



Research Article

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## Choice-less Choice in the 2019 Presidential Election: Towards the Intrigues Perfected by the Electoral System in Nigeria

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### Abstract

Literature on election is mostly anchored on how the voting exercise was carried out successfully or rigged in favour of one candidate over another. These scholars were only interested in analyzing the outcome of election with little or no effort to understand why electorates who cast their votes during election do not choose their leaders. While we acknowledged that vote buying, snatching of ballot boxes, intimidation, and different pattern of malpractices among others contributed to these, we equally noted that scholars have not really tried to find out why the electoral system in Nigeria could not allow candidates that would not only attract massive support but become irresistible during and after election. Therefore, what is often witnessed among presidential flag bearers in Nigeria are candidates who the electorates knew would not make significant impact if elected. As a result, make them (electorates) see voting during election as a routine exercise that must be fulfilled without enthusiasm or eagerness in carrying out such obligation. Election in this situation becomes so difficult that whoever is elected is not actually chosen by the electorates but is allowed to keep the country on track. These political parties are only interested on the radical nature of candidates who can withstand the campaign strategies leaving other areas like understanding - the political terrain of the country and having the will power to transform society against other odds. Until this issue is properly addressed and handled in the political system, voting in election will remain a mere process of choosing leaders that will neither attract peoples mandate nor sustain the democratic structures.

**Keywords:** Voting, Political Parties, Electorates, Presidential Election, Candidates

### 1. Introduction

Election is one of the ingredients in the democratic governance of countries around the world. In every election, qualified citizens are expected to cast their votes for the candidates of their choice.

This they do that whoever that emerges at the end of the process becomes the leader. Consequently, this indicates the fundamental elements of voting in any democratic state. Election and voting are two sides of the same coin, implying that one cannot occur outside the other. While the former is necessary towards actualizing the later, the later becomes the instrument through which the former can be achieved and realized. In line with this, Obianyo & Emesibe as cited in (Mbah, Nwangwu & Ugwu 2019, p. 3) stated that "Elections serve twin purposes in a democracy. First, it gives voters the freedom to choose candidates of their choice in order to manage their affairs and secondly, it affords the candidates the opportunity to canvass for the votes of the eligible voters in a free and fair contest". While the choice of these candidates by the electorates may remain elusive especially when there are no clear-cut differences between the candidates presented, the electoral system adopted in that country may worsen the situation.

The problem/challenges associated with voting and voting process have attracted a lot of literature Ojo, 2008; Seteolu, 2005; Shively, 1997; Alemika, 2007; Akinnaso, 2017; and Nnadozie, 2007. Some of these studies were basically anchored on how voting exercise was carried out with less effort to understand what led to the voting pattern, method or attitude of these electorates. No doubt, those studies are necessary as they become watershed for this work. Similarly, they can be seen to be a diachronic study, involving elections that were conducted at different period. Our attempt is to situate our analysis synchronically with particular emphasis on 2019 presidential election in Nigeria.

During elections, voting exercise has always generated tension among citizens; especially in Africa where elections are problematic due to challenges bedeviled in its electoral system. Nigeria being one of the African countries suffers from this problem. Although, different efforts has been initiated by electoral umpire and the government of Nigeria but such efforts seem to be abortive. As noted by Nnadozie, 2007; Seteolu, 2005; Shively, 1997; the elective principle introduced by the colonial masters in 1922 in Nigeria mark the beginning of challenges sought towards finding a representative. In corroboration, Ibeanu, (2007) argued that Nigerians' election experience indicates that what takes place is a "set of simulated outcomes in which votes did not count or worse still, votes were not counted". Accordingly, the zero sum nature of politics in many African countries contributed to this. But the effect of this type of politics is that vote buying and other form of electoral manipulation has become the issue at stake in the Nigerian political system.

Vote buying no doubt, has played a variegated role in determining the outcome of Nigerian elections. Its role could be seen in the recent gubernatorial elections in Ekiti and Osun States as well as in the party primaries conducted by the APC and the PDP in the 2019 General Election. Consequently, Nwangwu & Ononogbu (2016:615) averred that such incidences of vote buying manifested in 2003 and 2007 General Elections in Nigeria, especially in states like Cross River, Ondo, Rivers, Osun, Anambra, Edo, Kogi, Ekiti, Osun, and Bayelsa . To them, that contributed to the upturning of the most gubernatorial and state house of assembly election petitions by the State Tribunals/Appeal Court. The eminent role of these tribunals in these states has become evident that their (states gubernatorial) election year does not tally with the Nigerian general election.

