

HERE WE GO AGAIN!: A DISCOURSE ON THE GALE OF DEFLECTIONS INTO THE ALL PROGRESSIVE CONGRESS (APC) IN THE AFTERMATH OF THE 2015 GENERAL ELECTIONS IN NIGERIA

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Abstract

In the aftermath of the 2015 general elections and the victory of the All Progressive Congress (APC) in the Presidential, National Assembly and Gubernatorial elections, there has been a gale of defections into the APC especially from members of the former ruling party the Peoples Democratic Party (PDP). This seems to be a reversal of roles for the two political parties. Before the 2015 elections, the PDP used to be the most *attractive* platform in the country. Most defections in the past used to be into the PDP. In fact the party had foisted on Nigerians an “if you can’t beat them join them mentality”. However, with the victory of the APC and the impending (?) implosion of the PDP, the former has become the platform of choice in the country. What are the implications of the continuing opportunism of Nigerian politicians on the country’s democratic health? What do the defections portend for the party system in the country? What measures can be put in place to stem the tide of opportunism in the country. After a successful fifth circle of elections is Nigeria finally on the road to a one party state? What happened to the PDP’s aspiration to rule the country for 60 years? Will the APC take the position of the PDP as the largest political party in Africa? These are some of the questions that this paper will interrogate. The paper makes the point that opportunism remains the bane of Nigeria’s democratic progress. It is the opinion of this paper that if Nigeria is to consolidate on the democratic gains of the past 16 years then finding cogent answers to these questions is imperative.

Keywords: Defections, Elections, Political Parties, Nigeria

Introduction

The victory of the All Progressive Congress (APC) in the 2015 general election was the culmination of a long battle between it and the former ruling Peoples Democratic Party (PDP). The registration of the party on 6th February, 2013 marked a watershed in the development of opposition political parties in the nation's democratic journey. The rise of the APC was significant because several attempts in the past to form a mega party in the country had been unsuccessful (Egwemi, 2009). Since the return to democratic rule in Nigeria the PDP had bestrode Nigeria's political landscape like a Colossus. In fact the PDP was generally *recognized* as the largest political party in Africa (see Egwemi, 2013). The party was the platform of choice and as has been argued elsewhere had foisted on Nigerians an if you can't beat them join them mentality (Egwemi, 2007; 2013). The opportunistic disposition of many opposition party stalwarts seemed to have made it impossible for the opposition parties to stand up to the PDP (Egwemi, 2010c). However, since the victory of the APC and in typical Nigerian fashion, a number of politicians have defected from the erstwhile ruling PDP to the APC. A discernable pattern seems to have been established in Nigeria, opposition politicians have a penchant for pitching their tent with the winning parties. Most politicians in the country do not seem to want to be outside the corridors of power given the benefits that accrue to the party in power. The opportunism that characterized the opposition when the PDP held sway still seems to be the order of the day in Nigeria. What has changed is that there has been a reversal of roles with the PDP now being the *rejected* platform. This paper attempts an examination of the victory of the APC in the 2015 general elections and the gale of defections that have trailed the victory of the party. It specifically addresses the following questions; Is the All Progressive Party (APC) going the way of the Peoples Democratic Party (PDP) in the way the latter frustrated the emergence of a vibrant party system in Nigeria? Why have Nigerian politicians remained as opportunistic as they have been since the return to democracy in the country in 1999? What does this opportunistic disposition portend for Nigeria's democracy? After this introduction the concept political party is expatiated. This is followed by a discourse on defections. The paper then goes on to discuss the events leading to the 2015 general elections and the elections proper. The next section takes a look at defections in the Fourth Republic and the gale of defections into the APC in the aftermath of the 2015 election. The following section is a critical look at the implications of the defections. The last part is the concluding remarks.

Conceptualizing Political Party

The concept political party does not suffer the definitional ambiguity that many social sciences' concepts suffer. Political parties are organizations formed with the sole aim of winning political power. The definitions which we consider below are all agreed on the *raison d'être* of political parties. Leon D. Epstein defines a political party as "any group however loosely organized, seeking to elect governmental office holders under a given label"(Epstein, 1967:9). In the opinion of Coleman and Roseberg (1976) a political party is "an association formally organized

with the explicit and declared purpose of acquiring and/or maintaining power” (in Nwosu and Ofoegbu, 1986:175). According to Agbaje,

A political party is a group of persons bonded in policy and opinion in support of a general political cause which essentially is the pursuit, capture and retention for as long as democratically feasible of government and its offices (Agbaje, 1999: 195).

