THE CHALLENGES OF DEMOCRACY AND GOOD GOVERNANCE IN AFRICA: THE CASE OF NIGERIA

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DECLARATION

I hereby declare that this dissertation is the result of an original research conducted by me under the supervision of Dr. Linda Darkwa and that apart from other works, which are duly acknowledged, no part of it has been submitted anywhere else for any purpose.

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DEDICATION

This work is dedicated to the Almighty God and to my family – The Martins Family, thank you for the success of this dissertation.
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I give thanks to the Almighty God who has guided me all through the writing of this dissertation.

I appreciate my irreplaceable parents, Mr. and Mrs. Okanlawon Martins for their endless love and motivation. Thanks to my siblings, Opeyemi and Olutayo for their constant support and encouragement. Sincerely, there are no words to quantify your love for me.

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LIST OF ABBREVIATIONS

AG    Action Group
APP   All People’s Party
AD    Alliance for Democracy
CSOs  Civil Society Organizations
GDP   Gross Domestic Product
IMF   International Monetary Fund
INEC  Independent National Electoral Commission
IRI   International Republican Institute
NCNC National Council of Nigeria and the Cameroons
NDI   National Democratic Institute
NPC   National People’s Congress
NPP   Nigerian People’s Party
PDP   People’s Democratic Party
SAPs  Structural Adjustment Programmes
SCT   Social Contract Theory
UNDP  United Nations Development Programme
UPN   Unity Party of Nigeria
US United States

USAID United State Agency for International Development.

USSR Union of Soviet Socialist Republic
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Abstract

Democracy and good governance became widespread in Africa during the late eighties and the early nineties following the end of the Cold War and the World Bank’s study on the governance of sub-Saharan African states respectively. Many African states made the transition from an authoritarian regime to democratic rule during this era. On May 29, 1999, Nigeria returned to democratic rule (Nigeria’s Fourth Republic) after fifteen straight years of military rule. The Fourth Republic administration is credited for its advancements in liberal economic reforms; setting up anti-corruption agencies; political freedom for citizens; creating more space for civil liberties and freedom of the press; and its enhancement of democratic institutions. However, democracy in the Fourth Republic has struggled to engender good governance which has hindered the improvement of the economic and social well-being of the people. The Qualitative method is adopted in the analysis of the secondary data collected for this study. This study discusses the effect the challenges of democracy and good governance has had on the welfare of the Nigerian citizens. Some of these challenges are electoral malpractices, the rule of law, oligarchic control of democratic institutions, and consensus. This work also proffers some recommendations to be considered by policy makers in policy decision-making.
CHAPTER ONE

RESEARCH DESIGN

1.0 Background to the Study

The fall of Communism in Europe in the late 1980s marked the wave of democratization (which is an ideology of the West) and a gradual but resolute demand for political pluralism in Africa. Prior to this period, post-independence regimes in many African countries were characterised by political misrule, corrupt-ridden governments and ruthless dictatorships which left most African States politically instable and economically less progressive with a population ravaged by poverty, illiteracy and disease.¹

The crave for freedom and justice for the people coupled with the autocratic and exploitative nature of political systems that was widespread in the larger part of Africa’s post-independence years, provided the drive and legitimacy for popular democratic struggles in Africa.² The devastating poverty level of the people heightened by the economic crises also facilitated a basis for demanding a democratic change by the people. This means that, the struggle for democratization in Africa was not only in a bid to achieve political and civil liberalization but also to ensure better welfare and better standard of living for the people of Africa.³

Democracy is a political system that avails the people the opportunity to choose and replace leaders of government through free and fair elections and to hold these elected leaders
accountable for their conduct in office. These leaders are charged with the responsibility of managing the resources of their countries. They are expected to be guided by the principles of equity, transparency, and fairness and not to be arbitrary. These principles help facilitate the practice of good governance.

According to the World Bank, governance is defined as “the manner in which power is exercised in the management of a country’s economic and social resources for development”. After its failed attempts at reform, the World Bank identified the problems of weak institutions, internal bottlenecks, and the political inefficiency of African states in terms of governance as the cause of its minimal success in its economic reform policies in Africa. The Bank therefore recommended “good governance” as a panacea to Africa’s economic reform ills. The Bank therefore identified the core elements of governance that are necessary for the effective management of a country’s economic and social resources. These are- public sector management, accountability, a legal framework for development, and transparency and information.

In this regard, there is an intricate connection between democracy and good governance. The principles of democracy - accountability, transparency and public participation are the criteria for distinguishing between good governance and bad governance. Democracy and good governance prescribes how elected leaders can serve the common good of the public. This is done by ensuring accountability and transparency is put in place to check the excesses of public officials and render public officials open to public scrutiny.
Furthermore, the synergy between democracy and good governance is not just limited to curbing discretionary powers of rulers but also promotes “economic policies that benefits broader masses of people, and thus the national economy”\textsuperscript{11} In this regard, the quality of life of citizens in a democratic state is dependent on the nature and structure of governance with reference to how state’s socio-economic, political and administrative arrangements allows people to participate in public decision making that affects their standard of living.\textsuperscript{12}

According to Gilbert and Allen,

\begin{quote}
The performance and measurement of democracy no longer stand differently from good governance. The connection between both concepts and in short, success in the practice of democracy lies strongly in the understanding that democracy, understood as good governance carries with it the capacity for improving society and welfare of citizens\textsuperscript{13}
\end{quote}

In optimism, democracy should be well suited and conducive to flourish on the African continent especially the sub-Saharan part of Africa. This is because many of the African countries had weak state institutions during the era of military regime before transitioning to a democratic system of government. As such, by virtue of adopting a more representative system of government, the importance of vertical accountability mechanism induced by free elections, freedom of speech, unrestrained media and other democratic institutions for limiting the excesses of leaders, cannot be overemphasized.

However, in Africa, many countries have struggled to promote democracy and good governance, with each state facing different challenges of democratic governance. Challenges
such as opacity of elections, threat of the military, constraining civil society, disregard for the rule of law, armed conflicts, and weak democratic institutions are some of the problems that have disrupted the effective practice of democracy in many African countries.

In Nigeria, a succession of military rulers had been in power for most of its independence years. There were brief periods of democratic experiences in the years 1960-1966 (the First Republic) and 1979-1983 (the Second Republic). There was also a failed attempt at democratic rule in 1993 (the botched Third Republic). In 1999, Nigeria returned to constitutional democracy. Fifteen years down the path of democratic governance, Nigeria is struggling in its social, economic and political developments and facing problems such as fragmentation of the political class, weakness in its democratic institutions, a larger part of its population ravaged by poverty, and prevalent ethnic and religious violence which has worsened in recent years.\textsuperscript{14}

1.2 Statement of the Research Problem

Democracy is a theory that sets some basic standards according to which a good government, whatever its form must be governed.\textsuperscript{15} These principles include the respect for the rule of law, freedom, popular participation, accountability, and transparency in government. In other words, these principles distinguish between bad governance and good governance in a state.

The return of Nigeria to constitutional democracy in May 1999, ended years of military rule in the country. The Fourth Republic was highly embraced by all with expected hope that the administration will deliver the benefits of ‘democracy dividends’- social welfare, justice, equity, and equal access to resources and power.\textsuperscript{16} Indeed, democratic norms such as freedom
of expression, freedom to form and join associations, freedom of the media, citizens’ rights to vote, elections, separation of power, and rule of law is embedded in Nigeria’s Fourth Republic. State institutions such as the police force, the executive, the legislature, the judiciary, and an electoral commission that ensures the effective practice of democracy, and check the abuse of power by public officials by holding them accountable to the people are also present.

Despite the practice of a democratic system of government in Nigeria, Nigeria has struggled to enhance the welfare of its citizens. There is a lack of fair and equitable allocation of resources for the purpose of public good. This has affected Nigeria’s democracy and good governance and has led to a general discontent and distrust by the citizens as regards democratic governance.

1.3 Research Objectives

I. To examine democracy in Nigeria’s Fourth Republic.

II. To examine the democratic practices of Nigeria’s Fourth Republic and its capability to foster good governance.

III. To examine the challenges of Nigeria’s democratic governance and its effect on the citizens.
1.4 Research Questions

I. Has democracy and good governance improved development in Nigeria?

II. Is the government of Nigeria responsive to the needs of its citizens?

III. What are the challenges of democracy and good governance in Nigeria?

1.5 Scope of the Study

This research will take into account the period of Nigeria’s Fourth Republic. It will cover the years from 1999-2014. Nigeria’s Fourth Republic has been the longest period of Nigeria’s democratic era in which it has had three leaders under different administrations. Nigeria has conducted four elections within this period, and it is within this period that efforts are being made to strengthen Nigeria’s democratic roots in the country.

1.6 Significance of the Study

The research is of much relevance because it presents the issues concerning the challenges of democracy and good governance. It also provides recommendations to improve governance, strengthen governance structures, and ensure an efficient and effective implementation of policies and programmes which enhances development in Nigeria. This study will add to the existing literature on democratic governance in Africa, the importance of good leadership in
consolidating democracy and good governance, as leadership deficiency in terms of progressive and visionary leadership in Africa has stirred a concern for the promotion of people oriented needs, which in turn, hinders democracy and good governance.

1.7 Hypothesis

Democratic governance in Nigeria’s Fourth Republic has failed to sustain citizens’ welfare in Nigeria.

1.8 Theoretical Framework

Social Contract Theory (SCT) as a political and philosophical theory is concerned with the justification of political authority. Its focus is to explain the origin of the state and its authority. The fundamental tenet of SCT is that the individual has relinquished its natural right to the state in exchange for the safeguard of its remaining rights. Thus, there is a contract between the state and the individuals upon which the political authority and legitimacy of the state and government is founded, and that the individual has consented to this agreement. The concept of consent is crucial among all Social Contract theorists who believe the individual has consented to the membership of the state and the government thereof, therefore the individual is bound to obey the rules and regulations of the state. The state in return ensures the preservation of the life of the individual.

Peter McCormick posits that all Social Contract theorists articulate a similar notion of consent:

a. a man can be bound only by his own (freely given) consent
b. this man has consented

c. therefore this man is bound (obligated) to obey\textsuperscript{18}

McCormick is of the view that such consent is problematic and exposes SCT to a lot of weaknesses, including questions about when one can be said to have consented to be obliged by the regulations of the state, and what kind of person(s) is said to have consented. He therefore espouses a new notion of consent that he says addresses the criticisms often levelled against SCT:

a. a man can be bound only by his own consent

b. social form x is such that we know a man is obligated (or more weakly, “should be obligated”)

c. therefore, being rational, he must have consented (or, more weakly, “should consent”)\textsuperscript{19}

According to Rauscher the social contract may be analysed within the context of five variables: the first variable is the “nature of contractual act”; the second is “the parties to the act”; and third is “what the parties are agreeing to”; the fourth is the “reasoning that leads to the agreement”; and finally “what the agreement is supposed to show”.\textsuperscript{20}

Thomas Hobbes is credited to have presented the earliest coherent SCT. He developed the idea of the State of Nature, in which he posits that humans have the inherent disposition to be self-preserving, selfish, and violent, in order to seek their interest, and protect themselves from others. All men, according to Hobbes are in the state of nature, and are ready to hurt their neighbours to preserve themselves. The condition of the state of Nature, according to
Hobbes, makes it “solitary, nasty, brutish, and short”. Hobbes believes four realities that men are ultimately responsible for: equality of needs, scarcity, essential equality of human power, and limited altruism. For Hobbes, for fear of death and the desire to avert the precarious realities portentous of the state of nature, men take the recourse and consent to surrender their rights (safe for self-preservation) to a superior entity called the state in order to safeguard their remaining rights. This contract transforms the state of nature into a ‘civil society’. However, Hobbes’ SCT posits that the contract is between the members of the community, rather than the community and the government.

