

NIGERIA'S WOBBLY JOURNEY TO DEMOCRACY: A PHILOSOPHER'S VIEWPOINT

INTRODUCTION

Since the attainment of political independence in 1960, Nigeria has had to contend with many attempts at democratic governance. She took off with the British Westminster or parliamentary system of government which was truncated in January 1966 via a military coup and counter-coup which hoisted a military dictatorship in Nigeria for thirteen years. 1979 ushered in a new Presidential democracy which was again terminated by the military cabal in Nigeria in December 1983. Since then it had been a relay race of military generals changing leadership batons in Nigeria with many botched and insincere attempts to return her to a democratic governance until 1999 when she once again embraced Presidential democracy. Since then, our democratic journey has been wobbly with basic democratic tenets being abused or misused. This work attempts to highlight these abuses and misuses and the way forward so as to ensure an enduring and sustainable democracy in Nigeria.

Concept of Democracy

The term "democracy" is derived from the Greek word "demokratia" which itself, is a combination of the words "demos" meaning "people" and "Kratos" meaning "rule". Thus, in its elementary form it means "people's rule". Today, however, the original meaning has undergone a lot of metamorphosis. There was even a time democracy was a term of reproach – an anathema repugnant to the informed mind, because it was perceived to be synonymous with mob rule or anarchy. That was why Plato had to prescribe the doctrine of "philosopher king" as the best form of government, since according to him not everybody was suited for leadership. Then, citizens of the Greek city states would gather at the city centre to take decisions concerning their affairs. Plato didn't perceive some of their decisions as informed hence he denounced the method. Thus democracy was eclipsed by monarchy for many hundreds of years until the Industrial Revolution in Europe in the 18th and 19th centuries whose "greatest results were mass urbanization, mass society, mass production, mass distribution, mass consumption and mass communication. All these facilitated the growth of organized labour and political parties... and

popular elections which gave the masses important roles in government and policies."¹

Today however, democracy has a very reputable connotation. This notion is reinforced by the development of democratic trends in Eastern Europe as a result of the disintegration of the Soviet Union. Many people in these societies, had evoked democracy as the ideal alternative to their perceived authoritarian state. They demanded and fought for *Glasnost* (openness) and *Perestroika* (reform) in their political, bureaucratic and economic system. In fact, a transition to democratic regime appears to be the dominant political pattern since the late 20th Century.

In the modern and strictest sense however, democracy is "government by the many instead of by the few".² It is a "form of government in which the major decisions of government or the direction of policy behind these decisions, rests directly or indirectly on the freely given consent of the majority of the adults governed."³ What we can decipher from the above definitions is that democracy, expresses the will of the people through a majority decision. In a direct democracy, the people take decisions by voting. However, this is only practicable in small societies. On the other hand, most modern nations are indirect or representative democracies whereby people elect their representatives as public officials to take decisions on their behalf. The officials, in turn act according to the wishes and desires of the people.

The Problems of Nigeria's Democracy

Many Nigerians are deluded into believing that we are practicing true democracy. But our march to democracy is fraught with pitfalls because we have been fumbling and stumbling in our democratic practices that a discerning analysis will reveal that the future is bleak or at best uncertain.

The basic features or tenets of democracy are the separation of powers among the three arms of government, a sovereignty belonging to the people, respect for the rule of law and respect for the dignity and sanctity of man as espoused in basic Human Rights and Freedoms. We shall therefore attempt to establish that Nigeria has failed to meet the above named conditions of democracy.

First and foremost, Nigeria has a problem in the practice of separation of powers among the three arms of government. Nigeria practices the Presidential democracy which was borrowed from the United States of America. The American system itself, is anchored on the principle

of separation of powers. The Americans did not want a strong central government fearing that it would lead to aristocracy which was what they detested in the European system then. They wanted a government that would represent the people and the various political, geographic and economic interests that existed in the nation. The framers of their constitution in 1787 therefore:

created a government with checks and balances wherein the powers of the legislative, executive and judicial branches would be separated. Each branch would have enough power of its own to check excesses or abuses in the use of power in the other branches. When power was used properly, the whole government would be in balance and would function in an orderly manner.⁴

Earlier, Aristotle had spoken about the separation of powers in government while John Locke had opined that in the interest of liberty, the powers of government should be separated. Also, the French philosopher Montesquieu, had argued that "when the legislative and executive powers are united in the same person or in the same body of magistrates, there can be no liberty because apprehensions may arise lest the same monarch or senate should enact tyrannical laws, to execute them in a tyrannical way."⁵ Equally, James Madison, who is regarded as the father of the American Constitution, had argued that the "accumulation of all powers, legislative, executive and judiciary in the same hands, whether of one, a few or many, or whether hereditary, self-appointed or elective, may justly be pronounced the very definition of tyranny".⁶

