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## Defections and dominance: Understanding Nigeria's presidential elections through the lens of legal cartel theory

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### Abstract

This paper examines the politics and strategic behavior underlying presidential elections in Nigeria through the lens of legal cartel theory. By analyzing the 2015, 2019, and 2023 elections. The study identifies political defection among elites not as ideological betrayal but as a rational recalibration within a cartelized system. Legal cartel theory developed by Katz and Mair posits that dominant political parties evolve into state-subsidized cartels that manipulate legal and institutional frameworks to entrench their dominance. In Nigeria, this is manifested through practices such as deregistration of parties by the Independent National Electoral Commission (INEC), zoning arrangements, and campaign finance regulations that favor incumbent parties. Through qualitative analysis of party constitutions, electoral laws, media content, and elite behavior, the study shows how defection is used strategically to maintain access to legal immunity, political patronage, and proximity to power. The findings reveal that such cartel behavior weakens democratic accountability, reduces voter confidence, and limits ideological diversity in the political system. The study concludes with policy recommendations including electoral reform, internal party democracy, and civic awareness initiatives to curb political cartelization and strengthen Nigeria's democratic integrity.

**Keywords:** Political defection, legal cartel theory, Nigeria elections, party switching, democratic consolidation, zoning, INEC regulation

### Introduction

Since the return to civilian rule in 1999, Nigeria has witnessed seven presidential elections—each characterized by high-stakes competition, elite maneuvering, and fluctuating party loyalties. While Nigeria maintains a formal multiparty democratic framework, its political reality is dominated by two major parties: the People's Democratic Party (PDP) and the All Progressives Congress (APC). The PDP held sway from 1999 to 2015, after which the APC took over following a significant realignment of political elites. This alternation of power, however, has not been driven by ideological contestation or significant policy divergence but by elite-driven coalitions and defections.

Presidential elections in Nigeria are not merely exercises in electoral choice but are heavily influenced by ethnicity, regionalism, patronage networks, and incumbency advantages. These elections have become theaters of elite contestation in which party platforms are often secondary to personal ambition and strategic advantage (Omotola, 2010) <sup>[11]</sup>. Electoral outcomes are shaped by legal, institutional, and informal mechanisms, which allow dominant political actors to entrench their influence while limiting meaningful opposition.

One of the most persistent and troubling features of Nigeria's democratic evolution is the frequency with which political elites change party allegiance. High-profile defections—often close to elections—have become a normalized aspect of Nigerian politics. For example, in the lead-up to the 2015 general election, several PDP governors and federal legislators defected to the APC, catalyzing its eventual victory. Similarly, in 2022 and early 2023, prominent politicians including Peter Obi and Rabi'u Kwankwaso left the PDP to contest the presidential election under new banners—the Labour Party and New Nigeria People's Party, respectively. These defections rarely stem from ideological disagreements or policy disputes; rather, they are driven by electoral calculus, access to political patronage, and the pursuit of personal or regional advantage (Ibeanu & Orji, 2014) <sup>[5]</sup>.

This opportunistic movement between parties indicates that political parties in Nigeria often serve as temporary platforms for power acquisition rather than as vehicles for programmatic governance or accountability.

This study therefore seeks to examine the phenomenon of political defection in Nigeria's presidential elections through the lens of legal cartel theory. Developed by Katz and Mair (1995) <sup>[7]</sup>, the legal cartel theory suggests that dominant parties collude to capture and manipulate state institutions in ways that limit political competition and preserve their collective control over the political arena. According to this theory, parties act less as ideological competitors and more as cartels, sharing the spoils of state resources, entrenching legal advantages, and suppressing emerging opposition. The application of legal cartel theory to Nigerian politics allows for a deeper understanding of how elites use party-switching as a rational strategy within a system structured to maintain elite dominance. By analyzing legal, institutional, and political frameworks, this study investigates how Nigeria's political system facilitates cartel-like behavior among its dominant parties and leaders. The frequent pattern of elite defection is not a symptom of weak party loyalty alone, but a rational response to the incentives embedded within a cartelized political structure.

Hence, to address the political dynamics underlying elite defections in Nigeria's presidential elections, this study is guided by the following research questions:

1. How does legal cartel theory explain elite defection in Nigeria?

Legal cartel theory posits that dominant political parties design legal frameworks and utilize state resources to limit competition while appearing to uphold democratic norms (Katz & Mair, 2009) <sup>[8]</sup>. This study investigates how Nigerian political elites rationally calculate their defection decisions as a way to remain within the protected boundaries of this dominant cartel system. It explores how switching parties becomes a strategy to retain access to political capital, legal immunity, campaign structures, and institutional backing.

