

# Leadership and Democratic Consolidation in Nigeria, 2007-2019

Ifedi Franscisca Obiageli

Department of political Science and International Relations, Godfrey Okoye University, Ugwuomu-Nike, Enugu

Email: frannyoby@yahoo.com

## Abstract

This paper is an interrogation of the extent of democratic consolidation in Nigeria after two decades of democratic experiment. It focuses on the period between 2007-2019. The essence is to ascertain the degree in which the democratization process in Nigeria has been deepened within two decades of democratic experience. The data were generated mainly from the examination of valuable documents, papers and books. Our finding was guided by a popular model that provides the determinants of a consolidated democracy. The tenet of the model is the “two rules of the thumb” – “the two turn-over” and the “only game in town”. From the perspective of the two turn-over rule, the concession of defeat by President Jonathan in the 2015 polls provided a good omen to democratic consolidation, whereas in the only game in town rule, Nigeria's democracy from the available evidence has been marred by high level of executive impunity that jettisoned the rule of law. The beauty of democracy dwells on the rule of law as provided by the constitution of a state. The jettisoning of the rule of law is inimical to democratic consolidation and is capable of throwing a state into the Hobbesian state of nature that is characterized by anarchy and chaos. The paper therefore, recommends adherence to absolute constitutionalism and unfettered independent of the national electoral body, so as to reposition it to conduct a free and credible election.

**Keywords:** Democracy; Leadership; Democratic Consolidation; Electoral Management Body; Rule of Law

## Introduction

Political leadership is an integral part of democratic process because leaders emerge through popular election that forms the nexus of democracy.

Democracy etymologically, has its root from the writings of the ancient Greek philosopher, Cleon who in 422BC had conceptualized democracy thus: “that shall be democratic which

shall be of the people, by the people, for the people.” (Mahajan, 1988:793). This definition has been popularized by the 16<sup>th</sup> President of the United States of America, Abraham Lincoln, who reigned from 1861 – 1865, when he declared that democracy is the government of the people, by the people and for the people.

Today, democracy has seemingly become the “best” form of government in the lexicon of politics across the globe. The Millennium



Development Goal (MDG), gave credence to the universalization of democracy as the only form of government in which states must have to organize their governments.

Nigeria embraced the global demand (democratization process) in 1999, following the radical global departure from autocratic rule. For instance, in the middle of 1970s, there were “Only some forty (40) democracies or what can be more accurately called civilian regime in the world, and they were mainly the rich industrialized states of the west” (Diamond, 1997:1). Indeed, the mid-to-late 1970s, the author inferred, seemed a low-water mark for popularly elected governments in the world. But, in the 1980s, the trend began to change especially, in Central and South America as democracy was restored in such countries like Turkey in 1983 and Philippines in 1986, to mention but two.

Nigeria's democratic experience has lasted for two decades and the question in every nook and cranny has remained: to what extent has Nigeria's democratization process been able to meet with the demands of democracy? The exploration of this question especially, from 2007 to 2019, occupies the focus of this paper.

### **Theoretical Perspective**

Writing on democratization process, Social Science Scholars, says Richard Joseph, “use two rules of the tumb” to capture a consolidated democracy. These rules inter alia: “the only game in town rule” and “the two turn-over rule”.

The only game in town rule is derived from the writings of Juan Linz and Alfred Stepan. These Scholars, according to Richard Joseph, contend that a democracy is consolidated when democracy becomes the only game in town. By this, they mean that political gladiators, especially, government functionaries would begin to play the game according to the constitutional provisions of the state. In that process, they will begin to seek to resolve electoral issues through constitutional means. This implies that the rule gives fillip to constitutionalism where the rule of law holds sway

in governance.