Another theorist John Locke however espouses a rather vertical SCT. According to Locke, the contract establishes a society first, and the individuals of the society contract a government to protect their interests and guarantee their rights. Thus Lockes’ SCT stipulates a dual contract; involving individuals who bind themselves to form a society, and later institute a government which they surrender their rights and liberties to, oblige to its principles, and from whom they receive accountability. The contract thus entails duties and responsibilities on the both sides, of the people and the government. According to Locke’s SCT what is instructive is that while people surrender their rights to the government, they acquire a new power that is to choose and remove those who govern them.

Several other theorists espouse variations of the SCT. Jean Jacques Rousseau maintains that in society, people trade their individual liberties for a more robust collective security, through a contract. According to the SCT by Kant, the state came into being as a result of a contract. And without the contract and the formation of the state individuals’ property rights cannot be
guaranteed, as their own capacity cannot make and enforce laws. Other contemporary social contract theorists include John Rawls.

Some criticisms have been raised against the SCT from a historical perspective. Nbete argues that the SCT idea of a period in time, when hitherto free men came together to enter into a contract for the establishment of the state is fictitious.21 He argues that “primitive men lacked the level of rationality which the contract theory ascribes to men in the State of Nature”.22 Another criticism (philosophically) is that, “membership in a state is obligatory, thus the obligations of an individual to a state are not contractual, contrary to the assumption of the SCT that the relation between the individual and the state is voluntary and contractual.”23

Fundamentally, social contract can be argued to be the basis of governments and throughout history, where individuals have consented to give up their liberties and be governed. That is why there exist various forms of governments across the world. According to Locke’s SCT, democracy is an appropriate form of government for individual’s to consent. For that matter, citizens pay their taxes, surrender their use of force, and relinquish all their rights. And in turn, as per Locke’s SCT, the government has the responsibility perform its duties as part of the contract. That includes providing the people with quality leadership.

The SCT also serves as the basis for ensuring good governance. The concept of good governance addresses the quality of governance, in that the primary objective of good governance is to ensure state-society relations and improve the lives of people in the state.
Good governance is associated with principles such as participation and inclusiveness, transparency, responsiveness, accountability, periodic free and fair elections, adherence to the rule of law and respect for human rights.

With regards to the SCT, since the people in a state decides to surrender their individual liberties and rights to use force at their discretion in exchange for a collective government (whose decision making affects the people’s lives), the government in turn should guarantee the people’s effective participation in state affairs, social justice, government credibility in state policies and a better standard of living. This is why democracy has evolved to entail good governance and protection of fundamental human rights.

Nigeria has adopted a democratic form of governance where the citizens pay their taxes, relinquish their rights for sovereign control of natural resources in their lands, and abide by national statutes formed by the state. Therefore, the concern for many Nigerians is that, government is not fulfilling its responsibilities of providing good governance and accountable leadership. The theory is further relevant as it gives justifications for political obligation, in that it provides philosophical grounds for evaluating political actions and decisions between the people and their government.

1.9 Literature Review

Democracy and good governance in Africa have attracted scholarly attention, which, among others, have focused on the economic, social, and political aspects of governance in African
countries. Below is a number of reviewed articles on democracy and good governance in Africa.

Gavin Williams’ *Democracy as Idea and Democracy as a process in Africa*\textsuperscript{24}, argues that democracy does not have a definite meaning and there is no agreement on its proper application. It is an “essentially contested” concept and “only acquires its full meaning when it is been deployed in specific arguments or used in specific social and historical context”.\textsuperscript{25} Williams notes that different conceptions of democracy expands Abraham Lincoln’s aphorism - “government of the people, by the people, and for the people, and of the conditions necessary for its realization”.\textsuperscript{26} He argues that, the existence of democracy is based on certain conditions such as “the need for a prior constitutional framework, laws, and procedures defining and safeguarding civil rights or sufficient material equalities among citizens for them to be able to participate effectively in the political process”.\textsuperscript{27} These conditions guide the decisions of elected governments in order to produce the desired outcome from a democratic political order.

Williams argues that in Africa, since 1945, the central themes that have centred on African politics are nationalism, communal competition, and development all of which attracts democratic notions – “notably a government that should be of the people and for the people, if not by the people”.\textsuperscript{28} He argues that these nationalists pose as the true representatives of the people and subdue political differences to speak for the nation. The demand for communal representation paves the way for political elites to claim a share of state resources. When these political elites are in power, state resources are not equitably allocated to the voters.
Even with such treatment of voters by their own elected representatives, voters still vote for them for the fear that their interests may be completely ignored if another person(s) leader gains power.

Williams further argues that African political leaders view the provision of development in their state as part of their responsibility. However, they also claimed that being the authoritative guardian of public interest is also part of their defined responsibilities. Williams notes that most African nationalists came into power through elections. He is of the opinion that judgments on the freeness and fairness of the elections by international observers comes down to deliberating on “whether the winning side would have won anyway and whether the results are politically, and internationally, acceptable, rather than whether the elections procedures conformed to relevant laws”.

He argues that independent institutions may be created by the government to protect and defend the rights of citizens, to regulate and guide public activities of private and state institutions, and to supervise the conduct of elections, however, if these institutions act to independently, they face the danger of being taken aback. For instance, the outcome of elections may be manipulated by the electoral commission. Williams posits that “if these independent institutions are only accountable to the government officials who appoints them, they may lose the very purpose they were created for”. Williams’ analysis presents the challenges of African democracies. African democracies have been plagued with challenges
of weak state institutions to regulate activities of public officials, unresponsive and unaccountable government.

Thandike Mkandawire, *Good governance: the itinerary of an idea*[^31^], examines the concept of good governance. He argues that the concept of “good governance” originated among African scholars who expressed concerns about state-society relations in Africa. Among such scholars were Claude Ake, Nakhtar Diouf, and Ali Mazrui whose papers for the World Bank’s 1989 report (after the World Bank consulted African intellectuals in preparation of their 1989 report) focused on state-society relations in Africa as the continent’s core problem. According to these scholars, African countries faced the challenge of establishing a state-society relation that is –

(I) developmental, with regards to the effective management of available resources to maximize economic growth and enhance structural change in highly competitive global conditions; (II) democratic and respect the rights of citizens; and (III) socially inclusive, with good standard of living for citizens and their full participation in national affairs.[^32^]

Mkandawire argues that, in the course of time, new proponents of good governance emerged and they contested that good governance mean employing orthodox economic reforms to ensure the implementation of adjustment programmes, and because of the sanctity of macroeconomic policies, it was important that democratic institutions do not undermine economic policy.[^33^] According to Mkandawire, “this was ensured by introducing institutional reforms that effectively compromised the authority of elected bodies through the insulation of policy technocrats and the creation of ‘autonomous’ authorities”.[^34^] Mkandawire argues that the approach to “good governance” have shifted from the ideas of the African scholars to the

[^31^]: Good governance: the itinerary of an idea
[^32^]: Good governance: the itinerary of an idea
[^33^]: Good governance: the itinerary of an idea
[^34^]: Good governance: the itinerary of an idea
dominant approach that has seen the term become a brand used by International Financial Institutions especially the World Bank, for aid conditionality, in particular structural adjustments. Even though these institutions insist that many of their reforms in terms of fiscal and financial amongst others are core component of good governance, the notion of good governance has been reduced to purely administrative. Thus, the concept of good governance has shifted from the African scholars’ issues of state–society relations to the “technocratic transparency-accountability mode that it eventually assumed in the international financial institutions”.\textsuperscript{35}

Mkandawire’s analysis falls short of the fact that International Financial Institutions such as the World Bank have good governance indicators that evaluate countries (African countries inclusive) governance performance that relates to issues of state-society relations. For example, the World Bank’s Worldwide Governance Indicators (WGI) ranks countries with respect to six aspects of good governance: Voice and Accountability, Political Stability and Violence, Government Effectiveness, Rule of Law, Regulatory Quality, and Control of Corruption.\textsuperscript{36}

Larry Diamond, \textit{Why Democracies Survive}\textsuperscript{37}, argues that though economic downturns have effects on democracies, the survival of democracies largely depend on governance. He notes that where governance is bad, in particular where corruption and abuse of power are rampant, and where there is increasing inequality- “it may not matter much for democracy that the economy as a whole is expanding”.\textsuperscript{38} Since 1999, most countries where democracy has
broken down has largely resulted from bad governance with regards to their performance in ensuring rule of law, effectiveness of state administration and combating corruption. This shows a seeming connection between bad governance and the susceptibility of democracy. By comparison, economic performance appears not to have been a consistent cause for the demise of democracy in countries over the last decade. Diamond notes that for over the last decade, many of the failed democracies had good economic performance around the time they failed. For example Georgia and Niger had outstanding economic growth in the year before their democratic breakdowns and slightly good growth in the year during which the democratic reversal occurred.\(^{39}\)

Diamond posits that bad governance has continually plagued failing democracies of the “third wave”. He argues that, these failing democracies have in common key features such as low rankings on the World Bank’s good governance scale. These democracies fall into the bottom third of the world’s states when it comes to curbing and preventing corruption. “Their government are not very effective in terms of the quality and independence of the civil service, or of public services and policy formulation and implementation generally”.\(^{40}\) They also have political instability and deep split among ethnic groups which leads to civil wars and high level of political violence. He further notes that in failing democracies, the abuse of power by the executive is prevalent. Diamond suggests that for democracy to be able to withstand and secure itself from future economic and political challenges, states will need to improve the quality of their institutions. This will enhance accountability and strengthen rule of law.
Diamond’s analysis depicts the core problem of struggling democracies. His analysis also portrays a fair representation of Africa’s unstable democracies which is due to bad governance and has resulted in political instability, ethnic rivalry, political violence, and poor delivery of public services amongst others. However, his analysis did not aptly capture why democracies struggle to engender good governance.

Hilal Ahmad Wani, *Constraints and Impediments of good governance in Africa: Future Prospects*[^41], argues that most countries in Africa are facing bad governance challenges. Africa is a continent blessed with natural resources but finds it difficult to effectively and efficiently exploit these resources due to lack of good governance. Wani argues that it is the lack of good governance that causes problems such as poverty, corruption and underdevelopment in Africa. He is of the opinion that good governance is associated with efficient and effective administration in a democratic system. He argues that democracy demands more than free elections. In the case of Africa, democracy and good governance is often disrupted by “problems such as institutional weaknesses, tribalism and conflict, ethnic discrimination, corruption, and lack of a democratic culture”[^42].

According to him, “good governance is defined by rule of law, the existence of effective state institutions, transparency, and accountability in the management of public affairs, respect for human rights, and the meaningful participation of all citizens, particularly women, in political
processes and decisions affecting their lives”. He notes that there have been good efforts made by African countries to adopt good governance initiatives. There have been encouraging signs of improvement with regards to enhancing a wider popular participation in national issues, which engenders transparency and accountability. Women empowerment especially in major government activities is also on the rise. Even with these achievements, there is still a lot to be done.

In this regard, he is of the opinion that for Africa to achieve unity and development, good governance must be expressed through the promotion of democratic principles - increasing popular participation, safeguarding human rights, and respect for the rule of law. This study addresses the challenges of good governance in democracies in Africa.

In his article titled *The Rule of Law, Democracy and Good Governance in Nigeria*, Charlie Nwekeaku posits that the concept of democracy has a wide and deep intellectual background, emanating from the work of the classical scholars such as Plato, Rousseau, Lenin, and many more others; notwithstanding he conceives democracy as the type of government instituted by the people, symbolizing a social contract between the people, on the hand, and the state on the other hand, which ensures “equitable distribution of the state’s resources and equal opportunity for all citizens, and whose operation is based on the rule of law”

With particular emphasis on Nigeria, Nwekeaku notes that since returning to democratic rule in 1999, Nigeria’s democratic practice has reflected in the area of economic development.
According to him, this is regardless of the fact that since independence in 1960, there has been general consensus among the political elites of a governance system based on the tenets of rule of law and good governance. This is also in the context that Nigeria has elaborate legal provisions for the adoption of rule of law and good governance, the most fundamental of which is the constitution. Nwekeaku, further states that just like other African states, Nigeria is signatory to major international conventions regarding democracy and rule of law. What is rather uncommon, according to Nwekeaku, is good governance.

