
IMPEDIMENTS TO DEMOCRACY IN NIGERIA
AND THE WAY FORWARD

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Abstract

Democracy is a system of government through which the people choose their leaders and hold their leaders accountable for their policies and their conduct in office. The people decide who will represent them in parliament, and who will head the government at the national and local levels. They do so by choosing between competing parties in regular, free and fair elections. It is also designed to allow all citizen irrespective of their social status, religion, ethnic or gender status to have a voice in decision making, thereby promoting good governance and enhance the socio-economic development of the country. The question is; what are the impediments to democracy in Nigeria? The researcher argues that issues such as corruption, rigging, vote-buying, judiciary abracadabra, lack of observance of rule of law, honesty and are some of the impediments to democracy in Nigeria. The research therefore, suggests that for democracy to thrive in Nigeria as a parameter for achieving rapid socio-economic development, the system must observe the rule of law, transparency and accountability, promote free, fair and credible election. The government should also provide

quality and functional education and ensure economic restructuring etc.

Keywords: Impediment, Democracy, Government, Nigeria

Introduction

A major issue about democracy in Nigeria is that as long as elections are being conducted and ostensible winners and losers are emerging, particularly at the Presidential level, and power is being handed over from one regime to another, then democracy is on course. Under Nigeria's military regimes, such luxuries were not contemplated. In fact, in military regimes, they simply take over. They detest handover. To hand over therefore, is highly democratic. Thus, to understand democracy in Nigeria, it is not the credibility of the electoral process that is germane, we look at where we are coming from and agree that to have handed over as and when due, are profoundly democratic feats. Hence, defining democracy may ordinarily be a difficult endeavour in other environments. Democracy is understandably practised as the government of the people, by the people and for the people.

The central element of the democratic process is exclusion. Its most portent manifestation is the solemn exercise of handing over. What has become the most notable dividend of democracy therefore is the cycle of elections in which the citizens are highly privileged to be participants? Hence in the Nigerian orthodoxy, democracy is monumentally translatable to electoral democracy. According to Kukah (2012), evidence suggests that countries in transition remain quite prone to backsliding and failure. He contends that this is why it must not be taken for granted in Nigeria that democracy is secure (Kukah, 2012). In any case, it is immediately obvious that Kukah, who is actually the Bishop of the Catholic Diocese of Sokoto in Nigeria, belongs to that class of Nigerians who think that they must express an opinion on every subject matter, including democracy. As further evidence of the distractions that Kukah and his school of thought cause for democracy in Nigeria, he claims: We may pride ourselves with having survived four back-to-back elections and create the illusion

that our democracy has been strengthened. This is misleading because first, the elections are still massively fraudulent and our level of success is not measured by international best practices as such. Secondly, with very little evidence of changes in the lives of our people, our democracy remains risky, volatile and vulnerable to internal and external shocks.

One of the basic conditions for democratic rule anywhere in the world according to Gurumka, Nengak and Ajayi (2014), is the acceptance of constitutionally infused limits to the holding of elective office. As many political philosophers have argued over the ages, such limitations are necessary in order to safeguard the sovereignty of the people by constantly reminding, those who offer themselves for public service that they are servants of the people, not masters. Democracy in Africa has faced many challenges. These challenges are the reluctance of political leaders to share powers, to build consensus and show respect to those who challenge them. African leaders are guilty of centralization of power and inability to build legitimacy by promoting the principle that emphasizes that “the people participation must find expression in the political process. (Mohammed, 2006).

Democracy is a system of government based on the acquisition of authority from the people, the institutionalization of the rule of law, the emphasis on the legitimacy of rulers, the availability of choices and cherished values including freedom, transparency and accountability.

