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ASSIGNMENT QUESTION   
Assignment (10Marks) Constitution is important for the consolidation of   
democracy. However , the making of Nigeria’s constitutions have been under two   
political dispensations that have anti democracy tendencies, and this has been a   
great impediment to democratic governance in Nigeria. Examine some of the   
loopholes in Nigeria’s constitution over the years that have affected democracy in   
Nigeria.   
ANSWER   
ABSTRACT:   
The new democratic dispensation in Nigeria was launched again in 1999   
leading to the emergence of the fourth republic. It would seem that   
democracy has increased the culture of impunity in some people while   
political differences are believed to have fueled some of the challenges that   
have erupted. Democracy was highly embraced by all with expected hope   
that it will deliver good dividends and socio-economic development. But not   
far into the fourth republic, the body polity became overheated by lots of   
challenges namely: election malpractices, military coups, bad governance,   
majority tyranny over minority rights, political party indiscipline, abuse of   
power, constitutional breaches etc. These challenges are strongly affecting   
democratic stability and consolidation. Adaptation of the liberal democratic   
system to suit the country’s cultural values and peculiarities should lay the   
basis for people centered development strategies that will empower them   
to be active participants in policy making and implementation, under a   
political climate characterized by the rule of law and constitutionalism.   
Unless these categorical steps are taken, the country may experience   
another democratic breakdown that will spell doom for the nation-state. The   
analysis of the above challenges is the mainstream of this paper.   
INTRODUCTION:   
Democracy has been described as the government of the people in which   
laws supreme, rulers and subjects’ alike being subject to it. Democracy,   
adequately understood, is a theory that sets some basic principles   
according to which a good government, whatever its form, must be run.   
Such principles include those of justice, equity, freedom, liberty,   
accountability, openness and transparency in government. Indeed, effect   
democratic forms of governance rely on public participation, accountability   
and transparency. In this regard, democracy not only prescribes how   
political power should be acquired but also what to do with it or how it   
should be exercised. Therefore, democracy specifies who constitutes the   
legitimate government and wields the authority inherent in the state (the   
elected representatives), how they acquire authority (free and fair elections   
,choice between parties) and how they are to exercise it (in broad harmony   
with public good) .This makes democracy amenable to moral and ethical   
justifications or judgements. Hence, good governance forms the   
philosophical foundation upon which democracy and democratic theories   
are built .Democracy has thus been recognized as the only moral and   
legitimate way through which a society can be administered.   
However, the main attributes of democracy is that, those holding   
political office do not have automatic security of tenure but can be   
challenged and even displaced in accordance with the will of the people   
through a wide range of institutional mechanism. Thus, the core ideas and   
ingredients defining democracy are participation, accountability and   
transparency; that the people determine who govern them, and that those   
who govern give account of their stewardship through periodic election is   
one of the most important mechanisms for the realization of the objectives   
of democratization. It is also important to note that, elections are not only   
meant to ensure, confirm or re-affirm the legitimacy of the governors   
through a regular consent, but also to provide a fertile ground for   
democracy to thrive. This paper will therefore address the challenges of   
democracy in Nigeria with key emphases in the ongoing democratic   
republic conceptual clarification.  
  
  
  
Brife explanation on the keywords in this chapter, Democracy, liberal   
democracy, democratic consolidation, Good governance, Fourth   
republic   
1 Democracy   
Apart from being a subject of global concern, the concept democracy in its   
modern understanding, is the government of the people by the people and   
for the people. It is particularly sensitive to the current socioeconomic and   
political circumstances of nations striving for international identity and   
development posture as well as liberality and good governance (. As an   
over-flogged concept, the idea as enunciated by the ancient Greeks means   
“demos Cratos” which is literally translates into “people’s power or rule”.   
That goes to show that democracy has its root in Greek where individuals   
in a polls have an opportunity of taken part in decision-making. This   
position explains democracy as a universal principle of governance that   
upholds high moral imperatives, accord the citizenry the right to participate   
in decision-making that adheres to their collective will and interest .The   
concept can therefore be regarded as a governmental system that involves   
the widest spectrum participation, either through elections or through the   
administration of the accepted policies. It is a government founded on the   
principle of rule of law which is against arbitrariness, highhandedness,   
dictatorship and also antithesis to military regime . Moreover, if we go by   
St. Augustine’s definition – government that Nigeria ever had could qualify   
as “Mafua Government”. The word “Mafua” within the paper’s context   
means government infested with power drunken, self seeking, ideologybarren, orientation less operatives; usually selected by their kind and of   
course scarcely ever elected by the people. Even in the guise of multi-party   
election, those to rule are clearly predetermined and chosen even before   
elections takes place. Democracy in Nigeria islamed and in terms of its   
conceptual outcome has failed to meet the expectations of the people.   
Furthermore, Nigeria’s democracy (if it could be so described) has tended   
to promote inequality rather than equity. Arguably once Nigeria’s most   
serene city, Yobe State now synonymous with senseless violence, largely   
occasioned by misgivings and primordial sentiments and prejudices among   
inhabitants. Predictably, the mixtures of ethnicity and faith have taken the   
strife to unimaginable, deadly heights. Neighbours who had lived in   
harmony for decades have turned on one another with murderous fervor.   
That has led to the loss of thousands of lives.Numerous buildings and other   
valuables have been razed. Law enforcement agents now comb worship

