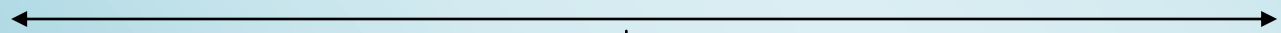


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## DEMOCRACY IN NIGERIA AND ITS CHALLENGES

**GODSWILL – P. NNAEMEKA AGASHI\***

\*Department of Philosophy & Religion, Ebonyi State University, Abakaliki

### **ABSTRACT**

*Many Nigerians agitate for better democratic governance and the desirability of democracy by Nigerians remains a burning issue since independence. Our multilingual people have been in line with democracy not considering our background in relationship or first contact with the whites which intensified our faith with regard to democracy and the reason being that our indigenous institutions have been practicing democracy. The major target of this paper is to examine Nigerian democracy and to consider most importantly those basic tenets that are necessary for better democratic culture. In conclusion, considering those factors militating against our democracy.*

### **HISTORY OF NIGERIAN DEMOCRACY**

Right from the independence Nigeria loves democracy and majority of Nigerians agitate for democratic system of government. The desirability of democracy was championed by the founding fathers, beginning from Dr. Nnamdi Azikiwe and Chief Obafemi Awolowo. According to Chief Obafemi Awolowo, democracy is the best form of government which one can think of because it does not disregard the issue of rights of citizens. Our multilingual people have been in line with democracy not considering our background in relationship or first contact with the whites which intensified our faith with regard to democracy and the reason being that our indigenous institutions have been practicing democracy. Tafawa Belewa in 1964 has been quoted as follows:

Our association with the people of the United Kingdom has been a happy tremendous goodwill on both sides. Their system of democratic government had now become part of our heritage and we should be wise to maintain our institutions in the British model.<sup>1</sup>

From the above views one would know that they advocated for democracy and one could understand the relationship between our traditional system and British system of government. Democracy which has been in our

indigenous institutions gave ground for parliamentary system of government which was obstructed by the military which sowed the seed of corruption particularly in the year 1966. Actually, to grasp and understand Nigerian democracy, it would be important for us to know our constitution. Constitution is that which measures the extent of democracy precisely its development.

Nigeria was inhabited by the ethnic nationalities before the amalgamation of the Northern and Southern Protectorates particularly in the year 1914. The major issues that characterized Nigerian nation are as follows; ethnic and religious issues being intensified by the military regime. After amalgamation, Northern and Southern regions were piloted as separate and distinct units until 1946. As Nigeria regained her independence on October 1, 1960, such was preceded by the constitutions derived before independence which are as follows; Clifford Constitution of 1922, Bourdillon Constitution 1939, Richard's Constitution 1946, Macpherson Constitution 1951 and Littleton Constitution 1950. After independence we had 1960 and 1963 constitutions, 1979 constitution, 1989 constitution and 1999 constitution. 1999 constitution was characterized with bicameral legislature at the centre and unicameral at the state level. There has been a problem for proper implementation of the laws in the constitution. Among the problems, is the failure to reconcile the issues of authority and for some, this constitution is only federal by name but unitary in content and operation. The level of power between the legislature and the executive has not been defined which has been causing problem since 1999. As we wait for new constitution, we expect that all mistakes in the 1999 constitution would be amended. Democracy is the best form of government in the sense that it allows equal participation of citizens. Social political philosophers like John Locke, J.J. Rousseau, Montesquieu pinpointed -that democracy was an ideal form of government with great principles and values. It is that which encourages equal opportunity for the actualization of personal potentials. Karl Popper stressed the idea of election as important factor for democracy and the need of critical vigilance.

