

AN ASSESSMENT OF DEMOCRATIC GOVERNANCE IN THE NIGERIAN FOURTH REPUBLIC

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ABSTRACT

This paper assesses democratic governance in the Nigerian fourth republic. The paper identifies the challenges confronting democratic governance in Nigeria to be electoral malpractices, inter and intra ethnic clashes, poverty, weak and inadequate democratic institutions and institutionalized corruption. A qualitative research method of gathering data through secondary source was adopted. The paper concludes that democracy is still the best form of government for Nigeria because of its prospect of good governance. But for there to be significant improvement in the democratic processes, amongst others, Nigerian political leaders should change their dispositions in the handling of state affairs. Finally, the paper makes some recommendations such as strengthening of democratic institutions, deepening of democratic principles, controlling of corruption and tackling of security issues. It's believed that this would assist in promoting democratic practice and culture in the country.

Keywords: *Democracy, Governance, Democratic governance, Rule of law.*

1. INTRODUCTION

Democracy is a global maiden which every nation woos. The democratic craze is sweeping across the whole world, from the nation states in the former Soviet Union and Eastern Europe to Africa and Asia. It shows that democracy has gathered momentum across the globe as a result of its immense advantages and by implication, because of the negative consequences of bad governance (Bello-Imam 2004:1). Consequently, democratic movement all over the world is among other things, an insistence on expression of the will of the people. According to Oke (2010) democracy involves the opportunity to participate in decision making in the political process. It repudiates arbitrariness and authoritarianism. It extols the consent of the governed and it protects human personality and values (Ake, 1991).

Democracy, whether liberal, African or modern, includes equal opportunity for all, fundamental recognition of popular sovereignty, representativeness, majority rule, minority rights, popular consultation, right of choice between alternative programmes, consensus on fundamental issues, as well as periodic elections (Oke, 2005). Nigeria, the most populous country in Africa has no choice than to align itself with the rest of the world on the democratic crave. The country was before 1999 under firm military autocracy for close to 29 years since 1966 when the military made their first incursion into Nigeria's government and politics, following the collapse of the first republic, it was noted further that authoritarian governments were interrupted only by a brief period of civilian rule in the second republic (1979-1983). Therefore, Nigeria's march to constitutional democracy was a chequered one, marked by anti-colonial struggles, crisis, coups, counter-coups and thirty month agonizing civil war between 1967 and 1970 (Ojo, 2006:1).

After much struggles, the Nigerian state assumed a new governance status in 1999 following the demise of authoritarian regime that started again in the country in 1983. Military dictatorship was replaced by representative democracy with the hopes and aspirations of good governance, development and political participation much higher than what the seemingly collapsible democratic institutions could fulfill and this period marked the beginning of the fourth republic in Nigeria's attempt at democratic consolidation since political independence in 1960. A decade and five years after, three different civilian regimes have emerged and there have been three successive transitions from one civilian regime to another (Arowolo and Aluko, 2012).

However, despite these seeming successes in democratic consolidation, governance in Nigeria, especially since the beginning of the fourth republic (1999) has been confronted in the main, by myriads of challenges amongst which are lack of large scale free, fair and credible election; lack of freedom of speech and publication; refusal to accept defeat in elections by political gladiators; inter and intra ethnic rivalries, religious crisis and insecurity, inadequate and weak democratic institutions, poverty, institutionalized corruption and attitude of political office holders to corner the wealth of the nation; in-observance of rule of law; and long military rule among others. (Adekola, 2010: 1, Barret, 2004: 5).

Contrary to popular participation, democracy in the Nigerian context means the ability of few people to effectively take control of powers and authorities of governance with or without the choice of those they represent. In order for democracy to be meaningful, it must be characterized or underlined by the principles of openness, representation, accountability, transparency and the defense, protection and preservation of individual and group rights (Vanhanem, 1990). African people, Nigerians inclusive, through democratic struggles and decades of sacrifices have rejected authoritarianism. To this extent, democracy is viewed as the only framework through which development can be facilitated in Africa. Ironically, Ojo (2005) observed that, the democracy in the African context serves the interest of only the ruling class.

This paper therefore seeks to assess democratic governance in the Nigeria fourth republic. It attempts to find out the issues and phenomena that characterize the processes and which bedevil free, fair and credible elections in Nigeria since the re-introduction of democracy in 1999. Against this background, the paper further attempts to make recommendations towards the promotion of ideal democratic culture, idiosyncrasies and behavioural patterns. But before we proceed, we will like to define the concept of democracy and democratic governance.

2. THE CONCEPT OF DEMOCRACY

The word Democracy is coined from two Greek words: Demos (the people) and Kratos (rule) which simply means people's rule. In its Greek perception, it means rights of the citizens of the Greek city states to participate directly in an act of governance. Ardo (2000) added that, there is no universally acceptable definition of the word democracy. In the same vein, Chambers Encyclopedia (1970) cited in Jamo (2013) says that, there are different conceptions of democracy and no agreement as to its true nature. Dahl (1956) in the same vein maintains that, there is nothing like democracy but there are democracies. Nwokeji (2003) went further to conclude that not just is there no universal definition of democracy, but none may emerge. However, Jega (2002) observes that, if there is any consensus about what democracy means, it is perhaps in relation to the understanding that it is not personal rule, and that it is different from authoritarian/dictatorial rule. It can also be said that democracy is based on some forms of perception and or representation.

Nevertheless, Democracy to Appadorai (1975) is a system of government under which the people exercise the governing power either directly or through representatives, periodically elected by them. According to Ununu (2005), democracy is essentially a method of organising the society politically. He suggested five basic elements without which no community can call itself truly democratic. These elements are equality, sovereignty of the people, respect for human life, the rule of law and liberty of the individual. To Giddens (1996), democracy is a political system that allows the citizens to participate in political decision making, or to elect representatives to government bodies. What then is democracy as a concept? According to Ntalaja (2005) democracy is a universal form of rule with specific manifestations in time and space. Powell (1992) as cited in Jamo (2013) opined that, democratic governments have the following characteristics.

