

**STRENGTHENING DEMOCRATIC INSTITUTIONS FOR GOOD
GOVERNANCE AND SUSTAINABLE DEVELOPMENT IN NIGERIA**

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ABSTRACT

Using mainly secondary sources for this exercise, this study examines the challenges facing democratic institutions and how such challenges could be addressed for good governance and sustainable development. In the process, the concept and phrases of democracy, democratic institutions, good governance and sustainable development are articulated to demonstrate why they matter in Nigeria's political journey.

It is argued that the weakness of democratic institutions deprives developing countries such as Nigeria the much-needed productive capacities for economic growth and sustainable development. It is posited that strengthening democratic institutions involves building robust and independent institutions, promoting citizen engagement, and fostering a culture of accountability. Thus, it requires a comprehensive approach that addresses the structural and

systematic weaknesses, which have hindered Nigeria's development. By examining the challenges and opportunities for strengthening institutions in Nigeria, this study aims to contribute to the ongoing calls not only to strengthen institutions but also to promote good governance for sustainable development in the country.

The study is concluded on the note, among others, that addressing the major weaknesses of the institutions would enhance transparency, accountability, good governance and inclusive growth, which would, in turn, ensure that Nigeria's political, social and economic development are sustainable.

Keywords: Strengthening, Democratic Institutions, Good Governance, Sustainable Development and Nigeria

1.0 INTRODUCTION

Since the era of military rule in Nigeria, for the good of Africa in general and Nigeria in particular, calls have been made on the need to strengthen democratic and political institutions to enable stable political system and good governance. Few examples may suffice. During the Nigerian Civil War, 1967-1970, Anthony Enahoro, while delivering a speech in Addis Ababa, where he put forward federal case in response to Lt. Col. Emeka Odumegwu-Ojukwu's address in Addis Ababa, too, in the course of "defending the cause of a small people who are threatened by aggression", 1 called for a united Nigeria, which would be able "to develop democratic political institutions, and uphold the rule of law".2.

In the same vein, Barak Obama, United States of America's 44th president, while on a visit to Ghana in June 2009, called for the need for Africans to begin to build democratic institutions rather than building individuals. As he noted, Africa do not need strong men; rather it needs strong institutions because with strong institutions and strong will, Africans could live their dreams, a phenomenon he perceived would be the panacea for economic independence, political stability and development, which would rescue African states from their statuses of failed states.3

Following Obama's admonition, Goodluck Ebele Jonathan, one of Nigeria's ex-presidents, on several occasions, canvassed the need for strong institutions rather than strong leaders for development as strong institutions and not strong leaders that would make Nigeria great. On one of the occasions, he noted that "...for us to get to where we want to be, as a nation, we have to build strong institutions and when we build them, they will drive the process", because "when we strengthen the institutions, the system will begin to run properly".4 Again, during a breakfast meeting with African ambassadors in China, on how to nurture democracy in Nigeria, Jonathan remarked on the need for African countries "to strengthen their institutions to guarantee political stability and sustained development." 5

In spite of these calls for stronger institutions in Nigeria's democratic journey since 1999 when the military left the political scene, nothing significant has changed with regard to the mechanisms of democratic institutions as the country continues to grapple with challenges, which hinder good governance and sustainable development. The issues responsible for this state of affairs include: weak democratic institutions, weak mechanisms for accountability and

transparency, and corruption, all of which have undermined the delivery of public goods and services, with evident poverty, inequality, pervasive insecurity and political unrest.

For foundation of good governance, general accountability and transparency, strengthening democratic institutions is critical because effective democratic institutions could facilitate the formulation and implementation of policies, which could, in turn, drive the system for economic growth, enhance human development and guarantee the rights of the citizens. The import of this is such where the development agenda is crucial for addressing the needs of the people.

2.0 CONCEPTUAL CLARIFICATIONS

2.1 Democracy

The Athenians of the ancient Greece were said to have bequeathed democracy as a system of government to the world, when in 570 B.C, made the constitutions of Cleisthenes, the leadership of a nation-state was premised upon the belief in the divine rights of kings. It was at the time when the abuse of democracy was such that was irresistible as nation-states evolved with evident representation of people in the affairs of the states, which directly or indirectly made some impact on everyday life.⁶ The fundamental of this system of government still remains the same, hence the continuous reference to it as the government of the people, for the people, and by the people, which Abraham Lincoln of the United States of America (USA) popularized. ⁷ The variant of democracy as practiced in developed economies such as the USA, is about freedom of choice, a universal democratic political order with its attributes hinged on free, fair and, regular and transparent elections as it is, ⁸ is generally referred to as liberal democracy.

