

Presidency's Kitchen Cabinet in Nigeria: Why It Matters

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The term kitchen cabinet refers to a President's informal political supporters who are trusted and closest associates as opposed to official members of his cabinet. This body generally does not favour a multiparty system as it tends to unify all political parties including those in the opposition. This gives considerable protection for the President from opposition attacks and becomes a tool to manipulate political leadership. The author attempts to study the idea of Kitchen cabinet in the case of Nigeria and its influence in achieving transitional justice. The author tries to argue that the failure in establishing transitional justice can be attributed to the style of government adopted by Nigeria's coloniser, Britain, whose political and administrative legacy continue to be adopted in the country. The excesses of the kitchen cabinet can be controlled through appropriate legislation enshrined in the constitution. This makes the reformation of law to that effect very pertinent. However, such legislation and reformation of law are challenging in the Nigerian context.

Keywords Kitchen Cabinet, Nigeria, transitional justice, President, Opposition

The term kitchen cabinet was first used during Andrew Jackson's presidency in the US (1829-37). Kitchen cabinet refers to a President's informal political supporters who are trusted and closest associates as opposed to official members of his cabinet. The kitchen cabinet, also called the party in the executive, does not favour a multi-party system. This is because the party in the executive tends to unify all the political parties in the country into one, as members of the President's kitchen cabinet include even the opposition members drawn from the national assembly, who become loyalists of the President (Seligman, 1993). Seligman argues that the President's conflict of roles is a characteristic of a presidential leadership situation where the presidential office role of the President is in a climb of expansion. This enigma, according to him, is not insurmountable. The entire President needs to build a system of priority or be guided by the rule of the game, or adopt a patronage system known as political etiquette. Presidential competence can be exercised when the President does not have strength in diverse areas, by using the influence coming from areas where he is stronger to make up for where he is weak.

The groundswell that the kitchen cabinet accords the President overrides all party lines and destabilises the logic of the multi-party system. But the issue with this theory is its power of centrally unifying parties, which gives the President considerable relief from the opposition attacks. The existence of a kitchen cabinet furthers this role the President enjoys, which is not integrated into, but are presidential relationships. We should not forget that the convention for nominating political candidates is an offshoot of the influence of the President, above party structure (Seligman 1993). For instance, a one-time president of Nigeria, President Olusegun Obasanjo, was accused of relying so much on his kitchen cabinet, even moving party control exercised by the legislature to the executive kitchen cabinet. This becomes a tool to manipulate political leadership. This group is referred to in several other expressions, such as the core of the political party in the executive, the brain trust, the nucleus of a group, presidential inmates, presidential factions, the President's closest advisers and presidential aides (Seligman, 1993).

This group's political influence has become so damaging to the public image of individual opposition parties that "opposition from congress and party officials rose to new levels against this group". James Farley outburst of hopelessness in the group is in alignment with the claim that opposition parties' poor public image derives from the consequences of the misplaced confidence of the presidency in this group when he says that "White House confidence in politics and policies went to a small band of zealots who mocked at party loyalty and knew no devotion except unswerving obedience to their leaders" (Farley, 1948).

The public image problem of parties can be premeditated, and indeed, a brazen creation of the presidency party (kitchen cabinet), which can make the President move mountains without recourse to party protocol. For instance, "Our recent presidents, armed with newer weapons of mass communication have relied on methods that bypass party structure and appeal directly to the electorate...thereby can gauge public sentiment and world public opinion" (Seligman, 1993).

Implications of the Kitchen Cabinet

The consequence of personalising the executive is its potential to be possible or "served to make the President a person above party". Moreover, such behaviour will only raise party responsibility beyond reach. Personalisation of the presidency can pose a threat to party organisations; when reliance on the presidency becomes heavy on popular appeal, party organisations will, therefore, become unnecessarily subordinated and weakened. Kitchen cabinet is an added influence to the presidency and opens up vistas to party loyalists that are directly adverse to party organisation. The role of middlemen in party organisation is hampered when the President can have direct access to communication between him and the informal opinion leaders in the community who hold no party post or position. Borrowing from the example of Franklin Roosevelt who maintains that "President can through mass appeal awaken and foster new groups of party activists who oppose existing party organization" (Seligman, 1993).

