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Foreign Policy Making and Fungibility of Development in Nigeria

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Abstract

The study examined Nigerian foreign policy and its applications in advancing sustainable development in Nigeria. The paper assessed the contributions of Nigeria's foreign policy to the development of the Nigerian State particularly as it concerns dealing with the hydra-headed militating development challenges. We predicated our investigations on some extracts derived from the Marxian political economy approach. Our primary focus was on the social production of material values. We collated our data from documentary method and relied on textual analysis of these data. We noted, among others, that Nigerian foreign policy is largely conditioned by existing social relations of production which is presently characterized by discontent, lack of commitment and skewed reward system. The paper also observed that most foreign policy engagements in Nigeria are directed at self-preservation, self-serving missions and battle for ethnic eclipse. These promote statehood that thrive on distribution without production; repudiation of state of being and reward system without principles. The study recommended, inter alia, an enthronement of informed, transparent, accountable and psychologically stable political leaderships that are mentally equipped to rise above ethnic proclivities and hence effectively deal with the challenges posed by permeation of extractive capitalism.

Keywords: Foreign Policy, Development, State, Dependence, Capitalism, Economy.

Introduction

States are fundamentally built on the tripod of preserving her territorial and ecological terrain; projecting the collective welfare of her citizens; and forging global partnerships, alliances and collaborations with other states. These are aimed at preserving and expanding her potentials for the good of her people. Indeed, the modern state system emerged in 1648 following the signing of the treaty of Westphalia. Thenceforth the essence of the state becomes essentially to promote national interests which are reducible to national security interest. The national interest, often referred to by the French expression *raison d'état*, is a country's goals and ambitions whether economic, military, or cultural. The national interest of a state is multi-faceted. Primary interest of the state is the promotion of her survival and promotion of lives and properties. Also important is the pursuit of wealth and economic growth and power. Meanwhile the broad mechanism for achieving these goals is through the instrumentality of foreign policy.

Foreign policy is all about decision-making but contextualized within the ambit of the state structure and directed at enunciating policies to guide relations with

other States at the global level. For analytical purposes, Ajibola (1978, p.1) remarked that “it is better to assume that a decision is made when the highest echelon of a decision-making pyramid has ratified the proposals of the subordinate segments”. However, he noted that this is subject to the proviso that minor decisions may be made at lower levels based on the known preferences of the higher level of the decision-making pyramid. Policy is therefore arrived at when one alternative course of action is chosen over and above others and includes acceptable measures that have the potency of guaranteeing successful and practical implementation of the chosen course of action.

However, we must state that the context upon which foreign policy is formulated and implemented in Nigeria is not totally different from what obtains in other countries. The basic instruments for projecting Nigeria’s foreign policy include diplomacy, publicity and propaganda, balancing the power structure, evolving potent balance of power mechanism, forging positive alliances and collective security, deploying instrumentality of international law and organisations, economic measures, war and peace etc. As a corollary of the above, the basic determinants of Nigerian foreign policy include: geographical location, historical antecedents, quantity and quality of the population, natural resource endowments, political coalescence and economic factors, national and military capacity, ideological leaning, public opinion, mental astuteness of the critical decision-makers, level of domestic stability and cultural securitization, among others. While underscoring the relevance and saliency of the above factors, Utete (1985) remarked that all these factors and others are important depending on the issues at stake and how well or otherwise the leadership comes to terms with them.

Meanwhile, the history of foreign policy making and implementation in Nigeria began at independence on 1st October 1960. Prior to the period, external behaviour of colonial Nigeria was controlled and manipulated by exogenous/imperial factors. Therefore, Briggs (2005, p.4) correctly noted that:

Retrospectively, in the Nigerian political struggles of the 1940s and 1950s, the various lenders and parties had made their views known but foreign policy remained a secondary concern due to the absence of political responsibility, for Nigerian leaders before 1960. Evidence abounds in the federal parliament where there was little attention paid to foreign policy until 1959. In other words, until after independence on October 1 1960, the government did not commit itself to any action or specific policy.

We must reiterate that the essence of foreign policy in a given polity lies in projecting the welfare of the citizens and preserving the territorial space through her national interest goals. Thus, successive administrations in Nigeria were engrossed with the seemingly unending search for nationhood economic rejuvenation and national security through the foreign policy platform. Presently the global political economy is facing major transformations characterized by the following:

- Liberalization of trade and financial investments
- Revolution in the communication/telecommunication superhighways
- Elevation of capitalist economic development to global norm
- Shrinking in the traditional roles of the state.
- Dismantling of barriers across territorial boundaries
- Digitalization of the subsisting mode of production and enforcement of “western designed” distribution and accumulation pattern.
- Use of stick approach in enforcing “western states’ preferred political order.
- Repartition of the global political economy among dominant western civilization
- Head-on collision between the Arabic and Western civilization.
- Enthronement of “might is right” in global governance; and
- Final battle to balkanize “big democracies” especially in non-western hemisphere.

These hydra-headed changes pose severe challenges to state behavior in the international arena. As an act of internationalizing domestic resolve; constituent states, including Nigeria are expected to adjust their actions in line with prevailing global expectations/demands and challenges. In response to these changes foreign policy orientation in Nigeria has vacillated from entrenching Africa as the centerpiece of her foreign policy from independence and hence embracing the principle of good neighborliness through economic and citizen diplomacy to different strands of development agenda. And yet the principles have continued to yield meagre returns in terms of instigating sustainable development and tackling the escalating incidence of malnutrition, malnourishment and mental slavery.

In this paper we shall assess the contributions of Nigeria’s foreign policy to the development of the Nigerian State particularly as it concerns dealing with the hydra-headed militating development challenges. The analysis shall be done under the framework of social production of material values.

Theoretical Orientation

Despite the plethora of writings on Nigeria’s foreign policy, very little has been achieved in the area of advancing informed and empirical analysis on the link between the application of the principles of foreign policy in public administration and rising incidence of poverty and underdevelopment. To redress this gap, the study shall be anchored on some critical propositions extracted from the Marxian political economy paradigm. Therefore, we shall employ the basic tools of the social relations of production to interrogate the problem of the study. Meanwhile, the Marxian political economy emphasizes the science of the development of socio-production, that is, economic relations between people. According to Nikitin (1983, p.24), “it clarifies the laws governing production, distribution, exchange and consumption of the material wealth in human society at various stages of its development”. From the Marxian sense, social relations of productions refer to:

- Ownership and control relations pertaining to society’s production assets

- The way people are formally and informally associated within the economic sphere of production, including as social classes.
- Corporative work relations (including household labour)
- Socio-economic dependencies between people arising from the way they produce and reproduce their existence.
- Relationships between different worksites or production sites.
- The quantitative proportions of different aspects of the sphere of production, considered from the point of view of society.

The basic premise of the analytic tool is that the structure of distribution is completely determined by the structure of production. We therefore extrapolate as follows:

- Distribution is itself a product of production value-chain
- The specific kind of participation of material values in production determines the specific form of distribution.
- The deepening intensity of production is coterminous with the level of development of productive forces.
- The level of development of productive forces is largely dependent on the level of permeation of social atomization as a direct correlate of cultural and mental decolonization.
- The content and intensity of state action is a direct consequence of her internal capacities (both materials, human and otherwise).
- The external behavior of states in their interaction with one another is basically a consequence of internal harmony, coalescence, leadership drive, determination and unity of purpose *which antecedently manifest in* conditioning the social relations of production
- Nigerian foreign policy is largely conditioned by existing social relations of production which is presently characterized by discontent, lack of commitment and skewed reward system.
- The existing social relations which have as its hallmark the predominance of centrifugal forces unleash intolerance, suspicion, hatred and aggressive behavior among the ethnic groupings and hence make internal social cohesion impossible thereby stagnating development and undermining development-oriented foreign policy.
- The quality of political leadership is resoundingly at the lowest ebb and their respective dispositions toward ethnic domination and cleansing direct attention away from healthy inter-ethnic relations thereby entrenching rivalry and intolerance among ethnic nationalities.
- Arising from the foregoing, most foreign policy engagements in Nigeria are directed at self-preservation, self-serving missions and battle for ethnic eclipse. These promote statehood that thrive on distribution without production; repudiation of state of being and reward system without principles.

Foreign Policy Issues and Perspectives

According to Modelski (1962, pp.6-7), foreign policy refers to “the system of activities evolved by communities for changing the behaviour of other states and for adjusting their own activities to the international environment”. He, *inter alia*, emphasized only those aspects of policy, which aim at the change in the existing behaviour of states, as the primary objectives of foreign policy. Indeed, foreign policy includes both the change in the existing behaviour and continuation of the behaviour at different times. It is concerned both with the change and the *status quo* in so far as they serve the national interests (Kumer, 1978, p.256). Similarly, Gross adopted a very liberal view of the term foreign policy. He maintains that if a state decides not to have any relations with some country, it is also a foreign policy. Its concern is both negative and positive. He noted that it is negative when it aims at furthering her interests by not changing the behaviour and it becomes positive if it demands a change in the behaviour of other states to adjust its national interests.

In furtherance of the above, Padelford and Lincoln (1967), remark that “foreign policy is the key element in the process by which a state translates its broadly conceived goals and interests into concrete courses of action to attain these objectives and pressure its interests.” Thus, they explained two functions of foreign policy as follows:

1. to attain its broadly conceived goals
2. to pressurize the national interests.

In addition, Rodee (1986, p.571), remarks that “foreign policy involves the formulation and implementation of a group of principles which shape the behaviour pattern of a state”. Similarly, Wittkopt (2003, p.14) noted that foreign policy embraces the goals that the nation’s officials seek to attain abroad, the values that give rise to those objectives, and the means or instruments used to pursue them; it is this policy pursued by a nation in her dealings with other nations, designed to achieve national objectives. Again, it refers to the set of rules that determines how a country will interact with other countries. The policies are put in place to protect the country’s national interest. while negotiating with (contacting) other states to protect or further its vital interests.” This includes not only the general principles but also those means necessary to implement them. Thus, these principles are those broader interests which states strive to achieve in international relations.

Meanwhile, Northedge (1968, pp.6-7) considers foreign policy to be the use of political influence in order to induce other states to exercise their law-making power in a manner desired by the state concerned. It is an interaction between forces originating outside the country’s borders and those working within them. Moreover, Okolie (2009, p.5) remarked that foreign policy refers to specific decision-making aimed at protecting, maximizing and promoting the prescribed national interest of the given state. Indeed, foreign policy making shares all the attributes of domestic political decision making and in addition faces some constraints which have their sources within and outside the country.

Therefore, foreign policy is all about decision-making but contextualized within the ambit of the State structure and directed at enunciating policies to guide relations with other States at the global level. For analytical purposes, Ajibola (1978, p.1) remarked that “it is better to assume that a decision is made when the highest echelon of a decision-making pyramid has ratified the proposals of the subordinate segments”. However, he noted that this is subject to the proviso that minor decisions may be made at lower levels on the basis of the known preferences of the higher level of the decision-making pyramid. Policy is therefore arrived at when one alternative course of action is chosen over and above others and also includes acceptable measures that have the potency of guaranteeing successful and practical implementation of the chosen course of action. Thus, the context upon which foreign policy is formulated and implemented in Nigeria is not totally different from what obtains in other countries. Nigerian foreign policy, like other countries’ foreign policies is formulated in a highly complex and dynamic environment.

Meanwhile, these objectives/goals of Nigeria have consistently been maintained despite numerous changes in government. Simply put, the content, substance and orientation of Nigeria’s foreign policy have remained basically the same from independence to present despite several changes recorded in the political leadership of the country. In fact, the basic features of Nigerian foreign policy over the years include:

- being sympathetic to Western-development models;
- supporting the global agenda of advanced western economies;
- being conservative and apologetic to issues concerning African states;
- placing the interests of African neighbors over and above her citizens;
- ad hoc, and non-combative;
- personality/regime instead of institutionally based; and
- Uncoordinated and devoid of ideological foundation.

Thus, although Murtala/Obasanjo and Abacha regimes, on issues of nationalization of Shell BP, arising out of the stand of Britain over the Angola crisis and seeming western opposition to General Abacha’s absurd human rights practices respectively, appeared to have radically changed the thrust and orientations of Nigeria’s external relations. However, subsequent events show that the radical posturing of these leaders were perfunctory and superficially patronizing. Thus, in section 19 (a-e) of the 1999 Constitution of the Federal Republic of Nigeria, the Fundamental Objectives of Directive Principles of foreign policy equally supported the basic principles/goals of Nigerian foreign policy. It states that Nigeria shall pursue the following goals:

- a) Promotion and protection of national interests;
- b) Promotion of African integration and support for African unity;
- c) Promotion of international cooperation for the consolidation of universal peace and mutual respect among all nations, and elimination of discrimination in all its manifestations;

- d) Respect for international law and treaty obligations as well as the seeking of settlement of international disputes by negotiation, mediation, conciliation, arbitration and adjudication; and
- e) Promotion of a just world order.

The above aptly show that the pursuit of “good neighborliness” and global concerns remain the crux of Nigeria’s foreign policy orientation. More importantly the issue of national interest which is fundamentally yoked with the interest of advanced capitalist economies remains the cardinal plank of Nigeria’s foreign policy from independence to present.

Transformation of Nigerian foreign policy

The substance of Nigeria’s foreign policy reflects the critical elements contained in their national interest. Indeed, foreign policy and national interest are coterminous and reciprocally reinforcing. The latter basically refers to the following:

- The common goal of the national society
- The discrete objects of value over which states bargain in world politics (Little and Smith, 1991, pp.48-50).

In its more encompassing perspective, Aluko (1981) equates national interest as “the sum total of all the national values which constitutes national ideology, preservation of a state’s independence and sovereignty”. He therefore enumerates the essential elements of national interest as follows:

- Self-preservation of the country
- Defense and maintenance of the country’s independence
- Economic and social well-being of the people
- Defense, preservation and promotion of the ways of life, especially their democratic values
- Enhancement of the country’s standing and status in the world capitals
- Promoting of world peace (Omemma, 2009, p.48).

In fact, these elements can be summarized as national security interest. These interests shape the substance of Nigeria’s foreign policy from independent to the present dispensation. Indeed, it is a truism to state that Nigeria’s foreign policy over the years, is **characterized by continuity in the substance and change in the style of its implementation**. Basically, Nigeria’s foreign policy is characterized by the following unchanging features:

- Pro-West in its orientation
- Conservative, *ad hoc* and reactionary
- Grandstanding of respective leadership who used the instruments more as tools to legitimate their inglorious leadership
- *Status quo* in content and pacifist in its implementation
- Good neighbourliness and Afro centric in nature and outlook
- Oriented away from the needs of the citizens; and

- Not designed to tackle the challenges of sustainable economic development of Nigeria.

However, what appears to be the unchanging blueprint of Nigeria's foreign policy were stated by the Prime Minister of the First Republic, Alhaji Tafawa Balewa in an address to the House of Representatives. He enumerated the cardinal principles of his foreign policy as:

- (1) Promotion of national interest
- (2) Remaining a member of the commonwealth of nations
- (3) Maintaining a non-align stand
- (4) Fostering understanding and forging cultural and economic links among the African states.
- (5) Retaining membership of the United Nations.

These objectives and principles have continued to serve as compass for conducting Nigeria's external relations. Meanwhile, while Balewa's regime aligned its foreign policy actions with western interests, successive administrations did little to deviate from this path. Although the circumstances of Nigeria's civil war made Gowon's administration to look for new friends outside the traditional allies, the administration did not fundamentally change Nigeria's foreign policy thrust. However, the oil boom of the 1970s provided additional leverage that made Murtala/Obasanjo's regime to pursue relatively more proactive, dynamic and seemingly assertive foreign policy. This was particularly reflected in her avowed commitment to the liberation struggle especially the recognition of the MPLA and the seating of Angola in the OAU, nationalization of the assets of the British Petroleum in order to compel the British Prime Minister, Margaret Thatcher to agree to the independence of Zimbabwe under the leadership of Robert Mugabe instead of Bishop Muzorewa (Ajibewa, 2007, p.12). Meanwhile, following the adoption of Adedeji Panel Report on the renew of Nigeria's foreign policy, Africa became the centre piece.

President Shehu Shagari's administration equally failed to sustain the seemingly radical posture of Murtala/Obasanjo's administration and remained largely subservient to the United States. Moreover, not much changed in the Buhari and Babangida's administration as Afro centric and pro-west stand became consolidated. This was particularly evident in Babangida's regime. Following the adoption of the Structural Adjustment Programme (SAP), the regime predicated subsequent foreign policy actions on economic diplomacy as adumbrated by the then Foreign Affairs Minister, General Ike Nwachukwu. However, the unprecedented human rights abuses, high handedness and in particular the execution of the Ogoni 9, including Ken Saro Wiwa by the Abacha regime conferred on Nigeria the status of a pariah state. Gen. Abacha's administration became a *persona non grata*. The need to survive and elicit further legitimacy predisposes the administration to search for new friends from the socialist bloc. Nevertheless, the well-coordinated local and international press war rather damaged what was left of Abacha's depreciating prestige.

Meanwhile, Obasanjo's second coming signaled a total handover of Nigeria's affairs to the United States and her western allies. Through an unprecedented shuttle diplomacy orchestrated by the adoption of the New Economic Empowerment and Development Strategy (NEEDS) and the anticipated third term project, President Obasanjo threw open Nigeria's doors to the west and virtually made western states his first-choice palace while administering the country largely from outside. The tempo changed very little when Alhaji Umaru Yar'Adua assumed office in 2007. he reduced reckless foreign trips, broadened the scope of Nigeria's external relations and made citizen diplomacy his foreign policy plank. However, he did not live long to consolidate on this. Besides, the citizen diplomacy was wrongly contextualized as Ojo Maduekwe, the Foreign Affairs Minister, misconstrued it to mean reciprocal attacks on the enemies of Nigeria. This was fundamentally reactionary.

Perhaps it was to abstract from the ill-conceived foreign policy posture of Yar'Adua that encouraged President Goodluck Jonathan to predicate his foreign policy posture on the Transformation Agenda. The cardinal plank of his foreign policy includes:

- a. to stabilize power supply in the country as a minimum pre-condition for strengthening national productivity.
- b. To generate employment for the unemployed youths
- c. To revolutionize the agricultural sector and ensure fixed security for the people.
- d. To sanitize the oil and gas sector
- e. To provide good roads, a more qualitative public-school system, as well as more efficient public health and transportation systems.

Indeed, the administration for the first time appreciated the myriads of problems plaguing the populace and seeks to address these via her foreign policy instruments. Nevertheless, like other successive administrations, President Goodluck Jonathan believes that these would be speedily fixed through the instrumentalities of the neo-liberal development framework. More importantly, the administration fixed virtually all her belief on the United States as an incontrovertible messiah. We can therefore satisfactorily state that the substance of Nigeria's foreign policy over the years is characterized by continuity devoid of change.

Facts on Development Challenges

Most States in Africa are bedeviled by myriads of problems which cripple development in the continent. Basically, the continent is classified as the home for the poor. Facts and Statistics about Africa Poverty are outlined by Degn below:

1. Africa is by far the poorest continent on the planet. Twenty-eight of the world's poorest countries are African.
2. Sub-Saharan Africa is home to the second largest population of hungry people. The largest is in Asia.

3. Half of the African population lives in poverty. These people do not have access to basic human needs, such as nutrition, clean water, shelter and more. Forty-seven percent of the African population is living on \$1.90 or less a day.
4. Two in five African adults are illiterate. While the continent's number of schools are increasing, the quality of learning and general attendance is still down due to local violence and gender oppression.
5. It is projected that the global poor will become more concentrated in Africa. With the population rising at such a high rate on the continent, and having such a large number of poverty-stricken countries, it becomes very difficult to prevent increasing poverty.
6. One in four people in the sub-Saharan region are malnourished. This is the highest amount of hungry people in the world.
7. The causes for African hunger are poverty, conflict, the environment and overpopulation. These causes create issues such as disease, floods, genocide and many other resulting crises that result in a lack of food and health within many communities.
8. Corruption on the continent makes it very difficult to conquer the poverty numbers. With governments confiscating donations from abroad, local militias slaughtering villagers and cultural leaders denying women the right and safety to attend school, poverty perpetuates.
9. While worldwide poverty is declining – it has been divided in half in the last 30 years – in Africa the progress has been much slower. This is largely due to the rising population and the young age of its government systems, stemming from a history of colonization.
10. Most of the perpetuation of poverty involves social issues. It is less a matter of wealth, as it is with how the wealth is distributed and shared.
11. The African governments have not existed for very long. Even in 1950, only four of the 55 African countries had independent governments. Studies state that a government requires several decades at least to stabilize.
12. The economic gap is huge and still growing. The class system contains huge gaps between the rich and poor, with little mobility due to gender inequality and corruption.
13. Those living in regions affected by violence are 50 percent more likely to become impoverished. This makes them twice as likely to be affected by hunger. Much of Africa is war-torn and experiencing conflict.
14. The average woman living in sub-Saharan Africa will give birth to 5.2 kids in her lifetime. While Africa is globally the poorest continent, it is also home to the highest birth rate. With a growing population, this is causing unemployment, disease and hunger.
15. While the decline of the number of poor in Africa is slower than the global rate, it has recently decreased. It fell from 56 percent in 1990 to 43 percent in 2012. (Degn, 2018). <https://borgenproject.org/15-facts-about-poverty-in-africa/> (Accessed April 6, 2019).

Furthermore, the leading facts on poverty in sub-Saharan Africa include the following:

- The average life expectancy at birth for someone born in sub-Saharan Africa is 46.
- 48.5% of the population is living on less than \$1.25 per day, and 69.9% on less than \$2.00 per day.
- HIV/AIDS is the #1 killer in sub-Saharan Africa.
- The Democratic Republic of the Congo is the poorest country in Africa...

Recent report correctly stated that Nigeria, the largest democracy in Africa, was elevated to inglorious status of the home for the poorest as well as the global headquarter of the poor in Africa. Bramlett (2018, pp.1-2) outlined top ten facts about poverty in Nigeria as follows:

1. According to Nigeria's Special Adviser to the President on Social Protection, poverty in Nigeria affects an estimated 67 percent of the population. That's 124,620,000 people who live without sufficient means to support themselves or their families.
2. Nigeria has a current Gross Domestic Product (GDP) worth of \$405.10 billion, and represents more than half a percent of the world economy. Its main industry is oil, which contributes to poverty in Nigeria and ruins water sources due to constant oil spills.
3. In addition to the Nigerian economy being on the rise, the figure for citizens living in absolute poverty has also risen 12.3 percent from 54.7 percent in 2004. "Despite the fact that the Nigerian economy is growing, the proportion of Nigerians living in poverty is increasing every year" said the head of Nigeria's Bureau of Statistics, Yemi Kale.
4. Nigeria's Bureau of Public Service Reform urged attention to a housing shortage in the country that left over 108 million Nigerians homeless. There are 100,000 houses built yearly in the country, but with hundreds of million homeless and living in poverty, this is insufficient to support the nation's needs.
5. While facts about poverty in Nigeria illustrate how the country makes most of its money from its oil sector, the nation has unfortunately become overly dependent on this single industry. Due to this reliance, other areas of the economy that host a majority of available jobs – agriculture, palm oil production and coconut processing – are in decline.
6. Nigeria's Minister of Information and Culture, Alhaji Lai Mohammed, states that the government understands this problem and is gearing up to provide 300,000 new jobs for young people in 2018. He said that by ensuring a higher percentage of the population works, Nigeria will counter both poverty and violent extremism. Mohammed said, "The N-Power program of the government has deployed over 200,000 young Nigerians to schools, primary healthcare centers and agriculture centers."
7. The World Food Programme (WFP) has spent over \$126 million on food aid for Nigerians. The WFP has also helped 1.1 million food-insecure north-eastern

Nigerians. Due to a lack of means and money, 5 million Nigerians were hungry at the beginning of 2017; but by the end of 2017, that number was reduced to 2.5 million.