Governments therefore exist to achieve these objectives. Western democracy insists that “good governance” entails the existence of democratic institutions and values. Thus, the principles of good governance include participation, equity, the rule of law, transparency and accountability, as well as the effectiveness and efficiency in the delivery of public goods and services (Gurumka, et. al., 2014). Therefore, this paper examined the weaknesses of Nigeria democracy and the way forward. Specifically, it conceptualized democracy and the rule of law and explored the nature of Nigeria’s democracy before proffering the way out. These were done as follows:

Democracy and the Rule of Law

There is no consensus among scholars on the exact definition of democracy. The Athenians of ancient Greece defined democracy as the government of the people by the people for the people. This simply means the government people freely put up to serve them without any discrimination on the basis of social status. For Rousseau, democracy is the government of the people for the general will of the people. To provide the general will of the people, the government must give liberty under the law, must create a system of public education by which children are accustomed to regard their individuality only in its relation to the body of the state, (Sabine & Thorson 1973).

In what he described as democratic centralism, Lenin (1983), defines democracy as the government of the peasants and the proliferates, which subordinates the minority to the majority through a strong party structure that cedes its decision-making power to higher party bodies. Under this democratic centralism, argues Lenin, no opposition, criticisms and demand for personal liberty are brooked from the people. Despite the seemingly divergent views on democracy, there are some basic principles that are common to them. These include supremacy of the law, equality of all citizens before the law, personal liberty, general will of the people, equitable distribution of resources in the society and equal opportunity for all citizens, among others.

On attainment of independence on October 1, 1960 the post independent government of Nigeria adopted a democratic rule, which was interrupted by military interregnum from 1966 through 1979. The country was returned to civil rule in 1979, which lasted till December 31, 1983 when the military struck again and sacked major democratic structures and institutions. Democratic rule was restored in the country on May 29, 1999, and, since then democracy has been on experimentation in Nigeria. Ogundiya (2010) has argued that the return of the country to electoral democracy in 1999 has not made any significant impact on the economy and general wellbeing of the people because of the manipulating nature and character of the national elite.

The rule of law presupposes the supremacy of law in the state. This means that law, and nothing else, counts in the society, as everything, everybody is subject to the same law. Both the ruler and the ruled, or the ruler and the subjects, are not only subject to the rule of law, but are also equal before the law. The rule of law promotes and protects the liberty, freedom and the gamut of the fundamental human rights of the citizens. Writing on individual freedom, Rousseau notes that though the social contract gives the body politic absolute power over all its citizens, the sovereign cannot impose on its subjects any fetters that are useless to the community. He remarks further thus: We can see from this that the sovereign power, absolute, sacred, and inviolable as it does not and cannot exceed the limits of general conventions and that every man may dispose at will of such goods and liberty as these conventions leave him (Malan, 2015).

Rousseau's concept of absolute power is even controversial. Both Hobbes and Locke have argued that the power granted to the sovereign, that is the state, is limited and not absolute. However, our concern here is that whether absolute or not, individual liberties and freedom are guaranteed in a democratic state where the rule of law is supreme.

According to Malan (2015), the rule of law thrives in a state when there is a separation of powers among the main organs of government, namely, the legislature, the executives and the judiciary, so that the powers of law making, execution and adjudication are not concentrated in one person or a group of persons. Absolute power, argues Lord Acton, corrupts absolutely. To avoid tyranny and oppression of the citizens, he argues, the rule of law should equally embody the separation of powers, so that each organ or arms of government shall be a check on the excesses of the other arms. It is on this premise that democracy can thrive in a state.

Kelly (2013), shares the above view when he explains that the framers of the American constitution applied the concept of separation of powers when they decided that the three branches of government: executive, legislative and judicial should be distinct

and have checks and balances on each other, so that no one branch can gain absolute power or abuse the power they are given.

A functional separation of powers will guarantee checks and balances among the executives, the legislature and the judiciary, making sure that none of the organs appropriates the powers of the other organs. In countries, such as, Nigeria where this functional separation of powers is lacking, checks and balances will be difficult, hence authoritarianism may be the order of the day. Under this condition, promotion and protection of the fundamental human rights of the citizens will be difficult.