The legitimacy of the government rests on a claim to represent the desires of its citizens; That is the claim of government assertion to be doing what the people want it to do; The organization arrangement that regulates this bargain of legitimacy is the competitive political election; Leaders are elected at regular intervals, and voters can choose among alternative candidates in practice, at least two political parties that have a chance of winning are needed to make such choices meaningful; Most adults can participate in the electoral process, both as voters and candidate for important political offices; Citizens and leaders enjoy basic freedom of speech, press, assembly and organization; Both established parties and new ones can work to gain members and whenever democracy exists, political disagreements subsist.

From the above, it is clear that, in a democratic state, government must be legitimate, there must be a regular free and fair election, existence of more than one political party and the fundamental human rights of the citizens must be respected. Edigheji (2005) added that, separation of power, political tolerance, accountability, transparency, rule of law and equality are essential features for democratic government. Samuel (1991) as cited in Edigheji (2005) conceptualized democracy as a form of political system in which the decision makers are selected through fair, honest, periodic elections in which candidates freely compete for votes and in which virtually all adult population is eligible to vote. Democracy therefore involves popular participation in the process of governance, equality among citizens, sovereignty of the people, promotion and protection of

human rights and essential freedoms, limited government, supremacy of the rule of law, and separation of powers between the three arms of government (Mallam, 2009).

2.2 Defining Democratic Governance

Democratic governance is the science of organising government at all levels and the process of coordinating direct mass and popular people's participation in affairs that relate to the totality of their wellbeing. Hence, the democratic way of governance, of course, involves competitions for various government positions, people's participation in choosing political leaders as well as the guaranteeing of human rights. Social and economic wellbeing of the people also constitutes part of the crucial issues of democratic governance as much as the participation of the people. Also, the nexus between human rights and democratic governance as well as the ability to provide and sustain socio-economic wellbeing of the people, support the growth and development of democratic institutions (Abbass, 2007).

Ahmed (2002), in a lecture presented at the Third Democracy Day, in Abuja said inter alia, "democratic governance refers to a political, socio-economic framework in which every individual and every community becomes an equal member of society, and is provided with a space of engagement in shaping the destiny of society..."This implies that democracy is a dynamic process that is expected to bring about the growth and evolution of a society. Democracy therefore, if fairly practiced should bring about a reduction in poverty, socio-economic empowerment and other quantitative and qualitative indices of development of man and the society he lives in. A democracy that is meaningful to people is that which positively affects at least their social and economic wellbeing. Thus, these economic and social impacts suggest the primacy of the political objectives of the whole democratization process. However, to ensure broad participation of the people and attach legitimacy, democratic principles and procedures as well as protection of human rights are essential ingredients for genuine and transparent democratic governance.

... the political empowerment of the poor people, of women in general, of minorities, are all more important than further strengthening of elite dominated democratic institutions. Empowerment of poor is a precondition for their actual participation in political decision-making and for giving

them real opportunities for influencing their own future (Martinussen, 1996:305).

Further elaborations regarding democratic governance centered on economic and social preconditions that are indeed extended to the threshold of poverty and hunger which invariably inhibit people's effective participation towards exercising their democratic rights. It is argued that the existence of healthy and endowed people ensures the existence of healthy, genuine and sustainable democracy.

3. ASSESSING DEMOCRATIC GOVERNANCE IN NIGERIA SINCE 1999

Despite the fact that democracy is stabilising in Nigeria, it is yet to be reflected in all manner of development indicators-strict application of the rule of law, allowing the electorates to elect their leaders (and not democracy by arrangement), fundamental freedoms and its full enjoyment (and not its mere expression in our constitutions), reduction of unemployment and rapid industrialization. It is because development is not progressing alongside democracy in Nigeria that induced Ake (2001) to state that the gross domestic product of the whole of Africa is less than that of one of the smallest countries of Europe, which is Belgium. Democratization does not solely depend on the creation of the basic institutions of democracy but to a large extent on the creation of the right environment for the institutions to function. Igwe (2010) reiterates that democracy and development co-habit and inactivity of the former destroys the later.

Also, opinions converged that, democracy as it is currently practiced in Nigeria has produced unpalatable results. This is associated with the nature of the Nigerian state and the character of its elites. This has often times made some scholars (Toyo, 1994; Nwigwe, 2003) to see Nigeria as a non-democratic state. According to Toyo (1994), looking critically at Nigeria's situation since independence, the country had never experienced democracy. He argues that, instead of the return to civil rule, we Nigerians find ourselves discussing on how a return to democracy would be possible thus falling into presumption that a democracy had existed in Nigeria. The press, for instance, is incessantly drumming into our ears that "we are a democratic country" and bellowing that "in a democratic country like Nigeria", this or that should not happen. It thus, seems completely unaware of the cardinal fact that neither during colonial rule nor since independence

has Nigeria been a democratic country. In the far years of the Balewa's and Shagari's civilian interludes, Nigeria strove to be a democracy but was never and this argument is still forceful today.

In a similar vein, Nwigwe (2003) contends that it would constitute a very difficult problem for political theorists to determine the classification of Nigeria's type of governments. It is not a monarchy, even though there are so many monarchs in the policy making positions. It is definitely not an aristocracy, because by its very definition, aristocracy means government by the best. It is of course not democracy because at least in its modern understanding, democracy is government of the people by the people and for the people. What then is it? If we go by St Augustine's definition, the kind of government that Nigeria could have been qualified as is "Mafia Government". The word "mafia" within the paper's context means government infested with power drunk, self-seeking, ideology-barren, orientation less operatives; usually selected by their kind and of course scarcely ever elected by the people. Even in the guise of multi-party election, those to rule are clearly predetermined and chosen even before elections takes place.

