



POLITICAL FINANCE AND WOMEN'S POLITICAL INCLUSION IN NIGERIA



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POLICY AND LEGAL ADVOCACY CENTRE

POLITICAL FINANCE AND WOMEN'S POLITICAL INCLUSION IN NIGERIA

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Policy and Legal Advocacy Centre (PLAC)

📍 Plot 451 Gambo Jimeta Crescent, Guzape District, Abuja, Nigeria.

🌐 www.placng.org

✉ info@placng.org

☎ 0809 189 9999

📘 www.facebook.com/placng

🐦 @placng

📷 @placng

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1.1 INTRODUCTION

Political representation of women has historically been abysmally low in Nigeria. A study by the National Bureau of Statistics (NBS) shows that the overall political representation of women in elective positions in Nigeria is currently under 10 percent (NBS 2023). As Table 1 below illustrates, no woman has ever occupied the principal executive positions at the federal and state levels (that is, President and Governor, respectively). In the parliament, women have not exceeded 7 percent in the lower chamber (House of Representatives) and 9 percent in the upper chamber (Senate) since the country's return to civil rule in 1999, as Table 2 shows. Recent data produced by the Inter-Parliamentary Union indicate that Nigeria sits at the bottom of the table in terms of the number of women in African Parliaments with a ranking of 183 out of 187 (IPU 2023). The statistics show that while many African countries like Senegal, Rwanda, South Africa, Namibia, and Uganda are making ample progress with women's political representation, Nigeria appears to be stagnant or even backsliding.

Lack of progress with women's political representation in Nigeria is surprising considering that the prospects for increased political inclusion of women appear strong. In the first place, women's role in the country's socio-economic and cultural landscape seems to be increasing; and it is expected that the increasing role of women in the society would translate to greater political inclusion of women. As observed by several scholars, there is a growing "voice" and rising profile of women in the economy, community work, and various spheres of professional and public engagements. Additionally, Nigerian society has experienced gradual but steady withering of cultural restrictions on the perception of women in public affairs for the last three decades. Furthermore, there is rapid expansion in the work of activist women organizations supporting increased participation of women in politics and a resultant rise in the number of women joining politics and standing for elections (Ibeanu 2009).

Generally, Nigeria has a policy environment that supports gender equity (Orji et al. 2018). The country is a signatory to most international conventions on gender equality and women empowerment. In addition, successive governments in the country have established a vibrant institutional structure for the development and implementation of gender policies, coordinated by the Federal Ministry of Women Affairs with desk officers for each sector, and corresponding Women Affairs Officers in each government ministry. Lastly, there seems to be a widespread appreciation of gender issues as both government and non-governmental organizations emphasize gender mainstreaming.

If the prospects for increased political representation of women in Nigeria are as strong as the foregoing discussion suggests, then, why has it been difficult to overcome women's political underrepresentation in the country? As women in politics literature suggests, gender inequality in political representation in Nigeria is the result of a complex mix of sociocultural, economic, and political factors. Among the factors, limited access to funds by women politicians, excessive use of money in Nigerian politics, and the increasing cost of election campaigns appear to be the most critical. This study investigates the relationship between

political finance and women's political inclusion in Nigeria. It examines the impact of limited access to funds and the rising cost of elections – worsened by galloping inflation, a culture of vote buying, extortion by party leaders, prodigious cost of election petition/litigation, and failure to enforce political finance regulations – on the political careers of women, especially in terms of their decision to run as candidates, their ability to win nominations, and their capacity to launch effective electioneering.

Table 1: Women Representation in Elective Positions (1999-2023)

Office	Seats	1999 Women	1999 Women	1999 Women	1999 Women	1999 Women	1999 Women	1999 Women
President	1	0	0	0	0	0	0	0
Vice President	1	0	0	0	0	0	0	0
Senate	109	3	3	9	7	8	9	3
House of Reps	360	12	21	25	24	23	13	17
Governor	36	0	0	0	0	0	0	0
Deputy Governor	36	0	3	4	8	6	3	8
State House of Assembly	990	22	30	43	58	37	51	48

Source: Authors' calculation from different sources

Table 2: Women in Parliament

House of Representatives				Senate			
Election	Seats	Women	%	Elections	Seats	Women	%
2023	360	17	4.7	2023	109	3	2.8
2019	360	13	3.6	2019	109	9	8.3
2015	360	23	6.4	2015	109	8	7.3
2011	360	24	6.7	2011	109	7	6.4
2007	360	25	6.9	2007	109	9	8.3
2003	360	21	5.8	2003	109	3	2.8
1999	360	12	3.3	1999	109	3	2.8

Source: Inter-Parliamentary Union, "Women in National Parliaments", <http://www.ipu.org/wmn-e/classif-arc.htm>

1.2 OBJECTIVES OF THE STUDY

The objectives of this study are to:

- 1 Describe the experiences of men and women contestants regarding access to funds for election purposes and highlight any gender dimensions identified;
- 2 Examine how access to funds and the cost of elections are connected to the decision of women to contest elections;
- 3 Assess how access to funds and the cost of elections affect chances of winning party nominations by women;
- 4 Ascertain how access to funds and the cost of elections are connected to the ability of women to effectively conduct election campaigns;
- 5 Review the legal framework governing political finance to identify challenges with implementation and gender implications of the regulations;
- 6 Develop relevant evidence-based recommendations for election stakeholders (including women aspirants and candidates, political parties, the election management body, the National Assembly, civil society groups, and development partners).



The debate about women's political representation in Nigeria is evolving from being conflated among the very many drivers of gender inequality to one that is focusing squarely on the role of money.

1.3 METHODOLOGY

This study was conducted using a mix of methods. In the first place, a review of published sources focusing on the challenges faced by women and men in successfully running for elections was carried out. Furthermore, the political finance regulations in Nigeria were reviewed as part of an analysis of how existing political party and campaign finance regulations affect the political careers of women and men.

To elicit relevant and up-to-date information on the link between election campaign finance and inclusion, the main input to this analysis came from interviews with a small sample of women and men who had contested elections in Nigeria and others with an insight into the dynamics of the process. A total of 22 individuals (referred to as 'respondents' in this report) were interviewed in March 2024, including members of the ruling and opposition parties, former and current members of the National Assembly and the State Houses of Assembly, and party leaders.

While the number of respondents interviewed does not constitute a sufficiently representative sample given that there were about 15,000 candidates for all elective positions in the 2023 general elections alone, the accounts of the respondents provide good insight into the gender-related constraints imposed by political finance and the related implications they have for political careers of Nigerian women.

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The culture of private donations as a source of election fundraising is not yet established in Nigeria. The respondents who recalled setting up crowdfunding schemes and other methods of private fundraising stated that the outcome was below expectation. In most cases, personal resources constituted the most important source of election funds, and self-financing is often a major obstacle for women in particular.



2.1 A REVIEW OF PREVIOUS STUDIES

While political finance and women's political participation have separately been subjects of robust discussions for a long time, the relationship between the two phenomena has not been fully considered in academic and practice-based literature. The impact of political finance on women's political participation, in general, and on the political careers of women, in particular, has been discussed broadly as part of the factors leading to the unequal representation of women in the electoral process. However, the issue of access to funds and the cost of running elections has seldom been singled out for in-depth analysis, particularly in the case of Nigeria.

Efforts to examine the impact of political finance on the political career of women were championed by international development agencies such as the International Institute for Democracy and Electoral Assistance (International IDEA), the International Foundation for Electoral Systems (IFES), the United Nations Development Programme (UNDP), the Westminster Foundation, and Friedrich Ebert Foundation. Julie Ballington's chapter in the 2003 International IDEA Handbook – "Funding of Political Parties and Election Campaigns" remains to date the groundbreaking contribution to this field (Ballington 2003). Her study was followed by subsequent writings on the subject matter, such as the report by the Women's Environment and Development Organization titled "Women Candidates and Campaign Finance" (WEDO 2007), a UNDP (2007) report on "Electoral Financing and Gender," and Amber R. Maltbie's "Campaign Finance and Gender Disparity" (Maltbie 2011). In 2014, Julie Ballington and Muriel Kahane published one of the most comprehensive analyses of the subject at the global level. Ballington and Kahane's (2014) study explores the interplay between political finance and gender equality from many different angles, including winning a nomination and funding a campaign as well as the barriers to fundraising and measures to level the field.

