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Democratisation process and governance crisis in contemporary Nigeria: A re-examination

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The minimalist conception articulated in the advanced democracies of the West, and typified by liberal political theory and thereafter im(ex)ported to Africa hook, lines and sinkers have not produced the desired 'fruits'. Going by the waves of democratic upheavals in most part of the continent, the kind of procedural, formal or institutional democracy, which stresses political rights, focusing on elections and multi-partyism has been practiced in Nigeria in all its forms with, for the most part, the fear and fate of the citizenry exacerbating by the days. This paper investigates the political history of one of Africa's most influential and forlorn democracy – Nigeria – within the ambit of competitiveness and western democratic practices. The paper observed that ever since Nigeria attained independence in 1960, despite several elections and democratization processes, records show that one of her major challenges is achievement of good governance through democracy whether in the Westminster model or presidential system. The study also found evidences that the prevailing opinion on Nigeria's democracy is that even though confidence that election can ensure integrity of governance and accountability is rife, such confidence has actually waned due to the protracted history of mean electoral practices. The paper concluded that integrity of elections, among others, is critical to ensuring true democracy and good governance in Nigeria.

Key words: Governance, crisis, democratisation, Nigeria

INTRODUCTION

Nigeria's history as a postcolonial nation has been marked by some dramatic and significant developments. At the time of independence optimism was freely expressed about the new nation with the promise of a model of economic, political and social development worthy of emulation by other nations in transition in Africa and perhaps beyond. The sanguinity appeared appropriate of the new Nigeria, considering its well-established

bureaucracy, fashioned after the British Westminster system of parliamentary democracy and bounty mineral deposit waiting to be explored (Olaiya, 2013). However, the excitement and optimism had hardly waned down when 'Nigerians soon found themselves embroiled in all the problems and turmoil which have beset most postcolonial nations' (Geddes, 2010:1). As Whitaker (1991) aptly pointed out:

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Widely heralded in 1960-independence year-as a testing ground of democratic capacity in Africa, Nigeria subsequently experienced a serious breakdown of civil order, partisan rejection of constitutional arrangements, several coups d'etat, civil war, and out of five heads of state, the assassination of three and the exile of a fourth. Gross idealisation of Nigeria's democratic prospects gave way to deep despair. Perhaps both extremes of attitude stemmed from the same naive conception of political development in Nigeria as a straightforward (if troubled) process of transfer of institutions from Western to African settings (Quoted in Geddes, 2010:1).

In the immediate years after independence, the setback to democracy began and quickly escalated from the dregs of the upheavals of pre-independence politics of regional partisanship. In the struggle for retention and/or ascension to power between 1962 and the 1964 general elections, tribal or ethnic sentiments were freely deployed by politicians to whip up support and the political base for the regionally and ethnically based parties and contenders were the respective regions (Nwankwo, 1984:6). In the aftermath, it became clear that adherence to the basic rules of democracy by the book was not enough to guarantee sustainable democratization in Nigeria. As Post and Vickers described the turbulent 1964 election:

... the institutional trappings of the democratic electoral model of the Western world were faithfully reproduced. Electors were enumerated and registered, candidates nominated, and security arranged. Parties set organisation machinery in motion, issued manifestoes, and even signed pledges ensuring non-interference in the campaigns of rival parties [but] ... the parties ignored or only paid lip-service to electoral provisions laid down by the administration. In place of these provisions others, designed to give grater assurance of success at the polls, were adopted. Thuggery (a term used by Nigerians to describe beatings and killings) and rigging (another term meaning illegal alteration of administrative procedures to influence the election outcome) became favoured methods through which the parties gained and maintained support (Post and Vickers 1973:3).

Worse still, with the widespread electoral process manipulations and disenfranchisement of opposition as well as the attendant violent 1965 regional election in the Western Region, the stage, according to Geddes (2010), was set in January 1966 for the first of Nigeria's military coups. The event that purportedly triggered the coups essentially cast doubt in the minds of the people as though election is synonymous with violent attacks thus giving a picturesque of democracy as antithetical to development. Yet, there is no conceivable alternative to democratic rule. As Finer (1997) pointed out, there has been no form of rule most equivalent to democracy in forms of governance even from ancient Mesopotamia to

the modern times.