centres in Yobe State on Fridays and Sundays to safeguard them. For a   
nation whose citizens boast of belonging to either Christianity or Islam, two   
of the world’s greatest faiths, that indeed is a sad commentary.   
2. Theoretical Framework   
This paper adopts “Liberal theory of democracy” in examining the   
challenges of democracy in Nigeria’s Fourth Republic. The liberal theory of   
democracy said to be common among capitalist and peripheral capitalist   
nations.This notion of democracy emerged when capitalism became the   
dominant mode of production in Europe and North America supported   
philosophical writing of John Locke, Rousseau, John Stuart, Montesquieu,   
Euripides, and other Liberal writers whose theories advocate private liberty,   
social justice, natural rights, majority rule and private property.Based on   
this premise, the central idea of the liberal bourgeor theory of democracy is   
how to design a political system which encourages individual participation   
and enhances moral development of citizens. Liberal democracies usually   
have universal suffrage, granting all adult citizens the right to vote   
regardless of race, gender or property ownership. Liberal democracy may   
take various constitutional forms: it may be a federal republic, as the United   
States, Brazil, Indian and Germany, or a constitutional monarchy such as   
the United Kingdom, Japan and Spain. It may also be a presidential or a   
parliamentary system.This theory is justified due to the fact that, it can help   
examine analytically the challenges of democracy in Nigeria’s Fourth   
Republic as it designs the systematic structure through which a democratic   
political system can effectively function. Liberal theory of democracy is an   
interesting theory in this work. Its values lies in the fact that it exposes and   
explain the expectation of any political system, especially as it emphasizes   
the conduct of credible elections which is one of the factors responsible for   
consolidating democracy.   
3. Critique   
“Liberal Democracy” does not respect the absolute majority rule (except   
when electing representatives). The liberty of majority rule is restricted by   
the constitution or precedent decided by previous generations. Also, the   
real power is actually held by a relatively small representative. The   
argument goes thus, “Liberal Democracy” is merely a decoration over an   
oligarchy. Some maxists socialists and Left-Wing Anarchists, argued that,   
liberal democracy is an integral part of the capitalist system. Therefore, it is   
a class-based and not democratic or participatory. The cost of political   
campaigning in representatives democracies favours the rich (Morton,   
2004).Modern Democracy has also been criticized by non-democratic   
socialists as an honest force used to keep the masses from realizing that   
there will be irrelevant in the political process. Liberal Democracy not   
withstanding the criticisms averred by critique is by and large significant   
this work. Although other theories such as liberal Marxists theory, classical   
theory of democracy, and political economic theory respectively, have been   
used to analyze democracy, none is sufficient to examine democratic   
consolidation better than the liberal theory in this study.   
4.Democratic Consolidation   
Diamond (1999) sees democratic consolidation as the process of achieving   
broad and deep legitimation such that all significant political actors believe   
that popular rule is better for their society than any other realistic alternative   
they can imagine. It also means that act of reducing the probability of the   
breakdown of the system to the point where democracy can be said that it   
will persist. Some scholars view it as regime maintenance and about   
regarding the key political institutions as the only legitimate framework for   
political contestation and adherence to the democratic rules of the game.   
Democratic consolidation manifest under enhance economic development,   
developed democratic culture, stable party system, suffice to assert that   
this cannot be attained in Nigeria until stability is attained. This therefore   
shows that though under democratic regime, Nigeria is striving for   
consolidation. The problem here is that liberal democracy does not evolve,   
as it was in the west, with the African societies. The argument here is that   
there is a serious need to “domesticate” Western liberal democracies in   
order to enhance its benefits in Africa. Therefore, Nigeria and the rest of   
Africa should, like has argued, “find indigenous ways and means of   
hammering the autochthonous democratic element as well as elements   
inherited from alien sources into an acceptable and viable democratic form   
in the setting of the modern world.   
5. Good Governance   
Odock (2006:3 – 5) sees good governance as “a system of government   
based on good leadership, respect for the rule of law and due process, the   
accountability of the political leadership to the electorate as well as   
transparency in the operations of government”. Transparency, Odock   
opined that it has to do with the leadership carrying out government   
business in an open, easy to understand and explicit manner, such that the   
rules made by government, the policies implemented by the government   
and the results of government activities are easy to verify by the ordinary   
  