In this regard, he notes that there are some impediments to good governance in Nigeria. These include economic inequality; ignorance and high levels of illiteracy; and long years of dictatorships which has undermined the legislative body, making it a near appendage to the executive branch of government. According to him, all these have conspired to make good governance a rare commodity in Nigeria, as evident in high levels of poverty, unemployment, political exclusion, ethnicity, etc., despite the provisions for democracy and the rule of law by governments of Nigeria. For this reason, Nigeria ranks low on international good governance indices.

He suggests that, to promote democracy, good governance and rule of law in Nigeria, there must be economic restructuring to ensure equitable distribution of income; promotion of quality education for the population; promotion of free and fair election and political participation to encourage citizens to aspire for political office; judicial sector reform to ensure that the judiciary is empowered to serve as checks and balances on the other arms of government; electoral as well as public sector reform to ensure effective public service
delivery and performance. In the estimation of Nwekeaku, these interventions, if not put in place, good governance in Nigeria would be elusive for a long time to come.

The analysis of Nwekeaku that while democracy, in principle, at least by the observance of quadrennial election of citizens into political office, is present in Nigeria but does not translate into good governance, reflects the general context of most African countries. It is also a fair representation of the state affairs of Nigeria today, where the country is bogged down in high rates of unemployment, poverty and general despondency among the masses.

Ilufoye Sarafa Ogundiya, *Democracy and Good Governance: Nigeria’s Dilemma*[^46], argues that Nigeria with its vast economic, material and human resources has failed to promote development. Nigeria’s political economy is marred with ills such as “political instability, abject poverty, acute youth unemployment, heightened crime rate, poor health prospects and widespread malnourishment”[^47]. The problem of development in Nigeria is as a result of governance problems with regards to the allocation of fair and equitable resources by the state for the general good of the public.

Ogundiya posits that even with the return to civilian rule, democracy in Nigeria has failed to engender good governance. For instance, in Nigeria, “political assassinations, ethno-religious conflicts, abject poverty, high unemployment, general economic and political decay have been the major dividends of democracy since 1999 when the country returned to democracy”[^48]. The practice of democracy in Nigeria so far has not produced the desired
results. Even with periodic elections, citizens’ votes seem to be undermined as elections are flawed with malpractices. This in turn results to lack of accountability and responsibility of political leaders who become “unrestrained by any real accountability to the electorate”.

These political elites, according to Ogundiya, have selfish desires to steal from the coffers of the “common wealth” and leave the people in perpetual impoverishment. In this regard, he further notes that the institutions set up to ensure the effective practice of democratic norms and good governance in Nigeria (the legislature, executive, and the judiciary) have been inefficient. He argues that the legislative arm of the government charged with the responsibility of making laws and performing oversight functions over the finances of the government, have failed to provide the people with the gains of democratic governance. Instead of fostering good governance through fair and equitable distribution of resources, the “Nigerian legislature, have been preoccupied with how to amass wealth for themselves at the peril of Nigerians”.49

Ogundiya argues that the judicial arm of the government which stands as the defender of justice and the last hope of the ordinary man has not only been subjected to the whims and caprices of the executive, but also it has been manipulated by political elites. Thus, in Ogundiya’s words “the rule of law becomes the rule of the jungle and good governance is jeopardized”.50 He further notes that the civil society is invaluable in the path of attaining
good governance. He argues that civil society in Nigeria since 1999 have been moribund and less active and that the country lacks an agile civil society.

He suggests that to promote good governance, policy makers must create sound anti-corruption policies, and the arms of government must perform their stated functions and responsibilities as laid down by the constitution of Nigeria. Ogundiya’s analysis portrays the problems of governance in Nigeria and its negative effects on the citizens since Nigeria’s return to democratic rule in 1999. However, he contends that there is the lack of a virile civil society, which is a flaw in his analysis as the civil society have been instrumental in a number of high profiled issues such as the denial of a presidential third term agenda by president Olusegun Obasanjo in 2006, and the reversal of the Federal Government’s decision to remove Nigeria’s oil subsidy in 2012. This study therefore discusses the challenges of democracy and good governance in Africa using Nigeria as a case study.

1.10 Sources of Data and Methodology

The research methodology adopted for this study is qualitative research design. This will involve an historical approach in studying the challenges of Democracy and Good Governance in Africa, using Nigeria as a case study. Historical approach involves the systematic collection and objective evaluation of data related to past occurrences in order to test hypotheses concerning causes, effects, or trends of these occurrences that may help to explain present events and anticipate future events.
The historical approach was chosen to examine the dissertation and its hypothesis. The approach examined the gradual processes involved in the transitioning of many African countries (with Nigeria as a case study) from the era of colonial rule and military regime to a democratic system of government from past occurrences to present happenings. The approach was also aimed to draw out reasons as to why African democracies are fraught with challenges of democratic consolidation and sustenance of good governance.

This dissertation makes use of only secondary data. Secondary data includes oral, written, and second hand accounts of events that are found on the internet (such as scholarly articles and journals), libraries and archives (such as textbooks and historical books).

The data gathered for this dissertation were from secondary sources of data which were mainly journals, scholarly articles, books from libraries and second hand events found in newspapers and biographies. This data included events and occurrences during the colonial era, post-colonial era, and the era of transitioning of many African countries to democratic system of government. Data gathered took into cognizance every details relating to the dissertation topic such as dates and periods, primary actors and changes that occurred during colonial and post–colonial era in Africa (with major focus on Nigeria as the case study).

The data analysis for this dissertation involved the process of searching for patterns that points out reasons for African countries transitioning into a democratic system of government. Also analysed were similar patterns of occurrences that hinder democracy and good governance in many African countries (with the major focus on the country of case study). The data analysed were those gathered from secondary resources. The data was
critically evaluated, reviewed, and weighed against the research questions in order to answer the research questions and the hypothesis.

The researcher analysed the veracity of the sources of this dissertation. In evaluating the sources of data, every source was checked for its authenticity. The checklist for the evaluation of the research resources used included the legitimacy of the authority of the research materials used, the accuracy and verification of research materials, its objectivity, and the coverage of the research materials used to include copyrights. The research was mainly a desk research and did not make use of interviews and questionnaires.

1.11 Arrangement of Chapters

The study is in four chapters. Chapter one covers the research design. It entails the background to the study, statement of the research problem, the research objectives of the study, the research questions of the study, the scope of the study, the significance of the study, the hypothesis, theoretical framework, literature review, and methodology. Chapter two discusses Democracy and Good Governance in Africa. Chapter Three discusses the history of Democracy in Nigeria, Democratic Consolidation in Nigeria, and the challenges of Democracy and Good Governance in Nigeria. Chapter Four comprises the summary of findings, conclusions, and some recommendations with regards to the research topic.
End Notes


2 Adejumobi, S. Ibid, p. 2

3 Adejumobi, S. Ibid.


7 Adejumobi, S. Op-Cit, p.3

8 Adejumobi, S. Ibid, p. 3


13 Ibid.

14 Ogundiya, I. S., Op-Cit, pp 201-206


19 Ibid.


21 Ibid.

22 Ibid.

23 Ibid.


25 Ibid, p 339

26 Ibid, p 340

27 Ibid, p 340

28 Ibid, p 352

29 Ibid, p 353

30 Ibid, p 353


32 Ibid, p 680

33 Ibid, p 681

34 Ibid, p 681

35 Ibid, p 681


Ibid, p 18

Ibid, p 21

Ibid, p 21


Ibid, p 4

Ibid, p 12


Ibid, p 27


Ibid, p 201

Ibid, p 205

Ibid, p 206

Ibid, p 206
CHAPTER TWO

OVERVIEW OF DEMOCRACY AND GOOD GOVERNANCE IN AFRICA

2.0 Introduction

The late 1980s marked the transition of most African countries from military dictatorships to multiparty democratic rule. This transition came about, following the end of the Cold War and the struggle for a democratic government from people within African countries. This period also marked the introduction of the concept of good governance by the World Bank following its study on the governance of African states in its 1989 report *sub-Saharan Africa: From Crisis to Sustainable Growth.*

It is commonly accepted that democracy and good governance are linked to ensure sustainability of democratic practice and to enhance development. This assertion is supported by International financial institutions like the World Bank and the IMF who have established an inextricable connection between democracy and good governance. Gilbert and Allen, also supports the assertion that the link between democracy and good governance exists. Gilbert and Allen propose that- “good governance determines the effective performance of democracy in contemporary societies; and, that democracy devoid of good governance is a harbinger for the collapse of democratic institutions in any society…”

This chapter seeks to discuss the concept of democracy and its key principles; democratic institutions; the ‘third wave’ of democratization in Africa; good governance and its elements,
good governance discourse in Africa; and the challenges of democracy and good governance in Africa.

2.1 Democracy

The term democracy is derived from the Greek word ‘demos’ which means people, and ‘Kratos’ meaning rule. Basically, democracy is a government in which power is vested in the people. The concept of Democracy is one that has existed since the 5th century in Greece, and over time, different forms of democracy have been practiced.\(^4\)

Democracy is a concept that is devoid of a unanimous definition. Even with the many definitions of democracy, all of the definitions acknowledge that democracy ‘is the rule by the people’. Bollen defines democracy as,

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\text{the extent to which a political system allows political liberties and democratic rule... Political liberties exist to the extent that the people of a country have the freedom to express a variety of political opinions in any media and the freedom to form or to participate in any political group. Democratic rule (or political rights) exists to the extent that the national government is accountable to the general population, and each individual is entitled to participate in the government directly or through representatives.}\(^5\)
\]

Schmitter and Karl, define democracy as a “system of governance in which rulers are held accountable for their actions in the public realm by citizens, acting indirectly through the competition and cooperation of their elected representatives”.\(^6\) It can therefore be implied that in a democratic state, there is competition for the votes of citizens in a free and fair election and elected leaders are accountable to citizens.
There are certain key principles that democracy is identified with. There are also norms and a set of institutions through which these principles are realized. The next section will discuss the principles of democracy, the norms and institution of a democratic state.

2.2 Principles and Norms of Democracy.

For democracy to flourish in a state, there are basic principles that must be present. These principles constitute the foundation of democracy. David Beetham, states that the principles of ‘popular control’ and ‘political equality’ are most vital to a state for democracy to thrive. He explains ‘popular control’ to mean the people’s right to influence both public decisions and decision makers, and ‘political equality’ to mean equality between citizens in relation to those decisions.

According to Beetham, these principles can be realized by a set of norms, which are:

- Participation- ensuring that citizens participate in the affairs of their government.
- Popular Authorization- this allows citizens the right to vote their choice of representatives to power and dismiss them if they do not perform their functions well, through periodic competitive elections.
- Representation- this ensures that there is a fair representation for the sections of the society in the legislature.
- Accountability- requires the elected officials to be competent and effective in the performance of their duties, as well as being answerable for their conduct in office as authorized by the constitution for the good of the public.
• Transparency- involves the openness of the activities of the public officials in government to the legislature and public scrutiny.

• Responsiveness- Government to ensure accessibility to the electorates’ opinions, interests and service delivery, in policy formation, administration and implementation.

• Solidarity- support for democratic governments and popular democratic struggles abroad.

• Citizenship Rights- these are basic rights and liberties of the citizens. They include citizens’ civil and political rights, and citizens’ freedom of expression, association and assembly.  

In addition to these norms are ‘rule of law’ and ‘separation of power’. The rule of law means that a person’s behavior is regulated by the standard set of rules of a state which is applied uniformly. The rule of law limits discretionary use of power and develops the legitimacy of the state. It also increases a political system’s predictability, and to that extent it enhances the effective and efficient usage of resources for development. In a democratic state the law is superior to any person, that is, no one is above the law. McFerson writes that, “there are three interdependent requirements for an effective rule of law: the rules must be consistent with one another, communicated to the people, and enforced in practice”.