2. What institutional mechanisms support the cartelization of political parties in Nigeria?

Nigeria's Constitution and electoral laws grant substantial control to party executives and national elites over candidate selection, internal democracy, and campaign finance. This control enables dominant parties to function as gatekeepers to political office. Furthermore, the Independent National Electoral Commission (INEC) has frequently deregistered smaller parties, thus reinforcing the dominance of established political actors (Ibeanu, 2007) <sup>[4]</sup>. The use of zoning arrangements, control of campaign finance regulations, and access to security and media resources further reinforce the cartel logic. This study identifies and examines these institutional structures to understand how they entrench elite control and incentivize defections.

This study contributes to the literature on African political institutions by linking legal-institutional frameworks with behavioral strategies of political elites. While previous analyses have emphasized the weakness of Nigerian party systems, few have systematically examined how legal and institutional structures reinforce this weakness through the incentives they create for elite defection. By introducing legal cartel theory into the Nigerian political discourse, this

research offers a novel theoretical framework for understanding the deep-seated patterns of instability, opportunism, and elite circulation within the system. Additionally, the study informs policy discussions on electoral reform, particularly around internal party democracy, campaign financing, and party registration criteria. Understanding the legal and institutional underpinnings of political defections can help shape strategies to promote accountability, ideological cohesion, and voter trust in Nigeria's democratic process.

## Literature Review

The legal cartel theory developed by Katz and Mair (1995) <sup>[7]</sup>, provides a critical lens through which the internal workings and external behavior of political parties in contemporary democracies can be understood. Central to the theory is the notion that political parties in established democracies evolve from being representative vehicles of the electorate into cartel-like entities that protect their survival through state support and legal privileges. Rather than competing vigorously on ideological or policy grounds, cartel parties seek to limit competition, collude to maintain their collective dominance, and increasingly rely on public funding rather than grassroots mobilization (Katz & Mair, 2009) <sup>[8]</sup>.

This theoretical framework emerged from a study of European democracies but has since been applied globally to explain the behavior of political elites in hybrid and transitional democracies. Katz and Mair argued that the transition to a cartel party system is marked by the blurring of the boundaries between the state and party. Political parties no longer solely act as intermediaries between the state and society; they become quasi-public institutions themselves, integrated into the state apparatus and protected by laws, subsidies, and administrative procedures (Katz & Mair, 1995) <sup>[7]</sup>.

## Parties as Public Utilities

Under legal cartel theory, political parties function similarly to public utilities—ostensibly serving the public interest but doing so through monopolistic or oligopolistic control. This transformation is evident in how parties use legal and financial mechanisms to insulate themselves from genuine electoral competition. Rather than relying on citizen engagement or ideological conviction, parties secure their operational needs through state subsidies and exclusive access to regulatory mechanisms. The result is a political landscape where a few dominant parties alternate power while jointly excluding smaller or newer entrants (Katz & Mair, 2009) <sup>[8]</sup>.

In countries like Nigeria, although party financing by the state is less pronounced than in Western Europe, parties often gain indirect benefits that reflect cartel characteristics. These include control over electoral commissions, privileged access to state-owned media, patronage-based appointments, and immunity from prosecution. Such advantages empower political elites to act with impunity, with defection between parties serving as a strategic maneuver to remain within the bounds of state-supported power structures.

## State Subsidies, Legal Protections, and Electoral Rules Favoring Incumbents

One of the strongest components of the cartel party thesis is its focus on legal and structural mechanisms that favor

incumbents. These include high thresholds for party registration, public financing rules that privilege larger parties, and electoral laws designed to limit competition. In Nigeria, such mechanisms have been evident in the deregistration of opposition parties by the Independent National Electoral Commission (INEC), as well as in ambiguous party primary rules that allow elites to manipulate candidate selection (Ibeanu & Orji, 2014) [5]. Electoral outcomes in Nigeria frequently reflect the power of incumbency more than the will of the people. Incumbent presidents and governors often wield enormous power over electoral institutions, the security apparatus, and the judiciary, allowing them to neutralize opposition and retain control. Political actors, aware of this skewed terrain, frequently defect to the ruling party or its likely successor to secure political survival and access to state patronage (Omotola, 2010) [11]. In this sense, party defection is less about ideology and more about navigating a cartelized system where legality is weaponized to protect dominant actors.