To many writers, therefore, liberal democracy, besides being hinged on periodic free and fair elections is hinged on freedom of the individuals where the people could choose those who govern them, and also reject those who had failed them, thereby, making a choice between alternatives. Genuine liberal democratic practice is characterized with a cluster of socio-political freedoms such as freedom of the press, inclusive citizenship and freedom of expression or speech and associations under which people could form themselves into like-minded groups and seek political power in the form of multi-party system, which could allow their points of view to thrive and represented in government, a necessity that could provide stable, enduring system of government as in developed economies. It is also about the rule of law and the independence of the judiciary, without which none of the other freedoms could be secured; and very importantly, it is about checks and balances on government power to prevent abuses; transparency and financial accountability in government and reducing corruption in all its manifestations. A fundamental principle of liberal democracy is that governments exist to protect and realize the inalienable rights of man, ⁹ and with the beauty of being “a government in the hands of many and not the few”. ¹⁰

Evident in the above features of democracy is what Ojunu termed the beneficial and transformative values of participatory multi-party democracy reflective of the aspirations of the will of the people, a means to an aspirational end – to achieve better quality of life and socio-economic conditions for the people – and a system, which is subject to checks and

balances based on the respect for the rule of law.¹¹ The attributes of liberal democracy as practiced in developed economies explains why, in spite of its imperfections, it is better practiced than dictatorship, which abuse human rights with impunity and are neither transparent nor accountable in their methods of governance, yet fail to meet the aspirations of the people. Thus, dictatorships are undemocratic and, so, bad systems. The attributes of liberal democracy, explain why democratic principles have been codified in the constitutions and statuses of progressive and liberal democratic countries in the world, ¹² and has ensured good governance, which, in turn has generated socio-political and economic development.

2.2 Democratic Institutions

Democratic institutions are seen as the foundation or pillars of a democratic system, which sustain liberal, populist and credible majoritarian practices. They are the structures, which represent the interests of all citizens and provide a system of checks and balances as well as oversee and impose clear institutional limits on executive authority.¹³ The institutions are established organisations, which play crucial roles in governance representation, accountability, and checks on power in a multi-ethnic nation such as Nigeria. These institutions include: the national assemblies, engaged in shaping policies and holding the executive arm of government to be transparent and accountable in its activities; mechanism for the conduct of free and fair elections; mechanism for the adjudication of justice and electoral crises; political parties; the mass media; and the civil society groups.

These institutions are supposed to be guided by the rule of law, which is the principle that every member of a society, even a ruler, must follow the laws, which safeguard and advance the political and civil rights of the individuals in a free and democratic society. The rule of law has essential elements such as the supremacy of the law, equality before the law, separation of power, independent judiciary and respect for fundamental human rights. ¹⁴ It is important to note that to make the democratic institutions sustainable, requires committed, credible and dependable leadership, patience, resilience, and strong and appropriate democratic value orientations.

2.3 Good Governance

It is well known that one of the challenges, which confront emerging democracies, especially in developing nations since the fall of Berlin Wall on November 9, 1989, is good governance. Nigeria as a developing nation, therefore, is not immune to such a challenge ¹⁵. It is important to say from the outset that many writers have conceptualized it in different ways, but are pointing to the fact that governance exists for the welfare and security of a people. Their articulation suggests that good governance, guided by the rule of law and justice is the effective, transparent, accountable and efficient participatory and inclusive management of a nation's wealth and institutions to promote and sustain growth, development and welfare of a people. Thus, good governance has to do with the way power is used to meet the defined goals of an organized political society, where state governance is carried out by a government with the end directed toward the people and the development of the society as a whole. ¹⁶

On the other hand, bad governance is where the exercise of political authority is characterized by abuse of power evident in the failure to exercise power guided by the rule of law,

accountability and transparency; failure or inability to conduct free and fair elections; unmanaged civil society in public life; and the mistaken belief that winning election means that the winner should have everything while the loser should stay with nothing, and, thus, powerless; distorted thinking that political power coupled with widespread corruption is the desideration for survival or the only way to wealth, all resulting in the inability of the government to meet the basic needs of the citizens, which include good health care delivery system, quality education, justice and fair play, employment opportunities, good roads and security of lives and property. This type of governance explains why in Nigeria today, what is evident is impunity and disrespect for the rule of law 17, making sustainable development a far-cry.

The import of good governance based on the principles of democracy and social justice explains why chapter II, Section 14 (1-2) of the Nigerian constitution contains a working definition of it. There it is expressly stated that the primary purpose of government is the security and welfare of the people thereby implying that both elected and appointed leaders, especially in the public sector, are expected to ensure that the expectations of the people are met. 18

2.4 Sustainable Development

Sustainable development is a development, which meets the needs of the present generation without compromising of the ability of future generations to meet their own needs. It is a development, which ensures a people's social inclusiveness and equitable distribution of wealth, environmental protection and sustainability, socio-economic advancement and prosperity, and so poverty reduction. 19

The import of the above is that development is not sustainable in the absence of a steady and systematic change in the culture, economic and political spheres of a society in ways that increases production, empowers the citizens and their community, protects the environment, strengthens institutions, grow quality life and promotes good governance. One important driver for achieving sustainable development is leadership, whose ability to actualize the goals of leadership is dependent on the effective role of the relevant democratic institutions, thus suggesting that sustainable development is driven by good governance. 20

