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Review

Healing the ailing old colony (Nigeria)

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This paper addressed the rationale for the establishment of a state and the institutions of governance and state administration of Nigeria, the old British colony which was annexed in 1861 by the then British Government. It further analysed the social challenges that the old colony has been battling with since independence in 1960 which constitute variety of social ailments for the country and its citizens. Yet, the country still suffers from the ailments, and to this end, this paper attempted to further identify the ailments and proffer healing solutions. This paper heavily relied on secondary sources of information and documentary responses on the social ailments inflicting Nigeria. The facts were elicited and descriptively analysed. The findings of the analysis revealed that the social ailments infecting Nigeria since her independence are not insurmountable as long as the Nigerian political elites are upright, selfless and regard political offices as a national service, and not a forum for acquisition of personal wealth. The authors also asserted that strict adherence to democratic principles and legal compliances with the constitution and statutes will go along way to heal the country of its social ailments. This paper concluded that unless the leadership variable is properly reexamined and sanitized, healing of Nigeria social ailments may be a mirage hence political and economic decay instead of political, social and economic transformation and development.

Key words: Old colony, social ailments, bureaucracy and administration.

INTRODUCTION

Nigeria was a former colony of the British Government and the origin of governance and administration of state can be traced to the administration of Lord Lugard who was the Governor-General of the amalgamated Administration of the Northern and Southern Nigeria. The objective of the colonial bureaucracy is basically to maintain law and order (Akinboye & Anifowose, 1999). This is tagged as "Minimal Administration". The rudimentary administration was guided by indirect poli-

tical system just like that of the French Assimilation and Portuguese Assilados. The scope of bureaucracy was limited owing to paucity of financial and human resources. For instance, in 1913, the Nigerian Government total revenue, stood at 3.4 million pounds and total expenditure was 2.9 million pounds (Umahoro, 2006).

In spite of its political shortcomings the colonial bureaucracy was able to be financially self sustaining for

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its maintenance of law and order. Its little performances were far reaching. For instance the following performances were noted.

- a. Construction of Western Railway line between Iddo, South and Nguru North, 847miles (1,365.2km);
- b. The first motor road in Nigeria was constructed in 1905 which connected Ibadan with Oyo;
- c. 3,700 miles of roads were constructed as far back as 1930;
- d. Public Works Department replaced the traditional hammock and timber bridges with steel and concrete structures;
- e. Medical facilities were spread to the rural areas inspite of the conservative beliefs of the people in traditional medicine; and
- f. In 1931, 83 dispensaries were opened in Nigeria (Balogun 1983). We now consider the performance of Bureaucracy under Representative Government in Nigeria (Umahoro, 2006).

Bureaucracy under Representative Government

With the advent of Politics and representative government, the bureaucracy underwent some changes which had both negative and positive effect on the performance of the Institution it was working for. The first change was that of new Cabinet government and its attendant problems. Then it was a problem to situate administration vis-a-vis politics (Olowu, 1995). Due to differences in orientation, the political class viewed that entire administrative process from the political perspectives only, whereas the career officials by their training examined issues from the professional and administrative angle.

In line with the conventional West Minister model, the political leaders were expected to initiate policies while the civil servants were expected to carry out the decisions and remained impartial, politically neutral and anonymous. The relevance of change lied in the fact that the political class viewed administrative processes from political and ethnic perspectives.

Obviously this was the commencement of ailment attack on Nigeria as a nation. This problem greatly contributed to the limited contribution of civil servants to socio-economic development of Nigeria during the period under review.

Another problem handicapping the bureaucracy's performance was the sharp conflict between the generalists Administrators and the Professionals. The professionals were of the view that the generalists lacked skill, knowledge and professional competence in the process of policy formulation (Olowu, 1995).

At the end of the day, it was resolved that professional skill and competence alone should not be the only overriding criterion for leadership in Ministries. Instead,

the holders of the highest career of Permanent Secretary ought to have proven administrative experience.

The implication of this decision of the generalist Administrator being appointed Chief Executive of Ministries is that of perennial frictions within the system. The conflict generated lack of mutual trust, inferiority complex, power tussle and suspicion among the bureaucrats/technocrats in Nigeria. At the end of the day, it was administrative stalemate, jeopardy, and delay in policy implementation that ensued.

The gradual decay of political values and institutions in Nigeria and in particular in Western region led to a wave of violence in the House of Assembly which spread to the rest of Nigeria (Omoleke, 2004). The house then was turned into pandemonium where chairs, mace etc were used as weapons of battle in the House of Assembly. This situation worsened the ailment that attacked Nigeria as a nation newly independent: Consequently in 1962, Mr. Majekodunmi was appointed as a Sole Administrator to govern the Western Region of Nigeria.

The persistence of the anarchic situation dented the image of the Politicians, created political and administrative decay hence it generated disillusion with politics and politicians. Thus the political turmoil in the West became a chronic social ailment.

Coupled with the controversial census as well as charges of corruption and "operation wet" i.e. burning of political party opponents houses eventually prepared ground for the military cabal to intervene in the governance of Nigeria and of course by January 15, 1966, the soldiers observed some political dislocation and fermented ground for intervention, hence the decayed system collapsed and the Military stepped in to manage the government bureaucracy (Omoleke, 2008).