8. According to a report by UNICEF, an unacceptable majority of households in Nigeria drink contaminated water. Although 64.1 percent of Nigerians have access to improved drinking water sources, 90.8 percent of Nigerian house-holds drink water contaminated with feces and other substances like E-coli.
9. Nigeria has one of the fastest growing populations in the world due to a lack of family planning and an influx of refugees. The Catholic Church in Nigeria says the continued entry of refugees from Cameroon has worsened the poverty situation in Nigeria. According to Caritas Nigeria, poor areas were being overburdened by the significant number of Cameroonians fleeing war in their home country.
10. Nigeria's National Bureau of Statistics (NBS) found that poverty was most apparent in the north of Nigeria, with certain northern states having a poverty rate near 86 percent. The NBS also found that Nigerians consider themselves to be getting poorer (Bramlett, 2018) <https://borgenproject.org/10-facts-about-poverty-in-nigeria/> (Accessed Feb., 25, 2019).

Consequently, successive political leadership in Nigeria must retool the foreign policy objectives to deal with these challenges. Strategically, foreign policy making and implementation in Nigeria must strive to pursue the following goals:

- Increase the level of permeation of social atomization, enterprise and creativity;
- Improve the intensity of cultural secularization for maximum utilization and exploitation of available human and material resources;
- Pursue and sustain robust and competitive public-private partnership in socio-economic and political development of the economy.
- Revolutionize the agricultural sector by establishing mechanized holdings rooted in government/communal partnership;
- Provide infrastructural support for industrial growth, expansion and development;
- Enthroned informed, transparent, accountable and psychologically stable political leaderships that are mentally equipped to face the challenges of pyramidal international relations.

Indeed, foreign policies of successive leaderships in the 21st century (Obasanjo's economic diplomacy of NEEDS; Yar'Adua's Citizenship Diplomacy and Jonathan's Transformation Agenda) appear to reflect the demands of global transmogrification. However, the political will to evolve potent strategies/instruments to actualize the above was lacking. For instance, while President Obasanjo used the medium to pursue self-succession (Third term) agenda; President Yar'Adua's misconception and misapplication of citizen diplomacy further truncated the

actualization of Nigeria's national interest. Thus Okolie (2010, pp.145-146) remarks as follows:

... the unregulated shuttle diplomacy and global trotting embarked upon by the administration was essentially to sell the self-perpetuating candidacy of chief Obasanjo for third term syndrome and not basically to actualize the NEEDS initiative as widely believed.

Similarly, while commending President's Jonathan's Transformation Agenda, we however express our concern over his commitment to actualize this through an independent and autochthonous development strategy. More than ever, the basic challenges confronting Nigeria in the present global context are:

- Increasing incidence of insecurity arising from the menace of the Boko Haram, MEND, MASSOB and other ethno-regional militia
- Escalating incidence of unemployment
- Ravaging poverty, diseases and malnourishment
- General decay in infrastructural facilities
- Persistence of mono-cultural economy
- Increasing wave of violent crimes and banditry
- Corruption and bad governance
- Persistence of uncompetitive, inchoate and unproductive economy.

Therefore, in the 21st century, political leaderships in Nigeria should evolve appropriate foreign policy tools to address the above. These tools must be internally driven and reflect our traditional pattern of social engineering. To benefit from the current globalization precepts, the foreign policy tools must basically aim at taking Nigeria out of the woods into the path of achievement orientation, industry and creativity. Otherwise, the country will remain drawer of water and hewer of wood in the comity of nations.

Conclusion

The paper assessed the contents and substance of Nigerian Foreign Policy and its applications in advancing sustainable development in Nigeria. We predicated our investigations on some extracts derived from the Marxian political economy approach. Our primary focus was on the social production of material values. The paper proceeded to x-ray the basic issues surrounding foreign policy making and implementation and hence traced historically the transformations of Nigerian foreign policy from 1960 to date. Among others, the paper observed that the problem of development lies outside the precinct of Nigerian foreign policy. We noted that there are internal debilitating factors that truncate effective conduct of Nigeria's external relations. These factors reduced foreign policy as mere tool for advancing jaundiced ethnic cypher. The momentous rivalry among ethnic nationalities reproduce

insecurity, low cultural securitization, political imbecility and acrimonious social relations which stultify production and promote distribution-mentality that crave for wholesale reproduction of the state of being.

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Bring Back Our Corruption: Nigeria's Post-2015 Anti-Corruption Campaign and Popular Resistance¹

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Abstract

Nigeria's post-2015 anti-corruption campaign emerged following citizens' demand for a more vigorous response to public sector corruption. Prompting the clamour was the belief that graft and embezzlement by public officials had reached an intolerable height. However, the anti-corruption campaign appears to have lost legitimacy among a section of the masses, who, through the 'Bring Back Our Corruption' counter-campaign, demand a return to the regime of 'scot-free corruption'. This is underscored by the logic that where patronage exchanges are pervasive and formal wealth redistribution is inadequate, proceeds from public sector corruption may become crucial to servicing the livelihood of marginalised citizens. The paper thus argues that as a consequence, anti-corruption efforts may lose legitimacy among the masses when such efforts adversely impact informal financial flows while formal wealth redistribution remains inadequate. As the data from our preliminary study suggests, citizens' volte-face on anti-corruption enforcement points to the functionality of proceeds from official corruption to economically-vulnerable masses. The data further suggests that although public sector corruption produces dysfunctional outcomes, it may also be functional to the poor.

Keywords: Public sector corruption, anti-corruption, functional corruption, patronage exchanges, informal redistribution, bring back our corruption.

Introduction

Pervasive public sector corruption in the developing world is largely blamed for infrastructural decay, failing public healthcare, poor quality education, high mortality rates, crime and insecurity, mass unemployment and poverty (Otusanya, 2011; Brinkerhoff & Bossert, 2014). Africa, for example, is said to lose about \$148 billion annually to public sector corruption (United Nations Economic Commission for Africa (UNECA), 2016), more than the continent's cumulative annual debt profile. Therefore, corruption in the public sector of African countries accounts largely for widespread socioeconomic misery (Acemoglu & Robinson, 2012; Brinkerhoff & Bossert, 2014). Giving the calamitous consequences of graft and embezzlement in the public governance on public wellbeing, it is instinctual that the

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masses, who are the victims, will without hesitation, support anti-corruption efforts. However, some have suggested that Africans are largely ambivalent to corruption in governance due to pervasive social norms accommodative to corruption. The evidence, they say, is the failure of collective action on corruption (Persson, Rothstein & Teorell, 2010; Hoffman & Patel, 2017).

Calling into question the 'lack of collective action' thesis are instances where the masses have organised in resistance to the prosecution of public officials for corruption. For example, Ramon (2017) has noted with bewilderment, how ordinary Nigerians – supposed victims of corruption – would organise solidarity marches and protests in defence of influential politicians and public servants answering to allegations of corruption. The masses would besiege the premises of anti-corruption agencies and court hearings to demand the cessation of the investigation or trial of their patrons. Such counterintuitive experiences find useful explanations in the patron-client scholarship. However, studies are scarce that analyse the more profound reasons the masses may become inclined to oppose anti-corruption efforts even when they can draw a connection between deteriorating socioeconomic conditions and pervasive public sector corruption.

This article, therefore, discusses findings from a preliminary qualitative study on the 'Bring Back Our Corruption' popular pushback to the ongoing anti-corruption programme launched in 2015 by the President Buhari federal administration in Nigeria. The popular resistance revealed three things. First, unlike the familiar pro-elite protests, the Bring Back Our Corruption counter-campaign was a resistance in the interest of the masses. Second, sympathy for the counter-campaign transcended ethnic, religious and regional sentiments that often underline citizens' rejection of anti-corruption measures targeting the governing elites. Third, the pushback tends to suggest the functionality of proceeds from public sector corruption to the short-term wellbeing of most economically-vulnerable Nigerians. That is to say, more than scholars may have realised, proceeds from public sector corruption may be performing a crucial wealth redistribution function in the absence of adequate formal welfare measures in Nigeria. Therefore, the article suggests that understanding the functionality of proceeds from public sector corruption to economically vulnerable masses may provide crucial insights into why despite being the victims, the masses may show ambivalence to corruption or actively oppose anti-corruption measures.

Methods and Material

The study adopts the qualitative method and consolidates primary and secondary data. Primary data was derived from 44 semi-structured key informant interviews conducted in five major cities: Abuja, Lagos, Port Harcourt, Benin City, and Yenagoa between July 2017 and March 2018.

Given that discourses on corruption and anti-corruption in Nigeria often evoke sentimentality that in many cases reflect the individual's social affiliations (religious, ethnic, regional), the researchers had to devise a means to ensure that respondents who may share similar biases did not dominate the study. Therefore, the five cities were selected due to their cosmopolitan nature. These cities host Nigerians

of all backgrounds. The inclusion of Abuja (Nigeria's political capital) and Lagos (the commercial capital) was particularly crucial to capture public and corporate sectors' positions regarding the functionality or otherwise of corruption in Nigeria.

The study interviewed respondents disaggregated into four clusters:

- Elites (politicians, business executives).
- Bureaucrats (employees of government ministries and parastatals, particularly anti-corruption agencies).
- Professionals (civil society activists, journalists, academics).
- Everyday citizens (artisans, farmers, small-scale traders, the unemployed, etc.).

Respondents were selected through probability and non-probability sampling techniques. Respondents in the Elites and Professionals clusters were selected by chain referrals (snowballing) while those in the Bureaucrats and Everyday Citizens category were chosen randomly.

Table 1: Respondent Distribution

Category	Abuja	Lagos	Port Harcourt	Benin City	Yenagoa	Total (%)
Elites	4	3	0	0	2	9 (20%)
Bureaucrats	3	0	2	0	0	5 (11%)
Professionals	6	2	3	3	3	17 (39%)
Everyday Citizens	4	2	3	2	2	13 (30%)
Total (%)	17 (39%)	7 (16%)	8 (18%)	5 (11%)	7 (16%)	44 (100%)

The interviews were conducted in English and the Pidgin variant commonly spoken in informal circles in Nigeria. The shortest interview lasted five minutes, while the longest lasted 56 minutes. Where respondents permitted, interviews were audio-recorded. Notes were also taken, particularly where a respondent did not give consent to being recorded. The study also relied on personal observation for data. Interview responses are summarised, paraphrased and quoted directly in the analysis. All responses given in Pidgin English are translated into Standard English.

Secondary data was derived from academic articles, news reports, websites, textbooks, research reports and other relevant and reliable sources.

Public Sector Corruption, Functional Corruption

Broadly, scholars conceptualise corruption as the misuse of public power or influence for private benefit (Banfield, 1961; Nye, 1967; Warren, 2006). The taxonomy of corruption shows such variants as petty corruption, moral corruption, legal corruption and illegal corruption, etc., determined by the context and manifestation. Regardless of the context and manifestation, acts of corruption fall under two main categories – private sector corruption and public sector corruption (Sartor & Beamish, 2019). Private sector corruption refers to unethical conducts in spheres other than the formal governance system. Private sector corruption involves

private individuals, local and multinational corporations, and other non-state entities. Although private, acts of corruption in this category may produce severe social outcomes, particularly where the illicit rewards go toward promoting activities counterproductive to public wellbeing such as violence, crime and terrorism.

Public sector corruption, the focus of this article, occurs when government officials – bureaucrats and politicians – take advantage of their formal roles to unjustifiably violate or alter public policies, rules and processes to channel public resources to themselves or affiliates (Sartor & Beamish, 2019). Two known forms of public sector corruption are bureaucratic corruption that mainly involves public administrators; and political or grand corruption perpetrated by individuals holding political offices or exercising political influence. Both forms of public sector corruption typically manifest as nepotism, trading in influence, graft and embezzlement. The literature has mainly been inclined toward understanding public sector corruption from its dysfunctional consequences. Nye (1967) is among the earliest influential scholars to demonstrate the connexion between public sector corruption and adverse governance outcomes, especially in developing countries that by the 1960s were emerging from European colonisation. Since then, the study of corruption has been dominated by perspectives that emphasise the maladies of public sector corruption (Klitgaard, 1988; Gray & Kaufmann, 1998; Rose-Ackerman & Palifka, 2016).

The 1960s saw the rise of the unorthodox notion of ‘functional corruption’ which more or less began with Merton (1968) and was championed by the American political scientist Samuel Huntington. The ‘functionalists’, as proponents of this thesis became known, argued that although public sector corruption produced adverse outcomes, it could also have significant functional utility:

Corruption provides immediate, specific, and concrete benefits to groups which might otherwise be thoroughly alienated from society. Corruption may thus be functional to the maintenance of a political system in the same way that reform is (Huntington, 1968, p. 64).

Huntington argued that extreme government regulations and administrative red-tapes could stifle activities crucial for economic growth and that corruption was a veritable tool to overcome this. He believed that bribery could help individuals, particularly investors, alienated by tough government rules and over-centralised public service cut through the hurdles to actualise economic objectives beneficial to society. Bribes could fire up unmotivated bureaucrats, thereby enhancing efficiency and timely service delivery. Although the functionalist perspective struggled against the dominant understandings, later studies have alluded to the functionality of public sector corruption. For example, Lui (1985) and Khan (2002) have shown that in unstable political systems, bribery has the potential to both facilitate bureaucratic efficiency and provide considerable assurance to investors that bureaucrats would promptly render needed services.

Drawing on the experiences of East Asian states where corruption existed alongside rapid economic growth in their transformative years, Girling (1997) and Hobbs (2005) have noted that sustained economic investments in these states despite pervasive corruption was because to a large extent, corruption facilitated rather than undermined investment. The reason is that corruption was ‘organised and controlled’ (Hobbs, 2005, p. 11). When organised and controlled, they argue, corruption may ensure that the wheels of development implementation grind. Central in this argument is that when controlled, corruption could promote economic growth and create benefits that spread across society in the form of new investments, jobs and opportunities for individual prosperity. Coutinho (2013) agrees that when acts of corruption are constructive, that is, they lead to job creation, better infrastructure, greater investment in education, arts, research, and creation of new industries, only then could we say corruption is functional or win-win.

He further argues that when corruption produces a tiny class of wealthy individuals and throws the larger population into want and misery, then it is ‘destructive’ or ‘win-lose’ corruption. Thus, in the traditional sense, the functionalists look out for the economic growth potential of corruption – the allocation of scarce resources, easing investment, and reducing uncertainty (Jiang, 2017). However, corruption may be functional when it does not enhance economic growth and produces utilitarian outcomes. In a win-lose scenario, corruption may provide certain immediate-term benefits to the losers, without which, their lives would be worse off. Thus, a blind spot of anti-corruption scholarship and activism may be the now almost mandatory tendency to focus on the adverse outcomes of corruption, and the inclination to characterise corruption as functional only when it drives economic growth.

It is in this light that this article argues that although public sector corruption produces adverse socioeconomic consequences, proceeds from public corruption distributed through patronage schemes may perform considerable informal welfare function to most poor and neglected masses in states where formal welfare measures are weak. Scott’s (1969) patron-client and machine politics argument provides a useful analysis of how the governing elites and vulnerable masses come into informal welfare exchanges. As he argues, in transitioning economies and elective political systems, vulnerable masses turn to politicians with their material needs. As politicians satisfy the masses’ particularistic demands using legitimately or illegitimately obtained resources, they improve their capacity to consolidate power and grow wealth. As it appears, where such transactional exchanges endure, the livelihood of most vulnerable masses may rest considerably on the regularity of the flow of material resources from public officials. Therefore, when anti-corruption policies are perceived by the masses to negatively impact the material flow critical to their livelihood, they may resist rather than support such policies.

Studies that look at the functionality of corruption from this perspective and how it may cause the masses to resist, instead of support anti-corruption efforts are scant. However, Walton’s (2012) study on rural Papua New Guineans’ perceptions of the dysfunctionality and functionality of corruption provides valuable understandings.

His model utilised five hypothetical scenarios, three designed to convey possible occurrence of petty corruption, and two to mirror likely grand corruption. In order not to pre-empt perceptions, the study did not use the term 'corruption' to refer to the acts in the scenarios. Respondents were allowed to analyse and interpret each scenario. On the one hand, the study found that when the people perceived a corrupt act to deliver benefits to marginalised citizens, they considered it functional. Also, when corruption produced benefits for the perpetrator alone, the people viewed it as dysfunctional.

On the other hand, when respondents determined that an act (including an obvious case of grand corruption) produced benefits for vulnerable masses and not just the perpetrator, they considered it functional. Walton surmises that if citizens base their perceptions of the functionality of corruption on how widespread the proceeds are, then public support for anti-corruption policies may diminish when such policies are deemed to prevent the benefits flow especially when formal welfare provision is poor.

Public Sector Corruption – a Longstanding Challenge in Nigeria

Public sector corruption emerged as a major governance concern in colonial Nigeria and continued through independence (Pierce, 2006). Corruption complaints in the First Republic (1960-1966) interwove with divisive politics and ethnic intolerance to set the stage for a duration of military rule that spanned from 1966 to 1998. Although the military rationalised their intrusion into governance as a mission to rid the polity of corruption and rot, successive military regimes had their fair share of corruption complaints (Nwaodu, Adam & Okereke, 2014). Since the return to the enduring democratic experience in 1999, Nigeria has remained locked in the struggle against public sector corruption despite a plethora of forward-looking anti-corruption reforms. The President Olusegun Obasanjo administration (1999-2007) undertook another round of anti-corruption enforcement that combined legislation, institutional reform and establishment of special anti-corruption agencies such as the Independent Corrupt Practices Commission (ICPC) and Economic and Financial Crimes Commission (EFCC).

These measures, nonetheless, public sector corruption remained a challenge under the Obasanjo administration. The comparatively weaker response to corruption during the administrations of President Umaru Yar'Adua (2007-2010) and President Goodluck Jonathan (2010-2015) saw public sector corruption attain a more spectacular height, making the period from 1999 to 2014 one of massive haemorrhaging of the public treasury (Page, 2016). Hoffmann and Patel (2017) have noted that out of about \$600 billion lost to public sector corruption in Nigeria since 1960, about a third of it was pilfered during this period. By 2014, Nigeria had earned global recognition as one of three countries with the most number of citizens in extreme poverty despite enormous revenue receipts from oil and improvements in Gross Domestic Product (GDP) (Magnowski 2014). Largely blamed for the growing misery was corruption in the public sector (Page, 2018). Hence, as the 2015 Presidential Election approached, combating public sector corruption occupied political discourses.

Unarguably, several factors accounted for the ascension of the then opposition party – All Progressives Congress (APC) to power. However, the national mood for stronger anti-corruption enforcement, one could argue, also immensely propelled the party to political dominance over the then ruling Peoples’ Democratic Party (PDP) that had become smeared in numerous corruption scandals, particularly under the Jonathan administration. The nomination of retired General Muhammadu Buhari as the APC’s presidential candidate provided a great measure of assurance to many Nigerians in demand of tougher measures against public sector corruption. Most voters regarded the retired General as irreproachable even though he had held key political positions in the past, including as military Head of State (1983-1985). Also, in spite of accusations of human rights abuse, many believed that his military regime’s anti-corruption programme was second to none in intensity (Mark & Smith, 2015). Therefore, by the final count of the 2015 Presidential Election, perceptions of candidate Buhari as an individual with the character and courage to confront corruption blended with the political tide to give him victory over the then incumbent President Jonathan of the PDP.

The Post-2015 Anti-corruption Campaign

Immediately after his inauguration, President Buhari’s first anti-corruption measure was to consolidate the revenue flow of the federal government in the Federation Account as required in sections 61(1) and (2) of the 1999 Nigerian Constitution. Consequently, the Treasury Single Account (TSA) policy was introduced. Before the introduction of the TSA, federal ministries and agencies domiciled revenue receipts in commercial banks, where, in addition to questionable bank charges, transactions went without proper oversight. The administration claimed that the TSA led to savings in the millions of dollars (Onuba, 2017). Although the policy is criticised for lack of uniformity in implementation across federal institutions, it is regarded as one of the most outstanding and effective anti-corruption measures as it considerably plugged revenue leakages, thereby limiting illicit access to government money (Akinyemi et al., 2018).

The two anti-corruption agencies – the EFCC and ICPC – became active again. The EFCC began the probe of corruption allegations that emerged during the administration of President Jonathan. It was the first time in the post-1999 era that a successive administration would pry into the activities of its predecessor. This deviation from the norm could be attributed to the fact that it was one party (the PDP) in power from 1999 to 2015. Therefore, successive administrations may not have been predisposed to investigating the one before. However, one cannot ignore the fact that President Buhari won the 2015 election riding on the crest of popular support based largely on his vow to tackle public sector corruption that most Nigerians blamed for the country’s woes. It is vital to mention that the anti-corruption campaign faced criticisms for the lack of introspection as mostly prosecuted were PDP elites while individuals affiliated with the President’s party – the APC – were largely ignored (Campbell, 2017). Nonetheless, in the early days of the anti-corruption programme, significant successes were recorded. For example, cash and assets worth

over \$3billion were directly retrieved from politicians and bureaucrats, some abandoned by persons whose identities remain a mystery (Nwaubani, 2017).

Figure 1: Loots recovered at a private home with links to public servants.



Note: \$43m, £27,000, ₦23m recovered at Osborne Tower, Lagos, Nigeria.

Source: Akinkuotu (2017).

The administration also moved to provide oversight on the ‘Constituency Development Fund’ – a pork barrel and patronage allocation to federal lawmakers. The study could not ascertain to what extent the administration succeeded at providing oversight on the appropriation of this fund by lawmakers. However, the Executive-Legislature standoff was, among other issues, over the decline in budgetary allocation to the national parliament since the start of the Buhari administration. It is thus conceivable that the pork barrel allocations declined as a result. Due to these early measures, the anti-graft campaign attracted praises from several foreign observers. John Kerry, the then United States Secretary of State, expressed his government’s delight with the momentum of the anti-corruption programme (Bada, 2016). Patricia Scotland, Secretary-General of the Commonwealth, also extolled the anti-corruption programme for the unprecedented recoveries (Walton, 2018). However, despite being the product of clamours for tougher anti-corruption measures, the anti-graft war faced opposition from the masses.

The Bring Back Our Corruption (BBOC) Popular Pushback

When it began, the BBOC pushback, appeared as a mimicry of the Bring Back Our Girls campaign demanding the release of more than 200 schoolgirls abducted in 2014 from Chibok town in northeast Nigeria by Boko Haram. But as it persisted, it revealed a much deeper mood. The BBOC catchphrase became the

symbol of citizens' demand for a return to the time public sector corruption was rife and unchallenged.

The BBOC counter-campaign was not a structured movement. It had no discernable leadership and did not involve open-air demonstrations. It was instead a loose yet phenomenal resistance that took advantage of the power of social media (particularly Facebook and Twitter) and other daily conversational spaces and platforms like public transportation and talkback radio. Some took to music (see figure 4) and poetry to show sympathy for the BBOC sentiment. Excerpts from Vincent's (2016) free verse poem read:

Bring back our corruption, we need it back! It is better than the white hunger seen in the street, Hunters hunting the haunting spare of illusion, Jagabanized faces fashioned to kill our pride. Bring back our corruption we pray thee our lord, bring back our black heart and return the whites, Silence isn't empty, it is full of answers to questions. Bring back the street light to light the street, bring back the tomatoes from the cow's belly, Bring back the tooth you took from the child! Bring back our corruption! Bring back our pride! It is better than the hardship that rape us daily. We can still bank our heart in corruption than the horse of promises made in the blank cheque.