Separation of powers is one of the norms of a democratic state. It involves the division of power amongst the pillars of government- the legislature, the executive and the judiciary. The legislature is charged with the duties of making law, the executive implements these laws made, and the judiciary interprets the law.
2.3 Democratic Institutions

Democracy is a process and not an end itself, it requires the creation of political institutions to ensure its continuous, consistent, and effective practices. The norms of a democratic state need a set of political institutions to ensure the principles of democracy are upheld. In this regard, this section will discuss some of the institutions set up in democratic states to promote and sustain democracy and good governance.

Democratic institutions are machineries set in place to ensure the protection of citizens’ freedom and to facilitate the process of organizing elections of public officials. They are designed to guarantee the popular authorization of elected representatives and ensure their accountability and responsiveness to citizens. These institutions are important for the success of democracy and good governance in any society.

This section will discuss the following democratic institutions in democratic countries that strengthen, sustain and foster democracy and good governance; these are: Independent Media, Civil Society, Political Parties, the Legislature, Executive and Judiciary, Electoral Commission, and Ombudsman.

2.3.1 Independent Media

The media is the mechanism used to convey information or to communicate between person(s). The media includes radio, television, newspapers, magazines, books, and the internet. The media is acknowledged as the eyes and ears of the society with respect to the flow of information within and outside a society. In this regard, an independent media serves as a condition for a
country to be regarded as democratic because it is a means through which people have the freedom to express their views, ideas, dislikes, and interests about the affairs of their government, and especially those policies that directly affects their wellbeing.

Access to information is key in ensuring accountability. It is when the citizens are privy to relevant, adequate, and unrestricted information that is when they can hold elected representatives in public offices accountable for their actions. For example, in Nigeria, the Freedom of Information bill was passed into law by the Nigerian government. This allows citizens the opportunity to access information which can help them make better decisions about their government officials before, during and after an election process. In turn, this guarantees the effective practice of democracy and good governance in the state.

The media also paves the way for greater participation by citizens in the decision-making process which allows greater transparency and can help ensure that political decisions are beneficial to the needs of the people. Citizens’ participation is one of the key principles of democracy and the media as an institution of democracy sustains this principle.

### 2.3.2 Civil Society

Civil society is a voluntary “realm of organized social life” that is self-financing, self-supporting, independent from the state and backed by the legislation of the state. It is a separate entity from the ‘general society’ because it involves a set of citizens who collectively come together in a public sphere to convey their common interests and opinions, exchange information, realize mutual goals, make demands on the state and hold officials of the state accountable for their
Civil society comprises of a wide range of organizations, formal and informal; these include groups that are economic, cultural, informational and educational, interest-based, developmental, issue oriented and civic. Civil society performs the functions of curbing the excesses of state power and challenges its abuse of authority, monitors elections, and act as a watchdog on human rights violation whilst educating citizens about their rights and responsibilities.

Civil society has well become involved in ensuring the stability of democracy and good governance in a state. The civil society is “virile, articulate, cohesive and focused to engage the state, mobilize the people and provide a credible platform that will aid the quest for the establishment of a durable and dependable democratic order”. According to Rita Abrahamsen, “in the good governance discourse, civil society emerges as the key link between economic liberalization and democratization. It is the locus of economic growth and vitality and seedbed of democracy”. Civil society as a democratic institution, play an important role in securing a state’s quest for a stable democracy and fostering of its good governance.

### 2.3.3 Political Parties

In democratic governments, it is a fundamental element for citizens to have the freedom to associate and organize themselves without restriction in as much as it is in accordance with the laws of the state. A political party is an organization of people seeking to achieve the shared goals and interests of its members in a state, through the acquisition and exercise of political power.
Political parties as an institution of democracy provides the citizens with the choice of associating with any political organization and choosing leaders who they feel are suitable to represent them. Political parties are involved in recruiting people as members, and, nominating and campaigning representatives to compete for public offices. Other functions of political parties include; the creation of policy programs for the government if they are in majority, and to criticize and offer alternative policies if they are in opposition.\(^{21}\)

In a democratic government, political parties allow for competition for political power of a state in elections and this helps to sustain democratic practices. In essence, political parties, as Lipset states, “create an opposition that restrain the power of the incumbents… seeks to reduce the resources available to officeholders and to enlarge the rights available to those out of power… Over time, in both new and revived democracies, conflict between the governing and opposition parties helps establish democratic norms and rules”.\(^{22}\)

2.3.4 The Legislature, Executive and Judiciary

In a democratic government, elections serve as the principal mechanism for disciplining state officials, but they are not adequate enough. The separation of powers amongst the arms of government-legislature, executive and judiciary, helps to prevent the misuse of power. This is done by creating a conflict of interest amongst these arms of government, yet necessitating that they agree on policies that would be of public good.\(^{23}\) The legislative, executive and judiciary arm of government, have specific duties as spelt out by the constitution of a democratic state.
The Legislative Arm

The legislative arm of government is charged with the responsibility of making laws. It is the arm of government that debates and deliberates on issues before finally passing bill into law. The legislature performs the function of maintaining oversight of the executive. The legislature’s oversight function over the executive entails “scrutinizing and authorizing revenues and expenditures of the government and ensuring that the national budget is properly implemented”. The legislature also serves as a medium for public debate on issues of citizens’ interests. The Legislature is obliged to perform its duties with respect to enhancing and improving the lives of the citizens.

The Executive Arm

The Executive Arm of government is charged with the task of implementing laws. The Executive arm’s duty is to enforce public policies enacted by the legislative branch such as tax collections. The Executive is also charged with the duty of representing the interests of the state abroad. The Executive is accountable to the Legislature.

The Judiciary

The judicial arm of the government is responsible for interpreting the facts of laws and applying them to a particular situation or resolve disputes. The judiciary includes professional judges that are independent, impartial and fair. The judiciary performs the function of interpreting the constitution. For instance, in a case where the functions of the legislature and the executive conflicts with each other or in the case were there are overlapping functions, the judiciary will
interpret the constitution to declare which sections a particular arm of government has jurisdiction over and where it has restrictions.

It should be of note that the authorities of the legislature and the executive differ with the systems of government. In a parliamentary system of government, the executive arm of government is dependent on the support of the parliament. This support is often expressed through a vote of confidence. In this system of government majority party in the legislature forms the executive arm of the government with the prime minister as the head. Countries such as United Kingdom, Botswana and Mauritius are examples of countries with this system of government. In a presidential system of government, executive branch is led by a president who serves as both head of state and head of government. The executive arm is not dependent on the legislature. The president and members of the legislature are elected separately. Countries such as the United States, France and Nigeria practice this type of government.

There have been praises and criticisms of both systems of governments. The presidential system of government is commended for establishing “strong executive and legislative institutions, each able to claim a mandate from the people and each capable of checking and balancing the other”. On the other hand, the veto power of the president may be used to prevent the legislature from enacting its own legislative programs. This may arise when the president does not have majority of his political allies in the legislature.

In the case of the parliamentary system of government, the election of people into government through proportional representation enhances democracy. It ensures a multiparty system of
government where all political parties are represented in the legislature. On the other hand, one main criticism of the parliamentary system “lies precisely in its purported advantage: that there is no truly independent body to oppose and veto legislation passed by the parliament, and therefore no substantial check on legislative power.”

2.3.5 The Electoral Commission

In democracies, elections serve as a mechanism to determine who acquires political power of a state. Therefore, it is of utmost importance that the electoral process is without favoritism and prejudice. The borderline that separates politics and electoral administration needs to be constantly monitored to avoid any form of electoral irregularities to be interpreted as politically influenced. In this regard, an independent and competent electoral commission is needed to ensure that elections conducted are free and fair, devoid of partiality, and is a reflection of the legitimate votes of the citizens. The Electoral Commission is charged with the responsibility of promoting democracy and good governance through the conduct of credible elections. For instance, in Nigeria, the institution set up for the management of the process of elections is the Independent National Electoral Commission (INEC).

2.3.6 Ombudsman

Ombudsman is a Swedish term that means ‘representative’. The ombudsman is a public sector institution created by the legislative arm of government for the purpose of monitoring the administrative activities of the executive arm. The ombudsman receives and investigates unbiased complaints from the public in relation to the conduct of government administrative functions or actions. The ombudsman also functions as an institution that improves the competence and performance of the public administration and increases government
accountability to the public. Therefore, the operations of the ombudsman serves as another check on the abuse of power by the executive branch, besides other existing checks and balances institutions (that is legislature, courts and public sector institutions).\textsuperscript{33}

Many democratic states (not limited to democratic states alone) have established ombudsman offices not only at the national government level, but also at the regional, provincial, state, and municipal levels. There are a lot of ombudsman institutions for sectors such as health, banking, finance, and human rights. For example, some of the ombudsman institutions in Africa are, The Permanent Commission of Enquiry, 1966 (Tanzania), Public Complaints Commissions (Nigeria), Commission for Investigation 1973 (Zambia), Complaints Management System (Lesotho), and Commission on Human Rights and Administration Justice 1992 (Ghana).

The ombudsman strengthens democratic practices and fosters good governance, as it is an efficient instrument that protects citizens’ rights from a poor state administration and promotes public scrutiny of the government activities.

2.4 The Third Wave of Democratization in Africa.

This section discusses the widespread of democracy across the African continent over two decades ago. Most African countries during this period transited from an authoritarian regime to a democratic state.

Samuel Huntington defines a ‘wave of democratization’ as being “a group of transitions from non-democratic to democratic regime that occur within a specified period of time and that significantly outnumber transitions in the opposite direction during that period of time.”\textsuperscript{34}
According to Huntington, “the ‘third wave of democratization’ in the modern world began, implausibly and unwittingly, at twenty-five minutes after midnight, Thursday, April 25, 1974, in Lisbon, Portugal, when military operatives began a coup d’état.” The overthrow of the Salazar/Caetano dictatorship by the Portuguese military in the April coup resulted in the death of the dictatorship and stemmed a plethora of popular, social, and political forces that had been effectively curbed during the dictatorship. This turned out to be a catalyst for the widespread of democracy globally, as the number of democracies in the world multiplied dramatically after the coup.

The ‘third wave of democratization’ began to spread across sub-Saharan Africa in the early 1990s. Richard Joseph writes that, “more than half of the sub-Saharan African countries undertook reforms leading to more competitive and pluralist political systems after 1989 for largely conjunctural reasons”. The democratization patterns differed in terms of experiences in different African countries. As Julius Ihonvbere states;

The most dramatic change has occurred in South Africa where apartheid structures gave way to a majority democratic political system with the election of Nelson Mandela as president. In Ghana, Jerry Rawlings not only "civilianized" himself but has organized two democratic elections despite his initial opposition to political liberalization. While Daniel Arap Moi, in Kenya, initially boasted that he would crush the opposition like "rats" and claimed that democracy would breed violence, ethnic intolerance, and national disintegration, combined pressures from donors, lenders, and local opposition forces compelled him to hold democratic elections in 1991.

The democratization process in Africa paved the way for Africa to break loose of the ills of post-colonial administration which was widely authoritarian across many countries in Africa. The beginning of Africa’s democratic struggles dates back to the 1960s when the purge of colonialism in African countries was endemic. Consequently, political leaders and nationalists
who fought and contributed to the realization of political independence assumed the powers and privileges left void by the departure of the colonialists. According to Ihonvbere,

> these leaders devised complex programs of intolerance, exploitation, marginalization and an urban concentration of power and resources, they also depoliticized the people, sacked opposition parties, created brutal one-party states, looted the treasuries and used a defensive radicalism to reproduce the political system.\(^4\)

During the post-colonial era, political leaders (most of them being military leaders) in most African states exploited means of coercion, eliminated all forms of democratic initiatives and established brutal dictatorship. This authoritative rule that plagued the continent during the post-colonial era meant that the practice of democracy in Africa was rare in the continent. There were countries that attempted to practice democratic rule, but in a short period of time, they had regressed to authoritarian rule. For instance, the first three decades of Africa’s independence years, especially after 1970 (with the exception of Botswana, the Gambia, Mauritius and Senegal), was marred by recurring failure of democracy and multiparty elections in Africa. Countries such as Nigeria, Ghana, and Sudan, had recurring democratic breakdowns.\(^4\)

In 1989, the fall of the Berlin wall which marked the collapse of communism in Eastern Europe, coupled with the internal struggle for political liberation in African countries facilitated a democratic change in Africa. Consequently, this renewed vigor for change in Africa resulted in some events that took place in February 1990, such as the seizure of power from Mathieu Kerekou of Benin by the civil society; the freedom of Nelson Mandela by the South African Apartheid regime and the regime’s lift of the ban placed on the African National Congress; and the clamp down on racism together with the negotiated transition to democracy in South Africa.\(^4\) In the same month, a liberal-democratic constitution was ratified in Namibia by the
constituent assembly which led to the country’s attainment of independence the following month from the white minority regime in South Africa that had ruled them for 70 years. These events, according to Larry Diamond, marked the beginning of a “second liberation”.