These global studies opened the way for several interesting country-level studies. For instance, the study by Teresa Sacchet and her colleagues on the Brazilian case showed that "women in the parties are correct when they claim that their campaigns receive less financial support from the parties than the campaigns of their male counterparts" (Sacchet 2011: 32). Magnus Ohman and Carol Lintari's (2016) excellent analysis of the Kenyan situation examined the role and the extent to which access to finance determines the success of women running for elective positions. Similarly, the work by Meredith Applegate and her colleagues (2021) describes the close relationship between political finance and gender equality in Ukraine. The study found that self-funding of election campaigns was more common for men, while women relied prominently on fundraising, especially from individual donations. Regarding gender variations in campaign spending, the study noted that women candidates spent more than men. Finally, the study concluded that inadequate enforcement of campaign finance regulations by the Ukrainian state favoured men, as they have more access to larger financial resources and the ability to spend these funds with little regard to existing rules.

Like many other countries around the world, several country-level studies on political finance have been conducted in Nigeria, yet, only a few of these studies investigated the link between political finance and women's political representation. Instead, the key areas of interest in these studies include political corruption (Walecki 2003, Nwozor et al. 2021), monetization of politics (Onah and Nwali 2018), financing of political parties and candidates (Wakili et al. 2008, Ukase 2015, Yagboyaju and Simbine 2020), cost of elections (Olorunmola 2016), legal framework for political finance (Osigwe et al. 2019, Okeke and Nwali 2020), monitoring and enforcement of campaign finance regulations (Ilo 2004, Adetula 2009, Egwu 2009, Nwangwu and Ononogbu 2016, Sule et al. 2022), sources of campaign expenditure (Sule et al. 2019), and vote buying (Bratton 2008, Nwangwu et al. 2022, Hoffmann and Patel 2022).

The compendium by Victor Adetula (2008) remains to date the most comprehensive analysis of the role of money in Nigerian politics. In that volume, the work of Kachollom C. Best stands out because of its focus on "Gender, Money and Politics in Nigeria." Although Best's contribution did not offer much original insight into the question of how political finance affects the political career of women, its value lies in the effort to bring attention to the largely neglected subject. Since Best's contribution, not much work has been done to understand the role of money in shaping women's political participation and the trajectory of women's political careers.

The debate about women's political representation in Nigeria is evolving from being conflated among the very many drivers of gender inequality to one that is focusing squarely on the role of money. Increasingly, civil society organizations are encouraging female politicians to speak up about the challenges they face regarding fundraising and spending during their campaigns. Some civil society activists who ventured into politics have taken the initial step by documenting their experiences to provide a basis for learning by other female politicians or intending politicians and advocacy by activists and civil society organizations.

In this regard, the work of Ayisha Osori is exemplary. Ayisha Osori (2017) provided a detailed narrative of the challenges she faced while running for a ticket for the House of Representatives election under the platform of the Peoples Democratic Party (PDP). Her account captured the issues that influenced her decision to run, the factors that defined her preparation and her responses to the deep structural issues in Nigerian politics such as patronage and indigenship, as well as the challenges she had to grapple with as an aspirant and in "the delegate game" during the party primaries. Personal accounts, like that of Ayisha Osori, provide the basis to further explore the role of political finance in shaping women's political careers.

A critical aspect of the relationship between political finance and women's political participation is to understand the implications of election expense regulations for the electoral chances of women. While this study is interested in the interplay between political finance regulations and women's political participation,

it touches on the practices relating to financing candidates that may not necessarily fall within the bounds of the formal regulations. The literature highlights the factors (or regulations) that may facilitate women's political participation and the current thinking about the impact of political finance regulations on the electoral chances of women and men (see for instance Ballington and Kahane 2014, Cigane and Ohman 2014, Ohman and Lintari 2016). The factors include public funding, donation limit, spending limit, and ban on vote buying. However, it is now common knowledge that the presence of these factors is neither necessary nor sufficient. Many countries with political finance regulations, like Nigeria, have low levels of female representation.

The disconnect between political finance regulations and gender parity in politics is not surprising considering that many of such regulations are not usually effectively implemented, and both money and gender in politics are highly complex matters. There are no individual criteria that are sufficient to create equal opportunities for women and men in politics, but a combination of factors can make equality more (or less) likely. There is ample evidence in the literature that money is one of the most influential factors determining the successful political career of women (Ballington and Kahane 2014).

Drawing from the foregoing, this study prioritizes the views of female and male contestants on the role of political finance in shaping women's political careers in Nigeria, regardless of the formal regulations. Thus, in appraising the legal framework for political finance in Nigeria and in eliciting inputs from the field research, the study focused special attention on suggested legal reforms, and more importantly, on measures that can moderate the behaviour of politicians, political parties, and the institutions mandated to enforce political finance regulations and other electoral laws.

The next section will appraise the legal framework for political finance in Nigeria, tracking the changes to political finance regulations in the country since 1979. The analysis will focus on the deficiencies of the framework, the challenges to effective implementation, and the gender implications of the political finance regulations in Nigeria.

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Generally, women are known to be disadvantaged in terms of fundraising capacity. Therefore, adopting political finance regulations that address the challenges faced by women can be seen as a progressive measure by state authorities. However, in Nigeria, the political finance regulations were designed to be “gender-neutral.” This means that the legislation does not seek to directly address gender inequalities.



3.1 APPRAISING POLITICAL FINANCE REGULATIONS IN NIGERIA

Political finance regulations are introduced to increase the transparency and fairness of the electoral process and to provide a level playing field for all candidates. Globally, political finance regulations typically employ four main approaches, namely: 1) impose a ban or limit on donations from certain sources, 2) place a ban or limit on spending by candidates and/or political parties, 3) impose disclosure and reporting requirements on candidates and/or political parties, and 4) make provisions for public funding of political parties and certain political activities (Falguera et al. 2014, Ohman 2016). In practice, a ban or limit on donations from foreign or anonymous sources or limits on donations that parties or candidates can receive within the country from individuals and corporate bodies may focus on preventing the undue influence of external actors, corporate bodies, and individuals. Other measures aim to level the playing field, for example, by ensuring that incumbents do not have an unfair advantage over other candidates.

Formal political finance regulation was first introduced in Nigeria in 1979 (Yagboyaju and Simbine 2020). At that time, the 1979 Constitution was the main body of law that regulated political finance. As Table 3 below shows, the 1979 Constitution contained 10 specific provisions relating to political finance. The provisions focused almost entirely on the political parties. The highlights of the 1979 regulations include the prohibition of associations, other than a political party, from contributing to the funds of any political party, or to the election expenses of any candidate at an election, and the prohibition of political parties from holding or possessing any funds or assets outside Nigeria or retaining any funds or assets remitted from abroad. Other provisions of the regulation include disclosure and reporting requirements imposed on political parties, as well as monitoring and oversight responsibilities placed on the electoral commission. The 1979 Constitution did not have provisions limiting fundraising and spending nor did it contain provisions on public funding of political parties. The political finance regulations contained in the 1979 Constitution were transferred to the 1999 Constitution without any major alteration (see Table 3 below).

Political finance regulation in Nigeria was, however, redefined with the country's transition to civil rule in 1999. Following Nigeria's democratic transition, an Electoral Act was enacted in 2001. The Electoral Act 2001 was repealed and re-enacted in 2002. The Electoral Act was further repealed and re-enacted in 2006, 2010, and 2022. One unique provision of the Electoral Act 2001 was a non-refundable deposit imposed on every candidate intending to participate in an election (see Section 80[2]). That provision was expunged in 2002 following an outcry by various political groups. Besides the requirement for a non-refundable deposit, the Electoral Act has been fairly consistent in its provisions despite several revisions as the analysis of the four approaches to political finance will demonstrate.

Table 3: Constitutional provisions regulating political finance in Nigeria

S/N	Regulations	1979 Constitution	1999 Constitution
1	Associations, other than a political party, are prohibited from contributing to the funds of any political party or to the election expenses of any candidate at an election	Section 201	Section 221
2	Political parties to submit to the Commission and publish a statement of their assets and liabilities	Section 205(1)	Section 225(1)
3	Political parties to submit to the Commission detailed annual statement and analysis of their sources of funds and other assets together with statement of their expenditure	Section 205(2)	Section 225(2)
4	Prohibits parties from holding or possessing any funds or other asset abroad or retaining any funds or assets remitted from abroad	Section 205(3)	Section 225(3)
5	The Commission to take over foreign possession by parties within 21 days	Section 205(3)	Section 225(4)
6	The Commission can monitor financial transactions and records of parties	Section 205(4)	Section 225(5)
7	The Commission to is empowered to delegate auditors to inspect parties' expenses	Section 205(5)	Section 225(6)
8	The Commission to prepare and submit to the National Assembly balance sheet of political parties	Section 206(1)	Section 226(1)
9	The Commission to constitute an investigation into the expenses of political parties	Section 206(2)	Section 226(2)
10	The Commission's officials to have unrestricted access to books of account of political parties	Section 206(3)	Section 226(3)

Source: Constitution of the Federal Republic of Nigeria, 1979 & 1999

Public Funding of Political Parties

This approach to political finance regulation aims to improve the ability of political parties to run effective campaigns and function efficiently as public institutions (Ballington and Kahane 2014). It is believed that public funding of political parties may contribute to levelling the field, ensuring that smaller parties gain recognition and that all political platforms are communicated to voters. Public funding is usually overwhelmingly allocated to political parties rather than candidates and typically covers campaign expenditures, training, party activities, and intraparty institution building. Public funding of political parties can be direct or indirect. Direct public funding provides funds for political parties to improve the way they operate or to ensure that certain priorities are addressed in their platforms, while indirect public funding may provide resources for campaigns such as transport, venues, free or subsidized media access to public or private televisions, radio, newspaper or other media.