The two turn-over rule as a condition for democratic consolidation in the work of Samuel Huntington, is achieved when a government in power is fairly defeated at the polls and it willingly hands over power to its successor, and that government in turn hands over power to its own successor when it is eventually defeated too, at the polls. What this depicts, is that alternation of power through ballot not only bestows sovereignty on the people but also pragmatise the concept of democracy, where it is the government of the people and by the people. So, democracy in the logic of this rule is not about egoistic chauvinism of a political leader but all about the people because, the decision of the people through their ballot brings about change of government.

### **Nigeria Democratic Experience, 2007-2019**

The universalization of the democratization wave across the globe gathered momentum in the 1990s, and Nigeria joined the wave in 1999, with a view to factoring into the new demand of the century.

Since 1999 to 2019, Nigeria has witnessed series of general elections, 1999, 2003, 2007, 2011, 2015, and 2019. Subsequently, these elections saw the emergence of presidents, Olusegun Obasanjo, Umar yar'Adua/Goodluck Jonathan and Mohammedu Buhari. The germane question on the lips of many Nigerians and even beyond is: to what extent has the democratization experience been played according to the tenets of democracy? The exploration of this, going by the scope of this paper, span from 2007 – 2019, a period that covers the Yar'Adua/Jonathan and Buhari administrations and must be guided by the analysis of the two models for democratic consolidation earlier postulated.

### **The Only Game in Town Rule as a Condition for Democratic Consolidation**

The demand of this condition for democratic consolidation is that the business of governance must be based according to the dictates of the law,



that is, constitutional provision or rather the rule of law. The question is: Was the Nigerian government executed according to the rule of law from 2007 – 2019? For the purpose of specificity and clarity, this question has to be examined by x-raying the administration of Goodluck Jonathan and Buhari, so as to ascertain the level at which the rule of law has guided the operation of the two governments.

### **Jonathan and Buhari Administrations, 2007 – 2019**

The general election conducted in 2007 saw the emergence of Umaru Yar'Adua with Goodluck Jonathan as his running mate. The Yar'Adua government was marred with inconsistencies and controversies, following the persistence absence of the President, due to his overseas trips for medical attention. Incidentally, Yar'Adua gave up the ghost in 2016 and constitutionally his vice, that is, Goodluck Jonathan had to step in as the President of the Federal Republic of Nigeria, to complete the tenure. By 2011, another general poll was conducted under the watch of President Goodluck Jonathan, where he stood as the presidential candidate for his party, Peoples' Democratic Party (PDP) and subsequently won the election.

In terms of the rule of law, as a criterion for democratic consolidation, a survey was conducted in forty-eight Sub-Saharan African States, by M. O. Ibrahim and Professor Robert Rotberg of Harvard University in 2007. From their findings, Botswana was scored highest for the rule of law, transparency and lack of corruption, while Nigeria was ranked one of the worst States. In fact, she was placed 37<sup>th</sup> out of forty-eight States in the continent (John Allen, September 25, 2007). According to the survey, the top five best governed countries in the Sub-Saharan Africa were: Mauritius, Seychelles, Botswana, Cape Verde, and South Africa. The five worst governed were: Somalia, The Democratic Republic of Congo, Chad, Sudan and Guinea Bissau. Nigeria's position of the 37<sup>th</sup> out of 48 shows that she was a

little better than the five worst countries. The Nigerian situation prevailed up to 2011 and degenerated to 2015 and appeared to have even got worsened beyond the period, hence, the general notion of high level of executive impunities in the Nigerian governance.

Another dimension to the jettisoning of the rule of law which cut across all the administrations from 1999 is the unilateral appointment of the service chiefs by the President without reference to the National Assembly. The action generated litigation which raised the fundamental questions like: whether by the combined interpretation of the provisions of section 218 of the constitution of the Federal Republic of Nigeria, 1999 and section 18 of the Armed Forces Act, Cap. A. 20, laws of the Federation of Nigeria, 2004, the President can appoint the Service Chiefs of the Federation without the confirmation of the National Assembly first sought and obtained; and whether section 18 (1) and (2) of the Armed Forces Act. Cap. 20. laws of the Federation of Nigeria, 2004 is not in conformity with the provisions of the 1999 constitution so as to fall within the category of existing laws under section 315 (2) of the constitution of the Federal Republic of Nigeria, 1999. This suit which was filled by Keyamo with reference number: FHC/ABJ/CS/611/2008, was never determined throughout the tenure of the Service Chiefs.