Natures of Nigeria's Electoral Democracy

Okeke (2014) states the following as the tendencies of electoral democratic practices in Nigeria:

- i. **Democracy by Proxy:** The Nigerian brand of democracy is seen as democracy by proxy. It is quite distinct from representative democracy and is also quite different from participatory democracy. Under democracy by proxy, hundreds of thousands of citizens would participate in the final campaign rally of a candidate for an election that is taking place in the following twenty four hours. During the voting proper, only about 20% of that number would actually cast their votes. This scenario is not strictly classifiable as voter apathy. Its roots are embedded in a belief that those citizens who would go out to vote will actually vote for "my candidate". He has campaigned for his preferred candidate in commuter buses, in schools, in beer parlours, in his own home, using the social media and at every forum he was opportune to campaign for this candidate. And when this candidate eventually wins, he will also genuinely be among the jubilant crowd. Meanwhile, he did not go to cast his vote, despite being a registered voter and a well-known supporter of this candidate (Okeke, 2014).

On the other hand, the large gathering of citizens at the campaign rally was actually made up of street vendors, unemployed graduates that do or do not have voters' cards, fans of the invited musicians and professional praise singers

who have been paid in advance to attend the campaign rally. It is this same set of “party faithful” that appeared at the rally of the opposition candidate. They attend these carnivals to listen to their favorite musicians, playing at the event. They know that the political parties have no manifestoes. Whoever cares can vote on their behalf on the day of the election.

- ii. **Rigging as Opposition Blame Game:** In the Nigerian brand of electoral democracy, only the ruling candidates rig the election. Election rigging is among the core problems of the electoral process in Nigeria. Citing Kurfi (2005), Awopeju (2011) opines that rigging is almost synonymous with Nigerian elections. Yet, both the ruling and opposition candidate rigs the election. If the opposition candidate wins, it can only be because he rigged the election same thing with the ruling candidate. The only time the election is adjudged free and fair is when i win or when my candidate or the political party to which i belong wins, a case study of Buhari verse Atiku’s fans. In the Nigerian brand of democracy therefore, elections are not won, they are rigged.
- iii. **Electoral Democracy of Elite Contradiction:** The elite are undoubtedly the prime beneficiaries of the prevalent electoral malfeasance in Nigeria. But the elite in Nigeria hardly go out to cast their votes on Election Day except the newsworthy political elite whose voting would make headline news. The typical Nigerian elite would consider it demeaning to stand in the queue, and wait for his turn to cast his vote. The contradiction is that it is also the elite that are standing for the election. But they will not cast a vote for their own election. So they wait for the artisans, peasants, the unemployed, the disabled, the aged, under aged voters and indeed the very wretched of the earth, to do the ostensible voting, then the elite would manipulate the process to their inevitable advantage.

- iv. **A Culture of Democratic Judicial Abracadabra:** Once elections are over in Nigeria, the losers move to the courts to contend that they were supposed to be the winners. In the process, an individual who did not stand for election, was fielded and subsequently replaced by his political party, could be declared by the courts, as the winner of an election in which he absolutely did not participate. He did not make a single campaign speech. Mr Rotimi Amaechi became Governor of Rivers State, under this setting, following the 2007 elections (Ogunye, 2013). Kukah (2012) also argues: The failure of our electoral system has thrown up a lucrative culture of electoral tribunals which have now become the latest cash cows in our democracy. Many lawyers and judges are now making fortunes from our electoral failure in the same way that the coffin maker benefits from death. The case of APC Zamfara also come to mind where all APC candidates in 2019 election were disqualified hence PDP candidates declared winners of all election conducted in the states (Premium times, 2019).
- v. **A Culture of the Losers Tongue-in-Cheek Talk:** Nigerian elections are constitutionally party based elections. There are no rooms for independent candidates. In the past, the loser usually rejected the results and headed for the courts. Currently however, he would first make his tongue-in-cheek statement, congratulating the winner and thanking his supporters for their support. The news would thus spread that he has accepted the results of the election. In his next statement, he declares that he did not precisely accept the results, even where he congratulated the winner, that he has decided as the candidate not to head for the courts but that his party's lawyers are however studying the results, preparatory to contesting the outcome of the election in court.