2.5 Nigeria's Democratic Experience

It is well known that Nigeria at political independence in 1960, started with the British parliamentary model of government, which tends to merge the executive and the legislative arms into one portfolio. In a parliamentary arrangement, it is the political party with the majority seats in the house, which forms the government. That seeming beautiful arrangement in Nigeria was truncated by the incursion of the military into governance on January 15, 1966, and the military dominated power up to 1999. At the second attempt at democratization in 1979, the country shifted to the American type presidential system, which elaborately defines the scope and set the limit between the executive and the legislative arms of government. This second arrangement faded away prematurely because it was aborted by the military rampagers in 1983, for reasons of poor governance, but in the end, their governance was not better than the governance of the civilian government they booted out. 21

Under the military administration of General Ibrahim Badamosi Babangida (IBB), an attempt was made to restructure the political system but it was crumbled when on November 17, 1993, all existing but seeming democratic structures were dissolved by the military with the evident return of the military to full blown military dictatorship. While in power, the military imposed tyrannical tendencies on the citizens and, thus denied the people of their capacity to resist bad governance with their reign of terror as well as extra-judicial killings, torture and disappearances with evident moral panic gripping the whole citizenry.

The far-reaching implications of this development were that the people were cowed into developing attitudes of submission, timidity and resignation. The resultant mis-governance of the country by the military was essentially because their authority was not derived from the people nor from any existing constitution. So, their rule was absolute as there was no limitation to their use of coercive power. They remained in power but with the enduring resistance of the civil society, championed by the mass media, a new democratic system, based on the principles of democracy and social justice was born in May 1999, a date, which marked the beginning of the current democratic era, all making the occurrence of good governance in Nigeria to be limited 22. Thus, their long stay in power entrenched absolutism in the culture of the people and make them to be used to the culture of lawlessness evident in the system today.

It is important to note here that the road to Nigeria's current democratic dispensation was thorny in view of the type of military leadership the country had in the political history. On the road, many citizens lost their lives, many others lost their inalienable rights. The struggle and the losses were aimed at achieving and enthroning a responsible, responsive, dependable and credible leadership with strong political will to develop and sustain a credible legal and judicial system, which, in turn, would guarantee equity and justice to the different segments of the country in such a way that they all feel a sense of belonging 23. The struggle and the losses also aimed to develop other strong democratic institutions, which would promote transparent and accountable governance for the good of the people. As would be demonstrated shortly, the democratic system the people got has not been able to promote political and economic needs nor able to empower the people because the main objective, which is good governance, has remained an illusion.

Good governance has remained an illusion because the activities of the politicians in relation to the fact that the fundamental objectives and directive principles of the state policy, as enshrined in the 1999 constitution, have remained poorly implemented, thus leaving much to be desired. This situation is because the foundation of the democratic system is wobbly. Wobbly because it is standing on a weak foundation arising from some inadequacies and immoralities such as pervasive corruption, making key democratic institutions such as Independent National Electoral Commission (INEC), the judiciary and the legislature unable to play the expected roles in governance, 24 thus calling for the need to strengthen them for good governance and sustainable development.

The immoralities are also evident in the way the country's democratic system is so very highly monetized. For instance, the primary elections conducted by political parties in 2022 were such that the cost of the nomination and expression of interest for the various positions, especially for the big parties, was outrageous. For instance, for the ruling party, the All-Progressive Congress (APC), the cost of the presidential form was #100 million and in governorship, it was

#50 million. For the Peoples Democratic Party (PDP), it was #40 million for presidential and #20 million for governorship forms. 25 One implication of this situation was the exclusion of many eligible and credible people from participating in the election process.

Besides, as Ogbodo added, the system is wobbly because of the long history of military rule during which time a sitting head of state was neither circumscribed by legislative nor judicial process. People who found themselves at the executive echelon in the new order still carry on the activities of governance as if the on-going dispensation is a continuation of the past system. This development was well calibrated under the eight years of Obasanjo's presidency. 26 Madueke also noted that one reason for the wobbling and weakness of the state system was Nigeria being under military rule for decades, with evident far-reaching implications. Rightly, under military rule more than 60% of the members of the security forces, judiciary and civil service, all started their careers at a time the rule of law was not an abiding principle of governance. So, when the country returned to civil rule in 1999, less than 50% of the members of national assembly's had any previous legislative experience, 27 thus pointing to the fact that the institutions necessary for sustaining democracy are weak and still evolving. As Dasuki also added, "the return to long-term democracy, beginning from 1999, afforded [Nigerians] the opportunity to begin rebuilding [their] governance institutions and institutional long needed reforms..." 28

2.6 Reality of Weak Democratic Institutions in Nigeria

It is sad to reiterate that the popular process of choosing leaders and legitimizing the state was retarded by the frequent involvement of the military in governance, a situation, which made Nigeria, like many other African countries, to be in a similar situation they were during foreign rule. During colonial rule, Africans were subjected to life of "wholesale savagery and brutality" through the use of superior arms and jackboots, and, thus, became "morally debased, mentally retarded and psychologically benighted, timid and docile, were lacking in initiatives and devoid of self-confidence and elevating aspirations" 29

Thus, military rule was devoid of the legitimizing effects of popular and periodic elections. Their banning and unbanning of politicians from participating in popular elections and governance, their proscriptions of political parties at their whims and caprices, and annulment of elections, among other dubious actions they took while in power, all combined to retard the process of legitimizing the state before the people. For instance, during the era of military rule, especially under General Ibrahim Badamosi Babangida regime, the banning and unbanning of many politicians and political parties from participating in the dubious and un-ending transition to civil rule process was common. It was a development seen as a rude assault on the freedom of Nigerians. In the end, the transition programme led to the conduct of the June 12, 1993, presidential election, which was acclaimed to be the best and fairest election ever conducted in Nigeria's political history. However, the election, which was to end the years of traumatic military dictatorship, was annulled with impunity. 30.