Having made the point that political parties are about winning power, it is important to also note that in reality only one political party usually wins. The other parties are ideally expected to play the role of opposition. In Nigeria since 1999 the losing parties have been averse to playing the role of opposition and many members of opposition political parties had defected to the then ruling PDP in order to be able to have a share of power (Egwemi, 2010a; 2010b; 2010c; 2010d).

In the light of the *raison d’être* of political parties and the *aversion* of Nigerian politicians to opposition politics, there is perhaps some kind of *weird logic* in the attitude of Nigerian politicians who have no scruples dumping their party after electoral defeat. Such *logic* may be stated as follows; *I joined my political party to win power. If my party does not win power, what is the point remaining in it?! It is better to defect to the winning party and have a share of power.* Given the centrality of the state in Africa the wisdom of such logic is not hard to see as we will show in the next section.

A derivative term from political party is party system. Most often party system is considered in terms of the number of political parties in existence in any polity. This is not totally wrong but party system “cannot simply be reduced to a number game” (Agbaje, 1999:198). We need to go beyond numbers to examine the nature of interaction between them and the way in which this influences the political process. This is why the role of opposition political parties is crucial in any democracy. In this direction and with Nigeria in focus, Shariff has argued “there is no better way of promoting democracy in Nigeria than supporting and tolerating opposition and multi party democracy” (Shariff, 2009:55). Once a political party wins the others must begin the crucial role of serving as checks on it. This role is important for the democratic well being of every polity.

Defection as Political Wisdom: Theoretical Considerations

In theory, a political party is usually anchored on an ideology (Omotola, 2009; Bello, 2008). Such an ideology is usually articulated in the party’s manifesto and/or programme. In Nigeria, most politicians make no pretenses about political party ideology. As a consequence as argued elsewhere, “defections have been decided not on any known ideology but on personal and/or group survival” (Egwemi, 2010d:23). Thus it can safely be argued that defections are fueled

largely by lack of political ideology (Musawa, 2015). Most politicians in the country often defect literary speaking to greener pastures (Lawal-Solarin, 2010). This is hardly surprising in the light of the nature of the state in Africa as we will show shortly.

Defection (or decampment in popular Nigerian parlance) according to JA Akinbade is “to break away from one political party usually in a surreptitious manner. In Nigeria, the tendency is for people to move from the opposition to the ruling party for greener pastures...” (Akinbade, 2004). The attraction to the ruling party is tied to the importance of the state which the ruling party controls.

The state is the most important institution in Africa. In the specific case of Nigeria, it has been argued that “the state has increasingly become a magnet for all facets of political and economic life” (Joseph, 1991:1). In the light of this *reality* about the state there is a desire among politicians in the country to *capture* the state and its apparatus. This desire to capture the state is because the state is the major means of production (Barongo, 1982; Graf, 1983; Joseph, 1991). Capturing the state and having access to it opens the doors to other societal privileges. This explains the intensity and persistence in the struggle to capture and control the offices of the state. In a democratic setting this struggle to capture the state is carried out *via* political parties during elections. It is needless to add that the party which captures the state has a major advantage over the party that loses. It is in this direction that Alan Cowell makes the following rather convincing argument;

A man who supports the party in office will be rewarded with contracts for official projects, enabling him to pass on largesse to those further down the line who look to him for generosity. The system helps those in power to perpetuate their rule because they are at the fountain head of wealth (in Joseph, 1991:1)

This is the sense in which we interrogate the defections into the APC in the aftermath of its electoral success in the 2015 general elections in Nigeria. As it has been argued elsewhere, “it seems that not wanting to be on the fringes of the Nigerian political landscape translates to breaking ranks with ones party and joining forces with the (ruling party)” (Egwemi, 2010a:114). This opportunistic attitude of politicians is made worse given the zero sum nature of politics in the country. The dilemma and frustration of opposition political parties is captured graphically by Kawu when he contends that, “in a winner-takes-all setting like Nigeria’s, opposition is an island of frustration and anger and being left out can lead to desparacy...” (Kawu, 2009) This is the sense in which we examine the gales of defections into the APC. The defectors do not want to be on the fringes of the state and its resources, they would rather be in the main stream hence the defection. We will return to this point shortly.

