

## **The Constitutionality of Margin of Victory Principle in Nigeria’s Electoral Jurisprudence: An Inquest**

**Ituma, Chibueze Calistus\***

### **Abstract**

Recently, a novel lexicon known as “Margin of Lead Principle” emerged in Nigeria’s electoral jurisprudence. The nomenclature was infused into the nation’s electoral law by the electoral umpire, INEC, in the 2019 Guidelines for the Conduct of Elections in Nigeria. The strange principle otherwise nicknamed “inconclusive election”, set a higher standard which supersedes the criteria set out in the constitution of the land. The 1999 Constitution of Nigeria (as amended), is the *grund norm*, indeed, the *fons et origo* of all other laws in Nigeria. The constitution has lucidly and exhaustively prescribed the conditions to be satisfied by a candidate to entitle him to be declared as duly elected and returned as the winner in an election. Intriguingly, the margin of win principle is an additional hurdle to be crossed by a candidate which is not within the contemplation of the constitution. Consequently, several elections have been declared inconclusive on account of this mysterious principle, particularly in the 2019 general elections in Nigeria. The result is monumental corruption, stealing of people’s mandate, conflicting decisions by the law courts, among others. The object of this research is to analyze the relevant provisions of the constitution, the Electoral Act and the margin of lead regulation, to prove that the margin of win principle is unconstitutional, null and void. Doctrinal research methodology was applied to validate the findings. Reliance was placed on the 1999 Constitution of Nigeria, the Electoral Act, INEC Guidelines, case law and sundry secondary sources. The article recommends the repeal of the margin of win principle to save the nation’s fragile democracy.

**Key words:** Margin of victory, Supremacy of the Constitution, *Grund norm*, Electoral Act, Votes.

### **1. INTRODUCTION**

The margin of victory principle otherwise nicknamed inconclusive election, is an unconstitutional and undemocratic principle bequeathed to electoral jurisprudence by the Independent National Electoral Commission boss, Prof. Mahmood Yakubu. The principle made its debut appearance in Nigeria’s electoral law in INEC’s manual for 2015 General Election, as contained in Chapter 3 paragraph 3.11(14) of the said manual. It states that in the final collation and declaration of governorship election results at the state level, the state collation/returning officer shall: “Where the margin of win between

the two leading candidates is not in excess of the total number of registered voters of the polling unit(s) where elections were cancelled or not held, decline to make a return until another poll has taken place in the affected polling unit(s) and the result incorporated into a new Form EC8D and subsequently recorded into a new form EC8E for Declaration and Return”. This strange principle was first applied in the Kogi State Governorship Election in the case of *Hon. James Faleke V INEC and Ors.*<sup>1</sup> In that case, Kekere-Ekun JSC, upheld INEC’s power to declare election inconclusive in Nigeria. Since then, the ghost of the principle has gripped our electoral lexicography till date.

Ironically, the question as to whether a candidate is duly elected or not is exclusively the province of the constitution. All the yardsticks for determining when a candidate is duly elected are comprehensively embodied in the 1999 Constitution of Nigeria. It is rather intriguing how the principle was imported into our electoral law vide a mere subsidiary legislation, which, in the view of the writer, appears to be elevated above the constitution which is the grund norm, indeed, the *fons et origo* (source of all other laws). The practice was more pronounced in the 2019 General Elections in Kano, Adamawa, Plateau and Osun States. In the 2023 general election, it featured prominently in Kaduna state, Adamawa, Enugu state and Nassarawa state amongst others. This article is devoted to the assessment and analysis of the constitution and other extant laws to ascertain the constitutionality or otherwise of the Margin of Win Principle in our electoral system. The article is structured into five sections namely, Introduction, Supremacy of the Constitution, Canons of Construction of the Constitution, Analysis of the Constitution and other relevant Statutory Enactment and Conclusion.