The wave of democracy of the 1990s “left few African states untouched.” As Michael Bratton observes, Nigeria, Somalia, Swaziland, and Zaire had not successfully conducted competitive multiparty elections. But that changed when Nigeria and Zaire (presently named Democratic Republic of Congo) held multiparty elections in 1999 and 2006 respectively, leaving only Somalia and Swaziland as the only countries not to do so.

2.5 Good Governance

The concept of ‘governance’ emerged over two decades ago in the late 1980s, and since then, its significance has tremendously grown in the development discourse. There have been various definitions of governance. According to the World Bank 1992 report titled “Governance and Development”, governance is “the manner in which power is exercised in the management of a country’s economic and social resources for development”.

The Bank identified three focal aspects of governance that determines the sustainability of development- “the form of the political regime; the process by which authority is exercised in the management of a country’s economic and social resources for development; and the capacity of governments to design, formulate and implement policies and discharge functions”.

41
According to the United Nations Development Programme (UNDP) 1997 policy document titled “Governance for Sustainable Human Development”, governance is defined as “the exercise of economic, political and administrative authority to manage a country’s affairs at all levels”. The UNDP’s governance dimensions focuses on the country’s Economic governance, Political governance and Administrative governance. The Economic governance involves the decision making process that affects the economy of a country in relation with other economies; the Political governance involves government’s decision making on policy formulations; and the administrative governance involves the implementation of policies.

The focal point of good governance borders on the process of decision making by leaders of a state with such decisions focusing on state-society relations, improving the standard of living of the citizens and sustaining human development. The quality of life of citizens in a democratic state is highly dependent on the nature of governance in terms of its social, economic, political and administrative governance.

Good governance is devoid of a unanimous definition or meaning. According to Genyi and Euginia, “the ultimate goal of good governance will be to guarantee social justice and bring about an end to human misery in the society by eliminating poverty and improving human dignity” Dwivedi posits that “good governance is governing well. In other words, the essence of good governance is in the involvement of governmental and non-governmental groups in the decision making process of the government.”
Dwivedi further states the values on which good governance should be based to include:

- Cultural pluralism, legitimacy of government, consensus in public decision making, public participation in policy formulation, rule of law to guarantee fairness and eschew partisanship, responsiveness of government to the needs of stakeholders and citizens in the society, accountability of institutions of governance and public service and ethics in public decision process.\(^55\)

With regards to the above explanation, the term “good governance is a normative conception of the values according to which the act of governance is realized, and the method by which groups of social actors interact in certain context”\(^56\). Therefore, the notion of good governance addresses the quality of governance in a state.

### 2.6 Elements of Good Governance

The UNDP has identified nine elements that should be established in a country’s governance for it to be regarded as good. According to the UNDP, these elements are:

- **Participation**- All men and women should have a voice in decision-making, either directly or through legitimate intermediate institutions that represent their interests. Such broad participation is built on freedom of association and speech, as well as on the capacity to participate constructively.

- **Rule of law**- Legal frameworks should be fair and enforced impartially, particularly the laws on human rights.
• Transparency- This concept is built on the free flow of information. Processes, institutions and information should be directly accessible to those concerned, and enough information should be provided to render them understandable and monitorable.

• Responsiveness- Institutions and processes should serve all stakeholders.

• Consensus orientation- Good governance should mediate differing interests in order to reach broad consensus on the best interests of the group and, where possible, on policies and procedures.

• Equity- All men and women should have equal opportunity to maintain or improve their well-being.

• Effectiveness and efficiency- Processes and institutions should produce results that meet needs while making the best use of resources.

• Accountability- Decision-makers in government, the private sector and civil-society organizations should be accountable to the public as well as to institutional stakeholders. This accountability differs depending on the organization and whether the decision is internal or external to an organization.

• Strategic vision- Leaders and the public should have a broad and long-term perspective on good governance and human development, together with a sense of what is needed for such development. There should also be an understanding of the historical, cultural and social complexities in which that perspective is grounded.57

2.7 GOOD GOVERNANCE IN AFRICA

Over two decades ago, many African states experienced the third wave of democratization and embraced multiparty elections in their system of government. However, the democratization
wave has not successfully ensured long-lasting changes in domestic power structures, and qualitative improvement in the welfare and standard of living of the larger size of the African population who remain sufferers of severe poverty and diseases.\textsuperscript{58} This is due to the lack of good governance in most African states. According to Joseph Siegle, “despite Africa’s remarkable democratic advances, the future trajectory of Africa’s governance norms remains uncertain \textsuperscript{59}

The governance crisis in Africa is still prevalent years after the World Bank identified it as a major contributor to Africa’s development problems. Many African democracies are faced with the challenge of strengthening democratic norms and institutions, and the ability to effectively manage state’s economic and social resources for development. In most African democracies, problems such as “political instability, poor economic performance, inadequate official information, weak mechanisms of accountability, poorly enforced rule of law, and bureaucracies that are ineffective and unresponsive have been the outcome of lack of good governance.”\textsuperscript{60} Although there are some states such as Botswana and Mauritius which are commended for their success with respect to governance and development progress, there are many states in the continent have been unable to achieve good governance which affects the welfare of citizens.

To ensure good governance in Africa, there is the need for the effective practice and sustenance of democracy. It includes persistent commitment from stakeholders in ensuring the enforcement and respect of the rule of law; transparency, accountability and responsiveness of public officials; and people participation in the decision making process of government.
2.8 The Challenges of Democracy and Good Governance in Africa

The early 1990s marked the transition of many African states from authoritarian rule to democratic system of government. However, democracy in Africa has produced uneven progress. Diamond writes that, African democracies are “hollow and ambiguous and many others stake a claim to democratic status that is manifestly false”. Aside the commendable democracies of African countries such as Mauritius and Botswana, it is less disputed that many African countries face governance challenges politically, economically and socially. This section will discuss the challenges limiting the successful practice of democracy and good governance in Africa. Some of the challenges are conflicts, corruption, constrained civil society, election fraud and threat of the military amongst many others.

2.8.1 Armed Conflicts

Conflict is one of the main challenges to Africa’s democracy and good governance. African States have a wide range of diverse culture and people, who are often in conflicts with each other. Some parts of the continent is plagued with civil unrests, ethnic rivalry, sectarian violence and religious conflicts. For example, there are uprisings and ethnic violence in Central African Republic, Sudan, and Nigeria. This inhibits the practice of democracy and good governance in Africa as nations spend lots of money to quell conflicts or sometimes pay off warring parties, instead of investing in development programmes that would improve citizens’ standard of living. Conflicts also results in the abuse of human rights and this is a challenge to democracy in Africa.
2.8.2 Constrained Civil Society Organizations

Civil Societies Organizations are advocates for the promotion and sustenance of democratic practices. They act as defenders of public interests. They also act as a check on state’s abuse of power and state’s incompetence as regards the safeguarding citizens’ human rights and promotion of citizens’ welfare. However, in many African countries, civil society organizations are faced with the challenge of financial resources which hinders the achievement of their objectives. Thus, civil society organizations tends to seek donor assistance from the state and foreign donors, and this jeopardizes CSOs autonomous existence and makes them become dependent on state and foreign donors for financial resources. This result in state's influence on CSOs agenda, interests and objectives and CSOs could therefore lack the capacity to challenge government ineptitude. CSOs are also faced with the problem of “increasing vindictiveness of many African leaders who view CSOs as destabilization agents which should not be given an opportunity to contribute to national issues.”\textsuperscript{63} Civil society organizations do promote democracy and good governance in a state, but when they are constrained they cannot function well. This is a challenge to democracy and good governance in Africa.

2.8.3 Impediment to the Electoral Process

Elections are a significant element in the practice of democracy. Securing the freeness and fairness of its conduct is important. Credible elections devoid of electoral malpractices enhance the legitimacy of the government and develop the public’s confidence in the government. Thus, elections are significant in sustaining democracy. Although many democratic African states have conducted elections as stated in their constitutions, the outcomes of the elections have not transformed into sustainable democracy.
In many African states, the electoral process is fraught with challenges. These challenges include the lack of political commitment to ensure elections are genuine, and electoral violence, particularly among ethnic factions. There is the challenge of lack of autonomy of the electoral commission and inadequate resources allocated for the conduct of elections. The “electoral process in Africa also faces the challenge of limited opportunities for full participation by women and/or other marginalized group.”

2.8.4 Threat of the Military

The tendency of the military to seize power in an elected regime is a setback to the practice of democracy and good governance in Africa. The threat of the military poses a challenge to democracy and good governance in Africa especially in countries experiencing violence related conflicts in which the military has to restore peace and order. This allows for the military to take over political power. Mohamed El Khawas states that,

Military officers have not hesitated to overthrow a democratically elected government and replace it with a junta. In several African countries, they suspended the constitution, closed the legislative assembly, and banned political parties, leaving themselves in charge without being accountable to the people or their elected representatives.

For example, the June 12, 1993 Presidential elections in Nigeria which resulted in a victory for presidential aspirant, Moshood Kashimawo Abiola of the Social Democratic Party was cancelled by the military. The events that followed led to a fiasco that ended with a return to military rule. Similarly, in Egypt, there was the ousting of democratically elected President, Mohamed Morsi, by the military in 2011. The threat of the military is therefore a challenge to democracy and good governance in Africa.
2.8.5 Welfare of Citizens

The state of citizens’ welfare in any democratic country is pivotal in determining the quality of governance. In other words, the citizens’ welfare is an integral part of good governance. It is directly linked to a state’s social, economic and political progress and outcome. Since the end of colonial and military regime in many parts of Africa, many African countries adopted a democratic system of government which paved the way for citizens’ representation and participation in state decision making.

However, even with such freedom of citizens participating in state affairs, there is still the challenge of citizens’ welfare. Many Africa democracies are still struggling to not only deliver but sustain socio-economic benefits that will ensure a better standard of living for their citizens. This issue hinders good governance in many democratic states in Africa as the improvement of living conditions of people in a state equally translates to good governance.

Gilbert and Allen posits that the problem of ensuring citizens’ welfare in many African democratic countries stems from challenges associated with sources of revenue and funding in African democracies, equal access to opportunities, and worsening social conditions. The ripple effects of those challenges have culminated in economic problems such as unemployment, low income level, inadequate health etc. which has negatively affected good governance in many democratic states in Africa.
2.8.6 Lack of Transparency and Accountability of Public Office.

In a democratic state, good governance is a mirage when public offices lack transparency and accountability. By implication, non-transparency and unaccountability consequently translates to abuse of public offices and ineffective governance which is “contrapuntal to a nation’s socio-economic and political development”\(^{68}\) In some African democracies such as Burundi and Uganda, the challenge of impunity is rife. This expressly, points to the failure of leaders to be held accountable for their decision making while in office. This challenge jeopardizes the respect for the rule of law, responsiveness to the citizens, citizens’ participation and social justice, all of which are minimum principles of good governance and democracy.