**Nature of Political Parties: Ideology-Light, Personality-Driven**

Nigerian political parties lack deep-rooted ideological foundations. They are largely personality-driven, built around powerful individuals rather than collective visions or enduring platforms. As Momoh (2013) [10] notes, Nigerian parties often serve as electoral machines for political entrepreneurs rather than as institutions committed to political philosophy or mass mobilization. This results in a fluid party system where allegiance is shaped by expediency, regional calculus, and patron-client relationships rather than cohesive policy goals. The absence of ideological anchoring makes party-switching among elites commonplace. In the lead-up to the 2015 general elections, for example, five governors and dozens of legislators defected from the ruling PDP to the newly formed APC, driven by perceptions of vulnerability within the PDP and the rising popularity of the APC. Similarly, in 2022, key figures such as Peter Obi and Rabiun Kwankwaso left the PDP to lead third-party platforms in pursuit of the presidency, reflecting a pattern where personal ambition overrides party loyalty.

**History of Defections: PDP ↔ APC and Third Force Movements**

Since 1999, Nigeria has experienced cycles of mass defections, often coinciding with upcoming general elections. These realignments usually favor the party expected to win, reflecting the utility-maximizing behavior of elites who seek to align themselves with the dominant coalition (Albert, 2017) [2]. While the PDP dominated from 1999 to 2015, it faced a historic upset when the APC—a merger of several opposition parties and defectors—won the presidency in 2015. That watershed moment was facilitated not by a shift in ideology or mass mobilization, but by elite defection and backroom agreements among power brokers.

Table 1: Defection Trends by Election Year

Election Year	Number of Major Defections
2015	47
2019	28
2023	35

The 2023 election further illustrates this phenomenon. Obi

and Kwankwaso’s departure from the PDP created two viable third-party movements: the Labour Party and the NNPP. However, both lacked the legal and institutional muscle of the established parties, and their eventual inability to form a coalition fragmented the opposition vote, paving the way for the APC’s continued dominance (Adebayo, 2023) [1]. This fragmentation aligns with legal cartel theory, which posits that dominant parties tolerate fragmented opposition so long as it does not pose a credible threat to the cartel system.

**Comparative Studies: Insights from Other Countries**

Nigeria is not alone in experiencing high levels of party defection and cartel-like politics. Several other democracies have exhibited similar patterns, making comparative analysis useful. In India, for example, party switching is so prevalent that it necessitated the introduction of the “anti-defection law” in 1985 to deter opportunistic defections (Chhibber & Nooruddin, 2004) [3]. However, even with such laws, politicians continue to defect through legal loopholes, indicating that institutional reform alone cannot address deeper incentives embedded in political culture. In Italy, the post-war political landscape was dominated by coalition politics, wherein parties formed shifting alliances to maintain parliamentary majorities. The resulting system produced high levels of party fragmentation, elite bargaining, and policy stagnation (Katz & Mair, 1995) [7]. Italy’s experience illustrates that when party systems become overly personalized and insulated from grassroots influence, cartelization becomes a rational survival strategy for elites. Latin American countries like Mexico and Brazil also demonstrate how dominant parties can use legal and institutional frameworks to perpetuate power. The Institutional Revolutionary Party (PRI) in Mexico ruled for over 70 years by co-opting opposition leaders, distributing patronage, and manipulating electoral laws (Magar, 2018) [9]. These strategies mirror those used in Nigeria, underscoring the universality of cartel dynamics in patronage-based political environments.

The legal cartel theory offers a robust framework to understand the behavior of political elites in Nigeria, especially the phenomenon of frequent party defections. Dominant parties act as gatekeepers to political power, utilizing legal protections, institutional advantages, and state resources to maintain their hold on power. The Nigerian experience reveals a system where parties function less as ideological entities and more as vehicles for elite negotiation and survival. This dynamic, while not unique to Nigeria, reflects broader trends in hybrid democracies where legal and political institutions serve the interests of entrenched elites rather than fostering genuine democratic competition.

**Conceptual Framework: Legal Cartel Theory and Political Defection**

Cartelization in politics refers to a process in which dominant political parties form implicit or explicit agreements to control access to political power, often through legal, institutional, or financial means that suppress genuine competition (Katz & Mair, 1995) [7]. Rather than engaging in open, ideologically motivated contests, cartelized parties cooperate to preserve the status quo by monopolizing access to state resources, electoral platforms, and regulatory systems. They become what Katz and Mair (2009) [8] described as “state-subsidized institutions,” relying



more on state support than on mass membership or ideological coherence. In this context, political competition does not disappear but is carefully managed and limited by rules that favor the entrenched actors. Political cartelization results in a closed political field where emerging parties are marginalized, voters are given limited real choices, and party loyalty among elites becomes fluid and strategic rather than principled. The cartel framework helps explain why and how political actors prioritize survival over ideology, seeking proximity to state power at all costs.