The provision for public funding of political parties in Nigeria's Fourth Republic was first introduced by Sections 93-95 of the Electoral Act 2001. The provision bestowed on the National Assembly the power to approve "a grant for disbursement to the political parties contesting elections" (Section 93[1]). In Section 94(1), the Act stipulates "the National Assembly may make an annual grant to the Commission for distribution to the registered political parties to assist them in their operation". The modalities for distribution of the grant according to the Act are as follows: a) 30 percent of the grant shall be shared equally among all the registered political parties, and b) the remaining 70 percent of the grant shall be shared among the registered political parties in proportion to the number of seats won by each party in the National Assembly. The Act excludes political parties that have not won a minimum of 10 percent of the total votes cast in the local government elections in at least two-thirds of the states of the Federation from receiving the grant.

The provisions for public funding of political parties were carried over to the Electoral Act 2002 and 2006. However, in the 2006 Act, the modalities for distributing the proposed grant were amended. The share of the grant to be distributed to the parties based on equality was reduced from 30 to 10 percent, while the portion to be shared among the registered political parties in proportion to the number of seats won by each party in the National Assembly was increased from 70 to 90 percent. The 2006 amendment to the public funding provisions generated serious controversy as many opposition parties and activists perceived the amendment as an attempt by the bigger parties to extend their domination. The acceptability of the provisions was further eroded by the controversial manner in which the electoral commission implemented the provisions. The provisions were further criticized for encouraging the proliferation of political parties by individuals and groups seeking a share of the grant. The dissatisfaction with the law on public funding of political parties together with criticisms of its implementation and its aftereffects led to the abolition of the rule in the 2010 Electoral Act.

Spending bans or limits for candidates and parties

Spending bans and limits for candidates and political parties are designed to regulate the cost of campaigns and ensure that candidates and parties with more access to resources are not unfairly advantaged. Financial resources provide a massive advantage to some candidates, particularly in countries like Nigeria, where money is associated with power and visibility. Capping the amount that candidates can spend is therefore believed to have a direct effect on the ability of those who are disadvantaged to run successful campaigns. Importantly, spending bans are typically used to ensure that there can be no vote buying.

Nigeria has consistently regulated spending by candidates and political parties since 2001. The 2001 Electoral Act in Section 97(2) provided: "Election expenses incurred by a political party for the management or the conduct of an election shall not exceed in the aggregate the sum determined by multiplying 20 Naira by the number of names appearing in the final voters' list for each constituency where there is a candidate sponsored by the political party." This provision was repeated in the 2002 Electoral Act.

The spending regulation in the Electoral Act 2001 and 2002 was criticized for focusing exclusively on political parties. No provision was made for spending by the candidates. In addition, some observers argued that calculating spending limits on a constituency basis is a complex and arduous task for the parties and the electoral commission, which implements the regulation. These criticisms, perhaps, inspired the lawmakers to review the spending regulation in the Electoral Act 2006.

In 2006, a new method of regulating election expenses was adopted, which focused on both candidates and parties. For the parties, the Act allowed the electoral commission in consultation with the political parties to determine the spending limit (see Section 94[2]). The spending limits for the candidates were explicitly stated in the Electoral Act 2006. The breakdown of the spending limits for the different political positions is shown in Table 4 below (see also Section 93 of the Act).

In determining the total expenditure incurred by a candidate, the Act excluded the following types of expenses: a) any deposit made by the candidate on his or her nomination in compliance with the law; b) any expenditure incurred before the notification of the date fixed for the election with respect to services rendered or material supplied before such notification; and c) political party expenses in respect of the candidate standing for a particular election. The Act also provided a clear definition of election expenses: "Election expenses means expenses incurred by a political party within the period from the date notice is given by the Commission to conduct an election, up to and including the polling day in respect of the particular election." This definition made reference solely to political parties without mentioning the candidates. It is therefore unclear what constitutes the timeline for determining the election expenses of candidates.

The Electoral Act 2010 and 2022 largely maintained the spending regulation provided by the Electoral Act 2006. Yet, the two laws separately increased the spending limits allowed for different political positions, as shown in Table 4 below. Overall, it is interesting to note that the spending limit for the position of president increased from 500 million naira in 2006 to 1 billion naira in 2010, and then to 5 billion naira in 2022. Similarly, the spending limit for the position of governor increased from 100 million naira in 2006, to 200 million naira in 2010, and then to 1 billion naira in 2022. It appears that these increases were in response to the complaints that the spending limits allowed in the previous laws were inadequate considering the rising inflation in Nigeria.

In the exercise of its powers to determine the spending limit of political parties, the Independent National Electoral Commission in its Regulations and Guidelines for Political Parties 2022 provided as follows (see Clause 46):

- 1) Election expenses of a political party means all expenses in cash or otherwise incurred by a political party or candidates as well as party primary expenses of aspirants from the date notice of election is published to the date of the election only. They exclude expenses incurred before the publication of the Notice of Election.
- 2) Election expenses of off-season or other elections shall relate to the period between the publication of notice for a particular election by the Commission and the date of the election.
- 3) The election expenses of a candidate shall not exceed the limits prescribed in the Electoral Act, 2022.
- 4) The election expenses of a political party shall be in three parts:
 - i) for the management of aspirants and party primaries,
 - ii) for the management of candidates and conduct of elections, and
 - iii) for miscellaneous election expenses.
- 5) The election expenses of a political party for the management of party primaries shall not exceed two-thirds (2/3) of the limits prescribed for candidates' expenses in the Electoral Act 2022 for respective elective positions.
- 6) The election expenses of a political party for the conduct of elections shall not exceed two-thirds of the limit of election expenses of each candidate multiplied by the number of candidates the political party shall sponsor in a particular election for elective positions.
- 7) The miscellaneous election expenses of a political party shall include but not be limited to - i) pre-election cases against the party, ii) post-election or election petitions, and iii) remobilization of party members after elections.

Table 4: Spending limit of political parties and candidates in Nigeria (2001-2022)

Position	Spending limit of political parties and candidates				
	EA 2001	EA 2001	EA 2001	EA 2001	EA 2001
President	To be determined by multiplying 20 Naira by the number of names in the final voters' list for each constituency where the political party sponsors a candidate	To be determined by multiplying 20 Naira by the number of names in the final voters' list for each constituency where the political party sponsors a candidate	N500 million	N1 billion	N5 billion
Governor			N100 million	N200 million	N1 billion
Senate			N20 million	N40 million	N100 million
House of Reps			N10 million	N20 million	N70 million
House of Assembly			N5 million	N10 million	N30 million
LG Chairman			N5 million	N10 million	N30 million
LG Councillor			N500 thousand	N1 million	N5 million

Source: Federal Republic of Nigeria, Electoral Act, 2001, 2002, 2006, 2010, 2022

Contribution bans and limits

A ban or limit on the contributions or donations a candidate or political party can receive is a complementary measure to setting spending limits. Contribution bans or limits aim to reduce the influence of wealthy donors. Where limits are high, wealthy donors can gain undue influence in the campaign, which can potentially hurt disadvantaged candidates such as women, youths, and challengers. Since individual donations to the disadvantaged groups tend to be smaller than those of the advantaged ones, on average, groups like women need to attract larger numbers of individual contributions to reach the level of donations received by their male counterparts. Lower contribution limits might help to level the playing field for women candidates by ensuring that all candidates cultivate a broad base of support rather than rely on a few large donors.

Given the potential for their detrimental effects on the electoral process, some sources of funding for candidates and political parties are banned altogether. Contribution bans aim to prevent the influence of particular categories of donors, such as foreign donors or those engaged in industries that might request that their interests be given particular consideration. The most common ban relates to the allocation of state resources to parties and candidates. Other bans relate to corporate donations, as well as foreign sources, and donations from corporations with government contracts, trade unions, and anonymous sources. Bans on the use of state resources are important. Using government resources other than those earmarked for public funding can unfairly benefit incumbents.

