Strong Institutions and the Challenge of Democratic Consolidation in Nigeria's Fourth Republic

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Abstract

This article examines the challenge of democratic consolidation in Nigeria's Fourth Republic and the role that strong institutions could play in overcoming it. It posits that against the backdrop of endemic and systemic corruption, economic crisis, manipulation of both the electoral and constitutional arrangements for personal and party advantages, political exclusion, attempts at blackmailing and/or emasculating both the legislature and judiciary by the executive, intolerance of opposition by ruling political parties and a tendency towards authoritarianism, it is obvious that democracy is under threat in the nation's Fourth Republic. These challenges have the capacity to derail the country's current democratic experiment and/or cause democratic breakdown. The paper argues that institutional weakness is the bane of democratic consolidation in the Fourth Republic. It concludes by recommending the strengthening of political institutions as a panacea to the challenge of democratic consolidation in the country and align with the argument that strong institutions, far more than "strong men", are needed to overcome the challenge of democratic consolidation in a country at a developmental crossroads.

Key words: Strong; Nigeria's Fourth Republic; Democratic consolidation; Military rule; Political institutions

INTRODUCTION

Democratization in post-independence Nigeria was truncated by military interventions in politics culminating in the collapse of the First Republic (1960-1966), the Second Republic (1979-1983) and the abortion of the Third Republic through the annulment of the June 12, 1993 presidential elections. It was in this regard that by 1999, out of about thirty nine years of political independence, the country had experienced nearly twenty years of cumulative military rule. Military rule in the country was predatory, oppressive and characterized by wanton violations of the political, economic and social rights of the people (Osaghae, 1999, pp.4-15). It was against this background that when the country started another democratic experiment on May 29, 1999, it elicited expectations that the country would work hard towards deepening and consolidating democracy in order to forestall another breakdown (Omoreghake, 2013, pp.19-20).

Contrary to this expectation, the country's Fourth Republic has witnessed developments that are contrary to all known democratic ethos, including electoral malpractices, political exclusion, a tendency towards authoritarianism, human rights violations, political assassinations, intolerance of opposition by ruling political parties, attempts at intimidating and/or blackmailing both the legislature and the judiciary by the executive, resulting in lack of popular participation in politics and policies that affect the people, contrary to democratic principles and practices (Fagbohu, 2013, pp.98-99; Unumen & Oghi, 2016, pp.38-41). This unfortunate development has been compounded by economic hardship, including youth unemployment, the widening gap between the rich and the poor, kidnapping for ransom, insurgency, inter and intra ethnic violence, religious violence, terrorism and, lately, violence of Fulani herdsmen all across the country. This situation has resulted in grave human rights violations and abuses, poverty and underdevelopment.

The situation is made worse by corruption, which has assumed the status of a parallel system arising from the fact that it has become systemic and institutionalized. It is in this regard that many Nigerians now equate democracy with corruption, violence, poverty and underdevelopment. All these developments have given rise to fears that rather than consolidating the country's democracy may be heading for another breakdown (Oke, 2010, pp.31-40; ObiajuluAdu, 2016, p.1,). Many scholars and analysts have attempted to examine the challenge of democratic consolidation in the country's Fourth Republic and proffered several differing solutions (Abubakar, 2015, p.8, Tinubu, 2015, p.6; Sagay, 2012, p.1; Baba, 2013, p.121). However, one critical factor often glossed over by analysts and scholars is the role that weak institutions have played in hampering democratic consolidation and how strengthening these institutions could help in addressing the challenge. Hence, the focus of this article is the challenge of democratic consolidation in the country's Fourth Republic and the role that strong institutions could play in addressing it.

1. CONCEPTUAL CLARIFICATIONS: DEMOCRATIC CONSOLIDATION

An examination of the concept of democratic consolidation should, of necessity, begin with a discussion of the concept of democracy. In its classical sense, democracy connotes popular power or popular expression of power by the people (Adejumobi, 2004, p.12). It is a system of government that allows the people to choose their leaders and representatives and can replace them at regular intervals in free and fair elections. Other features of democracy include popular participation in the decision making process, open and fair competitions within firmly and generally acceptable "rules of the game" (Diamond, 2005, p.1). Democracy also has a normative dimension that include acceptance of a majority rule, respect for the rule of law, protection of individual and minority rights and safeguarding the interests of the disadvantaged group within the polity. Democracy is not an end in itself. It is a means to an end and that end is good governance and development (Unumen & Oghi, 2016, pp.38-41).