### **Party Elites and the Legal Framework for Power Domination in Nigeria**

In Nigeria, the legal and institutional structures reinforce cartel-like behavior among the two major political parties—the All Progressives Congress (APC) and the People’s Democratic Party (PDP). Political elites operating within these dominant parties manipulate the electoral framework, internal party rules, and public institutions to entrench themselves in power and suppress alternative platforms. Several dimensions of the Nigerian political-legal environment demonstrate this phenomenon:

#### **INEC Registration Rules and Electoral Laws**

The Independent National Electoral Commission (INEC), established by the 1999 Constitution, is the statutory body responsible for overseeing elections in Nigeria. While INEC plays a vital role in electoral administration, its power to register and deregister political parties has often been criticized as a tool used to reduce competition. In 2020, INEC deregistered 74 political parties on the basis that they failed to win any seats in the 2019 general elections (INEC, 2020). Although legally justified under the Electoral Act, the decision disproportionately favored the dominant parties and diminished the space for grassroots or alternative platforms. Furthermore, the cumbersome and expensive processes of party registration, candidate nomination, and campaign documentation create significant barriers to entry for smaller or emerging parties (Ibeanu & Orji, 2014) [5]. Legal thresholds for candidate eligibility, financial disclosure requirements, and submission deadlines are more easily navigated by well-established parties with institutional experience and legal teams. This system, in effect, consolidates power within the hands of dominant elites.

#### **Zoning and Informal Power Sharing**

Another cartel-like mechanism in Nigeria’s political system is the informal but influential practice of “zoning” or rotational presidency. This political arrangement is not codified in the Constitution but is practiced by major parties to ensure power rotates among Nigeria’s diverse ethnic, religious, and regional groups. While intended to promote national unity, zoning often serves as a tool for elite negotiation and power-sharing rather than for democratic inclusion (Albert, 2017) [2]. Party leaders use zoning to select candidates behind closed doors, sidelining internal party democracy and excluding viable candidates from outside the agreed-upon region or ethnic bloc. Because zoning is implemented at the discretion of party elites, it also becomes a mechanism for disciplining ambitious politicians. Politicians who feel marginalized by zoning arrangements may defect to rival parties where the zone or region of origin may favor their candidacy, thereby reinforcing defection as a rational strategic move within a

cartelized system (Omotola, 2010) [11].

### **Campaign Finance and State Resource Control**

Campaign financing in Nigeria remains opaque and disproportionately favors incumbents and dominant parties. Although the Electoral Act sets limits on campaign spending and mandates public disclosure, enforcement is weak and often selective. Parties in control of federal or state power have privileged access to public resources, security agencies, and media platforms, giving them an unfair advantage over smaller contenders (Momoh, 2013) [10]. For instance, state-owned broadcasters frequently prioritize coverage of ruling party candidates, and security forces are often deployed in ways that disrupt opposition rallies while protecting those of the incumbents. Furthermore, political godfathers and business elites concentrate their investments in dominant parties, treating campaign contributions as a means of securing future access to state contracts or regulatory favoritism. This skewed playing field means that even within parties, internal candidate selection is influenced by access to money and proximity to power brokers. As a result, many politicians switch allegiance not to pursue new ideas but to align with parties that offer financial and institutional backing.

### **Political Defection as Rational Strategy in a Cartel System**

Under the legal cartel framework, defection becomes not a symptom of political instability but a rational, calculated response to the structure of incentives created by a cartelized system. Politicians operate with the understanding that access to power, resources, and legal immunity lies within the orbit of dominant parties. When internal party arrangements block personal advancement, elites seek openings within rival dominant parties to continue operating within the protective sphere of the cartel. For example, the defections of political elites from the PDP to the APC prior to the 2015 elections—such as Atiku Abubakar, Bukola Saraki, and Aminu Tambuwal—were driven less by ideological alignment and more by strategic calculations about the future of power. Similarly, defections that occurred before the 2023 elections—such as Peter Obi leaving the PDP for the Labour Party—were responses to elite exclusion and unfavorable zoning dynamics within dominant parties (Adebayo, 2023) [1].