What is important to us here is the impact of the political functionalities on the performance of the government bureaucracy in the Nigerian State. The implication of the political trend discussed lies in the fact that the political pandemonium pushed the career bureaucrats into performing the role of political functionalities. This is also a misonormer ailment.

Consequently, the administrative process was coloured with bias, political sentiment, primordial considerations hence the institution of bureaucracy was infected with corruption both at the political and administrative levels of the State Administration. This situation gave way to Administrocracy which enables us to assess the strength of government bureaucracy to cope with extra-ordinary situation. We will now examine some ailment affecting the Nigerian State under the Military Administration.

Government Bureaucracy under the Military Administration

The Military politicians came in to replace the civilian

politicians. In the first few months of the military Administration, the bureaucrat (the career officials) literally took over policy functions formerly carried out by the civilian politicians. Perhaps this was so because of the political inexperience and innocence of the soldiers whose administrative experience of a larger society almost drew close to nil then.

Perhaps, this inexperience is due to the fact that they were schooled to fight external aggression and suppress internal insurrection only, e.g. J.T.F. Joint Tax Force, where the Police is incompetent to address (Omoleke, 1999). It is worthy of note that even when the Civilian Commissioners were eventually appointed as political heads of Ministries, effective leadership role was still being discharged by some civil technocrats. At the Federal bureaucracy for instance, these civil servants did not only execute policies but also formulated them.

Perhaps the above assertion informed Obasanjo (1979) when he declared:

“Let me once again underpin the role of the Public Servants in the context of Nigeria. It is true that no country can develop without efficient, dynamic, dedicated, and loyal public servants. Over the last two decades, the Nigerian Public Service had witnessed significant transformation from the colonial role of maintaining law and order to a development oriented service. It is not only the citizens of this country that look up to its public service for positive contribution and leadership, other black African countries in their search for identity, economic and political recovery do the same. I am happy to note that so far, inspite of some falterings, the public service in general has contributed in no small way to the achievements already made in the development of the nation’s economy”

Arising from the foregoing, the civil bureaucracy became more pronounced, powerful and went beyond its traditional policy implementation. It became a creative organization rather than being ordinary administrative machinery for policy implementation.

SHORTCOMINGS AND AILMENTS OF THE NIGERIAN STATE

In spite of its track records, the following explanation seems to account for bureaucratic ailment, constraints and failures in Nigeria.

Effects of the Military regime

The military regime which created a good atmosphere for bureaucrats enhanced the powers of the technocrats and recognized their role and functions paradoxically purged

the system in 1975. About 10,000 public servants were compulsorily removed with its democratising effects on the performance of the system.

The ignorant and dogmatic application of Decree No. 4 of 1978 by some of the administratively inexperienced military governors did not help matters either.

Paradoxically again, about similar figure was un-procedurally removed in the South Western Zone of Nigeria. Instead of equipping the technocrats with necessary skills, the military oligarchy and democratic governments irrationally embarked on national purge of the civil servants which demoralized and damaged the system (Ubeku, 1983).

Worse still, the Decree No. 43, 1988 promulgated by Babangida Administration did more evil than good. It politicised the leadership of government bureaucracy which spelt doom on the system. The Director-General then held his office at the mercy, whims and caprices of the regime that appointed him.

The whole exercise was a ruse while the draconian decree frustrated the bureaucrats. The Military regime denied the bureaucracy the right leadership as it abrogated the post of the Head of Service and replaced it with the post of Secretary to the Government who could be picked from outside the bureaucracy.

Another ailment is;

Poor remuneration

Frustrated by the Military Administration the bureaucrats (except the Permanent-Secretaries and their equivalents) hardly made two ends meet and could not raise their productivity as their morale was dwindling and dampened every day with little or no hope at sight. Their poor monthly stipend has been engulfed by hyper-inflation with weak perquisite to assist him. When you approach than for assistance, they look morose and unfriendly. They are fed up of the job except that they are yet to get alternatives. The future career looks bleak to them. They only retire to fate. The description of the Nigerian bureaucrats lends credence to Olowu (1991) who observed that the Public Service is being denied of those very things that would enable it fulfill its mission.

Federal Character Syndrome

In practical terms, the federal bureaucracy has been marred by a high level of primordial sentiments, serious ethnic and religious chauvinism. The social ills/ailments have manifested themselves in the behavioural pattern of the officials/bureaucrats. The Federal Officials rarely see themselves as Nigerian bureaucrats instead, they behave as Hausas, Yorubas and Igbos reflecting their ethnic loyalty. The most unfortunate aspect of it is that the

virtues of the Civil Service like impartiality, anonymity, meritocracy etc have surrendered to federal character syndrome. Consequently, this condition affects efficient and effective service delivery in Nigeria.

Obedient Servant (Anonymity)

Unfortunately, the anonymity virtue does not allow the bureaucrat to defend himself as he is supposed to be heard and not seen. He serves every regime without corresponding benefits marching his inputs. He is blamed for failures and hardly praised for successes. He is an errand boy. Perhaps this informed Olowu (1991) who described the civil servants as *“The whipping boy of every administration and held responsible for failures in the Public service”*.

Bureaucratic Corruption

This is a chronic ailment attacking Nigeria which is becoming endemic and almost incurable. The word, corruption simply refers indecency. There are two types – Political and bureaucratic corruptions and the two are ailments that Nigeria Governments are battling with. It is evident that corruption is more prevalent and perhaps institutionalised in the Nigerian Public Sector. Perhaps this informed Divivied (1998) to assert that:

A problem of ethics in the Public Service may be said to exist whenever public servants individually or collectively use positions (or give appearance of doing so) in a way which compromises public confidence and trust because of conflict of loyalties or as a result of attempts to achieve some form of private gains at the expense of public welfare or common goods.