Under Seligman's theory, the President can delegate the role of party leadership. The argument, here, is that this can bring about a poor image to the parties or even their casualty if the person so delegated is more inclined to opposition destroying even though the presidency party or party in the executive is a coalition of different party members of the National legislature, this is what is described as a kitchen cabinet. The allegation by Seligman that "To get an enactment through, a president can reshuffle the forces within his party, can pick up support from dissidents in the opposition, and can appeal directly to the nation using his groundswell overriding all party lines" has a severe consequence on the opposition. This singular action of a president colluding with a faction of the opposition party tears the opposition apart and hence the multiparty system.

The dynamics in the relationship of the President's Office roles and as party leader possess the potential for image damaging of opposition parties by that singular behaviour of the executive unifying the political parties into one party against the tenets of a multiparty system. This will tilt the country towards the direction of a one-party State, which is not suitable for a democracy that upholds the ideals of decentralisation. President Muhammadu Buhari's "Kitchen Cabinet" discharged his presidential duties during his long absence for a medical trip to London in Nigeria. As discussed earlier, Kitchen Cabinet tends to centralize the country's multiparty system into a single party because members can come from any political party as they are selected from the National Assembly. Therefore, the Kitchen Cabinet silences opposition parties as much as possible. For instance, during the President's extended stay away in London hospital, his Kitchen Cabinet, also known as "the Cabals" made appointments into certain key federal agencies possible. Examples are Security and Exchange Commission (SEC) and National Health Insurance Scheme (NHIS). Unfortunately, some of the Kitchen Cabinet facilitated appointees became corrupt and were suspended to enable them to be investigated. Nevertheless, the presidency waded in and ordered the reinstatement of the Executive Secretary of the NHIS, who has been placed on suspension for investigation on him to be carried out by the appropriate anti-corruption agencies on a flimsy excuse by the Minister of Information Lai Mohammed that his reinstatement would not stop his prosecution (saharareporters.com).

The Nigerian presidency's transitional justice (2015-19) under Muhammadu Buhari went after corrupt officials who accumulated public funds. This, however, did not target the human rights abuses of the authoritarian regimes of the past military leaders but worked to

redress the economic and financial crimes of members of the former regime. The opposition is vital in a democracy that puts an alternative government in place and ensures that the ruling government embraces a more transparent democratic governance. They are involved in shaping policy agendas, conducting civic education, and fighting corruption. However, the opposition parties do not trust the ruling party and always continue to accuse the ruling party of looting the treasury and making the opposition suffer and go through legal restrictions (Kiiza, 2005). The excesses of the kitchen cabinet can be controlled through appropriate legislation enshrined in the constitution. This makes the reformation of law to that effect very pertinent. Such legislation and reformation of law are complex in the Nigerian context. For example, transitional justice had eluded Nigeria after its civil war from 1968-70, when Nigeria failed to institute formal transitional justice mechanisms for national reconciliation. The attempted Transitional justice instituted by former President Olusegun Obasanjo in 1999, popularly known as Oputa Panel, failed since its recommendations were not implemented. Since then, there has been neither transitional justice policy nor an institution known in Nigeria. Subsequent occurrences after the civil war are also damaging enough to have moved the country to seek transitional justice policy, such as incidences of "corruption, injustice, bad governance, human rights abuse, internal conflicts (ethnic, religious, communal, sectional in nature, etc.), intolerance, and dysfunctional multiculturalism" (Kur, Melladu & Hassan, 2013).