The scenario of gross abuse of fundamental human rights and the undermining of the rule of law got to a higher latitude on the emergence of Muhammadu Buhari in 2015. Instances of this abound in the cases of National Security Adviser Sambo Dasuki, former Minister of State for Finance, Bashir Yuguda, Former Sokoto State Governor, Attahiru Bafarawa, and three others. In Dasuki's matter, he was accused of diverting \$2.1 billion and illegal possession of firearms. In the prosecution process, He was granted bail by the presiding Judge of a Federal High Court in Abuja and the subsequent release of his passport to enable him travel abroad for medical checkup, yet the State Security Services (SSS) refused to release



him. Again, Dasuki and four others were allowed bail on December 18, 2018 with a similar condition to provide a bond of ₦250 million by Justice Hussein Baba Yusuf. Although that condition was fulfilled, the court order was not obeyed by the Nigerian government. Similar experiences prevailed in the Bashir Yuguda, Attahiru, Bafarawa and three others. (<https://www.premiumtimesng.com/news/headlines/233665>).

Information dissemination via press freedom is one of the epicentres of democracy. In Nigeria, the Freedom of Information Act (FOI), was signed into law in 2011 but the implementation became an uphill task. The development attracted reactions from the Nigerian populace. For instance, the Media Rights Agenda (MRA) accused the government in 2018 of condoning unbridled impunity by hundreds of public institutions that have refused to implement the Act or comply with their obligations under the law.

Another worrisome dimension of the Buhari's high level impunity is his insensitivity to security. In the maxian thought, security is the component of high politics where the protection of life and property of the citizenry is considered to be one of the major tasks of the government. Presently, the havoc wrecked by the cattle herdsman who are armed with sophisticated weapons, contrary to the provision of Nigeria constitution has generated questions across the length and breadth of Nigeria over the relevance of the Nigeria government under Buhari's watch.

Recently, the reckless and unlawful Fulani herdsman have taken the law into their hands by grazing indiscriminately on rural farming villages and allow their animals destroy to farmlands. The attempt by the rural farmers to prevent such havocs were always met with the attack by the heavily-armed gangs of herdsman who overrun such villages in the mid-night with AK47s and massacre them in hundreds. Cases of this ugly experience abounds in rural communities of Benue, Zamfara, Plateau, Nasarawa, Kogi, Kaduna, Enugu, Imo, Cross River, Edo, Delta,

Abia, Kwara, Taraba, Osun, Ondo, and Sokoto States. (<https://thenigeriainsidernews.com/2019/05/05>)

Amidst these security challenges, that covertly enveloped almost all the states of the Federation, the President's role as the Chief Security Officer has remained questionable. It was only recently that the President seemed to be addressing the issue but in a questionable manner. This is in connection with the appeasement move of the Miyetti Allah Cattle Breeders Association of Nigeria (MACBAN). The move appeared to have been influenced by the embarrassing kidnap of the district head of Daura, the President's hometown and father-in-law to his aide-de-camp on May 1, 2019.

The Miyetti Allah was appeased by the federal government with the sum of ₦100 billion (\$276m) as a form of compensation to halt the criminality among herdsman (<https://dailymailonline.com.ng/2019/05/03>). The government delegation was led by the Minister of Interior Abdul-Rahman Dambazau to Birnin-Kebbi, Kebbi State where the negotiation and settlement took place. This move generated a lot of criticisms from Nigerians who raised objections as follows:

- What government has done is the setting of a dangerous precedence. This is because, any association that wants to be relevant and invited by the government, would have to have an arm of armed bandits to qualify for government patronage.
- That the federal government should understand that it could be very dangerous to reward criminality with government resources.
- That if the government wants to assist the herdsman in the country they should set up a proper committee that should be run by a commission like that of the Niger-Delta.
- Above all, that the government action is unconstitutional and unknown to any law of the land.