This assertion is still plausible today. The reason for Toyo and Nwigwe's conclusion is not far-fetched. In terms of outcome, since 1999, Nigerians have not significantly reaped the dividends of democracy. Secondly, Nigeria's democracy has been violent ridden, characterised with wanton destruction of lives and properties (Ogundiya and Baba, 2005 cited in Ogundiya 2010). More importantly, the peoples' vote seems not to count in determining who governs as elections are rigged or its outcome determined before the poll. Therefore, procedurally, democracy in Nigeria is lamed and in terms of its conceptual outcome has failed to meet the expectations of the people. Furthermore, Nigeria's democracy (if it could be so described) has tended to promote inequality rather than equality. Toyo's (2002) comment is also instructive; there can be no genuine democracy in a country where citizens are grossly unequal in wealth and the poor who are invariably the majority, are dependent on the wealthy. Due to the fact that wealth is power, where such a cleavage and dependency exist, political power is inevitably in the hands of the wealthy. In this scenario, democracy ceases to be democracy in reality; in effect it is a plutocracy.

In essence, a responsible and accountable leadership that would characterize good governance in Nigeria is obviously absent. Almost all Nigerian political elites have an insatiable capacity to steal from the commonwealth and leave the people more impoverished. Unrestrained by any real accountability to the electorate, many of those elected officials who came to power through fraudulent elections since 1999 have committed abuses against their constituents and engaged in the large-scale looting of public resources (Human Rights Watch, 2007). Therefore, there is a very wide hiatus between the rich and the poor. In agreement with the words of Ogundiya (2010), what we have in Nigeria today is democracy without social, economic and political development.

The legislative arm of government that would have provided adequate checks on abuses of power by the executive and recklessness of the opportunistic politicians is also inefficient and ineffective. Effective legislature contributes to good democratic governance. This is done by the performance of legislative oversight over the finances of government, which serves as a catalyst for the sustainability of a democratic governance. It is also important to note that the responsibilities of the legislature in a democratic society have gone beyond mere rule making and representation. They are now involved in administrative and financial matters. Legislatures are now saddled with the role of keeping close watch and control over the executive arm of government and the control of public expenditures and taxation. In summary, a legislative house must not only be capable of making laws for the safety and general wellbeing of the people, but must also be able to manage funds in order to provide good life for the entire citizenry

To perform its oversight function effectively, every legislature needs power to shape the budget and means of overseeing or checking the executive power beyond the ultimate power of impeachment. A legislature that is capable of oversight function is more likely to manage the available funds to achieve the objectives of the state with minimal or no wastages, and this engenders transparency, openness, accountability which represent the tripod of good governance. The failure of the legislature to perform this important function in Nigeria has denied the people the gains of democratic governance (Ogundiya 2010). Rather than enhance good governance through equity in the distribution of resources, legislature in Nigeria has been preoccupied with how to amass wealth to the detriment of the people. The case of the 2009 budgetary allocation is

a typical example. A breakdown of the 2009 National Budget shows that members of the National Assembly and the personnel of a part of the Presidency will be paid 47.8 billion naira as emoluments during the year. The 360 members of the House of Representatives were to receive 26.67 billion naira while the 109 Senators were to get 16.3 billion naira. When provisions for legislative aides, the National Assembly Service Commission and the National Assembly Office are factored in, the total allocation to the federal legislature stands at 61.6 billion naira. In its analysis, the editorial comment in the Nigerian Tribune of December 11, 2008 notes that “an infinitesimal percentage of the citizenry will be pocketing 2.9% of the total provision made for the recurrent expenditure of Federal Government”. Hence, the national assemblies have failed to provide selfless, purposeful and democratic legislative leadership in Nigeria (Ogundiya, 2010).

In the aspect of policy and law making, they look up to the executive for policy recommendations and in all; they have not been able to stand as a check on the executive. This is so because Nigerian legislators are not qualitatively elected through competitive, fair and free elections. The situation in Nigeria lends credence to Ogban’s (1996) proposition that; When a few people control the governance of a polity and have the preponderance of force to continue to maintain such control, a national assembly that emerges from the dictation of such a group is likely to be more corrupt and subversive of democracy and democratization than the one that emerges from the dictates of the popular forces. Also, it is incontrovertible that the States and the National Houses of Assembly in Nigeria are products of corrupt and undemocratic procedures and processes. For instance, in the Ekiti State House of Assembly, 7 PDP lawmakers out of 26 lawmakers were reported to have sat and impeached the Speaker and his deputy (Sotubo, 2014). This is an undemocratic act and it will never lead to a democratic dispensation. Hence, it is not surprising that its activities subverts rather than promotes democracy and good governance. This is actually the dilemma of democracy in Nigeria.

Furthermore, the judicial arm, an indispensable complement to democratic governance is also lame. In the Nigerian context, it is no exaggeration that the notion of the judiciary as *primus inter pares* is one that is yet to be fully imbibed by the political elite, irrespective of the recent popular judgement over some contested gubernatorial seats in Edo, Imo and Rivers states and the restoration of the mandate of some candidates such as Olusegun Mimiko in Ondo State, Adams

Oshiomole in Edo State and Rauf Aregbesola in Osun State, the judiciary in Nigeria is to a large extent subject to the whims and caprices of the executive arm. This is so because the judiciary is not only financially dependent on the executive but has also been excessively politicized. The upshot of this state of affairs has been the corruption of the judiciary. While judiciary corruption relates to unprofessional or infamous conduct by judicial officers, it is also taken to mean attempts by extraneous bodies to undermine the judiciary either through inducement, cajoling, intimidation, or some other means (Oyebode, 1996). Undoubtedly, a financially dependent judiciary cannot enjoy full autonomy neither can it dispense justice without fear or favour.