METHODOLOGY

In an attempt to grope for factors afflicting the integrity of the Nigerian democratization process, the authors relied on both primary and secondary data sources. Informative Interviews and focus group discussions were conducted with randomly selected political office holders to elicit information and why the democratization process is in question in Nigeria. Heads of Political Science Departments in selected universities were also interviewed on democratization process in Nigeria and how this has impacted on governance. Furthermore, few members of House of Assembly in Osun State, Nigeria were also interviewed. The National Orientation Agency Director was also interviewed to elicit facts about Nigerian democratization process and how this has impacted on governance and administration of the Nigerian state. For triangulation, data obtained from interview sources were complemented with those from focus group discussion. The Nigeria political history were also examined from perspectives from extant literature

Defining democracy

A settled definition of democracy is perhaps non-existent as democracy appears to connote a classic example of an 'essentially contested' concept (Gallie, 1956). The International IDEA (2005) argued that 'there is not now, nor is there likely to be, a final consensus on its definition or full content'. Perhaps it may be more convenient therefore to start off this paper by groping into what the concept of "democracy" is all about. In the words of Wiston Churchill in the House of Common (1947) "democracy is the worst form of government except all those forms that have been tried from time to time". Giovanni Sartori in his Democratic Theory also asserts that – democracy is more complex than any other political form.

One of the most difficult questions to answer satisfactorily is: What is democracy? To Pickles (1971), linguistically, the word simply means government by the people. However, this definition leaves a great many problems unsolved. No known political system at any time, whether democratic or not, has ever provided for all the people even to elect the government, much less to exercise governmental powers.

In different times and countries, citizenship has been restricted on a number of grounds. Age, sex, property, social status and sometimes colour and religion, have all at one time or another barred certain people from the enjoyment of political rights enjoyed by others. At times, the denial or restriction may be logical and common – sense ones, for instance, the denial of vote to children and the insane on the ground that they are incapable of taking responsible decisions. But many restrictions seem to have been based on prejudices which the political climate of the time, was taken for granted as self-evident truths.

For instance, Gladstone (1892) was opposing women's suffrage, when he remarked:

"The fear I have is lest we should invite her unwilingly to trespass upon the delicacy; the purity, the refinement, the elevation of her own nature, which are the present sources of its power?"

Put differently, Gladstone's view, politics as a dirty game and men must decide on behalf of women whether the latter were too pure to be involved in it. In Great Britain for example, women did not have full suffrage rights until 1929 while French women did not obtain them until 1945. Yet, there was "democracy" – government of the people by the people.

Strictly, if the term "government by the people" is taken to mean the formulation and carrying out of national policy by the whole electorate, then it has certainly not existed and is unlikely to exist in future. In a true sense, it has been interpreted in practice to mean government by some or by a few on behalf of the rest. One difficulty in defining democracy arises from the fact that political systems are in continual state of evolution. Things that are inconceivable in the political climate of one period of history become merely possible in another, but so generally accepted that they are taken for granted. For instance, it was taken for granted for years that the British citizenship was given at the age of 21. Then this culture began to be questioned and Britons now have the vote at the age of 18.

Ideas regarding what ought to be the scope of governmental intervention in the lives of individuals have also changed and are continually changing. In the 19th century, democratic government was seen mainly in terms of equality of political and legal rights, of the right to vote, to express differing political opinions, and to organize political opinion through political parties, of the right of elected representatives to supervise or control the activities of the government of the day.

Today, much more stress is laid upon the need for the state to guarantee to everybody certain economic and social rights involving elimination of educational and social inequalities.

In 1949, a United Nations Educational and Scientific Organisation (UNESCO)'s enquiry on democracy by more than 100 scholars received not a single reply hostile to democracy. According to Pickles (1971), probably for the first time in history (says the report), democracy is classed as the proper ideal description of all political and social organizations advocated by influential proponents. A consequence of this change is that the term is now used to describe so many forms of government that there are serious risks of its becoming not merely ambiguous but totally meaningless.

In the essentials of Parliamentary democracy, first published in the 1930s, Reginald Bassett deplored the fact that 'people can employ the term democracy to cover

anything and everything they regard as desirable; and there are even some who use it to cover anything they think undesirable". Even communists often describe their own system as "social or peoples democracies and the system they dislike as 'bourgeois' democracies meaning that their own systems are true democracies.

In many African states for the past two decades, the states' democratic constitutions were overthrown after only a few years of democratic experience and replaced only by some form of authoritarian or military rule. Nigeria also experienced similar military despotism for over two decades. In brevity, democracy is a system of government, a set of institutions that fulfils at least two essential requirements. 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. This means as a minimum universal suffrage, political parties, and the organisation of free voting in uncorrupt elections at relatively frequent intervals.

Second, it must provide ways of ensuring that those chosen by the public in fact do what the electorate wants them to do or that they can be replaced if they do not, even between election. See Section 69 of CFRN 1999.

The fulfillment of this requirement entails methods of supervising the work of governments, of keeping them in constant contact with public opinion. In other words, the process of government in a democracy is essentially a dialogue between rulers and the ruled. Perhaps this is where Section 69 of the 1999 CFRN is relevant. It states.