Democratic consolidation has been defined as the challenge of making new democracies secure, of extending their life expectancy beyond the short term, of making them immune against threats of authoritarian regression or "building dam against reverse waves" (Schedler, 1998, p.91). In new democracies such as Nigeria, where the threat of military coup is still a possibility, consolidation may also include the process of eliminating opposition to democracy on the part of the powerful actors and establishing permanent institutions and other arrangements for the functioning of democracy as well as eliminating undemocratic features of post

authoritarian systems (Power and Powers, 1988, p.3).

However, in contemporary usage, the concept of democratic consolidation has expanded in scope. It is now associated with a wide range of issues that it has become difficult to give it a precise definition. Democratic consolidation is now associated with:

> …popular legitimization, the diffusion of democratic values, the neutralization of anti-system actors, civilian supremacy over the military, the elimination of authoritarian enclaves, party building, the organization of functional interests, the stabilization of politics, the decentralization of state power, the introduction of mechanisms of direct democracy, judicial reform, the alleviation of poverty, and economic stabilization (Schedler, 1998, p.91).

Achieving consolidated democracy requires good governance that essentially promotes improved welfare of the people, transparency and accountability by public managers in the conduct of state affairs and reducing corruption to the barest minimum by democratic governments. It also demands upholding democratic values of popular participation, respect for the rules of law, free and fair elections and independence of the judiciary (Alence, 2004, p.165). In addition, it involves strengthening democratic institutions and systems to a point where autocratic reversions are highly unlikely (Alence, 2004, p.165). As Brantigam (1997) puts it, in consolidated democracies, democratic processes are the only "game in town", elections are not only won by the same party, conflicts are habitually resolved within the rules and institutions of the regime, the rule of law protects the freedom of civil society and democratic practices are deeply internalized in the expectations of citizen and rulers in the workings of society.

2. POLITICAL INSTITUTIONS

There are different types of institutions in society including, economic, social, educational and political. Political institutions are mechanism for organizing political competition in a polity. They are the "rules of the game" in a democratic setting (North, 1990, p.4). They facilitate the democratic process for the election of public office holders (Gberevbie, 2014, p.134). Although it is not uncommon to differentiate institutions from organizations, as Helmke and Levitsky (2006, p.7) have done, but in this study, institutions are broadly and loosely used to include government organizations and /or establishments. Hence, political institutions shall be conceptualised as rules and organizations that create, enforce and apply laws, mediate conflicts, make governmental policies on the economy and social systems and otherwise provide representative for the populace (Boddy-Evans, 2014, p.1). They are organizations and the recognized structure of rules and principles within which such organizations operate, including such concepts as right to vote, responsible government and accountability. Thus, political institutions

cover rules, laws, government entities as well as the informal rules of social interaction (Organization for Economic Cooperation and Development OECD, 2016, p.2).

3. THE CHALLENGE OF DEMOCRATIC CONSOLIDATION IN NIGERIA'S FOURTH REPUBLIC

Nigeria's democracy in the Fourth Republic has been associated with dysfunctional electoral system, regime of contempt for the rule of law, lack of internal democracy in political parties and pauperization of citizens (Nyewusira, 2012: 1). In addition, the country's Fourth Republic has been marred by human rights violations, corruption, cyclical crisis of legitimacy, institutional weakness and/or decay, chronic economic hardship, including youth unemployment, violence, volatility, insurgency, insecurity and terrorism (Unumen & Emordi, 2012, p.13; Oke, 2010, pp.31-40; Obiajuluduba, 2016, p.1; Abubakar, 2015, pp.1-5).