Research findings in this area had identified three major reasons for the ailment of corruption in Nigeria.

(1) There is the wide spread of socio-economic poverty reinforced by the pervasiveness and hegemony of the economic system by a highly centralized government bureaucratic elite.

(2) Inadequate identification by the political functionaries and civil servants with the bureaucracy itself as an institution of modern government. The resultant effect is alienation which leads to the erroneous notion that the Public Service is no one's father's field. Public sector corruption is therefore seen as a right by its beneficiaries.

(3) Finally and closely related to the second reason is the absence of a sense of mission, and of professionalism among the Public Servants themselves which civilian and military politicians quickly use to their own advantage.

In the words of Olowu (1983) the three major sources of corruption in the Nigerian Local Government

Administration into which enquiries were conducted between 1976 and 1983 have been found to be;

- (i) inability of the political leaders to provide necessary political initiatives and control;
- (ii) lack of appropriate knowledge and skill especially relating to financial management of the appointed officials and
- (iii) collusion between the political and administrative leaderships.

What Olowu asserted in his research findings on corruption at local government administration can also be assumed true, perhaps with greater force at other levels of government in Nigeria. Perhaps the magnitude of political and bureaucratic corruption in Nigeria informed the campaign mounted through news media during Gowon military administration. Various institutions were setup to combat bureaucratic corruption. The institution included Public Complaints Commission which has branches in all the 36 States including Abuja; Code of Conduct Bureau, Corrupt Practices Bureau, Declaration of Assets for Public Officers etc. Still on corruption as a social ailment infecting Nigeria – the old colony, in May 2000, the Obasanjo Administration, worried by bureaucratic corruption, sponsored an anti-corruption bill which was finally accented to by the President accordingly.

Regrettably, one may be skeptical about enforceability of such Act when one considers that those public officials in charge of enforcing such Act have been one time or the other alleged of being corrupt and that is the Nigeria Police which is a microcosm of the allegedly corrupt bureaucracy. Then what is the hope of the Act, in curing the ailment of corruption?

This doubt has been supported by Akinseye (2000) who observed that Corrupt Practice Act 2000 provisions are unduly rigid, static, confusing and non-effective of the contemporary realities of Nigerian Society.

We now turn to another democratic regimes of Yar'adua/Jonathan Administration and we will briefly itemize few ailments that are challenging the Administration of Nigeria State. Obviously, the ailments are numerous but we want to highlight or diagnose them and proffer healing solutions.

The following social and political ailments can be diagnosed when examining Nigerian administration during Yar'adua and Jonathan regimes. The first ailment is insecurity of life and property in Nigeria. The Boko Haram strikes nearly every week. Last week it was speculated that that they struck in Abuja. It was also on record that the group had once attacked the Inspector General of Police and United Nations Office, Abuja where many lives of Nigerians and non-Nigerians were lost. Worse still, the innocent Federal Girls Secondary Schools was attacked and the girls and their principal were killed

in the hostel.

Industrial strike is another ailment that is seriously worrying Nigeria Government. Hardly can a week pass away in Nigeria without industrial strike in the economy. For instances, Academic Staff Union of Universities went on strike for months in 2009 and for six months in July 1st 2013 to January 2014. Similarly, the Nigerian President Doctors were also on strike in the same year Association of the Polytechnic lecturers also was on strike paralysing academic and health institutions activities. In January 2012 the Labour went on strike and the Nigeria economy was almost paralysed. The strike was prompted by unilateral jacking up of fuel price to 120 Naira.

Unemployment is another social ailment which calls for healing. It was just a few weeks ago that Nigeria lost 19 job seekers in their attempt to struggle to gain employment with the Immigration Department.

Another serious ailment is hyper-inflation which Nigeria is battling with. Is it not shameful to exchange 160 Naira for One dollar and 260 Naira for one pound, 40 Naira for 1 Riyal and 40 Naira for 1 Dhiram. This means that Naira has no value compared to other international currencies; hence transformation agenda of Jonathan administration is yet to cure this ailment

Others include unsafe airspace, poor social welfare, no portable water to drink, epileptic supply of electricity and worse still, Nigeria cannot boast of accurate figure of Nigerians living in Nigeria. The Nigerian population counting is always controversial, e.g Kano is said to be more populated than Lagos which is against any demographic principle that savanna cities are less populated than the forest cities.

Most issues are heavily politicized in Nigeria hence due processes are jettisoned. In essence, politics takes precedent over the law. Obviously this is an absurdity and lastly the Nigerian conduct of election is replete with rigging, stealing of ballots and ballot boxes, use of thugs by the political parties to scare voters and inflation of voting results etc.

The constellation of the social ailments infecting Nigerian administration perhaps informed the initiation of the National Conference currently on with the hope that these social ailments mentioned and discussed in this paper may be addressed.

Meanwhile, we want to proffer some social prescriptions that may heal the Nigeria ailments, the old British colony.