Dr Kayode Fayemi was a recent casualty of the tongue-in-cheek culture. After paying his dues as a Nigerian pro-democracy activist during Nigeria's military autarchy, he became Governor of Ekiti State in October 2010, but he was

- defeated at the polls in 2014 by the former Governor of the State, Ayo Fayose. To the admiration of both detractors and fans, Dr Fayemi immediately made a state-wide broadcast, congratulating the winner and also commenced handing over discussions with Fayose. However, the ovation was still in circulation for the erstwhile politically stylish Fayemi, who courageously accepted defeat at the polls, before he began singing new songs; that the text of his broadcast, never suggested the acceptance of defeat and that his party was studying the results. In other words, they were preparing to move to the election tribunal (Thomas, 2014). By this, it has shown that the Nigerian political elite have no consistent.
- vi. Election as Democracy's Equivalent of Warfare: This resort to militarization of the electoral process in Nigeria. After the former President Olusegun Obasanjo described the imminent 2007 elections in Nigeria, as a do or die affair. Ex-President Obasanjo made this declaration on the 10th of February 2007, while addressing a PDP stakeholders meeting in Abeokuta, Ogun State (Tenuche, 2010). The ex-President's most quoted dictum that this election is a do or die affair for me and the PDP (Peoples Democratic Party), this election is a matter of life and death for the PDP and Nigeria, depicts his perception of politics and electoral competition as a continuation of warfare by some other means (Tenuche, 2010). Obasanjo's successors in the PDP hierarchy have since continued to profess this faith in electoral democracy as warfare. Governorship elections were held in Ekiti and Osun States of Nigeria, on June 21 and August 9, 2014 respectively. The PDP's national campaign committees for the two governorship elections were headed by Vice President Namadi Sambo. As leader of the campaign teams, Nigeria's Vice President Sambo declared at the inauguration of the committees in Abuja on Wednesday April, 16 that the ruling party in Nigeria (PDP) was going to war in the two states, to recover its stolen mandates (Aminu, 2014; Okocha, 2014). The party was victorious in Ekiti State. They lost in Osun

State. The Osun State debacle therefore reminded the party warlords that there may be other issues that count in elections other than conceiving it as warfare.

One week before the election, the Inspector General of Police (IGP), Mohammed Abubakar, deployed three helicopters for surveillance in the three senatorial districts in the state with one Assistant Inspector General of Police and four commissioners of Police for effective coordination of security operations. Abubakar confessed that the number of troops, armoured tanks and helicopters deployed in Ekiti was the highest ever to be deployed in a state, saying it was part of the resolve of the police to do anything humanly possible to provide security for election materials and personnel of INEC (Independent National Electoral Commission). Like a war zone, the troops took their positions. Almost every 100 meters from the entry point of the state, police officers and soldiers mounted various check points, with blood-hound dogs sniffing for any likely breach of peace by supporters of the various political parties. On the eve of the election, there was tension.. Hence, the foregoing fully illustrates the importance of democracy to Nigerians, as democracy remains on course in the Nigerian State. However, at the same time that Nigerian troops were demonstrating democratic doggedness in Ekiti State, Boko Haram insurgents were daily being reported to be delivering devastating blows on some of us, "we the people", and some democracy-rejected military personnel in the North-Eastern part of the same Nigeria. But democracy must be safeguarded first, and then we return to insurgency. The democratic war must be won as prelude to the battle against Boko Haram.

- vii. The Phenomenon of Vote Buying: Ojo (2008) describes vote buying as a political malady that is pervasive in Nigeria. The Nigerian masses are rather likely to disagree with Ojo (2008) and view the balancing act of vote buying which is vote selling, as one of the beauties of democracy, as the time of vote trading is usually when the greedy political elite,

democratically “share the money” to reach the masses. Ojo (2008) further describes vote buying as follows:

“Vote buying, in its literal sense, is a simple economic exchange. Candidates ‘buy’ and citizens/electorates ‘sell’ votes, as they buy and sell apples, shoes, or television sets. The act of vote buying by this view is a contract, or perhaps an auction in which voters sell their votes to the highest bidder.”