While much is already known about vote buying, less is known on why electorates allow themselves to be induced by money or any other material benefits during election. The choice set of these electorates is very important. Once, it becomes difficult to understand the policy and the ideological differences of party/candidates between their competences and probably performance/antecedents, then it could lead to many challenges. Undoubtedly, this has actually affected the voting turnout of electorates in different elections. However, the responses associated with the perceived challenges of voting turnout have made it possible that some countries like Australia and Netherland adopted a law requiring all qualified citizens to take part in their election. This has actually stirred up citizens' participation during voting but it (law) does not instill enthusiasm/eagerness as it left electorates with an option of seeing voting as an obligation or exercise that must be carried out to keep the country on track.

The major problem that besets any electoral system in the world is the problem of absence of choice. Consequently, Dahl (1971) lays more emphasis on it (choice) and saw it as a *sine qua-non* for

democracy and democratic structures to be entrenched in society. Therefore, in any democratic dispensation, election is seen as one of the key elements needed, but cannot function properly in the absence of credible choice of candidates. Although, voters are seen to be the major stakeholders in any election and their decision can either be to reward, punish or sanction any contestant whom they (electorates) feel does not deserve it. But this can actually be achieved when the institutions (political parties) at best provide electorates with suitable choices of candidates rather than choice-less choice. And this becomes necessary in consideration that one of the objectives of an electoral process is to see that election is free, fair and credible.

Little wonder that elections remain the necessary instrument of ensuring citizens participation in politics. It is a process of seeking support, determining policies through electing a representative. Therefore, it has become a genuine platform of having all inclusive governance. This enables government to recognize that absolute power belongs to the people as they (government) can be voted out of power during elections. This equally remains the only way to establish majority rule and legitimacy of government (Ejue & Ekanem, 2011, p. 286).

Ibeanu (2007) identified three different core value of votes – promissory value, content value and psychological value. In all the values noted by him, none of them was able to take care of reasons why electorates could not boast of choosing their leaders after election. While content value seems to be closer to what could discourage electorates from electing their leaders, it does not settle/handle the issue of choice. The choice there becomes more problems as it tries to present candidates that have similar or the same attitude to issues that even after being elected will not change the course of things. While we know more about vote buying, ballot box snatching and destruction, the use of security personnel to intimidate electorates during election, party influence politics and other forms of electoral malpractices, we know less about how these challenges are affected by the kind of options (candidates) that are being presented by the electoral system in Nigeria.

We build our analysis on four stages – in every election, the interest of electorates is not on the candidate that is better but on good one. This is because any good candidate will always produce good result but not all better candidates' produces good results. Second, voting that will produce good candidates is neither done on sympathy nor on empathy rather it is cast out of obligation with enthusiasm and eagerness to have a good leader. Third, what determines free, fair, credible and meaningful election can also be anchored on the candidates fielded by the political parties and their willingness to abide by the rule of the game. And finally but most important, election in every democratic dispensation is basically done by seeking the will of the people and not in thwarting the wishes of the masses or in presenting candidates that are basically the same.

## 2. Methodology and Theoretical Framework

The study adopts documentary method in the data collection. Essentially, documentary method is the use of written materials and analysis of those documents that contain information about a given fact, event in nature or society especially one that is not fully understood. Accordingly, Payne & Payne (as cited in Mogalakwe, 2006 p. 221), “documentary method is the technique used to categorize, investigate, interpret and identify the limitations of physical sources, most commonly written documents whether in the private or public domain”. The methodological relevance of this tool cannot be over-emphasized. Its usefulness in identifying information gaps that needed to be filled, formulating the research problem, developing a theoretical framework and articulating the research methodology. This method enables us to examine extant but relevant literature on voting and elections, in relations to the choice of candidates in the general elections with particular emphasis on 2019 presidential election in Nigeria. The materials consulted or sought include but not limited to scholarly publications, media reports, conference/workshop papers as well as official documents from the electoral umpire, EU, Nigerian Civil Society Situation Room Report.

The interface between the choice-less choice in the 2019 presidential election in Nigeria with regard to understanding the intrigues perfected by its electoral system can be better understood and

analyzed using elite theory. The suitable nature of this theory can be anchored on what it represents - few individuals that represent the higher stratum while the people they represent are known as lower stratum. Pareto being one of the pro-pounders shows how the structure and the form the elites appear. To him, there are two existing classes - elites and non elites. Elites are group of few individuals who as a result of their position, wealth, experience, intelligent and how organized they are, control the affairs of others.

Based on the above elucidated points, there are two different political facts that can easily be understood between the ruling class and the ruled class (Mosca, 1939). The first is the logic and their (ruling class) ability to be better organized than the ruled class. Second, is in their (ruling class) position which has to do with the close relation with the level of development in the society. It is this proximity that made them (elites) to always try to reproduce themselves at all time. The role played by this few group of individuals in the Nigerian politics can easily be situated in this theory. What differentiate this few individuals (elites) from other people (non elites) in the society is the degree of qualities they possess (intelligence, character, capacity e.t.c). Pareto in this theory fails to acknowledge the stages in the progressive evolutionary interpretation of history and social change. According to him, "history of men is the history of continuous replacement of certain elites as one ascends another decline, such is the real phenomenon, though, it can equally appear in another form" (Pareto, 1968, p.33). This ascendancy of certain elites is on the assumption and conviction that they can do better if given the opportunity. Secondly, it serves or shows that the masses have been tired or not comfortable with the former elites and their leadership style.