A WAY OUT

Hope is not totally lost if the Nigerian Political leaders – President, Vice President, National Assembly members and the Local Government Chairmen and Councillors are upright, and able to set good examples for their followers; motivate their workers and seriously address the poverty level in the society. This may be more effective in

addition to institutional and legal responses to tackle corruption so far hence the Independent Corrupt Practice Commission and Economic and Finance Crime Commission may be relevant in this direction.

1. It is recommended that the civil bureaucracy be insulated as much as possible from all political influences which tend to compromise standard.

2. The bureaucrats should be adequately motivated like their counterparts in the private sector, if high level productivity is to be expected, guaranteed, and sustained. Anyway, there is need to tropicalise the government bureaucracy to suit the Nigerian culture.

3. Of great concern is the issue of corruption. It is our feeling that appeal should be made to emphasize public accountability in the training and retraining of the political and administrative functionaries in the government bureaucracies in Nigeria and specially orientate the political functionaries aspirants to the post of President, Governors and Chairmen of Local Government as well as other political office holders on the need to follow due process throughout their stay in office e.g. the speaker of the House of Representative was alleged to have breached the Procurement Act 2007. Furthermore, anti-corruption law/Acts should be enforced along with SERVICOM policy to serve as deterrent, hence minimizing or eliminating corrupt practices in the system of governance in Nigeria.

4. Normal administrative procedure is hereby recommended for disciplining the (erred officials/bureaucrats, rather than regimented, spasmodic, unorthodox, uncivilised, illegal, unprocedural and irrational discipline (e.g. dismissal and purge) as witnessed during the military despotism in Nigeria.

5. Although man has been described as a political animal, yet effort should be directed to disallow political sentiment and ethnic orientation to becloud the merit, judgment and actions of the bureaucrats and the Political Office holders. Atomization of career officials into political party (ies) camps will affect the performance of the officials in a manner contrary to the spirit and norms of the service, (anonymity) given the Nigerian contemporary circumstances.

6. Effective performance is a function of the Civil Service and Public Service bureaucracy being professionalized. To this end, it is being suggested that a staff development programme directed towards professionalisation, training and retraining be instituted. The crude, naïve and parochial military or civilian politicians should be educated that the bureaucrats/technocrats are professionals by their training and must be regarded as such. We suggest organic law to protect the bureaucrats from being embarrassed by the civilian or military political bosses. Also efforts should be directed to tropicalise bureaucracy so as to respond to the needs, nature, and culture of the people it is billed to serve.

7. As much as possible, unsettled political order should stop by providing an enduring national philosophy as there is little the bureaucracy can offer within a political framework that is deficient or lacks national philosophy and selfless leadership. The leaders at each level of State Administration need to know how to govern and how not to govern as governance involves patience, knowledge to interpret issues, reconcile opinions, respect the right of all, allow freedom of expression, abide by the law, have courage to accept fault, rectify mistakes and finally ask for and listen to advice, Omoleke (1999).

8. It is not enough to enact law but the most important thing is the Government political will to enforce/implement the law in good faith. Nigerian governments are in most cases reluctant to implement, labour agreements reached with the labour unions e.g. Academic Staff Union of Nigerian Universities (ASUU), Nigerian Medical Association (NMA) etc. Worse still, the employer of labour see workers as servants that could be treated any how, but the Labour and Managements relationship should be seen as symbiotic and NOT as Master/Servant relationship if Nigeria is ready to sustain industrial peace and guarantee socio-economic development. Finally, labour needs capital and capital needs labour. This is an irrefutable statement of facts which Nigerian Employers of labour must understand and uphold. Both are partners in the same trade and must respect each other. The need for Nigeria Government to adequately fund knowledge-industry and other similar service industry and motivate workers therein is a sinequanon for industrial peace and development if Nigerian Government is serious in managing Public Interests. Interest of the citizens must supersede the interest of the Rulers.

Summary and conclusion

In a way this paper has examined and analysed the shortcomings of the old Colony (Nigeria) which constitutes social ailments. We also considered the structure and workings of institutions of governance as well as developmental profile of the Nigerian Government Bureaucracy right away from her pre-colonial, colonial through the military and to civilian Administration to date.

We could observe the limited contributions the Bureaucracy could offer during the colonial days due to the colonial masters' design. We also analysed the bureaucracy during the Military Administration and democratic dispensation where bureaucratic failure was nascent due to social ailments like dictatorship, corruption, abuse of office, coercion, breach of law by the leaders, election malpractices and political indecencies.

We also proffered healing solutions if politicians are ready to comply.

The Political Leaders should also learn from Prophet Mohammed (S.A.W.) when he remarked that the leader

of a group or community is their servant but it appears that the reverse is the case in Nigeria.

This leads us to conclude by drawing the attention of the Nigerian Political leaders (President, Vice President, Senate Leader, the Speaker of the House of Representatives, National Assembly members, Governors, Deputy-Governors, Chairmen and Councillors of Local Governments) to Chapter 38 Verse 25 where Allah was addressing Prophet Daawudu when he said:

O! Daawudu we did make you a vicegerent on earth. So judge between men in truth, and justice not follow the lust of your heart for they will mislead you from the path of (God) Allah; there is a penalty for that they forget in the day of Account.

The politicians should learn from Chapters 16 Verses 89 and 90 of the Holy Quran that Allah (God) commands justice, the doing of good and liberality to kith and he forbids all shameful deeds and injustice and rebellion. He instructed you that ye may receive admonition Chapter 16 Verse 90.