The 2015 General Elections

Three elections took place before the general elections. These were the gubernatorial elections in Ekiti in June, 2014 (see Egwemi, 2014), the gubernatorial election in Osun state on August 2014 and the Niger East Senatorial by-election which held on 30th August and 6th September 2014. As it has been averred elsewhere these elections were dress rehearsals for the general elections (Egwemi, 2014). The determination of the PDP to retain power and that of the APC to upstage it were very clear for all Nigerians to see.

The 2015 general elections held on the 28th March and 11th April 2015 for the Presidential/National Assembly and Gubernatorial/State Houses of Assembly respectively. The 2015 general elections were very keenly contested at all levels in the country. As a matter of fact the anxiety and tension that the election generated was palpable across the nation in the months, weeks and days leading to the elections. There were a few incidences of violence like the bombing of APC office in Port Harcourt and the burning of two PDP campaign vehicles in Jos. These incidences made Nigerians fear a possible repeat of the post-2011 presidential election violence. As a corollary to the fear of violence was what we categorize here as the, “we- will- win- this- election -attitude” adopted by the two major political parties. The posturing of the leading lights of the two parties gave the impression that it was not going to be possible for them to lose the elections. For example, while President Jonathan flaunted his transformation agenda and promised even better things, Buhari bemoaned the failures of the government and said it was time for change (Adeyemi, Njoku, Omofoye, Gyamfi and Umeh, 2015). As a matter of fact, Buhari had boasted that his party would retire President Jonathan from politics (Abdallah and Alkassim, 2015). And not to be undone Jonathan had equally boasted that no party could defeat the PDP (see Jonathan, 2015). If the truth be told there seemed to be a streak of desperation in the major players in the build up to the elections. The propaganda war between the two major political parties also showed how *serious* they were about winning. A lot of mud was raked and splashed in the period (Jega, 2015 Tella, 2015 Frank, 2015 Haruna, 2015). In their determination to win the two major political parties, the PDP and the APC both campaigned vigorously across the length and the breadth of the country. Considering the fear of violence and its usual unpleasant consequences, the presidential candidates of the political parties signed a non-violence pact on the 13 January, 2014. The agreement known as ‘Abuja Accord’ “commit(ed) all of them and their respective parties to peace before and after the forthcoming presidential election” (Agba, Gbadebo and Natsa, 2015:5 and 8 see also Nwoji, 2015).

The elections earlier scheduled for 14th and 28th February were postponed to 28th March and 11th April 2015 for the Presidential/ National Assembly and Gubernatorial and State Houses of

Assembly polls respectively. The reasons for the postponement and the reactions it generated have been dealt with and do not need to detain us here (Okoye, 2015; Awogbemi, 2015; Ukaibe, 2015; Okojie, 2015; Ibrahim). Suffice it to say that it was a combination of intrigues and politicking that temporarily heated up the Nigerian political landscape (Ezomon, 2015). In the final weeks and days leading to the election most observers and analysts were of the opinion that the race especially for the presidency was too close to call (Mac-Leva, Ibrahim and Akinola, 2015; Mac-Leva, Ibrahim and Jimoh,2015; Nkwocha, 2015; Jega,2015).

The candidate of the APC in the Presidential election, Muhammadu Buhari defeated the incumbent President, Goodluck Jonathan of the PDP. The APC candidate polled 15,426,921 against PDP's 12,853,162 (Mumuni and Nwoji, 2015). A breakdown of the results indicate that while the APC won in 21 states PDP won in 15 states and in the Federal Capital Territory, Abuja (Sule, 2015). The APC also won majority of the seats in the National Assembly. In the gubernatorial elections the APC won in 19 states while the PDP won in 9 states (Mudashir,et al, 2015; *The Guardian* April 13:1-2). In the states which did not take part in the governorship elections there were 3 PDP governors 1 APGA governor and 2 APC governors. In all the APC has 21 governors PDP 13andAPGA 1.