With regard to citizens choosing their leaders and representatives in free, fair and credible elections, Nigeria's Fourth Republic has scored very low. Indeed, lack of credible elections is the sore point of the country's democratic practice is the Fourth Republic. What the country has witnessed since 1999 is that leaders and representatives are imposed on the citizens through the instrumentality of electoral fraud, god-fatherism and various other electoral malpractices that make mockery of democracy. It got to a point, especially between 2003 and 2011, that politicians did not border themselves with selling their candidature to the people through serious campaigns. Rather, they used their ill-gotten wealth to buy votes and/or manipulate the electoral process in their favour (Omotosho, 2013, pp.5-6).

Elections and the electoral processes are critical to the advancement of democracy mainly because they are the channels through which leaders and representatives of the people are elected. If the recruitment process is flawed, the wrong people emerge. When this happens, the government so constituted would definitely have legitimacy issues. It is in this regard that democratic consolidation is contingent upon how strong, efficient and effective the electoral umpire is (Oromaneghake, 2013, p.22). Quoting Larry Diamond, Oromaneghake (2013, p.21) argues further that elections are meaningfully democratic only if they are largely free, fair, participatory, competitive and legitimate. This is contingent upon many factors including the elections being organized by a truly independent and neutral electoral umpire and the electoral administration being sufficiently competent and resourceful and able to take specific precautions against fraud. In addition, the police, the military and the courts must treat competing candidates and parties impartially. Moreover, there must be transparent and impartial procedures for resolving election complaints. Important, too, the votes of the people must not only count but must be seen to count and all eligible adults should be allowed to exercise their civic rights to vote.

Regrettably, this has been the very opposite of Nigeria's experience in the Fourth Republic. Electoral malpractices, lack of transparency and accountability and lack of popular participation have eroded the legitimacy of the governments not only at the centre but also in the states and local government areas. It is remarkable that following the violent protests that erupted after the 2011 general elections the newly elected president, President Umoru Yar'Adua, admitted that the elections that brought him to power were flawed. Consequently, he set up the Uwais Electoral Reforms Panel. Unfortunately, the recommendations of that panel are yet to be fully implemented. This development has been a major source of disconnect between the government and the vast majority of Nigerian citizen in the Fourth Republic.

This situation is compounded by poverty, which has contributed significantly to the emergence of groups that embrace violence and reject the authority of the state. According to Hillary Clinton, the former the United States Secretary of State, as quoted by Unumen and Emordi (2013:13), although the country is in a democracy, available evidence suggests that there is failure of governance at the federal, state and local government levels. There is a contrast between the country's enormous resources and the high rate of poverty. This contrast is a major cause of disconnect between the ruling class and the citizens. Egwu (2016: 1) argued in similar vein that one of the most damaging evidences of the failure of democracy in the Fourth Republic is its inability to meet the material aspirations of Nigerians, as it has failed to meet the expectations of overcoming poverty, deprivation and want.

Nigeria's Fourth Republic has also been characterized by inequality, frustration, bitterness, discontent, economic and political exclusion and neglect (Muzan, 2014: 234). Although the country boasts of having the largest economy in Africa, in some parts of the country, over seventy percent of the population lives below the internationally defined poverty line. According to Muzan (2014: 236), persistent poverty, particularly in the midst of economic growth and affluence of the ruling elite, has resulted is frustration, hatred and mistrust of the government. This situation has resulted in hostility and compounded the problem of insurgency, aggression and violence. Thus, rather than enjoying the "dividends of democracy", Nigerians in the Fourth Republic have been short-changed, impoverished and alienated by the anti-democratic actions and inactions of the political class. It is against this backdrop that many analysts have come to the conclusion that the Fourth Republic has failed or is failing (Sagay, 2015; Tinubu, 2015; Abubakar, 2015; Egwu, 2016).