It is paradoxical how the desire to see, if not an end, at least a drastic reduction in the pillaging, switched to a denunciation of efforts against corruption. The BBOC pushback reveals the largely overlooked functionality of proceeds from graft and embezzlement to most ordinary Nigerians. Where formal welfare measures are weak, public sector corruption is pervasive, and patronage politics is entrenched, citizens may be secondary and tertiary beneficiaries of public corruption but may take this for granted. Therefore, when government anti-corruption policies threaten the flow of proceeds from corruption from public officials to the masses, a sufficient condition is created for popular counter-reactions. It has been noted that citizens' withdrawal of support for the anti-corruption campaign that they helped birth points to the sudden realisation of the functionality of proceeds from official corruption to the livelihood of most Nigerians:

...many Nigerians are now paradoxically yearning for the corruption that they and their leaders blame for their economic woes...theirs is not a nostalgia for corruption per se but for a period in which, despite or because of corruption, the flow of illicit government funds created a sense of economic opportunity and prosperity (Ochonu, 2016).

Some interviewees remarked that the gamut of informal exchanges through patronage schemes ensures the spread of proceeds from public sector corruption to society. A journalist asserted that handouts from bureaucrats and politicians mostly go toward financing and refinancing activities in the informal economy where the

majority of Nigeria's poor pursue a living. The respondent noted that most poor Nigerians feeding from hand to mouth through trading in the informal economy, raise capital by way savings from meagre wages earned in the formal economy, social networks like community unions, cooperative/thrift societies, religious organisations, and financial support from mid to top-level civil servants who, like political elites, illicitly access government funds. He thus argued that due to the volatility of the informal economy, any action that directly or indirectly affects the regularity and quantum of money flows needed to sustain reproduction could easily provoke a reaction such as the BBOC pushback (T. Abolade, personal communication July 13, 2017).

There are no studies that have attempted to quantify the share of proceeds from official corruption redistributed to the masses. However, most respondents believed that the pervasiveness of trickles from senior bureaucrats and politicians might be substantial given the number of individuals that access the public treasury. A banker mentioned that due to the absence of statistical data, it is difficult to measure the share of corrupt finance directly transferred to the people. However, he believed one way to feel it is how since 2015, anecdotal remarks and research showed that that disposable income declined both among the wealthy and the lower classes. The respondent cited profligate spending by public officials before 2015 as one common indirect way through which proceeds from corruption flowed to citizens. Therefore, it was only logical that less money would be in circulation when the war on corruption ended the regime of extravagance (U. Chukwura, personal communication, February 17, 2018). Ruminating on the past, a grocery seller strongly argued that the standard of living was far better during administrations President Buhari and his party claim permitted unbridled elite corruption (K. Grace, personal communication, August 29, 2017).

Worthy of note, Nigeria experienced a recession soon after President Buhari's inauguration. Analysts agree that the recession was triggered by the acute shortage in foreign exchange in the central bank to facilitate importation in the highly import-dependent country. The shortage in forex was occasioned by the fall in oil prices in the international market in 2015. As a result, the national currency (the naira) depreciated against major international currencies, particularly the United States dollar. A further consequence was the rise in the prices of imported goods by more than 150%, thereby setting in double digits inflation for more than two years. As firms that could not remain in business folded up, unemployment and underemployment deepened, raising the extreme poverty level to a new high (Olakoyenikan, 2017). While these events are true, proponents of the BBOC sentiments instead faulted the government's obsessive focus on fighting corruption.

A respondent who sympathised with the BBOC movement was disappointment that the president picked the anti-corruption war as the most important policy to pursue when as she argued, many aspects of the country needed his 'equal attention'. The respondent believed that the president's narrow-mindedness might have quickened the onset of the recession, prolonged its duration and deepened its impact (Civil servant, personal communication, January 22, 2018). In fairness,

President Buhari may have been overtaken by his deeply expressed resolve to tackle corruption, which he often says would lead to Nigeria's demise if not treated as an emergency. The administration's response to prerecession red lights may have been suboptimal. However, a retired civil servant argued that most persons faulting the president's prioritisation of confronting corruption used that to camouflage their anger over the damaging effect the anti-corruption campaign has had on the regularity of money flow to citizens:

...most of the people blaming Buhari for every wrong happening in Nigeria today do so because they are angry that he is trying to stop politicians from stealing...all these people shouting 'bring back our corruption!' are not just being cynical, they are expressing genuine frustration that politicians no longer give them money and food like before when stealing was allowed (W. Mbakwe, personal communication, August 17, 2017).

The respondent revealed that since 1999, members of his political constituency have organized into diverse groups like social unions and cooperatives that engage with politicians. The groups usually take financial demands to politicians who most often respond positively because they would always 'return to the groups for votes'. The handouts, according to Mbakwe, mainly cover tuition fees and scholarships, medical bills, cost of organising wedding, child christening and funeral ceremonies, traditional festivities, etc. Much of it also goes toward financing small-scale farming, corner shops, beauty parlours, grain and grocery stores, transportation in rural and semi-urban locations (rickshaw, motorbike, taxi, etc.), unauthorised sports screening centres, and many other forms of informal economic activities. He noted that since President Buhari came to office, the money-flow seemed to have drastically reduced going by the complaints by friends and associates who were known beneficiaries of politicians' regular freebies.

BBOC and the Political Economy of Anti-corruption

A member of the ruling party argued that the BBOC campaigners were only doing the bidding of pro-corruption politicians who sought to derail the war on corruption (APC Official, personal communication, July 25, 2017). On the contrary, a respondent suggested that the counter-campaign pointed more to the failure of the Buhari administration to appreciate the reach of proceeds from public sector corruption in Nigeria and the consequences of unintelligently designing and executing a response to the menace:

...This is not to glorify corruption. You have to understand that in a dysfunctional [country]...corruption has its advantage, and the advantage is that if you have a lot of people who have access to the public treasury as you do in Nigeria when they access it, there is a ripple effect... A government comes in and in less than a year says 'No more!'", and in a cold turkey manner [sic] tries to cut people off. That reaction was [to be] expected (T. Abolade, personal communication, July 13, 2017).

A lecturer of law at the University of Ghana agrees with Abolade's view that the Buhari administration failed to understand the reach of proceeds from bureaucratic and political corruption in Nigeria. He believed that African countries struggling against endemic corruption in the public sector could draw crucial lessons from the BBOC counter-campaign:

I just returned from Nigeria [and] everybody is chanting 'Bring back corruption!'...addressing corruption without understanding the political economy of corruption is dangerous...Buhari did a very... suboptimal theorisation of corruption in Nigeria and...the critical role of corruption in keeping the scope, structure and success of the Nigerian economy in the near term. If you eliminate corruption in Nigeria or Ghana today, many will starve, and in Nigeria, people are dying of starvation...the only way to avoid this is to find a social safety net for those who depend on corruption on the secondary and tertiary levels for survival and implement that simultaneously with the crackdown on corruption... (Atuguba, n.d).

A professor of political science agreed that by controlling the illicit outflow of government finance, President Buhari compelled ordinary citizens to rely on the formal economic system, which, due to decades of corruption and neglect, had not been developed to cater to the greater number of citizens. With the government as the major industry in the country, the anti-corruption campaign immediately threatened the livelihood of citizens who, either directly or indirectly, depended on the regular flow of illicit government money (I. Ibaba, personal communication July 25, 2017). A mid-management banker informed the study that illicit flows make up a key channel through which government money is informally redistributed to citizens. He argued that poor economic management by the Buhari government and restrictions placed on politicians and civil servants' ability to illegally access government funds left ordinary citizens more vulnerable and agitated, hence the opposition to the administration and its war on corruption (D. Oseloka, personal communication, January 25, 2018).

According to a former member of Nigeria's House of Representatives, the transactional nature of interactions between public officials and their social groups or constituents make patronage exchanges a major mode of wealth redistribution. As he remarked, the elites, particularly politicians, would love not to be troubled with constituents' 'stomach and other personal needs' that 'should not mix with the business of governance'. However, they find themselves locked in a situation where patronage exchanges are inevitable. The longer patronage exchanges last, he noted, the more perilous it may be for reforms or anti-corruption efforts. The respondent believed that like previous anti-corruption attempts, the Buhari anti-graft programme set off on the faulty premise that corruption in the bureaucracy or government only benefits administrators and politicians (A. Razak, personal communication, July 8, 2017).

Conclusion

Developing countries are testaments to the perniciousness of public sector corruption. As public resources end up satisfying the avarice of bureaucratic and political elites, public wellbeing becomes a casualty. For this reason, public sector corruption in the developing world is mostly associated with deleterious outcomes, hence the overwhelming tendency to study the malaise from its dysfunctional consequences. Regarded as victims of the venality of public officials, the masses are expected to back government anti-corruption efforts as doing so will be in their best interest. However, as the BBOC pushback to Nigeria's ongoing war on corruption suggests, when the masses perceive corruption to be functional to their livelihood, they may, contrary to intuition, resist anti-corruption efforts.

The implication is that where public sector corruption is functional to the masses, it may produce longer-term challenge for anti-corruption enforcement. Therefore, this article suggests that the tendency to measure the functionality of corruption only by how much corruption facilitates bureaucratic efficiency and enhances economic growth may be misleading for the purposes of framing and implementing anti-corruption measures. As the article has attempted to demonstrate, predicated anti-corruption policies on the assumption that proceeds from corruption only benefit the corrupt bureaucrat or politician may undermine the success of such policies. Through patronage exchanges common to developing countries, a substantial portion of proceeds from official corruption may go toward alleviating the misery of alienated masses. Therefore, improving formal wealth redistribution could lead to a shift from patronage exchanges and the legitimisation of anti-corruption measures among the masses in states such as Nigeria.

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The Role of the Media in Leadership Recruitment in Nigeria: An Analysis of the 2015 Presidential Elections

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Abstract

The growth, development and stability of any given society depends, to a large extent, on the quality and type of leadership it possesses, including especially the level of input of the civil society, notably the media in the emergence of such leaders. Based on this backdrop, the paper examined the role of the Nigerian media in leadership recruitment with particular reference to Nigeria's 2015 Presidential election. The paper found that the advocacy role of the Nigerian media before, during and after the 2015 Presidential election was not balanced and even outrightly biased on a number of occasions. The study adopted documentary method in the collection of data and the data were analyzed using logical induction while the Agenda setting theory was applied as its theoretical framework. The paper recommends among others that the media managers and practitioners should genuinely embrace unbiased professional ethics of the media in their reportage.

Keywords: Media, Leadership, Nigeria, Presidential, Election.

Introduction

It is not an exaggeration to state that the media remains the fourth estate of the realm, the watchdog and the conscience of the nation. It is the organ that informs the public about the activities of the three arms of government- the executive, legislature and the judiciary. It is also interesting to note that the media do not only serve as a watchdog but guide to government towards positive change and information is the basis of effecting such change as well as tackling the consequences of change.

Over time, the media, print media in particular has come to be regarded as the fundamental foundational structures of leadership recruitment. The Nigerian media have stood been notable in this regard. But unfortunately, it has not been able live above the contradictions of the Nigerian state.

Undoubtedly, the Nigerian media have demonstrated robustness in its self-imposed role of setting and pursuing agenda both in military and democratic regimes. The Nigerian media have created an aura of invincibility around personalities that anecdotal evidence upbraided for less noble roles in Nigeria's leadership recruitment thus, undermining its social responsibility to the society. The resultant effect is the

enthronement of the culture of impunity and total disregard of the rule of law in government and governance. In the words of Adeyemi (2006), throughout the history of mankind, the press has always occupied the fore-front of socio-political and economic changes.

Therefore, there is a growing concern about the mass media that they are not fulfilling some functions properly to enhance democratic ideals especially in the area of leadership recruitment. Some media critics have claimed that commercial mass media controlled by a few multinational conglomerates have become antidemocratic force supporting elements of capitalism to further pauperize the masses (Kellner, 2004 and Mcchesney, 1999). Therefore, there is the absence of serious debate where voters are left with paid political propaganda containing only meaningless slogans making them disinterested and cynical about politics (Barnet, 2002).

Within this context, this paper examines the role of the mass media in leadership recruitment in Nigeria with particular emphasis on the 2015 presidential election.

Conceptual Clarifications

Mass Media

According to the advanced learner's dictionary (1983), mass media is defined as the sources of information in the various media vehicles such as news papers, magazines, radio, and television and so on, that reaches and influence large numbers of people from different heterogeneous background. To Mills in the power elite (1956), mass media have two important sociological characteristics; first, very few people can communicate to a great number; and second, the audience has no effective way of answering back. Ojo (1999) explained that the mass media is grouped along the three other main estates viz: the executive, judiciary and legislature while the agents of mass media are regarded as the fourth estate of the realm in any nation. The mass media have been grouped into two classes: the print media such as the newspapers, magazines, pamphlet, direct mail, circulars, bill boards, sky writing and technical device that carries a message to the masses by appealing to their sense of sight. The second category is the electronic media under which we have the radio, television, motion pictures and video recording that appeal to both the sense of sound and sense of vision; indeed, mass media are said to be modern principle papers, magazines and the internet media (Uyo, 1987; Blank & Harolsen, cited in Ojo, 1999 and Ajibade, 2010).

Leadership

In spite of the significance of the term leadership, there exist a lot of disagreements among scholars and writers about the true meaning of the concept. It is really becoming very difficult to attempt a definition of leadership. It has become very difficult to define what exactly makes some people to become leaders.

Bernard (1948) rightly stated that "indeed, I have never observed any leader who was able to state adequately or intelligently why he was able to be a leader, nor any statement of followers that acceptably expressed why they followed". Leadership is

usually regarded as the most important modifier of nation's organizational behaviour. Putting the right man in leadership job would solve almost the problems of organization or nation. Millet (1954), in his book: *Management in Public Service*, says that, "leadership is often thought as being primarily personal character, as being founded upon individual pre-eminence or accomplishment in particular field of endeavour, superior strength, superior cunning, superior intelligence, superior knowledge, superior determination-any or all of these may be means to the attainment of leadership". No one can deny that these personal qualities do pay dividends but leadership is not all personal pre-eminence. It is something more and that "something more" is the essence of leadership. It is the ability to determine new goals, to hold forth new and loftier expectations for the group, to embody moral and spiritual aspirations and to show the group its nobler potentialities that make a man a leader.

Theoretical Framework

There are many theories on mass media and how it influences peoples' attitude, opinion and most importantly, their social behaviour. However, for the purpose of this study, Agenda-setting theory was applied as a theoretical framework. Agenda setting theory was made popular by the assertion of Cohen (1963) who said that the press 'may not be successful much of the time in telling people what to think, but it is successful in telling its readers what to think about'. There are plenty of evidences that the media have a strong influence on people's perception of which issues are important and which problems they want their government to do something about. The influence of mass media increases when the need for orientation among the viewers is much.

The Agenda setting theory of the mass media attempts to determine how the popular agenda of the media affects society and attempts to explain why mass media has gained so much power over the thoughts of people everywhere. This theory conceptualizes and explains the different forces that dictate how important issues in the media are perceived by people in the society. McCombs and Shaw regarded Watergate scandals in USA as a perfect example of this theory. The theory also takes a back-to-the basics approach to communication theory and research. The agenda setting theory was first discussed during the 1968 presidential election. The theory is a robust and widespread effect of mass communication, an effect that results from specific content in mass media (McCombs, 2004). The agenda setting theory with the prevailing selective exposure hypothesis, reaffirming the power of the press while maintaining individual freedom.

In their groundbreaking study, which was first discussed and measured during presidential campaign (McCombs, 1993); they believed that the theory created a cause and effect relationship between the media and public agenda. They emphasized that the media influences the way we-public think. The theory attempts to prove that the media is able of telling the public what current issues created by the mass media in a given society, that is, the theory was discovered to create public awareness of issues created by the mass media.

In this respect, the need for agenda setting in leadership recruitment becomes necessary here because the theory lowers the unpleasant issues that people can observe directly as well as for other issues that the audience is well informed about. The media have little power to set the agenda when people have sufficient political knowledge to counter argue the claims made by the media. Therefore, agenda-setting effect is stronger for concrete issues that are easy to visualize than for abstract issues (McCombs & Reynolds 2002; Yagade & Dozier, 1990 and Yengar et al, 1982).

However, the critiques alluded to Agenda Setting Theory was that the theory was made in the 1970's before personal un-massed media devices were available to everyone. The power of agenda setting that McCombs and Shaw describe may be on wane, even though scholars argued that the changing media merely opens up the theory to new domains (Griffin, 2012). The issue is that the media may not have as much power to transfer the salience of issues or attributes now as a result of users' expanded content choices and control over exposure. With un-massed media, the agenda setting theory may lose its relevance completely overtime.

Emergence of Mass Media in Nigeria

Nigerian media started as a forum for debate, education and discussion of public issues which was aimed at public enlightenment and entertainment. Thus, the birth of Nigerian media as an institution that promotes public enlightenment through information dissemination can be traced back to 1859 (print media) and 1932 (electronic media) respectively (Nkwocha, 1999; Ojenike, 2005; Enemaku, 2005). The first print media-newspaper was established by Rev. Henry Townsend, with a publication called *Iwe-Iroyin*. The objective of this publication was to get its audience (people) to acquire the habit of seeking information by reading. With the upsurge in daily newspapers, the media became a platform for the expression of nationalists' consciousness. For instance, in 1880, a group of Nigerians established the *Lagos Times*, which immediately started as a series of confrontation with colonial forces.

On the other hand, the first electronic media-radio station started in 1932 when the British Colonial Government opened a Radio Distribution Service (RDS) in Lagos to transmit British Broadcasting Corporations (BBC) programmes in Nigeria (Sulaiman, 2002). The RDS was later transformed into Nigerian Broadcasting Service (NBS) in 1951 and by 1957; the NBS was changed to a corporation status called Nigerian Broadcasting Corporation (NBC) in order to shield it from government interference and undue propagation of the views of the ruling political party. Also, the first television station - Western Nigerian Television Service (WNTS) was established in 1959 by an opposition leader, Chief Obafemi Awolowo, who was denied access to national radio (Ojenike, 2005). Thereafter, each regional government followed suit and established their own television stations. In this respect, the Federal Government in January 1st 1962 launched an interim service/a global network service which later matured into a fully-fledged government parastatal now known as Voice of Nigeria (VON) through Decree 15 of 1991 (Nkwocha, 1999 and Ojenike, 2005).

Thus, with the trends of time, many private and government-owned media sprang up for political purposes. Therefore, ownership of media industry was more

for political asset to the politicians than for the monetary gains that might accrue from such investment. The ownership of the media which had become competitive among political leaders proliferated after independence, leading to the establishment of conglomerates with politicians and political groups investing in and sustaining, several publications within such conglomerates across the length and breadth of the country (Duyile, 1987 and Uche, 1989). Infact, it must be noted that the Nigerian media have been squarely challenged owing to interplay of factors, such as inclination of the Nigerian state and its rulers/leaderships towards dictatorial tendencies, among others. But the proponent perspective is that Nigerian media have been playing a very significant role in setting the agenda for public discourse and molding the direction of public opinions on vital issues in the country.

Equally, Africa Leadership Forum (1991) affirmed that efforts to disseminate ideas and information to exert influence in the African societies were perhaps as old as formal society. As noted by the Farm House Dialogue 15 of the media in democracy (1991), the ancient Yoruba kingdoms had many rulers overthrown by the collective dictions of the people mobilized by drummers and town criers. Similar events also took place in the Northern part of the country where Arabic writing had existed long before the British colonialists came. As a corollary, the first attempt recorded to formally use the mass media to influence society in the effort that eventually developed into the Nigeria was by one Rev. Henry Townsend in 1859 in his publication of the *Iwe Irohin*, the first newspaper in Nigeria (Farm House Dialogue 15, 1991).

The adversarial naturalist press began in Nigeria after the amalgamation of the Northern and Southern protectorates in 1914 when the colonial governance of Nigeria was affected from Sierra-Leone. The anti-colonial crusading Sierra-Leoneans such as Richard Blaise came into Nigeria with the mindset of how to use newspaper to mobilize the populace against colonial rule.

The first truly Nigerian newspaper called the *Daily News* was founded by Herbert Macaulay. The *Daily News* articulated clear Nigerian position on many issues and was read by the literate minority of the elite in Lagos and its environs. The newspaper naturally became a major tool in the nationalist crusade.

The *West African Pilot* founded in 1937 was the first mass circulated newspaper devoted to promoting serious broad-based anti-colonial crusade in Nigeria. Dr. Nnamdi Azikiwe started and founded the indigenous newspaper with readership of a national scope. The *West African Pilot* founded in 1937 was to serve as the mouth piece of the National Council for the Nigeria and Cameroon (NCNC). The *Nigerian Tribune* was founded in Ibadan in 1949 to champion the cause of Agbe Omo Oduduwa and the Action Group, and welfaristic doctrine of its leader Chief Obafemi Awolowo. The *Gaskiya Ta fi Kwabo* had been set up in Zaria in the 1930s by the Colonial Development Corporation as a vernacular newspaper to serve the need of the Hausa speaking groups in Northern Nigeria. The *Nigerian Citizen* came into being in 1940s while the *New Nigeria* emerged in Kaduna in 1966 as a newspaper owned by the Northern Nigerian Government with a clear mandate to promote northern interest. The *West African Pilot* began the promotion of the Eastern

Nigerian interest when Zik emerged in the 1950 as the premier leader of the Eastern Region. Since then, ownership became a crucial factor in determining the nationalist outlook of most newspapers (Farm House Dialogue 15, 1991).

The 1980s set the pace of other kinds of print media essentially the private newspapers with no clear political leaning. The emergence of the Punch newspaper in the 1970s helped to fine tune the destabilizing role of the adversarial newspapers either affiliated to political parties or owned by government.

In the area of electronic media, it is a clear fact the government, colonial or post colonial saw the electronic media essentially as a propaganda instrument. The evolution of the electronic media took off on an entirely different direction, first from the late 1940s when redifussion services were first introduced especially on television. The ownership and control of these media was by government, this is because the government sees electronic media with potentially wide reach, their ability to transcend the barriers of literacy and education and their importance to national stability.

The News Agency of Nigeria as the network for dissemination of news to other media houses came into being in the 1940s as "Africa News Agency by Dr. Nnamdi Azikiwe to service his chain of newspapers across the country but was limited in scope. The News Agency of Nigeria (NAN) which in the true sense was meant to service the country emerged after the civil war with the motive of collecting and spreading information within and outside the country to enhance national stability. The NAN therefore, has widened the horizon of the Nigerian press with its widely dispersed network of correspondents than any other medium. It has enhanced the reporting of world events to Nigeria and consequently reporting developments of Nigeria to the world as well (Farm House Dialogue 15, 1991).

Challenges of the Nigerian Mass Media

There are various challenges facing the mass media in Nigeria which includes but not limited to the following:

Poor Training of the media personnel:- one of the major problems facing the media practitioners in Nigeria is the lack of adequate and proper training of personnel. Nigerian journalism is increasingly becoming all corners affairs with anyone who can string words together- verbally or in writing, feeling he or she can become a journalist. Nigerian Journalism is consequently not professionalized. In addition to poor training, many journalists work with primitive elements in an era of sophisticated gadgetry, and one of the consequences is the inability of the media practitioners to discern the national interest or even to know how to report or write with sensitivity to such interests.

Ownership Structure of the media:- Another key determinants of the way the media reports events is their ownership structure because as the saying goes, "he who pays the piper dictates the tunes. In fact, a study of media ownership and its impact on leadership recruitment through elections in Nigeria shows that the media have not lived up to its responsibility which was evident in the media reportage during the 2015 presidential election where the then ruling party used the media to carry out

campaigns of calumny against the candidate of the then main opposition party General Muhammadu Buhari. The Institute of War and Peace Reporting in 2012 found that most of the broadcast media in Nigeria were owned by federal and state governments and that for the most parts the owners determined the contents. The Commonwealth Observer Group in its report on the 2007 elections in Nigeria said that the significant state ownership of the broadcast media negatively impacted on and influenced the coverage in favour of the incumbents' parties.