A member of the Senate or of the House of the Representatives may be recalled as such a member if (a) there is presented to the chairman of the Independent National Electoral Commission a petition in that behalf signed by more than one-half of the persons registered to vote in that member's constituency alleging their loss of confidence in that member and (b) the petition is thereafter, in a referendum conducted by the Independent National Electoral Commission within ninety days of the date of receipts of the petition, approved by a simple majority of the votes of the persons registered to vote in that member's constituency.

The question is, how frequent is this section invoked in the Nigerian democratic system? This is very rare.

How effective the dialogue will be depends on national habits and circumstances as well as on the kind of machinery by which the contacts are maintained. In order to fulfill the requirements of a democratic system, modern democracies, Nigeria inclusive, have evolved a number of complex institutions, and as states come to play more and more important roles in national life, their number and complexity continually increase.

Most democracies at one time or another have to deal with outbreaks, ranging from serious disorder to sporadic riot or demonstration. But while the State retains its

authority, these need not threaten the democratic way of life. Demonstrations, strikes or matches can be warning signs of an evolution of opinion that wise governments will take into account as it was when Jonathan Administration jacked up fuel price from 65 Naira per litre to 97 Naira.

In other words no majority should exacerbate minorities beyond bearing if that can be avoided, for 'revolution happens when evolution is long delayed, Lenion (1949)'. On the other hand, if a minority drives a majority into repressive action, then the price to be paid may be the breakdown of the whole system of democratic government.

It must however be noted that where minorities do not enjoy freedom to propagate their views, there is no justification for describing the system as democratic and in one-party state such freedom does not exist. Conversely, Communist states do not uphold such dialogue. In their eyes, the governmental process is not a dialogue at all but a monologue by Communist leaders who are convinced that their views are the only "correct" ones and that their job is to lead the public to recognise them as objective truths.

All said, the notion of democracy propagated by the International IDEA (2005) appears commendable. While acknowledging the significant and serious debate on democracy and the seeming futility of a definition that can end all definitions on the concept, the body concentrated on the area of significant consensus especially the 'idea that democracy is a form of governance based on some degree of popular sovereignty and collective decision making', which remains largely uncontested (International IDEA, 2005:20). It advocated a tripartite definitional status for democracy along the thin demarcations of procedure, liberalism, and the social rights. According to them, 'procedural definitions of democracy identify the minimum requirements for upholding participatory competitive politics' [while] liberal definitions include the full protection of civil, political, property and minority rights, which are meant to curb the possible negative consequences of democratic governance based on majority rule only [and] social definitions include additional protections for economic and social rights, which are seen as essential for the full participation of citizens in the collective decisions that may affect their lives (International IDEA, 2005). Reconciling these three definitions revealed that democracy essentially means the notion of peaceful competitive political arrangements with some form of popular participation, within the atmosphere of promotion and protection of lives and property and rights of individuals and groups in the polity.

Nature of democracy

We now briefly examine conditions for a representative democracy. In addition to equality before the law and

equal chance of participation in democracy, the conduct of election is a necessary desideratum for the existence of a representative democracy. A democrat must be able to act in support of what he believes an elective majority of his constituency desires; the democratic representative should act in support of what he believes is in his or her constituency's interest; the representative should act in support of what he believes the nation (or an effective majority of it) desires, and the representative should act in support of what he believes is the nation's interest.

The next issue to discuss fully is the instrument that legitimizes the democratic representative and that is, "what is democratic electoral system"?

Conduct of election

If, in practice, the principal right of electors is to choose their representatives and to maintain contacts with them, it is rational then that the condition of choice should as far as possible ensure equality between voters and equal freedom of would-be candidates to present themselves to the electors. The general rule in democratic countries and in all the African countries, Nigeria inclusive, is direct and universal suffrage. It is essential, therefore, that the detailed rules providing for the conduct of elections should, as far as reasonably possible, not impose conditions that, in practice, introduce inequalities. See Nigeria electoral Act 2011. Also see Omoleke and Olaiya (2013) in their book "Legal and Governance issues in Nigeria State Administration. The authors remarked that:

The rationale for the enactment of the Electoral Act is simplicity to create good atmosphere and legal framework to guarantee electoral system that embraces essential elements of democratic processes such as a relatively equal electoral constituency, freedom and right to votes 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 and the candidate winning the election.

In brevity, what the authors are expressing is that legal framework for the conduct of election, a necessary condition, for representative democracy, covers issues specific to the rules and regulations that are essential for free and fair election.

This necessary condition for election administration can also be referred to as practices based on international standard agreed upon or accorded to by international community.

In essence, the Constitution of the Federal Republic of Nigeria 1999 (CFRN) and the Electoral Acts serve to assist electoral administration and conduct of election in Nigeria if the two instruments are respected, enforced and complied with voluntarily.