2.8.7 Abuse of Human Rights and Law Enforcement Agencies

The essence of the rule of law is to uphold the legitimacy of the state and protect the rights of citizens in a democratic state. Adherence and respect for the law by all bonded by it serves as a prerequisite for promoting democracy and good governance. The law is to be enforced by the state’s enforcement agencies. However, in Africa, many democratic states faces the challenge of disrespect for the rule of law by law enforcement agents. For instance, institutions such as the police violates citizens’ rights in several democratic countries in Africa. For example, the Independent Complaints Directorate in South Africa, reported in 2001, that torture and ill treatment of suspected criminals by the police force was still a challenge despite the country’s relatively “good human rights record of the government”\(^{69}\)

African democratic countries such as “Burkina Faso, Benin, Tanzania, Malawi, Mali, Uganda, Gambia, Chad, Nigeria, Ethiopia, and Kenya have less confidence in their law enforcement
agencies”\textsuperscript{70}. This hinders democratic consolidation and vitiates the enjoyment of good governance in many African democracies.

2.9 Conclusion

Democracy is a system of government that allows for citizen participation in decision making of a state. Two key principles of democracy are popular control and political equality. These principles are realized through a set of norms and practices of democratic states, such as rule of law, human rights, accountability, transparency, popular authorization, separation of power, responsiveness, and representation amongst others. There are institutions set up by the state to sustain these norms and effective practice of democracy such as an Independent Media, Civil Society, Political Parties, the Legislature, Executive and Judiciary, Electoral Commission, and Ombudsman. Good governance is the mechanism to ensure proper management of a country’s political, economic and social resources. Elements making up good governance are participation, efficiency and effectiveness, responsiveness, consensus orientation, strategic vision and transparency amongst others. Democracy and good governance began to spread in Africa during the late 1980s and early 90s. Since then, African democracies have been faced with some challenges that hinder its democracy and good governance such as armed conflicts, constrained civil society, election fraud, threat of the military amongst many others, welfare of citizens. Lack of transparency and accountability of public office and abuse of human rights and law enforcement agencies amongst others.
Endnotes


4 There are two common type of democracy -Direct Democracy and Representative. Direct Democracy is a form of democracy that was largely prevalent in ancient Greece. Aristotle advocated a form of mixed government that blended the aristocratic virtue of knowledge and experience with the democratic virtue of direct citizen involvement in the political rule of small city-states where people were intimately connected with one another. Therefore, direct democracy was a form of rule in relatively small cities, where a small number of the population had the right to participate in political meetings, hold office, and make decisions. Representative Democracy is a form of democracy in which the citizens of a state elect political leaders in free multi-party elections to represent their interests in forums such as parliament or congress. This type of democracy is now common in most democracies. The political scientist Robert Dahl has specified the institutional characteristics of modern democracies as follows: representatives elected by citizens; free and fair elections; inclusive citizenship; the citizen's right to run for office; freedom of expression; access to alternative, non-governmental sources of information; and the citizen's right to form independent associations. As indicated above, this model of liberal democracy has not been uncontested. Retrieved July 31, 2014 from http://www.globalautonomy.ca/global1/glossary_pop.jsp?id=CO.0001


8 Beetham, Ibid.

9 The right to unrestricted expression of opinion requires the existence of independent media and of law protecting the media from undue concentrations of media ownership. The right to freedom of association includes the right to found new associations for economic, social and cultural purposes, including political parties. The right of peaceful assembly includes the right of free movement within and between countries. See BEETHAM, D. (1998) Democracy: Key Principles, Institutions and Problems, (Ed) Democracy: its principles and achievement (Vol. 1021). Inter-Parliamentary Union. 21.


11 McFerson, Ibid

12 McFerson, Ibid


14 Beetham, Op-cit. p 24


16 Diamond, Ibid.

17 Diamond, Ibid.


Ibid.


Persson, Roland, & Tabellini, Ibid


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55 Ibid.
57 International Fund for Agricultural Development, op cit. p 6
66 Gilbert, L.D. and Allen, F. Op cit
67 Ibid
69 Economic Commission for Africa (ECA). *Striving for Good Governance in Africa*. 2005
70 Ibid.
CHAPTER THREE
THE CHALLENGES OF DEMOCRACY AND GOOD GOVERNANCE IN NIGERIA

3.0 Introduction
Nigeria returned to democratic rule on May 29, 1999, marking the era of the Fourth Republic after fifteen straight years of military rule. Since Nigeria’s transitional elections in 1999, democratic rule in Nigeria has been consistent. Nigeria has conducted successive elections in 2003, 2007, and 2011. Nigeria has made significant developments in a bid to sustain democratic norms and engender good governance in the Fourth Republic. Despite such developments, Nigeria is still faced with challenges that hinder its return to democratic rule. One of such challenges is that the Fourth Republic administration has struggled to promote the welfare of the citizens of Nigeria.

This chapter discusses Nigeria’s democratic administrations. The chapter also discusses Nigeria’s attempts to consolidate its democracy in its Fourth Republic. Finally, it discusses the challenges of democracy and good governance that has contributed to the less progress on citizens’ welfare in the Fourth Republic.

3.1 Democratic Administrations in Nigeria
Before its return to constitutional democracy in its present Fourth Republic, Nigeria post-colonial era, had two democratic administrations and one failed attempt. The First Republic was modeled on the parliamentary system of government. The administration was headed by the then Prime Minister Alhaji Tafawa Balewa (1 October, 1960- 15 January, 1966). The Second
Republic took a different approach and was modeled on the American presidential system of government. It was headed by Alhaji Shehu Shagari (1 October 1979- 31 December 1983). There was a third attempt at democratic administration but it failed due to the annulment of the presidential elections by the military (The botched Third Republic, June 12, 1993).

3.1.1 The First Republic (1 October, 1960 to 15 January, 1966).

The tail end of colonial rule in Nigeria, saw efforts being made to constitute a cabinet to pull together the three main regions in Nigeria into an emerging national government through a coalition of the three main political parties: the National Council of Nigeria and the Cameroons (NCNC) which dominated the East; the Action Group (AG) which was the party of the West; and the National People’s Congress (NPC) which was the party of the North.¹ A major factor for the coalition was because the results of the December, 1959 elections did not produce a party strong enough to constitute a National Government.

By the time Nigeria achieved its independence; the three regions gradually established all organs of self-government and started to perform legislative, executive and judicial functions.² The new constitution for the Nigerian Federation was enacted by the British Order in Council in 1960. Nigeria adopted the British system of government which made the Queen of England was the Head of State. “Britain’s Final constitutional enactment- The Nigeria (constitution) Order in Council, 1960- promulgated not only the new constitution of the Federation of Nigeria, but also the constitutions of the three federating regions.”³
The constitution was the ‘Independence Constitution’ of 1960, which was a federal constitution. The constitution provided the federal government an exclusive list of legislative powers and a concurrent list of shared powers, while the regions were left with the residual powers. The constitution provided equal representation in the upper chambers (the Senate) for the three regions. This however, “was designed only as a cooling chamber, in that it could not delay legislation for more than six months and thus could not compete with the House of Representatives, the more important legislative house.”\(^4\) Equal representation of the three regions on the Supreme Court was also included in the constitution. The constitution also contained a bill of rights to protect the individual and also to protect the minority ethnic groups from being dominated by the three main ethnic groups (Hausa/Fulani, Yoruba, and Igbo).\(^5\)

By 1963, Nigeria became a Republic and established a new constitution (the Republican Constitution). The Republican constitution cut all ties with the British Monarchy and developed the 1960 constitution. The three federating regions still maintained their own constitutions. By 1966, the first democratic administration came to a halt when the military took over power through a bloody coup d’état. The coup was led by Major Emmanuel Ifeajuna who commanded a team of military soldiers to take over the government. This resulted in the assassination of Tafawa Balewa and some of his close allies.

The failure of the first administration was attributed to factors such as the ethnic rivalry that occurred during elections of regional political parties seeking to make up the federal government.\(^6\) There were also problems associated with the adopted British Parliamentary system of government. The Prime Minister ruled as Chief Executive, while the president was figurative. This resulted in a clash of personalities that fuelled political upheavals.\(^7\)
There was also the problem of “confrontational parliamentary system of government that impeded nation building in that, the three major political parties (the NCNC, NPC, and the AG) were based in the three regions controlled by the major ethnic groups.” This in turn, brought about the lack of a national party with an elected chief executive that was not only loyal to its ethnic people but also owed allegiance to the nation and its people. Other challenges were the inefficiency and corrupt tendencies of the political leaders.

3.1.2 The Second Republic (1 October 1979 to 31 December 1983).

This era was Nigeria’s second democratic administration. Nigeria returned to civilian rule during this period after the military ruler as of the time, Olusegun Obasanjo handed over power to the civilians. Jean Herskovits noted that “no military government has worked so hard to get itself out of power”. The Second Republic saw Alhaji Shehu Shagari emerge as winner of the 1979 presidential elections having defeated Nnamdi Azikwe of the Nigerian Peoples Party (NPP) and Obafemi Awolowo of the Unity Party of Nigeria (UPN). He was inaugurated on October 1, 1979, thereby signaling the return of the country to civilian rule. A new system of government – the American presidential system of government had replaced the parliamentary system of government. The 1979 constitution incorporated the separation of powers between the three arms of government (the legislative, the executive and the judiciary).

The administration ended due to problems such as the abuse of state power by political leaders, pervasive corruption, ethnic rivalry, and incompetence of political leaders which led to gross mismanagement of economic resources. Consequently, on 31 December 1983, the military, once again took over the reins of power. The coup d’état this time around was by General
Muhammadu Buhari. Buhari’s coup momentarily “enjoyed initial support of many Nigerians, who had become disillusioned with the corruption of civilian officials.”

3.1.3 The Failed Third Republic (June 12, 1993)

The third attempt at democratic administration in Nigeria was motivated by the citizens’ agitation for a return to civilian rule. Consequently, the military government declared a return to civilian rule in 1989. In a bid to ensure a successful transition to the civilian rule, there was the creation of a Political Bureau in 1986. The Political Bureau was charged with the responsibility of reviewing the Constitution. The process of Constitutional review “involved extensive deliberations and consultations with Nigerians on the nature of an appropriate constitution.”

The report of the Political Bureau ultimately led to a 1989 draft constitution.

In the report of the Political Bureau, certain recommendations for the 1989 constitution were significant. First, there was the recommendation that 1989 constitution should aim at creating a new political order to accommodate new upcoming politicians, while restricting former politicians (especially those who had abused state power while in office) from participating in political activities in the Third Republic. Secondly, the creation of a two-party system which was different from the multiparty system of past democratic administrations. This was recommended in order to have parties that would be national and largely financed by the state. As a result, “government decreed the formation of two new parties in October 1989, requiring that the parties draw from a national, as opposed to a regional, constituency to prevent such a dichotomy.”

The 1989 Constitution was effective until the fiasco of the 1993 national elections.
The outcome of the June 12, 1993 Presidential elections resulted in a victory for the Social Democratic Party presidential candidate. The elections were later annulled by military head of state, Ibrahim Babangida Moshood Kashimawo Abiola. Babangida was later overthrown by the military ruler General Sani Abacha. This marked the end of the short lived Third Republic.

3.1.4 The Fourth Republic (29 May 1999 to date)

In 1999, Nigeria returned to constitutional democracy once again. Following the death of the autocratic ruler, General Sani Abacha, his successor Gen Abdulsalami Abubakar handed over power to the civilians. On May 29, 1999, Olusegun Obasanjo was sworn in as the first president of the Fourth Republic. The 1999 constitution was enacted and it was mainly derived from the 1979 constitution.\textsuperscript{16}

Obasanjo, under the political party, Peoples Democratic Party (PDP), emerged the first elected president of Nigeria’s Fourth Republic after defeating Olu Falae of the Alliance for Democracy (AD)/All People’s Party (APP) -a joint party- in the first national elections of the Fourth Republic in 1999. Since 1999, democratic rule has been consistent in Nigeria till date. As compared to the former administrations, civilian rule in the Fourth Republic has been durable. This is evidently seen in the election cycle that has been uninterrupted in the country since 1999, with the successful conduct of the 2003, 2007, 2011 national elections.
3.2 Democratic Consolidation in Nigeria.

