



THE CHALLENGES OF DEMOCRATIC GOVERNANCE IN NIGERIA SINCE 1999

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Résumé:

Les défis de la gouvernance démocratique au Nigeria depuis 1999

Avec le retour à la démocratie en 1999, les citoyens ont espéré que les choses vont changer pour le mieux. Un tel enthousiasme a été le postulat de la conviction que la gouvernance démocratique facilitera l'acheminement des dividendes de la démocratie en termes de bien-être social, de justice, d'équité et d'égalité d'accès aux ressources et au pouvoir et d'une saine gestion des ressources nationales. Cette contribution examine les principaux défis auxquels la gouvernance démocratique est confrontée au Nigeria depuis le retour à la démocratie en 1999. Elle fait valoir que ces défis de la gouvernance démocratique parmi lesquels la corruption, la crise du leadership, la fraude électorale, la contestation constitutionnelle entre autres ont affecté l'institutionnalisation de la démocratie constitutionnelle dans le pays, ce qui en fait un mirage. Elle conclut que la responsabilisation et la transparence dans la gouvernance, l'adhésion aux principes éthiques de la démocratie entre autres ne sont pas seulement la promotion de la bonne gouvernance, mais constituent aussi des caractéristiques majeures de la création d'une démocratie d'un pays.

Abstract: *With the return to democratic rule in 1999, hope was built in the citizens that things will change for the better. Such enthusiasm was premise on the believe that democratic governance will facilitate the delivery of dividends of democracy in terms of social welfare, justice, equity, and equal access to resources and power; promote good governance; and sound management of the nation's resource. This paper, therefore, examines major challenges facing democratic governance in Nigeria since the return to civil rule in 1999. It argues that these challenges of democratic governance among which are corruption, leadership crisis, electoral fraud, constitutional challenge among others have affected the institutionalization of constitutional democracy in the country, thus making it a mirage. It concludes that, accountability and transparency in governance, adherence to ethical principles of democracy among others are not only germane to the promotion of good governance but also constitute major features of making a country a democracy*

Keywords: Democracy, governance, good governance, election, corruption

There is no doubting the fact that marathon year of military regimes in Nigeria between 1993 and 1999 was generally a disaster for the Nigerian people. Thus, the birth of the fourth Republic in May 1999 was widely expected by Nigerians that democracy will usher in better deal for them in terms of improving their pitiable standard of living. Many Nigerians looked forward to great expectation of better things to come in the process of democratic governance; freeing of national resources from the stranglehold of greedy officials and to more effective and efficient programmes of social provisioning in health and education, provision of infrastructural facilities, poverty alleviation and general socio-economic development.

However, after a decade of what some analysts refer to formalistic democracy devoid of substance, Nigerians seem to have experienced more of pains than gains (Inokoba & Kumokor, 2011). Thirteen years of uninterrupted civilian administration has



not adequately meant the expectation, dreams and yearnings of majority of Nigerians. It is very pathetic that thirteen years of ailing democracy in the country under three successive administration has not been able to address the problems of inadequate basic needs of life such as good roads, functioning health institution, quality education, unemployment, restructuring of petroleum sector, uninterrupted power supply, genuine electoral reform, equitable distribution of wealth, justice and fairness and domestic terrorism.

A number of scholars have argued that a major problem facing Nigeria since the return to civil rule in 1999 is that of establishing and sustaining appropriate governance institutions and practices that would engender democratic practices and promote sustainable development in the country. This paper argues that democratic governance in Nigeria since 1999 has failed woefully to promote not only the tenets of true democracy but also to put smile on the faces of majority of Nigerians. It is against this backdrop that this discourse tends to examine various challenges that have robbed governance in Nigeria since the return to civil rule in 1999.

Conceptual framework

It is imperative to briefly look at the meaning of some key concepts and issues because they are very relevant in this discourse. They are governance, good governance, democracy and sustainable development.