Reasons for the lack of accountability policy in Nigeria can be traced to the style of government adopted by the Nigeria coloniser, the British. Hakeem (2018) maintains that the absence of transitional justice policy in the Nigerian polity was due to the adoption of a colonial template of governance (Colonial-style governance) in the postcolonial period. During colonial rule, governance, law and justice were articulated and implemented in the non-settler colony without the consent of the colonised and for the benefit of the coloniser. The local political, economic, civil and military elite conveniently adopted this predatory governance paradigm during the transition to post-colony- the post-independence period. The 'local elite' are those who have taken over political power and control of the economy in the post colony. Transitional justice discourse and measures have been captured by the structural injustice that has been the fabric of governance in the country. Attempts at state-building during and after the period of colonisation have been instrumental in furthering the interests of the coloniser and the local elite, respectively. In this dynamic, efforts to institute redress in the post colony have been primarily captured and neutralised by the agency of colonial-style governance (Yusuf, 2018).

That is to say that a successful study on transitional justice is critical in the Nigerian context. Being a former colony of Britain that handed over the legacy of injustice and violence, "this structural continuity locked down the prospect of justice and reforms as an integral part of the governance complex" (Yusuf, 2018). Yusuf maintains that it will be a waste of time implementing transitional justice in Nigeria. According to him, the "adoption of the colonial template of governance by successive postcolonial governments in Nigeria has reduced the ability of transitional justice instruments to achieve a meaningful result of checkmating abuses and conflict resolution for the country."

However, the dearth of transitional justice in Nigeria is all blameable on the Nigerian colonial legacy of anti-transitional justice political administration that had no structure for transitional justice, which is now reflected in the administration of the country. The problems created by colonial structures were never acknowledged at the end of the colonial period by the colonisers in their narrative and the actions of the new postcolonial government in Nigeria. Victims of injustices of colonial rule who suffered human rights abuses had not enough articulations for reconciliation or reparation coupled with non-commitment of the new government to structures that will bring new values to address those colonial evils meted to victims of gross violations of human rights which occurred during the colonial era. The style of administration of the colonial government did not favour transitional justice. Sadly, this was carried over, retained and maintained by subsequent postcolonial Independent governments in Nigeria, which continued the perpetuation of

structural injustices, thereby frustrating all attempts at reforms for a better society (Yusuf, 2018).

As a result of the aforementioned attitude of transitional justice negligence in governance, "victims of gross violations of human rights arising from the civil war (1967–1970) and authoritarian military rule (1967–1999) still await justice. In the meantime, impunity has continued and institutional reform in the country has been limited and disappointing despite the opportunity political transition brought in 1999" (Yusuf, 2018).

The attempted transitional justice in Nigeria in 1999 by President Obasanjo that failed woefully, did establish a Human Rights Violations Investigations Commission, which Justice Chukwudifu Oputa headed, commissioned to investigate human rights abuses committed from 1996 to 1999 and also became known as 'Oputa Panel'. After three years of the Panel, its report was submitted to President Obasanjo. The report was not to be officially made public, but the content of the document somehow got to the public. The report recommended compensation to victims of human rights abuses. It also recommended the prohibition of past dictators from holding public offices, as recorded in Hayner (2006). However, the recommendations of the Panel were not implemented. The document was even challenged in court by a former military dictator, Ibrahim Babangida, who successfully stopped the Panel from compelling him to appear before it and banning him from holding public office. Below is an excerpt of the view of Rev. Fr. Matthew Hassan Kukah, on the situation of the Oputa panel's report. He was the Secretary of the Oputa Panel:

The fact that Nigeria did not have the space to debate these key issues in its own TRC (Truth and Reconciliation Commission), the fact that no perpetrators of human rights violations were ever brought to trial, that no one took responsibility for the institutionalisation of impunity, that none were named and shamed for crimes against the state, violation of the constitution, assault on the citizens, all have an assembly, corruption in politics in general, neglect of the rule of law, lack of transparency and accountability are all symptoms of the untreated disease of military dictatorship (Kukah, 2009). The possible solution to address these problems is to realise that "Nigeria needs a system of transitional justice that is radically different from the Oputa Panel that was wrongly constituted, had limited powers to function effectively, did very little to address past wrongs, and even the little done was not implemented" (Kur, Melladu & Hassan, 2013).

