

THE IMPERATIVENESS OF SOCIAL CONTRACT TO THE DEVELOPMENT OF STATE

Idoga Kizito OCHALA (Ph.D.)

Department of Philosophy,
Faculty of Arts, Dennis Osadebay University,
Asaba, Delta State,
Nigeria.

sirkizlive@gmail.com

kizito.ochala@dou.edu.ng

Abstract:

Social contract is a technical description of the terms and conditions of harmonious coexistence of people in an organised society - "State". The concept of "State" describes a civic community that recognises and protects the rights of its members. State is structured into followership and leadership. Leadership characterises government. Government is an institution of State that organises its resources. State and government are assessed on the basis of development. This paper identifies a problem that certain States and governments neglect social contract to the extent that they neither give due recognition to the rights of the members nor prioritise their duty in terms of development; human and infrastructural, evident in their administrative strategies. This is typical of underdeveloped states. It argues that the governments of such States do not

judiciously utilise available resources for the collective interest of the members, rather, for private interest. These problems express the people's ignorance of social contract, the nature and purpose of state and government and moral character deficit among the people. The paper posits that social contract is indispensable for the development of state. It examines social contract in relation to development in the Nigerian state with particular reference to the Nigerian Civil War and the 2023 Presidential election. It adopts critical analysis of qualitative research methodology. It uses social contract for its theoretical framework. It recommends civic education, pragmatic implementation of social contract and inclusivity.

Keynotes: Development, Government, Resources, Social Contract, State

Introduction

Social contract is the basis for social harmony and mutual coexistence in an organised society, hence, it is a factor that legitimises State and government. Social contract enables members of State to constitute duties and rights; to regulate their conduct and instill social order. Particularly, by voluntary submission of rights, it empowers the leadership through government to sanction law and order. In fact, State and government are possible

only by social contract. By implication, it is a springboard of development. Granted that social contract is the foundation on which state and government exist, it implies that it is an imperative of development – human and infrastructural.

Against this background, cases in which states and the members successively experience retrogression require questioning and evaluation. In some underdeveloped States, activities of government tend to be deliberately retrogressive. Tragically, it persuades to think that such governments are in the reverse direction in the scheme of global development. This paper advances its enquiry by using social contract to examine the Nigerian state, specifically, the Nigerian Civil War and the 2023 Presidential election. The paper seeks to determine the implementations of social contract in the Nigerian state and its government, and to make an assessment of the possibilities and indications of development.

State

The concept of state describes an organised society. Being organised is characteristic of civic categories such as rights, duties, obligations, responsibilities, law, order, punishment, et cetera. Technically, it is conceived that

State is “a political unit that has sovereignty over an area of territory and the people within it”³⁷.

State as a civic, legal and political entity derives from the “state of nature” that is devoid of these categories. Discrimination between “state of nature” and “State” is instructive and imperative. Notably, “in the state of nature, force and fraud are the cardinal virtues. Every man has a right to what he can get, and for just so long as he can keep it”³⁸. A necessary consequence of this is that “the life of man in such a state, “says Hobbes” is solitary, poor, nasty, brutish, and short”³⁹.

It bears emphasising to state that “State” differs from the “state of nature” on significant notes including but not limited to duties and rights, law, order and stability. These are characteristics of government – a sovereign body – in pursuit of common interest.

³⁷ Country, Nation, State & Government: Overview, Similarities & Differences - study.com <https://study.com/academy/lesson/the-difference-between-countries-nations-states-and-governments.html>

³⁸ Charles Edward Merriam, “Hobbes’s Doctrine of the State of Nature,” *Proceedings of the American Political Science Association* 3 (1906), 151.

³⁹ Merriam, “State of Nature,” 151.

Government

The concept government has diverse interpretations including, a group of people, an institution or system of leadership and a process of control. It is conceived that “a government *is the authority that sets rules for a society*”⁴⁰. By implication, government has certain obligations: “responsible primarily for making public policy for an entire society”; “the steering mechanism for a given society”; “government regulates the relationships among members of the society and between the society and outsider”; “government has the authority to make decisions for the society”⁴¹.