We have taken this philosophical and historical lane to establish that the separation of powers among the three arms of government namely; the Legislature (law making), the Executive (law execution) and the Judiciary (law adjudication) is a desideratum for a viable and vibrant democracy. But here in Nigeria, the executive arm as epitomized by the Presidency, continues to encroach and usurp the powers of the other arms of government especially the Legislature. The Executive has failed to implement many acts of Parliament. For instance, none of the appropriation acts from 1999 to date has ever been implemented in full and this is not as a result of paucity of funds but because the President is unwilling to. He engages in extra-budgetary expenses without approval and without even implementing the main budget itself. This has resulted in many Executive and Legislative face-offs and the consequent frequent threats of impeachment against the President. It is this scenario that made Justice

A. N. Aniagolu, retired justice of the Supreme Court of Nigeria to lament "the current trend where the Legislature and Judiciary operated not as independent organs of government but as mere appendages of the Executive arm of government."⁷ We know that "power corrupts and absolute power corrupts absolutely" as Lord Acton postulated. It is in view of this that "the separation of powers and its associated checks and balances are intended, nay, designed to contain (not curtail) the excesses, the arrogance, the abuse and the dictatorial tendencies which often follow power, or come in its wake."⁸

The greatest problem of Nigeria's democracy is our increasing inability to conduct free and fair elections. Elections are the formal procedure by which public officers are filled or specific policy measures decided by the votes of those formally qualified to participate. Also, citizens derive a sense of satisfaction from participating in the selection of their governmental leaders. Equally, the selection of leaders through regularized election procedures appears to give the government a base of support or a sense of legitimacy. Elections "provide the major and sometimes the sole means of political participation for individuals living in a large, complex, modern society... It equally guarantees the means for the peaceful change of political power from one individual or group to another."⁹

No election in Nigeria has been adjudged to be entirely free and fair. Electoral malpractices have marred every election in Nigeria but our politicians went haywire in 2003 general elections, as the elections were brazenly manipulated with the active connivance of the security forces and governmental agencies. Results of non-existent elections were declared and people who did not even contest elections declared as winners as typified by what happened in Anambra State of Nigeria. Even in Ogun State, the President's home state, the Federal Court of Appeal had to nullify the presidential election in that state because of the obvious vote allocations to the ruling People's Democratic Party. Though many courts have also nullified and upturned many legislators' elections in the country, most electoral mandates have remained stolen because of unbridled corruption in the judiciary coupled with excessive executive interference. In exasperation, Justice Aniagolu warned that "the first tenet of democracy is election and the people must speak: Since the people must speak, if you have no election in the country, then the people have not spoken." He concluded that "there is nothing like democracy and election in Nigeria but rather selection and dictatorship."¹⁰ Louis Odion likened many

Nigerians' tendency to cheat in examinations to our propensity to rig elections. He argued that "the spectre of "mercenary" at examination halls should also be seen as an atomization of the moral deficit that pervades the larger Nigerian society today. What else do you expect when we have as leaders today men and women who brazenly rigged elections to get to office."¹¹ In Nigeria, the truth is that once one belongs to the ruling party, his or her election is as good as won.

Another problem of democracy in Nigeria is that the country is gravitating towards a one-party state. Many post colonial and independent African States tend to regress from a multi-party democracy to a one-party democracy. But it sounds ridiculous to talk about democracy in a one-party state. That was why Tam David-West opined that

any talk of democracy in a one-party state is contradictory in terms. It is farcical indeed. It is in the nature of man to be different. Thus a monolithic construct of political engineering like one-party state is necessarily a perversion. It is not practicable for every citizen in a body politic to have identical outlook and identical solution to all the national problem. One-party state is in fact an enemy of the people. It forecloses alternate options in national planning. It jettisons and punishes dissenting voices. It is intolerant. It is repressive.¹²

It should be noted that the existence of a political party in a country presupposes the existence of another, otherwise it would not be a political party, it would just be a general assembly of all men and women. The instrument of politics is debate and there must be something to debate with. A one-party state can only be totalitarian because it monopolizes power and talks only to itself.