The change of these elites is normal but becomes more difficult for the masses since the battle is always subject to manipulations. And these manipulations afford the masses little or no opportunity to understand which elite is actually coming out to serve (a true leader). It is a common knowledge that they (elites) would present themselves as though they are not fighting or working for their interest but for the interest of the masses. But the whole scenario becomes clearer when the elite emerges victoriously. These politicians are the same clique who recycle and reproduce themselves through decamping from one party to another. Their major concern is the primitive accumulation of wealth rather than the welfare of the citizens. The problem/challenges in the Nigerian electoral system made it so difficult that those other political parties different from the two leading parties (PDP and APC) could not expose the ills of PDP's 16 year rule and APC's underperformance since they took over power in 2015.

### 3. Presidential Elections and Political Parties' Choice of Candidates in Nigeria

Elections remain one of the basic indicators or attributes of democracy but does not determine it at all times. Little wonder when the UN secretary general - Kofi Annan was asked whether elections were instrumental to democratic deficit, he said: "Democracy is not just about one day every four or five years when elections are held, but a system of government that respects the separation of powers, fundamental freedoms like the freedom of thought, religion, expression, association and assembly and the rule of law... To him, any regime that rides roughshod on these principles loses its democratic legitimacy, regardless of whether it initially won an election". However, in every election, there is always an electoral system that sets the pace. Although, what determines electoral system that exists in any country is dependent on their historical origin, culture e.t.c

One major factor that trails African electoral system is the invigoration of political competition. These competitions have open way for multi-party systems involving past leaders in the competition. For instance, in Nigeria, two former head of states-Olusegun Obasanjo and Muhammadu Buhari had contested and become presidents of the country. In a similar incident, four candidates that contested "for the 2013 presidential elections in Kenya-Raila Odinga, Uhuru Kenyatta, William Ruto, and Kalonzo Musyoka" were remarkable for the role they carried out in Kenya African National Union (KANU) which was in power for 39 years after independence (African research institute, 2012). Though, the incapacitated nature of governance in most of these African states contributed so much

in the heavy reliance on election period in order to vote out candidates who they (electorates) consider not worthy to continue with the leadership role. But this can actually be checkmated through citizens' active participation in politics. Election as has been noted does not change the idiosyncratic attitude of a leader but the change is based on how insistent citizens are on the implementation of right policies. Examples are countries like Venezuela and South Korea where citizens do not tolerate dictatorial tendencies of a leader over a long period of time.

Presidential elections in post-colonial Nigeria have always generated tensions, anxieties and controversies, particularly among the electorate. This is connected to the fact that electioneering periods are characterized by hate speeches which in most cases have an ethnic undertone. In particular, the 2019 presidential election in Nigeria generated more tension and controversies than ever before. Apart from being held in a period of insecurity largely orchestrated by the Boko Haram sect, Fulani/farmer herdsmen attack, and the separatist agitation by the IPOB, the general election have been described as the most competitive election to be held in the post-colonial Nigeria. It was claimed that prior to the election, there had been increasing tension in the country. This was basically on the candidates presented by the two leading political parties (APC and PDP) as they were seen as two sides of the same coin. This could account for the opinion formed by the three of the world most prominent media outlets (CNN, BBC and Aljazeera) who described the 2019 presidential election of Nigeria as a battle between "two bad choices" (the devil and the deep blue sea).

Being the most prominent institution of democracy in democratic states across the world, political parties distinguish itself on the tripod stand in the political system - electorate related functions, government related functions and linkage related functions - (Moore, 2002; Omotala, 2010). Consequently, in the electorate related functions which formed the fulcrum for this work, the Nigerian political parties make the expression of interest and nomination forms so difficult that an ordinary citizen could not afford it. The kind of money spent on campaign by these political parties does not encourage qualified citizens rather it opens door for kangaroo move and the likes to hijack and control the affairs of the party. While these people can be identified as cabals, they remained diehard politicians that think less of the common good of the masses and more of the people they have come to represent. They recycle, reproduce and form major political parties just for primitive accumulation contrary to the public perception of good representations. Accordingly, judging from the party primaries which held between 18<sup>th</sup> August and 7<sup>th</sup> October, 2018, it was deduced that these political parties flouted guidelines on primary election which manifest in the financial inducement of delegates contrary to the electoral act and recent judicial decisions on nomination of candidates for election (Yiaga Report on 2019 election).