Poor Remuneration:- It should be known that the remuneration of Nigerian journalists is very poor looking at the nature and risk involved in the job. It was found out that poor remuneration of journalists even by the few private owners, leads to self-censorship since the thank you they get from politicians and people they write about is a major source of making ends meet. Quite often, even the meager salaries they are paid are not paid on time and there are instances where journalists are owed upwards of one year's salary in arrears. Extrapolating from these, it could be inferred that because of survival imperatives, most of the media are the megaphones of their respective state governments and individual owners.

Role played by the Mass Media in Nigeria during the 2015 Presidential Election

More than ever before, the mass media have become more important in leadership recruitment because of their pivotal role of reaching as well as dependence on them for the needful information and guidance (Saliu, 2006). The media in the New World order have emerged as a crucial part of the machinery for vetting and legitimizing elections. The mass media provide information to the voters about the candidates, the electoral process, actual voting dates and the rules of the game (Olutokun & Dele, 2001).

In any political dispensation, the media have important role in the recruitment of leadership because they have to work with the political parties and the electorates by educating them on party manifestoes. They also help by making electorates to appreciate issues about candidates and political parties.

Whenever the term media is mentioned, what comes to mind is information dissemination. This is so because one of the most important roles of the media is its information carrying functions. It should be noted that the whole business of the press in Nigeria and West Africa at large was borne out of the need to arouse consciousness in the minds of the people during the colonial period. Nnamdi Azikiwe as reported by Anegbode & Azelama (2003) affirms that there is no better means to arouse African people than that of the power of the pen and tongue.

From the above assertion, it is crystal clear that the Nigerian media has not lived up to expectation in spreading useful and developmental information to the society during the 2015 presidential election. This accounts for the tons of news stories, editorials, commentaries, interviews and other information giving the activities of the mass media in both print and electronic media during the leadership recruitment in Nigeria's 2015 general elections and presidential election in particular. The media have not helped the Nigerian people to keep abreast of development in the political space of the country.

It is noteworthy that there exist various programmes on Radio and Television such as “Nigeria Decide” on the Nigeria Television Authority (NTA) essentially during elections that are to graphically illustrate a contemporary information giving role played by the media to make the electorates know the profiles of their potential leaders from the interviews and fact files about aspiring politicians. Unfortunately, the reverse was the case during the 2015 presidential election in Nigeria as most media organizations were used for campaign of calumny against the opposition parties. Pertinent among them are the Nigeria Television Authority (NTA) controlled by the Federal Government of Nigeria, Africa Independent Television (AIT) and Ray Power FM station owned and controlled by one of the stakeholders and member of the presidential campaign of the Peoples Democratic Party (PDP), Chief Raymond Dokpesi, and many other media outlets were used to promote hate speeches against their opponents.

Much more fundamentally, the Nigerian media should be seen as a useful medium for structuring the political landscape of the country, an avenue for agitation and proper political leadership. Importantly, one of the tenets of the social responsibility theory is enlightening the public and making them capable of self-governance. These tenets therefore, put on the shoulders of the media the responsibility of ensuring good leadership in the society in which it operates.

According to Anegbode and Azelama (2003), one of the instruments of African (Nigerian) Nationalism therefore, was frequency or longevity; each nationalist newspaper was a vehicle for the formation of public opinion. The press was a medium for agitation and political leadership. The press referred to here were the newspapers like Iwe Irohin, The Comet, Lagos Times, West African Pilot, to mention a few, which were instruments for fighting colonialism or bad policies at different levels and stages of Nigeria’s struggle for self-rule (Ufuophu-Biri, 2006; Haruna, 2004). The aim was to arouse empathy and political awareness in the demand for independence. The media do not only agitate or draw attention to the bad policies of government but also drum support for the positive initiatives of government (Okenwa, 2001) said that the press had ceased to be an opposition press and has assumed a contributory responsibility in the awesome task of transformation which was ushered in at independence.

The above scenario changed during the last administration, especially during the 2015 presidential campaign as the media derailed in the news reportage by allowing itself to be used by the then government in power. The Nigerian media was seen by many within and outside the country during the 2015 general elections in the country as the mouth piece of the Peoples Democratic Party owing to the fact that the media played the scripts written by the PDP throughout the electioneering campaigns in order to ridicule the personality of their perceived opposition.

In an egalitarian society, the media is seen as a watchdog because of its watchful and critical role against the bad practices of the government and private individuals. Ralph Akinfeleye (2000) describes journalists (media practitioners) as corps of intrepid reporters who are always caught in the web several steps ahead of the goons. The political leaders and their cronies at one time or the other try to find

way to tailor the constitution to suit their selfish needs and aspirations. Ugulah and Erebi (2008) concur with Akinfeleye's position on the power of the media to avert such activities when they maintain that Obasanjo's third term agenda would have succeeded but for the vibrant media and a coalition that ensured that Nigerians were properly informed to resist unconstitutionality. The media in performing their watchdog role drummed publicity to this ignoble act and his ambition to perpetuate himself longer than necessary was truncated. But recent activities of the media in Nigeria have discredited it for not performing its functions according to the ethics of the profession.

Conclusion and Recommendations

From the above analysis, the mass media are no doubt, very useful in leadership recruitment process in any nation. The media in their agenda setting role are to help the Nigerian electorates to have an insight into the personalities of the political office seekers, their manifestoes and plans and not to be bias in any aspect. The media have not done well in the discharge of their duties by disseminating useful information to the public during the Nigeria's 2015 presidential election. The role of mass media in leadership recruitment cannot be overemphasized. Therefore, mass media must look for avenues to improve on the quality of information they disseminate in order to sustain Nigeria's democracy.

Since democracy is about popular government and participation, the media institution must play the role of providing strong link between the leaders and the led, by inculcating, articulating and constructively criticizing the policies and goals of the former and communicating the views and opinion of the later.

The Nigerian media must not immune to corruption, ethnicity or factionalism, all these affects the Nigerian socio-economic and political development. And this will necessarily detract them from their normal profile and consequently weakened their watchdog role. And since the freedom of information bill has been in place, public officials must grant the media access to public information as a constitutional matter.

The media institutions have serious role to play in the training and retraining of journalists so that they can perform their functions effectively and efficiently thereby promoting development within the culture of democracy.

Finally, the media managers and practitioners should genuinely embrace unbiased professional ethics of the media in their reportage.

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Electioneering Process in Africa: Issues and Challenges for Sustainable Development on the Continent

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Abstract

The last decade of the 19th century witnessed the enthronement of civil rule and democratic governance across the African continent after many years of military regimes. The defunct military era promoted dictatorship and autocratic governance that prevented the involvement of the people in the administration of the states across African continent. With waving growth of democratic governance in the last leg of the century, electioneering process became controversial and susceptible to violence which can be traceable to selfishness of political actors and sits tight syndrome of leaders across party lines which has birth hiccups in electioneering process. This has greatly impacted negatively on the enthronement of sustainable democratic governance in Africa. Relying on secondary data with empirical analysis, the paper averred that the alien nature of democracy to the continent make both the electorates, political parties officials and African leaders to form the fulcrum of electioneering process and lacks good electoral behaviors that become an impediment to successful electioneering process in the continent. The paper recommends among others that both the electorates and party actors should change their socio-political attitudes and imbibe good electioneering spirit towards having democratic sustainability across African states.

Keywords: Electioneering Process, Free and Fair Election, Democracy, Challenges

Introduction

Across the continent of Africa and most importantly in post independent Africa era, virtually all the countries have experienced challenges in electioneering and democratization process. The continent of Africa is currently faced with serious crisis in the entrenchment of democracy and democratic practices. According to Okoli (2008), the post-independence democratic states in Africa are characterized by varying issues such as a single party state, military rule, authoritarian regime and dictatorship government while democratization processes was fraught with many political predicaments. From West Africa to the North of the continent, to the Central Africa to Southern part, almost all the member nations have gone through one political turmoil or the other with invaluable loss of human lives and material resources.

However, with the end of military rule across the Africa continent around the end of the 19th century, the birth of democratic practices and had become an emerging phenomenon across the continent while vast majority of the defunct military regimes were averse to the enthronement of democracy in their various states thus the continent continued to wax in poverty and underdevelopment. Omotola (2006) suggests that democratization has been a major challenge to the continent after the military rule that reigned for some decades and this has resulted into complex political violence, intra ethnic conflicts, military coups, political tension and instability. In the process, majority of African countries have made attempt to democratize their governance though in reluctant manner, while others have decided to pretend to democratize in order to associate with current global demand.

In the recent time, nations across the continent of Africa have demonstrated the capability and readiness to be reckoned with in the comity of democratized continent of the world especially as seen in most first world countries of Europe where there is relative guarantee of fundamental human rights of citizens, freedom of expression and guarantee of basic human needs such as shelter and food. According to George (2016) Ghana, Benin Republic, Bostwana and Cape Verde have conducted free, fair and credible elections in recent years which were devoid of major violence. In Nigeria, the decision of Former President Goodluck Jonathan to congratulate his major opponent in the 2015 presidential election signaled positive electioneering process in the continent. With this development, it can be therefore suggested that Africa can still go far on this note of positive democratic and electioneering processes. However, the success of those countries cannot serve as determinant to how successful Africa continent in its democratization efforts because majority of the member states of the continent are yet to come to term with sustainable and acceptable electioneering process in the course of conduct of election in their respective states (George, 2016).

To Jinadu (1997), the problem of electioneering process and its administration in Africa can be traced to the fragile and stunted character of the electoral machinery inherited at independence. Much of it was rudimentary and ad hoc, based on a narrow and restrictive franchise in order to ensure succession favourable to the colonial regimes, although this objective was not always achieved. The inherited electoral administration was in effect easy prey to manipulation and, in many cases, to outright control by the successor regimes to colonial rule, who, in their bid to retain power by all means and to monopolize the political market-place, saw no reason to develop strong, independent electoral administrations that would only serve to undermine or subvert their hegemonic drive and in this way, electioneering processes and their administration was politicized.

In countries where the military took over power, electoral bodies were simply manipulated or dissolved and electoral administration thrown overboard. There is the need to conduct research on the problems and challenges confronting African democratization process. The problem of electoral administration in Africa, against this background of the departure from competitive liberal democratic politics, is therefore imperative to focus on the conditions under which electioneering process

can and be what it should be, in order to ensure that elections promote democratic sustainability in Africa.

It is in the light of this background that this article examines those associated issues hindering sustainable democratization and electioneering process in Africa and how it affects the manifestation of peoples' interest while electing their leaders to public offices by x-raying how African democratization trajectory brings out issues and challenges encountered in the course of conducting credible elections in the continent. The article also aims to situate the issues undermining democratization project across the continent of Africa and how these challenges could be overcome in order to achieve sustainable electioneering process in the continent.

Conceptualization of Election and Electioneering Process

In some literature, an election is a formal group decision-making process by which a population chooses an individual to hold public office for specific period of time. Therefore, an election is a process of filling vacancies that exist in public offices in the legislature, and to the executive arm of government at the central, regional, and local levels.

In a democratic state, Anifowoshe (2007) has rightly observed that the right to vote is the main way citizens influence decisions about how their country is being governed. Citizens get their chance when the government decides to hold an election. To win an election, politicians have to persuade people to support them. Each political party needs to develop a manifesto (plan of action), explaining what they would do if they were elected. Citizens make their choice in secret by marking a ballot paper and putting this into a ballot box that is not opened until after polling (casting of votes) has ended. Voters have to decide whether they agree with the manifestos and promises and whether the politicians can be trusted to keep them if they get into power (Anifowoshe, 2007).

However, the purpose of elections as a tool for selecting political leaders and electing representatives in modern representative democracies which is in contrast with the traditional system of government in place during pre-colonial Africa. According to Gabrielle and Gardon (2012), election is a concept that involves the process of retaining, changing and transferring leadership position in a democratic society. The concept is however alien to the African continent that recently embraced democratic governance after long year of military rule. Most member state of this continent were traditionally undemocratic and have been reinforced on this belief by the cold war era between United States of America (USA) and defunct United Socialist Soviet Republic (USSR) which has promoted authoritarian, autocratic and dictatorship regimes in the continent.

Electioneering is not synonymous with election only. To Diamond (2007), election is an aspect of electioneering process that entails process of party formation, party politics, establishment and constitution of independent electoral body that should conduct of free, fair and credible election and institutionalization of unbiased electoral tribunal. Electioneering covers pre-election, election and post-election period of governance and democracy. It is the hall mark of democracy which if not

constructively managed can lead to political tension and creating chaotic, conflictual and violence condition that can be instrumental to a destructive democracy. It can also become threat to social order, economy development and regional integration as reflected in the African democracy.

In another development, Lamamra (2010), avers that the centrality of electioneering process is the survival of democracy in Africa and its negative consequences are the means and mechanisms by which people make choices about who should represent and lead them in governance. Elections are the instruments that can facilitate changes in leadership from one party to another in a way that is structured, competitive, transparent, and within a legal framework. In such a process, tension is inevitable and perhaps desirable to the extent that it can bring out the best of the contending parties or individuals, but it can also bring out the worst. Elections can fuel violence in situations where contestants do not follow the rules or accept the election outcome as the legitimate expression of the will of the citizenry.

In modern democracy, election is the only major and all-embracing means to express people or public choice on the emergence of candidates that will occupy public offices. It is a great marker on the milestone of democratic sustainability. In Africa, electioneering has been conducted with mixed records of success and near-failure because of the actions and inactions of desperate politician who wants to emerge against the wish of the electorate Mansfield (2004), because the process that supposed to build and enhance established democratic tenets has remained abated as a result of over ambition of politician and the desires of African leaders to remain in power and its resistance by the opposition which always resulted to violence. Despite series of reforms initiated globally to improve the conduct and process of election, such as appointment of international observers and fairly Independent electoral bodies, African continent still witnessed pockets of anti-democratic actions that has reduced the development of elections.

Electioneering and Democratic Process in some African Countries: Appraisal

The third wave of democratization that hit different parts of the world at different times and most importantly its influence on the emergence of democracy in Africa in the early 1990s that lead to the dismantling of military rule and other practices that negate the participation of the people in the affairs of their respective states (starting with Benin Republic in 1991) and subsequently other states across the continent and specifically 1999 in Nigeria. This period saw the re-introduction of election in the continent as a major pointer to the restoration of civil rule after years of military and authoritarian dictatorship.

Military rule have been successful fought and defeated by the people through internal struggles by civil societies and in some other instances through collaboration with the international community and it has been settled that never again will martial rule be accepted across the continent. Accordingly, the democratic waves blowing globally have made African people to embrace democracy as form of government as against the dictatorial governance under military regime. With democratic enthronement in Africa, all democratic mandates and legitimacy for leadership have

been given to individuals and political parties through the ballot box. All of these were driven in part by the conviction of the African civil society that a plural democratic society can greatly contribute to the promotion and attainment of good governance (Tsav, 2016).

But decades after, this renewed hope of instituting democratic practices have been dashed, given series of developments from different countries on account of elections and its outcomes have combined to continue to dash these hopes. Furthermore, experiences from Somalia, Zimbabwe, Kenya and now Cote d'Ivoire show that developments from electoral conducts and outcomes are posing strong and real threats to democracy, peace and stability within the countries in particular and Africa in general. George (2016) alluded to the fact that democracy is both expression and expansion of man's freedom and has over time become synonymous with man's progress. In most African countries, recent political development suggests that elections appear to be only an expedient political exercise for ruling regimes.

Characteristically, election in Africa has been accompanied with irregularities such as lack of internal party democracy, transparency, insufficient financial backing and sponsorship by god-fathers, poor-voters education, improper and lack of adequate training of electoral officers. To Makinwa (2015), all these, combined together have resulted into violence before and after election and this has grave consequences on the nascent and fledgling democracy of some countries in the continent.

Although, in some African countries, democratization is being achieved and relative sustainable development is being noticed. It is in this direction that Gabrielle and Gadon (2012) succinctly captured election cycle in Africa when they observed that before 1989, only Botswana and Mauritius had regular multi-parties base elections, but towards the end 2000s almost all countries in the continent held elections with aims of perpetuating the ruling elites in power which was rejected by the opposition and consequently resulted in violence and political unrest in the polity (Bakare, Suru and Ibrahim, 2014).

In the past two decades, the general political trend in Africa has been toward greater accountability of political leaders, whose domestic legitimacy is largely linked to the means through which they attain and maintain power. Alike (2017) believed that still yet progress has been uneven while elections have facilitated the emergence of democratic governments in Benin, Cape Verde, Ghana, Mali, Senegal, and South Africa. Following autocratic regimes and protracted civil wars, more stable societies have emerged in Nigeria, Guinea, Liberia, Niger, and Sierra Leone. In some cases, however, elections have been manipulated to legitimate autocratic regimes or to ensure dynastic successions in Africa which have collectively led to deaths and displacement of the people in the continent.

Challenges of Electioneering Process in Africa: Empirical Studies of Selected Countries in the Continent Nigeria

In Nigeria, the challenges in electioneering process witnessed since 2003 general elections portend danger to democratic governance in the country and African continent at large. This observation was noted based on several cases of politically

motivated killings and various degrees of electoral violence unleashed on Nigerians in many part of the country. In some parts of Benue state, (Tsav, 2016) opined that 2007 elections were the worst elections in terms of organization and the aftermath of violence. During the 2007 elections, the PDP-led government deployed the Armed forces and other para-military services to presumably rig the election with the purpose to win the election. The Justice Development and Peace Commission (JDPC, 2007) noted that the 2007 elections marked a watershed in Nigeria's political history as the first successful civilian to civilian transition to civil rule amidst its endless shortcoming which was echoed by the Late President, Musa Yar'Adua.

But notwithstanding the historical context, the 2007 polls was marred by electoral malpractices, including political assassinations, snatching of ballot boxes and falsification of results at collation center. The repercussions of this scenario resulted to wanton destruction of lives and property in the affected states across Nigeria. The elections were severely criticized by virtually all election observer groups both domestic and foreign groups who monitored and observed the general elections (Nnanta, 2008).

To consolidate on the failure of good electioneering process of 2007, the 2011 elections were also poorly organized and conducted by electoral umpire. Bamgbose (2012) observed that the parties' political manifestoes were neither based on ideology nor any lofty ideals. Very corrupt politicians forced their way through their party primaries and became flag-bearers of their parties, thereby creating wave of crisis throughout the country. In Ondo state for example, 3 people were shot dead in clashes between supporters of Peoples' Democratic Party (PDP) Labour Party (LP). The declaration of presidential election results by Independent National Electoral Commission (INEC) in favour of the then sitting President, Goodluck Jonathan however ushered in Nigeria another epoch of post-election violence in Northern part of the country (Bamgbose, 2012).

It was reported that explosive devices were detonated in public offices, places of worships, government properties were vandalized with grave evidences of accompanying electioneering crisis with wanton loss of lives, government and private properties. However, 2015 general elections did not witness any violence to some extent Therefore, the spate of killings and destruction of property points to one of the de-democratizing tendencies in Nigeria.

Kenya

The 2007 general election in Kenya can be regarded to have be accompanied by both political and economic crisis occasioned as a result of declaration of former President Mwai Kibaki as winner of the presidential election held on December 27, 2007. Supporters of Kibaki's main opponent, Raila Odinga of the Orange Democratic Movement, alleged electoral manipulation. This was widely confirmed by international observers as being perpetrated by both parties in the election.

According to Joseph (2007) the ethnic and geographic diversity of Kenyan politics made it impossible for anyone to narrate and explain the reaction of opposition supporters to the announcement of Kibaki's swearing-in, which was done

on December 30, 2007. Some citizens claimed the election was rigged in favour of President Mwai Kibaki in the 2007 presidential election led to violent protests and rampage killing by the opposition members led by Raila Odinga. Joseph (2007) maintained that Odinga encouraged his supporters to engage in mass protests which he announced on local television and radio stations, most noticeably in Mombasa, Eldoret, Kericho, Kiasumu, Nakuru and parts of Nairobi.

To Mazrui (2008) the Kenyan police shot hundreds of violent demonstrators, including a few in front of TV news cameras, causing more violence. Targeted ethnic violence (as opposed to violent protests) escalated and at first was directed mainly against Kikuyu people the community of which Kibaki is a member. The violence started with the murder of over 50 unarmed Kikuyu women and children, some as young as a month old, by locking them in a church and burning them alive. This prompted the Kikuyu to start defending themselves which forced the Luos and Kalenjins to stop the killings of the Kikuyus.

The violence continued sporadically for several months, particularly in the Rift Valley which accounted for thousands of people displaced and killed in the electioneering crisis in the country. Former UN Secretary General Kofi Annan arrived in the country about a month after the election and successfully brought the two sides to the negotiating table. On February 28, 2008, Kibaki and Odinga signed a power-sharing agreement called the National Accord and Reconciliation Act 2008, which established the office of the Prime Minister and created a coalition government (Mazrui, 2008).

The Gambia

A constitutional crisis in the Gambia started after the presidential election on 1 December 2016, and ended with the former president Yaya Jammeh initially conceded the defeat and accepted the surprising victory of opposition candidate Adama Barrow, but later rejected the election results and called for annulment of the result which was declared free, fair and credible by international observers.

According to Ceesay (2017), the Economic Community of West African States (ECOWAS) delegates led by President Muhammad Buhari of Nigeria made series of appeal to Yaya Jammeh but failed to persuade him to step down. This made the ECOWAS leaders to opt for forceful removal of President Jammeh when he initially failed to surrender power to Adama Barrow. This act as averred by Ceesay (2017) led to series of violence from Barrow supporters and all public institutions and private properties were destroyed and many citizens migrated to neighboring West African countries for the fear of being attacked in the violence.

On the 1st and 2nd January, 2017, it was reported that three private radio stations, Taranga FM, Hilltop Radio, and Afri Radio, were shut down under the orders from the National Intelligence Agency (NIA). On the 3rd January 2017, it was reported that Alieu Momar Njai, the head of the electoral commission went ~~to~~ into hiding due to concerns about his safety and to prevent him from compromising his decision to announce the true winner of the presidential election (Ceesay, 2017).

Also, Alike (2017), corroborated Ceesay's view by, that the Gambian National Assembly instead of align with the masses, approved a state of emergency along with a resolution denouncing foreign interference and an extension of its own term, due to end in April 2017 by three months so that the Jammeh's regime can be illegally extended in order to re-strategy's for another term in office despite his defeat by the opposition leader, Adama Barrow. Eventually the compromised parliament then approved the extension and was later reversed shortly after Adama Barrow's inauguration (Alike, 2017).

Zimbabwe

In Zimbabwe, prior to the run-off presidential election in June 2008, the security services and ZANU-PF militia unleashed a campaign of intimidation, torture and murder against opposition activists, journalists, polling agents, public servants, civic leaders and ordinary citizens suspected of voting for the opposition party, Movement for Democratic Change (MDC).

According to Gabrielle and Gardon (2012), the violence came to a climax when, after losing the March 2008 presidential election, President Mugabe carried out widespread state-sponsored violence and terror in the country against opposition. Human rights violations, including torture, beatings, mutilations, and rapes were perpetrated against leaders and supporters of the opposition but after Mugabe won the shameful June 2008 runoff election, routine arbitrary arrest, detentions and enforcement of discipline on the innocent opposition continued, as the ZANU-PF used "repression to back its dubious claim to power." Zimbabwe entered a state of violent political crisis in the aftermath of the presidential election held in two rounds on March 29 and June 27, 2008.

Gabrielle and Gardon (2012) averred further that President Robert Mugabe led a campaign of terror against the opposition party, Movement for Democratic Change (MDC) and its supporters in the lead up to the election. State-sponsored violence resulted in massive human rights violations, including rape, torture, and forced disappearance. Despite winning the June election, President Mugabe continued to implement brutal attacks against the political opposition. Responses and intervention by the United Nations and the African Union failed to address the crisis that almost led to the collapse of the country.