These dimensions indicate a structural connection between state and government; State as a sovereign entity requires government to organise its resources. Furthermore, the legitimacy, authority and sovereignty of State and government are predicated on social contract. This is the background on which social contract is considered as an imperative to development of State.

⁴⁰ Technically Government Overview, Functions & Types. study.com
<https://study.com/academy/lesson/what-is-government-definition-role-functions.html>

⁴¹ Technically Government Overview, Functions & Types. study.com
<https://study.com/academy/lesson/what-is-government-definition-role-functions.html>

Social Contract

Technically, it is a concept that entails a transition from the “state of nature” into State. Hobbes, Lock and Rousseau are notable exponents who think that social contract is a deliberate, intentional, rational and purposeful consensus by which a people volunteer their rights in pursuit of common interest and wellbeing. Social contract is a fundamental option, imperative to alleviate the dominant predicament that endangers individuals, regardless of their might as right, being temporal. Furthermore, “social contract theory asserts that government exists only by the consent of the people in order to protect basic rights and promote the common good of society”⁴². This paper provides some theses of the social contract: regulation, democracy and purpose.

Theses of Social Contract

Social Contract promotes freedom: Social contract promotes freedom on two notes. First, it entails voluntary submission of parts of rights – “will”, for the purpose of governance and in pursuit of common interest. This implies that social contract neither compels nor coerces people to submit their will. Second, social contract entitles

⁴² Mary Elizabeth Sullivan,. Locke’s Social Contract: Is it Legitimate? In *CLA Journal* 7 (2019), 85.

the members with freedom from deprivation, oppression and injustice. Hence, members of State by the provision of social contract have rights to ownership of certain properties regardless of their might.

Social Contract is a System of Regulation and Order: essentially, social contract was initiated to provide and preserve the terms of agreement members of a community reach for certain form of social interactions. In the thinking of Hobbes, a person “enters the state only through the gateway of the social contract”⁴³.

Social contract is implicatively conditional; to regulate abuse of power in the form of absolutism. By social contract, the consent of the governed is strategic and indispensable. In other words, social contract implies that the governed have decision making roles in governance of State; to determine who and what principles govern them; the governed regulates government. Hence, social contract is particularly instrumental to achieving the goals of State and its government. The involvement of the governed in governance informed notable systems of government, specifically, democracy.

⁴³ Merriam, “State of Nature,” 156.

Social Contract is a Practice of Democracy: The concept of democracy has diverse conceptions. Two conceptions meet the interest of this paper. First, primarily, it means, equality of identity, opinion and interest of the members of the society. It is in this sense that Dewey integrates democracy into education. Democracy in this wise provides for plurality of opinions and intersubjectivity. On this note, the correlation between social contract and democracy is predicated on equality of identity, opinions and interests of the members of State. Put differently, equality of identity, opinions and interests of the members of state constitute the terms and conditions for which they have rights and duties.

Second, politically, democracy entails government by the people through the majority. Interestingly, it equally recognises the rights of the minority. In this wise, social contract promotes democracy in recognition of rights of individuals and groups, and actualisation of manifesto through provision of dividends of democracy, a basis for support.

Social Contract is a system of Social Justice: In the “state of nature”, “might is right”. This entails deprivation, violation and discrimination. These phenomena characterise injustice. Conversely, in the context of State,

“right is might”. This entails legitimacy, entitlement and respect which characterise justice. This implies social contract institutes fair treatment of people. In the circumstance of State, social justice requires that individuals and groups exercise their rights and duties, and the government provides for each party according to its due.