citizens. Accountability as a component of good governance refers to the   
fact that thosewho occupy positions of leadership in the government must   
give account or subject themselves to the will and desire of the society and   
people they lead. Unfortunately, this is lacking in the public domain in   
Nigeria political leadership has been one of the main challenges or   
obstacles to democracy and development in Africa. Post independence   
political leadership has been everything but productive. They have been   
distributive rather than productive in orientation, wasteful and corrupt in   
political and economic management. The problem with Nigeria has been   
described simply as that of leadership (Achebe, 1984). Corruption is a   
pernicious phenomenon that plagues all sectors of public and private life in   
Africa. Under the Fourth Republic in Nigeria, it has continued unabated.   
Governance typically emphasizes leadership which suggests the way   
political leaders meaning the apparatus of the state, use or misuse power,   
to promote social and economic development or to engage in those   
agendas that largely undermine the realization of the good things of life for   
the people. Good governance is in tandem with democratic governance   
which is largely characterized by high valued principles such as rule of law,   
accountability, participation, transparency, human and civil rights. These   
governance qualities have the capacity to provide the development process   
of a country .In the Nigerian context, good governance calls for   
constitutional rule and a true federal system. These are the basic pedestals   
on which any vision of development rests on. Therefore, resources of the   
state must be managed in such a manner as to achieve the desired level of   
socio-economic progress for all members of the political community.   
Challenges of Democracy in Nigeria’s Fourth Republic   
Nigeria’s democracy landed on a good platform with the existence of   
democratic institutions, plural society, vibrant civil society organizations and   
critical mass media among others. These ingredients have the structure   
and capacity to make democracy strive in Nigeria. But it is germane to note   
that, Nigeria’s democracy has remained grossly unstable since the return to   
this popular form of governance in 1999. The political terrain has been   
home with lots of challenges precipitating against the genuine realization of   
the system. In fact the impediments to the nations unending desire for a   
true democracy seem to assume a more perilous proportion by the day.   
These challenges are:   
1 Military Coup

The first major challenge to the survival of democracy in Nigeria has been   
and remains military coups, as they always prevented democracy from   
rising above the level of a toddler since 1966. Democracy needs to be   
nurtured by oiling democratic institutions not by truncating them through   
coups and counter coups. Where there are mistakes as there often are,   
Nigeria will do better to use all constitutional means to combat gross abuse   
of democratic processes, procedures and institutions than allow coups as   
the necessary messianic option.   
2 Election Malpractices   
The next major challenge is the inability to conduct free and fair elections.   
Nigeria in 2007 general elections, witnessed a lot of irregularities and   
malpractices. The final report of the European Union Election Observer   
Mission (EU EOM) led by Mr. Max Van den Berg (Netherlands). Member of   
the European Parliament, on Nigeria’s 2007 elections, reveals the extent of   
this major challenge when it says: The team under took observation of 33   
of the 36 states plus the Federal Capital Territory (FCT)….. The 2007   
states and federal elections fell far short of basic international and regional   
standards for democratic elections. They were marred by poor   
organization, lack of essential transparency, widespread procedural   
irregularities, substantial evidence of fraud, widespread voter   
disenfranchisement at all different stages of the process, lack of equal   
malaise once and for all.   
3 Bad Governance   
Bad Governance is a major challenge to the survival of democracy. The   
widespread back of basic infrastructure and pervasive corruption in the   
Nigerian polity pose a serious threat and challenge to democracy. When   
citizens feel that appropriated funds are not well managed in the common   
interest, it discourages loyalty to the nation and kills the spirit of patriotism.   
4 Majoritarian Tyranny over Minority Rights   
The issue of majority rule and minority rights is still a challenge as the   
ethnic minorities in the oil producing areas of the south-south geopolitical   
foreign exchange earnings has consistently cried out against overt and   
prolonged neglect of their region by the majority ruling the country over the   
years. Some disgruntled elements have even resorted to militancy as a   
way to ventilate their grievances thereby threatening the survival of   
democracy in Nigeria. Democracy requires a stable political and economic   
environment to thrive.  
  