Governance

The United Nations Human Development Report (2004) viewed governance in two faces: first, the leadership which has responsibilities derived from the principles of effective governmental organizations. Second, the governed, that is the citizens, who are responsible for making relevant inputs to the socio-economic and political affairs of their society. Arisi & Ukadike (2011) see governance as a relationship between leaders and the led, the state and society, the governors and the governed. They also described governance as an approach or perspective that focuses on state, societal institutions and the relationship between them as well as on how rules are made in a society which are accepted as legitimate to enhance values that are sought by individuals and groups within the society (Arisi & Ukadike, 2011).

Good Governance

Downer (2000) sees good governance as a process whereby public institutions conduct public affairs, manage public resources and guarantee the realization of human rights. Good governance accomplishes this in a manner essentially free of abuse and corruption, and with due regard for the rule of law. The true test of good governance is the degree to which it delivers on the promise of human rights; civil, cultural, economic, political and social rights Conable (1997) argued that good governance involves the exercise of power or authority, political, economic, administrative or otherwise to manage a country's resources and institutions through which citizens and groups articulate their interests, exercise their legal rights and

harmonies their differences. A more comprehensive definition of good governance was given by the UNDP report on Governance for Sustainable Human Development in 1997. The report pointed out that good governance requires nine (9) core characteristics. They include; (1) Participation (2) Rule of Law (3) Transparency (4) Responsiveness (5) Consensus Orientation (6) Equity (7) Effectiveness and Efficiency (8) Accountability (9) Strategic Vision.

Democracy

While there is no universally accepted definition of the term "democracy", equality, majority rule and freedom (the right to petition elected officials for redress of grievances inclusive) have been identified as important characteristics of democracy since ancient times. Democracy is an egalitarian form of government in which all the citizens of a nation together determine public policy the laws and the actions of their state, requiring that all citizens (meeting certain qualifications) have an equal opportunity to express their opinion (Wikipedia, 2004).

Odeh (2010) sees democracy as a technique through which popular participation is enjoyed among the civil masses to decide whom their leader is.. A more adequate definition of democracy was given by Seward when he stated that "democracy is a political system in which citizens themselves have an equally effective input into the making of binding collective decisions" (Seward, 2004). Thus, a situation whereby election is marred by rigging, thurggery and other forms of corrupt practices does not only seem to represent a government of the people but also not an electoral democracy. This was why Seward made this submission that, the basic contention is that no compelling justification for democracy could oppose the view that people ought to be treated as political equals (Seward, 1998).

An Overview of the Fourth Republic, 1999-2012

The process that eventually brought about the birth of the Fourth Republic began as a result of the sudden death of Late General Sanni Abacha on June 8, 1998 which however paved the way for the emergence of General Abdulsalam Abubakar as the Head of State. Having become the new Head of State, he announced that he would hand over power to the democratically elected president on May 29, 1999. Thus, before setting the proceedings, General Abdulsalam stated that, 'In particular, democratization was marred by maneuvering and manipulation of political institutions, structures and actors. In the end, we have only succeeded in creating a defective foundation on which a solid democratic structure can neither be constructed nor sustained' (Osumah and Ikelegbe, 2009). With this statement, General Abubakar, dissolved the five political parties registered by the Abacha's regime, cancelled all the elections that were conducted and set another electoral body known as Independent National Electoral Commission (INEC) (Osumah and Ikelegbe, 2009). The Electoral body was set up initially to grant provisional registration to nine political parties, with the condition that after the local government elections



of that year, those that had 10% votes and above in at least 24 states of the Federation would qualify to contest the subsequent State and Federal elections. Eventually, only three political parties that is the Alliance for Democracy, AD, All Peoples Party, APP, and Peoples Democratic Party, PDP that were registered (Dode, 2010).