Social Contract is for the purpose of Common Good: Democracy gained currency by its people-oriented principle. However, democracy is also vulnerable hence, only effective in already organised society. Activities of some States and their governments indicate “crisis of democracy” of which it is greatly plagued. Essentially, the purpose of social contract is stated thus, “Thomas Hobbes’s propositions as encapsulated in the social contract discuss established the platform upon which the statecraft was built; a contract in which the citizens willingly submit their allegiance to the state and in return expect a better bargain summed up in good governance as reflected in the safety of lives and properties as well as provision of basic necessities of life”⁴⁴. These basic

⁴⁴ Eze Chuba et al., “Social Contract Theory and the Nigerian State in the Fourth Republic,” *Studies in Politics and Society*, Vol 7 (July, 2019): 1,
https://www.researchgate.net/publication/366498246_Social_Cont

necessities constitute and conduce to good life and common good.

Analysing Social Contract in the Nigerian State

This paper contextualises its analysis of social contract in the Nigerian state to the Nigerian Civil War and 2023 Presidential Election.

The Nigerian Civil War

The Nigerian Civil War happened between July, 1967 and January, 1970. Basically, it resulted from some sort of cold war in the form of discrimination among ethnic nationalities. The socio-economic crises and tension, and the consequent quest for secession by the Igbo ethnic nationality were the primary among other factors that gave rise to the Nigerian civil war of which a significant number of people died. Precisely, it is observed that “the war cost Nigeria a great deal in terms of lives, money and its image in the world. It has been estimated that up to three million people may have died due to the conflict, mostly from hunger and disease”⁴⁵.

ract_Theory_and_the_Nigerian_State_in_the_Fourth_Republic#full-text

⁴⁵ Philips Okolo, *The Nigerian Civil War: Its Causes and Lessons*, (2010), 62.

In point of fact, of the Nigerian Civil War, other cognate activities and their enduring consequences constitute grievous state crime against the Igbo ethnic nationality and humanity. Predicating on the principles of social contract and democracy, it is critical to ask, was the demand for independence by the Igbo ethnic nationality not legitimate? Was the reaction of the Nigerian government through the Civil War and the consequent compulsive surrender coherent with social contract? These questions solicit diverse responses.

This paper opines that by principles of social contract, an ethnic nationality has the right of secession; to demand and be granted independence. Apparently, “Nigerian independence” is typical of such right. Also, the coercive response of the Nigerian government in the form of Civil war is incoherent with social contract and immoral because it violated fundamental human rights – right to life, freedom and pursuit of interest through self-determination.

The Nigerian 2023 Presidential Election

The Nigerian State is populated with over Two Hundred Million (200,000,000) people of which about One Hundred and Twenty Million (120,000,000) are of voting age. In the year 2023, the Nigerian government conducted a

presidential election of which less than Thirty million (30,000) people voted to produce a president. Statistically, it is accounted that “of the 93.4 million registered voters this year, 87.2 million people collected their Permanent Voters Card and the total number of actual voters on election day was only 24.9 million”⁴⁶.

By way of analysing, if political democracy entails rule of the people - by the majority, do 24.9 million voters collectively, and 8,794,726⁴⁷ voters particularly, constitute the majority of a population of either over 200,000,000 Nigerians or 87.2,0000,000 voters? Critically, it is imperative to ask, is the 2023 presidential election demonstrative of democracy? Is the government of such electoral process determined by the consent of the governed? Does the Nigerian State and its government practice social contract?

In relation to these questions, Leena Hoffmann, remarked that “the fact that a significant percentage of Nigerians fail to engage in elections is a concern and perhaps points to growing disillusionment with their ability to shape a more

⁴⁶ *Premium Times*, “ANALYSIS: Trend of low voter turnout continues in Nigerian elections” by Kabir Yusuf (2023), March 5.

⁴⁷ ait.live, Live Updates: Nigeria 2023 Elections. March 1, 2023, retrieved from <https://ait.live/live-updates-nigeria-2023-elections/>

democratic society”⁴⁸. Apparently, these activities deviate from democracy and by extension are incoherent with social contract.