Defections are also driven by the need for legal and political protection. In Nigeria, the selective prosecution of corruption charges often corresponds with political alignment. Politicians who defect to the ruling party are less likely to face investigation by anti-graft agencies, reinforcing the idea that power confers legal immunity (Ibeanu, 2007) [4]. Consequently, maintaining proximity to power becomes a survival imperative. In sum, defection is not an aberration but a predictable feature of a political system where power is cartelized. It enables elites to negotiate their status within or across dominant coalitions while ensuring continued access to state privileges and protection. The legal cartel theory provides a compelling explanation for the high frequency of political defections among Nigerian elites. In a system where dominant parties collude to control legal frameworks, institutional access, and state resources, remaining within the cartel—either through loyalty or strategic defection—is essential for political survival. From the deregistration of parties by INEC, to informal zoning agreements and unbalanced campaign

financing, Nigeria’s political system is structured to benefit those within the dominant cartel while excluding genuine competition. Understanding defection through this lens shifts the focus from the morality of loyalty to the institutional incentives that shape elite behavior. Reforming Nigeria’s political system, therefore, requires dismantling the legal and informal structures that enable cartelization and constructing a more transparent, inclusive, and accountable democratic process.

**Methodology**  
This study adopts a qualitative case study methodology to explore the patterns of political defection among Nigerian elites during presidential elections, with a focus on the 2015, 2019, and 2023 electoral cycles. The qualitative approach is appropriate because it allows for the in-depth examination of political behavior within a specific national context, emphasizing interpretation, narrative, and meaning over numerical generalization.

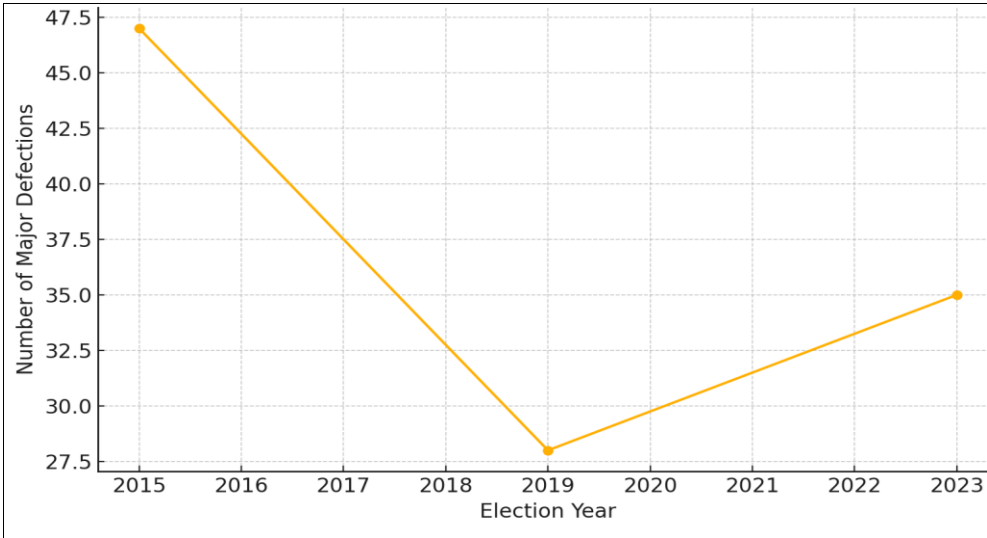


Fig 1: Major Political Defections Across Election Years

Case Study Design

The study uses multiple case studies to compare and analyze defection trends across three presidential elections. Each case focuses on the underlying motivations for defections, the legal and institutional mechanisms that shaped these decisions, and the electoral consequences. The case study approach also enables the researcher to trace elite behavior over time, thereby capturing the evolution of cartelized politics in Nigeria. The units of analysis include:

1. Individual politicians who switched parties before each election.
2. Political party documents (e.g., constitutions, manifestos).
3. Electoral and legal frameworks such as the Nigerian Constitution and Electoral Acts.
4. Media narratives and interview-based commentaries that reflect elite calculations and public reactions.