Fulfill the covenant of Allah and when ye have entered into it and break not your oath after ye have confirmed them. Indeed, ye have made Allah your surety for Allah knoweth all that you do.

The political leaders should also learn from Prophet Mohammed (S.A.W) who said that the leader of a group is their servant but it appears the reverse is the case in Nigeria. The Prophet also advised us both the leaders and the followers to live in this world as if we are visitors. In other words, tenacity of political office or do or die contest for elective offices should be avoided and deemphasized.

Conflict of Interests

The authors have not declared any conflict of interests.

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Review

Effects of leadership training and team work on the Nigeria electoral system: A re-examination

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The paper set out to examine the role leadership and good team work could play in ensuring credible and acceptable conduct of election in Nigeria. Bearing in mind that the previous conduct of elections in Nigeria was questionable as series of legal petitions always greeted Nigeria election results. This obviously is not disconnected with breach of Electoral Act and Constitutional provisions guiding the conduct of Nigeria electoral system. This misnomer has always been traced to bad leadership and disharmony among the election stakeholders. To this end, the paper groped for factors affecting the conduct of election in Nigeria using secondary data and random sampling technique to elicit information from the stakeholders on why Nigeria election results are always in doubt and unacceptable to the stakeholders. The information garnered were analyzed and the findings revealed that Independent National Electoral Commission cannot conduct election without the harmonious support of the stakeholders, such as political parties, traditional institutions, civil society groups, National Youth Service Corps (NYSC) Scheme, press and police; (70%) of the respondents confirmed this finding. The findings of this investigation further revealed that noncompliance with Electoral Act and Constitution provision by the stakeholders can explain why Nigeria electoral system is defective; (60%) of the respondents agreed with the finding. The paper thus concluded that Nigeria electoral system can only be improved to meet international standard if the electoral laws are respected and harmonious relationship exist among the stakeholders and good leadership is established.

Key words: Leadership, training, electoral system, Nigeria.

INTRODUCTION

It might be more convenient to start this paper by conceptualizing major variables that cut across this topic. We start with the concept of bureaucracy since Independent National Electoral Commission is a microcosm of the Nigerian Government Bureaucracy, that is, a parastatal or a government ministry, department and agency.

Generally, any government is established basically to

address the citizens' needs in relation to their socio-economic well-being and security of lives and property within the State's jurisdiction. Government is also put in place to allocate resources to achieve set goals. This assertion lends credence to Dahl (1969). However, the means to achieve these goals is through the Public Service Administration/Government Bureaucracy; hence we defined Government Bureaucracy: which refers to

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government apparatus or organizational structures which undertake the functions and responsibilities of a Government.

Another pertinent variable in this topic is politics which refers to authoritative allocation of resources in a given State with a view to achieving set goals of the State. Related to the concept of Politics is the concept of Administration which simply refers to management of human and material resources to achieve organizational goods (Amitai 1964).

Policy on the other hand, is action and/or inaction of the Government of the day and such a policy is supposed to be a derivative of political manifestoes of the political party that eventually won the election in a democratic dispensation.

The next concept is leadership which simply refers to a collectivity of people managing the affairs of an organization, micro or macro (such as INEC, Independent National Electoral Commission).

An organization (such as INEC) is a human invention (Amitai 1964). In the words of Omoleke (2009), man is born into organization, nursed in an organization, educated and socialized in an organization; employed by an organization, work in the organization, married in an organization, procreates in an organization, prays and worships in an organization, spends all his life in an organization and dies in an organization, buried in an organization and faces God's judgement hereafter in a divine organization.

The above analysis underscores the importance and ubiquity of the concept of organization, hence such organizations must be led by the right leaders if organizational goals are to be achieved.

The next concept is law which is a set of social control mechanisms which guide the rulers and the ruled. Nobody is above the law and finally is the concept of state which to a large extent, is a permanent organization, independent, sovereign and occupying a defined territory, the members of which are, all things being equal, united for the purpose of resisting external force and preservation of internal order (David, 1973). Whereas Government is a machinery of the State which is not permanent like the State. The government is periodic and ephemeral or transient.

To this end, the general objective of this paper is to examine the effects of leadership training and teamwork on the Nigerian Electoral System and how these have impacted on the conduct of election in Nigeria.

We now address the concept of democracy and its elements as this is the central concern of INEC.

A REVIEW OF LITERATURE AND THEORETICAL EXPOSITION

Concept of democracy

Although there are existing divergent views and

misunderstanding of what the concept implies, it is still within possibility to supply at least minimum requirement for democracy. This, it is a set of institutions that fulfill at least two essential requirements:

1. It must, first be able to elicit as accurately as possible the opinion of as many people as possible on who shall be their representatives and on how the country ought to be governed (Diekola and Yusuf, 2002). This, in effect means a minimum universal suffrage, establishment of political parties and the organization of free voting in incorruptible elections at relatively frequent intervals;
2. It must provide a way of ensuring that those chosen by the electorate do, in fact, what the electorate wants them to do or that they can be replaced if they do not, even between elections. Perhaps this lends credence to Section 69 (a) and (b) of (CFRAN), Constitution of the Federal Republic of Nigeria 1999. This simply means that process of government in a democracy is essentially a dialogue between rulers and the ruled (Omoleke, 2004).