Role of Opposition Parties

Kiiza (2005) enumerated several vital roles the opposition parties play in a democracy, and these include interest aggregation: political parties are essential organs for aggregating the interests of the political community. "Interest aggregation often culminates in the articulation/ projection of certain preferences, values and ideologies into the policy and lawmaking process" (e.g. in Parliament) and in the budgeting process (Lusakatimes, 2012). Promoting responsible and reasoned debate promotes "national conversation" and pushes democratic discussion to a higher level of political development and maturity. They interact with the voter-citizen and make them aware of the relevance of politics to ordinary people, such as the oppressed, the marginalised, and the disenfranchised (Muthoga, 2017).

Opposition parties hold the government to account for its commissions or omissions: (e.g. Tony Blair's Labor Party was re-elected with less support). Parties present a viable alternative to the incumbent government by presenting and arguing for alternative ideas, principles, and policies governing society (Tshering & Chuki, n.d.). If the party in power misrules, the voters can elect the "government-in-waiting" to take over power through a free and fair election. Parties act as a training ground for future leaders. Shadow cabinet ministers, for example, conduct meetings in their designated portfolios. The opposition parties strengthen the culture of democracy within the party and the political community through promoting open debate at conferences, promoting intra-party democratic elections and ensuring accountable use of party finances. Parties engage and consistently interact with the Electoral Commission, the mass media and civil society organisations to monitor and

enhance the quality of voter registration, civic education and electoral transparency (Alam, 2009).

Opposition parties are the unpaid but dedicated principal researchers for the government in power: in a rush to the "middle ground" that has characterised political party dynamics after the Cold War, incumbent regimes have adopted the manifestos of opposition parties and adopted their researched ideas, policies and programs without acknowledgement. Thereafter, incumbent parties (such as the NRM in Uganda) have pointed out to the Opposition that the ruling party's agenda is the same as theirs. Also, Donald Thomas Brash's responses to issues of Opposition as national party leader and Leader of the Opposition in New Zealand between 2003 and 2006 present a clearer comprehension of the role of leaders of the Opposition. There is no doubting that the Opposition's prominent role is to question the government of the day and hold them accountable to the public. Don Brash as the Leader of a national Party leader had the responsibility of representing the Opposition at meetings of state functions and other important events.

Attempts to anticipate the action of the Opposition rely on the behaviour of others towards the role of the Leader of the Opposition. In this regard, shades of meaning are bound to be elicited. For instance, in Don Brash's view and that of Bill English, Don Brash's predecessor as former opposition leader, more meaning has been elicited on the role of the Opposition. According to Brash, the behaviour of other opposition parties can influence outcomes and, therefore, that space should be closely monitored. Opposition parties who team up can also influence outcomes; with an increase in political numbers, they can stand the chance of defeating the incumbent at the polls.

In holding the government accountable, Brash maintains that the most critical responsibility of the Opposition is to question the government constantly. The Opposition can play an influential role in holding the government accountable to the public. Adding to that, an active Opposition will give legislation thorough debate in the House and during the Select Committee process to gain consideration for the legislation (Chamisa, 2018). Being in Opposition is not just about opposing the government; instead, there are situations when the Opposition should support the government. If the solution proposed by the government has comprehensive support and is soundly based, then it is only natural for the Opposition to agree. On leading the Opposition, Don Brash agrees that "Opposition parties don't have the same resources as the Government and the Executive, so we have to work twice as hard to get the same results" (Bhat, 2018). He continues that the government forms policies easier than the Opposition since the government has access to government departments and advisers, whereas the Opposition has to visit different sources for the same information. In concentrating on the issues that matter, the Opposition's leading platform issues are on those phenomena "sometimes caused by Government negligence" that have become the central discourse of the Opposition.