Table 2: Methodology Data Sources

Data Source	Type	Usage in Analysis
Party Constitutions	Primary	Internal rules, zoning, defection clauses
Electoral Laws	Primary	Legal thresholds, deregistration, campaign rules
Media Reports	Secondary	Narratives on defections, party behavior
Elite Interviews	Primary	Strategic motives, zoning, immunity
Academic Literature	Secondary	Theoretical grounding, historical context

Data Sources

To triangulate findings and ensure validity, the study draws from multiple data sources:  
Party Constitutions and Official Documents: These documents provide insights into formal rules governing party membership, candidate selection, and internal democracy. They reveal how power is centralized and how decisions are made regarding zoning, primaries, and defection clauses. Electoral Laws and Legal Frameworks: Key provisions from the 1999 Constitution (as amended), the 2010 and 2022 Electoral Acts, and INEC guidelines were examined to understand the legal landscape in which party defection occurs. Particular attention was paid to sections regulating party registration, funding, campaign conduct, and eligibility.  
Media Content and Reports: Newspapers, television interviews, and digital platforms such as *Premium Times*,

*The Cable*, and *Channels TV* were analyzed for narratives surrounding defections, zoning debates, and elite calculations. These sources provide context to political maneuvers and public sentiment. Secondary Sources and Academic Literature: Scholarly articles and books on Nigerian elections, party systems, and elite behavior were used to build historical context and comparative insights (Omotola, 2010; Albert, 2017) [1], [2]. Elite Interviews and Public Statements: Where available, interviews and speeches from politicians (e.g., Atiku Abubakar, Peter Obi, Bola Tinubu) and party leaders were analyzed to understand motivation and strategic messaging.  
The analysis is anchored in the legal cartel theory developed by Katz and Mair (1995) [7], which posits that dominant parties use state resources, legal instruments, and institutional control to reduce competition and maintain elite dominance. Political defection is interpreted not as personal

disloyalty but as a rational response to cartelized incentives. Themes such as access to immunity, zoning advantages, and electoral viability are used to interpret decisions to defect or remain within party structures.

### Case Studies

The 2015 general election marked a major political realignment in Nigeria, characterized by mass defections from the ruling People's Democratic Party (PDP) to the newly formed All Progressives Congress (APC). Key political figures—including five PDP governors and scores of federal legislators—crossed over to the APC in what became a historic shift in Nigerian politics. This wave of defection was not ideologically driven but strategically timed to coincide with the growing popularity of Muhammadu Buhari and the APC coalition (Albert, 2017) [2].

### Legal Immunities and Defection

Several defectors were facing corruption probes and legal uncertainty under the PDP government. By joining the APC—which was poised to win—these politicians aligned themselves with a new power center, securing potential legal protection and continuity of influence. This behavior supports the legal cartel theory's argument that parties serve as protective enclosures for elites (Katz & Mair, 2009) [8].

### Zoning and Elite Calculations

The PDP's internal zoning conflict further exacerbated defections. The party violated its own power rotation agreement by allowing then-incumbent President Goodluck Jonathan (from the South) to run again in 2015, instead of supporting a Northern candidate. This decision alienated Northern elites and triggered their exit from the party (Omotola, 2010) [11]. The APC capitalized on this by offering Buhari—a Northern Muslim—as a more regionally palatable option. Thus, zoning became a critical tool for realigning elite interests within the dominant cartel. By the 2019 elections, the APC had become the new incumbent, and the dynamics of defection shifted accordingly. Rather than massive defections toward the opposition, as seen in 2015, the focus was on retaining power and consolidating federal influence.

### Strategic Realignments and Elite Protection

Several governors and federal lawmakers who had defected to the APC before 2015 remained, while a few re-defected to the PDP following internal disputes. The APC used the power of incumbency—access to security forces, state media, and INEC structures—to consolidate its influence (Momoh, 2013) [10]. In some cases, opposition politicians defected to the APC just before or after elections to escape investigation or to ensure continued access to state contracts and appointments (Ibeanu & Orji, 2014) [5].

### Cartel Continuity over Policy Innovation

Although the elections featured policy debates on insecurity and the economy, party platforms were largely indistinct. Elite behavior was shaped less by ideology than by electoral calculations: choosing the party most likely to win and offer protection. In effect, the APC and PDP had become interchangeable vehicles within a closed political system. The 2023 elections introduced a potential disruption to the cartel system with the emergence of a credible “Third Force” candidate, Peter Obi, under the Labour Party (LP). Obi's candidacy mobilized youth voters and urban

professionals, sparking discussions of a new political era. However, systemic barriers and elite realignments ultimately neutralized this challenge.

### The Collapse of the Third Force

Despite Obi's popularity, the Labour Party lacked the national structure, legal expertise, and financial capacity of the APC and PDP. These institutional limitations reflected the core tenets of cartel theory: dominant parties benefit from entrenched legal and administrative frameworks that new entrants struggle to navigate (Katz & Mair, 1995) [7]. INEC's credibility was also questioned due to delayed uploads of results and alleged irregularities, further weakening the Third Force's chances (Adebayo, 2023) [1].