Herold Laski, in his *Grammar of Politics* published over 40 years ago also lends credence to the characteristics of representative democracy by laying down four essential conditions that a democratic electoral system ought to fulfill. The first is that the legislature should embody the opinion of the majority and minority on great issues of public interest; the second, that constituent areas should be small enough for candidates to get to know their constituents; third, that there must be regular machinery between elections for maintaining contacts with movements of opinion; and the fourth, that voters must be as directly related as possible to the government in power.

Obviously the first condition is relevant to all democratic elections whether under a proportional or a majority system. For an election to result in the emergence of clear majority and minority opinions, the electorate must be organized in such away as to make a real choice possible and it is necessary to be quite clear about what is actually being chosen. Unarguably, electors are not choosing between 'great issues of public interest', or indeed between issues of any kind, because an election does not provide machinery to enable them to do so. Conversely, they are choosing between specific candidates and parties contesting the election, and of course it is the parties that choose the issues derived from their political manifestoes. They offer the electorates a package deal, in which a great many important issues are left unattended to, and they do not give specific undertakings on those that are not discussed. At best, electorates are choosing which of two or more parties they prefer to govern for the next few years.

It is a trite fact that every party in the legislature, whether a majority or a minority, represents, a heterogeneous agglomeration of disparate views, because only a limited number of issues have been discussed, and there are no means of discovering with any degree of certainty what individual calculations of pros and cons have determined individual vote.

In a resumé, for a system to be entitled to call itself democratic, this choice must be between two or more candidates in order to enable the electorates to express preferences. Furthermore, no sane and law abiding citizen should be debarred from being a candidate, if there is any reasonable chance of his obtaining significant support. The other side of the coin, that is, total freedom of candidature could result in such a profusion of candidates that the whole purpose of election would be defeated, because no majority for any coherent policy would be apparent or obtainable. The United Kingdom, up to 1918, and the Third French Republic did not restrict candidatures, and the result was that freaks, jokers, clowns, and eccentrics with no serious purpose presented themselves.

However, certain restrictions may or can be defended, as long as they are intended to provide conditions in which real choice is possible and do not discriminate against serious candidate. For instance, to ban a political

party would be demonstrably undemocratic, unless its policy was to make the democratic system itself unworkable. For instance, in Germany, the Communist Party is banned precisely on the ground that it is not a democratic party and the Germany Constitution (Art 9:2) requires all parties to be democratic.

The criterion usually adopted in some advanced countries is to require prospective candidates to furnish some evidence of public support in the form of a prescribed number of signatures supporting their nomination and some evidence of their seriousness of purpose in form of the deposit of a sum of money which is being returnable unless they fail to pull a required percentage of the total votes.

This safeguard can be criticized on strictly egalitarian grounds as discriminating in favour of rich eccentrics who are prepared to waste their money, and against poor politicians who cannot raise the amount of the deposit. Surely, it has not entirely eliminated freak candidates, either in Britain or France or even in Nigeria. Certainly the system has discouraged many, and the financial hardship imposed by the deposit system is, in most cases, negligible, since supporters in the constituency or the party can advance the money in the confident expectation of getting it back, unless the candidate obtains very little support meaning that, it is this type of candidature that the deposit system seeks to discourage.

Although this system is not a perfect one but it is difficult to find an alternative method that is not open to more serious objections. The American system of primary elections for example, though it eliminates the difficulty in theory by substituting the choice of candidate to the whole electorate, or to a party electorate, tends to make candidates in practice more subject to control by the party machine.

The second characteristic of democratic electoral system is that the ballot must be secret, so that no pressures can be exerted to induce any elector to vote for or abstain from voting for a particular candidate. This is now the general rule in democracies, and it is noteworthy that Hitler abolished it in Germany precisely in order to exert such pressure. But in actual fact, it is not always easy to provide electoral machinery that ensures absolute secrecy. In other countries, such as France, much of the voting and counting take place in villages or district polling stations serving electorate so small that officials and voters all know each other and good guesses can be made as to who has or has not voted for whom.

The third condition is that there should be a rough equality of basic electoral facilities within constituencies. This requirement would cover such things as nearness of polling stations to voters' homes, information regarding times and places of voting, together with some indications of what the candidate stands for. According to Pickles (1971), the simplest ways of meeting these requirements are to give candidate the right to send the

basic relevant information, postfree, to electors homes and for the state to provide facilities for statements by candidates on public hoardings.

The fourth condition is that there should be equality of campaigning conditions. This is possibly the most difficult condition to fulfil satisfactorily. The most important criteria in modern times are limitations on candidates' expenditure on an election campaign, the existence of effective legal provisions making bribery and corruption both very difficult and punishable in the courts, and the provision of equal facilities for parties to appeal to the general public through the mass media of radio and television.