The broken line of the above development was that when democracy was re-established, it was not a genuine one because the institutions were weak and the state system itself was lacking visionary and exemplary political elite. The political elite lacked patriotism because they got involved in politics because of monetary benefits and other selfish interests, without knowing

that democracy does not end with the casting of votes, nor did they understood that they were elected to address societal challenges. Hence, once in power, they forgot where they came from. Hence, too, twenty-three years after the commencement of the current democratic dispensation, the country still suffered deficits in all sectors, and the country's debt profile continued to increase from #21.725 trillion in 2017 to #24.95 trillion by March 2019; to #33 trillion in 2020; #39.55 trillion in 2021; and #45 trillion in 2022. Besides, the question of corruption remains an embarrassing decimal as the resources of the country are filtered away through all forms of shoddy financial debt by public officers. 31

2.7 The Electoral Process

As a mechanism for democracy and democratic governance, the import of election lies in the function as a means of recruiting representatives by popular vote or ballot. It constitutes a basic institution of democratic control, which enables the establishment of popular sovereignty.³² This institution requires the need to conduct free and fair elections, which would be based on one-man-one-vote. This requirement suggests that no voter would be subjected to undue advantage or put in a disadvantage position in relation to other voters.

In Nigeria's state system, these critical requirements have been compromised, making public office-holders to remain violators of human rights, oppressive, repressive and corrupt as they manipulate, subvert and flout rule of law and those rules guiding the electoral process with impunity as they take elections and quest for power as do-or-die affair in their operational methods. ³³ They do not tolerate criticisms because they assumed their leadership positions through dubious ways, and these explains why, like military dictatorship, Nigeria's democratic system lacks credible leaders with strong political will, which they are supposed to have. There is no doubt that when elections are conducted in a free and fair manner, credible leadership, which would emerge would have the political will, wisdom and interest to initiate laudable programmes and sustainable development would be guaranteed.

Thus, the credibility and legitimacy accorded to victory in an election is determined by the extent to which it is free and fair. Elections should, therefore, be devoid of intimidation, snatching and stuffing of ballot boxes with marked ballot papers, vote-buying, thuggery, rigging, disenfranchisement of eligible voters, forging of results, falsification of results sheets, threats of killing, actual killings and maiming of voters, among other criminal acts associated with elections, all of which have been well entrenched in Nigeria's political culture, ³⁴ thus aiding in weakening the institution of free and fair elections.

To address the above situation, the institution of free and fair elections should be strengthened to allow the culture of one-man-one-vote so that responsible leaders who would not sacrifice the nation's development stride on the altar of, not only greed but also, perpetuating themselves in power as if the offices belong to their families, would be enthroned. Free and fair elections would also help to avoid situations, which could lead to violence as happened in 2011, when several National Youths Service Corps members lost their lives. ³⁵

2.8 Mechanism for the Conduct of Elections

Section 153 (1:†) of the 1999 constitution established the INEC as the statutory body charged with the responsibility of conducting elections as contained in Section 15 (a-i) of Part 1 of

Third Schedule of the constitution, thus, making the practicability of good governance to depend on the ability of the institutional mechanism. Among others, the Schedule provides that the INEC shall organize, undertake, and supervise all elections, register political parties in accordance with the provisions of the constitution; monitor the organization and operation of the political parties, including their grievances, and arrange and conduct the registration of persons specified to vote and prepare, maintain, revise the register of voters for any election under the constitution. 36

The bottom line of these requirements is that the INEC is a fundamental institution of democracy structured by the constitution to conduct national and state elections, which would be free and fair so as to garner the confidence of the people in the electoral process. The commission is expected to be a standing and existing institution, which could be called upon at any time to conduct free, fair, and credible elections for the country when the need and time arise.³⁷

It is unfortunate that the INEC and the State Independent Electoral Commission (SIEC) have not been able to discharge their functions credibly well because of electoral mismanagement, which involves any electoral irregularities or malpractices that tend to undermine their efforts at entrenching good governance. Such acts are committed by state officials, including the officials of the INEC and its associates, political parties and agents of candidates vying for political positions. Their actions affect the conduct of and results of the elections thereby changing their outcomes from what they would have otherwise been, with obvious implications on good governance. Such implications could be evident when a leader thrown up through fraudulent process assumes power. Such a leader would feel no obligation or sense of responsibility to the nation or state. On the other hand, candidates who are rigged out suffer in distinct personal ways. A fraudulent process, which robs people of the opportunity to serve their country, squanders their resources, time and efforts. Losing or being denied of victory inclines them to lose interests in the democratic process, and citizens whose choices and preference are neglected also bear the brunt of a defective process, which leaves them frustrated, bitter, and the hope of achieving the dream of consolidating democracy dashed. 38

The above developments have been very evident in the political history of Nigeria, except, to some extent, on June 12, 1993, when the presidential election was criminally annulled. The conduct of the 2003 and 2007 elections, said to be susceptible to the manipulations of the major political parties and their supporters was marred by unprecedented irregularities due to mismanagement 39. The degree of the mismanagement due to the influence of the executive and other state bodies in the affairs of the commission tended to generate serious concern for the change in the leadership of the commission and in relation to the appointing and screening of the chairman and members of the commission as a way to strengthen it.