No doubt, the recognition of political parties is to see that we have a handful of candidates where the choice can easily be drawn. A platform of such is necessary towards having representatives in a democratic society. And the recognition of these political parties as an institution is based on the registered ones which must be articulated in the constitution of the country (1999 federal republic constitution of Nigeria). As argued in the literature, the involvement of political parties is to enhance an effective as well as an efficient transition process. The monitoring process of these political parties undermines the challenges being witnessed in the electoral process.

However, the role of these political parties has been submerged by their campaign strategies. They (political parties) all work towards achieving their aims - winning. Due to this, they employ different strategies that could assist them in making sure that their candidates emerge. The interest of these political parties are basically on the radical nature of candidates who can withstand the campaign strategies leaving other things like understanding - the political terrain of the country and having the will power to transform against other odds. Also, the issue of educating the citizens which is supposed to be the primary aim of political parties is hardly carried out, even when they do, it is always done haphazardly. It must be stated that most of these political parties do not make leaders better rather they may change the attitude of good candidates in a negative way.

From the above analysis, it becomes crystal clear that Nigerian political parties have become fetters of democratic governance. They (political parties) remain too fixated in their mechanism to

consolidate and advance their power struggle. What they do during campaign is to see that their candidates emerge using different means. Therefore, there is no better policy difference between and among these political parties in Nigeria despite the fact that party ideology serves as a life line in any political process world over. The collapse of this ideological differences in Nigerian political parties started in the second republic in 1979 when more political parties were allowed to register following the change in nomenclature of the already existing parties – “National Party of Nigeria (NPN), the Unity Party of Nigeria (UPN), and the Nigerian People’s Party (NPP), replaced the NPC, AG, and NCNC respectively” Anifowose (as cited in (Okhaide, 2012, p. 58).

In most African states, politicians hardly join political parties because of its ideological instinct or inclination but for the chances of using it as a platform for winning an election. It is based on this that in many of these countries, citizens hardly take part in politics based on the conviction of touching lives for good but on the appropriation of wealth meant for the masses. This appropriation always made these parties to see the need to invest in politics and political related matters. Consequently, it is a common knowledge that political parties with better financial ability do well both in their articulation process and in its proper implementation especially towards actualizing their primary objectives. Accordingly, it becomes so necessary ‘in developing democracies where political parties need more funds because of the avalanche of daunting tasks before them in terms of problems associated with establishing themselves as new political structures . . . and building confidence and popularity in the electorate’ Aluaigba, as cited in Nwangwu & Ononogbu, 2016 p.615).

One of the major issues that continue to reoccur and beset electoral system of Nigeria is the problem of ‘choice’. For instance, in the 2019 presidential election of Nigeria, the two major political parties find it difficult to address the problem of economic recession. Throughout their political debates and public discourse, no serious effort was made to address the challenges being faced by the economic structure of the country. This was amply noted by Owoeye, (2019) in a review of the campaign documents of the two leading candidates, Muhammadu Buhari’s and Atiku Abubakar that the manifesto of the two candidates were empty promises that fall short of specifics and how those promises would be realized. This is the reason Prof. Ayo Olukotun observes on his column that: “there is hardly any difference between the two major political parties in the proclivity for, and actual practice of, corruption” (Akinaso, 2017).

#### **4. Intrigues in Nigerian Electoral System that made 2019 Presidential Election a Mere Process (choice-less choice)**

##### *4.1 Party influence politics*

As was highlighted in the literature, party influence has a lot in determining the flag bearers in every election. And what led to the choice of candidates by these political parties is basically on who they assume to have the potentials of winning in election rather on who will deliver after the election. This influence contributed so much in the unlawful removal of the Chief Justice of the federation-Justice Onnoghen barely three weeks before the general election. Another area worthy of note is the misuse of state owned media by the ruling parties and security agencies to sideline some other opposition parties in Nigeria during election.

It is well known that the flag bearers of the two leading political parties are similar. The similarities of these individuals/candidates can be seen from the following: both are Northerners, Moslems, Fulanis, septuagenarians, veteran contests, had been in power and have actually moved from one party to another. Before the 2019 presidential election, candidates have always emerged as the flag bearers of the major political parties in Nigeria hardly share some similarities in common. And that enable the electorates in articulating and making quick decision before the election.

The influence of these parties ab-nitio was to see that they could win by a landslide but got stuck when their options were seen to be the same. In Nigerian politics, ethnicity and religious background are seen as the major factor that determine who emerges as a winner in any election.

Contrary to this, the 2019 presidential election of Nigeria seems to be different as it presents two candidates from two major political parties that are basically the same. This did not only make it difficult for electorates to know where to cast their votes but equally assured them that the change they sort for may not be achieved after the election.