Since 2001, the Electoral Act has been consistent in regulating fundraising by parties and candidates. The Electoral Act 2001 conferred on INEC “the power to place limitations on the amount of money or other assets which an individual can contribute to a political party” (see Section 96[1]). In addition, the Act stipulates that “No political party shall - a) hold or possess any funds or other assets outside Nigeria or b) be entitled to retain any funds or other assets remitted or sent to it from outside Nigeria by corporate bodies and entities in non-Nigerians and foreign governments” (see Section 88[3]). By focusing on the contributions to political parties alone, this provision further demonstrates the party-centric posture of the early regulations. The Electoral Act 2022 simply maintained the provision of the 2001 Act relating to limits on fundraising.

The Electoral Act 2006 made a marked departure from the previous regulations. In addition to prohibiting receipt of funds from outside the country or possessing funds received from abroad, the Act banned political parties from accepting or keeping in its possession “any anonymous monetary or other contributions, gifts, properties, etc., from any source whatsoever.” Furthermore, parties were prohibited from accepting any monetary or other contribution exceeding one hundred thousand (100,000) naira unless they can identify the source of the money or other contribution to the Commission” (see Section 95[1&3]). Additionally, the Electoral Act 2006 expanded the scope of contribution limits by imposing donation limits for candidates. According to Section 93(9), “No individual or other entity shall donate more than N1,000,000 (one million naira) to any candidate.” The Act did not place a limit on the amount of contributions or donations to political parties.

The Electoral Act 2010 and 2022 retained most of the provisions of the Electoral Act 2006 on contribution bans and limits. However, Section 93(3) of the Electoral Act 2010 introduced a limit on contributions to political parties – “A political party shall not accept any monetary or other contribution exceeding N1,000,000 (one million naira) unless it can identify the source of the money or other contribution to the Commission.” Sections 88(8) and 90(3) of the Electoral Act 2022 increased the contribution limits for candidates and political parties to N50,000,000 (fifty million naira), respectively.

The INEC Regulations and Guidelines for Political Parties 2022 introduced additional contributions regulations as follows:

- a) Contribution to a political party by an individual or entity may be made at any time within the electoral cycle and include contributions for election expenses within 360 days to an election.
- b) Contribution to candidates by an individual or entity shall be from 150 days allowed from campaigns to Election Day.
- c) Contribution to an aspirant by an individual or entity shall be from the date notice of election is published to the conclusion of party primaries.

The provisions of the INEC Regulations and Guidelines for Political Parties 2022 have helped fill the gap left by the Electoral Act regarding the timelines for contributions to political parties, candidates, and aspirants.

Disclosure and reporting requirements

Disclosure regulations may require candidates and parties to reveal the identity of donors, the amounts given and the funds spent during campaigns. These mechanisms are crucial to ascertain whether political finance regulations are being respected. Disclosure regulations also promote accountability and may help to prevent corrupt channels through which candidates might be acquiring resources, vote buying, or engaging in clientelistic practices. They can contribute to ensuring that leaders and powerful factions within the party do not abuse their power to gain access to more resources than other candidates in the party.

The Nigerian Constitution and the Electoral Act contain several disclosure and reporting regulations relating to candidates and political parties. The 1999 Constitution mandates political parties to submit to the Commission and publish their statement of assets and liabilities, and to submit to the Commission a detailed annual statement and analysis of their sources of funds and other assets together with a statement of their expenditure.

The Electoral Act 2022 equally has several disclosure and reporting requirements including (see Sections 86, 89, & 90):

- 1) Submission, to the Commission, of annual statement of assets and liabilities and analysis of its sources of funds and other assets, together with the statement of its expenditure, by political parties.
- 2) Submission of audited reports of election expenses to the Commission by political parties that participated in an election.
- 3) Submission, to the Commission by all political parties that sponsored candidates in an election, of a report of the financial contributions made by individuals and entities.

The disclosure and reporting regulations provided in the Electoral Act 2022 followed the framework laid out in successive Electoral Acts since 2001.

INEC made two additional disclosure and reporting requirements in Clauses 48 and 51 of the Regulations and Guidelines for Political Parties 2022:

- 1) Disclosure and forfeiture of funds received from outside Nigeria to the Commission by political parties, and
- 2) Submission of election contributions and election expenses report of candidates to the Commission by political parties.

Gender implications of gaps in Nigeria's political finance regulations

Political finance regulations provide opportunities for states to ensure that candidates with limited resources can run effective campaigns without being unfairly disadvantaged. Generally, women are known to be disadvantaged in terms of fundraising capacity. Therefore, adopting political finance regulations that address the challenges faced by women can be seen as a progressive measure by state authorities. However, in Nigeria, the political finance regulations were designed to be “gender-neutral.” This means that the legislation does not seek to directly address gender inequalities. From a gender perspective, this is the most important weakness of the political finance regulations in Nigeria.

Unlike countries such as Bosnia and Herzegovina, Croatia, Ireland, and Mexico, which have adopted ‘gender-targeted’ political finance laws, Nigeria has failed to adopt innovative measures to encourage women politicians and achieve gender-differentiated outcomes through political financing. Specifically, Nigeria can reinstate public funding of political parties in its political finance regulations, but this time, make the allocation of public funding dependent on fulfilling certain gender equality requirements, including the promotion of women's participation in the decision-making structures of political parties. Legislation can also be targeted at other innovative practices, such as earmarking funds for gender-equality initiatives within political parties such as capacity building or supporting the women's wing. The state can also utilize political finance regulations to encourage political parties to allocate campaign support funds to female candidates. Studies have shown that internal disbursement of party funds tends to sideline women candidates when they are not high in the party structure or are deemed to have insufficient name recognition. With clear regulations, parties can be given an incentive to consider women candidates in the allocation of campaign funds.

Disclosure and monitoring mechanisms are necessary to assess whether measures that target gender equality—such as electoral quota enforcement and earmarked funds for female candidates—are being adequately implemented. Without effective monitoring, it is impossible to ascertain the effects of these measures on women's participation. Enforceable disclosure can positively contribute to women's participation by increasing the transparency of the electoral process and discouraging the use of illicit funding mechanisms and vote buying—which indirectly disadvantage women.

The design of disclosure mechanisms can also be important to track the effect of political finance regulations on women's participation in electoral contests. The disclosure regulations in Nigeria do not require returns and expenditures of candidates to be disaggregated by gender. Such disaggregated data would be invaluable for determining how women's fundraising and spending compare to those of men, and whether funds allocated within the party are equally distributed among women and men candidates. Disaggregated data

may also lead to increased transparency of the process, and enable more effective civil society monitoring. Furthermore, disclosure may help assess the effectiveness of particular legislation on women's successful campaigns.

One of the most pervasive obstacles to women's political inclusion is the power of incumbency, considering that the majority of the incumbent candidates globally are men. Because of this, several countries have legislated measures that target incumbents, including limitations on the use of state resources and spending limits. Despite the severity of the challenge of incumbency advantage for women's inclusion in Nigeria, the country is yet to adopt any specific rule to address the challenge. One strategy that Nigeria can adopt to address the problem of incumbency advantage is to allow higher spending limits for female challengers. In this regard, the National Assembly can adopt legislation that allows first-time female candidates to have higher spending limits than incumbents, to counteract the unfair advantage incumbents may enjoy. In this way, setting achievable (and potentially differentiated) spending limits may have a positive, if indirect, effect on women's run for election.

Finally, the success of political finance regulation depends on its enforcement. The greatest weakness of the political finance regulation in Nigeria is its poor enforcement. Effective enforcement of political finance regulations will enable women to benefit from any gender-differentiated outcomes of the regulations. Similarly, enforcement of political finance regulations may have a positive spin-off effect by giving women increased confidence in the system and helping them use the rules to their advantage. For example, if spending limits are enforced, women may feel more confident in challenging male incumbents or candidates imposed by political godfathers. Furthermore, enforced political finance regulations designed to promote inclusiveness can contribute to changing deeply held perceptions about who can participate in an election (and who can win).

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During the 2023 general elections, the main political parties in Nigeria charged outrageous fees for Expression of Interest and Nomination Forms. Although some parties awarded some waivers to women, some respondents reported that they considered the waiver as condescending and therefore rejected it.



4.1 FINDINGS FROM FIELD RESEARCH

A major input to this report is based on research conducted through interviews of women and men who contested in past elections to enable us to gain a deeper understanding of how political finance shapes the political career of women. The analysis of the interview responses followed a basic framework that looked at how political finance affects the decision of women to contest elections, the chances of winning nominations by women, and the prospects of launching effective election campaigns by women. This section will further present the views of the respondents regarding the effectiveness of political finance regulations in Nigeria.