It was on the basis of this note that Okotie noted and very rightly, that so long as the electoral institution is under the control of the executive arm of government, it cannot be said to be independent and by implication, cannot produce the needed dividends of democracy and sustainable development. 40 So, as noted, the need for a credible, competent, non-partisan commission to run elections as well as an independent judiciary to interpret electoral laws becomes imperative. 41

Besides, other challenges facing the commission include: the evident lack of independence from the executive arm of government making the integrity of the officials to be at stake, and so the failure to conduct free and credible elections; the inability or failure to minimize electoral malpractices and irregularities, which characterize the elections it has been conducting and has remained endemic, and which seriously undermine efforts to entrench good governance; the inability to ensure adequate voter and political sensitization; untimely release of funds, which makes the commission unable to make adequate arrangements for logistics; the role of the political class and parties who corrupt the process and rig their way into election officers; the lack of clearly designated compartments for thumb printing, which tend to undermine the secrecy of the voters thereby making the voters to be vulnerable to the practitioners of do-or-die affair politics. 42

Finally, it is important to add, as Ibrahim Babangida admonished, that the military should not be deployed to participate in the conduct of elections, which is purely a civil matter, to avoid previous mistakes when the militarization of the state for elections was a clear sign that could truncate a democratic experiment such as that of Nigeria. 43

On the basis of the above, the mechanism for conducting elections should be strengthened. In this regard, the INEC and its associate should be allowed to perform their constitutional duties without governments' undue interference in their affairs to enable them conduct free, fair and transparent elections where no one would be disenfranchised. They should be allowed to be independent in their operations and funding. The government in power should stop appointing INEC officials if credible and transparent election results are expected. This suggestion is so because it would be deceitful to expect credible results when it is known that who pays the piper dictates the tune. In addition, the officials of INEC should be allowed to go on regular training of capacity-building to ensure accountability and responsiveness.

2.9 Mechanism for the Adjudication of Electoral Conflicts

Section 6 (1-5) of the 1999 Constitution, 44 established one critical institution for the protection of freedom and liberty of citizens of the country and assist in the enthronement of genuine democracy. This institution on which the stability, success and quality of the democratic system are dependent on its strength, is the judiciary. This institution is, in turn, an avenue through which whatever crises arising from electoral misconduct are addressed with the expectation of its application of the rule of law to uphold the supremacy of the law. To achieve this, the institution needs independence to enable the judges to decide matters free from pressures and inducement. 45

The courts established to assist in the enthronement of genuine democracy include: ordinary courts such as the High Court's both federal and states, court of Appeal and the Supreme Court. 46 Besides the courts, there are electoral tribunals, which handle electoral crises before the ordinary court. Appeals from the tribunals go to the Court of Appeal, and in the case of presidential election petitions, the Court of Appeal acts as the adjudicating tribunal with appeal to the Supreme Court. 47

So far in Nigeria, the idea behind this arrangements and the arrangement itself, has left much to be desired because Nigeria's democratic system and electoral processes, and the rule of law

have not been allowed to function accordingly. For instance, as rightly pointed out, the role of the judiciary in elections is to ensure prompt and just resolution of electoral disputes, and notwithstanding that tribunals have delivered qualitative endings, after a long period of time, the process of adjudicating election petitions still remains defective. Secondly, the politicians have not allowed the process to function properly because of abuse in their attempts to frustrate their political opponents. There is available evidence that INEC officials frustrate the petition process, after preventing access to critical documentary evidence or manipulating their while in their custody. 48

Besides, there is an existing state of lawlessness due to the near-absence of the rule of law, which has characterized Nigeria since the era of military rule. The lawless situation is due to the weakness of the judiciary and even the police force, a situation due to, not only corruption but also, the judiciary's subordination to decrees and edicts such as Decree 2 of 1984/State Security and Detention of Persons, which gave the military government the powers to arrest and detain, indefinitely without trial, any person or persons it regarded as constituting a threat to the nation; Decree 3, which gave the government power to bring public officers before military tribunals on corruption charges; and Decree 20 under which, at least, 10 offences such as arson, dealing in cocaine, armed robbery and illegal possession of fire arms and ammunition, carried death penalty. With the existence and application of such decrees and edicts, the decisions of the military could not be challenged in any court of law. The evident weakness of the judiciary, in turn, strengthened the legislative and executive bodies with evident abuse of office or power and, thus, the compromisation of the rule of law and electoral integrity 49.