Civil society groups, such as Human Rights Watch and International Crisis Group, swiftly responded and condemned the repression and human rights abuses of the government. Despite the establishment of a Unity Government through the signing of the Global Political Agreement, the situation remained dangerous as political reforms were not implemented and Mugabe's party, the Zimbabwe African National Union – Patriotic Front (ZANU-PF) continued to engage in political violence.

To Makinwa (2015), Zimbabwe government committed many acts of violence against thousands of civilians, targeting primarily political opponents and aid workers. Human rights violations included imprisonment, enforced disappearance, murder, torture, and rape.

Makinwa (2015) believed that the land seizure policy transferred thriving farmland from competent farmers to Mugabe supporters, simultaneously displacing over one million civilians and allowing the farms to fail. This also resulted in a resource crisis, leaving much of the country without welfare, food, or the ability to afford healthcare. A widespread emigration of medical personnel from the country, failure of sanitation infrastructure, and near universal poverty fueled an increase in mortality and disease.

Civil society groups immediately and strongly condemned the violence, and some began discussing whether the crisis threatened the corporate existence of both parties in the country. On 21 April 2008, a coalition of 105 representatives from civil society, including human rights activists, faith-based groups, and students in Africa wrote a communiqué called for a concerned and effective response by the international community to guarantee effective aid delivery and livelihoods to the Zimbabwean people. Activists within Zimbabwe also denounced Mugabe's rule, at great personal risk, and disseminated information on how pronounced the crisis was.

Cote d'Ivoire

According to Almami (2014), the Cote d'Ivoire November 28, 2010, presidential runoff election in the country resulted to violence where many lives were lost and thousands of people displaced because of decision of the country Independent Electoral Commission which renounced its earlier announcement of Alassane Ouattara the winner of the election with 54.1 percent of the vote, over Laurent Gbagbo, the sitting president, who received 45.9 percent of the vote.

However, the Constitutional Council annulled results in 13 constituencies, alleging fraud, and proclaimed Gbagbo the winner, with 51.4 percent of the vote; Ouattara was given 48.5 percent. Both Ouattara and Gbagbo were sworn in as president by their supporters. Thus, Cote d'Ivoire with two Presidents later embroiled in a delicate political crisis. The quick intervention of regional block, Economic Community of West African States (ECOWAS), the African Union (AU) and other International Organizations forced Gbagbo out of power and Ouattara was later recognized as president-elect and later inaugurated as Ivorian president (Almami, 2014).

Causes of Electioneering Violence and Crises in Africa

Various scholars have identified some major causes of electioneering violence in Africa. It includes:

- **General Attitude of Politicians and African Leaders to remain in Power:** The general attitude of politician and some African leaders to remain in power have traced to be the foundation of political crisis and violence in Africa. Election has increasingly become a do-or-die situation with politicians and African leaders using all means including unfair tactics to capture and remain in power. The electioneering languages are increasingly becoming inciting and violent with less restraints and consideration. There is the notion that election is war and only the winner is a good strategist. Those

who lose are left to rue their losses and are treated as enemies of the government and the state. There is also the culture of not accepting defeat. Almost all elections contested on the continent have been disputed by the opposition and those who lost the votes. And rather than working together to move the country forward after elections, precious time and resources are wasted by candidates and parties undermining each other and further dividing their supporters and the general citizenry (Godwin, 2016).

- **Weak Electoral Institutions and Legislation:** This is another cause of crisis during electioneering process in African continent. For instance, electioneering issue in Cote d'Ivoire in 2010 alluded to this fact. The Ivoirian situation where the election rules were not explicitly spelt out and the electoral body not effectively empowered. For instance, the rules were ambiguous in terms of the roles of the electoral body, the constitutional court and even that of the UN observer body. Politicians are quick to catch in on these lapses, which they cannot be absolved of helping to create in the first place (Almami, 2014).
- **Electoral Petition Tribunal:** To Makinwa (2015), the cost of litigation and non independent electoral petition tribunal has been signaled as the causes of electioneering crisis in Africa. For example, the resort to the election petition tribunals and courts, in the Nigerian case has raised more questions than answers because of the high cost of litigation and bias nature of the tribunal to the opposition led to decision of the opposition to call for violent in order to retrieve their alleged stolen mandate in Nigeria and other African states.
- **Power Sharing Principle:** Also, Almami (2014) believed that attempt by the African opposition candidates to claim electoral fraud and irregularities in every presidential election in some African countries during post military regimes made the African Leaders to called for the principle of power sharing among contestants in Guinea, Togo, Sudan, Kenya, Burundi, Burkina Faso, Egypt, Comoros, Tanzania, and Rwanda where there were electoral violent in 2010. Historically, in many cases of electoral fraud, the challenger urges demonstrations or refuses to recognize the results and this necessitated the call for mediator which resulted to power sharing policy aimed to stop the violence and address some of its underlying causes but experiences from power sharing arrangements in Zimbabwe and Kenya have left much to be desired.

Electoral Process in Africa: Implications on Democratic Sustainability of African States

The challenges associated with the process and conducts of elections in Africa have been one of the de-democratizing tendencies in the continent. According to (Okoli, 2008), the major part of electioneering process in this regard is the popular tendency among African politicians and their political leaders to trivialize the democratic process by reducing same to a power-grab context. The political leaders strongly pursue how to remain in power by all means through acquisition of

power at the expense of fashioning out the core values that democracy is instituted to enshrine. The electioneering crisis has immense and strategic implications for political stability and democratic consolidation. However, political violence witnessed in some part of Africa are a sign of a breakdown of democracy and its process in the continent.

The continent electoral politics signaled serious dangers for its democracy and partisan politics. The electioneering crises do not augur well for the practice and sustenance of democracy in Africa and such crises engender some systemic challenges that make consolidation of democracy at best problematic. The general implications of electioneering crises for democracy in the continent have underscored the incontrovertible and overall conclusion that can be drawn from the history of elections and electoral practices which have failed to promote the emergence of democratic culture even within the limited application that it has within the bourgeois social order.

Indeed, each set of elections seems to deepen the culture of violence, authoritarianism, abuse of human rights, corruption and crass materialism in the continent. To Iyayi (2012), each succeeding election seems to perfect in even more pervasive sense, the abuses that characterized the earlier ones. Thus with each successive election, the ruling elites are not only isolated from the people, they also relate with them increasingly through violence, contempt, repression and authoritarianism. This contradiction has variously manifested in developments that impede and negate national aspiration to democracy. Such developments to Okoli and Iortyer, (2015) include widespread electoral unrest and violence; inconclusive and controversial elections and finally failed programs of government leading to military takeover, etc.

Therefore, the implications of the foregoing for African stability can be easily conjectured. In this regard, it is to be pointed out that the stability of the continent in a democratic dispensation largely depends on how Africa is able to manage its transition from one regime to another in an abiding resolve to sustain the democratic order in the continent.

Conclusion and Recommendations

This article has examined the nature of electioneering process in Africa and its general implication for sustainable development in the continent, the paper noted that electioneering in Africa is covered by untoward tendencies which tend to have impeded sustainable political stability and democratic governance across African states. These tendencies include electoral violence and unrest, controversial and inconclusive elections, as well as abortive transition programs especially when the incumbent foresee the possibility of its losing the election.

From this paper, it has been revealed that most of these African countries are alien to transition from their known system of autocratic dictatorship, one party rule to western democratic governance and the lack of necessary political culture to accommodate and advance democratic development in their respective countries. Kenya, Zimbabwe, Nigeria, Cote d 'ivoire, Gambia, Liberia and many African

countries lack the political, institutional capacity and organizational attributes on the part of the political parties to advance democracies successfully in their countries due to abject poverty parochial interest. According to Almami (2014), electioneering is an unending political process that engulfed huge financial burden of which most of the countries in Africa could not afford and therefore depend largely on external financial assistance from EU, G20, UN and others. Internally, the indigenous bourgeoisies cum politicians banked on this and therefore impinge, mistreat, misinformed, mismanage, and manipulate vast majority of the populace who have been diseased with poverty to enjoy in electoral violence.

It is in the light of these challenges that this chapter recommend that the African Leaders should be discourage in using the state power to advance selfish and personal political goals aimed at subverting electioneering process in their respective states while the African leaders should work towards promotion of healthy competition among participating political parties in order to prevent unnecessary tension among the contestants so that the future elections in the continent can be dedicated to the service of public good.

Also, African countries need to look both inwardly and outwardly for solution to most of the challenges confronting elections and democratization in the continent. The politicians and indeed the electorates require political education to change their perception on electioneering process.

Therefore, all must be ready to imbibe the required political culture and violence must be avoided in any form. This political effort requires great synergy between and among all the stakeholders in election process and the electorate, the political class, government agencies, civil society organization, and internal agencies on democratic development. Political and civic education must be carried out judiciously and proactively in the continent from the youth and elderly most especially in remote areas where vast majority of Africans resides.

Outwardly, African needs to engage other democratic developed world and most especially induce in a proactive and yielding collaboration with South Africa, Nigeria and maybe few countries of the continent who have already embarked on this sojourn with holistic synergy and partnership in order to understand how India a single country with population exceeding the whole continent succeeded in becoming the most successful democratic nation of the world.

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Nigeria's Federalism and the Clamour for a Restructured Political System: An Exposé

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Abstract

Scholars question the justification for the clamour to restructure Nigeria. In giving an answer, it is safe to point them to the attempts by successive governments to resolve the issue of the national question. The more recent of these efforts are the national conference organized by the President Jonathan's administration and the committee on restructuring constituted by the All Progressives Congress (APC), indicating that even the Nigerian State recognizes the validity of the argument, hence, the amount of resources devoted towards addressing it. However, there are divergent views on "how and when" to restructure Nigeria. Beyond the rhetoric, this study examined the inadequacies of the Nigerian federalism; showing the causal relationship among decongesting the exclusive list, the quest for resource control and the clamour for a restructured Nigeria. It employed documentary method of data collection and analysis in gathering and interpreting data from secondary sources. The paper adopted Structural Functionalism as a theoretical framework of analysis. The findings of the paper are that decongesting the exclusive list and adjusting to a development-oriented and operational fiscal federalism will engender economic and socio-political development, foster national integration, and afford the country other desirable benefits.

Keywords: Nigerian Political System, Federalism, Restructuring, Resource Control, Decentralization.

Introduction

Federalism, as a system of governance is pragmatic, dynamic, utilitarian and continuously evolving. It can only thrive on consultation, negotiation, compromise, bargaining and agreement between the constituent governments, growing under a system of mutuality and interdependence (Fatile and Adejuwon, 2009). Federalism represents a unique form of governmental arrangement that involves organisation of the state in such manner as to promote unity while at the same time preserving existing diversities within an overarching national entity (Aderonke 2015).

Adetola (2011) is of the view that since the emergence of modern federalism as a system of government through the agreement between American statesmen in the 18th century, the system has gained universal acceptance, particularly in heterogeneous societies because it preserves local ethno-cultural diversities (a sense of "home rule") and also a "shared rule" at the center, through the management of social cleavages in multicultural societies like Nigeria.

In the Nigerian academic circle and media, there seem to be a rise in the clamor for a restructured system – the political and socio-economic systems,

especially. This call basically highlights and is hinged on the “perceived” dysfunctional nature of the Nigerian federalism, which they believe is a major factor denying Nigeria a well-deserved socio-economic and political advancement. However, many do not believe that there is anything wrong with the present configuration of the Nigerian federal system. Some scholars, politicians and social commentators even go as far as tagging the call for further examination of the Nigerian federalism as an attempt to distract the government of the day.

Ibeanu (2016) insists that it is necessary to study the Nigerian federalism. He argued that the Nigerian federalism should be studied for three reasons. Firstly, the Nigerian federalism is the least studied by scholars (whose works are on Google and JSTOR), compared to the federalism of the United States of America, India, Canada and Australia, respectively. Secondly, it has remained a subject for heated debate domestically; featuring on virtually almost all discussions on national development. Thirdly, despite the fact that it has always been judged to be faulty, (using the civil war, separatist agitations of the MASSOB and IPOB, Boko Haram insurgency and Niger Delta Militancy, as verifiable indicators), the Nigerian state still holds onto federalism. The re-evaluation of the Nigerian federalism aimed at unravelling the reason for its resilience, becomes a worthy and necessary venture.

It is therefore, safe to point the pro-status quo scholars, politicians and social commentators to the attempts by successive governments to resolve these pool of national questions, as additional evidence for the need to examine the political existence of Nigeria. The more recent of these efforts are the national conference organized by the President Jonathan’s administration and the committee on restructuring constituted by the All Progressive Congress (APC); indicating that even the Nigerian State recognizes the validity of the argument. Hence, the amount of resources devoted towards addressing it. Thus, “restructuring” has become a major theme in the electoral campaigns for the 2019 general elections, just as the fight against corruption and insecurity dominated the 2015 electoral discussions and campaigns.

However, there are divergent views on “how and when” to restructure Nigeria. Beyond the rhetoric, this paper will examine the inadequacies of the Nigerian federalism; showing the causal relationship among decongesting the exclusive list, the quest for resource control and the clamour for a restructured Nigeria. But before we proceed, providing conceptual clarifications and operational definitions of the basic concepts will be helpful and in the best interest of understanding the juxtaposed arguments and the synthesized position of this paper.

Federalism

The discussion of contemporary federalism is linked to Kenneth C. Wheare who perceived federalism as a constitutional arrangement which divides the law making powers and functions between two levels of government in such a way that each within, its respective spheres of jurisdiction and competence, is independent and coordinate (Wheare, 1953). Ogbonnaya (2016) posits out that Federalism is derived from the Latin word “foedus” which connotes covenant, agreement or union. “It is a

political concept in which a group of members are bound together by covenant with a governing representative head.) The term is also used to describe a system of the government in which sovereignty is constitutionally divided between a central governing authority and constitutional political units (like states or provinces" (Aderonke 2015).

The classical definition of a Federal system of government, as opined by Kenneth Wheare, is a system of government in which sovereignty is divided between the central and state governments, the central and regional governments are co-ordinate in the sense that neither level of government is subordinate to the other in legal authority. Wheare concluded that in this system of government, each level of government should be limited to its own sphere and, within that sphere, should be independent of the other. By inference, this system of government can be perceived as the opposite of Unitary System, where the component units are legally subordinate to the central government.

Furthermore, Babalawe (1998) conceptualizes federalism as "a system in which explicit constitutional demarcation of powers and functions among national and sub-national units exists". He postulates that federalism involves the division of powers among levels of government, the existence of a written constitution showing the division, and the coordinate supremacy of the levels of government with regard to their respective functions (Anyebe, 1995). The constitution therefore, provides for a political system where there are many centers of decision making; each centre being formally independent of the other and bearing responsibility for the basic social services.

However, Ibeanu (2016) opined that federalism, defined from the structural-institutional approach, is a system of sharing governmental powers between a center and many "federating" Units, conferring on each level of government an autonomy in competence, underscored by adequate resourcing and fiscal independence". Friedrich sees federalism as a process rather than a design. It is the process of federalizing as well as the particular pattern or design which the inter-group relations exhibit at a particular time... (Friedrich, 1968). Ojo (2002) points out that federalism is acclaimed to be an effective politico-constitutional design for managing complex problems usually associated with the need for a "home rule" and "shared rule" associated with a multicultural society.

Livingstone emphasized sociological factors that shapes a federal system in any society as a critique of Wheare's juridical approach to the explanation of a federalism. Livingstone (1956) in (Aderonke 2015) pointed out that "the essence of federalism lies not in the institutional or constitutional structure but in the society itself.

This paper synthesizes Wheare's (legal) and Livingstone's (sociological) approaches by noting that the meaning and significance of sociological variables are expressed within the legal framework provided by a federal constitution. Ibeanu (2016) supports the idea highlighted by Livingston, when he argued that it is the pull-push struggle between the centri-petal and centri-fugal forces in society that decide the nature, form and practice of federalism in such society. The *raison d'être* for

adopting such a political framework of governance being to foster union and integration and eliminate factors that could warrant the desire for separation. Ibeanu's definition could be interpreted to imply that if a federalism is structured and practiced in a form that any of the basic "ingredients" is omitted, it may not achieve the goal of fostering national integration and unity while preserving diversities local identities.

From the review of various definitions of federalism rooted in diverse approaches like the legal, sociological and others, we sieved out certain core elements that must be present before a country's system of government is considered to be a federation. They include, a written constitution with prescribed process of amendment, existence on a national and several units of governance, existence of an independent tribunal to interpret the constitution and adjudicate between the national and the regional government, separation of powers, resources and functions to ensure that all levels are independent or autonomous, existence of exclusive list and existence of exclusive, concurrent and residual legislative lists.

There may be other elements to be added to this list, but we consider the above listed as prerequisite for a federal system of government. It is necessary we note them because it will help guide our argument on falsifying the claims of those that insist that Nigerian federalism "must" conform to that of the United States of America before it would be badged "ideal" and "true". If these elements are present, then the socio-political and economic forces of the society interacting to reach a compromise will now decide whether the federalism will tilt towards centralization or decentralization.

The idea of conceptualizing a universal standard of federalism which every other federal system must conform to qualify as "true" or "Ideal", is parochial and to a large extent, misleading. Federalism is not static and ahistorical. It evolves from the dynamic interface between the centrifugal and centripetal forces in the society. The political yearnings and aspirations of the people, expressed in their involvement or otherwise in the political activities and processes of the country determine the system, form and character of government that survives, persists or replaced.

The structure of every federalism is a reflection of the "winning" socio-political force(s) which will either tilt the federalism towards centralization or devolution of political power. Bearing in mind that the processes is continuous and ever-changing, informs us that the content, form and structure of federalism will continue to change, to reflect the compromise and negotiations going on in a society.

Restructuring

The term structure connotes the way in which parts of a system or something else are arranged, organized or connected together to perform necessary and specific functions. Thus, to restructure connotes a re-arrangement or reconfiguration of the parts of system aimed at improving its capacity to performed desired functions, efficiently and effectively. This should alter the internal interactions of the component units and the external interactions between the system being restructured and its environment.

From the assumptions of the system theory and postulations of the structural functionalism, we understand that every system performs certain self-maintenance functions to ensure its survival. As it interacts with its environment, basic changes occur and the system adapts to the new task, thereby creating stability. This dynamic process makes changes (in the form of readjustment, restructuring, creation of new sub-systems and new mode of interactions) a constant and normal phenomenon.

Thus, change in a system (restructuring or re-arrangement) should not only be anticipated, but should be initiated as and when due, for the purpose of maximizing the utility and efficiency of the system, in performing specific desired functions. Could this be the rationale for the call for a restructured Nigeria? Before this critical question is answered, let us have an overview of the evolution of the Nigerian federalism.

The Evolution of Nigerian Federalism

The choice of federalism as the preferred system of government for Nigeria was not accidental. With over 250 ethno-linguistic groups, some of which are bigger than many independent states of contemporary Africa, the Nigerian State is characterized by socio-cultural diversities. This is the *raison d'être* for the adoption of federalism as the system of government in Nigeria. The transformation of Nigeria into a federal state started in 1954 as a result of the 1953 Lyttleton constitution conference. In a federal structure, adequate autonomy is given to each level of government to enable it perform its responsibility without frustration. As a device for the containment of intra societal pluralism, federalism offers good prospect for achieving political stability of heterogeneous societies.

Watts (2000) opined that the popularity of the federal idea in the post 1945 period informed the adoption of the federal system in many countries including Nigeria. He opines that "...the creators of the new states approaching independence were faced with simultaneous conflicting demands for territorial integration and balkanization, respectively. They had to reconcile the need for relative large economic and political units **with** the desire to recognize the socio-cultural diversities and preserve local political authority of the smaller ethno-lingual communities.

In situations where the forces for integration and separation, which Ibeanu (2016) called the centrifugal and centripetal forces of federalism, were clashing, political leaders of the nationalist independence movements and colonial administrators evolved a "federal solution" in the form of a popular formula, providing a common ground for both the center and the components. In Nigeria, we had a situation where the center created the units whereas in some other places, the units voluntarily created the center. This is why Ibeanu (2016) attempted changing the term from "federating" units to "federative" units.

The 1960 and 1963 Constitutions devolved tremendous powers to the regions, which unto themselves, became fulcrums of political power. With the advent of the military in 1966, federalism suffered in Nigeria. The independence of the regions was compromised as a centralized hierarchical command structure emerged. A very powerful central government came into being and the states which succeeded

the regions became mere appendages to the central government. (Asobie 1996). Interestingly, the military arrived the scene when oil was gaining prominence over cocoa, groundnut and palm oil and the oil deposits were found in states controlled by minority ethnic groups with very little say in the administration of the nation. It is therefore not coincidence that the principle of derivation was cancelled, and the rights and control of the natural endowments of the Niger Delta were transferred to the federal government.

This was an example of the dynamics of the interaction of Nigerian Social forces playing out in the cause of nation building processes. The present call for resource control may be non-existent if Nigeria had upheld the fiscal federal structure was not altered.

The military inserted centralizing elements into the economic and socio-political Nigerian system and took over certain key functions of the defunct regions. They stopped the revenue allocation formulae that was based on regional derivation, unified the local government administrative system and introduced a new legal regime on land use and ownership, among other things. For proper understanding of the Nigerian federalism, it is necessary to classify it into phases. These are the pre-federal phase, proto-federal phase, decentralized-competitive federalism, centralized-national unity, post national unity phases of the Nigerian federalism.

The first phase covers the period from pre-colonial times to the enactment of the 1946 Richards' constitution. The second phase takes up from 1946 and covers the periods up to 1957 when the full character of the Nigerian federalism emerged. The interplay of the contradictions produced by the full adoption of federalism in 1954 and the self-governing status of the eastern and western regions in 1957 initiated the third phase, covering from 1957 to the overthrow of the first Republic in 1966. It was characterized by the aggressive inter-regional competitions.

The fourth and longest phase took off from 1966 and its emphasis and pre-occupation revolves around ensuring Nigerian unity. Hence, the tilt towards centralization by forging a very powerful center and tamed federating units. The fifth phase is seemingly emerging from the inception of the fourth Republic and is challenging the continued centralization of the Nigerian federalism. This phase is characterized with attempts to tilt the federal system towards decentralization.

The promise, challenges and resilience of the evolving federal idea in Nigeria has enabled the country to ride through the various constitutional and political crisis that led to the first military coup in 1966, the civil war, several years of military rule and the fragile democratization process since 1999. The enduring push and pull, dialectical unfolding of the federal idea and the federal solution that has been on since 1946 can best be understood when situated in the age long orientations of the "centralists, decentralists and the balance" (Jinadu 2016).

Theoretical Framework

Many scholars acknowledge the clamour for restructuring, devaluation of powers, decentralization and more equitable distribution of tangible and intangible resources. But they find it difficult to explain why the clamour is persistent, recurring

and natural. To overcome this challenge, this Paper adopts structural functionalism. The emergence of structural functionalism (SF) was pioneered by Gabriel Almond. The SF is a vast improvement of the system theory of David Easton.

Almond developed structural functionalism, an approach to understanding political systems that took into account not only its structural components - the institutions, but also their functions within the system, as a whole. It focuses largely on explaining the functions a political system must perform to survive and define structures which can most efficiently perform the functions. The structures may be one or a combination of the following the family, school, mass media, political parties, pressure groups, the offices of the executive organ with its bureaucratic machinery, the legislature, judiciary or any other formal government institutions performing system-maintenance functions such as political socialization, interest articulation and integration, political communication and education, mass mobilization, rule-making, execution and adjudication, etc.

Almond postulates that political systems have universal characteristics which include; political structures; same functions that are performed in all political systems; all political structures are multi-functional; and that all political systems are mixed in the cultural sense.