### **1.1. Brief Account of *Faleke v. Inec*’s case and the Genesis of Margin of Victory Principle in Nigeria’s Electoral System.**

The genesis of Margin of Win principle can be attributed to the controversial event that occurred in Kogi State on 21<sup>st</sup> November, 2015, when the victory of Prince Abubakar Audu of the APC on 21/11/2015 was scuttled by INEC

---

\* Ituma, Chibueze Calistus, LLB (Enugu), BL (Kano), LLM (Wuhan, China), Ph.D (Chongqing, China), Lecturer, Faculty of Law, Alex Ekwueme Federal University, Ndufu Alike-Ikwo, Ebonyi State of Nigeria. E-mail: itumachibueze45@gmail.com

<sup>1</sup> (2016) 18 NWLR (Pt. 1543) P. 61.

under the smokescreen of inconclusive election. Hon. James Faleke was the running mate to Prince Abubakar Audu in the said election. Prince Abubakar Audu polled 240,867 votes while Idris Wada of PDP polled 199,514 votes. The margin of victory between the two leading candidates stood at 41,353 votes. Votes in 91 polling units were cancelled and the election was declared inconclusive by INEC. Prince Abubakar Audu died before the declaration of the final result. Rather than invoke the provisions of Section 181(1) of the 1999 Constitution of the Federal Republic of Nigeria as Amended, and substitute Hon. James Faleke for the deceased Prince Abubakar Audu, APC and INEC nominated Yahaya Bello to replace Prince Abubakar Audu and abandoned James Faleke. Aggrieved by this decision, Hon. James Faleke fought the battle albeit unsuccessfully, to reclaim his mandate up to the Supreme Court, but his appeal was thrown into waste paper basket. Two weeks later, Bayelsa's Governorship election was held and was equally declared inconclusive. A return could not be made because, according to INEC, there was a margin of victory of 33,154 votes between Seria Jane Dickson who contested on the platform of PDP and Timipre Sylva of APC. It is also on record that the Osun State Governorship election was declared inconclusive. The PDP candidate, Ademola Adeleke, had polled 254,698 votes to defeat APC's Gboyega Oyetola who polled 254,345 votes. No fewer than 3498 votes were cancelled.

The nagging question begging for answer is whether an election to be won on simple majority cannot be won by a single vote in Nigeria? The operative words in Section 179(2) of the Constitution of Nigeria is "scoring the highest number of votes cast at an election". How then did INEC invent the Margin of Victory principle to override the unambiguous provisions of Sections 134(2) and 179(2) of the Constitution of the Federal Republic of Nigeria?

In *Faleke V. INEC* (Supra), Kekere-Ekun, JSC, reasoned otherwise by declaring as follows:

This brings me to the next consideration, which is, whether the appellant and the Late Prince Abubakar Audu met the requirements of Section 179(2) of the Constitution. The lower court found, and I entirely agree that there was no declaration or return of any of the candidates who participated in the election of 21/11/2015 as winners having regard to the declaration of INEC that the election was

inconclusive. That declaration was made based on the provisions of Chapter 3 paragraph 3.11(14) of INEC's Manual for Election Officials. The argument of learned Senior counsel for the appellant is that the provisions of the Manual cannot be employed to amend or augment the provisions of the Constitution. It is not disputed that pursuant to Section 160(1) of the Constitution, INEC has the constitutional power to regulate its own procedure or confer powers and impose duties on its officers for the purpose of discharging its functions. Sections 73 and 153 of the Electoral Act contain similar provisions to ensure the proper discharge of its functions. Section 73 empowers the Commission to publish in the Gazette, guidelines for elections which shall make provisions for the step by step recording of the poll in the electoral forms as may be prescribed...while Section 153 empowers the Commission to issue regulations, guidelines or manuals for the purpose of giving effect to the provisions of the Electoral Act and for its administration. I agree with the finding of the lower court at page 1608 of the record that the above provisions give statutory backing to the Manual as a subsidiary legislation and that where it is found to be relevant, its provisions must be invoked, applied and enforced.

The relevance of INEC's Manual for Electoral Officers in the proper conduct of elections was acknowledged by the Court in the case of *C.P.C Vs INEC*<sup>2</sup> per Adekeye, JSC thus:

By force of law, the Independent National Electoral Commission has the duty of conducting elections. Besides the constitutional provisions, it is guided by the Electoral Act 2010 (as amended) and the Election Guidelines and Manual issued for its officials in accordance with the Act. These documents embody all steps to comply with the conduct of a free, fair and hitch-free election. Having discovered electoral malpractices in 91 polling units in the

---

<sup>2</sup> (2011) LPELR 8257 (SC) AT PAGE 54-55F-B

State, it was proper for the 1<sup>st</sup> respondent to consult and apply the provisions of its Manual to determine the next course of action in the circumstances. I do not agree with Chief Olanikpekun, SAN, with due respect that resort to its manual in the circumstances amounted to a flagrant disregard of the supremacy of the constitutional provisions as contained in Section 179(2).