A very good case in point where the courts would have made themselves a dynamic instrument of change was in the case between Atiku Abubakar and Mohammadu Buhari in the struggle against rigging of elections, evident in the Supreme Court judgment delivered on October 30, 2019, dismissing appeal by the PDP Presidential candidate, Atiku, in Atiku Abubakar versus Mohammadu Buhari and other (section 1211/2019).50

The opportunity to address the question properly was lost. Lost because of corruption, which remained a major ill preventing, not only the enthronement of credible persons in position of leadership of the country, but also, hindering economic growth and sustainable development, and entrenching instability in the country – a barrier to national development and moral authority, which affect effective and efficient leadership. It is the basis of the inability or failure of the election tribunals to extricate themselves from the evils of electoral malpractices due to corruption that the need to reform them and get them better focused on electoral cases become imperative.

In spite of the weaknesses of the judiciary, the arm of government has made patriotic contribution in Nigeria's march to democratic greatness evident in the way it has rescued the nation from major cases in the aftermath of some general elections, a development, which has greatly strengthened democracy and given hope to Nigeria for its survival. 51

On the basis of the above, there is the need to enhance the independence of the judiciary, and the legislature, by granting them autonomy in operations and funding them to allow effectiveness, checks and balances. One import of enhancing the independence of the judiciary is to allow responsible application of the rule of law to enable effective dispensation of justice.

Besides, granting independence, and funding, the judiciary should be purged of its corrupt elements to allow effective adjudication of laws, not only in cases regulating human conduct but also in election matters, when called upon, to ensure the culture of transparency.

2.10 Political Parties

Political parties are some of the institutions, which are critical to the sustainability of democratic governance in any political system. Many definitions of political parties exist, all meaning the same thing. However, suffice to pick a few of such definitions, which would guide us in this section. Political parties are seen as the intricate organizations of society's active political agents concerned with the control of government power, and, which compete for popular support with other groups that hold divergent views; the great intermediary, which link social forces and ideologies to official government institutions and relate them to the political action within the larger political community. 52

Okotie saw political parties as organizations of voters, which include any association whose activities include canvassing for votes in support of a candidate for election to the office of president, vice-president, governor, deputy-governor, or membership of a legislative or of a local government, to influence the government's conduct and policies by nominating and electing candidates to the public offices. 53 Political parties are both the expression and management of conflict within a political system. They are not only products of their environment but also instruments or institutions organized to affect the environment. They, therefore, function as agents of political participation and political mobilization 54.

The institution of political parties comprises the ruling party and its oppositions, both of which constitute avenues through which citizens advance their political interests in governance. This was very evident in Nigeria by 2015, for instance, when the Peoples Democratic Party (PDP), was the ruling party and, thereafter, it became an opposition party to the All Progressive Congress (APC). The political parties are supposed to be powered by ideologies, which help to inspire strong political activism in any system, because without politics of ideology and opposition, in any system, there may be no choice and when there is no choice, and no participatory democracy, the citizens may not be able to exercise their rights to rule 55. The lack of ideologically powered political parties in Nigeria is partly because of well known fact that the political parties have been, for decades, dominated or influenced by ethnic and religious forces. These forces have been responsible for the weaknesses of the institutions and lack of internal democracy⁵⁶. It has also been responsible for political defection or the culture of migration from one party to another with relative ease because of selfish interest. This culture was evident, for instance, when many politicians of PDP extraction abandoned the party because of the failure which made Buhari to request from APC to allow him the privilege of picking or selecting a successor in 2022, as a way of making leadership to be imposed on the citizens without reflecting the wishes of the electorate 57.

It is important to note that before the current civil political dispensation, the previous political parties were seen as "little more than armies for fighting elections in the regional and federal legislatures". 58. Between 1976, when Murtala Mohammed made this remark, and now, nothing has changed as evident in their violation of electoral laws and the rule of law during elections, and, thus, making credible results unachievable because of their attitudes of seeing

elections and the quest for power as a “do-or-die affair”, 59 as declared by then President Olusegun Obasanjo before 2007 general elections. This declaration and subsequent development contributed to the violence and killings, and politics of exclusion, which have characterized Nigeria’s politics.⁶⁰ This culture of political exclusion continued as evident in 2022 when, during the presidential election, Ahmed Bola Tinubu told his supporters to go out during the election to grab power “at all cost, fight for it, grab it, snatch it, and ran with it”, reflecting the nature of leadership in Nigeria wrapped around self-entitlement (emi-lokan). 61

Furthermore, a remark made on political parties in Nigeria in 1987 still bears relevance today:

...party politics is poisonous. It is the politics of war not of peace; of acrimony ...hatred [and] mud-slinging, not of love and brotherhood; of anarchy and discord, not of orderliness and concord; it is politics of cleavages, divisions and disunity and not cooperation, consensus and unity; it is politics of hypocrisy and charlatanism, and not integrity and patriotism; it is the politics of rascality [which as continued in Nigeria’s political history evident in what Umegboro called the desecration Bishop-hood in 2022] not maturity; of blackmail near gangsterism, not of constructive honest contribution ...⁶²

The political parties displayed the above attributes, which do not allow effective competition and provision of adequate psychological satisfaction to the people, who consider competition as an essential element of politics because they want to retain power in perpetuity, monopolizing power and attendant benefits with evident discard of party discipline. The result of this attitude is the failure to establish a stable democratic party system, ⁶³ good governance and sustainable development in Nigeria. Thus, these seeming negative developments suggest the need for the institution of political parties to be strengthened in ways that would increase and enhance their roles and responsibilities.