The Miyetti Allah from all indications is an



appendage of a political party, precisely APC and so, the government action is widely viewed as more of a political patronage

These developments in this section posed danger to rule of law and capable of fanning the ember of discord and disintegration.

### **The Two Turn-Over Rule as a Panacea for Democratic Consolidation**

The beauty of democracy as earlier indicated under this model is the electoral process. It paves way for peoples' participation and so guarantees the sovereignty of the people in the decision of who should govern them. Thus, the practice of democracy across the globe has been strengthened by the credibility of a general election. For instance, general elections across the globe determine the prime minister and make-up of the legislature in a parliamentary democracy, or the president and then the legislature in a system where separate votes are taken for different tiers of government. In most jurisdictions, general elections are held between every 3 - 5 years, with presidential elections sometimes attaining 6 - Mexico, Russia, since a2008 amendment or 7 years France's septenate until 2000.

A countries constitution may give election a fixed timing - United States, Switzerland, Sweden, while some allow the government to dissolve parliament and call a new vote up to a certain time limit- United Kingdom, Israel, Japan. Some constitutions may require parliaments to elect the Head of State under threat of dissolution- Greece. In most countries, the election for the representative assembly determines the government. All countries in the Americas which directly elect their president, hold the presidential and the legislative elections at the same time. However, most countries in Europe split these elections and schedule them at different times. International standards set a number of rules to judge whether the election is unfair. Some countries hold staged elections, but in most the election's outcome is the result of organized influence (<https://en.wikipedia.org/wiki/list>).

What the above demonstration depicts is that the acceptance of a general election by the participants (those that seek offices), depends holistically on the transparency of the election. So, a fair and credible election is the *modus operandi* for the two turn-over rule. This is because, if a candidate is defeated in a free and fair election, he will be willing to accept the outcome of such poll. The situation becomes more favourable for democratic consolidation when an incumbent is defeated and he willingly surrenders power to his opponent.

In advanced democracies of the world, like the USA and United Kingdom, it is difficult for a ruling party to be in power for more than two terms. Thus, alternation of government in USA has been between the Democrat and the Republican parties and in the UK, it has been between the Conservatives and the Labour parties. The question as it applied to Nigeria then is: to what extent has the two turn-over rule played out in Nigeria since the modern democratic experience? In assessing this question, it is fundamental to note that since 1999, when Nigeria embraced the democratization process, the PDP which won the presidential election in 1999, governed Nigeria for 16 good years through the general elections in 2003, 2007 and 2011. These elections were characterized in all ramifications by electoral malpractices and all manner of electoral irregularities, hence, the results were challenged by the opposing political parties in electoral tribunals. Because the elections outcomes were challenged, it means that the opponents were not satisfied with the electoral process which in turn indicates that they were not free and fair. Such development negates the inherent feature of the two turn-over rule.

By 2015, Nigeria went for another poll under the leadership of Attahiru Jega, the Independent National Electoral Commission boss. The election was relatively adjudged better than the previous elections. The outcome produced a development that was never heard of in the Nigeria democratic or civil rule experience. This is because, a sitting



president, Dr. Goodluck Jonathan of PDP was defeated by a rival opponent, Muhammadu Buhari of the All Progressive Congress (APC). The permutation, horror and brick that surrounded the election posed threat to the corporate existence of Nigeria, to the extent that people were in serious fear if the outcome of the election would ever be accepted. Surprisingly, the "historic concession telephone call defused tension across Nigeria and has thrown up Dr. Jonathan as a democracy hero" (Premium Times April 2, 2015).