The basic concern of Abdulsalam regime was how to ensure successful transition to a democratically elected government within the shortest possible time. In seven months, the regime successfully completed a transition to civilian administration, which resulted in the handing over of power to a democratically elected government, headed by Chief Olusegun Obasanjo of the PDP on May 29, 1999. (Abimbola & Adesote, 2012). After the fourth republic had been laid in 1999, three general elections have been conducted in the country of which democracy was consolidated. In other words, there was no military welcome back since 2003 till date. This is an evidence of democratic consolidation in the country. For instance, in 2003, a presidential election was conducted and the incumbent president, Chief Olusegun Obasanjo of the PDP was declared the winner by INEC. In 2007, Late Alhaji Umaru Yar'Adua of the PDP was also declared by INEC as the President elect. In 2011, another election was conducted by INEC in which Dr. Goodluck Jonathan of the PDP, who was sworn in first as, Acting Presidential following the critical condition of Late Umaru Yar'Adua, the then President; and later as a substantive President after death of Yar'Adua also contested and was declared winner of the election by INEC. The analysis above shows that democracy has gained foothold in Nigeria in the recent time.

Indeed, the march towards democratic rule in Nigeria especially since 1999 has so far been a tortuous adventure, characterized by moments of hope raised and hope dashed. The democratization processes that ushered in the fledging fourth republic were particularly daunting (Omotola, 2007:256). This is because recent experiences have shown that the process of deepening democracy and making it work for people in Nigeria has not been adequately felt like in other Sub-Saharan African countries like Ghana. The hope of the common man for a just and an egalitarian society became rekindled with the birth of a democratic governance in 1999. In fact, majority of Nigerians greeted the return to democratic rule with widespread jubilation and optimism as they looked forward to a new era of political stability, peace, security and prosperity. However, thirteen (13) years after, Nigerians are still anxious to see and enjoy "dividends of democracy" in terms of social welfare, justice, equity, and equal access to resources and power.

The Challenges of Democratic Governance in Nigeria Since 1999

A critical assessment of democratic governance in Nigeria since 1999 till date clearly revealed that the government is still struggling with the delivery of good governance to the Nigerians. The inability of the Nigerian government to ensure the promotion of good governance since the birth of the fourth republic is as a result of

some challenges which have continued to threaten the process of nation building. These challenges are leadership crisis, corruption, electoral fraud, constitutional challenge and so on.

Leadership Crisis

According to Chinua Achebe in his book titled "The Trouble with Nigeria" emphasized that the trouble with Nigeria is simply and squarely a failure of leadership. There is nothing basically wrong with the Nigeria character. There is nothing wrong with the Nigerian land or climate or water or anything else. The Nigerian problem is the unwillingness or inability of its leaders to rise to the responsibility, to the challenge of personal example which is the hallmark of true leadership... (Achebe, 2009). This shows that the genesis of leadership challenge which results in absence of democratic governance starts with recruitment process. In fact, the conduct of leadership recruitment within Nigerian political parties since the fourth republic is marred with undemocratic activities among which include imposition of anointed candidates, kangaroo primaries, lack of party internal democracy, godfatherism among others. Since there is lack of democratic culture among major political parties which is the bane of contemporary leadership crisis in Nigeria society, the challenge of democratic governance becomes inevitable. This is because majority of political leaders emerged through corrupt means.

Leadership is a critical factor in the promotion of good governance and it should be understood in two important but related ways. First, there are the personal qualities of integrity, honesty, commitment, and competence of individual leaders at the top. Secondly, there are the collective qualities of common vision, focus, and desire for development of the elites as a whole (Gambari, 2008). While these two major qualities are lacking among Nigerian political leaders is because the process that led to their emergence is undemocratic. This is why their performance over the years has been a major concern for most Nigerians. They have not only failed to understand the economic and political problems of the country, but have been unable to find durable solutions for them. They are more interested in silencing their opponents, than in pursuing justice. They preach one thing, and do the exact opposite. They place themselves above the constitution and the laws of the country, and have no sense of tomorrow, other than that of their private bank accounts.