According to Bryce democracy denotes "that form of government in which the ruling power of the state is largely rested in the members of the community as a whole".<sup>2</sup> Undoubtedly, people are the major decision makers in democratic system. How does such decision take place in heterogeneous states of modern political institutions since it is almost impossible for everybody to participate directly in decision-making?. This reminds us about indirect democracies which function through elected representatives. However, if indirect democracies are based on the elected representatives who then exercise political power on behalf of the people who voted them in, the power to retain or unseat them belongs to the people. That is why Karl Popper defined democracy as "that

political system which permits the citizens to rid themselves of an unwanted government without the need to resort to violence".<sup>3</sup> Here we have to consider those basic tenets for Nigerian democracy.

## **THE BASIC TENETS FOR NIGERIAN DEMOCRACY**

They include:

1. Electoral system
2. Citizens participation in policy decision making and sovereignty of people
3. Freedom of citizens
4. Equality among citizens
5. Representation system

### **Electoral System**

In democratic system of government especially the liberal democracy, the will of the people is the final and the voice of the people is the iron law of democracy. Electoral system provides the means for the peaceful change of political power from one individual or group to another. Democracy is acceptable based on the electoral process and it is a channel through which its dividends are actualized. Democracy connotes proper participation of people, not only in exercising the right to vote but also the right to run the affairs of the state directly or through the elected representatives. A flaw in the electoral process diminishes or erodes this vital ingredient. The minimum requirement for which liberal democracy is known is free and fair electoral process.

### **Citizens Participation in Policy Decision Making and Sovereignty of the People**

Democracy involves participation and it means doing things in common with others and taking your share of responsibilities involved. According to A.C Kapur, a citizen of a democratic state must be a thinking human being possessing independent opinion, which is the result of his considered judgment, and intelligent interest in public affairs. Widespread participation in politics is the sine qua non of a democratic government and its success essentially depends upon the ability, character and power of discrimination the common man possesses.

Participation in democratic activities is taken as a civic duty and the best method of ensuring that one's interests are not neglected. The fundamental truth about political participation lies with the system that makes

such participation open to the citizens. In Nigerian democracy, participation is meant for a group of cabals to pursue their self-interest. This made Godfrey I. Onah to react thus:

The so-called democracies are, at best pluralistic dictatorships in which selfish and unscrupulous tyrants ride on the shoulders of the "people" in order to defend only their personal interests and those of their political cronies and clubs.<sup>4</sup>

Sovereignty has to do with the idea of supremacy, supremacy of the state over the individual. This was developed in the 16th Century to restore order, stability and harmony in the medieval European states torn apart by anarchic, feudal and divisive authority struggle between the secular and the ecclesiastical powers. Jean Bodin lived through the period of a bitter civil war occasioned by these divisions in France and thought that peace and orderly government, which seemed to have eluded France could be restored only by making the French monarchy supreme over all other authorities in the state. In his Republic published in 1576<sup>5</sup>, he thought that the mark of a true state was that it should contain a single supreme authority because if that authority should be between different holders, the state would not be in unity. He believed that supreme power is accorded sovereignty which is perpetual and not limited to a specific period of time. The only limitation to the power of the sovereignty is the Divine law and the law of nature.

In the 17th century, this theory was given a lift, like queen Elizabeth 1 of England who assumed the supreme authority over citizens. Authority was centred on one single person. The Act of Supremacy passed by Elizabeth I declared her the only supreme governor of the realm, as well as in all spiritual and ecclesial things. Thomas Hobbes played a great role in this and he said that sovereignty was the strongest power, the power that was able to compel obedience to itself and because of that the duty of the subject was to obey it. The power of people through votes proves their sovereignty. Following this, sovereignty entails determinate and locatable, its power is perpetual and absolute and obedience to its commands needs not to come from all but must come through the consent of the bulk of the people. Sovereignty has the following attributes: independence, self sufficiency, capacity to make laws, capacity to change government.