For Almond and Powell (1978), a fuller understanding emerges only when one begins to examine how institutions act within the political process. As he described it, interest groups serve to articulate political issues; parties then aggregate and express them in a coherent and meaningful way; government in turn enacts public policies to address them; and bureaucracies finally regulate and adjudicate them.

While this model neatly accounts for what happens within a political system, systems are never entirely self-contained. They exist in a dynamic relationship to other political systems and must continuously adapt to changing conditions in the larger socio-political context. For this reason, all political systems require efficient feedback mechanisms.

Also, according to the structural functionalist approach, political culture plays a crucial role in determining the unique characteristics of a political system. Like the systems approach, its emphasis on system-maintenance makes it ideological opposed to revolutionary change. Functionalists acknowledge that change is sometimes necessary to correct social dysfunctions, but it must occur slowly so that people and institutions can adapt without rapid disorder. Thus, political system is by its very nature, conservative and recognizes that the first objective is to ensure its own survival.

Every system undergoes adaptive changes to ensure its survival and improved capacity to perform desired task/functions. As human organisms have several systems – digestive, circulatory, reproductive, nervous, and respiratory systems among others, the Nigerian State has the political, economic, social and other systems as well. Every of these system has a set of organs and elements structured, arranged or configuration to interact among themselves in order to perform specific and complex functions. It is worthy of note they are interdependent and perform complementary functions.

The Nigerian State has witnessed a verse number of socio- economic and political changes that in turn necessitated a restructuring reflected in the auto-initiated or man-initiated changes in the functions to be performed by the systems, nature of organs in the systems, mode of internal interactions of the organs in the systems, the character of the interaction among the systems and with the external environment of the systems. we could note some of these factors down to include the amalgamation of 1914, constitutional reforms, political independence, various coup d'eter and military rule, economic policies like structural adjustment policy, privatization and indigenization of government establishments among numerous others. The fact drawn from this line of analysis is that changes in the environment of any system leads to change in the internal configurations of that system. The process is natural, pragmatic, utilitarian dynamic, result oriented and never ending. For any system to survive, it must adapt to the changes in its environment by developing a mechanism for managing the dynamic nature of its existence.

At this point, the question that needs to be answered is whether the Nigerian political system is ignoring the stimuli from its environment urging it to reconfigure the modalities of its internal and external interactions or otherwise. It is also necessary to highlight the benefits of reconfiguration the Nigerian Political system for improved capacity to efficiently and effectively perform the functions of a political system. Again, there is need to establish the indictors of this need to restructure and empirical predict the possible dangers that could befall the system in the event that it resists the natural and beneficial process of reconfiguration.

“Federating” and “Being Federal”; the Nigerian situation

Intrigued that despite the various allegations and grievances against federalism by scholars and commentators, especially of that it is poorly practiced, Nigeria has retained it since the Richard's constitution introduced features that created platform for it, this Paper seek to understand the reason for the steadfast resilience. As Ibeanu & Kuna (2016) conceived it, to perceive Nigeria's federalism as ahistorical and static – believing that there is a single and universal standard to judge it with, is not entirely correct. This is because, although there are certain general constitutive features of federalism, every federal society evolves its own character”. Federal systems differ considerably in terms of their formal constitutions and divisions of powers, laws they operate which ingredient of federalism they emphasize.

All federations evolve in two major and defining dimensions - the establishment of the federation and the operation of the federation (to federate and to be federal). The former is legal while the later if political. Jinadu (2016) adds that this process involves “the interaction of culture, human ecology, history, political economy and external forces”. The establishment of a federation is usually a culmination of complex bargain that occur among plural forces of a society. For Nigeria, these forces played out during the constitutional reforms between 1900 and 1946.

In Afigbo (2016)'s opinion, "the plurality of economic and geographic regions, the plurality of ethnic nationalities, and the plurality of colonial administrative traditions" were the three plural forces doing the bargain between 1946 and 1954 when the Nigerian federalism was crafted. He also pointed out that these forces consciously or otherwise, negotiated to find a common ground for creating units of the federation that would reflect diversities and local autonomy. Finally, he observed that since then, the number of units of the federation, the basis for their creation and what powers should be inherent in them have remained central to the debate on Nigeria's federalism.

Ibeanu (2016) highlighted this irony when he posited that the "federative" (rather than call it "federating") units did not create the federal system of government. On the contrary, "it has always been the ... federal government that creates the units, making then federative units; and not federating units. This has implications for the practice of federalism in Nigeria, particularly the relations between the federative units and the center".

Federalism evolves in two dimension; the legal (which he described as "*to federate*") and the political dimension (which he tagged "*to be federal*"). To be federal, which a political dimension, involves the desire of the federative units and their elites to retain the federal system and in what form. According to him "it is characterized by constant push and pull of centrifugal and centripetal forces". Thus, the concept of "true federalism" synchronized as a universal standard, is both imaginary and misleading. Once federalism is established with a federal constitution sharing responsibilities, resources and powers to all units and establishing an adjudicative system, the constant interplay between the centrifugal and centripetal tendencies sustains the federalism. The outcome is the varying forms, nature and character of federalism across the globe.

Decongesting the exclusive list

The Nigerian system of governance is progressively tilting toward a unitary system. In fact, some critiques believe that Nigeria is not practicing Federalism. This is so given what is obtainable in the area of sharing of functions and resources available in the country between the central government and the component units (Ajagun, 2006). This is because a federalism guarantees relative resource control powers to the components and protects the fundamental rights of both the individual and the federating states (by ensuring "home rule"). It affords states the benefit of deploying their resources for their own development. Davidson (1992) notes that Nigeria is currently operating a defective and fallible federalism because the Nigerian federal system has consistently undermined one of the most cardinal philosophical principles of federalism - relative autonomy of the component units of a federation.

The current intergovernmental relations in Nigeria is largely a reflection of Legislative competence and jurisdiction as specified in the constitution. the distribution of responsibility in the fourth schedules of the 1999 constitution part 1 of the second schedule has the executive legislative list on which both the federal and state governments can act. Part 11 contains the concurrent legislative list on which

both the federal and the state governments can act. The fourth schedule provides the list of the functions of the local government councils. This include both expenditure functions (functions which involve the raising of revenue). The exclusive list has 68 items while the concurrent has just 12 items. The section 4(5) gives the government at center powers to prevail where its laws are conflicting with the ones enacted by the federating units.

The legislative list in Nigeria, serves as the guideline for other legal decrees and sector policy reports that lay out the specific expenditure responsibilities of the different tiers of government. The powers of the federal government are stated in the exclusive legislative list of the Nigerian constitution, which has 68 items. The powers that the federal government shares with the states are in the concurrent list, which has 12 items. The fourth schedule contains the powers of the local governments. All other items that are not contained in the exclusive, concurrent and local government lists are left for the states and are regarded as the residual list.

The function of inter-governmental relations includes putting provisions of the constitution into action; adapting governing and policy arrangements to changing circumstances; sorting out revenue and expenditure arrangements; negotiating fiscal transfers, typically from the federal to states and local governments regulating intergovernmental competition, policy overlap and the policy coordination; among others (Galadima 2016).

The Nigerian federal structure, as a system adapted to the dynamics of a military governance of 29 years and since 1999, there has been political changes suggesting a corresponding change in the configuration of the polity. This is very evident in the excessive centralization of political and fiscal powers. The implications of the above unfortunate situation included over centralization (where states become satellite entities leading to one level of decision making process), lack of proper consultation in the choice and priority of projects, duplication of development plans leading to waste of resources, dis-incentive for local innovative and ideas, disregard for diverse local identities, a situation where principle of “shared rule” is esteemed above “home rule”, among others.

Resource control

Indeed, it has been noted that financial subordination of units or marked inequality between them in terms of wealth, population and land mass constitute potent destabilizing factors in federations. (Wheare, 1963). At inception of the system, there was a large devolution of powers to the regions. Equally, each region enjoys considerable autonomy over its internal affairs in addition to having a regional police force and civil service. In terms of resource distribution, the principle of derivation occupied a significant place in the distribution formula. Thus, derivation remained a major emphasis in federal revenue allocation between 1954 and 1966 when the military took over headship of the country, albeit some other commissions were set up whose recommendations led to some minor modifications in the revenue sharing arrangement.

The pre-military federal system (First Republic) was fundamentally different from the post-military federal structure. In the former, the three and later four regions, were fully autonomous federating units. Each region, with a premier as head of government, operated its own laws and constitution. Each of them had native authority police while the federal government maintained the Nigeria police. Each region also had the symbol of its own authority. None of them was totally dependent on the center for its fiscal and other needs. Each region was strong and rich enough to take care of itself. The main criticism of this arrangement was that the regions were too powerful and the center was too weak for a meaningful federal system and national unity. The regions, given the degree of their autonomy, tended to treat the federal government with disdain. The federal government could not impose its will on the federating units.

In Nigeria, the government fiscal power is based on the three-tiered tax structure divided between the federal, state and local governments, each of which has different tax jurisdictions. The constitutional arrangement generally assigned to the center to legislate on almost all the major taxes for the whole country. This has led to concentration of tax jurisdiction and collection at the federal level while the state and local governments have jurisdiction only over minor and low yielding revenue sources, with the exception of personal income tax and property tax at the state and the local governments, respectively.

The way the powers of taxation are shared between the federal and federating governments is an important aspect of the federal arrangement. Problem of fiscal federalism in Nigeria is largely connected to the item 59 of the second schedule, part 1 (the exclusive list), vested on the federal government the "taxation of incomes, profits and capital gains, except as otherwise prescribed in the constitution". Revenue distribution is a huge source of discomfort to many federating forces and various commissions' report and legislations have been used to work out acceptable and equitable revenue allocation formulae for the country including the aboyade Technical committee of 1977, the okigbo presidential commission of 1979, the T.Y. Danjuma Fiscal mobilization allocation and fiscal commission of 1989, the Shonekan Report of 1990, the revenue allocation formulae of 1992 and the presidential Order on Revenue allocation formulae 2002.

The ever present argument is the restoration of the primacy of principle of derivation in revenue sharing among the federal, state and local governments. The state government are questioning the diminution in their share of the federation account from 30% to 24 percent. The lack of transparency and accountability in the remittance to and the management of the federation account by agencies of the federal government such as the Nigerian National Petroleum Corporation (NNPC), Federal Inland Revenue Service (FIRS) and the Nigeria Customs Service have become rampant.

	FG	SG	LG	Oil producing States	Ecological Problems	Specil Funds
Okigbo Commission 1980	55%	35%	10%	-	-	-
Babangida Regime 1985-89	55%	32.5%	10%	1.5%	1%	
1992	50%	25%	20%	-	-	5%
1993	48.5%	24%	20%	-	-	7.5%
Abacha's Regime 1994 – 1998	48.5%	24%	20%	-	-	7.5%
Obasanjo's Regime 1999- 2007**	41.3%	31%	16%	-	-	11.7%
1999- 2007 (as proposed by southern governors)	36%	36%	25%	-	-	3%
2007-2014	52.68%	26.71	20.60%	-	-	-

**As proposed by the Revenue Mobilization, Allocation and Fiscal Commission

Source: Alli, O. W. (2016)

The challenge of economic governance and resource allocation was to turn into a politically charged and patronage issue notwithstanding established criteria largely because the federal government could not carry the states along in the democratic dispensation. Resolving the debate over revenue sharing will determine the trajectory of Federal - State relations and the prospect for a beneficial federal arrangement and the consolidation of the nation's democracy. The worry of this paper is that the Nigerian political system has surprisingly failed to evolve an adaptable pragmatic fiscal arrangement. The evil is that the present fiscal configuration does not encourage creative innovation in the states; all of them depend on allocation from the federation account to take care of the business of governance. Why has this issue remained unresolved? What are the implications (of not resolving the issues) on the political and socio-economic development trajectory of Nigeria?

The Political Economy of the practice of federalism in Nigeria

Without being subjective, it is evident that Nigerian politics and process of governance has been defined and determined by ethnicity, prebendalism, money politics, and sorts of political arm-twisting to place one region or religion above another. This has always pitched one ethnic group against another, resulting to political tension and crisis that have destroyed lives and properties. The peak and most prominent of these being the Nigerian Civil War. The character of the 1979 Federal Constitution was in fact a clear reconfiguration of the Nigerian State aimed at ensuring national unity and stripping of the state governments of their powers. This was a major development upon which the present Nigerian State stands on and understanding the connection between and implications of incidences, explains why the federal government is skeptical about devolving political powers to the federating units.

As a post-colonial state, Nigeria's petty bourgeoisie who took over from the colonial imperialists, perceived and has continued to use the central political powers and offices as tools for primitive economic accumulations. This is while sit-tight syndrome is evident in the political circle of most African post-colonial states. Personal and group interest is often elevated to the rank of national interests and laws and policies are made to institutionalize this absurdity perpetuated against the general good and well-being of the public.

This also explains why any attempt to reconstruct, reconfigure or restructure the political and socio-economic systems of Nigeria, aimed to initiate, drive and sustain development is resisted by the political class who reps from the status quo. They can't afford to let go the means of their livelihood for the good of the country. From, the tax system, structure land tenure use, composition of the exclusive, concurrent and residual legislative list, number of states, mono- economy, over reliance on oil revenue for funding annual national budget, the revenue allocation formulae to even the lack of local government financial autonomy; everything points to the point stated above. The implication is that Nigeria has not maximized its development potentials, relatively.

Like an over stretched balloon, the Nigerian state is at the verge of hitting the rocks if not repositioned on the path of political and socio-economic development. The world is losing its appetite for crude oil and many other cheaper and environment friendly alternate sources of energy has emerged, implying that our economic misfortune is a tragedy waiting to happen. Yet, our federalism is structured in a way that everybody runs to the center, cap in hand, begging for monthly stipends. Instances abound where state governments could not pay salaries of its own civil servants. If this is a herculean task, what happens to capital projects that are meant to drive economic development of the state?

Paying lip service to constitutional amendments, diversification of the economy, and fight against corruption is a useless unless that which is needful is done. What is the needful? The needful is to recompose the modality of political, socio-economic and legal interactions in Nigeria. The system as it is presently configured, cannot handle the challenges of statecraft, initiate and sustain developmental economic processes, society repositioning required for the phenomena of globalization, etc. the emphasis should be on the utility of the pattern to be pursued not who is driving the re-structuring process.

For the Nigerian system to survive, develop its capacity and remain relevant in the business of resolving socio-political conflicts, it must be reconfigured in the light of modern day reality. It need not to the "true "or ideal federalism preached in some quarters, but it must conform to, adapt to and evolve an arrangement of engagement that will be problem solving oriented. The rising number of uneducated and unemployed youths need to be addressed and the configuration of the present Nigerian Federal system has failed in solving it. The issues of food security, human security, environmental security and even national security has been poorly managed by the existing system. Evolving a new framework for governance is imminent, inevitable and non-negotiable, if the Nigerian society must realize its potentials.

Conclusion

The study disagreed with the position of classical scholars of federalism on the grounds that their definitions of federalism based certain assumptions, a misleading. They tend to create an artificial universal standard of federalism that every other one must conform to. This work acknowledged that each federal system is unique in its form, structure, character and operation in any society. Federalism is in fact, shaped by the swing between the centrifugal and central petal forces of society. Thus, it is very wrong and misleading to judge one federalism with the standard of another, as if it is ahistorical and just an event.

The paper highlighted that “co-ordinate relationship between the center and the units; where each is in its sphere powerful with resources to give essence to its power” is the core element of federalism. Noting that it is however a dynamic process that is unique to each federal society, the Paper nevertheless, itemized some basic ingredients that characterize a federalism, most of which are evident in the Nigerian federalism, already. Putting to rest the issue of erroneously judging Nigerian federalism with the yardstick of the US federal federation (or any other federation) as the true and ideal federalism.

It also noted that the Nigerian federation has gone through series of reconfiguration and restructuring since its inception, some appear more pronounced than the others. The work noted that changes and adjustments in a federalism is a continuous process and is very necessary for and beneficial to the state, as an organism. It must go through this process of continuous adapting and readapting through restructuring as the need arise. This will enable it survive, sustain stability and engender capacity development, in order to manage clashing interests in the society. Hence, it should be anticipated, welcomed and guided by the political class of any given federal society because it must happen and also beneficial.

According to this paper, immediately the need to restructure arises in a society, it can either happen naturally or be identified and initiated by the government. It is most beneficial and less dangerous if the process is guided by the political class, rather than happen. It may not be properly managed at this point and the supposed gain that comes with it may not be maximized or at worst might elude the state, entirely. The political class should always identify this need and do the needful.

The paper identified certain indicators navigating to the fact that the Nigerian federal system is due for a re-configuration. The indexes of poor development progression of the Nigerian state, politically, socio-economically and otherwise. This situation is linked to the present configuration, structure or mode of interaction among many elements of the society including the power sharing and revenue allocation formula between the levels of government, interactions

Among the arms of governments, the cost of election, extant electoral laws and the disposition and mindset of the people towards the electoral process, certificate based education system among other things. Specifically, we explained how decongestion of the exclusive legislative list will address the issue leading to the agitations of the component federal units for increased resource control powers.

Recommendations

On the ground of the issues raised by this paper, some practical recommendations are proffered as panacea to the rising and disturbing clamour for a restructure political system in Nigeria. The incumbent regime should accept the idea of initiating and monitoring the process of change restructuring the Nigerian political system and by extension, the socio-economic systems. They should understand that the process is natural, continuous, dynamic and most importantly beneficial for the “survival” and “development” of the system.

Survival and development connote that if the process of system adjustment does not take its natural cause, the system will not have the needed capacity to address the issues of governance, interest articulation and aggregation, rulemaking, rule adjudication and rule application. Consequently, leading to the breakdown of the system and this will be disastrous and endanger development in all spheres of the society. Hence, every system must continuously adjust and readjust to survive-continue to exist and remain relevant.

By embracing system re-configuration process, the system improves its capacity to perform assigned, beneficial and relevant functions. An analogy of a sharpening a blade to improve its efficiency in its traditional function of cutting will help buttress this point. The human society is dynamic and always popping up new issue to be addressed. The system can only be effective and efficient in managing these emerging new challenges only if it is reconfigured to address the issues as they arise. Hence, it is right to say that major political and socio-economic changes lead to new political and socio-economic problems, requiring a corresponding adjustment or re-configuration in the system to enhance the system’s capacity to handle the new challenges.

On the procedure for reconfiguration, the responsibility is the onus of the government to identify certain extant laws and institutions that needs re-examination, to either jettison, improve on them or even enact new laws to help address the challenges. As we know all the systems of an organism are usually interconnected and by implication legal and institutional reconfiguration will result to a modified political, economic and social systems, in their form, nature, character, mode of operation and basis for interaction.

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The Impact of Corruption on Economic Development in Nigeria's Fourth Republic

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Abstract

Despite the establishment of several anti-corruption agencies such as the Economic and Financial Crimes Commission (EFCC), Independent Corrupt Practices and other related Offenses Commission (ICPC) among others, corruption still thrives in Nigeria. Buhari's victory as Nigeria's President during the 2015 elections was largely precipitated by his campaign promises to fight corruption. Almost three years on, Nigeria is still wallowing in the mud of corruption and the country is recently rated as one of the most corrupt nations by the Transparency International. On the contrary, hardly can a day go by without the news of the EFCC seizing property or prosecuting corrupt officials. Thus, Buhari's anti-corruption effort was appreciated and he was singled out as the Ambassador of anti-corruption fight in Africa. It is against this contradictory trajectory that this paper attempts to examine the trajectories in anti-corruption efforts with a view to identify the impact of corruption on economic development in Nigeria's Fourth Republic. The paper adopts qualitative research design. The major finding is that Nigeria's economic development is chiefly retarded by corruption which continues to thrive unabated. The paper found that anti-corruption fight in Nigeria has been personified to the President and not institutionalized, which led to its limitation to federal level while State governments stand aloof. In view of this, the paper put forward a number of recommendations which include the establishment of special anti-corruption court to quicken all corruption cases in Nigeria and de-personification of the corruption war to enable the anti-graft agencies work without looking at the body language of the President.

Keywords: Corruption, Economic Development, personification, institution, Political Elite.

Introduction

One of the greatest threats to economic and political development of any nation is corruption. The challenges of corruption remain a major devastating issue facing Nigeria since the colonial period till date. According to Ogundiya (2012), corruption is so rampant in the country to the extent that almost all the newspapers in the country always carry news about financial corruption by politicians on their cover pages. Scholars have also established that corruption is the bane to Nigerian development and it retards economic growth and seems to remain an insurmountable problem serving as impediment to Nigeria's economic and political progress

(Ayobulu, 2006; Sachs, 2005). Despite the number of anticorruption mechanism put in place to checkmate the spate of corruption, the menace keeps thriving to the extent that it has become a systemic phenomenon. Most of the ruling elites who claim to fight corruption are sometimes wallowing in the mud of corruption. While many think corruption is only related to mismanagement and embezzlement of public fund, it is pertinent to note that the menace transcends this notion to cover favouritism, nepotism and deliberate dereliction of duty among others.

Since the return of the country to civil rule on May 29, 1999, the Nigerian government has taken a number of measures to address the problems of corruption and bad governance in the country. These measures include public service reform (monetization to reduce waste and reduction of over-bloated personnel, reform of public procurement); establishment of anti-corruption enforcement agencies (such as the Economic and Financial Crime Commission, Independent Corruption and other Practices Commission); the sanitization of the financial services sector by the Central Bank of Nigeria which have revealed mind bulging levels of bare faced theft by the management of several banks in Nigeria and presently the single treasury account (TSA) and integrated personnel and payroll Information system (IPPIS) among others. However, these efforts seem not to be yielding the expected outcome. This is because, at one point, positive result is recorded and at other time, corruption fights back making the process to look like a step forward, two steps backward or what Bakare (2015) described as drifting wood on the water without a compass.

Despite the relative successes which the government claimed to have attained by these measures, and the recognition given to President Muhammadu Buhari as the champion of the fight against corruption in Africa, the situation remains unacceptable as corruption continues to permeate and pervade every facet of national life in Nigeria (Transparency International, 2018; CLEEN Foundation, 2010). It is against this backdrop that this paper attempts to examine the dimensions of corruption in the Fourth Republic and identify its consequences on economic development in Nigeria. The thesis of the argument is that the high spate of systemic corruption is responsible for the economic, social and political under-development of Nigeria. That corruption cannot be totally eliminated in any country but could be reduced to a level that it will not pose any threat to socio-economic and political development of the country.

Clarifying the Concepts of Corruption and Economic Development

Scholars have argued that the concept of corruption is extremely difficult to conceptualize (Olugbenga, 2007; Odofin and Omojuwa, 2007; Ajibewa, 2006; Faloore, 2010; and Igbuzor, 2008 among others). Indeed, defining corruption is a daunting challenge given the different value and perception of people. In view of this, Andrig and Fjelstad (2001: 4) see corruption as a “complex and multifaceted phenomenon with multiple causes and effects, as it takes on various forms and contexts”. According to them, one of the major difficulties in conceptualizing corruption is that while it is difficult to eradicate, it also has the capacity to take on new forms. In a similar notion, Tanzi (1998) maintains that while it is difficult to define corruption, the crisis associated with corruption is not difficult to recognize.

Historically speaking, corruption is as old as man. According to Waziri (2010), the etymology of corruption comes from the Greek word “*corropius*” meaning an aberration or a misnomer. The United Nations Global Programme against Corruption (GPAC) defines it as “abuse of power for private gain”. The Transparency International has chosen a clear and focused definition of the term as “the abuse of entrusted power for private gain”. It can also be defined as a pervasion or change from the general accepted rules or laws for selfish gain (Waziri, 2010). The World Bank however defines corruption as the abuse of public office for private gains. In this case, public office is abused for private gain when an official accepts, solicits or extorts a bribe. It is also abused when private agents actively offer bribes to circumvent public offices and processes for competitive advantages or profit.