Corruption

Corruption is the major challenge facing democratic governance in Nigeria since 1999. Corruption, a hydra-headed monster that grows like a cancer, undermining growth, production and productivity, distorting services delivery and short-changing citizens in favour of a few consists of embezzlement, quackery, misappropriation of funds, diversion of fund; subvention of due process and absence of financial discipline. It has not only affected the quantity and quality of service delivery, but also has resulted in the impoverishment of the Nigerian populace



(Abimbola & Adesote, 2011). On many occasions, Nigeria has been rated one of the most corrupt nations of the world. In 1999, Nigeria was ranked the 27th corrupt nation in the world (Ndiulor, 1999).

In the year 2000, the Transparency International, a non-governmental organization categorized Nigeria as first in the ranking of corrupt nations of the World (TI, 2000). According to the global Corruption Perceptions Index (CPI) 2009 by Transparency International (TI), which generated healthy debate, Nigeria occupies 130th position out of the 180 countries surveyed. The situation of corruption in Nigeria is reflected in dysfunctional infrastructure and support services, whereby funds available for specific projects are either diverted to unproductive use or embezzled (Abimbola & Adesote, 2011). Lawal (2007) argues that corruption is one of the indices of bad governance which its negative effects can be seen from economic, political and socio-cultural perspectives. For example, from economic perspective, he said that corruption is no doubt, inhibits economic development in the international scene, as it gives the country a poor image in the international scene and it also gives the country poor image in interpersonal and business relationships (Lawal, 2007). Ojaide (2000) argues that socio-cultural effect of corruption involves engendering poverty, and has the capacity of changing and subverting the social values of a good and progressive society dramatically to nothing else than the crazy pursuit of wealth affluence, power and society recognition.

Electoral Fraud

In any democratic society, election which according to Webster's Encyclopedic Dictionary 2006 (583-584) is defined election as: "the act or process of organizing systematic (s) election (permitting mass participation and method of choosing) a person or persons by vote for a public office position in which state authority is exercised" becomes the only most acceptable means of changing leadership in any given political system. It is the conduct of a free and fair and credible electoral process that justifies a Representative government to be referred to as democracy because the authority of government is derived solely from the consent of the governed.

History of elections since 1999 has proved it that it has become impossible to hold free, fair and credible elections that would be acceptable to majority of Nigerians in this country. Besides the 1999 general election that was conducted by military administration of which though not totally free and fair, subsequent elections most importantly the 2003 and 2007 general elections which was conducted by the civilian government in this country were worse. In fact, the most disturbing trend is that each general election was worse than the preceding one. For instance, while 2003 was worse than 1999, 2007 was worse than 2003. Even the 2011 general election which though was a little bit fair when compared to the preceding ones, recent reports have shown that there was voter apathy.

Agbaje and Adejumbi, (2006:34) have argued that the 2003 and 2007 general elections, like virtually all the preceding elections in Nigeria's post-colonial history, were

classic cases of electoral fraud and stand out as the most corrupt and fraudulent. The 2007 general elections in particular were characterized by notorious electoral malpractices and like warfare with a flurry of intimidation, massive rigging, thuggery, outright violence, widespread electoral irregularities, horse trading, ballot box stuffing with thumb printed ballot papers, ballot box snatching, election rigging, manipulation and falsification of election outcome and announcement of wrong candidates as winners.

More importantly, before the conduct of the 2007 general election, the then President, Chief Obasanjo had said that the election would be "do or die" (Osumah and Ikelegbe, 2009: 189-192). The outcome of the election led to series of political violence in some parts of the country like Ondo, Ekiti, Edo, Osun States and as well the recourse to courts which invariably resulted in either rerun election or the return of the candidates whose mandate was stolen, by the Court of Appeal. For examples, in the South-West and South-South such as, Ondo, Oyo and Edo States, Dr. Olusegun Mimiko, Ogeni Rauf Aregbesola and Comrade Adams Oshiomole were all returned respectively by the Court Appeal. While in the states like Ekiti, Sokoto, Delta and Kogi the Court of Appeal ordered for a rerun election. Even, late Alhaji Umaru Yar'Adua, the presidential candidate of the PDP, who was declared by INEC as the president elect under the PDP, later declared that the election that brought him into power was not free and fair (Personal Analysis).