Democratic consolidation is an essential way of ensuring democracy and good governance is firmly rooted in a state. Once a state has made the transition to a democratic regime, there is the need to sustain and maintain the democratic norms and principles. According to Gasiorowski & Power, the term ‘democratic consolidation’ “is the process by which a newly established democratic regime becomes sufficiently durable that a return to non-democratic rule is no longer likely.”

According to Schedler, the concept of democratic consolidation has come to include; divergent items such as popular legitimation, the diffusion of democratic values, the neutralization of anti-system actors, civilian supremacy over the military, the elimination of authoritarian enclaves, party rules, the routinization of politics, the decentralization of state power, the introduction of mechanisms of direct democracy, judicial reform, the alleviation of poverty and economic stabilization.

In line with Schedler, Bankole, notes some conditions for consolidating democracy. Firstly, facilitating economic growth is a necessary for consolidating democracy. The consolidation of democracy is dependent on the ability of the state to improve the economic situation through perpetual enhancement of economic growth, investment in the productive sectors, employment creation for citizens, and increase in the general welfare of the people within a globalized world. This shows the government’s commitment to foster a new economic order which will provide essential support for consolidation of democracy in the country.

Another condition for democratic consolidation is the safeguarding of peace and security. Quelling conflicts and ensuring peace and security is essential in consolidating democracy within a state, as conflicts threaten the unity of the state and the lives of the citizens. Conflicts also pave the way for the military to regain political power under the auspices of restoring peace and order.
Professionalizing the Military is also significant for democratic consolidation. Professionalizing the Military involves the capacity of the government to cater for the needs of the military, especially with regards to adequate funding, and provision of modern weapons alongside adequate training for the use of these weapons. With this, the military will be limited to its constitutional role of defending the sovereignty and territorial integrity of the country. It also ensures the legitimacy of the democratic government is respected by the military, rather than the military devising means to topple the government.

With the collapse of past democratic administrations in Nigeria, there is the need for Nigeria to sustain its democratic rule and to foster good governance in its Fourth Republic. Since 1999, Nigeria have made efforts to consolidate its democracy. There have been major improvements in the democratic practice and democratic institutions in the country as compared to previous democratic administrations.

In pursuit of a stable and long-lasting democracy, the Fourth Republic administration is credited for its advancements on liberal economic reforms; setting up anti-corrupt agencies; creating more space for civil liberties and freedom of the press; and its enhancement of democratic institutions such as the electoral commission, civil societies, independent media, the military and the arms of government (the legislative, the executive and the judiciary). All of these serve as instruments to ensure the state’s responsiveness to citizens, to ensure transparency and accountability to the citizens, to check abuse of power, promote good governance, and in general sustain its democracy. Some of the major improvements of Nigeria’s democratic norms and fostering of good governance are explained here.
One of the significant developments in the Fourth Republic was the freedom of the press and an independent media. The Fourth Republic has seen the increase of newspapers, radio and television stations across the country. All 36 states run their own radio stations, and there are over 100 private and state-owned local and national newspapers. These democratic institutions continue to be the main source of information for the citizens of Nigeria on government affairs. Thus, the media not only opens the government’s activities to public scrutiny, but also report the opinions and complains of the citizens on matters affecting them. For instance, the media coverage of the May 2006 legislative debate over the constitutional amendments, for public viewing, especially by Africa Independent Television, played a crucial part in defeating the third term plans of president Obasanjo.

There were improvements in liberal economic reforms that created a corporate sector that could compete globally with other fast-growing economies. Joseph and Kew, noted that former President Obasanjo, during his regime, oversaw the package of economic reforms that put Nigeria back in the good graces of the IMF and international financial community. They indicated that Nigeria’s external debt of nearly $36 billion, was erased in an impressive 2005 package of debt relief and buyback financed by the post-2003 boom in oil prices. Economic reform policies such as the deregulation and privatization policy of the government was also praised for promoting economic progress and paving the way for the transformation of the economy.
As part of the aim of sustaining democratic practices, the Independent National Electoral Commission (INEC) was established in 1998 as a body charged with the responsibility of conducting elections. INEC has successfully ensured the persistent conduct of elections. Since the transitional elections in 1999, the Fourth Republic has witnessed the successive conduct of elections (in the years 2003, 2007, and 2011). However, there have been question marks over the electoral process with many regarding the elections as badly conducted and leaving Nigerians doubting the value and validity of electoral democracy in the country.

Another major development in the Fourth Republic was the establishment of the Economic Financial Crimes Commission (EFCC) in 2003 during Obasanjo’s term in office. It was set up to achieve the government’s anti-corruption agenda. The EFCC also serves as a check to government’s abuse of public funds. This development ensures that political leaders are accountable to citizens, and effectively make use of public funds for public good.

Professionalization of the military was also a major development in the Fourth Republic. In a bid to professionalize the military, the return to democratic rule in 1999, saw the retirement of senior military officers that were suspected of being political. As part of its professionalization efforts, members of the military were educated on the need to respect civil authority, and there was the provision of military equipment and improved training. For example, as at 2012, “the US support for the Nigerian military reform was estimated at about $10Million and covers areas of military education and training, institutional reform and improving the capacity of civil authority, especially the Ministry of Defense to control the military institution.” The threat of military coups that was persistent prior 1999, has been dissuaded in the Fourth Republic. For example, there was a statement issued by the military pledging its loyalty to civil authority amidst persistent calls for it to intervene when late president Umar Musa Yar Adua was absent in
Also, in a bid to professionalize the military, Section 217(2) Part III of the Constitution of the Federal Republic of Nigeria (1999) states the responsibility of the military as,

- defending Nigeria from external aggression;
- maintaining its territorial integrity and securing its borders from violation on land, sea, or air;
- suppressing insurrection and acting in aid of civil authorities to restore order when called upon to do so by the President, but subject to such conditions as may be prescribed by an Act of the National Assembly;
- and perform such other functions as may be prescribed by an Act of the National Assembly.\(^{31}\)

The Fourth Republic so far has made encouraging strides to improve its democratic practices and foster good governance. Yet, the administration of the Fourth Republic is faced with numerous challenges that have hindered the democracy and good governance in the country. The next section will discuss these challenges.

### 3.3 The Challenges of Democracy and Good Governance in Nigeria.

Nigeria’s Fourth Republic since its inception, has seen major improvements in the practice of democracy and fostering of good governance. There have been laudable policies and programmes introduced in a bid to ensure a democratic government that Nigerians can be proud of. However, Nigeria has struggled to enhance its citizens’ welfare which have hindered the practice of democracy and good governance in Nigeria. According to Greve, “welfare is the highest possible access to economic resources, a high level of wellbeing, including happiness of the citizens, a guaranteed minimum income to avoid living in poverty, and finally having the capabilities to ensure the individual a good life”\(^{32}\)

Gilbert and Allen argue that, “success in the practice of democracy lies strongly in the understanding that democracy, understood as good governance carries with it the capacity for improving society and welfare of its citizens”\(^{33}\) Similarly, Diamond asserts that “democracy will
not be valued by the people unless it deals effectively with social and economic problems…”\textsuperscript{34}

Diamond also argue that “it is by now a truism that the better the performance of a democratic regime in producing and broadly distributing improvements in living standards, the more likely it is to endure”\textsuperscript{35}. Therefore, the welfare of the citizens in Nigeria as in any other democratic country is important. This section will therefore discuss the challenges of democracy and good governance in Nigeria.

### 3.3.1 Electoral Malpractices

Election is the medium in which people elect their representatives to serve as their leaders. Elections serve as an opportunity for the people to democratically elect leaders of their own choice. Elections constitute a vital and essential instrument in a democratic state. Elections are conducted periodically. Elections are meant to be free, fair, competitive and legitimate. Elections ensures political participation of the citizens which is necessary for the effective practice of democracy.

Since the return to constitutional democracy in 1999, Nigeria has experienced successive elections in 1999, 2003, 2007 and in 2011, which indicates the consistence of democratic rule in Nigeria. In Nigeria, the electoral commission charged with the responsibility of conducting elections is the Independent National Electoral Commission (INEC). INEC was set up in accordance with the provision of section 153(f) of the 1999 constitution of the Federal Republic of Nigeria, and entrusted with the sole power of conducting all elections to public offices in the country. The functions of the Commission as stipulated in Part I of the Third Schedule to the 1999 Constitution are as listed below:
- Organize, undertake and supervise all elections to the offices of the President and Vice-president, the Governor and Deputy Governor of a state, and to the membership of the Senate, the House of Representatives and the House of Assembly of each State of the Federation.
- Register political parties in accordance with the provisions of this Constitution and an act of the National Assembly.
- Monitor the organization and operation of the political parties, including their finances.
- Arrange for the annual examination and auditing of the funds and accounts of political parties, and publish a report on such examination and audit for public information.
- Arrange and conduct the registration of persons qualified to vote as well as prepare, maintain and revise the register of voters for the purpose of any election under this Constitution.
- Monitors political campaigns and provide rules and regulations, which shall govern the political parties.
- Ensure that all Electoral Commissioners, Electoral and Returning officers take and subscribe to the oath of office prescribed by law.
- Delegate any of its powers to any Resident Electoral Commissioners.
- Carry out such other functions as may be conferred upon it by an Act of the National Assembly.\(^{36}\)

However, INEC has been challenged by the inability to ensure credible elections in Nigeria. Elections under the current democratic administration have been fraught with electoral irregularities that have questioned the quality of elections and which is in contrast with the above listed duties of INEC. For instance the transitional elections in 1999, were widely adjudged to
have been fraught with electoral irregularities by international election observers of the elections. As reported by National Democratic Institute (NDI), the 1999 transitional elections was tainted with electoral irregularities such as inadequate electoral materials, not well trained officials, delays in the opening of registration centers and attempts to influence the electoral process by agents of political parties.\textsuperscript{37}

Likewise, in the 2003 and 2007 national elections, reports by the international election observers indicated characteristics of electoral irregularities. For example, the International Republican Institute Election Observation, reported that the national elections of 2003 had “a flawed voter’s registration process, related failures to meet statutorily mandated deadlines, and controversies pertaining to the certification of candidates and design of the voting ballot, undermined confidence in the electoral process before the elections”.\textsuperscript{38} Similarly, international observers such as the Stakeholder Democracy Elections Observers, after monitoring the 2007 national elections reported that “cases of delayed distribution of election materials and accreditation of officials, incomplete election materials, implausible results, and lack of access to collation centers”.\textsuperscript{39} The 2011 national elections were at least adjudged to have improved from past elections of the Fourth Republic, even though it marked a high level of post-election violence.

These electoral irregularities undermine the notion of democracy and raises doubts over the legitimacy of political leaders’ acquisition of power. This in turn hinders democracy and good governance in Nigeria.
3.3.2 Rule of Law and Human Rights

A significant element of democracy and good governance is the rule of law. The rule of law guarantees that no individual is above the law. The rule of law guarantees the protection of fundamental human rights and citizens freedom. The respect for the rule of law is important for the effective practice of democracy and good governance. The “enforcement of the rule of law is a function of an autonomous judiciary and police apparatus with adequate resources”\textsuperscript{40}. Since Nigeria’s return to constitutional rule in 1999, there has been an increasing autonomy of the judiciary. In particular, the Supreme Court and the Federal Courts of Appeal are clearly becoming independent and “emerging as islands of integrity.”\textsuperscript{41} There is also the National Justice Institute which also works towards improving the competence of the judiciary in Nigeria. This is contrary to the time of the military regime when the judiciary was systematically marginalized, and its authority and independence were undermined.

However, the rule of law is faced with a number of challenges in Nigeria. One of such is the low funding of the judiciary at the lower levels of government (state and local courts). The state and local courts are not properly funded and this has posed serious challenges to court administrations at these levels. For instance, a 2006 report by United States Agency for International Development (USAID) indicated that the Nigerian judiciary at the lower level lack proper record keeping of cases as there is no computerized system of record keeping.\textsuperscript{42} This challenge has resulted to cases been piled up, unattended to, and awaiting a fair trial.