According to Ojo (2008) in both historical and comparative perspectives, vote buying as a phenomenon is neither system specific nor space bound. It is common to all political systems, be it advanced or developing, mediaeval or contemporary. It obtains in all regions and climes; it only differs in magnitude and manifestations from one polity to the other. We opine that this may be true and wonder why it should be a pervasive phenomenon in Nigeria. In every system and space also, vote buying is a deprecatory phenomenon. It is one of the denigrating aspects of Nigeria’s democracy. Vote buying takes place at various institutional levels in the Nigerian polity (Sha, 2008). In the legislature, the name of the malady is not vote-buying, it is called lobbying.

(Sha, 2008) further argues: The legislature is the law and policy making institution in every democracy and this explains why individuals and groups would normally want to illegally influence its members to enact laws that would be in their favour. In the Nigerian scenario therefore, we are witnessing the normalization of illegality in vote buying, as the legislators at the different levels of government did not go to their various legislative houses in the State capitals, merely to make laws. However, Sha (2008) still highlights that vote buying is largely illegal, criminal and therefore unconstitutional. But in Nigeria, the ultimate subject matter is democracy. It is neither criminality nor constitutionality. Whatever that is done or left undone in the name of democracy is acceptable to the blind elite (Okeke, 2014). Sha (2008) also argues that vote buying in all its ramifications, violates democratic norms and negatively affects the quality of political transition in Nigeria. At

the end of the day, it does no good to either the buyer or the seller as it stymies democracy and transports collective self-deceit to a vicious cycle. It is largely a method of sustaining democracy in Nigeria. We agree with Walecki (2008) that money matters for democracy because, much of democratic political activity simply could not occur without it.

For instance, ballot papers are to be printed for elections and ballot boxes are to be constructed or procured – all with money. In Nigeria too, money has to be shared because the voter needs to eat to be able to cast his vote. Casting of vote after all is critical democratic political activity.

The Way Forward

Some of the suggested way forward for good democratic tenets in Nigeria are as follows;

1. Promotion of regular, free, fair and credible elections in Nigeria in order to elect credible and patriotic citizens into national government, as well as encourage participatory democracy.
2. Restructuring of the judicial systems in order to improve the checks and balances of the organs of government.
3. Embarking on electoral and bureaucratic reforms for improved service delivery.
4. There is need for a planned programme of reform, re-orientation and revitalization of the military to be primarily conscious of their traditional responsibility of territorial protection against external aggression and not incursion into state politics.
5. 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.
6. All political office holders, particularly the ruling party should imbibe the spirit of accepting opposing views.

7. Opposition should also learn the spirit of giving constructive and objective criticism to the policies and programs of the ruling party.
8. 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.

Conclusion

In Nigeria, democracy is not yet about the people in generic terms. It is about my people, to the exclusion of their people. Democracy in Nigeria is not yet about the masses. It is an elite denominated democracy. In the Nigerian State, periodic election is curiously counted as a dividend of democracy.

For democracy to thrive in Nigeria, the people must be vigilant and demand accountability from the leaders. It has been proven that the strength of a democracy is only as great as the will of the people to uphold it. For all these to be possible the citizens must be politically educated and mature. This would enable the future leaders to make ethical decisions and for the people to begin to make political office holders accountable while within and outside office. According to Mahatma Gandhi, "politics without ethical principles" is among the "social sins of humankind." Nigeria has the potential (human and material resources) to translate to a great democracy if the politicians (the people) can change their mind-sets and learn to play ethical politics that adds good value to the system. This entails a paradigm shift in the manner in which Nigeria is governed. As Albert Einstein has noted, "the specific problems we face today cannot be solved at the same level of thinking we were at when we created them." The political leaders should do more and talk less.

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