A. The decision to run

Political financing, especially having access to the financial resources required to support their political ambition, is critical in influencing women's decision to run for office. **Interviews conducted in this study show that women tend to be reluctant to contest for political offices when they are aware of the financial cost associated with running for office.** Most of the respondents argued that the cost of running for an election was the single most important factor that could have discouraged them from contesting, and indeed, have discouraged other women. They maintained that the funds required for elections are often huge and that the relatively lower levels of resources available to most women, in comparison with men, in general therefore pose a very significant challenge. The financial burden associated with political participation plays a fundamental role in eroding the interest and motivation of many women to participate in politics. This denies Nigerian citizens the opportunity to elect women with good leadership potential.

Among the respondents, a majority of the women who eventually decided to run were mostly those who were encouraged or "asked to run" by male champions, usually state governors. The role that male champions play in the political careers of women can be paradoxical. While male champions have helped advance the careers of several women, they have equally stifled the careers of others. Some respondents reported that the onset of their political career was delayed by male champions who wanted them to wait for the right time, probably when the more preferred male contenders must have been settled. They recalled several capable women who were not able to contest elections because they failed to receive the endorsement of male sponsors. In the case of one lucky woman, she was eventually endorsed in 2023 to contest for a seat in a State House of Assembly, after failing to receive an endorsement in four previous election cycles amounting to 16 years. Unless women are relieved of the financial burden associated with political contests, they will not feel capable of and confident in participating in elections.

The support that political parties provide to women in the candidate-nomination process and during elections can be crucial in motivating them to run. In the candidate-nomination process, the issue is mainly whether parties require aspirants to pay large amounts to participate, and the emphasis is on their access to resources. General election campaigns are often run mainly by the candidates themselves, and outside the party strongholds, significant resources are often required to have a chance of victory. All the respondents

maintained that political parties have not made sufficient efforts to support female contestants. For them, the only tangible measure political parties have taken to support women contestants is to reduce or sometimes waive the cost of Expression of Interest and Nomination Forms for women candidates.

Yet measures such as nomination fee waivers are primarily symbolic, since aspirants would have to spend much more to become candidates representing the larger political parties, and the electoral prospects of those representing smaller political parties are often negligible. Calling on political parties to provide greater financial support to women candidates might not be practicable, and respondents generally did not suggest this approach because the parties generally depend on their elected officials and candidates for income. However, parties could be more proactive in their support for women aspirants. Meaningful party engagement to support more women running for elected office in Nigeria could consist of identifying and mentoring talented women who may not yet be engaged in politics or younger women with potential in parties' youth wings and providing seed money to assist their fundraising efforts long ahead of elections. Training on effective campaigning (and cost-effective campaign spending) can play a positive role, but only if it starts long before an election is held.

None of the respondents argued that money was the only factor in Nigerian elections. If a candidate is not nominated by the strongest political party in a constituency, the chances of success are generally small even if she has a lot of money or wealthy and powerful sponsors. Ethnicity, indigenship, language, zoning, and familiarity with the constituency are often equally crucial for any candidate. Respondents also noted that women face other challenges that are not directly related to money, in particular, the reluctance by some influential stakeholders to support them, even where a powerful champion like a governor had endorsed them. Additionally, some respondents considered the support of their spouses and family to be a crucial influence on their decision to run. They argued that a lack of encouragement from spouses or family would constitute a major reason for their decision not to contest.

b. Winning a nomination

To win an election in Nigeria, a contestant must win both the nomination of a political party and the election. Party affiliation is legally required to run for all political offices in Nigeria as there are no provisions for independent candidacy in the law. In other words, a candidate in an election for any political office in Nigeria must be a member of a political party and must be sponsored by that political party. No association, other than a political party, is allowed to canvass for votes for any candidate or contribute to the election expenses of any candidate. The dominant role of political parties in the candidate-selection process, in particular, and the Nigerian electoral process, in general, are therefore beyond doubt. It is widely acknowledged in the literature that the expansion of women's political participation requires greater gender sensitivity among the political parties (Orji et al. 2018). Regrettably, many political parties in Nigeria appear insensitive to the need for gender-targeted initiatives to support women.

The costs of launching nomination campaigns are crucial to women's participation in the electoral process. They constitute "a major obstacle for women seeking elected office, in part, due to the importance of early money in winning the party nomination" and the election (Ballington and Kahane 2014: 305). Women's performances in the early stages of campaigning will to a great extent define the number of women running and being elected. Building reputation and recognition among constituents as well as party members requires continuous work with significant amounts of time and money spent by potential candidates. Contestants are expected to dole out cash and other gifts to endear themselves to the party leaders, party members, and influential stakeholders. In the words of one respondent, "you're assessed by what you are able to give." Furthermore, contestants must spend on necessities such as communication, publicity, transportation, security, accommodation, feeding, and training. All these expenses have been mentioned as a hindrance to many women aspirants in Nigeria and elsewhere (Ballington 2003:158-159, 161).

In Nigeria, aspirants often have to pay to even be considered in the candidate-nomination process. In many cases, parties seem to use the nomination process as a major source of income, charging exorbitant fees for participating in the candidate-selection process and for objecting to errors in the process. This is partly because Nigerian parties do not receive public funding and they are yet to develop effective means of receiving and managing contributions from their members or other private donors. During the 2023 general elections, the main political parties in Nigeria charged outrageous fees for Expression of Interest and Nomination Forms. Although some parties awarded some waivers to women, some respondents reported that they considered the waiver as condescending and therefore rejected it. One respondent stated that fee waivers tended to divide the contestants into the "haves" and the "have-nots", making the "have-nots" appear less serious in the eyes of the electorate. Most respondents reported having difficulties raising funds to cater for the Expression of Interest and Nomination Forms as well as other expenses associated with the party nomination process. Not all male candidates necessarily have the capacity to raise these fees either, but the claims of the respondents that more women are affected means that a reduction of these fees would contribute to levelling the playing field for women and men.

The importance of the candidate-nomination process varies significantly depending on the relative voter

support of particular parties in specific constituencies. The smaller parties (and the larger parties in areas where they have little support) may struggle to find good candidates. Some respondents recall that they started their careers when parties in search of candidates approached them. In areas that can be considered a stronghold of a particular political party (which respondents estimated comprised a majority of the constituencies in Nigeria), however, winning the nomination from the right party all but guarantees success in the election. In this case, running as a candidate of any other party in such areas may provide experience in electoral campaigning, but effectively no chance of electoral success. Unfortunately, it is the less favoured parties that are more open to selecting women contestants as their candidates. Women running as candidates in such elections, in the words of one respondent, are “going against the traffic,” because the outcome of the election is perceived to be predetermined against them.

Most respondents who had participated in elections in party strongholds (and some who had participated in other areas) stated that they spent more money during the party primary campaign than in the general election campaign. In this case, winning the nomination from the dominant party equates to success in the election. In most cases, the candidate selection process of dominant parties in their strongholds is usually not openly contested. Party leaders and stakeholders (who are often mostly men) impose candidates they feel are right for the party, and most times these candidates are men. The respondents cited a few examples where some party leaders argued for a gender balance in candidate selection. In one state, the governor convinced some party leaders to select a male and a female as candidates for the State House of Assembly election in local government areas with two state constituencies. This progressive move enabled more women to be nominated and eventually elected in that state. Yet, as recalled by some respondents, there were cases where party leaders opposed the use of gender balance as a criterion for candidate selection.

In Nigeria, the law allows for three types of party primaries to select candidates: direct, indirect, and consensus party primaries. While the entire party members at the ward level constitute the electorate in a direct primary, statutory and elected delegates vote in an indirect primary. Consensus primaries involve an agreement of the contestants, party leaders, and members on the selection of a particular candidate. The use of direct, indirect, and consensus primaries has varying financial implications for the contestants. All respondents agree that the cost of nomination campaigns is lowest where a candidate emerges by consensus, while indirect primaries are the most expensive type of primary, especially for new contestants who are yet to endear themselves to the party leaders, party members, influential stakeholders, and the delegates.

On the whole, **the foregoing analysis shows that supporting the campaigns of women candidates who are running on the platform of a party with little chance of electoral success, or indeed where the popular support of the party that nominated them means that they are all but guaranteed victory, is likely to have a minimal impact on the outcome. It is only in constituencies where the election outcome is uncertain that financial support for a female candidate is likely to make a difference.** In constituencies where one party dominates politically, increasing the chances of a woman being elected could be achieved at the candidate-nomination stage (within the party in question), but hardly thereafter. In the latter case, the importance of fundraising and spending during the candidate-nomination process becomes crucial for both women and men who are interested in becoming involved in electoral politics.

c. Conducting an election campaign

Conducting an effective election campaign requires mobilizing substantial amounts of funds. In countries where there is public funding along with quota systems and other measures that favor women, all candidates, including women generally access funds through their political parties. Thus once they have secured nomination, funding is partially guaranteed. However, in countries like Nigeria where the candidates themselves have to raise the funds, large amounts of money are often essential to run a successful campaign.