The Nigerian 2023 General (Presidential) Elections were allegedly plagued with great deficiencies. Notable of them was either the inability or the refusal of the Independent National Electoral Commission – INEC to (directly and immediately) transmit the data (votes) collected using the Bi-Modal Voters Accreditation Machine System - BIVAS through *INEC Result Viewing (IREV)* as required by the electoral act and promised by the INEC before the election. The proposal for BIVAS made provision for the budget by INEC to spend N255 bn, “consequently, N305 billion was approved for the conduct of the 2023 general elections by the National Assembly”⁴⁹.

Particularly, the INEC is accused of “compromising the results of the February 25 presidential election by deliberately refusing to upload the results at the Polling Units from the BVAS to the IREV”⁵⁰. This explains justifiably, the crises of democracy that the Nigerian State

⁴⁸ Premium Times. ANALYSIS: Trend of low voter turnout continues in Nigerian elections by Kabir Yusuf, March 5, 2023

⁴⁹ *Vanguard*, November, 2, 2022. INEC to spend N255bn 2023.

⁵⁰ Robert Dode. Election: Yakubu, INEC Commissioners Failed, Betrayed Nigerians, *Vanguard*. ([March 5, 2023](#)).

experiences and the electorate's ignorance of social contract.

Another factor of contextual application is development. It is apt to examine the pace of development in Nigeria, both infrastructural and human. Human development is predicated on welfare which consists of sustainable facilities for health, education, security, accommodation, feeding, et cetera. On the average, Nigerians suffer from deficiency of these facilities. Tragically, "individuals constitute their own government"; they bear responsibilities for the amenities – electricity, education, security, health care systems, which the government should provide. People who cannot afford the basic facilities become victims of the predicament.

Security threats is an overwhelming predicament in the Nigerian State. Some states such as Kaduna, Bornu, Benue, et cetera are particularly overruled by terrorism. An average Nigerian in the category of followership is a potential victim of kidnapping. Abduction of students and teachers in schools worsens the poor state of education. Farming activities have been greatly disrupted by different categories of insecurity.

Implications

By the principles and nature of State and a democratic system, social contract is a significant paradigm of development. On this note, effective democracy through adequate election indicates development. On this premise, developed States with advanced democratic systems conduct free and fair elections while underdeveloped States and crude democratic systems conduct elections characterised by force and fraud. These traits characterise the state of nature where “might is right”.

Since social contract and democracy are essential components of the Nigerian State and its government, deviation from them implies crises which culminate in “state crime” called civil war. This paper describes civil war as “state crime” because it is an act of the government that destroys the lives and properties of the citizens, which on the contrary should be the prerogative of the State and its government. It bears emphasising that government’s attempts to destroy social contract and democracy are catalysts of self-destruction because they constitute the foundation on which the State and the government are built.

We bear in mind that social contract is voluntary; in pursuit of the interest of the parties and common wellbeing. In the context of the Nigerian civil war, the Igbo – advocates of Biafra had no option but to surrender, hence, it is not voluntary. Evidence indicates that since the Nigerian civil war, people of the Igbo ethnic nationality have been craftily excluded from core positions such as the presidency, the senate president, chief of staff, chiefs of security services, et cetera. Considering the population, there are indications that they do not enjoy due rights and benefits. In point of fact, apparently, the office of the President consistently oscillates between the Northern – Fulani/Hausa and the Southern – Yoruba of which Goodluck Ebele Jonathan is an exception. These activities apparently demonstrate neglect of democracy, justice and social contract.

Consequences of neglect of Social Contract

Social Distrust: upon breach of social contract, the offended parties withdraw their confidence reposed in the offenders – the government. In context of State, members whose rights are violated in the terms of social contract develop distrust towards the other. Typically, when citizens do no benefit dividends of government, they cultivate disbelief in the government. In point of fact,

when a party breaches the terms of social contract, it is only necessary that the other will distrust other policies and regulations. This manifests in the forms of disregard for laws and constituted authorities.