From the above, there is no doubt that the political parties need to be strengthened in ways that could allow an increased roles and responsibilities, and effective grassroots participation in politics, ⁶⁴ by allowing the rule of law to guide their conduct and avoid the application of the crude principle of “do-or-die” affairs in elections. They need to be ideologically inspired with evident internal democracy, playing out in their parties, to enable the politicians actualize the promise made to the people and, thus, achieve the goals of national development. Very importantly, an independent, disciplined and committed INEC should be allowed to moderate their conduct and sanction any party, which violates electoral laws.

2.11 The Mass Media

The mass media is one of the critical institutions of democratic governance. Being so, the drafters of the 1999 Nigerian constitution deemed it necessary to ensure the media is allowed in Nigeria to act as a watchdog of the society. Hence, in Chapter II, Section 22 of the 1999 Constitution, is stated expressly that, “The press, radio, television and other agencies of the mass media shall at all times be free to uphold the fundamental objectives contained in [the] chapter and uphold the responsibility and accountability of the government to the people”. ⁶⁵

What is expected of the government by the people is already well-known to us and that includes, political, economic, social and educational obligations. In chapter IV, Section 39 (2),

it is also stated that "...every person shall be entitled to own, establish and operate any medium for the dissemination of information, ideas and opinions; provided that no person, other than the government of the federation or of a state or any other person or body authorized by the President on the fulfillment of the condition laid down by an Act of the National Assembly, shall own, establish or operate a television or wireless broadcasting station for any purpose whatsoever". 66

On the basis of the above, mass media would be taken as constituting all the channels through which messages are communicated from different angles of a society in the area of politics, economy, education, healthcare, entertainment, among others, across distances to a large audience at the same time or different times. It comprised such channels as dailies, weeklies, radio, television and the modern internet systems, including the social media, which could at times be mis-informative. 67

The media is the watch dog allowed to monitor the legislative, executive and the judicial arms of government with a view to exposing their limitations and providing checks and balances, and in the process inform the public about government decisions, policies and actions, including results. Besides, the media having the responsibility of sustaining and nourishing the ideas of democratic ethics; ensuring and guaranteeing the protection of freedom of the people and itself; and also, being the heart of popular participation in liberal democracies, which ensures transparency, accountability, justice, fairness in the process of governance. It also assists in charting direction for government to follow to ensure the provision of positive and purposeful governance for sustainable development. 68

The mass media is known to provide platform for political parties to advertise their programmes and ideologies for the interest of the general public, although some media outfits could input bias in their outfit to favour some parties. Through this means, however, the media generate revenues. There is also the relationship between the media and politicians as individuals who use the media for laundering and promoting their image. Commenting on this relationship, Ezeoke and Adeyemo noted how journalists, through this relationship compromise their integrity in their reportage because they do not want to hurt their politician-friend, who may be a proprietor of the medium, a situation which determines the electoral contents of the media. Thus, when a politician owns the news media, its news contents tend to favour such a politician. This type of affiliation is said to be the result of lack of funds on the part of the news media, which makes it difficult for such an outfit to be self-sustaining without the assistance of such a politician-friend. 69

It was also noted that in a situation where a media outfit could survive without the help of politicians, the often-poor remuneration of journalists also makes them play into the hands of moneybags. This situation drives fear into them and makes them to put personal protection above public consideration. Thus, due to poor remuneration, some journalists are compelled to accept money from politicians and consequently turn their backs on stories, which may expose the evil deeds of such individuals, so that the patronage hitherto enjoyed from the politicians would not be used to blackmail them if they published the truth about the politician-friends. 70

Although well known, it is important to reiterate here that the media, in discharging their constitutional responsibilities, play very remarkable role during the era of military rampaging

tyranny. Their use of the power of the pen, which make Nigeria's self-styled military president, Ibrahim Babangida, to step aside from office in 1999 and the guerilla journalistic warfare waged against General Sani Abacha's vicious regime, are pointers to the zeal displayed by the media to ensure a rebirth of democratic culture in Nigeria, a role which ensured that the civil society did not collapse. 71

The media also play the role of acting as a bridge between the government and the people in the democratic system, thus forming the basis of inseparability in the relationship that exists between them, democracy and good governance. This relationship suggest obviously that the media play dominant role in a democratic system without which it could be difficult, if not impossible, for any system to achieve the aspirations of the people in terms of transparency and accountability in governance, which are essential elements of a democratic governance and sustainable development in a state system. 72

Despite the above roles, especially during the era of military rule, which assisted the civil society in booting out the military out of governance, the media, like other institutions and sections of the Nigerian society could claim to be strong as an institution because of the way they were dealt with under military, especially following the promulgation of Decree 4 (Public Officers Protection Against False Accusation) of 1984, forbade the publication of any material, true or false, that was capable of embarrassing public officers. The decree, thus, curtailed the freedom of the press and criminalized any criticism of government officer by the press, thereby putting some government officials above media and public scrutiny. Under the decree, two reporters, Tunde Thomson and Nduka Irabor of The Guardian Newspaper, were jailed one year each for refusing to divulge their sources of information published on government officials. 73 Many other journalists were arrested and detained for several months without trial, a development, which served to heat up the polity and strained government-media relations in the period 1984-1985. 74 In spite of the above situation, the mass media in Nigeria has been acknowledged as being the freest in the African continental. 75 There is the need for them to detach themselves from the sponsorship of politicians.