Chapter 3 paragraph 3.11 (14) of the Manual for Election officials (updated version) at page 325 of volume 1 of the record provides that:

Where the margin of victory between the two leading candidates is not in excess of the total number of registered voters of the polling unit(s) where elections were cancelled or not held, decline to make a return until another poll has taken place in the affected polling unit(s) and the results incorporated into a new Form EC8D and subsequently recorded into a new form EC 8E for Declaration and Return. The provision is clear and straight forward and did not require a foray into any other provisions in the Manual for it to be effected. There is no dispute as to the fact that the margin between the votes scored by the Late Prince Audu and the appellant on the one hand and Capt. Wada and Arch Awoniyi, on the other was 41,619, which was less than the total number of registered voters in the 91 polling units where votes were cancelled. I therefore, agree with the court below that the 1<sup>st</sup> respondent was correct to have declared the election inconclusive on the basis of the number of registered voters in the 91 affected polling units.

It is to be noted that the above piece of judicial reasoning can hardly be supported in law. As the writer shall soon show, the controversial margin of win principle is radically in conflict with the provisions of the Constitution, and should have been declared null and void by the apex court. Unfortunately, the court, with greatest respect, elevated the above subsidiary legislation to override the clear and unambiguous provisions of the constitution.

## **2. Supremacy of the Constitution**

The 1999 Constitution of the Federal Republic of Nigeria (as Amended) is the Supreme law of the land. It proclaims its supremacy in Section 1 (1) thereof. Under Section 1 (3), any other law(s) which is inconsistent with any provision of the Constitution is null and void. By virtue of Section 1 (2) “The Federal Republic of Nigeria shall not be governed, nor shall any person or group of persons take control of the government of Nigeria or any part thereof, except in accordance with the provisions of this Constitution.” It is rather disturbing how extra—constitutional principle crafted by INEC could override the lucid and unambiguous provisions of the Constitution. The supremacy of the Constitution has received judicial nod in a legion of cases. See *Rossek v. Acb Ltd*<sup>3</sup>; *Dapialong v. Dariye*<sup>4</sup>

## **2.1 Superiority of the Constitution and Principal Legislations over Subsidiary Legislations.**

It settled law that the constitution prevails and overrides all other legislations and subsidiary legislations.<sup>5</sup> It is also beyond controversy that a principal enactment like the electoral act, prevails and supersedes over the provisions of its subsidiary enactments such as the electoral guidelines and election manuals. Section 148 of the Electoral Act 2022, provides thus: “The Commission may, subject to the provisions of this Act, issue regulations, guidelines, or manuals for the purpose of giving effect to the provisions of this Act and for its administration”.<sup>6</sup> In the same vein, Section 66 of the principal Electoral Act 2022 enacts as follows: “In an election to the office of the President or Governor whether or not contested and in any contested election to any other elective office, the result shall be ascertained by counting the votes cast for each candidate and subject to the provisions of Section 133, 134 and 179 of the Constitution, the candidate that receives the highest number of votes shall be declared elected by the appropriate returning officer”. It is obvious from the foregoing provisions of the Electoral Act that any subsidiary enactment and the Electoral Act itself must be subservient to the constitution. All electoral guidelines shall give effect to the provisions of the Electoral Act, which in turn, must be in consonance with the constitution. This irrebuttable position of the law has received

---

<sup>3</sup>(1993) 8NWLR (PT 312) P382

<sup>4</sup>(2007) 8 NWLR (PT 1036) P332.

<sup>5</sup> See Section 1 (3) of 1999 Constitution of Nigeria (As Amended).

<sup>6</sup> Former Section 153 of Electoral Act 2010.

judicial authenticity in a litany of cases. In the case of *Ololade v. INEC & Ors*<sup>7</sup>, the Court of Appeal held that the provision of the Electoral Act is superior and overrides the practice and procedure set out in the schedule to the Electoral Act, which is a subsidiary enactment. Also in the case of *Wike Nyesom v. Dakuku Peterside & Ors*<sup>8</sup>, *Okoro JSC*, held thus: “Let me make it clear that the provisions of the Electoral Act are superior to any letter or directive of the Independent National Electoral Commission.” How then can the provision of INEC’s electoral guidelines on Margin of Victory override the clear and unambiguous provisions of Section 66 of the Electoral Act and Sections 133, 134 (2) and 179 (2) of the Constitution?