Consequently, while the Nigerian masses might historically perceived the judiciary as ‘the last hope of the common man’, the political elite have sought to humiliate, exploit or marginalize the judiciary, almost totally oblivious of the class suicide potential of such attitudes. The situation is compounded by the country’s economic wretchedness which makes an individual susceptible to corruption. In a society bedevilled by social insecurity, political instability and economic woes, it “requires near superhuman guts to be upright and stand firm on the side of judicial integrity, independence, due process of the law and kindred virtues of democratic polity” (Oyebode,1996). Thus, the rule of law becomes the rule of the jungle and good governance is jeopardized. Aristotle as cited in Udo (2003) maintains that, “In all well attempted governments there is nothing which should be more jealously maintained than the spirit of obedience to law”. All over the world the rule of law is inseparable from good and democratic governance, it invariably points to a government established by the will of the people; one in which there are laid down procedures for an orderly change of government and legal procedures for the settling of conflicts etc. Therefore, a free and independent judiciary is a sine qua non for good governance. This is currently, a mirage in Nigeria. For instance, the former President Olusegun Obasanjo can be said to be above the law when he was the president, as he refused to release the revenue allocation meant for the local government councils in Lagos State, despite the fact that the Supreme Court ruled that the act of withholding the allocation was unconstitutional. This case will be discussed in this paper under the section of democracy and the rule of law.

Another complement to democratic governance is a virile media and active civil society organisations. While the Nigerian press is considered to be one of the freest in the world, it is

also observable that it is more amenable to control and manipulation by the political moneybags (Ogundiya, 2010). Thus, mass media in Nigeria is to a large extent sycophantic. A submissive and steady media cannot provide the required supportive base for good and democratic governance. Another reason for the failure of the media as the fourth estate of the realm is the unwarranted protection of the public official by the constitution or the media limited access to information. A curtailed media is nothing but a dormant media which cannot actively protect the citizens when their rights are infringed upon. By implication, rule of law cannot be preserved by a controllable or ingratiating media. The proposed freedom of information bill (FIB) which would have guaranteed citizen's access to information and rescued the media from the problem of access to official information has been frustrated by the refusal of the executive to endorse the bill and also the lack of political will on the part of the legislature to enforce executive endorsement. This is done to subject the media to further manipulation of the political class.

The idea that civil society is sacrosanct to the survival of democratic governance is incontestable. In Nigeria, the civil society has been central to the democratic struggles, more especially the human right groups. Surprisingly, the civil society on the whole has become moribund or less aggressive (except few foreign human right groups) after the country re-democratized in 1999. This seriously portends ills for good and responsible democratic governance in the country. Consolidation of democracy via good governance rests primarily on a virile and agile civil society which is currently deficient in the country (Idada, et al. 2012).

4. RULE OF LAW AND DEMOCRATIC GOVERNANCE IN NIGERIA

Democracy and the rule of law are inseparable and interwoven. Without the rule of law, democracy has lost its spice. Anyaele (2005) stated that the rule of law is the absolute supremacy or predominance of law over everybody, both the rulers and ruled and all decisions taken in a country. The main principles of the rule of law are equality before the law, impartiality and the rights of the individual. The rights of the individual and individual freedom are paramount in any democratic society. Any society that does not guarantee individual freedom in her constitution and not mere expression of it is very far from democracy.

Section 1 of the 1999 constitution makes the constitution supreme and declares its provisions binding on all authorities and persons throughout the federal republic of Nigeria (FRN Constitution, 1999). Consequent with the above constitutional provision in Nigeria, rule of law means absolute supremacy or predominance of regular law. This in essence implies that law should be respected by the governing authorities in accordance with the provisions of the constitutions. As the policies and actions of government unfolds in the fourth republic, which ushered in democratic governance in the political history of Nigeria, it became increasingly clear that the government had little regard for the constitution and the rule of law. Government disdained the rule of law and shamelessly disobeyed or disrespected and disregarded court decisions. A typical case which is so popular is that of political conflict between the federal government and Lagos state, on new local government creation and the confiscation of Lagos State Local Government revenue allocation by the federal government in the fourth republic.

Lagos State took the federal government to court over the matter and On December 10, 2004, in a led judgment by the Chief Justice of Nigeria, Muhammadu Lawal Uwais, in presence of the Attorney-General of Lagos State and the Attorney-General of the Federation, ruled that:

(a) The president has no power vested in him (by executive or administrative action) to suspend or withhold for any period whatsoever the statutory allocation due and payable to Lagos State Government pursuant to the provision of section 162(5) of the 1999 Constitution but in respect of the 20 Local Government Areas for the time being provided by section 3(6) of the Constitution and not the new Local Government Areas created which are not yet operative.

(b) The "declaration that the intention or proposal of the Federal Government to suspend or withhold for any period whatsoever the statutory allocation due and payable to the Lagos State Government pursuant to the provisions of section 162(5) of the Federal Republic of Nigeria 1999 will if carried out be unlawful and contrary to the provisions of the said Constitution"

(C) "A consequential order of this honourable court compelling the defendant to pay immediately all outstanding statutory allocation due and payable to the Lagos State Government pursuant to the provisions of section 165(5) of the Constitution of the Federal Republic of

Nigeria, 1999," This is granted in so far as it relates to the 20 Local Government Councils for the time being recognised by section 3(6) and Part I of the First Schedule to the Constitution.

Despite the Supreme Court's judgement, the federal government under the leadership of Chief Olusegun Obasanjo refused to obey the judgement. This act alone shows that, the president is above the law and the law is not binding on him. This is against democratic principles (Akinsanya, 2005a; 2005b; Nwabueze, 2007; & Obianyo, 2005).