5 Political Party Indiscipline   
The activities of political parties are a far cry from the prescriptions of the   
constitution and pose a major   
challenge. Political parties and their members still breach with impurity the   
constitutional provisions that no association should retain, organize, train or   
equip any person or group of persons to be employed for the use or display   
of physical force or coercion in promoting any political objective in a   
manner to arouse apprehension .Political thuggery and even political   
assassination are still a prominent feature bedeviling Nigerian politics. For   
example, the EU EOM notes thus “violence was a major issue of concern   
and incidents increased as the election drew nearer. Credible reports   
indicated that at least 200 people including candidates and policemen were   
killed in election related incidents. This is unacceptable not only with   
respect to the right to life, but also to the democratic process”   
6 Abuse of Power   
The unrestrained use of power by government against citizens still poses a   
challenge. The invasions of Odi and Zaki Biam by the Government forces   
which involved serious loss of lives detract from the concept of democracy.   
The forceful demolition of houses in the federal capital, Abuja and the   
consequential homelessness without compensation or alternative   
accommodation in many cases could be seen as extravagant use of power   
which reinforces undemocratic norms.   
7 Constitutional Breaches   
The threat to the fundamental rights of citizens during political campaigns   
and after elections is a monumental challenge. The right to life of many   
political opponents has been truncated for political reasons. The country is   
replete with stories of political assassination that thwart full expression of   
people’s democratic will. Any situation that detracts from the fundamental   
rights of speech, movement, assembly, life, dignity of the human person   
and fair hearing as usually and after elections remain a veritable threat to   
democracy.   
Prospects   
The future of democracy in Nigeria remains bright. Nigerians are beginning   
to see the difference between a military regime (no matter how benevolent)   
and a democracy. Under the military, the legislative arm does not exist but   
  
they are the true representatives of the people who should act according to   
the dictates of their constituents as espoused in radical democratic theory.   
If they do not do so at the moment, it should be regarded as a passing   
phase from which they will graduate as the dictatorial lessons from the   
military will take some time to erode Liberal democracy, qua liberal   
democracy, remains the best option for Nigeria and the lessons are fast   
being appreciated.   
For example, a number of elected persons who purportedly won elections   
have been disqualified by the election tribunals. These are lessons from   
democracy. Constituents are able to reach their grievances. This was not   
possible under the military. The judiciary has been upturning some major   
Government decisions, actions and even legislations by their land landmark   
decisions to accord with the constitution. This is constitutional government   
which is a basic ethos of democracy. The checks and balances and   
separation of powers that characterize democracy are becoming evident in   
the land. Citizens are able to exercise their freedoms of speech,   
movement, assembly, and their rights to fair hearing, personal liberty, etc,   
unlike what happened under military regimes. All these are pointers to the   
fact that democracy has very bright prospects in Nigeria. The anticorruption   
war which could not be fought under the military is ongoing. The articulation   
of grievances through the Houses of Assembly and the National Assembly   
give room for robust debates before laws are made. No decrees are issued   
out without debates as in the military. It can safely therefore be concluded   
that Nigeria is on the true path to democracy, the challenges not with   
standing. Like a toddler, Nigeria will outgrow the infancy period and its   
democracy will take root and mature to an advanced stage. This will come   
sooner than later as the present administration has fully embraced the rule   
of law and constitutionalism.   
References   
Achebe, C. (1984).The Trouble with Nigeria, Fourth Dimension Publisher.