Independence in the sense that it is not restrained either by a superior, inferior or an equal. It presupposes freedom from internal and external control whether of religious or temporal character. This quality of independence renders sovereignty inalienable and untransferable. Sovereignty is necessarily complete and self-sufficient. It is because of this quality of self-sufficiency that the will of the sovereign becomes law for all

members of the state. Sovereignty must carry claim to make laws. Jean Bodin classified it as the first attribute of sovereignty. The power to make laws carries with it a corresponding capacity to change laws. The sovereign retains the power, in the final analysis, to determine all cases of doubt and disputes definitively. Considering the capacity to change government, government is the agent of the sovereign and is usually authorized to exercise the powers of sovereign. This mandate can be withdrawn if and when necessary. The exercise of sovereign power could be distributed or divided but the agents that perform these functions are not themselves sovereign. They only carry out the functions of the sovereign. Agents come and go, in other words governments come and go, but the sovereign remains, hence its permanence.

Democracy really vests much on the people's sovereignty and all political power and authority belong to the people. It is taken that men seek communion and fellowships in others and by their own consent they make themselves members of some political society.<sup>6</sup> The form of government depends on the disposition of the community and not on the caprice of individuals.

The power to form or dissolve government rests on the people. They exercise political authority based on their consent. They act only as representatives who exercise delegated power. People have the right to take away such power when they think it necessary by voting out those who have not represented the people very well. It is from this fact that the sovereign power belongs to the people, then Jean Jacques Rousseau in his social contract theory developed the idea of the general will as the guiding or regulating principle on which government policies and actions should rely on. Although the many are individually inferior to the few-wise, they are collectively superior. For Thomas Jefferson the third President of America said, "the people are the only censors of their governors and even their errors will tend to keep these to the true principles of their institution".<sup>7</sup>

### **Freedom and Equality of Citizens**

Although men are free but there is no absolute freedom among men. Even the Thomas Hobbes state of nature, where man was a wolf to man, he asserted the nation of equality, thus:

Whether or not men are naturally equal, they think themselves equal. If nature therefore, have made men equal, that equality is to be acknowledged or nature have made men equal, will not enter into condition of peace, but upon equal terms, such equality must be admitted.<sup>8</sup>



Thomas Hobbes traced equality of all men from the natural equality and every political authority should preserve and respect them. According to John Locke political equality:

The task of any state was to protect people's rights...therefore, the justification for a state existence had to be found in its ability to protect human right better as they could not do on their own...if a government did not adequately protect the rights of its citizens, they (citizens) had the right to find other rulers.<sup>9</sup>

In Nigeria system of government, individual rights are being violated every day. They include: right to vote, freedom of speech, fair hearing etc. Equality among citizens entails; social equality, economic equality and political equality. In Nigeria political equality is completely eluded. According to Onah, the truth is that:

The only laws before which all human beings are equal are natural and divine laws. Even in the case of divine laws, all human beings are equal only so long as no human beings arrogate to themselves the exclusive rights of interpreting and enforcing those laws.<sup>10</sup>

Equality can be achieved in a society where democratic system of government is not infected by all those factors that militate against open society. It is in the nature of man to be free. Liberty is of utmost importance in politics for it gives people the enabling environment to be human. This liberty includes the right to vote, to choose between rival candidates for public office, to run for office oneself and participate in periodic elections. Here we have right to criticize government policies for such is the part of free speech. People who are politically free could also form and join political parties and organizations. Liberty or freedom is one of those issues that characterized democracy. Hence Maclver wrote:

In a word, democracy liberates human nature, it confers increasingly as it grows those rights that, when men knew how to use them, assure them the integrity and liberty of heart and mind in which they can advance towards new horizons. In this sense democracy sets itself out progressively to break the extrinsic and irrelevant barriers that cramp the potential work of man.<sup>11</sup>



Liberty is just an absence of undue restrictions that hinder man's rational execution of his choice. Justifiable laws and restrictions are those that would protect the liberty of the people and check the anti-social behaviours of people. A positive freedom is attained when one learns how to live within the laws that order the society.