The Nigerian electoral system brought about this party influence politics and this party politics inadvertently stir up mixed feelings from different individuals across the country. The two major political parties-Peoples Democratic Party (PDP) and All Progressive Congress (APC) could not win by landslide because most electorates that cast their votes do so to keep the country on track. The candidates fielded by these political parties have major flaws. For instance, while Buhari who was the APC presidential flag bearer is seen as ethnic jingoist, Atiku being the PDP candidate is seen to be corrupt. Nigeria past elections have actually shown that candidates presented by these political parties are two bad choices (a choice between the devil and the red blue sea). And this could be responsible for the narrow margin of votes recorded between the APC and PDP candidates which accounts for 14.3 percent of the total valid votes. While the APC candidate won in 19 states, PDP flag bearer won in 18 states including Federal Capital Territory (FCT), being the closest in the annals of presidential elections in Nigeria.

**Table 1:** Summary of presidential results among major political parties in Nigeria from 1999 to 2019

S/n	Election year	Party name	Candidate name	Votes recorded	Percentages of votes	No of states won
1.	1999	PDP	Olusegun Obasanjo	18, 738, 154	62.8%	
2.	1999	AD-APP	Olu Falae	11, 110, 287	37.22%	
3.	2003	PDP	Olusegun Obasanjo	24, 456, 140	61.94%	25 + FCT
4.	2003	ANPP	Muhammadu Buhari	12, 710, 022	32.19%	5 states
5.	2007	PDP	Umaru Yar' Adua	24, 638, 063	69.82%	
6.	2007	ANPP	Muhammadu Buhari	6, 605, 299	18.72%	
7.	2011	PDP	Goodluck Jonathan	22, 495, 187	58.89%	22 + FCT
8.	2011	CPC	Muhammadu Buhari	12, 214, 853	31.98%	13 states
9.	2015	APC	Muhammadu Buhari	15, 424, 921	53.96%	21 states
10.	2015	PDP	Goodluck Jonathan	12, 853, 162	44.96%	15 + FCT
11.	2019	APC	Muhammadu Buhari	15, 191, 847	55.6%	19 states
12.	2019	PDP	Atiku Abubakar	11, 262, 978	41.2%	17 + FCT

**Source:** Compiled by the authors

In the above table, we were able to show how tight the 2019 presidential election was and how difficult it was for the electorates to make a decisive decision based on the type of candidates that were fielded by the major political parties.

#### 4.2 Recycling of leaders

In African continent, issues' patterning recycling is not a new phenomenon. It has actually become a common occurrence that leaders who have led before always try to contest again during election period. These are leaders who from time immemorial had been in the leadership position without any meaningful or remarkable achievement to show for their long stay. Some of these leaders have not contributed positively towards harnessing the economy of their country within the time they were in power. One major issue worthy to note about these past leaders is that the more they contest for political position, the more they tend to lose focus on what should be done to better the society.

Nigeria for instance, have had an avalanche of recycled leaders, some who have once overthrown a democratic government, dragging democratic structures to the mud. In line with this, during the second republic in Nigeria, it was the present APC led government, Muhammadu Buhari who ousted the then civilian rule headed by Shehu Shagari on the basis of being corrupt on 31<sup>st</sup> December, 1983. In the same vein, the PDP presidential candidate, Atiku Abubakar was the vice

president of Nigeria when the former governor of Anambra State Dr. Chris Ngige was kidnapped and put in a hostage for three days and in another case where thugs sacked legislators in Oyo state and installed their own candidates in a democratic dispensation and nothing serious was actually done about it. This analysis made many electorates to see recycling of leaders as a threat to democratic rule in Nigeria which if not checked would endanger/mar electoral process.

A bill of “not too young to run” was introduced recently in the country. One of the major reason for introducing such bill in Nigeria politics is to encourage young vibrant individuals to embrace politics and discourage old politicians from coming out. But even as the bill was introduced, much effort has not been put in place to see that its implementation would be realized especially during electioneering. In that bill, age limit of different electoral positions were reduced but the fund expected of prospective candidates/contestants was not harmonized. This therefore, made it difficult for young people who were interested in contesting for different positions to decline since they lack financial power to actualize it.

**Table 2:** Indicating the level of recycling of Nigerian leaders

S/N	NAME	POSITION	Description	YEAR
1.	Olusegun Obasanjo	President	Military (Nigeria)	1978 - 1979
	” ”	”	Civilian (Nig.)	1999 - 2007
2.	Muhammadu Buhari	President	Military (Nigeria)	1983 - 1985
	” ”	President	Civilian (Nig.)	2015 -
3.	Atiku Abubakar	Vice President	Civilian (Nigeria)	1999 - 2007
4.	Goodluck Jonathan	Governor	State (Bayelsa)	2005 - 2007
	” ”	Vice President	Civilian (Nigeria)	2007 - 2010
	” ”	President	Civilian (Nigeria)	2010 - 2015
5.	Umaru Musa Y’adua	Governor	State (Katsina)	1999 - 2007
	” ” ”	President	Civilian (Nig.)	2007 - 2010

**Source:** Compiled by the authors

The above table did not presuppose that recycling of leaders is bad but indicates that the way and manner in which it is being carried out in Nigeria is unbecoming. And this has made electorates to lose confidence in voting during election since it remains a mere process of choosing leaders that will neither attract peoples mandate nor sustain the democratic structures.

