law reports, relevant provisions of the 1999 Constitution (as amended) and the Electoral Act 2010 (as subsequently amended in 2022); Studies on Nigerian electoral law and the judicialization of politics; and credible newspaper and online reports documenting how each dispute unfolded. In addition, the cases examined in the paper were purposively selected.

3.3 Methods of Data Analysis

Data for this paper were analysed thematically. The paper established recurring patterns, such as the repeated use of procedural technicalities to defeat substantive electoral claims, the recurring tension between coordinate and superior courts, and the practical difficulties that these contradictions create for INEC as it tries to administer elections and implement conflicting court orders. This method allows the paper to move beyond describing individual disputes toward drawing broader conclusions about the character of judicial-electoral relations in Nigeria, and toward the reform proposals discussed and the recommendations presented later in the paper.

3. Results and Discussion of Findings

The general pattern of conflicting orders

1. Candidate substitution and the Amaechi Case (2007–2008)

One of the earliest and most analysed instances of conflicting judicial outcomes in the Fourth Republic arose from the 2007 Rivers State governorship contest - Amaechi v. Independent National Electoral Commission (2008) 5 NWLR (Pt. 1080) 227. Rotimi Amaechi had won the Peoples Democratic Party (PDP) primaries for the governorship race, but the party later substituted his name with that of Celestine Omehia, a candidate who had not participated in the primaries at all. The dispute that followed produced two related appeals: the Amaechi case and a parallel case brought by Araraume, both raising the same legal question under Section 34 of the Electoral Act regarding the circumstances under which a political party may lawfully substitute a candidate (Etti and Lateef, 2023).

Unachukwu (2013) explained that the two appeals were pending before the Court of Appeal simultaneously, and the parties expressly agreed that the Supreme Court's eventual ruling on the Section 34 question in the Araraume case would govern the outcome of the Amaechi case as binding precedent. However, when the Supreme Court ultimately ruled in favor of Amaechi, upholding that the PDP had not provided a sufficient ground for the transposition and that the constitutional status provision in Section 308 could not be invoked by INEC to shield an unjust substitution from judicial scrutiny. Although the two cases were eventually harmonised through this agreed precedent arrangement, Unachukwu (2013) and Adekeye (2014) posited that the episode represents an early and instructive example of how identical legal questions could produce divergent outcomes in different panels of the same court.

2. Mass Disqualification: The Zamfara State Case of 2019

The 2019 general elections produced what is widely regarded as the most consequential single instance of judicial intervention overturning declared electoral outcomes at scale. On 24 May 2019, the Supreme Court nullified the victories of all All Progressives Congress (APC) candidates across thirty-six elective positions in Zamfara State, including the governorship, National Assembly, and State Assembly seats (Situation Room Nigeria, 2019, May 24; *The Guardian*, 2019, July 9). The court had ordered that the seats be awarded to the PDP candidates who had placed second. The Court's reasoning was that the APC had not conducted valid primaries in Zamfara State and therefore had no legal basis to field candidates in the general election; consequently, all votes cast for APC candidates were treated as wasted votes (Situation Room Nigeria, 2019, May 24; *The Guardian Nigeria*, 2019, July 9).

This judgment can be situated within a broader sequence of conflicting administrative and judicial decisions (Tukur, 2019; Danjuma et al., 2025). INEC had initially excluded APC from contesting in Zamfara State (as well as Rivers State) on the basis that the party had failed to conduct valid primaries. However, a High Court order issued just two days before the election compelled INEC to place APC candidates on the ballot. The Supreme Court's later ruling effectively reversed this High Court order and restored INEC's original position, meaning that within a single election cycle the same underlying question - whether APC was entitled to field candidates in Zamfara State - received three different answers from three different decision-making bodies.

Some legal commentary argued that the judgment raised a substantive concern: whether the Court's order, declaring the runner-up parties as winners, was properly supported by the reliefs sought and by the parties before the court, and whether voters in Zamfara State had any way of knowing, at the time they cast their votes, that the candidates they were supporting had already been disqualified (Tukur, 2019). It is important to note that, the absence of any evidence that this disqualification had been communicated to the electorate prior to the election, raising questions about whether votes cast in ignorance of a disqualification could fairly be characterised as "wasted."

3. Bayelsa State: A direct conflict between the Court of Appeal and the Supreme Court (2019–2020)

The Bayelsa State governorship dispute of 2019–2020 represents perhaps the clearest documented case of two appellate courts reaching directly opposite conclusions on the same set of facts within a short period. At the centre of the dispute was the candidacy of Biobarakuma Degi-Eremienyo, the APC's deputy governorship candidate, whose educational certificates from primary school through to his MBA bore several different versions of his name. On 12 November 2019, the Federal High Court, in a judgment by Justice Inyang Ekwo, disqualified Degi-Eremienyo on the grounds that he had submitted forged certificates bearing conflicting names to INEC (*The Eagle Online* 2020, February 14; *Punch Newspapers*, 2020, February 13; Edujandon, 2020). The Court of Appeal subsequently reversed this decision on 23 December 2019, validating his candidacy. The governorship election proceeded on 16 November 2019 with the APC ticket on the ballot, and the APC's candidate, David Lyon, was declared the winner (*Punch Newspapers*, 2020, February 13; Edujandon. (2020, February 14; *BusinessDay NG*, 2020, February 20).

