

2019 Elections: Nigeria Annus Mirabilis

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Abstract: Nigeria had long subscribed to the principles of 'First-Past-the-Post' (FPTP) or 'Plurality-Majority system in the declaration of election results since independence, which means 'simple majority. The conduct of the Independent National Electoral Commission, in Osun 2018, has serious implications for 2019 elections, should they repeat their act in 2019 elections. This is what this study examined with its consequences for 2019 elections. The approach of the study was descriptive which sought to state the current status of the situation, explain and the processes of FPTP as against its application in Osun by INEC. It submitted that in a contest of many people as in Osun 2018, the one that obtains a simple majority, or who embraced the tape first is often declared the winner. It adopted the 'Relative Deprivation and Impetus to Violence' paradigm as espoused by Robert Ted Gurr (1974) in the work 'Why Men Rebel' as a framework of analysis. It then averred that the wrongful application of the principles of FPTP in 2019 Elections would; relatively deprive the winners and their associated supporters of the benefits thereto, thereby creating 'frustration' on all those who had voted in that direction. The result of this would be translated into 'aggressive dispositions' to defend their victory, hence, leading to attack on objects representing those who frustrated the values which would have accrued. This may turn out to be Nigeria's 'years of unforgettable events 'Annus Mirabilis'. The study revealed that the Electoral Management body should be impartial in applying the principles of FPTP as this was not the case in Osun 2018. It proposed that INEC should not introduce any guidelines which were unknown to the contestants into the result declaration processes, to deny the winners of their victory, this is likely to precipitate negative or positive consequences in 2019. It cautioned the EMB that any use of 'incident form' would amount to electoral fraud.

KEYWORDS: Plurality-Majority, Annus-Mirabilis, Administrative Precedent, 'Relative-Deprivation, Frustration.

Introduction

Election refers to the processes of aggregating individual preferences into a summation to decide the preferred persons to lead a people for a specific period with its programme. It confers legitimacy of actions and authority to those elected and obligations on the rest of the society to abide by the legitimate orders ensuing from the personages so elected to enunciate public policies to drive the political economy to desired or envisaged level (Frank, 2014:198). As the nation glide towards yet another election in 2019, majority of Nigerians are griped in fears of that date. This is because, 'regime to regime' elections unlike transition from military to civilian elections, and colonial conducted elections, have often been troublesome. If 2011 election produced 'Boko-Haram' in its aftermath, 2015 election created fears of unprecedented dimension, causing many to relocate to their localities because of the drumbeats of potential war, and the novel idea of 'herdsmen attack on farmers in Adamawa, Plateau and Benue states respectively, then 2019 may become Nigeria's *Annus Mirabilis*' (a remarkable, wonderful or auspicious or amazing year which could be negative or positive). It would be elections like no other, because the stakes are higher.

The year 2019 is only a date, but one which is pregnant with so much fear. If in the course of intra-party primaries, several dead occurred, (particularly within the fold of the ruling party since the conduct of its primary elections), it follows that in inter-party contests (election proper), these may increase exponentially. It is then a date, with destiny for it is when we shall all go to the polls in a decisive choice between what we have known and experienced and what we are in at the present. The circumstances seemed fraught in considerable uncertainty given the experiences of Osun and Ekiti elections respectively. Everyone seems to be approaching this date with substantial sense of awe and grave fear because it may or may not increase the number of deaths in the hands of the herdsmen. The killers have never been caught and may never be prosecuted, but people would continue to die as if Nigeria is in Thomas Hobbes's 'State of Nature' (John Locke and Rousseau had held it was

peaceful). We may pride ourselves of about 20 years of uninterrupted democratic practices, but this does not seem to be improving the lives of the majority of the people rather than that of a tiny few, which is an insignificant proportion of the populace. Given the pattern of Nigeria's politics, there would be the great urge to stay-on in power and the grave impulse for real change. These forces are likely to clash much more violently. The dimension of the violence is likely to be widespread with many having loss their jobs and Nigeria having become the poverty capital of the world.