Bill English, Don Brash's predecessor as a National Party leader, had told decision makers several years earlier that he considered the Opposition's formal role in Parliament as holding the government accountable. At the time of the 2002 election, Bill English had said, "that often means opposing what the government does. It always means questioning what the government is doing." According to Bill English, proposing alternatives to what the government is doing is another significant role of the Opposition; hence, the public will benefit from the political debate between different dynamics.

The role of the Opposition makes no significant difference in both systems of Mixed Member Proportional (MMP) and the First Past the Post (FPP). The only difference is that in MMP, the Leader of the Opposition has to engage in the task of formulating an alternative government in combination with other Opposition and government parties, as the case may be. The Opposition does not imply that members cannot applaud the ruling government and party when their programs are people and development-oriented. Opposition is not all out to oppose but to point out for the good of everybody when the government is not doing it right. According to Bill English, "If you go about that [holding government accountable] in a

positive way – you can cause government to adopt positive proposals".Government and Opposition cooperate because the Opposition presents the government program in good light, though also making its position known; this is when the Opposition is given a fair hearing.

Destroying the Opposition

Destroying the opposition can come in several ways. It may use one or a combination of the other tactics to achieve the ends. There are ten known tactics of opposition destruction that were also deployed against the opposition through President Buhari's misplaced and unjustified transitional justice; they are more common attacks used on opponents, members of the opposition can use understanding of them to checkmate opposition incidences and be able to respond appropriately to opposition destroying targeting their persons or institution. These tactics include Deflection, Delays, Denials, Discounting, Deception, Dividing, Dulcifying or Appeasing, Discrediting, Destroying and Deal.

Deflection Under deflection, the government in power may try to deflect the opposition in two different ways. The first is, turning the debate to other issues instead of focusing on the real problem raised by the opposition. For example, the opposition may launch or support a debate for an increase in taxation on alcoholic manufacturing to reduce the incidences of alcoholism and its consequences, the government in power may try to distract and deflect the argument to family values; this is to tire the opponent out of the debate who usually "pass the buck" to a less authoritative group. Another example is where the opposition supports local anti-tobacco group campaigns; for instance, area businesses should abide by the policy of carding everyone who looks under 26 years old when they come to purchase cigarettes. The government in power might refuse to deal with the issue head-on, instead will ask to be allowed to study the issue and make a representation at future meetings. This may prolong as the government is not under any obligation of the opposition to follow it up. In this way, the debate for stricter taxation on alcoholic manufacturing is deflected.

Delays Under the delays tactics, the government in power may claim to be working on the problem raised by the opposition, whereas it wants to do nothing about it. Opposition parties should brace up to the comprehension of the delay's tactics to be able to respond appropriately to it. Under delays, the government in power will always demand more time to garner more information on the raised problem. The government can even further demonstrate faith in the issue by constituting a committee that will not be hurried up to do the needed additional information gathering despite having enough information that can be relied upon to debate and treat the issue. The worst consequence of delays tactics is that it can deflate the momentum of strong opposition and force it to give up the debate (Community Toolbox, n.d.).

Denial Denial can come in a way such as when the government says that the touted problem by the opposition is non-existence. That is, truth is absent in the argument of the opposition. An example of a form of denial is, for instance, the government accepting to provide what it does not have the resources to accomplish. Another example is the Federal government of Nigeria's acceptance to accomplish the second Niger bridge in the Onitsha Anambra State of Nigeria. The bridge is still in its former shape years after the promise. In this sense, the offer to assist is to frustrate the proposal and not make the change.

Discounting Discounting occurs by way of the government suggesting that the opposition's problem is not worth spending for, e.g. feeding school children is money gulping in Nigeria, is not important; whereas it is important since Nigeria's limited resources cannot sustain the idea for a long time. So discounting can be used to illegitimate the demands of the opposition, for instance. In its most extreme forms, discounting can lead to lies, mudslinging, and counter accusations (Community Toolbox, n.d.).