4.1 FACTORS MILITATING AGAINST DEMOCRATIC GOVERNANCE IN THE NIGERIAN FOURTH REPUBLIC

Among the multiplicity of factors militating against democratic governance in Nigeria since the inception of the fourth republic in 1999, the following would be considered more worrisome; electoral irregularities and malpractices, inter and intra ethnic rivalries, religious crises and insecurity, poverty, inadequate and weak democratic institution and institutionalized corruption.

4.1.1 Electoral Malpractice

One of the cardinal tenets of democratic governance is orderly change of government through credible, free, fair and periodic election. Since the inception of the fourth republic in Nigeria, change of government has been orderly and elections have been periodic. Between 1999 and 2011 three different civilian regimes have emerged and there have been three successive transitions from one civilian regime to another (Obasanjo regime, 1999-2007; Yar' Adua/Jonathan regime, 2007-2011, Jonathan regime, 2011-till date). The same has been replicated in the legislature. Since 1999, the country has successfully passed through three Legislative Houses both at the Federal and State Government level viz: 1999-2003; 2003-2007; 2007-2011. However, the credibility, freeness and fairness of the elections that brought about this process have been the subject of thorny debates in contemporary national discourse (Omodia, 2009:1, 2; Tinubu 2009).

Elections in the fourth republic have been characterized by monumental irregularities and malpractices which magnitude increases with every election. The institution of the State such as the police, the military and even the electoral body, Independent National Electoral Commission

collude to manipulate the electoral processes in favour of some certain candidates. According to Ogbonnaya et.al, (2012), the general elections of 2007 were rigged to favour the PDP candidates. Thus, situation where individuals have won election from prison custody as in the case of Senator Omisore of Osun State and Governor Ahamefuna Orji of Abia State, contrary to the provision of the Electoral Act have been witnessed. In some cases, INEC has conducted elections in States where the tenure of sitting Governors were still subsisting as in the case of Governor Peter Obi against Andy Ubah of Anambra State in 2007.

According to Idada et.al (2012), one of the proofs of the loopholes in the electoral process in Nigeria is the number of elections that have been voided by the petition tribunals and Appeal Courts since democracy was re-introduced in 1999. Some of the issues that have characterized elections in Nigeria since then are: electoral violence; political intimidation; manipulation of the electoral commission and security agencies; multiple voting; hijacking of ballot boxes; vote-buying; and the inability of the National Electoral body to manage logistics. The last gubernatorial election in Edo State is an example of such. Analysts are also not comfortable with political parties' development in Nigeria. Progressively, the opposition is gradually going into extinction. Whereas it made impact in 1979 and 1999 through the coalition of forces between the then All Peoples Party (APP) and Alliance for Democracy (AD), it was not so in the 2003 general election. The PDP has succeeded in clipping the wings of the opposition and many insist that it is not healthy for democracy and goodgovernance.

In every periodic election, local and international observers have been unanimous in their reports that the election generally fall below the internationally accepted standards. For example, the general elections of 1999 that brought General Olusegun Obasanjo to power were said to have been marred by such widespread fraud that observers from the US based Carter Center concluded that "it is not possible for us to make an accurate judgment about the presidential elections" (Carter Center and National Democratic Institute, 1999). In 2003, the general elections were widely seen as a test of Nigeria's progress towards more open and accountable governance after four years of civilian rule under Obasanjo. However, the Transition Monitoring Group (TMG) described the 2003 elections thus:

While the voters waited and persevered in the polling stations to cast their votes, the political class and the political parties had different ideas. The voters wanted their votes to determine the winner of the elections, while the political class wanted to corrupt the processes and rig their way into elective office... on the whole, the result can be said to marginally reflect the choices and will of the Nigerian people (TMG 2003: cited in Adejumobi and Agbaje, 2006: 39).

In the same light, Nigerian 2007 general elections were widely regarded as a crucial barometer of the federal government commitment to the notion of democratic consolidation, but according to Human Rights Watch;

The polls marked a dramatic step backwards, even when measured against the dismal standard set by the 2003 election. Electoral officials alongside the very government agencies charged with ensuring the credibility of the polls were accused of reducing the elections to a violent and fraud ridden farce (Human Rights Watch, 2007 cited in Ogbonnaya et al, 2012).

Indeed, the view “that the history of election administration in Nigeria is a history of electoral fraud and violence” is widespread (Ajayi, 2007). The 2007 general elections were rigged at the federal and state level. It was rigged to the extent that, Yar, Adua during his swearing in speech, acknowledged the fact that, the election that brought him into office was greatly rigged. Also, many governorship and senatorial candidates went to court to reclaim their mandates (Omodia, 2009). According to Idada et al. (2012), the 2007 election, arguably, is the worst in the history of the nation.

Idada et al. (2012:51) stated that, during the 2007 elections, there were problems of proof of multiple thumbprinting and ballot stuffing. The services of the foremost Israeli finger print expert who supervised a team of 10 other experts, who essentially cross-checked some thumb prints on the ballot papers in selected states across Nigeria discovered multiple thumb printing. In each of the state surveyed, they discovered shocking evidence of extensive multiple thumb printing, hundreds and thousands in some locations. In some locations in Osun State, especially Ife constituencies, the expert found that over 80% of votes casted for Peoples Democratic Party (PDP) in the Gubernatorial, Senatorial and State House of Assembly elections were full of multiple thumb prints. Also scholars have observed that this poor electoral system in Nigeria

breeds persistent crisis of legitimacy in governance. (Omodia 2009: 38) is one of such scholars. According to him;

In Nigeria, just like most of the countries in Africa, elections especially its freeness and fairness constitute the central factor in ensuring democratic survival. This is because the lack of free and fair elections often tends to threaten the democratic process as a result of legitimacy question. This factor, no doubt has characterized the democratic experiment of the Nigerian fourth republic in that there have been persistent crises of legitimacy in governance arising from poor electoral system.