Annus Mirabilis -is a Latin word that has been Anglicized and means 'wonderful or Amazing year such as the year 1665-1666, the year of miracles of the 'Great Fire in London'. This certainly could not have been a pleasant experience hence, it is more often than not use to reflect on a sad situation. In the year in reference, great fire outbreak engulfed the city of London and rendered many homeless and useless. 2019 is certainly going to be the year that would be important to Nigerians, for its goodness or evil that may be brought to the people, given the attack on personages rather than on issues that would add-value to the lives of the people, that has already taken place. To everyone, in every sovereign state or dominion, there is always a date with history. These dates could be to 'solemnize, celebrate or mourn or for the reasons such days bring'. The year 1666 had been dubbed 'Annus Mirabilis' thus, it was the year of surprises or unexpected pleasant or grave yet historic incident which occurred in the life of the British people (Ba-Eney, n.d). In the context of this discourse, it refers to the year in which the events of major importance are going to happen, just as the miraculous great London fire which grieved the people of London. Thus, would 2019 elections turn out as Nigeria's 'annus mirabilis? What variables point at the possibility?

The 2019 elections have been dubbed Nigeria's 'Annus Mirabilis' this is because elections in Nigeria falls into three categories; military conducted elections, 1979, 1993 and 1999. These elections do not prove very much, least of all the democratic possibilities of Nigeria. They were conducted under the auspices of a military regime which had very clear ideas about its succession and the determination to make them

stick. Elections conducted by the military are often less rancorous. This is often because of the urge to accept it just to get the military out of the way. The second category of elections that are often problematic are the 'civilian regime to regime' phenomenon, conducted by the sitting government such as the 2003, 2007, 2011, 2015 and now 2019 the subject-matter of this study. They are regularly challenging because of the following tendencies, unbalanced use of federal might (use of the security forces against opposition) by the sitting government, political intimidation of the opponents, proclivity towards permanence in the office, alienation of the electorates, carpet crossing (Frank, 2009: 42-87). Election Management Body in Nigeria (INEC-Independent National Electoral Commission) performance in Osun 2018 gave rise to this study to evaluate the probability of 2019 elections, becoming 'Nigeria Annus Mirabilis'. It interrogates INEC's actions and the implication for Nigeria if that would be the case in 2019 elections. On September 22, 2018, the Independent National Electoral Commission (INEC) declared the Osun Gubernatorial election inconclusive and ordered a supplementary election at seven polling centers in four Local Government Areas on September 29. It is the implications of the actions of INEC in Osun 2018 for 2019 Election, which defined the major aim of this study and its analysis.

The Problem

The issue that may transform 2019 elections into 'Annus Mirabilis' could be the interpretation and administration of the principle of 'plurality-majority system based on the principles of the First-Past-the-Post (FPTP), otherwise known as 'principles of simple majority of votes scored' by candidates or political party. The application of the principle in Jigawa, Katsina, Kogi by-elections and more recently in Osun state respectively, questioned the meaning and application of FPTP, by the Election Management Body (INEC).

It constitutes a challenge because there seems to be no '*administrative precedent*' in the meaning and application of the principles of 'First-Past-the-Post in the instances cited above with implications for elections 2019. Everyone and political parties ought

to know ahead of the election how the votes would be calculated and result declared, if other than the conventional system of 'First-Past-the-Post' would apply.

It is instructive to note that the Electoral Management Body (INEC) ought to make these issues crystal clear, in order for its elections not to fall short of the basic international and regional standards for free, fair and credible democratic elections (where transparency, accountability, inclusion, publicly display results are some of the hallmark). It is important to resolve these quagmires, before going into elections 2019 because election in Nigeria has high stakes, winners becomes very powerful and could disenfranchise many through the courts processes. INEC's misadventures inadvertently disenfranchise the voters, and could generate relative deprivation, which may create frustration and begat aggressive behaviors with negative consequences. If one such situation created 'Boko-Haram', one could only conjecture what the misapplications of electoral principles in 2019 may create.

The principal issue is on the meaning, processes and administration of 'plurality-majority system' based on the principle of 'First-Past-the-Post'(FPTP) which does not include the practices that when voided votes are greater than valid votes that there should be a 're-run' as introduced by INEC in the Osun 2018 election, different from its earlier practices in the states cited above where it conducted by-elections.

The Civil Society Organizations (CSOs) the 'oxygen of the democratic societies and political groups must rise up now to establish the correct position of the practice of FPTP according to international best practices as canvassed herein before the elections 2019 come on stream. It is herein stated that the legal framework must be made clear to all.