In Nigeria today, with the "landslide victories" of the ruling People's Democratic Party" in the 2003 general elections, the country is obviously tilting towards a one-party dictatorship. The party controls twenty-eight out of the thirty-six states in Nigeria and has about two-thirds of the members of the National Legislature. With this, the party can do whatever it wishes with Nigeria. All the other political parties are gradually but steadily going into extinction. They have lost the muscle and wherewithal to oppose the government hence our President is bestriding the country like a colossus.

Another problem of democracy in Nigeria is lack of respect for the rule of law. It is axiomatic to state that respect for the rule of law is the bulwark of democracy in any nation. Once there is lack of respect for the

rule of law, lawlessness, anarchy and dictatorship will set in as a natural consequence. Again, Tam David West observed, that "our respect for the rule of law has paled off significantly so as to render it almost effete. For instance, rulings of the courts of the land are often disrespected and ignored with impunity. Those that have some lingering respect for the Judiciary resort to the antics of ouster clauses or pleadings."¹³ The greatest culprit in this blatant abuse and misuse of power is the federal government. For instance, the federal government has consistently disobeyed court orders in the lingering Anambra State crises. It has also continued to flout Supreme Court orders that funds due to Lagos state local governments be released to Lagos State government. It has equally ignored court orders to reinstate the sacked University of Ilorin lecturers who went on national strike along with other members of Academic Staff Union of Universities (ASUU) to demand for improved conditions of service. Judicial disobedience is even much worse at the state level. There is no doubt that this scenario portends danger for the country.

The Way Forward

Political philosophers especially Thomas Jefferson and John Stuart Mill have called attention to certain positive conditions the presence of which quickens and strengthens the democratic process. Foremost among these is the availability of education, allowing for an informed and critical awareness of the issues and problems of the times. If the avenues of communication are open, an educated electorate can become aware of the consequences and costs of past policies and the present alternatives. But how can this happen when the percentage of Nigeria's budgetary allocation to education has been decreasing at an alarming rate since 1999 despite UNESCO's recommendation that all developing nations should budget not less than twenty six percent of their annual budget on education. There is no gainsaying the fact that the more informed and better educated the Nigerian electorates are, the healthier the democracy is.

Also, governments in Nigeria should understand that sovereignty resides with the people. Power, they say, belongs to the people. They should understand that public officers are trustees of the people to whom sovereignty belongs. It is the franchise exercised in a free and fair election which confers mandate on rulers or government. Government also derives legitimacy from the mandate of the people and it is this legitimacy that it uses to exercise authority. In Nigeria today, our political leaders constitute the privileged few running a government for their own selfish interest.

This should not be so "since governments derive their just powers from the consent of the governed."¹⁴

As a corollary to the above, Nigeria should learn to conduct free and fair elections. And the way to do it is for the entire electoral process to be transparent. The voters' register should be computerized in such a way that anybody who has a computer can access the data base of all registered voters in a constituency. With this method too, it will be easy to know who and how many voted in an election. If we had adopted this method, "we would have been able to track down those 72,000 registered voters in Brass, Bayelsa State, who all cast their votes for the Peoples Democratic Party (PDP) in the 2003 presidential election. Imagine the statistics - registered voters:72,000; turnout: 72,000, votes cast: 72,00; voided votes: none; votes for PDP: 72,000; other parties: 0. Nobody took ill, nobody travelled, nobody died, nobody stayed back at home. That is 100% score... This is democracy in action in Nigeria!"¹⁵. The manipulation of the electoral process is at the root of the problems we have in Nigeria today.

Also the Independent National Electoral Commission (INEC) should be reformed and made to be truly independent so as to be able to regulate the electoral process objectively. Budgetary allocations to it should be statutorily made directly to it without the interference of the Executive arm. It should be directly responsible to the Parliament so as to also insulate itself from Executive interferences.

Furthermore, the armed forces and the police should be re-educated on their roles in the society. They should not allow themselves to be subjected to the manipulations of the parties in power so as to be able to carry out their statutory functions fairly and objectively.

Equally, the respect for the rule of law, and a free press, with the right to publish without government interference or fear of punishment are a *suie-qua-non* for an enduring democracy.

In conclusion, we observe that the situation in Nigeria is not hopeless though terribly bad. All we need is sincere and competent leadership and everything will begin to fall in place. We insist that democracy can succeed in Nigeria and therefore demand for the highest standard of democratic practices where human rights and social justice which are the hallmark of democracy are observed. This is because, just as General Mohammadu Buhari said in his maiden broadcast to the nation on January 1, 1984, "This generation of Nigerians and indeed future generations have no other country than Nigeria. We shall remain here and salvage it together."

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