Against the background of post independence history of the country that is characterized by interplay of military rule and democratic dispensations with military rule dominating the nearly four decades of independence before May 29, 1999, there is no doubt that democracy in the country is under serious threat. Although several factors have been advanced to explain the challenge of democratic consolidation in the Fourth Republic, a critical factor often glossed over by analysts but, which is critical is the weakness of political institutions. The challenge of democratic consolidation in the country's Fourth Republic could easily be linked to the weakness of institutions. From the inability of the electoral umpire to conduct free, fair and credible elections to high level of corruption in the polity, inability of anti-corruption agencies to effectively tackle corruption, the inability of the police to control crime, the failure of the National Assembly to carry out their oversight functions on the executive effectively, weakness of institutions is a factor. It is evidence of weakness of institutions when laws and rules are disobeyed with impunity and organizations such as the electoral umpire, the police and even the courts, wait for directives from "above", a euphemism for lack of independence and autonomy, before carrying out their statutorily assigned responsibilities.

According to Oromareghake (2013, p.22), whether a country experiences democratic consolidation or regression or breakdown is contingent upon how strong, efficient and effective political institutions are. Where political institution are weak, as has been the case in the country's Fourth Republic, they would fail to enforce the "rules of the game", monitor and enforce compliance, set guidelines, punish and/or sanction infractions. This situation is a recipe for impunity and a mockery of democracy, as has been the country's experience in the Fourth Republic. Institutions in Nigeria sometimes obey "directives from above" that blatantly violate the "rules of the game" and act to satisfy the interests, whims and caprices of the ethnic, sectional, political and economic principals and patrons of the operators of those institutions. It is against this background that there is now a general perception among Nigerians that laws, rules, guidelines and directives of government institutions and organizations are not really meant to be obeyed. As a result, a culture of impunity, which manifests in electoral malpractices, corruption, violence, wanton destruction of public infrastructure and politically motivated assassinations is now the order of the day. Thus, what Unumen (2014) has described as "a culture of negative values", now pervade the Nigerian society.

As a consequence of the weakness of institutions and their inability and/or failure to enforce the rule of the game, monitor and enforce compliance, punish and sanction infractions and violations, impunity reigns supreme in the country. Institutions in Nigeria wait for directives from "above" to carry out and/or enforce the rules for which they were established in the first place. They tend to obey directives from "above" that violate the "rules of the game" and act according to the whims and caprices of their political and ethnic leaders and patrons. Weak institutions account for the high rate of electoral malpractices, corruption, violence, political assassinations, human rights violations, insurgency and terrorism in contemporary Nigeria.

4. HOW STRONG INSTITUTIONS COULD HELP DEMOCRATIC CONSOLIDATION IN NIGERIA

To put the country on the part of continued democratization and consolidate democracy, therefore, requires strengthening the country's political institutions. Strong institutions are the ones that have the capacity and ability to implement official functions and goals, especially over the actual or potential opposition of powerful social groups (Knutsen, 2015, p.2). Moreover, strong institutions have legal, structural, moral, human and other capabilities to enforce compliance to set rules and guidelines and, therefore, able to fulfill their own mandate. In addition, strong institutions are cerebral, capable of effectively monitoring and applying sincere sanctions when rules are violated (Gberevbie, 2014, p.138). Whether institutions are strong or weak determine the character of competition and, ultimately, consolidation or regression in a democracy. Thus, it is only strong political institutions that can propel a country's democracy on the path of consolidation.

One of the consequences of strong political institutions in a democracy is that they ensure that there is no risk of a dictator taking power and changing the "rule of the game". Strong institutions also ensure that no particular interest in society could warp the government in an economically and politically disastrous direction (Acemoghu & Robinson, 2012, p.43). Where institutions are strong, they could also ensure that competitions are credible, rules are implemented, free and fair elections are conducted, engender popular participation, ensure robust composition of the Legislature, ensure that there is separation of powers in accordance with the nation's constitution, check abuses in the system and legitimize rulers and regimes.

Although 'strong individuals" matter in the society, and could contribute to building strong institutions, as some people have argued (Acemoghu & Robinson, 2012, p.43), such strong individuals need to operate within a strong institutional framework in order that positive virtues and values of such individuals could be transformed into a positive force. Otherwise, strong individuals could easily transform into authoritarians or dictators. It is strong institutions that would ensure that power is both limited and distributed sufficiently broadly in order that the behavior of people can be influenced to

act within the institutional framework. It is important to reiterate that institutions do not have to be authoritarian or repressive to be strong. The strength of institutions is in their functional capacity to act as a positive force, give incentives, influence behavior and ensure that political power is both limited and distributed sufficiently broadly in order that no particular interest in society could warp the state economically and/or politically (Acemoghu & Robinson, 2012, p.43; Pereira & Vladimir, 2011, p.1). Another importance of strong institutions derive from the argument by Geri (2016) that democratization is not self-sustaining, rather, continued democratization is contingent upon strong institutions, stable economic structures and clear checks and balances.