### **3. Canons of Construction of the Constitution and Other Statutes.**

The cardinal rule of construing any statute, constitution inclusive, is that where a statute or constitution is clear and unambiguous, the Court has the duty to simply interpret the clear provision by giving the plain wordings their ordinary interpretation. See *Joseph V. Nigeria Navy*<sup>9</sup>; *Abacha Vs. FRN*<sup>10</sup>. This canon of interpretation is christened “literal rule”. See also *A.G, Abia State v. A.G Federation*<sup>11</sup> ; *N.P.A Plc v. Lotus Plastic Ltd*<sup>12</sup> ; *Gana v. S.D.P*<sup>13</sup>. It follows from the galaxy of authorities above, that where words are clear and unambiguous, the court must so interpret them devoid of any judicial voyage outside the denotative or natural meaning of the words to be construed. Similarly, in the case of *Kassim v. Sadiku*<sup>14</sup>, the Supreme Court held that: “where a statute of the Constitution or a subsidiary legislation...prescribes a procedure for seeking remedy or the doing of anything or act, and the language used is clear and unambiguous, that is the only procedure open to the parties concerned, and any departure therefrom will be an exercise in futility”. The “Mischief Rule” or “Golden Rule of Interpretation of Statutes” can only be invoked where the old law did not provide for a matter and an interpretation is to cure or remedy that mischief. See *Ugwu v. Ararume*<sup>15</sup>; *Wilson v. A.G. Bendel State*<sup>16</sup>; *Global Excellence*

---

<sup>7</sup> (2008) LPELR-4760 (CA).

<sup>8</sup> (2016) Vol. 255 LRCN P 28 (SC).

<sup>9</sup> (2020) LCN/14180 (CA).

<sup>10</sup> (2014) 6 NWLR (pt. 1402) P43

<sup>11</sup> (2002) 16 NWLR (PT. 1856) 205

<sup>12</sup> (2005) 19 NWLR (PT. 959) 158

<sup>13</sup> (2019) 11 NWLR (PT. 1684) 510

<sup>14</sup> (2021) 18 NWLR (pt. 1807) 123.

<sup>15</sup> (2007) 12 NWLR (PT. 1048) 365

*Communications Ltd. V. Duke*<sup>17</sup>. Other canons of interpretation of statutes such as *ejus dem generis* (things of the same species) rule and *expressio unius exclusio altarium* (the express mention of one thing is the exclusion of the other not mentioned), have no bearing to our discussion and analysis herein and need not detain us here. The writer shall now apply the above relevant canons of interpretation in conducting an inquest into the Margin of Victory Principle vis-a-viz the constitutional and Electoral Act provisions at the appropriate section of this article.

#### **4. Analysis of Relevant Provisions of the Constitution and the Electoral Act on the Powers of INEC and the Question of When a Candidate is Deemed to be Duly Elected Vis-a-Viz Margin of Victory Principle.**

For a comprehensive analysis and comprehension of the above legal conundrum, it is expedient to set out the relevant provisions of the law.

First on the power of INEC, the Independent National Electoral Commission is established pursuant to Section 153 (f) of the 1999 Constitution of Nigeria. Section 15 of Part 1 paragraph f of the third schedule to the said Constitution provides that the Commission shall have power to “Organize, undertake and supervise all elections to the offices of the President and Vice President, the Governor and Deputy Governor of a State, and to the membership of the Senate, the House of Representatives and the House of Assembly of each State of the Federation”. Again, Section 160 of the same constitution reads thus: (1) Subject to subsection (2) of this section, any of the bodies may, with the approval of the President, by rules or otherwise regulate its own procedure or confer powers and impose duties on any officer or authority for the purpose of discharging its functions, provided that in the case of the Independent National Electoral Commission, its powers to make its own rules or otherwise regulate its own procedure shall not be subject to the approval or control of the President. It is clear from the above constitutional provisions on the powers of INEC, that the electoral umpire is permitted to enact adjectival rules rather than substantive enactment in

---

<sup>16</sup>(1985) 1 NWLR (PT. 4) 572

<sup>17</sup>(2007) 16 NWLR (PT. 1059) 22, 47-48.



respect of procedure for election. It cannot be elevated to the power to make substantive regulations that would override the Constitution.