Where these are state controlled, this is possible, and in both Britain and France equality is ensured during election campaigns by understandings between the parties and the radio and television authorities and in Great Britain by the acceptance of similar arrangements by independent television authorities. In the USA, where radio and television are privately owned, politicians can buy time on the air, and in France, politicians can speak to their compatriots from commercial stations outside French frontiers.

In all countries, private resources including party funds, can, of course, also do a great deal to promote the political interests of a party between elections and it is impossible to envisage measures that would prevent this without imposing restrictions on freedom of opinion, of the press and of assembly that no democracy would tolerate.

Criteria of democratization process in Nigeria

By democratization, we mean legal procedure or laid down rules and regulation that a nation wishing to practice democracy must abide with. Furthermore, the political parties, the candidates and electorate are all involved. Some of these rules and regulations are embedded in Statutes and Constitution of Nigeria. The rationale for these laws is to ensure a credible and acceptable election to all, which consequently will support good governance and democracy.

It would be recalled that Nigeria became an independent nation on 1st October, 1960 under Parliamentary system of democracy. This system went on until January 15 1966 when the Parliamentary system collapsed perhaps due to non-compliance with rules and regulations guiding democracy. Hence the military interregnum which lasted from January 15th to September 30, 1979 and the political crisis that engulfed Nigeria between 1964 – 1966 are not unconnected with non-compliance with democratization processes.

As far as democratization is concerned, there are two basic instruments which guide democratization process as earlier mentioned – the Constitution and the electoral Act. The question and concern is: Are the two instruments well enforced? Do the political functionaries

respect the law? Perhaps, this is why the followers could not comply because of the breach of the two legal instruments at times, with all impunity by the political functionaries, political parties and even potential candidates. Ostensibly, these people are supposed to set good examples for the followers/subjects.

However, the International IDEA (2001) in a capacity-building research network tagged 'Democracy in Nigeria' observed that democratization process in Nigeria is still at low ebb. It hinges around periodic elections like a religious sacrifice to the gods while leaving germane ingredients of democracy largely unaddressed. As such it inevitably faces the challenges of advancing 'democracy in a way that is dynamic and sustainable' (International IDEA, 2001:3). The institute advanced that the Nigerian 'democratization process must move beyond elections and address such issues as civil liberties, individual and communal rights, basic freedoms, human dignity, the rule of law and good governance' with a view to enhancing the climate of responsibilities among the citizens and to the society (International IDEA, 2001:3). To achieve this, the institute advocated the concept of 'social compact' to grapple with the peculiar anti-democratisation process currently prevailing in the country. Social compact is a variant of social contract with specific concentration on how the government can ensure social justice that will in turn initiate the process of reintegration of the citizens and bridge the yawning gaps, first between the citizens and the government and second between the elites and the commoners. For Nigeria, the idea is to forge 'a new understanding and relationship between government and the people and among all Nigerians' (International IDEA, 2001). According to the Institute, the new socio-political order for enhanced social justice is essentially needed to foster an inclusive governance approach that will ensure more participation of a broad section of society; promote transparency and accountability; serve as embodiment of the aspirations of all Nigerians; and possess the ability to break the multi-ethnic elitist pact that has silently and firmly prevailed over the socio-political and economic fate in the last 50 years of Nigeria's post independent history (International IDEA, 2001).

Electoral values and integrity of governance

There is a growing concern about the So-called Third waves of democratization process which occurred in many parts of Africa. A germane aspect of these waves is hinged around electoral values and the emergence of political leaders through transparent and well-contested elections as forming the core of democratic governance. It is believed that with the leaders holding the mandate of the people, the voice and interest of the populace would count in the conduct of the affairs of the State. However, concerned individuals and organisations have carried out empirical studies to discover that the prevailing situation

is, for the most part, contrariwise. The International IDEA observed that the confidence that election can ensure integrity of governance and accountability has actually waned (International IDEA, 2007). According to the Institute, the tolerances exhibited by the citizens in order to nurture the nascent democracies in the transition states have produced 'strong leaders' in many countries who 'have veered towards authoritarianism' (International IDEA, 2007:7). In their tolerance of the leaders' who sued for time, confidence and understanding and actually promised better delivery in the economic realm and to eradicate social instability and resolve conflicts, the citizens have produced leaders with ability to manipulate the polity in ways inimical to their plights. International IDEA (2007:7) has also observed that 'in many parts of the world, there is increasing awareness of the gap between democratic precepts, promises and delivery, especially in the social and economic sector'. The Institute reported that even though democracy, with elections leading to representative government, has given voice to citizens but has not necessarily ensured delivery or addressed collective needs' (International IDEA, 2007:7).