There is also the challenge of impunity among the security services (the police, Army and State Security Services) who are to ensure that the rule of law is upheld. For instance a Human Rights
Watch investigation in 2010 reported cases of unlawful acts and abuse of office by the Nigerian Police Force, such as widespread bribery, arbitrary arrests and unlawful detention, torture and extra judicial killings. These challenges undermine the rule of law in Nigeria. The strengthening of democracy and good governance in a state, requires the commitment and dedication to the respect of the rule of law and its due process.

### 3.3.3 Oligarchic Control of Democratic Institutions

As earlier discussed, democratic institutions are important for the sustenance of democracy and the promotion of good governance in a state. These democratic institutions are institutions of governance charged with the primary responsibility of creating an enabling environment (providing security and improving citizens’ welfare) for the greater good of the citizens. Democratic institutions are required to be responsive and accountable to the citizens. In Nigeria, some of the democratic institutions are the INEC, the National Assembly, the Executive, the Judiciary, and the Police Force. Nigeria, in the Fourth Republic, has made significant improvements in enhancing democracy and good governance. For instance, the National Assembly has become more assertive in its role as provided in the constitution. Section 4(2) Part II of the 1999 Nigerian Constitution states that “the National Assembly shall have the power to make laws for the peace, order and good government of the federation…” This contrary to the era of the military regime were the Executive was solely responsible for policy making and policy implementation while the legislature was marginalized.

The National Assembly showed its commitment to sustain democracy and good governance in Nigeria. For instance, in 2006, the National Assembly alongside the civil society was instrumental in defeating the agenda of former president of Nigeria Olusegun Obasanjo’s attempt
to alter the two year constitutionally imposed presidential term limits. The growing autonomy of the Nigerian Judiciary in order to ensure it impartiality and non-biased adjudication of the law, is also a show of commitment of Nigeria’s democratic institutions to democracy and good governance in Nigeria.

Democratic institutions in Nigeria, however, is faced with the challenge of an oligarchic control of political power which is susceptible to manipulation by political elites. The oligarchic rule in Nigeria is as a result of Nigeria’s economic dependence on the redistribution of petroleum and gas revenue, and the centralization of power at the presidency (the executive). This paves the way for political elites to manipulate the control of political power by constituting “an informal system of power based on clientelism that contradicts the formal structures of power (which are the democratic political systems and its laws).” Thus, this promotes the abuse of power and the lack of meaningful representation, which will result to mismanagement of public funds and corruption (major problems that brought about the collapse of past democratic administrations in Nigeria) at the detriment of public good.

### 3.3.4 Consensus

The effective practice of democracy and the fostering of good governance in a state is largely dependent on the need to create a social pact between the rulers and the ruled on the informal and formal exercise of power. This allows for an inclusive democratic process. The development of a consensus between the rulers and the ruled on “major issues of national importance as well as expression of disagreement on such issues” enhances democratic governance in a state. In other
words, there must be a consensus between the state and its citizens on how best democracy and good governance can ensure the greatest benefits for all.

In Nigeria, both the state and the citizens have shown their commitment towards the consolidation of democracy in the country. This is evident in Nigeria’s fifteen year uninterrupted democratic rule. However, ethnic grievances that are susceptible to manipulations by political elites and the task of improving the welfare of the Nigerian citizens, are two major problems of consensus in Nigeria.

The struggle for consensus between Nigeria’s ethnic groups and geo-political regions is an obstacle to democratic governance in Nigeria. Since Nigeria gained her independence in 1960, political elites have mobilized ethnicity to rally for support for their ascension to power.\(^{48}\) This has resulted in politicization of ethnicity and a growing rivalry between ethnic factions and geo-political regions in Nigeria.\(^{49}\) The manipulation of ethnic factions by political leaders under the auspices of rallying for political support can elude a consensus that will truly represent the interests of all the citizens, as politicians will see democracy “more as a means to an end, rather than an end itself”.\(^{50}\)

If democracy pledges an accountable, responsive, and an inclusive government for the citizens, it is only reasonable that such commitment will transform into a government that will cater for the needs of the citizens. It is important that Nigeria’s return to democracy improves the welfare of Nigerians. This is on the backdrop of unfavorable political and economic conditions that affected Nigerians during the military regime and was one of the main reason Nigerians agitated for
democracy. Democracy and good governance in Nigeria has seen more room for political freedom and popular participation for the citizens. However, democracy and good governance in Nigeria has struggled to improve its citizens social welfare and equal access to resources. Nigeria’s economic performance has struggled to improve the people’s standard of living as high levels of poverty and unemployment is prevalent. This has led to a general dissatisfaction and distrust by the citizens as regards democracy and good governance in Nigeria. This is a challenge to democracy and good governance in Nigeria.

Democracy and good governance must endeavor to ensure a fair allocation of resources, equitable distribution of income, and engender effective public service to the citizens. This will repay public’s faith in advocating for democracy as their chosen system of government, and also strengthen public confidence in the ability of the state to promote their interest.

3.4 Conclusion

Prior to Nigeria’s Fourth Republic, Nigeria had encountered two democratic administrations in its First and Second Republics in 1960-1966 and 1979-1983 respectively. Both administrations ended as a result of military coups. The ‘would have been’ third democratic administration was stopped by the military before it could even begin. Thereafter, the military ruled for fifteen straight years until 1999. Nigeria’s return to democratic rule in 1999 saw major improvements aimed at sustaining democratic practices and engendering good governance. Such improvements are seen in the enhancement of the democratic institutions in Nigeria. However, Nigeria’s Fourth Republic faces various democracy and good governance challenges that has reflected on the
citizen’s welfare. Such as challenges with electoral malpractices, the rule of law, oligarchic control of democratic institutions, and consensus.
Endnotes


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CHAPTER FOUR

SUMMARY OF FINDINGS, CONCLUSION, AND RECOMMENDATIONS.

4.1 Summary of Findings

Nigeria’s return to democratic rule on May 29, 1999, raised hopes of better governance of the country after the experience of years of military rule. The expectations of the government in the Fourth Republic was that it would be more responsive to the needs of the people and allow for citizens participation in the decision making process of the country. Prior to the Fourth Republic, Nigeria had brief periods of democratic administrations in the First and Second Republic, and a failed attempt at a third democratic administration. The First and Second democratic administrations in Nigeria were marred with prevalent corruption, mismanagement of public funds, abuse of office by political leaders, ethnic rivalry, and electoral irregularities.

Nigeria’s return to democracy in the Fourth Republic saw some major improvements in ensuring the effective practice of democracy and good governance. For instance, there is the freedom of the people to participate in the decision making process of their government. Also, the Fourth Republic has experienced successive conduct of elections which accounts for an uninterrupted democratic rule. This was not in existence in the military regime, and even in the democratic administrations practiced before 1999. There was no constancy of elections as the Fourth Republic has experienced. Civil Society Organizations have been given more room to operate. They air their views and expressions about the government, act as the defender of the public rights and at the same time are watchful of government’s incompetence.
Democratic institutions such as the National Assembly are more assertive in their role without being restricted as in the time of the military era. An example of their assertion of the constitutional role was denying President Olusegun Obasanjo a third term proposal as president of Nigeria. There is also the freedom of an independent media. Not controlled or owned by the government. The media informs the citizens on the happenings of the government and provides the platform for citizens to express their interests and opinions which are sent to the government for consideration.

However, Nigeria is still struggling with challenges of democracy and good governance in the Fourth Republic. There have been challenges with the rule of law such as, the lack of proper funding of the judiciary at the lower levels of government and impunity of security services in some cases of human rights abuses. Another challenge is the oligarchic control of political power in democratic institutions which is susceptible to manipulation. This promotes lack of fair competition and misrepresentation of the people. There is also the challenge of electoral malpractices which cast doubts over the credibility of elections in Nigeria. Nigeria also faces the challenge of consensus building. There should be a social pact between the rulers and the ruled on how best to ensure democracy and good governance. In Nigeria, the challenge of consensus has been disrupted by grievances between different ethnic groups and the struggle to improve the welfare of Nigerians which erodes their confidence in state’s ability to cater for them.
4.2 Conclusion

The study set out with the objectives of examining democracy in Nigeria’s Fourth Republic. To examine the democratic practices of Nigeria’s Fourth Republic and its capability to foster good governance, and to examine the challenges of Nigeria’s democratic governance and its effect on the citizens. The overview of democracy and good governance in Africa discussed broadly the concepts of democracy and good governance, the democratization process in Africa (the third wave of democratization in Africa), the emergence and practice of good governance in Africa. The challenges of democracy and good governance in African countries were also discussed.

The study observed that the concept of democracy allows people to decide who governs them. Democracy also protects individual rights and freedom of expression. To ensure the effective practice of democratic norms in democratic states, institutions of democracy are created with the functions of these various institutions enshrined in the constitutions of the state. Some of the various institutions are an Independent Media, Civil Society, Political Parties, the Legislature, Executive and Judiciary, Electoral Commission, and Ombudsman amongst others.

The study noted that many African countries started to make the transition from an authoritarian regime to democratic rule in the late 1980s and the early 1990s. This transition was due to the popular struggles by the people in African states for freedom from authoritarian rule, coupled with the end of the cold war.
The study also looked into the concept of good governance. It noted that practice of good governance is to ensure the effective and efficient management of resources for the enhancement of development in the society. The study observed that good governance in Africa stemmed from the World Bank’s bid to ensure that its economic reforms in Africa produce positive results. There are key elements that determine the practice of good governance. As aptly captured by the UNDP, good governance components are, participation, rule of law, transparency, responsiveness, equity, effectiveness and efficiency, accountability, and strategic vision. The study discussed some of the challenges of democracy and good governance in Africa such as armed conflicts, constrained civil society, election fraud, threat of the military amongst many others, welfare of citizens. Lack of transparency and accountability of public office and abuse of human rights and law enforcement agencies amongst others.

Nigeria returned to democratic rule in 1999, after brief periods of democratic administrations in the First and Second Republic, and the botched Third Republic. There were several significant developments in the Fourth Republic in a bid to improve on democratic practices of the past administration, to foster good governance and to ensure that citizens’ expectations of a better government for the greater good of the state is achieved. Some of the significant developments are: advancements on liberal economic reforms; setting up anti-corrupt agencies; creating more space for civil liberties and freedom of the press; and its enhancement of democratic institutions such as the electoral commission, civil societies, independent media, the military and the arms of government.
However, the practice of democracy and good governance has not translated to substantial public benefits as expected by the citizens. The welfare of the citizens have not improved significantly and this is stirring up discontent and distrust in the Nigerian democratic state. Various challenges have attributed for the government’s struggle to promote the welfare of the citizens. There have been challenges with the rule of law, oligarchic control of political power in democratic institutions which is susceptible to manipulation, electoral malpractices and the challenge of consensus between the state and the citizens.

This study confirms the Hypothesis that democratic governance in Nigeria’s Fourth Republic has failed to sustain citizens’ welfare in Nigeria.

4.3 Recommendations

Based on the findings of this research, the following recommendations are made for policy consideration.

Firstly, the government should give utmost priority in ensuring the effective and efficient distribution of resources and public services to the people. Government should create policies that tackle socio-economic ills like poverty and unemployment, and make sure the implementation of these policies should be effective, efficient and reflective in the lives of the citizens. The effectiveness and efficiency of the policies can be guaranteed by government’s constant check on acts of corrupt tendencies by bodies employed to implement the policies.

Secondly, democratic institutions of the state should be strengthened to ensure a fair balance of power within the state. Democratic institutions such as the electoral commission and the civil
society should be truly autonomous and independent (especially financially independent) in their operations to avoid being influenced and in order to allow citizens participation in government affairs to be reflective in political decision making. This increases the avenue for people to participate in the decision and policy making process. This also bolsters checks on the abuse of power by political elites and ensures that government activities are open to public scrutiny.

Thirdly, the judiciary at the lower levels such as the state and the local levels of government, should be well funded by the federal government so as to increase the quality of courts at the lower levels of government. This ensures good court administration and professionalism at these levels. In addition, government must ensure that human rights offenders devoid of whether such persons are state officials or not, should be punished. This can be done by state’s review of cases of human rights crimes in order to check whether such crimes violate the legality of human rights.
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