Civil Disobedience: Members of State make recourse to civil disobedience upon neglect of social contract. Vividly, when a government violates the fundamental rights of citizens to certain extent, the citizens withdraw their submission and obedience, hence, they engage in protest.

Civil disobedience is supported by the theses that “an unjust law is no law at all” and “people have moral obligations to disobey unjust laws”. In fact, it is conceived that “unjust law is a justification for civil disobedience”⁵¹. This thinking is supported by Augustine, Aquinas and Martine Luther King Jnr. and some other exponents. It is instructive to note that civil disobedience in the form of protestation is the demand for recognition and adherence to social contract. Protestation being an eloquent civil response and reaction to neglect of social contract is imperative, hence, constitutive of state’s cardinal components, yet, some governments neglect social

⁵¹ Arinze Agbanusi, Unjust Law as a Justification for Civil Disobedience in *Mgbakoigba: Journal of African Studies*, Volume 4, 2015.

contract and even restrict the offended partners from protestation. During the “end SARS” protest, “at least 46 armed protesters were either shot dead, injured with bullets, or assaulted by security forces at the Lekki toll gate on October 20, 2020,...”⁵².

Apathy: Communal interest is a grand incentive of collective commitments. Devoid of communal interests, individuals have no need of collective commitments. This implies that individuals or groups whose interests are not considered withdraw commitment to common interest. This is a matter of justice and prudence. In relation to social contract, an offended party would necessarily become look warm, unsupportive and unpatriotic about the goals in question.

Exclusion: Social contract entails inclusion of the various parties of State. This implies that neglect of social contract entails exclusion of certain parties. In the context of State, breach of social contract involves exclusion of the interest of some parties. Again, it is counterfactual that members who experience exclusion contribute to the State. Also, it is incoherent for government to demand loyalty,

⁵² Premium Times, #EndSARS: Nine persons killed, four ‘presumed dead,’ 33 shot, assaulted in Lekki tollgate shooting by Oluwankemi Adelagun, November 16, 2021.

obedience and support from members who are technically or out rightly excluded from the scheme and strategies of governance.

Retrogression: Social distrust, civil disobedience, apathy and exclusion find expression in retrogression. By the principle of cause and effect, a State characterised by social distrust, civil disobedience, apathy and exclusion satisfies the conditions of not being developed. Apparently, development is neither natural nor accidental, rather, it is a necessary consequence of efficient responsibility and commitment of government to social contract. It suffices that, any form of neglect of social contract produces necessary consequences which consummate in retrogression.

Recommendations

The identified consequences are dangerous to State, the people and human wellbeing, hence, it is imperative to ameliorate them. The following recommendations are instructive.

Civic Education

The thinking that “a people deserve the kind of leaders they have” is largely logical. This is coherent since leaders emerge from the members of the society. This implies that

a civilized people necessarily have civilised leaders while an uncivilized people will have uncivilised leaders. This is particularly true in a regime of democracy. However, rarely, civilised leaders emerge among uncivilised people. This understanding provides a background for civic education.

Civic education involves the training of members of the society on the nature and purpose of the State and government, the rights and duties of government and the citizens. In most underdeveloped countries, activities of both government and citizens indicate dearth of civic education. This explains the systemic electoral malpractices, abuse of authority, duties and rights. The reverse case is also true, that in most developed countries, activities of both the government and the citizens are testaments of civic education. These conjectures make case for civic education.

Since the government and the citizens are mutually entailed, sufficient civic education will instill consciousness among citizens and control the excessive tendencies of both the government and citizens. Essentially, it will oblige the parties to their duties and rights, instill order and foster development.

Implementation of Social Contract

Social contract remains an instructive principle of practice of State and government. It serves as blueprint for the emergence, sustainability and development of state and government. It legitimises and protects State, government and citizens, sovereignty, law, authority, rights and duties. These categories substantiate that implementation of social contract is catalytic of development.