Democracy has much to offer concerning the dignity of man. Kant asserted that man is an end to himself and warned that man should never be treated as a means to any other end. Society exists primarily for man's upbringing. Society creates the condition for man to realize himself or herself. Aristotle opined that Society originated for the bare needs of life but continued for the sake of a good life.<sup>12</sup> The good life is the life that enriches human dignity. Natural rights of men are in consonance with the perceived dignity of man. When men submit these rights based on social contract to government, the security of good life is ensured. What has been occupying the mind of people in this country is "who should rule"? Popper reacted that the question of "who should rule"? carries the authoritarian implication. Nigerian leaders once elected assume that he or she is the best, the wisest and the most justified without recourse of how people should be ruled. Here we have to identify those factors that make Nigerian democratic system to be completely an opposing system to Karl Popper's open society. Below are those factors that militate against open society.

## **PROBLEMS MILITATING AGAINST NIGERIAN DEMOCRACY**

### **Electoral Malpractices**

The election of key office holders is a do or die affairs in Nigerian democracy. From time immemorial, electoral irregularities have made democratic system in Nigeria a battle field. It has become a field where politicians showcase their thugs. The question is how do we avoid such system and rid ourselves of such political system? Karl Popper's democratic theory provides a remedy to that situation. The elections I witnessed from the late 90s till date have been characterized with electoral frauds.

The perception of an average Nigerian concerning democratic contest is a factor militating against the electoral process in Nigeria. Politicians have not come to an understanding that in political contest only ideas win and people have right to make their choice through their votes. Political power in Nigeria remains the easiest means of capital accumulation that is the only means of accumulating the much needed capital to join the capitalist class. Politics in Nigeria is drawn by financial and economic motives and it is a business in Nigeria. It is because of this impression that the idea of loosing is out of consideration since it implies a business loss. One of the lingering obstacles to a sound electoral process in Nigeria remains violence. It is a negative political culture

that has persisted since the pre-independence era. Both direct and structural violence are freely applied by political actors in Nigeria. Political violence received a boost because of the large nature of unemployment in Nigeria. Our problem in this country would be solved when we resort to Karl Popper's democratic theory.

The process involved in the selection of leaders of government form part of the electoral process that have become integral party of modern democratic politics.<sup>13</sup> Democracy, therefore means allowing people to be and to take their destiny in their own hands so as to be responsible for the outcome. Lack of periodic elections would mean the demise of democracy.

### **Unemployment**

The failure to have inclusive stable democracy is subject to high rate of poverty and unemployment in Nigeria. Poverty threatens people's lives and the anxiety to go on living. The rich few in the society exploit the situation (majority) to actualize their actions, people would not give attention to political thoughts when their very responsibility of the existence is only on a bad ground. Unemployment is at a high rate due to the bad system of government. The major reason behind this is that we are lacking democracy which could be achieved through people's critical approach to problem-solving.

### **Tribalism and Ethnicity**

Karl Popper reacted that the problem of historicism of Hegel led to tribal and ethnic politics in our society. He categorized Hegel as the enemy of open society or democracy. State according to Hegel is absolute, "the state is the Devine idea as it exists on earth".<sup>14</sup>

Nigerians are too conscious of the ethnic identities leading to negative notions of ethnicity and tribalism and such is not conducive for the evolution of stable democracy. This problem is one of the greatest obstacle to stable democracy in Nigeria. We do not consider the great advantage of interest groups in decision making process. The more all ethnic groups collectively decide and implement what gives them collective security, the greater the sense of collective security. Open policy of Karl Popper would be realizable in democratic system devoid of tribal spirit. In Nigeria today some tribes want to be an absolute divine that is why we continue having civil unrest in many states. Nigeria 1999 constitution presents a nation that is one and united thus, "Nigeria is one indivisible and indissoluble sovereign state to be known by the name of the Federal Republic of Nigeria". The next provides that "Nigeria shall be a federation". Likewise considering the issue of pledge, it reads as follows "I

pledge to Nigeria my country to defend her unity".<sup>15</sup> Furthermore Nigeria 1999 Constitution provides a ground that people should participate in government according the dictates of the constitution.<sup>16</sup> The constitution is known for the following: To reflect the federal character of Nigeria and the need to promote national unity, and also to command national loyalty thereby ensuring that there shall be no predominance of persons from a few ethnic or other sectional groups in that government or in any of its agencies.<sup>17</sup>