In view of the above, Agbu (2003:3) observed that public office can be abused for personal benefit even if no bribery occurs, through patronage and nepotism, the theft of state assets, or the diversion of state resources. Given this development therefore, corruption connotes any behavior that deviates from an established norm with regards to public trust. It also means theft of public trust whether the person concerned is elected, selected, nominated or appointed and it does not matter whether the person affected holds office or not since anybody can be corrupt.

On the other hand, Misra and Puri (2003) define economic development to mean growth plus progressive changes in certain critical variables that determine the well-being of the people. They assert that there are qualitative dimensions in the development process which may be missing in the growth of a given economy expressed in terms of an increase in the national product or the product per capita. According to Mahbub (1971), the problem of development must be defined as a selective attack on the worst forms of poverty. Development goals must be defined in terms of progressive reduction and eventual elimination of malnutrition, disease, illiteracy, squalor, unemployment, and inequalities.

Misra and Puri (2003) noted that one major approach to the concept of economic development is the traditional approach. The traditional approach defines development strictly in economic terms. According to the traditional approach, economic development implies a sustained annual increase in Gross National Product (GNP) at rates varying from 5 to 7 percent or more, together with such alteration in the structure of production and employment that decreases the shares of agriculture in production and employment and increases those of manufacturing and services sectors. Policy measures suggested in this case are those which induce industrialization at the expense of agricultural development. Such objectives as poverty elimination, reduction of economic inequalities, and generation of employment are mentioned in passing reference only, and in most cases, it is assumed that rapid gains in overall growth in GNP or per capita domestic product would trickle down to people in one form or the other. Economic development is, therefore, a process with noble ideals that can bring about improved living conditions of the people.

Corruption and Underdevelopment in Africa: A Review

What is the cause of the third world's economic underdevelopment? This issue has polarized the academic world into three groups. The modernization theorists such as Emile Durkheim, David Apter, David McClelland and Wait Rostow argued that developing countries have to follow the development path of Rich Western Nations before they can develop. However, the dependency school of thought that has the likes of Walter Rodney, Francois Perrous, Kurt Rothschild, Walden Bello and Kunibert Raffer counter the modernization theorists' assumption of underdevelopment in third world countries. Their argument is that the Rich Western Nations are responsible for the underdevelopment of countries in the global south. The third group that has emanated from what Samuel Huntington called the 'conflict of interest' is the African scholars that posit that African leaders are the cause of the economic woe of the continent. In the fold of this new school of thought are Agbiboa (2012), Maunro (2007), Obayelu (2007), Nageri et al. (2013), Sachs (2005) and Smith (2007) among others.

Their argument is based on the fact that Africa is endowed with natural resources and money that is accrued from the sale of the mineral resources to other countries. To them, the accrued funds that are supposed to be used to increase the quality of life for Africans are misappropriated by African leaders. It is on this account that Adewale (2011) asserts that "corruption is an act of diverting the resources that should have been used for the developmental purposes of the society to private or personal use". The accumulation of the nation's economic resources for personal benefits had variously contributed to the leakage of capital from Nigeria for illegal deposits abroad. He further stated that corruption has a crowding effect on the growth and development of the country and its contributing effects on poverty and poor infrastructural development is more worrying (Adewale 2011).

Fabayo et al. (2011) take a critical look at the impact of corruption on investment in Nigeria using the Ordinary Least Square modus operandi and the Transparency International (TI) corruption index between 1996 and 2010. Their analysis revealed that Nigeria is always at the bottom of (TI) rankings which indicated that the increased high-level of corruption in Nigeria leads to lower investment drive and slippery economic growth. In a similar study, Akindele (2005) evaluates the interface between corruption and development. The empirical results of the study after using some economic variables denote that corruption hinder economic development. He concluded that there is a strong negative relation between corruption and development nexus and corruption remains the core barrier to the development of any society.

Further to this, Adewale (2011) examines the crowding-out effect of corruption in Nigeria's Fourth Republic. Using the simulation approach to evaluate the effects of financial corruption in Nigeria, he pinpoints from his empirical findings that corruption retards economic growth in Nigeria which implies that corruption has a crowding-out impact on economic growth. In addition, studies by African scholars such as Nageri et al. (2013), Agbiboa (2012), Maunro (2007), Obayelu (2007), Sachs

(2005) and Smith (2007) on the subject matter revealed that corruption is the bane to African development.

History and Dimensions of Corrupt Practices in Nigeria

To Osoba (1996), the emergence of high level corruption in Nigeria can be ascribed to the resultant effect of the colonial rule that lasted until the end of War World II. However, one cannot overrule the fact that corruption existed in Kingdoms and Chiefdoms that made up the present day Nigeria, but at a somewhat minimal level. The unrestrained and authoritarian method adopted by the British colonial officials in connivance with the European Christianity missions and monopoly trading firms operating in Nigeria made the seed of corruption to germinate rapidly and become a menace. In essence, colonialism breeds corruption in Nigeria. The colonial authorities created a fraudulent and corrupt accumulated system which facilitated the appropriation of huge surpluses for shipment to the metropolis from Nigeria peasant farmers (Osoba, 1996). This is why the so called infrastructural facilities provided by the colonial government seem good for the natives but the intended aim for their provision was to enable easy transfer of resources to their home state. For example, the railway track was designed from hinterland to link seaports. Also, the first major expressway linked the North with the South to terminate at the Apapa seaport in Lagos.

The effect of the fraudulent and corrupt accumulation system via unequal terms of trade and exorbitant taxation from meagre wages later forced the Nigerian natives to challenge the power of monopoly of the colonial master forcing a change in the colonial project. This led to the era of decolonization. However, the period of decolonization (1952-1960) witnessed spurious power-sharing arrangements between the colonial officials and Nigeria bourgeoisies. The former remained the senior partner while the latter were no more than a junior subordinate. However, the British successfully handed over power to the surrogate Nigerian bourgeoisie and still retaining, even consolidating and enhancing the existing structures of the fraudulent and corrupt accumulation system. Thus, the Nigerian ruling bourgeoisie from the three regions and Lagos were made agents, distributors and representatives of the major foreign enterprises. These new roles as political economic decision-makers in the public domain opened the doors to new forms of corrupt and substantial capital accumulation to major members of the Nigerian ruling class. Consequently, this resulted in the pervasive phenomenon of “10% kickbacks” where government official request for prepayment of 10% of the value of the favour being sought by members of the public (contract, license, scholarship, employment etc.) before performing the duty for which they were already being paid (Osoba, 1996).

The independence era and First Republic (1960-66) witnessed the problem of capital famine among all sections of the indigenous population created by the effect or aftermath of the decolonization politicking. The founding fathers were in one way or the other capital starved which made them to abuse their positions by diverting government money to their private life. Examples are the exposure of Nnamdi Azikwe by the Foster Sutton Tribunal of enquiry of 1956 in which he was discovered

to have diverted huge sums of Eastern Nigerian government funds into his own 'African Continental Bank' thus, solving the bank's problems of chronic shortage of operating capital and substantially enriching himself. Another instance was the G.B.A Coker commission of Inquiry of 1962 where Awolowo and his colleagues were alleged to have enriched themselves from the accumulated funds of the Cocoa Marketing Board. This era serves as the turning point in the development of corruption in Nigeria. It took the form and dimension of fraudulent award (including outright sale) of unsecured government loans, inflation of contract values, kickbacks, and straight-forward looting of the treasury by its custodians among others. The menace of corruption at this point in time was so high that it resulted into series of conflicts in all the regions making the country more or less ungovernable. Consequently, this culminated to the Kaduna Nzeogwu military coup of January 1966 in which the military premised its reason for political intervention on corruption and abuse of office among the political elite.

The military rule (1966-75) which attempted to end misrule, ineptitude and corruption as a corrective form of governance however found itself wallowing in the depth of corrupt practices. It brought about high degree of *kleptocracy*- a situation whereby government officials have obsessive desire to steal and accumulate wealth especially when there is no economic necessity for such. The Aguiyi Ironsi regime which intended to objectively expose corrupt activities of the first republic politicians through various investigating panels ended up becoming more corrupt than the first republic administration. However, the counter coup which brought the emergence of Gowon regime attempted to tackle corruption using different method by stripping the state through different forms of primitive and fraudulent accumulation. It took different dimension such as misappropriation of the salaries and allowances of soldiers killed in action, inflation of military procurement contracts, looting of millions of pound sterling from CBN in 1968 among others.

The post civil war period with the era of oil boom also heighten the menace of corruption in Nigeria. It brought about total lack of budgetary discipline and financial accountability. The level of corruption exceeded that of the civilian regime. The military who came into power as a corrective agent became worse than their civilian predecessor who still maintain some form of accountability and financial discipline. In the history of Nigeria, the Gowon era is seen as the most corrupt-engulfed regime where corruption became institutionalized. This eventually provoked the Murtala-Obasanjo coup on 29 July 1975 on the ground of the unacceptable level of corruption in the government and the grave dishonor done to the armed forces by the Gowon administration (Osoba, 1996: 377).

The Murtala-Obasanjo took a drastic step toward combating corruption by establishing War against corruption and indiscipline. A commission of inquiry was set up which revealed many scandalous cases of fraudulent and unlawful enrichment on the part of many high-ranking officers, and resulted in the dismissal from office of ten out of twelve state governors and other top ranking government officials (Political Bureau, 1987). The regime was applauded for its fight against corruption and indiscipline on the ground that General Murtala despite being a military ruler

declared his assets on assumption of office, and setting up of judicial commission of enquiry headed by Justice Belgore, to investigate all form of corruption-related petitions and cases.

The Second Republic under the president Shagari led civilian government promised to continue the fight against corruption but ended up reversing the country back to the period of fraudulent and corrupt accumulation system. The second republic politicians adopted various techniques ranging from spurious and grossly inflated contracts, import license racketeering, NYSC rip-off, and irrelevant overseas trips which consequently made the administration lost public credibility and support. Subsequently, Nigerians received with relief and joy the news of Buhari-Idiagbon coup that toppled the second republic on December 31, 1983.

The Buhari regime hinged its intervention on corruption as put by the public orator of the Armed Forces Sani Abacha that: "Our leaders revel in squandermonia, corruption and indiscipline, and continue to proliferate public appointments in complete disregard of our stark economic realities" (Falola and Ihonvbere, 1985: 229-230). True to its words, the Buhari regime incarcerated many politicians who were found guilty of corrupt practices. However, the Babangida regime that took over through a bloodless coup in 1985 never took a public stand against corruption. He released most of the incarcerated Second Republic politicians on the ground of liberal human rights agenda and set up two judicial panels to review the cases of the detainees. The regime ended up wallowing in corruption and the menace once again became a cardinal and directive principle of state and national policy and continues to sap the validity of the national economy and the creativity of the people (Osoba, 1996, p.383). The phenomenon of corruption became institutionalized under General Ibrahim Babangida's military regime. In view of this, Ogundiya (2009) noted that during the Babangida regime, corruption was raised to a level of state policy and allegation of corrupt practices were treated with utmost levity thereby destroying all the efforts of the previous administration.

This trend continued throughout the period of General Abacha regime and General Abdulsalam Abubakar regime. It is sad to note that the military that seized power under the disguise that the politicians were corrupt does not in itself immune to the virus. Despite the anti-corruption crusade of the military interventionists, they were themselves caught in the web of corruption. This might not be unconnected with the oil boom, arising from the sudden upsurge in the foreign revenue from the petroleum products exports. This eventually fuelled the growth of corruption under the various military administrations.

Chief Olusegun Obasanjo laid the foundation of his civilian administration on the belief that corruption would be eliminated in Nigeria. He signed the anti-corruption Bill into law. He established the Independent Corrupt Practices Commission (ICPC) and Economic and Financial Crime Commission (EFCC). However, corruption has continued to grow unabated. Some western diplomats had the belief that Nigeria lost between \$4 billion and \$8 billion per year to corruption during the eight years of Obasanjo's administration (HRW, 2007). Also, the 2008 Corruption Perception Index (CPI) released by the Transparency International

revealed that the country was rated 121 out of 180 countries surveyed. On the scale of 10.0, Nigeria scored 1.6 in 1999; 1.2 in 2000; 1.0 in 2001; 1.6 in 2002; 1.4 in 2003; 1.6 in 2004; 1.9 in 2005; 2.2 in 2006; 2.2 in 2007; 2.7 in 2008; 2.7 in 2009; 2.9 in 2010; 2.7 in 2011; 3.1 in 2012; 3.3 in 2013; 3.9 in 2014 and 4.5 in 2014 (TI, 2008). This of course became a source of embarrassment to Nigerian officials travelling abroad and Nigerian nationals all over the world.

Ogundiya (2012) observed that the experience of the Fourth Republic indicated that corruption has become a norm. Therefore, it is no longer news that the back covers of our newspaper are always inundated with news about political and bureaucratic corruption. The popular saying by politicians of the Fourth Republic is “thou shall not be caught”. By this, they meant that only those caught are corrupt. Therefore, they evolve different sophisticated methods of perpetrating this crime without being noticed. However, the stern stance of Muhammadu Buhari’s anti-corruption crusade since 2015 has somewhat change the clime.

Some Cases of Political Corruption in Nigeria

All the three arms of government and other state institutions seem immersed in corruption. The implication is that the serious economic setback and infrastructural deficits in the country could be attributed to the prevailing systemic corruption especially in the Fourth Republic. In the National Assembly for instance, Chief Evans Enwerem, Chuba Okadigbo and Adolphos Nwabara were all impeached on grounds of corruption (Ogundiya, 2012). Senator Chuba Okadigbo found out among other things that he was involved in the inflation of the street light project to the tune of 173 million Naira; Okadigbo also authorized the payment of 372 million naira to furnish his residence with a sum estimated above 25 million naira and equally installed and commissioned a 100KVA generating set of the Senate President residence at an inflated amount of 15 million Naira (Ogundiya, 2012).

In another development, another Senate President, Adolphous Wabara, was also guilty of receiving bribe of N55million from Professor Osuji (the former Education Minister) to inflate the budgetary allocation to the Education Ministry. Senator Chimaroke Nnamani also faced 124 count charges of fraud, conspiracy, concealment and money laundering amounting to about 5.4 billion naira (Vanguard Newspaper, Saturday, 2008). In a related development, Patricia Olubunmi Etteh, the first female speaker of the House of Representatives was forced to resign following an allegation of misappropriation of public funds in multiple contracts of 628 million Naira (US \$5 million) alleged to have been used for the renovation of her official residence and purchase of 12 official cars. Likewise, the Senate Committee pronounced the former Vice President under Obasanjo administration, Alhaji Atiku Abubakar, guilty of corrupt enrichment, having said to have diverted the sum of US \$145 for his personal use. As a result of wanton corruption, the international community became so much concerned with the lack of good governance in the country. Consequently, the Obasanjo administration was placed under international pressure and threats of sanctions to implement measures against corruption and other forms of financial offences. The federal government of Nigeria was then promised

some financial benefits if reforms were implemented. This included a possible debt cancelation, which eventually materialized when the Paris Club wrote off \$18 billion, representing 60% of Nigeria's debt in 2005 (Ademola, 2011).

Following this development, the former Delta State Governor, James Ibori, was arrested on 129 count charge by the EFCC of laundering over N9.1 billion. Another notable case of alleged corrupt practice was by Orji Uzor Kalu, the former Governor of Abia state. He was accused of using his loot of N3.1 billion to fund SLOK Airline and two banks in the Gambia and Sierra Leone. He also owned some houses in the U.K. and U.S.A. (Ademola, 2011). Another ex-Governor, Saminu Turaki of Jigawa state was accused of spending N36 million of public funds to acquire oil blocks from the federal government. Ex-Governor Reverend Jolly Nyame of Taraba state was charged with stealing N1.6 billion belonging to the state. Other former Governors charged for various financial crimes are Edo states Lucky Igbinedion, Ekiti's Ayo Fayose, rivers Peter Odili and Chimaroke Nnamani of Enugu state. Ex-Governor Nnamani and two of his former Commissioners, Peter Mba and Spine Ejiofor were alleged of stealing N5.6 billion while some companies were also linked to him (Ademola, 2011).

Apart from the above, the former President's daughter, Iyabo Obasanjo-Bello, a senator of the Federal Republic was involved in two separate scandals. In December, 2007, Iyabo Obasanjo-Bello was involved in a contract scandal amounting to N3.5 billion involving her and an Australian firm. According to the EFCC, the senator used her mother's maiden name, Akinlawon to hide her identity in the contract (The Punch, March 19, 2008).

Senator Iyabo Obasanjo was again involved in another financial scandal of mismanagement of funds in the Ministry of Health. It was this scandal that led to the resignation of Prof. Adenike Grange and her Deputy, Architect Gabriel Aduku. Iyabo Obasanjo was later arraigned in court over N300 million unspent budget scam (Thisday, August 6, 2008:9).

In another development, the resignation of Dr. Ngozi Okonjo Iweala barely 24 hours after she was sworn in as the Finance Minister was an indictment on the government's efforts at eradicating corruption. It was reported that she had a disagreement with the leadership style of the President, Chief Olusegun Obasanjo (The Sunday Sun, July 20, 2003). Other than the removal of the budgeting function to the Presidency, she was not comfortable with the Clearing Regime at the Nigerian Ports. About the same year, the Revenue Mobilisation, Allocation and Fiscal Commission (RMAFC) called for explanation from the Presidency about what happened to N35 billion meant for local government monthly in addition to repeated allegation that several billion Naira of oil revenue were missing from the Federation Account (Ademola, 2011).

In view of the details of this rule and mismanagement that had characterized Nigeria and which has plunged the country into economy misery, Mallam Nuhu Ribadu, the former EFCC chairman maintains that the over \$400 billion that had been looted from the Commonwealth by the leaders is "six times the total value of resources committed to rebuilding Western Europe after the Second World War

(Ademola, 2011). This claim could be appreciated studying the publications of New York Times (2008) and the EFCC Magazine (2008) as well as the ICPC Monitor (2008) where corrupt activities of politicians in the first eight years of Chief Obasanjo administration were exposed.

One other case that requires attention, but yet to be resolved is the Halliburton bribe case. Though Halliburton and its former subsidiary Kellogg Brown and Root (KBR) agreed to the largest corruption settlement every paid by a US company under the US Foreign Corrupt Practices Act (FCPA) - \$579 million – their historic guilty plea was only the latest in a string of high level bribery cases to secure contracts in Nigeria (This Day, March 19, 2007; The Punch, March 19, 2009).

Other cases like the Siemens \$1.6 billion settlement scandal, Sillbros Inc's \$32 million, Panalpina's case in the Nigeria's National Identity Card Scheme with Segem going to about \$200 million as bribe to senior government officials cannot but be mentioned. These cases equally draw concern about the unremitting level of official corruption in Nigeria, despite the claims of successive governments that they show "zero-tolerance" for corruption (The New York Times, Dec. 15, 2008, see also EFCC Magazine, 2008:48 and ICPC Monitor, 2008:34).

Anti-Corruption Efforts in Nigeria

The menace of corruption and the lack of effectiveness of the existing institutions to fight corruption prior to 1999 led to the establishment of the ICPC (2000) and EFCC Act (2004) and the Money Laundering (Prohibition) Act, 2004. These Acts made comprehensive provisions to prohibit the laundering of the proceeds of a crime an illegal act, provide appropriate penalties and expands the interpretation of financial institutions, it also provides scope of supervision of regulatory authorities on corrupt activities among others (Ademola, 2011). The establishment of these institutions has contributed significantly in combating those activities to the extent that the scorecard assessing both the ICPC and the EFCC as at 2006/2007 revealed as follows:

Table 1: Effort by the Anti-Graft Commissions at Combating Corruption in Nigeria

ISSUES/AGENCIES	EFCC	ICPC
Number of Persons Arraigned	(300+)	(185)
Number of Persons Convicted	145	(20)
Value of assets/fund recovered	N1.4 trillion	N5.9

Source: ICPC Monitor, Vol. 1 (August - October Issue) 2015 and EFCC Magazine, Vol. 3 (2), August, 2015

In addition, since 2004, Nigeria has taken significant steps towards complying with the Extractive Industries Transparency Initiative (EITI), including conducting comprehensive audits of the petroleum sector (World Bank, 2006). The Yar'adua/Jonathan administration also added the Public Procurement Act and the due process office, i.e. the E-payment (since January, 2009) and the e-procurement (since 2008) to improve transparency in public procurements (Ademola, 2011).

The Impact of Corruption on Nigeria's Economic Development

Ogundiya (2009) observed that "corruption is a huge challenge in public administration in Nigeria. It is at the core of crisis of governance and economic development, the establishment of stable democratic order, rule of law; as well as economic development and the social welfare of citizens. Of all forms of corruption, political corruption has posed a major obstacle to economic progress in Nigeria." Indeed, the current crisis of economic development in Nigeria can be attributed to a history of poor governance characterized by corruption, social injustice and political instability.

As rightly pointed out by Centre for Democracy and Development (CDD, 2001) "Corruption promotes economic decay and social and political instability, perverts the ability of state to foster rule of law; and eventually corrodes trust and undermines legitimacy." However, the major impact of corruption on economic development in Nigeria's Fourth Republic were bad governance, poor service delivery, inadequate infrastructural amenities, poor management of public enterprise, brain drain of professional skills manpower, absence of rule of law and constitutionalism, moral decadence, increase unemployment, increase insecurity and general underdevelopment. These impacts were discussed below:

i. Bad Governance

World Bank (1992) contends that bad governance has many features, among which are failure to make a clear separation between what is public and what is private. Hence, these often lead to a tendency to divert public resources for private gain; failure to establish a predictable framework for law and government behavior that is conducive to development. It also leads to arbitrary rules, regulations, licensing requirements etc. which impede the functioning of markets and encouragement of rent seeking. The implications include setting priorities that are inconsistent with development, thus, resulting in misallocation of resources and excessively narrow-base or non-transparencies decision making.

Obadan (1988) maintained that "when these features occur together they create an environment that is hostile to economic development. In such circumstances, he further argued that the authority of governments over their peoples tends to be progressively eroded and also governance becomes eroded by systemic corruption and lack of accountability and transparency. All these provide opportunities for the well connected elites and interest groups in the society to corner for themselves a sizeable proportion of the society's resources at the expense of the masses." Indeed, the above descriptions symbolically represent the nature of Nigeria's Fourth Republic.

ii. Poor Service Delivery

Adebayo (1985) hinted that using official stationery, envelopes, papers, government drug, dressing materials and hospital equipment, government labour and government time for private work are all elements of corruption. A lot of government functionaries use government documents, equipment,

vehicles etc. for private purpose. In the same regard, they divert government labour and time for government services to their private gain. This unwanted attitude precipitates poor service delivery in government and breeds obstacle to economic development.