First-Past- the-Post (FPTP)

Since independence, Nigeria has adopted a plurality-majority system based on the principles of the First-Past-the-Post'(FPTP) or simple majority system. It denotes an electoral system in which a candidate or party is selected as a winner when it achieves a simple majority in an election contested by more than two candidates or political parties. The voters indicate on a ballot the candidate of their choice, and the candidate

who receives the most votes wins. The winner takes all in a plurality voting system. It also refers to a situation in which the candidates with plurality of votes across the constituencies is declared the winner. The issue then is what percentage of votes must be obtained across the constituency to uphold plurality-majority declaration?

Traditionally, it meant a vote just above the fifty (50) percent threshold which is absolute majority as opposed to larger majority that might be prescribed after the election by a guideline that is known only to the Election Management Body (INEC). It means the single candidate or political party that obtain the simple majority across the constituency where the election held above many others is victorious in the electoral competition.

The term 'Post' in First-Past-the-Post' concept, simply means the first candidate to embrace the tape as in athletic competition, no matter the number of votes. This is because 'election' refers to the process of transferring voters' preferences (trust) into electoral outcome (Frank, 2014).

Approach of the study

The approach of this study was descriptive with the purpose of re-stating the current status of the practice of the principles of First-Past-the-Post, and explicate as well as validate some of the events that informed the actions of INEC in Osun 2018. There are three main components of this investigative orientation viz; observation, Case-study and Survey approaches respectively. However, it was the observational perspective (viewing and recording of events) which was applied in this study, relying considerably on the reports of independent observers who were accredited to the election.

The overall purpose of the application of this study perspective was to bring to the fore the meaning and the system of the application of First-Past-the-Post (FPTP), and how winners are known as against what played out in Osun 2018. Though this style of inquiry may not be able to establish cause and effect' relationship, it was able to isolate the variables that might have given rise to the phenomena under investigation and those likely to create 'Annus Mirabilis' in Nigeria during and after 2019 Election.

The goal was to obtain information concerning the current nature of the practice of 'plurality-majority system in Nigeria and elsewhere. The data generated was meant to assist in causing a change in the way and manner INEC would apply the concept of FPTP in the 2019 elections and beyond, as it applicable elsewhere.

It enabled this study to identify that one attitude which pervades many Nigerian mostly of Northern extraction is that of, it is our turn to rule, it does not matter if the governance is right or not. Thus, anything goes in the governance processes as long as it is by 'our people'.

The observational component of this method, created greater understanding of the issue of 'plurality-majority system through the data collected and used in the description of the situation (Ndiyo, 2005). It elucidated that the guideline relied upon by the Electoral body was unknown to other contestants. It is this variable which has place the stake of 'annus mirabilis' on 2019 elections and the current situation where 'incident form' has been reintroduced after the assurances that it would not be in use.

Analytical Framework: Relative Deprivation and Impetus to Violence

Relative Deprivation denote the tension that develops from a discrepancy between the what 'ought' to be and what the reality 'is' of collective value satisfaction, that disposes men to violence. Stated differently, when one knows what the situation should be and prepare for it, only for a different situation to be introduce, then it frustrates the expected gains. This generates 'frustration-aggression relationship between 'intensity of deprivation and the potential for collective violence. Relative Deprivation signifies a feeling of an individual who lacks some status or conditions that he thinks he should have, his standards of what he should have generally being determined by reference to what some other persons or groups has. It could be seen as a negative discrepancy between legitimate expectation and actuality. This is the feeling generated when unknown FPTP guidelines are introduced in the conduct of elections.

The variables inherent in this framework include the fact that deprivation generate the feeling of discontent about a thing or situation that the suppression of a political

party or its candidates is likely to precipitate spirits of 'relative deprivation' among groups or categories of people that are wide in scope-supporters. The intensity of the deprivation is that a number of people who would have benefitted from the election result are deprived of the values which would have accrued to them if the result were allowed to stand. Thus, it is a larger group which get deprived. This correspondingly increase the intensity of aggressive relation and disposition among members of the deprived group. Consequently, the greater the intensity and scope of relative deprivation, the greater the magnitude of collective violence.

Relative Deprivation and Violence: The nexus

Aggression in human is solely activated by frustration. In this context it is the position of this study that most aggression occurs as a response to frustration. Aggression is the behavior designed to injure, physically or otherwise, those towards whom it is directed. The disposition to respond aggressively when frustrated is part of man's biological make up...to attack the frustrating agent (Gurr, 1974:33). As earlier elucidated by Dollard (1939), that the occurrence of aggressive behavior always presupposes the existence of frustration and vice versa.