The fact remains that the integrity of the electoral system is a major challenge facing democratic governance in Nigeria. History has shown that turbulent elections since 1999 have been one of the sources of political crisis in Nigeria and controversies surrounding elections have serious potential in undermining the legitimacy and stability of democracy in the country.

Constitutional Challenge

Since independence in 1960, the country has been facing the challenges of crafting a constitutional arrangement that has the backing of an overwhelming majority of Nigerians. Through the efforts of our founding fathers, the principle of federalism was arrived at as a foundation for our nation. But federalism has faced stiff challenges over the years from those wanting a unitary form of government on the one hand, and from those wanting a confederal arrangement, on the other. In fact, the worst enemies of Nigerian federalism are those who speak of federalism, but act in a unitary fashion by brushing aside all the divisions of powers between different levels of our federation. Related to the problem of federalism is the question of fiscal federalism. What is the appropriate and just basis for sharing revenue? Should the federal government have the right to deduct monies due to states without their permission? Should state governments continue to control local government allocations? These are all fundamental principles on which we have no clear consensus. While we all agree that Nigeria must be a federation, we have no clear consensus on the nature of that federation, on whether we should have territorially



defined states or ethnically defined states as some are demanding. We also do not have a consensus on the number of states or federating units we should have. While some are satisfied with the current 36 states, others are calling for more states for their own groups. On the other hand, yet others are arguing that the number of states should be reduced to 6. Here again, there is little by way of consensus (Gambari, 2008)

Another constitutional challenge relates to the nature of our democracy. While most Nigerians support the principles of democracy such as the forming of government based on the will of the majority, respect for the rule of law, and respect for basic freedoms of citizens, the fact remains that in practice, we have tended to have either military rule or defective civilian governments. Either in terms of accountability and transparency or respect for the rule of law, or the holding of elections, our conduct in the recent past has been far from democratic. Therefore, while most of us now agree that we do not want military rule, our visions and practice of democracy are not uniform, showing a fundamental lack of consensus on this important question as well. The argument is that the key values of federalism, democracy, and inclusive government have not been sufficiently consolidated as core values for our nation, Nigeria. Some important questions regarding each of these three key values remain unanswered. And in many instances, there is a discrepancy between what is written on paper and what people do in practice. Building consensus around these three key values remains a constitutional challenge for good governance. Nigeria needs a constitutional settlement that commands the acceptance, if not the respect, of a majority of its over 140 million citizens. The 1999 constitution bequeathed by the military is defective in many important respects. Attempts to correct these defects through the National Political Reform Conference (NPRC) of 2005 and the Constitutional Reform Bill of 2006 which was debated and rejected by the National Assembly, have so far failed (Gambari, 2008).

On a final note, the issue of domestic terrorism since the return to civil rule in 1999 also constitutes a major challenge to democratic governance in Nigeria. The country has been confronted with problems of internal security since the return to civil rule in 1999. A number of threats which have social, political, economic, and environmental and religious dimensions have greatly affected national security of the country. The threats to human and national security which ranges from ethnic and religion conflicts, armed robbery, terrorism, economic sabotage, illegal militia armies and the current domestic terrorism in the northern part of the country caused by the dreaded Islamic sect, popularly called, Boko Haram among others have diverse effect on the stability of the country as an entity (Abimbola & Adesote, 2011). There is no doubting the fact that the ineptitude of Nigerian political leaders towards the plight of many Nigerians in terms of high rate of unemployment, poverty and other socio-economic inequalities across the country are responsible for civil strife in terms of domestic terrorism, kidnapping, armed robbery and other forms of criminality.