Secondly, the relevant constitutional provisions are set out in Sections 133, 134 (2) and 179 (2). Section 133 provides as follows: a candidate for an election to the office of President shall be deemed to have been duly elected to such office where being the only candidate nominated for the election:

- (a) He has a majority of YES votes over No votes cast at the election; and
- (b) He has not less than one-quarter of the votes cast at the election in each of at least two-thirds of all the States in the Federation and the Federal Capital Territory Abuja.

134 (2) reads thus: a candidate for an election to the office of the President shall be deemed to have been duly elected where, there being more than two candidates for the election –

- (a) He has the highest number of votes cast at the election and
- (b) He has not less than one-quarter of the votes cast at the election in each of at least two-thirds of all the States in the Federation and the Federal Capital Territory Abuja.

For due election of a Governorship Candidate, Section 179 (2) provides thus: “A candidate for an election to the office of the Governor of a State shall be deemed to have been duly elected where, there being two or more candidates:

- (a) He has the highest number of votes cast at the election: and
- (b) He has not less than one-quarter of the all votes cast in each of at least two-thirds of all the local government areas in the state.

It must be observed that the conditions and possibility of a run-off or rerun election are envisaged by Section 134 (3), (4), (5) and 179 (3), (4) and (5) of the constitution. No reference is made to Margin of Victory as a condition precedent for declaring a candidate duly elected in the whole of the 1999 Constitution (as amended). In fact, it is not within the contemplation of the framers of the Constitution. It is totally a strange and foreign phenomenon in our electoral jurisprudence.

Now, the word “duly” simply means properly. The Constitution has comprehensively defined when a candidate shall be declared duly elected.

Only two conditions under the constitution satisfies the requirement of being duly elected. These two conditions are:

- (a) Scoring highest majority of the Votes cast at an election
  - (b) Scoring one-quarter of the total votes cast in at least two-third majority of the States or Local Government Areas, as the case may be.
- See Sections 134 (2) and 179 (2) of the Constitution (Supra).

Applying the canons of interpretation of Constitution and other statutes discussed above, one can authoritatively conclude that the above Constitutional provisions on the definition of when a candidate is duly elected in an election is bereft of any ambiguity to warrant any judicial excursion to extraneous and extra-constitutional importation of additional requirements.

The provisions of the Constitution on this question is exhaustive and admit of no further addition or subtraction, being lucid and unambiguous. In the recent past, the Supreme Court has correctly interpreted the above constitutional provisions without recourse to the margin of win *gravermen* which has now obscured our electoral law. This was done in an avalanche of cases including *Ngige Vs Obi*<sup>18</sup>; *Agagu Vs Mimiko*<sup>19</sup>; *INEC Vs Oshiomole*<sup>20</sup>; *Fayemi Vs Oni*<sup>21</sup> and *Aregbesola Vs Oyinlola*<sup>22</sup>. For instance, in *Agagu V. Mimiko* (Supra), INEC declared the appellant winner of the governorship election in Ondo State with 349,288 votes whilst the respondent polled 226,021 votes. At the trial, the actual votes were found to be 313,355 and 195,030 respectively. Accordingly, 248,724 were cancelled. In view of the fact that Section 179 (2) of the constitution had been satisfied, the Supreme Court affirmed the respondent's return as governor. Similarly, in *INEC v. Oshiomole* (Supra), INEC had earlier declared 329,740 for PDP and 197,472 for Action Congress (AC) i.e. for Mr. Oshiomole. In quashing INEC's decision and declaring Oshiomole as winner, the Supreme Court, while affirming the judgment of the Court of Appeal, cancelled 200,723 of votes scored by PDP and 30,895 of votes scored by AC (invalidating a total of 231,618). The court did not find any reason to call for a rerun because the

---

<sup>18</sup> (2006) 14 NWLR (Pt. 999) 1

<sup>19</sup> (2009) 7 NWLR (Pt. 1140) 342

<sup>20</sup> (2009) 4 NWLR (Pt. 1132) 611

<sup>21</sup> (2007) 7NWLR (Pt. 1222)

<sup>22</sup> (2011) 9 NWLR (Pt. 1253) 458

petitioner satisfied the requirements of Section 179 (2) (a) and (b) of the Constitution.