From the perspective of the two turn-over rule, Nigeria's democracy under President Jonathan made a historic landmark in deepening democratization process. The concession of defeat and transmission of power by incumbent president to the opponent without resistance has advanced Nigerian civil rule and democratic practice to the level of democratic consolidation. The level attained appeared strange in Africa where sit-tight syndrome has remained a common characteristics of the national leaders in the continent. Even old African democracies like, Mauritius and Botswana have not attained the level. It is only Ghana that can be closely associated with the trait of the two turn-over rule but slightly differs because, a sitting president that have not served out his tenure have not witnessed the Nigerian scenario.

### **Conclusion and Recommendation**

Going by the demonstration in this paper, it is crystal clear that the two proposals provide the necessary conditions for democratic consolidation.

Democracy cannot thrive without the principles of the rule of law. Neither can it be deepened without a credible and transparent election. Thus, the duo is a Siamese twins for nurturing a nascent and fragile democracy of the Nigerian type. To this effect, we recommend therefore, the following:

1. **Absolute Constitutionalism:** Nigeria's presidential democracy is a constitutional one. This means that in principle, the 1999 Federal

Constitution of Nigeria which ushered in the current civil rule is the grand norm that laid down the activities of the governmental institutions. It provided the individual functions and limitations of the arms of government, as well as those of the citizenry. A situation where a particular arm especially, the executive undermine the provisions of the constitution and behave contrary to the dictates of the constitution does not augur well for the smooth operation of the democratic system. Such experience is capable of throwing a society back into the dark age of Thomas Hobbes where anarchy and chaos reign supreme.

### **2. Unfettered Independent of the Independent National Electoral Commission (INEC)**

Election is a prerequisite to democracy. In every democratic society, it is the responsibility of the national electoral body like the Nigeria's INEC to organize election into political offices. The degree of the acceptability of the outcome of many elections depends on the free, fair and transparency of the polls. When that happens, the people see themselves as being an integral part of the electoral process because, the power of ballot brings into power the most popular and the most acceptable candidates. But when the election is marred by all forms of irregularities and manipulations by the electoral umpire, the people lose confidence in the electoral process and the whole democratic system. Nigeria's experience since 1999, raised the peoples' doubt over the credibility of INEC as an independent electoral body.

It is on this premise that we recommend the unfettered independent of national electoral body, where they would stand in a better position to conduct election without undue interference from the government. To achieve this, Nigeria should emulate the South African experience where the position of the Chairman of the electoral body is usually advertised for competitive selection. A situation where the INEC boss is appointed by the government in power, renders such appointee vulnerable to the manipulations and dictates of his



employer. For it is always said that he who plays the piper dictates the tune.

Equally, living the appointment of the INEC Chairman in the hands of the president of Nigeria does not only make the beneficiary an appendage of political patronage but also reduce the recruitment of the employee to achievement by ascription instead of achievement by merit. Such scenario strengthens prebendal politics and could breed electoral violence, as ethnicity and ethnic prejudice; cleavages and nepotism seem to characterize the entire polity.

### References

- Allen, J. (2007). "The Ibrahim Index of African Governance", Kennedy School of Government, Harvard University. September 25, all Africa Com.
- Diamond, L. et al (eds) (1997). *Consolidating the Third Wave of Democracies*. London: The Johns Hopkins University Press.
- Huntington, S. and Moore, C. (1970). *Authoritarian Politics in Modern Society*. New York: Basic Books.
- Joseph, R (2000). "A Democratic Nigeria and the Challenge of Leadership in African", *Nigerian Journal of International Affairs*. Vol. 26, No.2
- Mahajan, V. D. (1988). *Political Theory*, New Delhi: S. Chand and Company Ltd.
- (<https://www.premiumtimesng.com/news/headlines/233665>).
- (<https://en.wikipedia.org/wiki/list>).
- (<https://thenigeriainsidernews.com/2019/05/05>)
- (<https://dailymailonline.com.ng/2019/05/03>).