Although there are shortcomings in the issue of federal character where the enthronement of mediocrity as when it is placed before merit but considering the principle the nation is in need of true democracy where the issue of equality would be encapsulated. The colonial masters who administered Nigeria as Northern and Southern protectorates planted the seed of ethnicity Richard's Constitution of 1946 was a clear manifestation of ethnic malaise engulfed by uncritical regionalization.<sup>18</sup>

As there are three regions likewise there are increases in ethnic distrust which gives wider ethnicity and tribalism and this originated from the whites. Ethnicity and tribalism are the central problems that are facing our democracy in Nigeria. The office holders due to ethnic sentiments exploit the public treasury. Likewise, monopoly of power by some groups in the country leads to chaos in the polity.

### **Mediocrity and Corruption Among Political Leaders**

The problem is that our government is occupied by mediocre who perpetuate corruption in many ways. Okechukwu Izunwa asserted, "The problem is that the government which is needed to defeat corruption is the core of the problem in Nigeria. It is government that has contributed most to lowering the moral tone of society in Nigeria."<sup>19</sup> Corruption is the most destructive factor in government and it is among the greatest enemy of democracy in Nigeria. The executive do what they like, break the law with impunity victimize and siphon people's money and the same is applicable to legislatures and judiciary. It is important to note that our nation cannot survive with mediocrities, brazen looting and stealing of government funds.

### **Military and Godfatherism**

The issue of military is among the problems we have in Nigerian democracy. Military administrations violated the principles of the rule of law and the respect of human rights. Majority of the military administrations had no interest in making this country a democratic one. Okechukwu Izunwa said:

The most notorious aspect of military assault to democracy in Nigeria is the use of exclusionary clauses. For instance, the Federal Military Government (Supremacy and Enforcement of Power) Decree provides inter alia "no civil proceedings shall lie or be instituted in any court on account or in respect of any act, matter or thing done or purported to be done under or pursuant to any decree or edict."<sup>20</sup>

Godfatherism is another great fire that burns Nigerian democracy. Following the views of Wale Adeyemi cited by Okechukwu in his article titled; "Understand the Cardinal Problems of Nigerian Democracy" said:

The activities of the godfathers in democracy cripple democratic choice which subsequently shrinks democratic space. This often created serious electoral problems as the godfathers employ illegal and obnoxious means to win election.<sup>21</sup>

This is the worst enemy of democracy, the godfathers venture into destroying the precious part of democracy which is the electoral process. Nigeria once had ideological godfathers who selflessly offered ideas, expertise, wisdom and knowledge which they shared with their brilliant proteges. The core relationship of these people "was based on issues and the desire to perpetuate a philosophy of governance and a style for development".<sup>22</sup> The political fathers of this era assume their political positions with their enormous wealth which they "invest" into politics and expect a return of profit.<sup>23</sup> Some are mere machineries who rely on thuggery, violence, intimidation, harassment, blackmail and other unscrupulous means to satisfy their inordinate thirst. The major input of such godfathers has centred on the enthronement of the citizens that prefer money more than their conscience. The fact remains that democracy requires openness, tolerance, patience and respect for one another. The high level of thuggery in Nigeria paves ways for kidnapping and assassination.

## CONCLUSION

Precisely, we lack strong political institutions that could pave ways for the followings: fairness in elections, peaceful removal of tyrants and the idea of critical rationalism in carrying out democratic policies that could help to solve many problems besetting current democratic experience in Nigeria. All these benefits could be obtainable in liberal democracy.

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