2.12 The Civil Society Groups

The civil society groups are another important institution critical to the sustenance of a democratic system for good governance. The groups are populated by voluntary groups and associations, of self-sufficiency, self-supporting, autonomous from the state, possessing public character with aim of furthering a common good. They represent a count-weight to state power and, thus, serve as critical agents of transparency and accountability. 76 The groups and associations, include: charities, foundations, trusts, social clubs, trade unions such as the Academic Union of Nigerian Universities, Nigerian Medical Association, and Nigerian Union of Journalists as well as religious associations. They are registered for the purpose of providing services for the general public, evident in their engagement in monitoring the performances of stakeholders in a democratic society; in conditioning the citizens to imbibe democratic culture, develop leadership interests in public service; and providing platform for innovative exchange of ideas that, in the end, would help to consolidate democracy. In short, the civil society groups exist to provide a platform for citizens to express their interests, passions, preferences and ideas, to exchange collective goals, to made demands on the state, and to hold state officials accountable. 77.

Besides national interests, some civil society groups agitate for specific group interests. Together, they occupy a critical place in Nigeria's democratic space to ensure virile and result-oriented governance, as they create social infrastructure necessary to support manifestation and practice of liberal democracy. These, they all do through critical voter-education and sensitization, which remain very important for the sustenance of a democratic system and sustainable democratic. Without these roles, the civil society groups and the general politic would be far removed from government. 78

However, the performances of the civil society groups are limited or hindered by some challenges such as ethnicity and religion, poor leadership, corruption, the evident poverty situation in Nigeria and financial crisis, which expose them to the danger of leaning on the government for survival. They also face the challenge of government's interference in their affairs because of their weaknesses. These challenges limit their effectiveness and impact on the wider society, and thus, cripple them from being a powerful democratic force. 79

The interference of government in their affairs was very evident on their struggle against the rampaging tyranny of the military in the period 1983-1998. In the course of such interference, the media suffered some casualties evident in the killing of Dele Giwa, one of the Newswatch editors in 1986 and the arrest and incarceration of some National Democratic Coalition (NADECO) elements during the reign of Sani Abacha. 80 Government's interference was also evident during the struggle against third term agenda when Olusegun Obasanjo tried to compromise the constitutional provision to remain in power for another four years after the completion of the two four-year tenures. During the struggle, the government interfered in the activities of the civil society groups. It applied divide and rule tactics to frustrate and intimidate the unyielding elements among them. These actions were carried out through massive bribery of susceptible legislators to buy them into the agenda, and by using security forces to intimidate and jail all those who could not be bought. 81

Commentary on the import of this institution in a political system, and in view of its weaknesses, we join the Sunday Sun editorial 82 in its call on the need to strengthen the institution to enable it help in making the democratic system robust, and allow the sovereignty of the citizens to be restored.

3.0 CONCLUSION

No doubt, a democratic system needs basic institutions as discussed above for its survival and provision of good governance and sustainable development. Although Nigeria's democratic development so far has shown some progress, its only in terms of political stability. Since the military left the political scene, strengthening democratic institutions remains very critical for achieving good governance and sustainable development. It is sad to note that the issues such as selfishness, greed, corruption, and the absence of leadership with strong political will and aspiring political clout, have not allowed the institutions to operate as expected and so the country has been worse for it.

Thus, it is important to note that if the democratic institutions are not strengthened for good governance and sustainable development, Nigerians would continue to be living in an environment and conditions that shame democratic societies; they would continue to wallow

in abject poverty with the youths seen languishing under the heavy burden of pervasive unemployment with evident spate of crimes, increase in the number of potential lawless citizens, and the quality of life of the majority of Nigerians would remain, to say the least, deplorable and the future bleak; moral panic due to insecurity and violence would continue to prevail, among others, all combined to undermine the nation's fragile democracy. From what we discussed above, addressing the weaknesses in major institutions could enhance and promote transparency, accountability, good governance, inclusive growth, and ensure that Nigeria's economic, social and political development is sustainable.

On the basis of our discussion, we recommend, among other things,

- a. the need for institutional reforms, which would make the electoral bodies, the judiciary and the legislative bodies to be independent;
- b. the need to strengthen the power of anti-corruption agencies such as the Economic and Financial Crime Commission (EFCC) to ensure transparency in governance;
- c. the need to give adequate training of officials in democratic governance on accountability, responsiveness, and transparency in view of the impact of years of military authoritarianism and mis-rule;
- d. the need to build and strengthen democratic institutions to eradicate hunger, poverty, unemployment, and civil unrest and insecurity because according to President Tinubu, "no nation thrives where fear prevails" 83;
- e. the need to promote real democratic ethos where citizens are engaged in issues of governance and decision-making; and
- f. the need to develop the economy to make it less dependent on crude oil, and less vulnerable to global economic changes.

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