#### 4.3 Incapacitated Nature of Election Management Bodies (EMB)

The preparation and the process of conducting election is so tasking that the electoral umpire is saddled with the responsibilities of organizing, supervision and the actual management of elections in Nigeria. This responsibility is so enormous that they always hook up with logistics challenges. It is this logistics challenge that created a leeway for the postponement of the 2019 presidential and national assembly’s election in the early hours of the election day. This postponement cast doubt on the professional credibility of electoral umpire in Nigeria. Although, the Nigerian electoral system contributed in no little way on this as it has become a routine that training of the INEC and adhoc staff is always carried out few weeks before the general election. Because of this, a lot may not be properly captured in a way that would enhance the conduct of election due to the haste manner with which the training is usually organized.

Sequel to this, the mismatch in the collation of results and the time it took the electoral umpire to declare the winner of the presidential election do not only indicate professional incompetent but also lack of independence. It is necessary to state that collation of results should be seen as a sensitive



and tedious work but allowing it to linger unnecessarily is an indication that electoral system has been compromised. For instance, it took INEC four days to collate the presidential and national assembly results before declaring the winner.

Apart from this, in the electoral related offences, INEC was assigned a role without the capacity to act. It is true that INEC has the capacity to prosecute but lack the power to investigate and arrest. Ordinarily, prosecution comes at the tail end of the investigation and arrest. This therefore, suggests that if INEC as an institution was not given the power to investigate and arrest, then, it means that it does not have any power to act. It should be noted that it is during the investigation process that some evidences would be sought thereby making it public what would ensure that such acts does not reoccur in the future.

Similarly, the high number of cancellation of presidential election results with little or no better information indicates the culture of impunity in the electoral system of Nigeria. For instance, the number of cancelled votes is about 2.8 million registered voters and some of these cancellations show lack of accountability on the part of the INEC.

#### 4.4 The level of decline in political participation during election

The nature of electoral system in Nigeria has made it possible that the level of political apathy is quite increasing. Many Nigerian citizens who have attained voting age do boycott election and election related issues. To them, it does not make any significant difference to participate in electioneering that does not change the course of things. And these has made electorates to see Nigerian election as a routine exercise that has to be carried out with little or no enthusiasm and eagerness in carrying out such obligation. This could be one of the reasons some ethnic region from time to time opt for boycott during election. They do this to show some level of indifference and dissatisfactory towards the electoral system. Accordingly, CDD (2019) noted that since 2003, voter turnout has progressively decreased in each electoral cycle despite the increase in the number of political parties from 28 to 91, the increase in the number of registered voters (from 68,833,476 to 84,004,084), and rise in permanent voter card (PVC) collection rates (from 82.03% to 86.63%) between 2015 and 2019.

**Table 3:** The level of participation on the presidential election of Nigeria from 1999 to 2019.

Year	Registered votes	Valid votes	Invalid votes	Total votes	Percentages of votes cast
1999	57, 938, 945	29, 848, 441	431, 611	30, 280, 052	52. 26%
2003	60, 823, 002	42, 018, 735	2, 538, 246	39, 480, 489	69. 08%
2007	61, 567, 036	35, 397, 517			57. 49%
2011	73, 528, 040	38, 209, 978	1, 259, 506	39, 469, 484	53. 68%
2015	67, 422, 005	28, 587, 504	844, 519	29, 432, 083	43. 65%
2019	82, 344, 111	27, 400, 583	2, 161, 295	28, 620, 190	33. 01%

Source: Inec.org

A review from 1999 when Nigeria had fourth republic till 2019, six different general elections had been carried out. It was only in 2003 that the percentage of electorate in election was high. Apart from that year, other preceding elections witnessed a low turnout as was indicated from the above table. As the number of electorates who would have voted is being reduced, the determination of who emerges as the leader becomes difficult. In Nigeria, there exist an estimated population of 201, 270, 147 people and the number of registered voters in the just concluded election was 84,004,084 constituting 55.06%. Viewing it from that, one may actually want to find out what led to the decrease or low turnout of voters in Nigerian presidential election. The cancelation of presidential and the national assembly election by INEC in early hours of the day election were to be held – Saturday, 16<sup>th</sup> February, 2019 created unnecessary voter apathy (Report of Nigerians 2019 general election). People who

traveled from afar to participate in election could not afford to come back having been disappointed with the cancellation.