The outcome of the elections was significant in a number of ways. For the first time in the electoral history of Nigeria a sitting/ incumbent President was defeated. As a corollary to the defeat of the incumbent was the fact that he readily conceded victory to General Mohammed Buhari the candidate of the APC. This attitude was also quite novel given that African and indeed Nigerian leaders hardly concede defeat. This ready acceptance of defeat saved the country from the crises that had been brewing since the period leading to the election. The President was widely commended for his disposition in the aftermath of the elections (Ukaibe,2015; Umar, 2015; *The Guardian*, April, 2, 2015). In fact, even the new President Muhammadu Buhari commended the out-going President on the eve of the official handing over for “not wielding his enormous powers to truncate the electoral process or even challenge the outcome of the Presidential election and make things difficult at the expense of the masses” (Nwoji, 2015:1 and 4).

Secondly, the election saw the triumph of opposition party resilience as represented in the performance of the APC. Many Nigerians will recall that the PDP which had held sway in the country since the return of democracy in 1999 had bragged that it would rule Nigeria for 60 years (see Egwemi, 2009; Ibrahim, 2009; Samuel, 2008). In fact a few weeks to the election, Nigeria's former President and PDP's Presidential candidate Goodluck Jonathan had bragged in an interview that no party could defeat the PDP (Jonathan, 2015:58-64). The defeat of the party was a shocker for most of its stalwarts and the party has not been able to gather itself together in the aftermath of the elections (Essien, 2015; Nda-Isaiah, 2015; Adamu, Mac-Leva and Adebayo, 2015; Iredia, 2015; Ohakim, 2015). In the aftermath of the elections some analysts have given their impressions about the reasons for the party's loss (Oladunjoye, 2015; Olumide, 2015). Some others have traded blames on who is to blame for the loss (Nwoji, 2015; Idowu 2015;

Ismail, 2015). Suffice it to say that the party has found itself in a position it has not been in for sixteen years. The party is now in opposition and it seems that many of its members cannot reconcile themselves to this and have already jumped ship that is defected to the APC as we will show in the course of the paper..

The elections also brought to the fore the power of the ballot. Elsewhere the following position had been canvassed in the aftermath of the June 21 gubernatorial election in Ekiti state,

The people of Ekiti demonstrated the power of the ballot by voting out an incumbent. This should be the way to go in 2015. If the people freely vote out incumbents [and vice versa] their right should be sacrosanct in the interest of the country's democracy (Egwemi, 2014:110).

In spite of the PDP's obsession as it were with power the people made their position clear through the ballot. This is one area that Nigerians must continue to show their resolve. The right of the people to choose their leaders must be respected by all and sundry.

Defections in Nigeria's Fourth Republic

Defections across party lines are not an *innovation* of the fourth republic. In the previous republics in Nigeria, politicians had defected. In fact defections in Nigeria predate the independence of the country. According to Ozekhome,

In Nigeria, nine years before independence, that is, in 1951... several members of the now defunct National Council of Nigeria and the Cameroons (NCNC) played a political gimmick by decamping overnight to the old Action Group (AG) for the purpose of denying NCNC the majority in the Western Region House of Assembly (Ozekhome, 2015:53).

After independence, this trend continued. Akinbade has argued that in the First Republic many politicians defected to the ruling party. For example of the "75 members of parliament elected on the platform of AG in 1959, only 13 remained in 1961" (Akinbade, 2004:40). The same scenario played out in the Second Republic with many opposition politicians defecting to the then ruling NPN (Akinbade, 2004). However, in the fourth republic defection and the underlying opportunism assumed the status of a norm (Egwemi, 2009; 2010a; 2010b). Ajah's description of Nigerian politicians as "jumping, jumping politicians" is not only graphic but quite apt in relation to the ease of defections in the Fourth Republic (Ajah, 2010:27). Elsewhere, it has been argued in relation to defections in a decade of political party activities in Nigeria that;

The activities of political parties in the decade 1999-2009 has been a poisonous cocktail of opportunism and defections and this has contributed to the democratic deficit which Nigeria suffers today...political opportunism was elevated to a norm in this period. Politician elected on the platform of opposition political parties have defected to the ruling PDP. As a consequence opposition political parties have been in retreat. As a corollary, the ruling PDP has continued to ride rough shod on the Nigerian political landscape. In this manner political parties have become a danger to the country's democracy since one of the measures of democratic wellbeing is a vibrant party system (Egwemi, 2010b: 166-167).