For instance, the emergence of youth restiveness in the Niger Delta region in 1998 following the Kaiama Declaration by the Ijaw Youth Council (IYC) which forced

the government of General Abdulsalam to insert a minimum of 13% Derivation clause in the 1999 constitution which was bequeathed to the administration of Chief Olusegun Obasanjo in May 29, 1999 was as a result of political marginalization and sufferings being faced by the people of that region. The repressive tendencies of civilian administration between 1999 and 2007 towards that region, such as Odi crisis was said to be one of the reasons for the high rate of criminality and militancy in the region. The reduction in the Youth restiveness in the region was as a result of the positive response of the federal government under the leadership of late President Umaru Yar'Adua who created a separate ministry, Ministry of Niger Delta Affairs to be headed by someone from the region and the Amnesty Programme (Omojeje & Adesote, 2011).

The current domestic terrorism in the Northern part of Nigeria caused by the so-called, Boko Haram also deserved illumination. Though one cannot precisely conclude that one particular factor is responsible for this ugly situation, it is a known fact from the recent revelations that the practice of western democracy in this part of the country is characterized by ostensible corruption, poverty, unemployment, is one of the factors responsible for this problem (Danjibo, 2009). This view could be corroborated with the current report of the statistics of the level of poverty in various parts of the country by Dr. Yemi Kale, Statistician General of the Federation when he said at a Press Conference in Abuja that North West and North East geo-political zones (where the so-called Boko Haram originated from) recorded the highest poverty rate in Nigeria with 77.7% and 76.3% respectively (Nigerian Tribune, Tuesday 14th February, 2012, pp1-2)

Concluding Remarks

Transparency and accountability are major characteristics of good governance that are very paramount for democratic governance to thrive in Nigeria. While transparency refers to openness in the process of governance --- in the election process, policy and decision making, implementation and evaluation, at all levels of government (central, state and local) and in all branches of government (executive, legislature and judiciary) (CDD, 2001) and also known as public knowledge of the policies and actions of government, existing regulations and laws and how they may be accessed (CDD, 2001), accountability according to the Encyclopaedia of Democracy, refers to "the ability to determine who in government is responsible for a decision or action and the ability to ensure that officials are answerable for their actions".

According to Mahatma Gandhi, cited in Olu-Adeyemi (2012) "politics without ethical principles" is among the "social sins of humankind." Nigeria has the potential (human and material resources) to translate to a great democracy if the politicians (and the people) can change their mind-sets and learn to play ethical politics that adds good value to the system. This entails a paradigm shift in the manner in which Nigeria is governed (Olu-Adeyemi, 2012). Albert Einstein cited in Olu-Adeyemi (2012)



noted that "the specific problems we face today cannot be solved at the same level of thinking we were at when we created them." Thus, our political leaders are expected to do more and talk less. This is because efficient, affordable and effective delivery of public services is a major *raison d'être* of government and a core responsibility of the executive arm of government.

The popular perception of majority of Nigerians is that improved social services should be one of the major dividends of democracy and good governance. Quality social services and good public infrastructures are directly correlated with poverty alleviation because they reduce vulnerability and empower people. Therefore, democracy that does not produce tangible public goods in the form of accessible and efficient social services in the medium to long term is not only likely to elicit frustration and resentment from the people and ultimately to disillusionment with the democratic process, but also not a democracy. This is why the former Secretary-General of the United Nations, Kofi Annan, while addressing a UNDP conference on "Governance for Sustainable Growth and Equity" in New York in July, 1997, made a poignant remark about the interface between Governance and Sustainable Development. He said that good governance and sustainable development are indivisible. He argued that Good Governance is the single most important factor in eradicating poverty and promoting development in any country (UNDP, 1997).

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