#### 4.5 Discrepancy between the number of registered voters, accredited voters and votes Cast

There were some remarkable differences between the actual number of registered voters before the election and the total number of registered voters announced by INEC during the collation in the 30 of Nigeria's 36 states. The six states that were not affected by this mix-up are Zamfara, Yobe, Taraba, Bayelsa, Akwa Ibom and Rivers. No better explanation was given by INEC on the differences found in these 30 states. The cumulative number of registered voters as announced during the collation was 82, 344, 107 as against to 84, 004, 084 being the number announced before the election. The two figures had a significant difference of 1, 659, 977 registered voters. Invariably, indicating how some electorates must have been tactically disenfranchised and disempowered.

Apart from this, there still exist a mismatch between accredited voters, votes cast and percentages of voters' turnout in the 2019 presidential and national assembly election in Nigeria. It is quite surprising that such would occur when accreditation and voting exercise was done concurrently as against what was obtained in the 2015 general election. One wonders if there could be a better explanation to that effect if not from the electorates' perception of the presentation of two candidates that makes no difference by the leading political parties in Nigeria. Secondly, another explanation to that effect is the problems bedeviled in the electoral system of Nigeria. In this electoral system, the elite class always tries to manipulate these figures in their favour with less interest on how those figures would be harmonized to avoid unnecessary discrepancy. If not, how come there were different figures generated from the two different positions (presidential and national assembly election) could not tally, yet, election to these positions were done concurrently.

In developed democracies, the electoral system is always seen to be just and fair play. It is adjudged to see that no party gets more support than the other. In this case, it is difficult to perceive any sort of manipulation, intimidation of voters either during the registration, collection of voters' card or in the actual voting process in these countries (IPI, 2011).

**Table 4:** Difference between accredited votes, votes cast and percentages of voters' turnout in the 2019 presidential election of Nigeria

S/N	State	Registered voters	Accredited voters	Votes cast	Diff. between accredited votes and votes cast	% of voter turnout to registered voters
1.	Abia	1,932,892	361,561	344,471	17,090	18%
2.	Adamawa	1,973,088	874,920	860,756	14,164	43%
3.	Akwa-Ibom	2,119,727	696,677	605,140	91,537	28.5%
4.	Anambra	2,447,996	675,273	625,035	50,238	25.5%
5.	Bauchi	2,462,843	1,075,330	1,061,955	13,375	43.1%
6.	Bayelsa	923,182	344,237	335,856	8,381	36.3%
7.	Benue	2,480,131	786,069	763,872	22,197	31%
8.	Borno	2,315,956	987,290	955,205	32,085	41.2%
9.	Cross River	1,517,289	461,033	446,046	14,987	29.3%
10.	Delta	2,845,274	891,647	882,254	9,393	31%
11.	Ebonyi	1,459,933	391,747	379,394	12,353	26%
12.	Edo	2,210,534	604,915	599,228	5,687	27.1%
13.	Ekiti	909,967	395,741	393,709	2,032	43.2%
14.	Enugu	1,944,016	452,765	451,498	1,702	23.2%
15.	Abuja (FCT)	1,344,856	467,784	451,498	16,286	33.5%
16.	Gombe	1,394,393	604,240	580,649	23,591	41.6%
17.	Imo	2,272,293	585,741	542,777	42,964	24%
18.	Jigawa	2,111,106	1,171,801	1,149,922	21,879	54.4%

S/N	State	Registered voters	Accredited voters	Votes cast	Diff. between accredited votes and votes cast	% of voter turnout to registered voters
19.	Kaduna	3,932,492	1,757,868	1,709,005	48,863	43%
20.	Kano	5,457,747	2,006,410	1,964,751	41,659	36%
21.	Katsina	3,230,230	1,628,865	1,619,185	9,680	50.1%
22.	Kebbi	1,806,231	835,238	803,755	31,483	44.5%
23.	Kogi	1,646,350	570,773	553,496	17,277	33.6%
24.	Kwara	1,406,457	489,482	486,254	3,228	34.6%
25.	Lagos	6,570,291	1,196,490	1,156,590	39,900	17.6%
26.	Nasawara	1,617,786	613,720	599,399	14,321	37.0%
27.	Niger	2,390,035	911,964	896,976	14,988	37.5%
28.	Ogun	2,375,003	613,397	605,938	7,459	25.5%
29.	Ondo	1,822,346	598,586	586,827	11,759	32.2%
30.	Osun	1,680,498	732,984	731,882	1,102	43.5%
31.	Oyo	2,934,107	905,007	891,080	13,927	30.3%
32.	Plateau	2,480,455	1,074,042	1,062,862	11,180	43%
33.	Rivers	3,215,273	678,167	666,585	11,582	20.7%
34.	Sokoto	1,903,166	950,107	925,940	24,167	48.6%
35.	Taraba	1,777,105	756,111	741,564	14,547	42%
36.	Yobe	1,365,913	601,059	586,137	14,922	43%
37.	Zamfara	1,717,128	616,168	597,224	18,944	35%
	<b>Total</b>	<b>84,004,084</b>	<b>28,632,225</b>	<b>27,882,398</b>	<b>750,929</b>	<b>33.1%</b>