Apart from being one of the cardinal tenets of democratic process, free, fair and credible elections are central to the consolidation and sustenance of democracy. It defines the degree of freedom exercised by the people in selecting who represent them in government. But this has not been the case in Nigeria. Even though the 2011 general elections were said to be relatively free and fair, there were still lapses in some areas as political watchers have stated that, the election was a retrogression rather than progression in the democratic process of Nigeria (Idada et al 2012). This history of problematic and controversial election administration threatens the consolidation of democracy in Nigeria.

4.1.2 Ethnic Cleavages and Security Crises

Inter and intra ethnic rivalries, religious crisis and insecurity also constitute potent challenges to democratic governance in Nigeria. According to Duruji (2010: 92-93), the return of Nigeria to democracy in 1999 opened up the space for expression of suppressed ethnic demands bottled up by years of repressive military rule. The expression of the demands have resulted in the emergence of ethno-nationalist insurgencies such as Movement for the Emancipation of Niger Delta (MEND) in the Niger Delta region, the new demand for Biafra spearheaded by the Movement for Actualization of Sovereign State of Biafra (MASSOB) and the increasing notoriety of the Odua People's Congress (OPC) in the South West. This has also resulted in incessant ethnic clashes in the Middle Belt region and other parts of the country such as the Ijaw-Iteshekiri ethnic clashes in 2009. There have also been frequent inter religious clashes and sharia instigated riots in the Northern part of Nigeria as well as the emergence of the Boko Haram

Islamic Jihadists with well-known preferences in religious belief and social practices (Eso, 2011).

Intra ethnic cleavages has witnessed in the horrors of Ife/Modakeke and Aguleri/Umuleri fratricidal war in the South-West and South-East regions respectively have also been the order of the day. These inter and intra ethnic rivalries and religious crises not only result in the loss of human and material resources that cannot be quantified in monetary terms which occasioned untold economic hardship, they most fundamentally breed state of anarchy that threatens the unity and corporate existence of the Nigerian state; leaving those who act on behalf of the state with magnitude of national issues to contend with. For instance, while the militancy in the Niger Delta took a heavy toll on the nation's economy because of its dependence on oil for foreign exchange earnings, the Boko Haram insurgency in the North has left as at last count over 16,000 policemen, soldiers and civilians, including politicians dead. Properties worth millions of naira destroyed (UNCIRF, 2012). This has resulted in Nigeria being considered as unsafe country for foreign direct investments.

Furthermore, given that these inter religious and socio-cultural crises occurs outside the confines of law, they challenge and weaken democrat institutional mechanisms that are meant to check them and threaten the consolidation and survival of democratic governance in Nigeria (Duruji, 2010:93).

4.1.3 Poverty

Poverty is one challenge that constitutes great challenge to democratic governance in Nigeria. Unarguably, Nigeria is blessed with both human and material resources. This notwithstanding, the nation ranks among the world's poorest. According to UNDP (2009:27) in Nigeria, hunger exhibits its ugly face in most homes where the average citizen contends with a life of abject poverty. Thus, the common man is "alienated from himself as he lacks the wherewithal to afford the basic necessities of life such as education, medical facilities and so forth". In the opinion of Ogundiya (2010:207), Poverty has been and is still a major problem in Nigeria. The statistics is staggering despite the political clamour against poverty since 1999. Nigeria harbours one of the largest number of the poor in Africa. There is gross inability of most Nigerians to achieve a

certain minimal standard of living. Statistics have indicated that 70.8% of Nigerians live below the poverty-line of \$1 a day and up to 92.4% live below \$2 a day as at 2003 (The United Nations International Children's Fund, 2003; World Bank, 2006). This is compounded by acute youth unemployment. Various estimates put unemployment rate in the country at between 20% and 50% (Asemota, 2005). Among graduates of tertiary institution, unemployment rate is put at between 50% and 75%. This has resulted to general insecurity and high crime rate in the Nigerian society.

Expectedly, life expectancy is low compared to those of the developed nations of the world (Oluolu 2008:1; UNDP National Human Development Report for Nigeria, 2011). Drawing a comparison in the incidence of poverty between Nigeria and India, Nda Isiah (2012:56) submitted that;

Between 1962 and 2012, India has been able to lift 400 million people out of poverty, just as democracy has also flourished in the country... in the corresponding period; however, 100 million Nigerians out of a population of 167 million have slipped into poverty. Statistically, about 10 million Nigerians are in absolute poverty, which literally means they cannot afford the basic necessities of life.

From the foregoing, it can be asserted that life generally in Nigeria is threatened by absolute and abject poverty. These realities are much more obvious in rural areas. A factual indicator is the result of the Harmonized Nigerian living standard survey published by the National Bureau of Statistics in 2011 cited in Ogbonnaya et al. (2012) showed that large proportion of Nigerians lives in an abject poverty. According to the report, the proportion of Nigerians that were extremely poor as at 2004 stood was 22.0 percent and it increased to 38.7 percent in 2010. Despite the fact that Nigerian economy is paradoxically growing, the proportion of Nigerians living in poverty is always on the increase.

Undoubtedly, this has undermined and challenged the legitimacy and integrity of government and the functionality of not just the democratic process but also of the Nigerian state. For instance, scholars have argued that the recent security challenges that have been confronting the country (Niger Delta militancy and the Boko Haram insurgency) are caused by high level of poverty in the country (Awoyemi, 2012; Harrington, 2012). The security situation as pointed out

earlier, breed state of anarchy that threatens the secularity, unity and corporate existence of the Nigerian state upon which its democratic process is anchored.