Deception Deception tactics are delivered by the act of intentionally saying or doing something which is false and misleading. It can also come in the way of someone lying or deliberately forgetting to tell the whole truth. Deceptions may also come in a way a person

will want to double-cross his organisation "with bureaucratic nonsense and red tape, misrepresenting statistics, or making suggestions that in reality have nothing to do with what you are trying to accomplish".

Dividing Under dividing, Presidency may collude with members of a group of the opposition, e.g. in the parliament, in order to get its choice bills passed and can, in the same manner, try to divide the opposition group over controversial issues. By doing so, they hope to reduce the overall effectiveness of the opposition or its coalition. At the most extreme point of opposition destroying by dividing tactics, the Presidency may try to "buy off" members of the opposition parties with offers of jobs and positions. Another example is where the opposition groups advocate for the government to implement two similar policies. Under dividing, the government executives can privately promise each group financial and vocal support on other important projects if they will end the advocacy campaign. (Community Toolbox, n.d.).

Dulcifying or Appeasing Dulcifying or appeasing applies to an organisation by indulging in the act of appeasing to placate members with concessions that may be inconsequential. At times, it is difficult to judge when this tactic is well-meant and when it is actually a trick and helplessness. Discrediting and discounting apply similarly. By this trick, an organisation and its members may be projected as inefficient in their lines of operation. The opposition labels the opponent as incompetent and makes people believe that the opponent's line of operation is inconsequential, unreasonable and unnecessary to anyone.

Destroying Destroy, as the name implies, involves a trick with the sole purpose to mar opponents and run their organisations out of favour with government and society. It works in combination with other tricks or tactics. This tactic also deploys the threat of lawsuits as its weapons of operation. The Nigeria arms gate scandal is a case in point. The Destroy tactics are serious methods of intimidation used against the opposition leaders, and they (the opposition leaders) should respond by getting the international community to intervene since the ruling government also controls even the country's legal system.

Discrediting Another example is when the Nigerian opposition leaders supported the agitation to end the Special Anti-Robbery Squad (SARS) created by the government, where extrajudicial killings have now made it more dangerous than the robbers it was formed to fight. Members of the executive did everything within their powers to destroy the agitation by discrediting it by saying there is still a need for SARS in the community. The government may further add that the press and citizen's groups have been deceived with fake reports and will force a delay in the vote for funding alternatives to SARS in parliament. The government may also try to convince organisers of the agitation to suspend it and halt the funding.

Deal Under a deal, a compromise is achieved between opponent groups. This can be well-meaning for either group in the sense that it may translate to a major victory for either group. However, each group makes sure it gets a better bargain of equal commensuration of the shifted ground in the process. There is no Father Christmas during a deal. The President and members of the ruling party may constitute one side of the parties during a deal. In this case, the opposition is given the benefit of repositioning itself to establish its case and defend and consolidate the deal.

Conclusion

Reforming the law can checkmate the excesses of the party in the executive. Major political problems persist due to the lack of political will to institute appropriate justice practices to control them. For example, in Nigeria, violations of human rights and international criminal law could be redressed through transitional justice mechanisms as obtained in the post-conflict African countries such as Rwanda, Sierra Leone, South Africa and elsewhere in the world; if such mechanisms were found, instituted and practised. What Sierra Leone did was marvellous when it used different mechanisms, such as amnesty, hybrid international criminal tribunal, truth and reconciliation commission and reparation funds to achieve transitional justice. In conclusion, the paper points out that the kitchen cabinet refers to a President's informal political supporters, who are his/her trusted and closest associates as

opposed to official members of the cabinet, and that the kitchen cabinet, also called Party in the executive, does not favour a multi-party system. The excesses of the kitchen cabinet can be controlled through appropriate legislation enshrined in the constitution. This makes the reformation of law to that effect very pertinent. However, such legislation and reformation of law are challenging in the Nigerian context. Destroying the opposition is an equally anti-multi-party system practice employed through different tricks. Opposition parties play a vital role in a democracy in different ways to ensure accountability and enable the government's ship to be steered away from approaching a precipice.

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