- Inclusivity through Geo-political Rotational representation

On the exclusion of certain ethnic nationalities, this research recommends that the position of the President be structurally open to all Nigerians through the various geo-political zones in turns – a rotational manner. This promises to enhance inclusion, active participation and social justice.

The significance of inclusivity towards social development cannot be overemphasized. Fundamentally, it harnesses resources, brings the best options to bear and enhances active participation for effectiveness. The diversity and complexity of state require eclectic approaches to explore and employ the most suitable resources. This widens the frontier of possibilities to provide most veritable solutions to the existential problems of State, government and citizens.

In the Nigerian state, inclusivity can be practiced by involving all groups at the central government, particularly, to open the office of the president to all groups in the form of rotational representation through the six geo-political zones. Adherence to such rotational pattern instills sense of belonging among the various groups. This solicits patriotism and commitments to the Nigerian nationality and polity.

Evaluation

This paper identifies that the question of development is predicated on social contract. A State whose majority is ignorant of social contract, therefore, cannot develop because the people are bereft of their duties and rights. The same majority of ignoramus dominates the electoral scene, persuaded by the bait of palliatives, a basis for electoral malpractices.

Apart from ignorance, moral character deficit is another if not a greater problem. Notably, high ranking academics who according to certification are educated have also been allegedly involved in electoral malpractices. In point of fact, INEC chairmen and election returning officers in Nigeria have been Professors but the question of excellent demonstration of knowledge in electoral processes can be determined by the credibility of the elections. Apparently

but unfortunately so, even academics involved in election and government have no substantial demonstration of superior capacity to administer effective governance.

Indiscipline is also a critical factor. Lack of discipline or weakness of will is both personal and social; personal indiscipline affects more of private goals while social indiscipline affects societal goals. Societal indiscipline manifests in the forms dysfunctional polices and disobedience to laws. Simply, by social indiscipline, “crime is cheap”, hence, individuals and groups perpetrate them without hesitation. This position coheres with cases of embezzlement, terrorism, fraud, falsification of certificates, malpractices, et cetera that receive no commensurate sanctions.

It is to be stated clearly that ignorance, character deficit and indiscipline are major antecedents of retrogression. Conversely, knowledge, moral character and discipline are necessary antecedents of development. To justify these hypotheses, we explore and juxtapose notable activities of developed and underdeveloped States. Specifically, in all developed States of the world, the citizens generally have civic education; they know their fundamental duties and rights. By moral character, they adhere to moral norms. On social discipline, the governments formulate effective

policies while the citizenry diligently and strictly adheres to laws. Clearly, in developed countries, “crime is expensive”; there is rule of law and nobody is above the law, hence, development, social order and flourishing happen almost necessarily. The opposite thesis is true, that in all underdeveloped States of the world, the citizens generally lack civic education; they are ignorant of their fundamental duties and rights. In terms of moral character, they deviate from moral norms. On social discipline, the governments formulate dysfunctional policies while the citizenry craftily disobeys laws. By implication, in underdeveloped countries, “crime is cheap”; there is no rule of law and some persons are above the law, hence, retrogression, social crises and perdition happen almost necessarily.

Conclusion

Social contract authorises and legitimises the government of State; hence, State and government are possible only by social contract. It means that sovereignty also depends on social contract. It is coherent to state that State and government are mutually entailed; government is the tool with which State organises its resources. By implication both the State and the government have the obligations to human and infrastructural development. The decline of

State and government to engaging in the activities of the “state of nature” such as exclusion, deprivation, imposition, social injustice and civil war in which “might is right” explicitly breaches social contract. Apparently, they hinder development – human and infrastructural. If neglect of social contract indicates retrogression, it coherently follows that its implementation indicates possibilities of development. State and government must therefore provide sufficient civic education, implementation of social contract and practice inclusivity, to enhance social order and human wellbeing.

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