4.1.4 Weak Democratic Institution

The weakness of democratic institutions in Nigeria is another factor militating against democratic governance in Nigeria. By democratic institutions we refer to the Executive, Judiciary, the Legislature and electoral agencies such as Independent National Electoral Commission (INEC). In principle, each of these institutions is constitutionally empowered to maintain a certain degree of independency and autonomy while functioning as checks on the other. In practice however, the tendency of the Executive to dominate, employing all manner of advantages on its side including the control of budgetary allocations, remains a formidable reality. This dominance and over-bearing characteristics of the executive is located in the pattern and practice of dictatorship in Nigeria especially during the military era. Bankole (2009) explains that decades of military dictatorship has had the effect of eroding constitutional federalism, the erosion of the culture of rule of law, the enthronement of the culture of arbitrariness and impunity resulting in high levels of corruption. This legacy has fundamentally impacted on the power relations between the Executive and other democratic institutions. The consequence of this has been the existence of subdued judiciary, weak oversight capacity of the legislature and the dumbness of the electoral bodies both at the Federal and State levels.

Assessing the autonomy and independence of INEC and the Judiciary in the fourth republic, Omodia (2009:38) also observes that, events in this democratic dispensation have shown that the electoral body is not independent. This according to him has been defined in relations to the manner in which the electoral body has conducted elections in the way that favoured the party in power while the judiciary has “served as a tool for creating political topsy-turvy that undermined democratic process”. Duruji (2010:102) equally observes that the judiciary has been unable to sustain the democratic process in Nigeria by failing to convict anybody through the judicial process for the several cases of arson and killing that have characterized inter and intra ethnic clashes while the legislative institution have proven incapable of interfering decisively in the management of ethno religious and security crises in Nigeria.

According to Best (2001:75), the Nigerian Police is an instrument of the State for the maintenance of law and order. Yet, it has repeatedly proved to be incompetent with respect to handling both simple and major internal conflict, be they religious, ethnic, communal etc. The state has refused to punish and prosecute people under the law, for instance, the killers of Bola Ige and Funsho Williams are still enjoying their freedom till date. This weakness of the state's institutions, impact negatively on democratic practices and also threatens the consolidation of democratic governance in Nigeria. As Makinde (2004:20) has observed, that "democracy is only possible if the structures, processes and institutions through which the people's will is expected to be addressed accommodate their interests, values and aspirations. Constitutional democracy continues to falter not only because of the conduct of leaders but also because of inefficient, ineffective and deteriorating public institutions".

4.1.5 Institutionalised Corruption

That political and institutionalized corruption constitutes one of the greatest challenges and threats to democratic governance in Nigeria since the first republic as long been established as evident in Joseph (1991), among other scholarly works. Corruption is an aspect of poor governance and is defined as the abuse of public office for private gain. In Nigeria, corruption has assumed eccentric and ludicrous proportions; what Gunnar Myrdal calls "folklore of corruption" (Amuwo, 2005). What is worrisome is the magnitude and degree of its manifestation in the fourth republic. The incidence of corruption in Nigeria reached a crescendo in 2004 when a German based international non-governmental organisation, Transparency International (TI) in its 2004 Corruption Perception Index (CPI) report, projected Nigeria as the 2nd most corrupt country in the world (132nd out of the 133 countries surveyed) (Akinyemi, 2008:22). The Transparency International's CPI is the world's most credible measure of domestic and public sector corruption. According to the index, every single public institution in Nigeria is corrupt and have failed to appreciate fully the obligation upon them to do something concrete about corruption.

In 2008, Nigeria sank deeper into the CPI ranking and has since maintained a consistent low rating. From a score of 2.7 to 2.5 in 2009 and 2.4 in 2010 which was still maintained in 2011,

Nigeria has been ranked as the 3rd most corrupt country in sub-Saharan Africa and 143rd out of 183 countries surveyed around the world in 2011 (Transparency International, 2011). It is reported by transparency international that the level of corruption and other related crimes in Nigeria attract between \$4 million and \$8 million loss on daily basis and a loss of about \$70.58 to the national economy annually, and that the country has lost more than \$380 billion to graft since independence in 1960. According to the report, nepotism, bribery and patronage are so deeply engrained in the daily life of Nigerians that even existing anti-corruption laws have little or no impact. (Yishau, 2011). It has been argued that the war against corruption has been difficult to win because the act is perpetrated by policy makers themselves (Olu-Olu, 2008). A clear indicator to this fact is the US\$ 620, 000 oil subsidy bribery scandals rocking a committee of the National assembly and Federal Ministry of Petroleum Resources. This has thrown up public frustration in Nigeria. The 2011 Transparency International's Corruption Perception Index (CPI) shows that public frustration is well founded.

Corruption has become an ineradicable part of the culture in Nigeria and continues to threaten both constitutional democracy and the nation. Corruption is rampant at all levels of government, crippling basic health and education services and other social infrastructures. Good governance is an illusion in a state where corruption is endemic and persistent. When corruption is prevalent as witnessed in the last decade, instructions of governance are abused by illicit and self-serving behaviours of political leaders. The consequence – poverty is unavoidable. According to Oko (2008:60), nothing enfeebles democracy more than corruption. It distorts governance, provides perverse incentives for dysfunctional behavior, and ultimately diminishes the quality of life by diverting funds for social services into private pockets.

And like the national economy of the country, democratic governance in Nigeria has not been immune to the damages of corruption. Senator Barack Obama perceptively observed during his 2006 visit to Kenya that;

Corruption erodes the state from the inside out, sickening the justice system until there is no justice to be found, poisoning the police system until their presence becomes a source of insecurity rather than a source of security (Obama, 2006).

All state youth empowerment programmes and other employment generating policies of successive administrations like Operation Feed the Nation (OFN), Green Revolution (GR), Directorate of Food, Roads and Rural Infrastructure (DFRRI), The Peoples Bank, Better Life for Rural Women (BLP), Family Support Programme (FSP), Peoples Bank and other poverty alleviation programmes such as National Poverty Eradication Programme (NAPEP), National Economic Empowerment and Development Strategy (NEEDS), from 1999 to date have failed to achieve their founder's vision because of gross mismanagement and rampant corruption.