On 13 February 2020, the Supreme Court, in a lead judgment by Justice Ejembi Eko, set aside the Court of Appeal's ruling, restored the original Federal High Court decision disqualifying Degi-Eremienyo, and went further by nullifying the entire Lyon-Degi-Eremienyo ticket *Punch Newspapers*. (2020, February 13; Edujandon. (2020, February 14). The Court ordered INEC to withdraw the certificate of return already issued to the APC candidates and to issue a fresh certificate to the PDP candidate, who had placed second in the election (*BusinessDay NG*, 2020, February 20).

Nevertheless, no contiguous consensus was produced by the Supreme Court judgment. The APC's national leadership argued that the Court should instead have ordered a fresh election rather than declaring the runner-up the winner, while the PDP moved swiftly to congratulate its candidate as governor-elect. The situation illustrates how the same judgment was differently interpreted. Subsequently, the APC filed a petition requesting the Supreme Court to reverse its own judgment on the ground of being misinterpreted. However, the Nigerian constitution contains no explicit provision empowering the Supreme Court to set aside its own judgments once delivered, a gap that the Bayelsa case threw into sharp relief and which remains a recurring point of academic debate regarding the balance between finality and correctness in apex court rulings.

4. *The 2023 presidential election petitions: Atiku, Obi, and the Limits of Apex Court review*

The 2023 general elections produced the most closely watched electoral litigation of the Fourth Republic to date. Following the declaration of Bola Tinubu as winner of the 25 February 2023 presidential election, with Atiku Abubakar of the PDP placing second and Peter Obi of the Labour Party placing third, both runners-up filed petitions before the Presidential Election Petition Court (PEPC). On 6 September 2023, a five-member panel of the PEPC dismissed all petitions, including those of Atiku, Obi, and the Allied Peoples Movement, finding them to be without merit (ICIR 2023; Proshare, 2023).

Both candidates appealed to the Supreme Court, with Atiku's appeal raising thirty-five grounds and Obi's raising fifty-one grounds, including arguments that the tribunal had erred by not annulling the election over INEC's failure to transmit results electronically as promised, and over questions concerning Tinubu's eligibility (*The Africa Report*, 2023). On 26 October 2023, a seven-member panel of the Supreme Court unanimously dismissed both appeals, affirming Tinubu's election. Notably, part of the Court's reasoning concerned a procedural rather than substantive question: the panel held that certain evidence Atiku sought to introduce directly at the Supreme Court could not be admitted because the relevant statutory provisions did not permit the apex court to consider matters that had not first been litigated before a lower or appellate court.

This case emphasises its significance less in terms of direct doctrinal conflict between courts, and more in terms of the gap between judicial finality and public perception of legitimacy. Although the Supreme Court's decision was unanimous and represented the final word in the litigation, the Labour Party's candidate - Mr Peter Gregory Obi openly described the judgment as a breach of citizens' confidence in the judiciary. This case therefore illustrates a different dimension of the conflicting-judgment phenomenon: the conflict is not necessarily between two judicial outcomes, but between a judicially final outcome and a persistent public sense that the underlying questions remain unresolved (ICIR 2023).

5. *Earlier antecedents: Impeachment reversals and post-transition jurisprudence*

A bunch of cases in the early-to-mid 2000s involved sitting state governors, including Joshua Dariye (Plateau state), Rasheed Ladoja (Oyo), and Obi of Anambra State, who were removed from office through impeachment processes later challenged in court. In each instance, the judiciary intervened to nullify the

impeachments as unconstitutional abuses of legislative power, restoring the affected governors to office. While these cases are not election disputes, they are frequently cited as early evidence of the judiciary's willingness to overturn politically consequential decisions, a pattern that would later extend into the electoral domain itself with consequences for both the volume and the consistency of judicial outcomes.

The foregoing raises several fundamental issues. First, the overwhelming majority of documented conflicts arise from election-related litigation, consistent with the judicialization of politics framework (Suleiman & Gambo, 2025). As electoral competition has intensified since 1999, so too has the volume of litigation, increasing the statistical likelihood of inconsistent outcomes across different courts and panels. Second, the specific mechanisms by which conflicts arise vary considerably. In the Amaechi case, conflict was averted through an agreement that one ruling would bind both related appeals. In the Zamfara case, the conflict unfolded sequentially across an administrative body, a trial court, and the Supreme Court, each reversing the position of the one before it. In the Bayelsa case, the conflict was a direct and explicit reversal of an appellate court decision by the Supreme Court, compounded by a subsequent application asking the Supreme Court to reverse itself.