The foregoing minimum requirements of democracy buttress the Sergeant's views (1975) when he itemised elements of democracy as follows:

- (i) Citizens' involvement in political decision making;
- (ii) Some degree of equality among citizens;
- (iii) Some degree of liberty or freedom granted to or retained by citizenry;
- (iv) A system of representation; and
- (v) An electoral system for majority rule.

However, how effective the dialogue between the rulers and the ruled will depend largely on national habits and circumstances, as well as on the kind of machinery by which the contacts are maintained.

This raises a theoretical question of how much opposition is required for effective democratic governance. In a true democratic set-up, there appears an agreement on the need for opposition, especially when an election cannot be a choice, in any real sense of the term, unless at least two possibilities are open to electorate.

As Amitai (1964) put it, "the existence of political opposition by individuals, and group, by press and above all, by the organized parties is the litmus paper test of democracy.

What we can infer from Mayo is that, without adequate stimulus from critics, government can become stack, authoritarian and complacent or even corrupt. Furthermore, opposition is also expressed ion the Press by Pressure groups, by associations supporting various specific causes and also by demonstrations. These and other forms of propaganda and protests are ancillaries because they do not directly seek power.

On the other hand, there is a very real danger to democracy in proliferation of uncoordinated strikes and

demonstrations if they come to the regarded, not as ancillary but as a substitute for organized opposition by political parties.

Despite this, we now turn to another concept of democratic governance, which is cognate and intimately related to democracy and this is the rule of law.

The rule of law

The doctrine of the Rule of Law looks like an ambiguous expression and may mean different thing to different writers. The idea that the rulers as well as the ruled should be subjected to law could be traced to Aristotle who argued that revolution occurred when there was lawlessness. He then recommended some measures to guarantee the stability of the polity. The measures are:

- (i) Leaders must obey the law of the country;
- (ii) Leaders should avoid stealing public money, and officials should not be corrupt;
- (iii) People should eschew anything that can alienate the rich from the poor, and
- (iv) The leader should avoid the use of coercion and violence in governance.

Bracton (1970) adopted the theory generally held in the Middle Ages that the world was governed by law, human or divine. He further held that the King himself ought not to be subjected to man but subject to God and to the Law because the Law makes him King. In essence, whatever forms of law as administered by any court is supreme.

It was in 1885 that Dicey, an English Professor of law set out the principles of the Rule of Law which had influence on writers of Constitutions as well as practitioners of Constitutional law. We now consider a legal framework to beef up the content of the paper.

Legal exposition

For Dicey, the expression "*the rule of law*" connotes three conceptions:

1. The absence of arbitrary power, meaning that no man is above the law, no man is punishable except for a distinct breach of law, established in the ordinary legal manner before the ordinary courts. (Refer to Section 36 of CFRN 1999).
2. Equality before the Law, implies that, every man, whatever his rank or condition is subject to ordinary law and jurisdiction of ordinary tribunals with few exceptions which are discussed later in this paper,
3. The general principle of the Constitution especially the liberties of individuals such as personal liberty, freedom of speech and public meetings.

However, the principle excludes, as a general rule,

preventive detention, compulsory acquisition of goods and direct enforcement of administrative decisions.

Similarly, the Parliament or the National Assembly could confer wide discretionary or even arbitrary power on the Executive but for extra-legal reasons, and the parliament seldom does so except in an emergency especially the emergency powers granted in war time or any insurrection (Dorothy, 1970). Section 305(3) a-g of the Federal Republic of Nigeria 1999 Constitution as amended in 2011 exemplified these general exceptions to the rule. It states:

The President shall have power to issue a proclamation of a state of emergency only when

- (a) The Federation is at war;
- (b) The Federation is in imminent danger of invasion or involvement in a state of war;
- (c) There is actual breakdown of public order and public safety in the Federation or any part thereof to such extent as to require ordinary measures to restore peace and security;
- (d) There is clear and present danger of actual breakdown of public order and public safety in the Federation or any part thereof requiring extra-ordinary measures to avert such danger,
- (e) There is an occurrence or imminent danger, or the occurrence of any disaster or natural calamity, affecting the community or a section of the community in the Federation;
- (f) There is any other public danger which clearly constitutes a threat to the existence of the federation, or/and
- (g) The President received a request to do so in accordance with the provision of sub-section 4 of this section.

However, so many exceptions have to be made at the present day to the doctrine that all persons have equal rights and duties before the law that the statement is of a doubtful value e.g. the Local Government Authorities have statutory power under certain conditions to buy land compulsorily and police have special powers of arrest and search by Common Law and Statute (FGN, 2011). Ministers have wide powers of delegated legislation and the rights and obligations of the individuals are now decided in many cases not by ordinary courts but by special or administrative tribunals, juvenile courts or court marshal.

Furthermore, judges and ambassadors have immunity from being sued in the courts although it can be argued that immunity of judges actually favours the rule of law (Joseph 2006).

Interestingly, there is also immunity in Section 308 of CFRN 1999 which confers immunity on the President of the Federal Republic of Nigeria, Vice President, the Governor, the Deputy Governor which constitute an exception to the rule of equality before the law. The

section states:

Notwithstanding anything to the contrary in this Constitution but subject to sub-section (2) of the section,

(a) no civil or criminal proceeding shall be instituted or continued against a person to whom this section applies during his period of office,

(b) a person to whom this section applies shall not be arrested or imprisoned during that period in pursuance of the process of any court or otherwise; and

(c) no process of any court requiring or compelling the appearance of a person to whom this section applies shall be applied for or issued.