Drawn from the above would be the following tendencies;(i) the introduction of electoral element such as guidelines that were not known to all before the election would deny the supposed victorious candidate and his group victory, this frustration become the probable instigator of aggressive behavior after the election. (ii) Anger of introducing something unknown into the electoral processes function as a driver to violence. Finally, aggressive responses tend to occur only when they are evolved by external cue, that is, when the angered person sees an attackable object or person that he associates with the source of the frustration (Gurr, 1974:34). The point here is that if INEC behaves like it did in Osun in 2018, then let it be that they would not have reasons to act otherwise in the 2019 Elections and those frustrated by its actions, may act according to the principles of this framework of analysis.

Data Presentation and Analysis

The secondary data required for the analysis herein were derived from the Osun 2018 election thus; (i) did INEC act rightly within the purview of the law by declaring the Osun 2018 election inconclusive? (ii) Whether a candidate who won a simple majority and one-quarter of the votes in two-thirds of the local councils in the states as required under section 179(2) of the 1999 constitution. (iii) Can he deny prompt declaration on the grounds that the margin of the victory is lower than the number of cancelled votes? (iv) Whether the guidelines were provided for in the Electoral Act 2010, and whether the INEC manual for Election officials can override the constitution? (v) Whether candidate of the PDP having been the 'First-to-Past-the Post' should have been declared the winner of the election (Abati, 2018). The responses to these rhetorical questions and extant fact on the principles of FPTP, created the data applied in this analysis.

Why did the Chief Judge of the Federal High Court during the inauguration of the 2018/19 legal year, instruct judges not to grant stay or interlocutory injunctions in all political cases, and just a week later, the need to seek protection under the law through that process arose in Osun? Why should the court divest itself from its jurisdiction by administrative fiat?

The deliberate introduction of obstacles to vitiate the 'popular sovereignty' of the people may precipitate 'annus mirabilis' either in the positive or negative form. This is likely to be compounded by the economic difficulty experienced by Nigerians in recent time.

It would be recalled that the Nigeria Police Force had invited the candidate of one of the parties in connection with the alleged complicity in Nigeria Examination Council (NECO) to appear in Abuja few days to his election. The real reason being to keep him out of the election. Now that the election is over, we expected the investigation to be on, but it is reluctantly so, which indicate it was politically directed to destabilize the candidate. What this mean is that the police organization smell partisanship which ought not to be. This is an indication that the institutional structures required for a free, fair and credible election may not be there. This has been compounded by the

refusal to sign the Electoral Act amendment bill 2018, intended to block the loopholes in Electoral Act 2010.

It is the submission of this study that when the integrity and the credibility of INEC become questionable in the conduct of 2019 election, it would quicken Nigeria's 'annus mirabilis' or year during which important events of major importance are enacted. It is the endorsement of this study that; (i) the Electoral Management Body should strive to be truly independent and not partisan. (ii) the legal framework required for free, fair and credible election should be created immediately. (iii) the card reader mechanism should be legally made part of the election, because at the moment, it is unknown to the Electoral Act 2010. Moralizing on good behavior during the election would have no basis as the result of frustrating people's preferences during election in Nigeria and in many African countries is well known. (iv) In the absence of all these, 2019 elections may indeed become Nigeria's Annus Mirabilis.

Conclusion

Elections are processes through which voters' individual preferences are aggregated to confer legitimacy and authority on those preferred to govern the people for a period, after a group must have governed for period. Elections are occasions to present report card of governance, a change would mean the people were not satisfied with a party programmes and personages. Where the change is not allowed to freely take place, it breeds frustration, the implication of that is well known where the political culture is not mature and democratic values not entrenched. It is important to note that the introduction of elements that were unknown to the contestant and the larger populace before the election, to deny popular sovereignty, create 'relative deprivation'. This in turn generates 'frustration', produce 'aggressive disposition', which ignited the inclination to attack the causal elements of relative deprivation. The integrity and transparency of the EMB is critical in this regard. The repetition of the Osun 2018 at the macro level may create negative or positive Annus Mirabilis. The choice is for Independence National Electoral Commission (INEC) to create either a positive or negative 'Annus Mirabilis' with 2019 elections.

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