Institutional Implications for INEC and Electoral Administration

The Independent National Electoral Commission occupies a complex institutional position within Nigeria's electoral system (Adefisoye, 2026). As a body charged constitutionally with organising, conducting, and supervising all federal and state elections, INEC is at the same time, the primary target and the nominal implementor of judicial directives arising from election petitions (Omotola, 2019). The measure, assortment, and sometimes antonymous nature of court orders addressed to INEC has created serious institutional strain.

INEC's operational capacity is further constrained by the temporal dynamics of electoral litigation. Judicial proceedings may continue for months or years after an election, during which INEC must manage the administrative consequences of potentially conflicting legal statuses for elected officials. This uncertainty affects planning, budgetary processes, and the professional judgement of INEC officials who must decide whether to comply immediately with court orders whose legal validity may itself be contested (Adefisoye, 2026).

Again, the constitutional guarantee of INEC's independence under Section 158(1) of the 1999 Constitution has been significantly qualified in practice by sustained judicial and executive interference. Court decisions that direct INEC on the conduct of specific elections, the mode of tabulating results, or the recognition of particular candidates effectively subordinate the Commission's statutory discretion to judicial directives. While some degree of judicial oversight is essential to prevent INEC from acting arbitrarily, the cumulative effect of extensive judicial superintendence has been to erode the Commission's institutional autonomy and decisional confidence (Omotola, 2019; Adefisoye, 2026).

This erosion of independence is compounded by political pressure from the executive arm of government, whose appointive power over INEC's leadership (Adefisoye, 2026). Notwithstanding, constitutional safeguards creates subtle but real incentive structures that can compromise institutional impartiality. The combination of judicial constraint and executive influence thus places INEC in a structural bind that significantly limits its capacity to serve as a genuinely independent arbiter of democratic competition.

4. Conclusion and Recommendations

This paper has examined the complex role of the judiciary in electoral governance in Nigeria's Fourth Republic but drawing on conflicting court judgements. It is important to note that, the relationship between the Nigerian judiciary and electoral governance is one of productive tension and destructive contradiction. Courts have, in numerous instances, provided indispensable protection for constitutional rights and democratic norms in the face of executive overreach and electoral manipulation. Yet the same judicial system has, through formalistic technicality, institutional inconsistency, and structural delay, contributed to a crisis of electoral legitimacy that threatens the foundations of democratic governance. The resolution of this crisis does not require the diminution of judicial power but rather its disciplined, consistent, and technically competent exercise within clearly defined constitutional parameters. It requires equally a fundamental transformation of Nigeria's electoral management infrastructure; an INEC that is genuinely independent, professionally competent, and procedurally transparent enough to generate the pre-emptive public confidence that reduces the demand for post-election litigation.

It is important to stress that, durable reform of Nigeria's electoral adjudication system requires interventions at both constitutional and legislative levels. At the constitutional level, consideration should be given to consolidating jurisdiction over electoral disputes in specialized electoral courts established as a distinct tier of the federal judiciary, separate from the general court system. Such courts, staffed by judges with specific expertise in electoral and constitutional law, could provide consistent, expeditious, and technically competent adjudication of electoral disputes without the jurisdictional conflicts that currently characterize the system.

At the legislative level, the Electoral Act requires significant amendment to: (i) eliminate provisions that enable procedural technicalities to defeat substantive electoral claims; (ii) establish realistic but enforceable timelines for petition proceedings, backed by sanctions for non-compliance; (iii) clarify the evidentiary standards applicable to digital and electronically transmitted election records; and (iv) provide explicit guidance on the limits of judicial review of INEC's exercise of its constitutional discretion.

Furthermore, the capability of INEC to withstand judicial scrutiny depends on the quality and transparency of its internal processes. The Commission should invest systematically in staff training, process standardization, and technological infrastructure in ways that reduce the frequency and severity of administrative errors that provide grounds for election petitions. A comprehensive audit of INEC's operations, conducted by an independent team of electoral administration experts, would provide a diagnostic baseline for targeted capacity-building interventions.

In addition, not every electoral dispute requires judicial resolution. The development of robust administrative review mechanisms within INEC complemented by institutionalized electoral dispute resolution processes involving credible civil society mediators could significantly reduce the volume of petitions that reach formal tribunals. Such mechanisms, if well-designed and transparently operated, could resolve a substantial proportion of disputes at the local and state level before they escalate into protracted litigation that distorts governance and depletes public resources.

Above all, it requires a political culture in which electoral outcomes are accepted as legitimate not merely because courts have so ordered, but because the

processes that produced them commanded genuine public confidence. Building that culture is the shared responsibility of electoral commissions, political parties, civil society organizations, and ultimately the Nigerian citizenry. The courts can adjudicate disputes; they cannot, alone, build democracy.

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