Also in *Aregbesola v. Oyinlola* (Supra), INEC had earlier declared 426,669 votes for Oyinlola, and 240,722 for Aregbesola. The margin of win was 185,947 votes. The court however nullified votes in 10 disputed local government areas where 41,923 votes were cast for Aregbesola and 253,789 votes were cast for Oyinlola. Total cancelled votes were 298,712. In declaring the petitioner as winner of the election, the Apex Court relied on Section 179(2) of the Constitution and held that the appellant satisfied the requirements of the law. In all the above cases, the apex court rightly confined the determination of "duly elected" to satisfaction of the two conditions stated above without reference to Margin of Victory Principle. One wonders how the Apex Court *per* Kekere-Ekun, JSC, was persuaded to make this rather strange conclusion in *James Faleke v. INEC* (Supra). With greatest respect, that judgment constitute a miscarriage of justice and was reached *per incuriam*, and can hardly be supported. It is refreshingly heartwarming that Nweze (JSC), of blessed memory, delivered a dissenting judgment in that case contrary to the majority opinion held by Kekere-Ekun (JSC).

The margin of victory principle is therefore, inconsistent with the provisions of Sections 134 (2) and 179 (2) of the Constitution and is unconstitutional, null and void. One can only expect that the Apex Court will have another opportunity to revisit the principle and reverse its decision in *James Faleke V. INEC* (supra) which remained a bad precedent in our electoral jurisprudence. The principle is usually invoked to favour the ruling party. For example, in the bye-election to fill the vacant seat of Lokoja/Kogi Federal Constituency of 2019, ignited by the demise of Hon. Buba Jibrin, Haruna Isah was declared winner having polled 26,860 votes as against Engr. Bashir Abubakar of PDP, who scored 14, 845 votes. The election was greeted with violence such that 19,960 votes were canceled. INEC did not declare the election inconclusive, but proceeded to declare APC's candidate winner. Furthermore, the election of Senator Orji Uzor Kalu in 2019 ought to have been declared inconclusive going by INEC's margin of victory principle. He scored 31,201 votes for the APC to beat incumbent PDP senator, Mao Oluwabunwa who polled 20,801. No fewer than 38,526 votes

were cancelled, which is much larger than the margin of win of 10,400 votes. Yet, INEC declined to declare the election inconclusive and returned Senator Orji Uzor Kalu as the winner<sup>23</sup>. All said, the margin of win principle is undemocratic and imposes additional financial burden on the Federal Government which could have been channeled to other sectors of the economy. It encourages corruption as the candidates usually want to win at all cost.

## 5. Conclusion

In view of the elaborate analysis above, it seems incontrovertible that the margin of victory principle is unconstitutional, null and void. The constitution is the supreme law of the land and prevails over all other laws and subsidiary legislations. The margin of victory principle is a mere subsidiary legislation. The Supreme Court decision in *James Faleke Vs INEC* (Supra) is a miscarriage of justice and same was reached *per incuriam*. The principle of margin of win breeds corruption and the pendulum seems to always swing in favour of the ruling party. The definition of who is duly elected in an election in Nigeria is exhaustive in the Constitution itself and not any other enactment, not even INEC guidelines. The definition of duly elected in the Constitution is clear and unambiguous and the literal rule of interpretation must be applied to it. Previous decisions of the Supreme Court in myriad of cases circumscribed the definition of duly elected within the Constitution without alluding to extra-constitutional requirements. Consequent upon the foregoing, it is recommended that:

- i. The National Assembly should amend the Electoral Act 2022 to outlaw Margin of Victory principle in our electoral law.
- ii. The Supreme Court should summon courage to revisit and overrule itself in *James Faleke Vs INEC* to cure the miscarriage of justice inherent in that decision.
- iii. The appointment of INEC Chairman and its National Commissioners should be vested in the National Judicial Council (NJC).
- iv. Electronic Voting System should be introduced into Nigeria's Electoral Law to curb the incidences of violence and ballot box snatching as well as bribery of presiding officers at the polling units.

---

<sup>23</sup> Udeuhele, G.I., (2019) Inconclusive Elections and Democratic Consolidation: A study of General Election in Nigeria, Journal of Humanities and Social Science. P. 6.

Ituma, Chibueze Calistus, LLB (Enugu), BL (Kano), LLM (Wuhan, China), Ph.D (Chongqing, China)The Constitutionality of Margin of Victory Principle in Nigeria’s Electoral Jurisprudence: An Inquest