As if re-echoing the issues raised in the above position the out-going United States Consul-General to Nigeria, Jeffrey Hawkins has this to say about Nigerian politicians and political parties;

One of the key deficiencies in Nigeria's still imperfect democracy is *the absolute apolitical nature of the political parties themselves*. Where that leads is *a system that is based in my mind almost entirely on opportunism rather than on principles, position and issues*. A politician is successful not because everybody knows what his party either the APC or the PDP or the APGA stands for; its just that as an individual , he comes in demonstrates some concerns for the people...that's not good enough.... Put it in the American context; can you imagine when a Republican in Texas says, oh because I did not get the Republican ticket to be governor in Texas, I am going over to the Democrats, *it will never happen* (Hawkins, 2015:23). (Emphasis mine).

In the opinion of this paper it is that same opportunism that has continued to drive Nigerian politicians in the aftermath of the 2015 general elections. Nigerian politicians have no regard for principles. They seem only interested in the spoils of office. An elaboration on this point is attempted in the next section.

Defections into the All Progressive Congress (APC)

The victory of the APC in the 2015 general election changed the political equation in Nigeria. For the first time in sixteen years of the return of democracy in the country, power was shifting from the PDP to another party. The PDP which had boasted about ruling the country for 60 years, if not forever, found itself out of power (see Egwemi, 2009; Ibrahim, 2009; Samuel, 2008). As it has turned out many of the party's stalwarts have been unable to cope with the vagaries of *powerlessness* hence the defections into the APC.

Elsewhere it has been argued that the PDP through mostly underhand schemes had foisted on Nigerians an "if you can't beat them join them mentality" (Egwemi, 2007). Up until the 2015 general election the PDP had remained the platform of choice with sitting governors, former governors and aspiring governors dumping their parties and joining the PDP (see Agbese, 2014; Ezea, 2014; Akingboye, 2014; Ojogo, 2014). The analogy of the PDP being Noah's ARK (Marijata, 2009) made in regards to the party's all round reach was quite appropriate until the victory of the APC in the 2015 general election.

With the victory of the APC in the 2015 general elections the tide of defection turned against the erstwhile *attractive* platform. Many stalwarts of the party have defected to the APC. It could be argued that after enjoying power for 16 years not a few stalwarts of the PDP were open to applying the logic which we specified earlier in the paper. In the period the media was awash with news about a gale of defections into the APC from the PDP. A few examples will suffice;

- Lamido's deputy, ex-gov Turaki, others dump PDP for APC (Kura, 2015:76)
- Bayelsa senator defects to APC, says Dickson to follow (Alkassim, 2015: 3)
- Onoja, Saraki, Kalu's mother, others defect to APC (Abah et al, 2015: 19)
- Polls fallout: Ex-PDP chair, others defect to APC in Kebbi (Muhammed, 2015:19)
- Airhiavbere, PDP members defect to APC in Edo (Ochoga, 2015: 26)

The above is just a tip of the ice berg. The reports of the gale have been documented in a number of news papers (Saleh et al, 2015; Hassan et al, 2015; Lawal et al, 2015; Ijediogor, 2015). The defections took place across the length and breadth of the country.

The reasons for the defections may be summarized as follows; not wanting to stay outside power and fearing prosecution from the incoming government (Adeboye, 2015). These two reasons are inherently selfish! However, it is not likely that defectors will succeed in any of these objectives. An APC chieftain Tony Momoh has warned that defectors coming into the party to avoid investigation and prosecution by security and anti- corruption agencies are only wasting their

time (Akor, 2015). Furthermore there are reports that the APC is suspicious of the PDP defectors and that they would be treated with a lot of circumspection (Kupoluyi, 2015; Alao, 2015; Olaniyi et al, 2015). In fact as it has been made clear by the party that while “ex-PDP members are welcome to the APC, they would not be considered in the allocation of offices in the new administration” (see Editorial, *Daily Trust* April 22:58)

In the light of this, former President, Goodluck Jonathan has opined that PDP defectors to the APC will return empty handed (Nwoji, 2015; Agba and Okojie, 2015; Wakili, 2015). Whether this will happen remains to be seen. Suffice it to say that the import of the imagery of returning empty handed is very clear.