Provided that in ascertaining whether any period of limitation has expired for the purposes of any proceedings against a person to whom this section applies, no account shall be taken of his period of office (Olukanmi, 2012).

Furthermore, the provisions of sub-section (1) of this section shall not apply to civil proceedings against a person to whom this section applies in his official capacity or to civil or criminal proceedings in which such a person is a nominal party party (Olatunji, 2007).

This section applies to a person holding the office of President, Governor, or Deputy Governor, and the reference in this Section to "period of office" is a reference to the period during which the person is required to perform the functions of office (Otonba vs Amosun, 2009).

Furthermore, a member of the National Assembly cannot be arrested within the precinct of the National Assembly without the consent of the Senate President.

Finally the appointment of the Parliamentary Commissioner for Administration (Ombudsman) in 1967 is another important development. In Nigeria, the institutionalisation of (ICPC) Independent Corrupt Practice Commission and (EFCC), Economic and Finance Crime Commission to investigate, arrest and prosecute any Public Officers who mismanage public fund is also a new development in the area of exception to the rule of law (Omoleke and Olaiya, 2013). The above exceptions, if care is not taken can be abused by the overzealous political elite bearing in mind that law has a loophole or lacuna that can salvage them from civil and criminal liabilities while in office (The Nation, 2012). This legal exception can dent the image of the rule of law, especially equality before the law. Also, High Commissioners and Ambassadors of foreign countries serving in Nigeria are also protected by the same immunity clause. Finally, the function of Ombudsmen (Code of Conduct Bureau) for instance, is to investigate complaints of injustice resulting from faulty administration on the part of a government department as against ordinary court of law of the land.

Law and Election (Electoral Act)

Obviously, there is need for establishing a legal

framework to guide the conduct of election bearing in mind that without law the entire society may break down hence disorderliness and lawless behaviour prevail (Osita, 2002).

Even, in spite of the fact that necessary laws were put in place e.g. Electoral Acts 2004, 2010 etc. yet people still breach the electoral law with all impunity to achieve their selfish political power, ambition and posts by all means.

Undoubtedly, Electoral Act is a regulatory instrument that prescribes dos and don'ts for the conduct of election in Nigeria. This goes a long way to assist election administration in Nigeria, if complied with *strict sensu*.

The Federal Republic of Nigerian Constitution (1999) as amended, being the ground norm, is the first legal document that authorizes INEC to fix dates of elections into the National Assembly. Furthermore, it also prescribes the age limit of the eligible voters in general election in Nigeria: Thus Section 76(1) of the (CFRN, 1999) as amended, states:

elections to each House of the National Assembly shall be held on a date to be appointed by the Independent National Electoral Commission.

It further states in (Section 76(2))

The date mentioned in sub-section (1) of this section shall not be earlier than sixty days before and later than the date on which the house stands dissolved, or where the election is to fill a vacancy occurring more than three months before such date, not later than one month after the vacancy occurs.

The CFRN, 1999 provides further in Section 77(1) that every Senatorial district or Federal Constituency established in accordance with the provisions of this part of this chapter shall return one member who shall be directly elected to the Senate or the House of Representatives in such manner as may be prescribed by an Act of the National Assembly.

In respect of eligibility to vote in election, Section 77(2) states:

Every citizen of Nigeria, who has attained the age of 18 years residing in Nigeria at the time of registration of voters for purposes of election to a legislative house shall be entitled to be registered as a voter for the election.

The Constitution also directed that the conduct of the election shall be subject to the direction and supervision of Independent National Electoral Commission.

Section 79 empowers the National Assembly to make provisions in respect of the following;

(a) persons who may apply to an election tribunal for determination of any questions as to whether;

(i) any person has been validly elected as a member of

the Senate or of the House of Representatives,
 (ii) the term of office of any person has ceased, or
 (iii) the seat in the Senate or in the House of Representatives of a member of that House has become vacant.

(b) circumstances and manners in which and the conditions upon which such application may be made, and

(c) powers, practice, and procedure of the election tribunal in relation to any such applications.

Finally, the determination of the number of seats in the House of Representatives is also determined by the CFRN 1999. See Section 49 of the Constitution which states that the House of Representatives shall consist of three hundred and sixty members representing constituencies as a guide for conducting free and fair election that can roll in democratic governance in Nigeria.

Electoral Acts 2004 and 2010

This is the legal framework that guides the conduct of

1. INEC officials
2. the Electorate
3. the Political parties
4. the Judiciary, Executive, the Legislature, and
5. the Police

The Act structurally highlights the composition of the National Independent Electoral Commission and its functions. See Section 15(1) of the Act.

Section 18(1) of the Act states the required qualification for registration as a voter. See also Section 9(1) of the act which authorizes the INEC to compile, maintain and update, on a continuous basis a National Register of voters. The Commission has power in Section 78(1) of the Act to register Political Parties.

Also Section 90(1) of the Act places a limit on the amount of money or other assets which an individual or group of persons can contribute to a political party.

Concerning the conduct of Political Rallies and Processions, Section 94(1) of the Act states that;

for the purpose of the proper conduct of political rallies and processions, the Commissioner of Police in each State and the Federal Capital Territory, Abuja shall provide adequate Security for processions at political rallies in the State and Federal Capital Territory, Abuja.