### Reabsorption of Defectors and the Power of the Cartel

After the election, many defectors and fringe candidates began to re-align with the APC or PDP, signaling a return to the cartel framework. Even as third-party movements gained short-term momentum, they failed to dismantle the underlying structure that rewards proximity to power and punishes dissent. This process reaffirmed the legal cartel theory's assertion that political competition in cartelized systems is managed rather than open. Across the 2015, 2019, and 2023 elections, the Nigerian political landscape reveals consistent patterns of elite defection, legal maneuvering, and institutional dominance that align with the legal cartel theory. Rather than representing ideological realignments, defections are strategic moves aimed at remaining within the dominant power structure. Party constitutions, zoning practices, campaign financing rules, and selective legal enforcement serve to reinforce the cartelization of politics, undermining democratic competition and perpetuating elite dominance. The repeated absorption and reabsorption of defectors further highlight the stability of this cartelized political system.

### Analysis and Discussion

In Nigeria, formal legal structures have played a significant role in reinforcing cartel behavior among dominant political parties. Rather than enabling competitive democracy, legal instruments often serve to shield the power of established parties while marginalizing opposition. One such structure is the power of the Independent National Electoral Commission (INEC) to deregister parties based on performance thresholds. In 2020, INEC deregistered 74 political parties that failed to win any seats in the 2019 general elections, citing Section 225A of the 1999 Constitution (as amended) and the 2010 Electoral Act (INEC, 2020). While this action was legally justified, it had the unintended effect of reinforcing a two-party system dominated by the All Progressives Congress (APC) and the People's Democratic Party (PDP), aligning with the cartel theory's claim that dominant parties use state mechanisms to limit competition (Katz & Mair, 1995) [7].

Other legal structures such as party registration rules, campaign financing caps, and candidate nomination procedures further privilege parties with legal expertise and financial resources—attributes typically possessed by dominant players. For instance, party primaries often require extensive documentation, substantial filing fees, and compliance with rigid timetables that smaller or newer parties struggle to meet (Momoh, 2013) [10]. In practice, these barriers act as gatekeeping mechanisms that help sustain the cartel by making entry into the political arena

difficult for outsiders. Moreover, zoning arrangements-although informal-are routinely enforced through party constitutions and elite consensus. These arrangements ensure that power is rotated regionally, but they also limit voter choice by excluding qualified candidates from "non-zoned" regions (Albert, 2017) [2]. Such structural practices ensure continuity within the dominant elite class and further illustrate how political cartelization is embedded in Nigeria's political institutions.

### **Party Defection as Cartel Recalibration, Not Ideological Betrayal**

Within this structural framework, political defection should be understood less as a betrayal of ideology and more as a recalibration of one's position within the cartel. Legal cartel theory views political parties not as ideological actors, but as institutions seeking to perpetuate themselves through access to public resources and legal protection (Katz & Mair, 2009) [8]. Accordingly, when politicians switch parties in Nigeria, their decisions are shaped not by shifts in political philosophy but by strategic calculations about survival, opportunity, and alignment with power. For example, the mass defections that occurred before the 2015 general elections-when prominent PDP members joined the APC-were not driven by a new ideological vision but by dissatisfaction with zoning arrangements and the opportunity to join a rising coalition (Omotola, 2010) [11]. Similarly, defections before and after the 2023 elections reflect elites' efforts to stay aligned with the most electorally viable platform, particularly as new parties like the Labour Party failed to offer the institutional strength required for long-term political survival (Adebayo, 2023) [1]. This behavior demonstrates that political loyalty in Nigeria is less about conviction and more about cartel dynamics. Defection serves as a rational strategy for elite repositioning, and the fluidity of party membership is symptomatic of a system where parties function as instruments of elite negotiation rather than ideological representation.

### **Impact on Voter Disenchantment, Accountability, and Democratic Quality**

The cumulative effect of these practices is a political environment marked by voter disenchantment, weakened accountability, and declining democratic quality. When voters observe frequent defections among elites, often without consequences or explanations, they may perceive the political system as lacking integrity. This perception undermines trust in political institutions and contributes to low voter turnout-evident in the 2023 election, which recorded the lowest participation rate in Nigeria's democratic history at 27% (Premium Times, 2023). Furthermore, cartelized politics limits political accountability. Politicians who switch parties rarely face sanctions, and legal loopholes allow them to retain their elected positions even after defecting. This undermines the principle of representative democracy, as voters are often left with candidates who prioritize personal advancement over constituency interests. Additionally, the fusion of party and state means that ruling parties can shield their members from prosecution, manipulate electoral outcomes, and marginalize dissenting voices (Ibeanu & Orji, 2014) [5]. Ultimately, Nigeria's democracy remains constrained by elite control and legal manipulation. While elections occur regularly, they function more as elite rituals of transition

than as genuine opportunities for political renewal. The dominance of cartel behavior diminishes the possibility of ideological diversity, civic participation, and transparent governance.