Some PDP stalwarts have however vowed to continue with the party in spite of its electoral loss. Stalwarts like former Senate President, David Mark, former Niger state governor, Muazu Aliyu, Senators Teslim Folarin and Gyang Pwajok have vowed to continue in the party expressing hope that the party will re-strategize and bounce back (Nmodu, 2015). They have also advised members of the party to stop defecting and prepare to play the role of opposition (Asishana, 2015a; 2015b; Waheed, 2015; Hassan, 2015; Pwajok, 2015). Whether the party will be able to re-invent itself is hard to say given the crises confronting it across the country (Suleiman, 2015; Oladunjoye, 2015).

The defections from the PDP had set a chain of reaction which seemed to have set the party on the path of self destruction with members going after each other in a manner of speaking (Hassan, 2015; Odewale, 2015). The crisis in the party ultimately led to the resignation of party’s national chairman, Adamu Muazu (Ukaibe, 2015; Omame, 2015; Ibrahim, 2015; Adeyemi and Jimoh, 2015). It looked like the party was dying until it *struck* again during the election of National Assembly officers on 9th June 2015.

Implications of Defections on the Nigerian Polity

What are the implications of defections on the Nigerian polity? How do the defections impact on the nation’s party system? A major implication of defections has been its impact on the country’s party system. Nigeria operates a multiparty system but for all intents and purposes has operated like a one party state since the return of democracy in 1999. The PDP had dominated the political landscape in the manner of *sole* party. That it took a combination of about five political parties to upstage the party is a pointer to this.

Nigeria battled with the specter of a one party state in the 16 years of the PDP rule. With the defections into the APC the country may be headed in that direction again and Nigerians have to resist this (Isa, 2015). It has been suggested that the APC leadership should stop admitting PDP defectors (Gbadebo, 2015). This is an option the party needs to explore if its advocacy for change is to take root in the country

As a corollary the PDP must brace itself for the role of opposition instead of the opportunism some of its members have shown. The position canvassed by stalwarts like David Mark and Mu'azu Aliyu on the need for the party to effectively play the role of opposition needs to be taken seriously by the party and its members. With the number of governors the PDP produced in the last elections and the number of members in the National Assembly, it *still* stands a good chance of playing an effective opposition role. By so doing the country may be on its way to a genuine two-party system and this will be for the ultimate benefit of the country's democracy.

The defections also mean that Nigerian politicians remain opportunistic which means also that the interests of the country, the people and democratic well being does not matter to the average politician. Politicians are more interested in where their bread is buttered and this is not a good sign for the country's democracy. For Nigeria's democracy to survive the antics of self-serving politicians need to be checked and indeed resisted by Nigerians. As it has been aptly captured in one of the editorials of *Daily Trust*,

...fair-weather party memberships do not make for strong democracy...mass defection (is) not good for the healthy growth of Nigeria's democracy. The country needs a strong opposition to sustain the gains of the last election (Editorial, *Daily Trust* April 22:58)

Concluding Remarks

The discourse so far indicates that as it was with the PDP so has it become with the APC. The tendency to patronize ruling political parties in the country has continued with the ascension of the APC to power. In the 16 years that PDP held sway in the country the party made it a point of duty to decimate the ranks of opposition political parties. While the PDP was quite adept at using the strategy until its defeat in the 2015 general elections it may be too early in the day to speculate about how successful the APC will be at using it given the crisis that the party has been facing since the election of National Assembly officers on 9th June 2015 (Odewale, 2015; Tsan and Nda-Isaiah, 2015; Oladunjoye, 2015). The PDP which was to have played the role of opposition has willy- nilly become a part of the government with Senator Ike Ekwerenmadu emerging as Deputy Senate President. The emerging scenario will not augur well for democracy in Nigeria.

The APC should quickly get over its crisis and concentrate on providing the change which it promised Nigerians. If the APC ends up like the PDP by *eating up* the opposition the objective of consolidating the country's democracy would have been lost. As a corollary the PDP must brace up for the role of opposition party. The party must determine to re-invent itself as a credible

platform. Its stalwarts must shun opportunism. If the APC and the PDP perform their *expected* roles creditably the country's democracy will be the better for it.

It is advocated that there is need to introduce more serious constitutional sanctions for defections. The extant rules make defection *easy* since in the case of the executive arm of government politicians don't lose their positions for defecting (see Ozekhome, 2015). Even in the legislative arm where a legislator may lose his seat, the provisions in section 109 of the 1999 constitution gives legislators some leeway. This is why defection is still an option. This legal lacuna needs to be addressed in the democratic interest of the country.

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