Another aspect of democratization process in Nigeria is related to electoral integrity which implies a set of electoral behaviours to promote efficiency in election administration. The conduct of election is a *sine qua non* for any democratic government and governance all over the world.

According to Agboola (2009),

Enforcement of election integrity package connotes part of mechanism of ensuring that elections are conducted fairly and credibly and any person or institution, that hinders the process is sanctioned.

As earlier mentioned, the Constitution and the electoral Acts are put in place with a view to nipping in the bud any attempt to undermine election integrity, a necessary condition for democracy. Without mincing words, if the laws are well enforced sincerely with out any political sentiments, such election is likely to be acceptable to the electorate. Having identified some qualities or criteria of democratization processes, we now turn to obstacles and challenges of democratization processes in Nigeria.

Obstacles and challenges to Nigeria democratization processes

Since Nigeria attained independence in 1960, records show that one of her major challenges is achievement of good governance through democracy whether in the Westminster model or presidential system. It would be recalled that the First Republic collapsed as a result of violation of democratic rules and regulations e.g. burning of opponent houses and property, throwing of mace in the Houses of Assembly and disruption of legislative

procedure, etc. Consequently, this led to Civil War and military administration respectively. As we are all aware that military regime is an aberration, hence it is far away from being democratic and worse still it constitutes a clog in the wheel of democratization. This is because the advent of military regimes in any democratization process could constitute a break from the chains of lessons and social education to be learnt by the political actors and their successors. The Constitution of the Federal Republic of Nigeria (1999) forbids the forming or taking over of the government of Nigeria by means other than electoral process. Specifically, section 1 of the 1999 Constitution stipulates that

(1) This Constitution is supreme and its provisions shall have binding force on the authorities and persons throughout the Federal Republic of Nigeria. (2) The Federal Republic of Nigeria shall not be governed, nor shall any persons or group of persons take control of the Government of Nigeria or any part thereof, except in accordance with the provisions of this Constitution. (3) If any other law is inconsistent with the provisions of this Constitution, this Constitution shall prevail, and that other law shall, to the extent of the inconsistency, be void.

Given the content of this Section, it follows that the advent of Military into the political realm had violated the Constitutional provision by forcefully snatching the democratically elected regime. Hence the military cabal constitutes an obstacle to democratisation processes in Nigeria.

In Nigeria, it is on record that several attempts have been made in the past towards democratization. For instance, the Campaign for Democracy was launched on November 11, 1990 by the following organizations CLO, CDHR, NADL etc. Alao Aka Bashorun was its interim chairman. The Campaign for Democracy was instituted as a response to the long Transition Programme which was replete with massive and gross abuses of human rights of the Nigerian citizens.

Specifically, the objectives of the Campaign for Democracy are:

1. Restoration of the sovereignty of the Nigerian people to self determination, to choose how to be governed, who to govern them and procedure or process through which they will be governed.
2. Right of the people to form their own political parties without interference;
3. Termination of the military rule for all time.
4. The replacement of imposed transitional agencies by independent and impartial transitional agencies including the immediate establishment of impartial electoral bodies;
5. Respect of Fundamental Human Rights, the rule of law and abrogation of all decrees.
6. Termination of economic policies which have caused the people hardship, poverty, disease, hunger, unemployment, retrenchment and illiteracy and
7. Finally, in order to achieve all these the military should

not have to be in power beyond 1st October 1992.

The C.D then called on the Nigerian public to disregard the two imposed political parties – Social Democratic Party and National Republican Convention.

Obviously, this is one of the inputs in the past to democratize governance in Nigeria which alas did not go down well with the military because it is antidemocratic. Another challenge that Nigeria has to battle with is how to sustain electoral integrity. Without mincing words, electoral integrity is in question in Nigeria. The previous elections conducted were in doubt or seem to be at its lowest ebb since 1959 to date except the 2011 election which was rated fair if compared with the preceding elections.

In the past, the conduct of elections has been coloured with massive rigging, thuggery, violence, bribery and corruption, self imposed political parties, self imposition of candidates, high handedness of security operatives, partial and partisan election administrators, disrespect for the rule of law, supremacy of party politics over the rule of law, money influence and illegal and unethical behaviour among political functionaries and tenacity of office.

The worse chagrin and worrisome challenge is that the culprits of electoral integrity are protected instead of been prosecuted to serve as deterrent to others who may have similar tendency. Politicisation of such issues tends to disallow law to take precedent over politics. Thus the implication of such situation is that the regulations and rules that is (Constitution and Electoral Act) look like toothless bulldogs because they are being heavily politicized.