### **Conclusion**

This study has demonstrated that Nigeria's political system exhibits strong characteristics of cartelization, as outlined in Katz and Mair's legal cartel theory. Political parties behave as protected institutions, leveraging legal frameworks, electoral rules, and informal agreements such as zoning to entrench their dominance. Party defection-rather than being a moral or ideological issue-operates as a rational strategy for elites navigating a closed and cartelized political space. Across the 2015, 2019, and 2023 elections, elite behavior followed predictable patterns aimed at maximizing power access and legal immunity. Dominant parties used legal tools such as INEC thresholds and campaign finance structures to limit competition, while politicians defected not for ideological reasons but to remain within the boundaries of power and privilege. These behaviors have contributed to voter disillusionment, weakened political accountability, and stagnated democratic development.

To reduce the impact of cartelization and strengthen democratic accountability, several legal and institutional reforms are necessary:

1. **Promote Internal Party Democracy:** INEC should enforce internal democracy requirements for party primaries to ensure transparency and reduce elite manipulation. Strengthening intra-party competition could provide more legitimate pathways to leadership and discourage defection.
2. **Reform Campaign Finance and Party Funding:** The Electoral Act should be amended to increase transparency in campaign finance and ensure equitable public funding mechanisms. Caps on spending should be enforced, and donor disclosure must be mandatory to reduce undue influence.
3. **Revise Deregistration Criteria:** INEC should adopt a more balanced approach to party deregistration. While performance thresholds are necessary, mechanisms should be introduced to support emerging parties, such as providing access to media, legal aid, and electoral logistics.

In addition to legal reform, there is a pressing need for civic education. Voters must be empowered to demand accountability, understand the implications of defections, and engage with party processes beyond election day. Civil society organizations and the media must play a role in educating the public on the dangers of political cartelization. Moreover, judicial institutions must be empowered and independent to review cases of unconstitutional defections, electoral malpractice, and abuse of power. Without credible judicial checks, dominant parties will continue to exploit legal ambiguities to entrench themselves. In conclusion, Nigeria's journey toward a more inclusive and accountable democracy depends on its ability to dismantle the cartel-like hold of its dominant political elites. This requires not only reforming laws and institutions but also fostering a political culture rooted in transparency, ideological debate, and citizen empowerment. Legal cartel theory helps illuminate the structures that must be reformed-and the urgency of doing so-for Nigeria's democracy to truly flourish.

**References**

1. Adebayo A. Third party disruption and elite recalibration in Nigeria's 2023 elections. *African Politics Review*. 2023;11(2):22-37.
2. Albert IO. Elite politics in Nigeria and the myth of party ideology. *Journal of African Elections*. 2017;16(1):53-75.
3. Chhibber P, Nooruddin I. Do party systems count? The number of parties and government performance in the Indian states. *Comparative Political Studies*. 2004;37(2):152-87.
4. Ibeanu O. Elections and the paroxysmal future of democracy in Nigeria. *Nigerian Political Science Association Conference Proceedings*. 2007;3(1):14-28.
5. Ibeanu O, Orji N. Political parties, party systems and democracy in Nigeria. IFES Working Paper. 2014.
6. INEC. INEC deregisters 74 political parties. 2020. [cited 2025 Aug 28]. Available from: <https://www.inecnigeria.org>.
7. Katz RS, Mair P. Changing models of party organization and party democracy: The emergence of the cartel party. *Party Politics*. 1995;1(1):5-28.
8. Katz RS, Mair P. The cartel party thesis: A restatement. *Perspectives on Politics*. 2009;7(4):753-66.
9. Magar E. Mexico's PRI: A classic cartel party? *Party Politics*. 2018;24(5):511-24.
10. Momoh A. Political parties in transition and the dilemma of democratic consolidation in Nigeria. *International IDEA Discussion Paper*. 2013.
11. Omotola JS. Elections and democratic transition in Nigeria under the Fourth Republic. *African Affairs*. 2010;109(437):535-53.
12. Premium Times. 2023 presidential election turnout hits record low. 2023. [cited 2025 Aug 28]. Available from: <https://www.premiumtimesng.com>.