In this regard, the core aspect of winning an election in Nigeria involves mobilizing private resources for general election campaigning. As described above, the main task in party strongholds is to win the primary election, after which the general election is more or less assured. However, political parties will often rely on their candidates to engage in active campaigning in their strongholds, as it is important to mobilize party supporters to vote in elections. The responsibility of flying the party's flag in the constituency and off-setting the cost of electioneering is a huge financial burden on women candidates. According to one respondent, "even when you're given the party ticket on a platter of gold, you have to prove yourself by launching an effective campaign. Election does not end in getting the party ticket." Considering the galloping inflation in Nigeria and the pecuniary demands and expectations of the Nigerian voters, launching an effective campaign is extremely expensive. With a high disparity in the level of income received by men and women (the average earning of males was almost twice that of females) fundraising for election is a key challenge for many women (Adeosun and Owolabi 2021).

Most female respondents (and some men) reported that they found it difficult to raise election funds. The culture of private donations as a source of election fundraising is not yet established in Nigeria. The respondents who recalled setting up crowdfunding schemes and other methods of private fundraising stated that the outcome was below expectation. In most cases, personal resources constituted the most important source of election funds, and self-financing is often a major obstacle for women in particular. Generally, women candidates either do not have the financial resources to self-finance their campaigns or they choose not to allocate their funds for this purpose. Perhaps, men are more willing to self-finance their campaigns, either because they view doing so as a reasonable, calculated risk or because they have more savings. The only exceptions to self-financing are some candidates of the governing parties whose election campaigns were sponsored by state governors and a few individuals whose elections were financed by wealthy patrons. Women were generally less successful than men in mobilizing financial resources for elections. This is not surprising considering that men have more social capital and networks they can leverage to raise funds.

It is important to analyze not only how much money women and men can raise, but also whether there is a gender difference in how much candidates must spend to be successful in primaries and general elections. Some studies indicated that women candidates in the United States have to spend more than men to win an election (WEDO 2007). Unfortunately, the issue has not been studied in many other countries. The question of gendered campaign spending was posed to the respondents in this study. Contrary to the dominant

opinion in the literature, most of the respondents asserted that women contestants did not necessarily spend more than their male counterparts to win a party ticket and election. Among the respondents, the female contestants supported by party leaders stated that the financial demands on them from party members and stakeholders were minimal and that their sponsors took care of most expenses. Similar experiences were reported by candidates of parties in their stronghold. Candidates of parties whose chances of success were widely perceived as slim reported that they were generally frugal in spending.

Unlike other countries where women contestants were said to have spent more than their male counterparts due to the need to overcome prejudices among the electorate, including the view that a woman's place is in the home and that they are not suitable political leaders, one respondent reported a reversed prejudice. In this case, male party leaders, party members, and constituents refused to accept cash and other gifts from the respondent (a female contestant) despite making high demands on the male contestants. In many instances, the female contestant was able to meet the voters and persuade them to vote for her without spending so much. This largely lowered the campaign expenses of the female contestant. The attitude of the party leaders and constituents in the foregoing case could, perhaps, be interpreted to reflect the perception of the voters that the outcome of the process is predetermined against the female contestant and that they would not need to further impose financial burdens on her. Whatever the reason for rejecting cash gifts from the female contestant, this observation challenges the widely held notion that female contestants tend to spend more than their male counterparts and that they require additional resources to meet the financial demands of party leaders and the voters.

In addition to gendered campaign spending, this study interrogated the question of the effect of incumbency on campaign spending of female contestants. Men have dominated Nigeria's political process since independence, and being an incumbent often entails significant advantages such as access to resources and name recognition. It often costs more to unseat an incumbent, and "the added costs associated with unseating an incumbent can dissuade women from entering [a] political race" (Ballington and Kahane 2014: 308). However, we know that "incumbency turnover," especially during the candidate-nomination phase, tends to be very high in Nigeria, as it is in other African countries (Semenova and Orji 2024, Ohman 2004). Although the reason for the high incumbency turnover in Nigeria has not been fully analyzed, an important premise seems to be that officeholders are generally unable to deliver the expected level of material development to their constituents. Thus the incumbency advantage is not a major obstacle for female contestants in Nigeria. All respondents agreed with this proposition.

Even if the incumbency effect does not act as strongly against women aspirants and candidates as one might expect, vote buying is likely to further disadvantage women candidates. Unfortunately, vote buying is a frequent occurrence in electoral processes around the world, and it can have a very negative impact on the quality and fairness of elections. This form of illegal campaign spending can sometimes become a major part of the necessary outlays for candidates and other actors. There has been little research concerning the connection between vote buying and gender equality among candidates. While vote buying is not limited to only one gender, this practice can indirectly disadvantage women by heightening the impact of the existing financial inequalities between women and men (Ballington and Kahane 2014: 314). Access to funding is essential in electoral processes in which vote buying is rife, and it is more difficult for candidates with less

financial access (including women) to compensate for this by campaigning via other means.

The literature on Nigerian politics shows that vote buying has been a problematic aspect of the country's electoral process (Bratton 2008). The issue of vote buying goes beyond strict transactions between candidates and voters regarding how ballots are cast. It concerns the entire relationship between political parties, politicians, and the electorate, and the emphasis that is placed on the distribution of resources damages the political prospects of those with limited access to funding. All the respondents decried a situation where the voters expect handouts from the candidates seeking to serve them. According to one respondent, "after spending so much on vote buying and other forms of settlement, what else do you have to give other than to recoup the funds you spent on elections." The female contestants interviewed did not think that vote buying affected them specifically as women, except that it gulped the meager funds they were able to raise for the elections, and in that way limited their chances of being elected when compared to their more endowed male counterparts. However, apart from their lower access to funds for vote-buying initiatives, women wishing to run for office may also lose out since those interested in exchanging votes for money may be less likely to turn to women candidates if they perceive them to be less willing (or able) to provide gifts.

d. Election petition expenses

Nigerian elections are often fiercely disputed with accusations of fraud and manipulation by the contestants (Orji 2018). As a result, aspirants and candidates are usually forced to seek legal redress in court. However, the huge expenses involved in launching an election petition constitute an enormous financial burden to contestants, especially female contestants. Until recently, there was little public knowledge about the financial implications of election petitions. This is because Nigerian political parties and candidates do not have the culture of publicly disclosing their election expenses. It was, therefore, alarming for many to learn that the Labour Party, one of the leading parties in the 2023 general election, spent 744.5 million naira to prosecute the presidential election litigation alone (Osadebamwen 2024). A report, which seems to corroborate the claims by the Labour Party, indicates that **a governorship candidate requires about 500 million naira to prosecute an election petition; a candidate for the Senate requires a minimum of 50 million naira, a House of Representatives candidate would need about 30 million naira, while a State House of Assembly candidate requires about 15 million naira to retain or attempt to reclaim contested mandate (Onyekwere 2024).**

Professional fees constitute a large portion of election petition expenses, while statutory and other incidental fees add up to it. There is no maximum chargeable fee on election petitions, as such, professional fees depend on the caliber of lawyers involved. Aside from the already identified fees, election petition expenses cater for services such as payment of partner law firms, junior lawyers and ancillary staff, appearance fees, filing fees, facilitation fees to the electoral commission to produce and certify materials used in an election, arrangement and conveyance of witnesses, fees for motions and interlocutory applications, movement of exhibits and documents, and other logistics including cost of local and international travels, hotel accommodation, and feeding (Azu 2023).

Some contestants have noted that the statutory costs of election petitions compete with the amounts candidates spend to ingratiate themselves with corrupt judicial officials, officials of the electoral commission, and officials of other institutions and agencies involved in the election petition process. As alleged in a recent report, “corrupt judges have infiltrated the tribunals. They fight their presiding Justices where such could not be persuaded by them to recommend them for appointments to Tribunals. Election seasons are business time for such. No matter how you persuade politicians, they will find a way to reach judges. This is why you have inconsistent and contradictory judgments from our courts on election petitions” (Onyekwere 2024).

The situation narrated by one interview respondent seems to support the allegations of corruption:

“A lot of people claim that there is a lot of backhanding within the court system. So you are defending your seat, you don't want somebody to take over your seat, so if they're going to give money, you also want to give money. I remember a case where I won at the High Court, it was a pre-election matter, I also won at the Appeal Court, and then I lost at the Supreme Court, and my seat was taken from me. This happened in 2007. Initially, I wanted to file for a review of the judgment because of some things that happened in that judgment. So you see the expenses going into all that. And because it was a pre-election matter for me and because I won the general election, I had to open up two legal cases in one election, so I was spending both ways, it was very expensive.”