Source: INEC 2019; Charles & Ejalonibu 2019, p.65

#### 4.6 Unclarified electoral legal framework/act

In every country, there is always a constitutional provision which gives credence to electoral laws. These laws were meant to guide all the electoral related issues in a country. Nigeria is not an exception on this, but, the challenge in its electoral act is always anchored on its ambiguity. This ambiguity created an opportunity for easy manipulation by the politicians. However, there seems to be clear positive changes on the Nigerian electoral law after the Uwai's panel in 2010 act as amended. Some of these changes include: reduction of the minimum age of contestants for active political participation, introduction of pre-election cases for ease resolution of any election disagreements. But, the challenges witnessed in the 2019 general election were based on the president's failure to endorse the electoral act proposed bill. In line with this, about 640 pre-election trial cases emanating from the 2018 party primaries were not resolved before the election day resulting in unnecessary confusion among the electorates. On the other hand, some cases were filed at multiple courts creating overlapping of functions on the side of the jury.

These notwithstanding, the major flaws identified in the electoral act of Nigeria include "undue restrictions on candidacy, limitation on who can file petitions, weak transparency and accountability measures, and an absence of sanctioning powers for INEC".

This manual transmission of election results can lead to manipulation and this contributed to the decline of electorates from participating as they lost confidence from the electoral management body (EMB). Another point needed to state here is the drama that beneath the tribunal issue of data base which is expected to be in the database of the INEC. It is quite funny that when the PDP's election petition tribunal tried to sight the database of the electoral umpire of Nigeria, they claim they have none. Yet a large sum of money was allocated and disbursed for it. All these melodrama contributed to why we argue that the 2019 presidential election of Nigeria were a step backward from what was achieved in the 2015 presidential election.

From the analysis so far, it has become clearer that Nigerian electoral system did not only make it difficult for the electorates in the choice of candidates but equally undermined the outcome of the

election. The central issue may not be to understand how backward this presidential election had taken Nigerians when compared to the 2015 presidential elections, but the lessons derived which would enhance the subsequent presidential elections in country.

## **5. Lessons to be Derived from the Outcome of the 2019 Presidential Election in Nigeria**

The outcome of this election has a way of informing the general publics that what were fielded by the two major political parties were candidates of the same type. No doubt, the outcome of the 2019 presidential election in Nigeria cast doubt on the democratic structure of the country. This article has noted some intrigues perpetrated by the leading political parties which made it more difficult for electorates to make meaningful choice from the 2019 presidential election. Based on these elucidations, we have argued that although, democracy thrives better when there are different political parties which would allow the electorates for easy choice, though, this may lead to more problems when there are multiplicity of these political parties. On the one hand, even the most advanced forms of democracy depend on how viable its institutional mechanisms are for ease consolidation. The difficulty created by multiplicity of political parties under democracy is that it creates a leeway for easy manipulation of electorates especially in a political system that does not have regard for 'rule of law'. The proliferation of these political parties always set a major task for electoral umpires that sometimes some parties inadvertently are not captured in the voting papers. Second, it costs more having a multiplicity of political parties not just for the country but also for the party itself. And this makes it difficult for parties that could not muster resources to have a better structure nationwide opt for candidates with financial ability to sustain their political campaign. To this end, incompetent candidates that may not change the course of things if elected are foisted on electorates.

The Nigerian electoral system made it possible that elite class projects political culture in a way that is suitable for them in using these political parties. In this article, attempt was made to show how these leading political parties in Nigeria (APC & PDP) ended up in subverting and thwarting electorates through 'choice less choice' during the 2019 presidential election. It may be wrong to conclude that there are no good presidential candidates in the 2019 general election of Nigeria. For instance, 73 political parties fielded candidates for that election and there are good, qualified, and credible candidates among these flag bearers, but the electoral system of the country made it more difficult that those flag bearers cannot be considered by the electorates. One of the first things that are being considered by the electorates in any contest/election is the candidate and party with the wide structure. Of course, this structure is hardly achieved without financial resources that can sustain it. Therefore, most of these political parties with good and credible candidates hardly fund their parties and its campaign in a way that can attract massive support.

However, what our argument calls for is a review of Nigerian electoral system to accommodate other minor political parties in a way that the highest bidder doesn't take it all. This review can be done to streamline the number of political parties so as to have distinct ideological differences between them. We have seen that fewer parties will help in enthrone ideological differences and ideological differences would enable electorates understand better whose party is likely to do well if elected. It is also possible that further achievement can be maximized if a clear cut ideology can be attained by these political parties. Given this, the level of political participation of citizens during election would be enhanced since it would not be seen as business as usual.

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