Perhaps the socio-political background and low political culture can explain why the political functionaries in Nigeria find it a little bit difficult to imbibe and internalize the principles of the electoral integrity. This is however hinged on weak leadership.

Ostensibly, lack of democratic culture, few committed democrats and low ethical values of the political functionaries/participants, especially the political class are responsible for unbridled violation of electoral laws, and election integrity before, during and post election. The consequential effect of these misnomers is that Nigeria is experiencing political decay instead of political development since 1959.

Lafenwa (2008) lends credence to the foregoing when he asserts that:

Literature is replete with violation of election integrity, laws best described as electoral offences in election administration parlance

It is pertinent to mention few of the offences in relation to election integrity. They are:

1. The use of thugs and thugery;
2. Imposition of candidates on the electorate by the

- political parties;
3. Disruption of the lawful political Assembly and campaign by the opponent political party,
4. Threatening and prevention of voters from fulfilling their civic duty through the use of thugs;
5. Use of dangerous weapons
6. Falsification of election results
7. Stuffing of ballot boxes with illegal ballot papers;
8. Inflation of votes
9. Return of votes higher than the registered voters;
10. Extortion of money;
11. Multiple registration and voting;
12. The use of security agents to intimidate voters and political opponents.
13. Bribery and corruption,
14. Bias reporting, and
15. Misuse of the power of incumbency

Admirably, the foregoing offences are taken care of in the Constitution as well as electoral Acts and other related Statutes. Regrettably, however, the enforcement of such laws has almost become difficult in this side of the world basically due to lack of political will and heavy politicisation of issues. This gives leeway to blatant violation/breach of the laws. In brevity, the constellation of these illegal and unethical behaviours discredits Nigerian election since 1959.

Peculiar findings and panacea for Nigeria's democratization crisis

The findings from the analysis revealed that the prevailing opinion among the citizens is that Nigerian democratization process lacks integrity due largely to electoral malpractices. Violence and criminality are also recurrent in the election history. For instance, cases of burning property of members of opposition or opposing party in the aftermath of election riots due to alleged rigging of election results were identified as characterizing previous elections from 1962 to 1999. In a focus group discussion carried out in this study among a broad spectrum of community leaders, members and leaders of civil society groups, and arrays of market association members and leaders also confirmed the election malpractices and incapacity of electoral bodies are a dent on the Nigerian democratization process. Arising from these findings, it can be established that unless the Nigeria Political elite, office holders, politicians, party members, and the electorate are ready to follow the constitutional provisions, electoral act coupled with good leadership, the mission of democratization policy that attainment of acceptable and decent democracy may not yield good governance. This assertion lend credence to scholars like Agboola (2009) who asserted that compliance with Electoral Acts is a mechanism of good conduct of election hence an acceptable democratic governance. The International IDEA (2007) also shared

this opinion.

Our position is that the political office holders should see office as a national service which should not be royalised. If this idea is at the back of their minds and intentions, the refusal to accept defeat in an election should not arise and also the culture of using power of incumbency and tenacity of office will be a thing of the past.

1. In view of the fact that a greater percentage of nations in the world would want to opt for democracy as an instrument of good governance, Nigeria cannot be excluded. To this end, all the norms, ethics, laws and statutes that democratization requires must strictly be adhered to if true democracy is to be established. Anything falls short of strict compliance with laws will dent the Nigerian democracy.
2. Furthermore, the political functionaries and political office aspirants must imbibe the culture of acceptance if defeated in an election.
3. Contest for elective position should not be do or die affairs
4. Bribing voters to vote against their wishes must stop.
5. The use of violence and thuggery by Political Parties should stop.
6. Registration fee should be reviewed downward so as to reduce corruption when the aspirants get to office.
7. The electoral officials should be properly educated on decency and integrity of election.
8. The political parties' members should be educated that voting involves preference and civic duty which should not be influenced unnecessarily.
9. Efforts should be made to discourage falsification of results and anybody caught should be sanctioned accordingly.
10. The misuse of the security agents should stop as their responsibilities are to protect public interest and maintenance of law and order.
11. Also inflation of votes should be carefully watched by the Independence National Electoral Commission or whichever Commission is in charge of conducting elections. INEC must be fair, just and equitable in its conduct of election as anything falls short of that is intolerable.
12. Stealing of ballot boxes and stuffing is not civil and should be discouraged.
13. Multiple registration and voting should be carefully watched by INEC.
14. Political party must behave maturedly as instrument of political education and use of thugs to disturb the opponent's political party rally must be condemned.
15. The use of dangerous weapons by political agent should be discouraged and if caught, there should be vicarious liability which is actionable
16. If any of the Political aspirants are eventually elected, be he President, Governors, National Assembly members, House of Assembly members and others like,

Chairmen and Councillors of Local Government, they should bear in mind always that Public interest must come first in order of priority. The welfare of their constituents should always be their concern so as to be committed democrats.