The massive costs of election petitions imply that as long as free, fair, and credible elections remain unattainable in Nigeria, moneybags will continue to dominate the political landscape either as godfathers or as contestants. This development makes election seasons attractive for election petition lawyers and officials of relevant state institutions, especially the judiciary and the electoral commission, who tend to commercialize the election petition process and exploit the desperation of the candidates. On the whole, the prohibitive cost of election petitions contributes to the bloating of the cost of participating in the electoral process. This has the potential to delegitimize the electoral process and frustrate less financially resourced contestants, especially women.

e. Political finance regulations

Nigeria has an elaborate political finance regulation that covers election fundraising, spending, and disclosure, as earlier discussion demonstrates. Some consider the existence of formal campaign finance regulations in Nigeria as a positive development arguing that unregulated campaign financing will further skew the odds against women candidates since it is well-established that Nigerian women have fewer financial resources than their male counterparts and that women are more likely to be disadvantaged by irregular, and sometimes even illegal, use of funds during campaigns. Thus, they see campaign finance regulations as a positive measure that could help reduce many of the challenges faced by women aspirants and candidates. However, it is common knowledge that regulations can only increase the chances of women in politics if they are enforced. The lack of enforcement is likely to affect the transparency and fairness of the electoral process. Also, it may particularly affect those with limited access to resources, who may especially rely on regulations for protection.

Unfortunately, **most respondents interviewed in this study feel that the existing campaign finance rules are not being effectively implemented.** They do not see any value in having an elegant political finance regulation that is poorly enforced. One respondent stated: “It is good to have a regulation, but what good is a regulation you cannot enforce.” Another maintained: “Please, it’s not enough to have the law, the law must be working. If I write a petition against my opponent, they must investigate the guy.” Yet, another noted:

“Nobody remembers that. Nobody gives a thought to regulation. The preoccupation of everyone contesting an election is to win the election, and because we do a lot of monetary transactions and some of them are not formally done, it will be difficult to track some of these things. So, nobody is bothered about it. Because the awareness is not there and the enforcement is not in existence, and those who made the law also know that it is not realistic.”

The view that the campaign finance regulations in Nigeria are immaterial, unrealistic, and poorly enforced was widely shared among the respondents. Most of the respondents called for greater enforcement of the existing rules by relevant authorities and for reforms to make the regulations more in tune with time, considering the current economic situation in Nigeria.

f. Public funding

If access to funding is a major factor in the electoral process and a barrier to entry for women contestants, it is reasonable to assume that the provision of regulated public funds might reduce the importance of money and thus increase the chances of candidates with more limited personal access to funds. Although Nigeria made provision for public funding of political parties between 2002 to 2010, the poor implementation of the provision and the many negative aftereffects that accompanied it forced the lawmakers to abrogate the provisions in 2010. Arguing from a gender perspective, public funding can be reintroduced in Nigeria and used to promote gender equality as evidence suggests that the countries with the largest share of women in parliament implement direct public funding of political parties (Ohman and Lintari 2015: 25). One approach is to directly tie the amount of public funding to gender equality among party candidates.

However, in adopting this sort of reform, deep consideration would have to be given to Nigeria's electoral system and the type of primary used for candidate selection by most parties. As Ohman and Lintari (2015: 25-26) observed in the Kenyan case, simply demanding that a proportion of candidates should be of each gender is unlikely to work when the party leadership has only partial control over which candidates are chosen in each constituency. In addition, they note that adding public financial incentives for the party leadership to get involved in this process is unlikely to outweigh the loss of income from wealthy aspirants that such interference would most likely cause. Such a measure, they argue, would only improve the gender balance among candidates if the loss of funding from withheld public support significantly hurt a party's chances of electoral success.

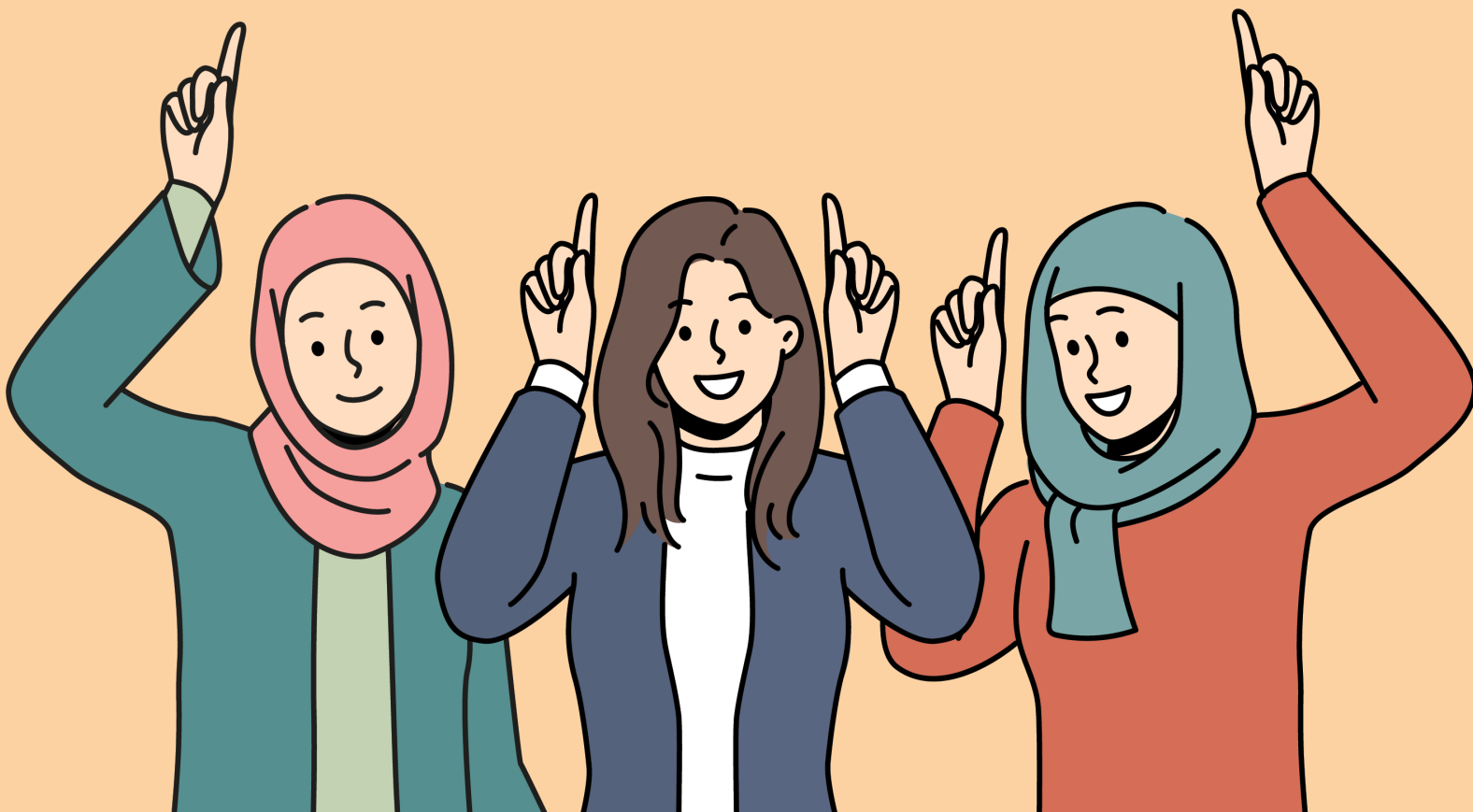
g. Limits on the campaign period

The literature suggests that limiting the duration of the campaign could potentially contribute to levelling the field for women candidates, given that prolonged campaign periods can lead to high costs in the form of travel, accommodation, and additional campaign materials (Ballington and Kahane 2014). Similarly, most respondents agree that long campaigns can be particularly problematic for less financially resourced contestants, especially women. Long campaign periods have a particular effect on women because they involve long hours and extended periods away from home. This could deter women who might otherwise consider becoming a candidate or could affect their ability to campaign because of caring and family responsibilities (particularly if partners or spouses are absent or unwilling to support the candidacy or assume household and care duties). Yet, as Ballington and Kahane (2014) noted, short campaign periods may also negatively affect women candidates. Short campaigns are more likely to benefit incumbents (the majority of whom are men) who have name recognition and an existing followership base.

The Electoral Act 2022 extended the period of public campaign in Nigeria from 90 to 150 days before the polling day. Most respondents argue that extending the campaign period by an additional 30 days imposed a severe financial burden on them, increasing the amount of funds and other resources they require to mount an effective campaign. It is difficult to evaluate this claim due to the absence of adequate information on the effects of limiting or extending the length of the campaign period. Thus, additional research is needed on the impact of establishing campaign time limits and possible positive and/or negative effects on women's campaigns.