The law states further in sub-section (2) that a person who, while present at a political rally or procession or voting centre, has within him any offensive weapon, or missile otherwise in pursuance of a lawful duty is guilty of an offence and liable on conviction to a maximum fine of N2,000,000.00, or imprisonment of a term of two years.

The Act also authorized the Commission to establish sufficient number of polling units in each Registration Area and shall allot voters to such Polling Units. See Section 42 of the Act, which empowers the Commission to provide suitable boxes for the conduct of elections.

Declaration of election results

Section 69 of the Act states categorically that:

In an election to the office of the President or Governor whether or not contested and in any contested election to any other elective office, the result shall be ascertained by counting the votes cast for each candidate and subject to the provisions of Sections 133, 134 and 197 of the Constitution, the candidate that receives the highest number of votes shall be declared elected by the appropriate returning officer.

Compliance of Law i.e. Electoral Act in the Conduct of Election in Nigeria

The rationale for enactment of the Electoral Act is simplicity, to create good atmosphere and legal framework to guarantee electoral system that embraces essential elements of democratic process, such as relatively equal electoral constituency, freedom and right to vote, designing register of voters, regulation of parties and their activities, balloting procedures, transparency in counting of votes, enforcement of electoral rights, and pronouncement of result of the candidate winning the election.

In brevity, legal framework for the conduct of election covers issues specific to rules and regulations that are essential for free and fair election. The law assists tremendously election administration in Nigeria if complied with *strict senso*.

The legal framework for election administration can also be referred to as practices based on international standard agreed upon or acceded to by international community for assessing democratic, credible and genuine election.

In essence, the CFRN 1999 and the Electoral Act serve to assist election administration and conduct of election in Nigeria if the two instruments are respected, enforced and complied with voluntarily.

The question and concern is: Are the two instruments well enforced, respected and voluntarily complied with both by the leaders and the followers? Do the political leaders (President, Vice President, Governors, Deputy Governors, Members of the National Assembly, Special Advisers, just to mention a few) respect the laws as expected?

Perhaps, the followers could not comply because of poor leadership which breaches the legal instruments

with all impunity.

This brings this discussion to leadership training and quality of team work and their effects on credible election in Nigeria.

Leadership and team work

All what we have been analyzing in this paper that is, democratization, law and conduct of election, election administration, and electoral integrity depends on the need for adequate leadership training and team work, hence we discuss concept of leadership (Osita, 2002).

Unarguably, at least there are four major variables that leadership training should involve:

1. the characteristics of the leader which must be excellent, good conduct and attitude,
2. consideration of the needs and other personal characteristics of the followers,
3. characteristics of the organization, such as its purpose, its structure, the nature of the tasks to be performed and social, economic and political milieu.
4. Leadership involves carrying along the followers and he must know their characteristics apart from setting good examples for the followers to emulate. He must democratize the implementation of organization policy. He should be able to motivate his followers, study their needs, attitudes to work and their psychological problems which vary from one worker to another.
5. Part of leadership training also involves understudying the characteristics of the organization within which the leader will operate e.g. INEC as we have tried to analyze in this paper.

A creditable leadership training must imbibe the goals of the organization as exemplified in this paper by INEC as the leader should be able to educate the followers on the essence of goal attainment of the organization.

Leadership training must highlight the nature of the business of the organization as we demonstrated with INEC as a Parastatal of the Federal Government charged with ensuring a credible conduct of election and thus guaranteeing a credible democratic process (Raphael, 2009).

Leadership training must also accommodate a study of social, economic, and political terrain or milieu of the organization bearing in mind that the performance of such organization like INEC will be determined by internal and external environments hence leadership training must properly understudy the environmental milieu of the organization.

As earlier discussed, no leader can do it alone if he wants to achieve organizational goals. He must involve other team members.

A democratic leadership must accommodate other teams. Take for instance, INEC cannot conduct any

credible and acceptable elections without properly teaming up with the following stakeholders;

- (i) the electorate,
- (ii) the Police
- (iii) the political parties
- (iv) the Judiciary
- (v) the Legislature,
- (vi) the Executive
- (vii) National Orientation Agency (NOA) and
- (viii) The National Youth Service Corps.

Such a statutory responsibility requires full support of other parties/teams hence there must be harmonious official relationship among the teams/groups listed above. It is obvious that each team has a role to play in achieving organizational goals of INEC.

Summary and conclusion

What we have attempted to discuss in this presentation is the effect of leadership training and team work on the Nigeria Electoral system. To this end, we examined few variables that are cognate to election administration. These are democracy, election, rule of law, Electoral Act, electoral integrity, election administration, leadership etc. The paper thus related the variables to conduct of election which is the statutory function and responsibility of INEC. Such statutory responsibility called for leadership training and team support of other stakeholders.

The paper concluded that INEC must properly team up with other agencies coupled with good leadership and harmonious relationship among the police, the electorate, the judiciary, the political parties, legislature and the judiciary, if a credible election is to be guaranteed.

Finally, strict compliance with legal instruments (Constitution and the Statutes), is a *sine qua non* for organizational achievements of INEC and anything contrary to this assertion will dent the image of the parastatal, INEC, in the conduct of credible election in Nigeria.

Conflict of Interests

The authors have not declared any conflict of interests.

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A globe on a stand is the background of the entire page. A semi-transparent dark grey box is overlaid on the globe, containing the title and a list of journals. The globe shows the continents of Africa, Europe, and Asia in various colors (green, brown, red, yellow, blue).

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