17. All political parties members should imbibe culture of acceptance of defeat if it happens and congratulate the winning political party.

18. Zero sum game should be discouraged. Once you are elected; those who voted for you and those who did not are your citizens and that must be your concern as a committed democrat and

19. Sacking of Ministers/Commissioners because their States depart from the President or Governors' political belief is not symptomatic of a true democracy.

Conclusion

What we have attempted to do in this paper is to re-examine democratisation processes in Nigeria. To this end, we flashed back to examine democratization in the first Republic and zero it down to the military Administration and to date. We discovered that the Constitution and Electoral Acts are not always faithfully honoured hence it affects democratization processes in Nigeria. In a situation, perhaps hypothetical case where election was conducted to elect party officials and the score was 19 to 15 and yet 15 was picked as against 19. This hypothetical situation is not symptomatic of a good democratization phenomenon or process.

In sum, unless the party leaders in Nigeria are able to set good examples for their followers, in terms of transparency, ethics, incorruptible behaviour, discipline and decency, Nigeria's conduct of election may remain as it has been since 1959. Furthermore, political parties' decency should not only be complied with during the campaign, it must be put into practice through the four-year term in office.

Abysmal and empirical evidences abound to buttress this assertion. We can quickly illustrate some of the attributes or challenges of electoral integrity discussed in this paper especially the main, corruption by referring to Section 88⁽¹⁾ of CFRN 1999. See also empirical evidences at pp 43 and 44 of the Nation, Thursday July 19, 2012.

Finally, the lasting solution lies on allowing laws to take precedent over politics and politicisation of issues, otherwise, Nigeria elections and consequently her attempt to democratize may be nationally and internationally discredited because of factors that are avoidable. Hence political decay, instead of political development will continue to be in vogue.

Conflict of Interest

The author has not declared any conflict of interests.

REFERENCES

- Agboola SH (2009). "Democratic Practices in the Third World". *J. Third World Democracy*, 1(4):342-367.
- Finer SE (1997). *The History of Government* (Oxford: Oxford University Press)
- Gallie WB (1956). 'Essentially Contested Concepts', *Proceedings of the Aristotelian Society* 51:167-198.
- Geddes B (2010). *Political Experiences in Nigeria*, Retrieved Jan 10, 2014
<http://www.pilibrary.com/articles1/political%20experiences%20in%20nigeria.htm>
- Gladstone WE (1892). Gladstone to Samuel Smith MP, 11 April 1892
 Matthew, H. C. G., (ed.), *The Gladstone Diaries*, Vol. 13, 1892-1896, (Oxford University Press), 1994, p. 19.
- International IDEA (2001). 'Democracy in Nigeria', *Capacity-Building Series 10*, International Institute for Democracy and Electoral Assistance
- International IDEA (2005). 'Ten Years of Supporting Democracy worldwide', International Institute for Democracy and Electoral Assistance
- International IDEA (2007). 'Towards Liberating Democracy: Devolution of Power Matters', Report of the Regional Workshop with the theme Democracy, Conflict and Human Security Project Bangkok, 16-17 January 2007, organized by the International Institute for Democracy and Electoral Assistance and Research center on Peace Building Mahidol University.
- Lafenwa SA (2008). *Nigerian Constitutional Development*, Distance Learning Centre, University of Ibadan, Ibadan.
- Lenion ZT (1949). *Democracy and the Majority Rule*. (Karachi – India: Ghandi Publication Inc.)
- Nwankwo AA (1984). *Civilianized Soldiers: Army-Civilian Government for Nigeria*, Fourth Dimension Publishers, Enugu, Nigeria.
- Olaiya TA (2013). "Proto-Nationalisms as Sub-Text for the Crisis of Governance in Nigeria", Paper submitted for publication in Sage Open.
- Omoleke II, Olaiya TA (2013). "Legal and Governance Issues in Nigeria State Administration" Ile-Ife, Obafemi Awolowo University Press Ltd.
- Pickles D (1971). "Democracy", London, B.T. Batsford Ltd.
- Post K, Vickers M (1973). *Structure and Conflict in Nigeria 1960-1966*, University of Wisconsin Press, Madison.
- The 1999 Constitution of the Federal Republic of Nigeria
- The Nation (2012). Empirical evidences. Thursday July 19. pp. 43-44.
- The Nigerian Electoral Acts 2004 and 2011
- Whitaker CS (1991). 'Second beginnings: The new political framework in Nigeria', in R. L. Sklar & C. S. Whitaker (Eds.) *African Politics and Problems in Development*. Clorado: Lynne Reiner, Boulder.