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On the whole, the prohibitive cost of election petitions contributes to the bloating of the cost of participating in the electoral process. This has the potential to delegitimize the electoral process and frustrate less financially resourced contestants, especially women.



5.1 RECOMMENDATIONS

The following recommendations were presented by the respondents and derived from the analysis in this study to improve political finance regulations and women's participation in Nigerian politics.

Women aspirants and candidates

1. Early preparation

A common advice to women aspirants and candidates is for them to make early preparations, stay focused on their ambitions, and create time to regularly reflect on their campaign and organize their strategy, especially their finances. Experience has shown that successful women candidates were assisted by early planning and preparation and that early fundraising efforts can significantly increase their chances of success.

2. Network with other women

Many respondents complained that women lack social capital compared to men. They emphasized the need for women aspirants and candidates to widen their social, economic, and political networks. Networking with other women aspirants and candidates, as well as women mobilizers at the grass-roots level, can be valuable. This is likely to provide opportunities for experience sharing and increase sources for in-kind contributions such as other women volunteering to distribute campaign posters and/or carrying out door-to-door campaigns in their constituencies.

3. Adopt cost-effective campaigning methods

Some respondents talked about how they leveraged the training provided by development partners to successfully implement cost-effective campaigning methods. Based on this experience, they encourage women aspirants and candidates to explore cost-conscious campaigning—including the development of a budget and identification of low-cost, high-impact campaign activities—at an early stage. The respondents suggest that in addition to early networking, engagement in community affairs and involving one's grass-roots supporters in designing campaign strategies and activities can provide name recognition and trust that are usually expensive to achieve.

Political parties

1. Conduct gender audits of party activities to provide a basis for reforms

Political parties should review their activities from a gender perspective to identify gender gaps in their structures and operations and to prepare the grounds for genuine reforms. Such gender audits should involve each party's women's wing, if one exists, and should review the level of support to all candidates. Women within the parties can analyze their de facto positions in their party and how much in-kind work they provide in return for influence over party decisions.

2. Be more gender-sensitive and nurture potential women leaders

A major criticism of Nigerian political parties is that they are not sufficiently gender-sensitive. Beyond offering women free or subsidized nomination forms, Nigerian parties have not taken any notable initiative to support women aspirants and candidates. Some respondents suggest that political parties should take the lead in the early identification and support of potential women leaders. Political parties can also improve gender equality in other ways, such as mainstreaming gender equality in their structures and operations and disaggregating data, such as financial records, by gender. This can be considered a form of positive discrimination that is necessary given the historical discrimination against women in Nigerian politics.

3. Help women become candidates in “secure constituencies”

Experience has shown that unless parties increasingly nominate women in “winnable constituencies” where they are dominant, women's inclusion in Nigerian politics may likely not improve. In other words, only women nominated by the right party in the right constituency stand any chance of winning an election regardless of the resources available to women candidates. Some respondents talked about a positive case where party leaders decided to select male and female candidates in winnable local government areas with more than one State House of Assembly constituency. Learning from this, parties should aim to nominate women in “secure constituencies,” encouraging male aspirants to run in the more marginal areas where their resources and capacities would make a difference.

4. Consider a candidate-supported campaign fund to support women candidates

Parties should consider pooling a smaller percentage of available campaign funds and, if necessary, require that resource-rich candidates (whether men or women) pay a larger amount, which would facilitate the nomination of more women candidates in competitive areas. Parties should also make it clear that gender equality is desirable, and that the constituency seats in parliament are intended for both women and men.

The National Assembly

1. Make political finance regulations gender-sensitive

The National Assembly should review political finance regulations to support women aspirants and candidates. This should involve adopting gender-targeted political finance regulations. While legislative reform will not be the main way to improve women's chances to access the necessary funds and overcome the challenges discussed in this study, it can play a role. For example, public funding can be tied to gender equality among the candidates presented by a political party. In addition, more relevant and better-enforced political finance regulations will be particularly advantageous to women.

2. Lower nomination fees

Women are specifically burdened by several indiscriminate charges in the electoral process. Nomination fees have been singled out in this study. The interviews conducted in this study suggest that lowering fees for nomination (and if possible, election petitions) for women candidates will encourage more women to participate in the electoral process. While maintaining a reasonable threshold of nomination fees is necessary to guard against frivolous candidacies, there is currently room to lower the amounts to a level that would improve the chances of more candidates, particularly those with more limited financial means.

3. Adopt regulations that limit incumbency advantage

Considering that most female contestants are first-timers and challengers, there is a strong need to protect them against the abuse of incumbency powers. This can be done by legislating measures that limit the use of state resources and excessive spending. Furthermore, the National Assembly can adopt legislation that allows challengers and first-time female candidates to have higher spending limits than incumbents, to counteract the unfair advantage incumbents may enjoy.

4. Closely monitor the implementation of donation and spending limits

As part of its oversight functions, the National Assembly should closely monitor the implementation of political finance regulations in Nigeria. NASS can conduct post-election legislative scrutiny to evaluate how regulatory and enforcement agencies implemented the political finance regulations. Additionally, NASS should review the effectiveness of nominally gender-neutral campaign finance regulations such as reporting requirements and donation and spending limits once they have been tested in an election, and if they do not work in practice, they should be reformed accordingly.

5. Amend the law to unbundle INEC

The Independent National Electoral Commission (INEC) has demonstrated that it is incapable of effectively monitoring and enforcing political finance regulations. Successive public inquiries have concluded that INEC is overburdened with so many responsibilities that have weakened its capacity to deliver on most of them. As a result, they recommended the unbundling of INEC and the allocation of some of its responsibilities to other agencies. Interviews conducted in this study support this position. The respondents suggest that the National Assembly should amend the laws to create the Political Party Registration and Regulation Commission and to transfer the responsibility of monitoring and enforcement of political finance regulations to the body.

The Independent National Electoral Commission (INEC)

1. Ensure compliance with laws and regulations

At present, INEC has a central role to play in the monitoring and enforcement of political finance regulations in Nigeria. Effective monitoring and enforcement of the regulations by INEC could help address some of the challenges faced by women aspirants and candidates. The Commission can also play a critical role in enforcing incentives and regulations aimed at achieving increased gender representation. To play its role effectively, INEC must improve its internal capacity. In addition, the Commission will require the support and cooperation of various stakeholders, including government agencies, political parties, civil society groups, the media, and development partners.

Civil society organizations, development partners, and other champions of women's political participation

1. Support women aspirants even before they are nominated by their parties

There is a need to expand existing mentoring programmes within and outside the political parties and to widen the involvement of experienced women politicians who have gone through electoral processes in guiding less-experienced aspirants on how to effectively raise and spend money as part of an effective mentoring programme. This expanded mentoring programme should be implemented long before the nomination of candidates. Engaging potential women candidates before their nomination is likely to have a more significant impact on gender equality in elected positions because, after they are nominated, candidates of both genders will have to spend all their time campaigning. The key is to identify women who may become successful politicians early in the process and to mentor them in effective campaigning and fundraising techniques.

2. Strengthen the capacity of women to raise funds

The interviews conducted show the need to train women and strengthen their capacity to raise funds. Women need to widen their sources of election funds beyond personal resources and contributions from family and friends. Exposing women to various fundraising approaches, providing them with funds at the early stages of their involvement, and training women candidates to assist in their campaigning are some of the ways champions of women's political participation can assist female contestants.

3. Provide legal aid to female contestants

One of the greatest challenges women aspirants and candidates face is the cost of prosecuting election petitions. Some respondents suggest that CSOs and development partners can assist women contestants by creating a platform that can render legal aid services to women aspirants and candidates. The structure and modalities for operating the platform can be worked out following further engagement with women contestants.

4. Engage with political parties and parties' women's wings

CSOs, development partners, and others can support women's political inclusion in Nigeria by further strengthening the women's wings of political parties. Such assistance, which can include creating linkages and cooperation with women's wings in other countries, should cover many areas, including fundraising and cost-effective campaigning for women aspirants and candidates.

5. Support effective monitoring and enforcement of political finance regulations

CSOs and development partners should increase their support for the enforcement of political finance regulations by partnering with INEC to conduct a capacity assessment and provide the needed technical support to improve monitoring and enforcement mechanisms. Building the INEC's capacity should be combined with assistance in developing procedures for receiving, reviewing, and publishing financial reports, and also for investigating possible violations. Outreach to political parties and the Nigerian public will also be essential. Independent monitoring of compliance with political finance regulations by CSOs needs to be intensified. Effective oversight of the implementation of political finance regulation is a work in progress, and the aim should be to facilitate gradual improvement over successive electoral cycles.



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