4.1.6 Unaccountable Governance and Human Right Abuses

The consequences of unaccountable governance in Nigeria have been severe. Our leaders are not accountable to the electorates, for instance, Anti-corrupt crusaders and opposition politicians have expressed outrage over the purchase of two BMW armoured vehicles for the former minister of Aviation, Stella Oduah, for N255 million by an agency under her supervision. It was reported that the cars were bought to protect her from imminent threats. According to the opposition group, it was stated that, the vehicles could have been purchased for far less the amount they were purportedly procured and it was also acclaimed that there was no threat what so ever on the minister's life, therefore, there was no need for the vehicles (Owete, 2013). This money could have been used to provide industries, assist the teeming jobless youth or repair roads that are no longer in good shape. Another case of unaccountability is the one between the former Central Bank Governor, Lamido Sanusi and the Nigerian National Petroleum Corporation (NNPC), where the Governor raised an alarm that the sum of \$20 billion in oil sales cannot be accounted for by the NNPC, under Diezani's watch. Despite the arguments and opinion of various people in the country, NNPC cannot still account for the money and the presidency has been silent (Kawu, 2014). These are purely undemocratic act that should not be happening in a democratic society.

Also as documented by Human Rights Watch (HRW), human rights abuses remain pervasive in Nigeria (HRW, 2002; 2003; 2006). Injustices have become the permanent feature of the Nigeria's political system. Aristotle said that "no government can stand which is not founded

upon justice” (Politics VII, 14:4). That would seem to imply that justice is the surest foundation on which to build a good and successful government (Ekei, 2003).

5. CONCLUSION

From the analysis so far presented, democracy in Nigeria is problematic and threatened by internal and external variables. However, this does not negate the fact that it is preferred more than military dictatorship and authoritarianism. This preference for democracy is predicated upon the fact that it has, despite its shortcomings, afforded within the period under consideration, opportunity for Nigerian Populace to participate in the governance of their state. This is evident in the following examples; The formation of political parties which has provided a platform for Nigerians to come together and espouse political ideas and seek political offices. This provided an opportunity of participating in the selection of their leaders and representatives and secondly, the institutionalization of the legislative arms of government both at the state and national levels with its constitutional oversight function. This has created room for checks and balances for the system at least to some extent.

The implication of the foregoing is that its challenges and shortcomings notwithstanding, democratic governance has provided Nigerians the opportunity to contribute to political and National development of their state. This was not the case in the military system of government that lasted for more than fifteen years after the 1983 coup. Implicitly therefore, democratic governance possesses the prospect of good governance, all we need to do as a country is to work on the present challenges militating against democratic governance in Nigeria.

6 RECOMMENDATIONS

To curtail the observed challenges that democratic governance is faced with in Nigeria since 1999, and to fully realise the prospect of democracy, the following policy options are hereby recommended:

6.1 Strengthening Democratic Institutions

The weakness and inadequacy of democratic institutions is the greatest challenge facing democratic governance in Nigeria. State institutions cannot ensure the security of life and properties of Nigerian citizens; they are weak to ensure the credibility of the electoral process; they cannot sanction the perpetrators of violence nor does the legal framework hold corrupt private individuals and public officials accountable for their actions. Consequently, the electoral process is vulnerable and is easily manipulated; corruption undermines public confidence in the democratic process while insecurity looms large. This therefore calls for the creation and maintenance of institutions that will uphold transparency and the rule of law. This can be done through vast structural and attitudinal readjustments of the public institutions and public office holders so that they will curtail corruption, insecurity and executive interference and indifference to public goods as also recommended by Oko (2008:35).

6.2 Deepening of Democratic Principles

Democracy generally is characterised by definite and defined principles. These include, adherence to the rule of law, respect for fundamental human rights and the protection of life and property. For the prospects of democratic governance to be realised, this principles of democracy must not just be imbibed, they must be deepened. So Nigeria as a country should put in place everything necessary to ensure that these principles are upheld.

6.3 Controlling Corruption and Re-orientation

Corruption has to be controlled if Nigerians want to reap the dividends of democracy. The institutional safe-guards for corruption control, outside the framework of the recently enacted Anti-corruption Act, are quite weak. There is, for instance, no protection for those who expose corruption. The Nigerian government should make amends in this regard in order to reap the dividends of democracy. There is the issue of oversight function that the National Assembly plays. Here, there is need for a well-articulated policy framework that will address the role of the Assembly in this regard. The Executive sees it as contravening the principle of separation of powers. This should not be the attitude. The Executive needs appropriate re-orientation. In

addition, there should be increased civil society initiative to monitor and ensure accountability in public service delivery. This will make civil society and politicians alike to be vigilant and alive to their respective responsibilities. Finally, there is need for a planned programme of reform, re-orientation and revitalisation of the military to be primarily conscious of their traditional responsibility of territorial protection against external aggression and not incursion into state politics.

6.4 Tackling Insecurity and crises

The federal government should put adequate paraphernalia in place to address the current security threat ravaging the system. The security personnel should be given adequate trainings and they should also be provided modern facilities so as to fight the terrorist groups. Democracy blossoms better under a peaceful environment. All political office holders, particularly the ruling party should imbibe the spirit of accepting opposing views. Opposition should also learn the spirit of giving constructive and objective criticism to the policies and programmes of the ruling party. The three arms of government-legislative, executive and judiciary should be fully independent, financially and otherwise. This will enable proper execution of the principle of checks and balances. Thus, it will reduce to a large extent the discretionary use of executive powers and abuse of the constitution. It is recommended that all politicians, the electoral commission, law enforcement agencies, all other government bodies and private individuals should dispense their responsibilities within the societal laws and accepted traditions towards the achievement of a sustainable democracy.

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