5. HOW TO STRENGTHEN INSTITUTIONS

Strengthening institutions starts with the formulation of a strong legal framework. To achieve this would entail actively engaging the citizens and other critical stakeholders, including civil society groups, the media and the international community. This will build trust in the legal framework and make the institutions not only independent, but more responsive, inclusive and suited to the need of the Nigerian people. This would also make the strengthened institutions to play their roles effectively in a globalized world. A strong and robust legal framework would also make it nearly impossible for elections to be subverted or losers to hang on to power. In order words, strong legal frameworks would help to reduce corruption, especially stealing of public funds and make it impossible for people to circumvent due process in handling government business.

In addition to the legal framework, institutions need to be managed by committed and credible people who will make the system work. This involves having credible, capable and professional manpower that are able to enforce compliance and carry out their own mandate without undue influence and/or direction from "above" interests. Capable people with tested pedigree of professionalism and ethical values that will make it difficult for the institutions to be compromised should be appointed to run political institutions. Such individuals will carry out their duties without fear or favour. They will also be able to marshal and use available resources, including talents, money, people and time in the best possible way (Gberevbie, 2014, p.139).

Since human resources could also determine the success or failure of the economic and political systems of any society, it is imperative that the process of recruitment of people to manage institutions should be decentralized such that professional associations could make input. Appointment to key critical political institutions should not be left only in the hands of the president of the country but professional bodies and associations should be made to make input in order to prevent a situation where such

institutions are filled with the cronies and loyalists of the president and are prepared to obey "orders from above" even when such orders contravene the "rule of the game". Most importantly, to strengthen political institutions, they have to be made independent not only in name but in the formulation and implementation of policies as well as the daily running of such organizations and institutions. Institutions must be equipped and empowered such that they have the ability to formulate and implement policies that are not simply reflective of the whims and caprices of the government in power. The best way to achieve this is to make them independent and autonomous. This way, institutions would become well- functioning and rule-following (Knutsen, 2015, p.2).

CONCLUSION

A major argument in this paper is that institutions as arrangements for organizing political competitions have critical roles to play in ensuring political consolidation in Nigeria's Fourth Republic. Where institutions are weak, as has been the case in the country's Fourth Republic, they will be incapable of driving the process for democratic consolidation. On the other hand, where political institutions are strong, they could ensure that competitions are credible, rules are implemented, free and fair elections are conducted and popular participation is engendered. It would also ensure robust composition of the legislature where there is separation of powers in accordance with the nation's constitution.

The study argued that institutions such as INEC, the police, the executive, the judiciary, the legislature, political parties, the mass media and civil societies need to be strengthened. It also argued that although "strong men" are needed, they must operate within a framework. It is in this regard that strong institutions are more desirable than strong men. When institutions are strong, no matter the personalities that operate them, they will carry out their statutory responsibilities within the framework of the rules, guidelines and laws establishing such institutions. Hence, this paper aligns itself with the argument that strong institutions, far more than "strong men", are needed to overcome the challenge of democratic consolidation in Nigeria's current democratic experience.

Strengthening institutions would produce parliaments with strong capacity for carrying out their statutory mandate of law making, strong representation of their constituencies and oversight functions, particularly on the executive. Strong judiciary would also guarantee the independence and autonomy of the institution. It would ensure that the civil service is strong and able to deliver timely and quality service to the public. When civil societies are strengthened, they would become more vibrant and active. With regard to the media, it would ensure that it is truly free and independent. In the area of fighting crime and corruption, it will make the

relevant institutions altruistic, effective and efficient. As a consequence, they would maintain integrity and earn the respect and support of the generality of Nigerians.

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