In fact, extortion of job applicants and demanding sex from female applicants are all corrupt practices. The most disheartening one is purchasing offer of appointment with certain amount of money. It was reported that most of the youth who joined the security services such as the military, the police, immigration and custom services parted with money and gifts to bribe the recruitment officers or use philanthropic connection to get into the system. This aspect creates a gesture for engaging the services of unskilled and incompetent manpower to run the public and security services which would in turn lead to the poor service delivery.

iii. Inadequate Infrastructural Amenities

The current situation in Nigeria is such that social infrastructure in health, education and transportation sectors were in shambles, basic social amenities such as potable water and electricity became scarce, rural-urban drift increased, leading to increased crimes and insecurity. All these could be attributed to systemic corruption bedeviling the nation. As rightly observed by Abdulraheem (2009), one should regard public officials and their private sectors collaborators as mass murderers, killing millions of Nigerians through inadequate public service compromised by corruption. Monies meant for drugs, roads, hospitals, schools, public security etc. are siphoned away making all Nigerians (especially the poor) vulnerable to premature death. An example was the squandering of US\$16 billion invested on national integrated power project between 2006 and 2007. In addition, the misappropriation of over N6billion for rural electrification project in 2009 under Elumelu Committee on the said project is also compounding the woes of economic development in the country.

iv. Poor Management of Public Enterprises

There is gross mismanagement of public corporations and enterprises in Nigeria as a result of corruption. These agencies such as NITEL, NEPA, Railway Corporation and Water Boards etc. were not performing as they are expected due to the ravage of corruption. There is inefficiency and poor service delivery which affects most of public enterprises since the inception of civilian administration in 1999. Nigerian telecommunication (NITEL) and Mobile telecommunication (MTTEL) were paralyzed and now dead, National Electrical Power Authority (NEPA) changed its nomenclature to Power Holding Company of Nigeria (PHCN) under the notion of privatization. Meanwhile, Nigerian Railway Corporation (NRC) is as good as not working except for recent little improvement and Water Board is operating at a chameleon speed due to corrupt practices by those who are entrusted to

handle them for effective service. All these impact negatively on the economy.

v. Brain Drain

Heanan (2005) pointed out that brain drain or human capital flight is an emigration of trained and talented individuals (human capital) to other nations or jurisdictions. Nigerian professionals (medical doctors, engineers, academics etc.) are moving abroad in search of greener pastures due to conflicts, lack of opportunity, health hazard that characterized the Nigerian nation which are all fall out of systemic corruption. These talented professionals ought to stay back to contribute their quota to the country's economic development. However, the host countries especially the western countries are benefiting from their expertise using them to grow their economies. Most of these people find it difficult to get job in Nigeria. For those who are able to get, the political and bureaucratic corruption in Nigeria often deny them of welfare services which forced them to look elsewhere where these welfare services will be rendered to them. The non-provision of the welfare services is not as a result of paucity of fund rather is attributed to mismanagement and embezzlement of public funds. Aside the federal government and very few states, the N18,000 minimum wages is yet to be fully implemented at a point when the labour is requesting for about N58,000 minimum wages. Their inability to pay is not as a result of the fact that they could not afford to rather they deliberately refused to pay to make room for enough money to embezzle. More worrying is the retirement benefits that are being diverted by few elites for their self enrichment. The scandal of almost N3 trillion over police pension scheme was a good example at point of time.

vi. Absence of Rule of Law/Constitutionalism

There is a gross failure to respect the rule of law in accordance with the constitutional guidelines and extant regulations of the country. Executive lawlessness, complacency of legislature, incapacitation of judiciary and politicization of public service among others are the order of the day in Nigeria; all as a result of corruption (AH, 2007). All these lead to economic decadence in the country.

vii. Moral Decadence

Corruption is the great ailment that destroyed societal moral values. It removes idea of meritocracy and enhanced all sorts of atrocities such as prostitution, robbery, nepotism, tribalism, broken homes, juvenile delinquency, as well as breeds unproductive generation to workforce to man organizations leading to unproductive public organizations. The cumulative outcome of all these have negative impact of economic growth of the country.

viii. General Underdevelopment

Corruption breeds underdevelopment in all political, economic, socio-cultural, educational and even psychological sectors. Indeed, most of the public policies were not established for the sake of the public rather than for the benefit of elites (elite beneficial policies) to the detriment of the populace. This issue accelerates poverty rate, inequality and underdevelopment and prevents the country from attaining national economic development.

Conclusion and Recommendations

In summary, the paper identified bad governance, poor service delivery, inadequate infrastructural amenities, lack of proper management to public enterprise, brain drain, absence of rule of law/constitutionalism and general underdevelopment among others as consequences of corruption on economic development in Nigeria's Fourth Republic. From the circumstances prevailing in the country, there is no doubt that the present Buhari's administration is struggling to reduce corruption though in questionable ways. There are number of challenges hindering the effective fight against the scourge in the country. First, the slow pace at which the President takes actions on his aides alleged of corrupt acts is quite disturbing, pointing to the notion that he is pursuing selective war against corruption. Second, the EFFCC and other anti-graft agencies seem to always look at the body language of the President before acting on any corrupt case. They are not willing to go against the President's anointed persons in order not to offend him.

Third, the justice system in Nigeria is doing no good to aid the anti-corruption war. For instance, lawyers are fond of foot-dragging and delaying judicial process with trivial issues. The lawyers to the accused quickly file preliminary objections to the charges. After several months or years in dragging this in court, the next is to challenge the jurisdiction of the court to hear the case. All these can be pursued up to the Supreme Court. Before the trial proper could commence, years will have gone by thereby frustrating the prosecution process. Fourth, the democratic justice system is not helping the fight against corruption. In a democratic system, an accused is presumed innocent until the accuser proved it beyond reasonable doubt. Whereas, under the military rule, the accused is presumed guilty until he proved himself not guilty. It should be noted that the democratic system is extremely difficult as the accused will do everything possible to destroy evidences that could be used to nab him.

Based on these, the paper described the anti-corruption efforts of the Buhari-led administration as a drifting wood without a direction. This as a result of the fact that Buhari seems to be fighting the scourge alone as state governors are hardly seen replicating same in their jurisdiction. The paper also argues that Buhari's integrity in terms material corruption is intact but may not be clean in terms of nepotism which is also a form of corruption. This is seen in the lopsidedness in the appointment against reflection of federal character as mandated by the 1999 constitution and other extant laws.

Premised on the foregoing challenges, observations, arguments and opinion, this paper recommends the following:

- i. The federal government especially the National Assembly should give speedy consideration and passage to the Bills to establish special anti-corruption courts to quicken all corruption cases in Nigeria. In addition, the administrative justice system rule which is capable of removing all possible delay tactics from corruption trials should be implemented in full without respect for any defaulter. The law should be of no respecter of any person regardless of how highly placed such person is.
- ii. The President should de-personifies corruption war to enable the anti-graft agencies work to without looking at his body language before taking action. The anti-graft agencies should be empowered and their challenges mitigated to enable them to be more effective and efficient. Anti-corruption war should be institutionalized in such a way that the system will go after any person found wanting no matter where and when.
- iii. The anti-graft agencies should retract from media trial of corruption cases. No case can be won on the pages of newspapers. They should identify suspect, conduct full investigation and gather proofs that are weighty enough to nail the suspects before arresting them. The agencies need not advertise the cases on the front pages of newspapers before action is taken. This always gives the alleged persons to destroy evidences and exhibits and can even file defamation suit against the government. In addition, the anti-graft agencies should engage in capacity building of their lawyers. If possible, expert or 'big' lawyers should be consulted in a situation where the accused hires same. No baby lawyer can win a case against a Senior Advocate.
- iv. The penalty for people found guilty of corruption should be made stiffer. For example, Nigeria could borrow a leaf from the Chinese experience where the penalty for corruption is death by hanging.
- v. Education stakeholders should include the dangers of the menace of corruption and its impact to the Nigerian society in the academic curriculum in order to teach our students to shun corruption and build their moral value for them to see corruption as a taboo.

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Application of John Rawls' Theory of Justice in the Operation of Nigerian Federalism

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Abstract

It is near impossibility for any to attempt a postulation that man can dwell meaningfully in isolation; it is a hallucination to venture into that. Consequently, the compass that traverses the subconscious component of man is justice. It is an inevitable virtue in healthy human co-existence in all societies, a too important vessel to be regarded as a value-judgement³ which could erratically vary from one person to another, but a sacrosanct value which can never be separated from the social interactions of man. Justice is rendering that which is apt and appropriate to another with the full consciousness that if same is done to renderer, it shall be embraced with all gladness of heart.⁵ Sequel thereto, this work is geared towards the adaptation of John Rawls Theory of Justice "as Fairness" and the practical utilization of its ideals in the smooth running of Federal Republic of Nigeria as an indivisible and indissoluble sovereign political entity among the comity of States in the world.

Keywords: John Rawls Theory, Justice, Operation, Nigeria, Federalism

Introduction

The purpose of law, as a body of rules seeking to control human behaviour (Goodhart, 1995) is to attain justice in society. In general sense, the peace, stability and continuity of the social order which law guarantees is justice. This is the sense in which Plato, one of the seminal thinkers of early Greek philosophy, understood the concept when he defined *Justice* in terms of everyone and everything acting according to his/her proper place in the order of things. Plato argued that what is needed in society is not law, but education. According to him, education will ensure that everyone knows his position in society and *justice* consists of everyone knowing and doing what is required of his position. This seems to be coterminous with Aristotle's view (in Derikuma-Ferdinand 2009:19) that "when men are free they have no need of justice". Justice is conceptualised in different ways. Among the more prominent senses in which the word has been used are the following: natural justice,

divine justice, formal justice, substantial justice, legal justice, distributive justice and corrective justice.

Early thinking about justice is traced to Aristotle (Freeman, (2001). It was he who distinguished “corrective justice” and “distributive justice”. Law of tort finds justification in terms of corrective justice, the objective being to find justice between the parties. Most contemporary literatures about justice are about distributive justice, about the appropriate distribution of the good. In the *Nichomachean Ethics*, Aristotle puts forward the view that the good of the society should be distributed to the individuals on the basis of their claims. One of the most interesting modern attempts¹⁰ to explain the principles of justice was done by John Rawls in his book: *A Theory of Justice*, which is now reformulated and described at most contemporary quarters as *Political Liberalism* (Freeman, 2001). However, a thematic consideration of Rawls’ postulations would be better appreciated if the various notions of justice are tersely discussed.

Notions of Justice

(i) Natural Justice

Natural justice is an elusive concept, yet it is concrete enough to have fundamental principles guiding its practical attainment in the conduct of legal practitioners and administrators who distribute the good of the society. The fundamental principles of natural justice are *audialterampatem* and *nemojudexcausasua*.

If two people have a dispute, it will amount to gross “injustice” if conclusion is reached based on the presentation of facts of only one party to the dispute. In order to have a balanced view of the dispute, the principle of *audialterampatem* should be adhered to, that is, both parties in dispute must present their statement of facts to an impartial umpire with the best of their abilities. This is fundamental to achieve natural justice in the ever-interactive world. Similarly, if two parties have a dispute, one of them should not be allowed to pass judgement or make conclusion in respect of the dispute. Since he has interest in the matter, there is the tendency that he will give judgement or make conclusion favourable to himself, but against the party in dispute. The principle of *nemojudex in causasua* requires such dispute to be submitted to a neutral third party to give judgement or make conclusion. In other words, a party to a dispute must disqualify himself from passing judgement in the dispute.

(ii) Jungle Justice

This is justice dispensed without thorough balancing of the party’s interest; in fact, it is rendering of justice instantly without due consideration of the legal process. This form of justice is often based on emotions, sentiments and subjective opinion of the people at the happening of the event. When proper procedures are not followed in meting out justice, particularly “instant justice”, jungle justice is brought into play. For instant, if a thief is caught red-handed and lynched at the spot, it is jungle justice. Howbeit, it is justice in that

many people believe that the culprit deserves to die and they no longer have confidence in the police and the criminal justice system.

(iii) *Divine Justice*

Talks about divine justice are invoked when a person is punished for what he has done even though the punishment is not intentionally and directly from the administration of justice. When people talk about nemesis catching up with somebody or when Nigerians say “*na God catch am*” (Derikuma-Ferdinand, 2009) they are all invoking some notions of divine justice in which every offender gets his just deserts (Derikuma-Ferdinant, 2009) regardless of whether the human criminal justice system is able to handle the culprit or not.

(iv) *Formal Justice*

Once people are categorised, and people of each category are treated equally, formal justice is done. This concept of justice is found upon the cliché that “likes should be treated alike”. Using a typical ancient Roman Empire set up, which population was a conglomeration of nobles, free born and slaves, this could be substantiated as follows: for example, rendering to a noble, what is due a noble, a free born to what is due a free born, and to a slave what is due a slave (Maliki, 2006). Formal justice is not interested in the criteria by which the classification or categorisation is made. It takes the basis of the classification, whether just or unjust for granted and apply same without fear or favour. The only concern is whether subsequent classification, rules and procedures are being applied such that equals by virtue of the stratification are treated equally. Once this is so, then formal justice is being done.

The extent that formal justice does not question the justness of the rules of procedures, but only concerns with whether the rules are being adhered to, falls short of an adequate conceptualisation of ideals of justice. The implication of formal justice is that even if the criteria for apportioning people for selective application of law is mere skin colour as it was in apartheid South Africa, justice is being done, so long as the rules are stiffly adhered to. A more robust conceptualisation of justice should question the rules themselves and evaluate them according to higher universal standards.

Besides, applying same law to equals may not actually amount to equality of treatment in that human beings are rarely equal in all ramifications, notwithstanding the standards by which equality is adjudged. For practical illustration, there is the general notion of equality of access to criminal justice administration machinery, but not all can make equal use of it. If conditions and terms for granting bail for similar offences are fixed at equal cost for everyone, it is obvious that the more well-to-do will easily meet the conditions than the very indigent population.

(v) *Substantial Justice*

Substantial justice requires two elements in addition to the requirements of formal justice. First is the need to decide if the rules are themselves just. In other words, the values by which the rules are judged to be just will have to be based on something other than justice. Such higher values usually, will be

conditioned by the history, tradition, socio-economic, environment, value system, religion, ethical and moral values of the people and as well universal practices of mankind in the world over.

The second element is equity. This entails the need to be fair by making rules of application not too rigid and more individual friendly. The rationale is to foresee and provide for peculiarities in the situations of individuals. The need is met by allowing certain latitude for the exercise of discretion to the State judicial officers. For example, if five individuals separately commit the offence of theft, they would have committed it for different reasons. Desperation fostered by hunger, insanity, for the fun of it, inability to understand the nature of the act, out of greed or illicit gain, out of spite, calculated act of revenge and so on. The principle of equity which underlies substantial justice demands that factors motivating the crime as well as the total situation of the individual be considered. As such, judges who have power of discretion and not under strict application of mandatory sentences once offence is proven beyond reasonable doubt as required by formal justice could be substituted with a lesser or different penalty taking into cognisance the circumstances that led the offender to commit the offence.

(vi) *Legal Justice*

The concept of legal justice is a broad one which can be invoked whenever there is talk of rules of application. It applies whenever there is a code of rules, whether legal or non-legal. In this regard, sports clubs, students' association, corporate bodies, tribal meetings and many more have rules of engagement and codes as reference to applicable rules. Legal justice is what we talk of when we carry out discussion on justice, to be specific in the domain of law as against just any rule of conduct. It means justice according to the law of the land. When a case is settled according to the dictates of the law, we say legal justice has been done.

The logical follow-up to this is that we may also have legal injustice. When the law is itself unjust, even when it is impartially administered, it still amounts to legal justice. The standard for judging the unjustness of a properly made law, whatever the value, is a substantial test of justice.

(vii) *Corrective Justice*

Aristotle made the most famous distinction by dividing justice into "corrective justice" and "distributive justice". Corrective justice involves rectification between two parties where one has taken so much from the other or harmed the other in devastated magnitude. The payment of derivation fund of thirteen percent (13%) to oil-mineral-bearing States is a variant of corrective justice.

Modern discussions of corrective justice often occur within the context of arguing about appropriate standards in the law of tort. The underlying premise is that adequate damages on tortious acts should do justice between the parties. Corrective justice imposes an obligation on the tortfeasor to compensate his

victim for the harm or wrong done. The victim has a corrective right to recover for the losses. According to Benson:

A person who through an external manifestation of will, has brought something under his or her present and exclusive control prior to others is, relative to those others, entitled to it in corrective.

(viii) *Distributive Justice*

Most contemporary writings about justice is about distributive justice; is about the appropriate distribution of the good in society. In the *Nicomachean Ethics*, Aristotle puts forward the view that the good of the people should be distributed to the individuals on the basis of their relative claims. Thus, the good might be distributed according to needs, or moral values.

One of the most interesting modern attempts to defend principles of justice is found in John Rawls' "*A Theory of Justice*" presently, reformulated in Political Liberalism (Rawls, 1972). So persuasive was Rawls' theory that Nussbaum and Glover Putnam (1995) commented that one cannot think about justice without taking a position in Rawls' *Theory of Justice*.

John Rawls Theory of Justice "as fairness"

Rawls idealised a state in which there was an original position, representatives and heads of families of the people in the State gathered to negotiate and make decision for the common good of the people. He posited that man is rational enough to make choices and decisions which are presumed to be fair and beneficial to everyone in the State. The presumption of fair choices and decisions is built on the premise that the negotiation took place behind a *veil of ignorance (VOI)*. This implies that the negotiators were not aware of their individual circumstances. No member at the original position knew about his existing fortune or misfortune, colour, ethnicity, religion and so on. At the original position behind the veil of ignorance, the people agreed on terms of association which were of advantage to everyone.

The aim of Rawls was to present a conception of justice which carries to a higher magnitude the abstractions of the lofty postulations of the social contract theorists of John Lock, Jean Jacque Rousseau and Immanuel Kant (MacCormick, 1973). According to MacCormick, Rawls used a "refurbished" version of the social contract argument. Rawls argued that the original contract was not formed to set up a particular form of government or enter a particular society. Rather, it was formed because of justice for the basic structure of society. These principles, according to Rawls, are those which free and rational persons who want to further their interest in the initial position of equality would accept to define the terms of their association. The principles are to be regulated by all through further agreements by the people. They are to specify the kinds of social co-operation that can be entered into and the forms of government that can be adopted and operated by the State. This way of regarding the principles of justice is what he calls "Justice as Fairness." Thus, those who engage in social cooperation choose the principles which are to assign basic rights and duties and determine the division of social benefits. Men are to decide in

advance how they are to regulate their claims against one another and what is to be the foundation charter of their society. The choices which rational men would make in this hypothetical situation of equal liberty determine the principles of justice. In justice as fairness, the original position of equality corresponds to the state of nature in the traditional theory of social contract. This original position is not an actual historical state of affairs, but it is understood as a purely hypothetical situation characterised so as to lead to a certain conception of justice. According to Rawls:

Among the essential features of this situation is that no one knows of his place in society, his class, position or social status, nor does anyone know his fortune in the distribution of natural assets and abilities, his intelligence, strength and the like. It is even assumed that the parties do not know their conceptions of the good or their psychological propensities. The principles of justice are chosen behind a veil of ignorance. This ensures that no one is advantaged or disadvantaged in the choice of principles by the outcome of natural chance or the contingency of social circumstances. Since all are so similarly situated and no one is able to design principles to favour his particular condition, the principles of justice are the result of a fair agreement or bargain.

Given the circumstances of the original position, the symmetry of everyone's relation to each other, this initial situation is fair between individuals as rational beings, and capable of a sense of justice. The original position is, the appropriate initial *status quo*, and thus the fundamental agreement reached in it is fair. This explains the propriety of the name "Justice as Fairness." It conveys the idea that the principles of justice agreed upon in the initial position are fair. Having chosen a conception of justice, men are to choose a constitution and a legislature to enact laws and so on, all in accordance with the principles of justice initially agreed upon (Rawls, 1999). The conception of justice as fairness of John Rawls presupposes the following fundamentals:

- (a) The maximisation of liberty for all, subject to only such constraints as are essential for the protection of the liberty itself;
- (b) Equality for all, both in the basic liberties of social life and also in the distribution of all other forms of social goods, subject only to the exception that inequalities may be permitted if they produce the greatest possible benefit for those least well off in a given scheme of inequality ("the difference principle"); and
- (c) Fair equality of opportunity and the elimination of all inequalities of opportunity based on birth or wealth.

Rawls was critical of the utilitarian theory of law. According to him, once the principles of justice are thought of as arising from an original agreement in a situation of equality, it is an open question whether the principle of utility would be acknowledged.

It hardly seems likely that persons who view themselves as equals, entitled to press their claims upon one another, would agree to a principle which may require lesser life prospects for some simply for the sake of a greater sum of advantages enjoyed by others. Since each desires to protect his interest, his capacity to advance his conception of the good, no one reason to acquiesce in an enduring loss for himself in order to bring about greater net balance of satisfaction.

Rawls argues that in the absence of a strong and lasting benevolent impulse, a rational man would not accept a basic structure merely because it maximized the algebraic sum of advantages irrespective of its permanent effect on his own basic rights and interests. He therefore states that the principle of utility is incompatible with the conception of social cooperation among equals for natural advantages.

Rawls, instead maintained that the persons in the initial position would choose two rather different principles. We shall now state in provisional form the two principles of justice that we believe would be chosen in the original position (Rawls 1972). The first statement of the two principles reads as follows:

Firstly, each person is to have an equal right to the most extensive liberty compatible with a similar liberty for others; and secondly, social and economic inequalities are to be arranged so that they both are maximised to:-³⁸

To the greatest benefit of the least advantaged, consistent with the just savings principle (Rawls, 1972); and attached to offices and positions open to all under conditions of fair equality of opportunity.

The general conception of Rawls' theory is that all primary social goods; liberty and opportunity, income and wealth and the basis of self-respect are to be distributed equally, unless an equal distribution of any or all of the good is to the advantage of the least favoured.

Evaluation of Rawls' Theory of Justice

Rawls' Theory of Justice "As Fairness" was thrown to a number of critical criticisms. We shall evaluate some of the criticisms. One of such, is the device of the "Original Position" attracted much attack from evaluative minds. The question most people ask is why should people who were not in the original position adopt willingly the principles chosen by those who were (Dworkin, 1973).

Another critique was the view that, what if there was bias in the "Original Position" in a manner that principles were not chosen fairly? To some Marxist and feminist theorists, such bias are inevitable (Okin 1989)

A number of questions could also be asked about the principles of justice. To Rawls, the principle represents "an arrangement to regard the distribution of natural assets as a common asset and to share in the benefits of the distribution whatever it turns out to be."

In another vein, Professor Robert Norzick (Rawls' student) argues that to regard people's natural assets as a common property contradicts the inviolability of the individual and the distinction between persons (Norzick, 1972).

Norzick,⁴⁹ challenges the whole concept of distribution. He argues that “there is no such meaningful concept as the good of the society, but only the good of particular individuals and society has no *prima facie* right to shuffle those goods around individuals (Fried, 1983). Norzick’s criticisms knock off much of the steam away from Rawls’ argument of justice.

The priority, which Rawls gives to liberty, must also be addressed. Rawls claims that a person in the “Original Position” will choose the “basic liberties” in priority to any distribution of income, wealth and power because he knows that, by so doing, he will have the best chances of obtaining for himself the primary goods and pursuing whatever other ends within his life-span. Rawls did not explain what happens when there is conflict between basic liberties. It is Hart’s view that Rawls underestimates the difficulty of balancing conflicting liberties (Doharty, 2005).

Another critique relates to the rationale for giving liberty priority over other social goods. Rawls argues that once a certain level of well-being has been attained in a society, even its least well-off members will prefer increments in their liberty to an increase in other social goods. So, those in the “Original Position” will not allow liberty to be traded off for other goods in the society.

Since parties in the “Original Position” are ignorant of the character and strength of their desires, do they have a disposition to give a determinate answer to the question of which position (one priority to liberty or one not doing so) would be in their interests to choose? It is doubtful they should.

Yet, another problem concerns the compatibility of the first principle which demands equal liberty for all and the second principle justification for inequalities in wealth and liberty. It is the case that inequalities in wealth and power always produce inequalities in basic liberties.

Okin’s criticism is based on the fact that Rawls theory of justice is not gender-friendly. She argues that Rawls employs generic male terms of reference. She further posits that “a feminist reader finds it difficult not to keep asking, does this theory of justice apply to women?” She emphasised that in innumerable ways, the principle of justice that Rawls arrives at are inconsistent with a gender-structured society and with traditional family roles.

The foregoing are some of the attacks on Rawls’ Theory of Justice (As Fairness). However, the conceptualisation of Rawls’ principles of justice have so many applications, reflections and resemblances in the running of Nigerian Federalism as an independent sovereign State, which is the hallmark of this work.

The Application of Rawls’ Theory of Justice in Nigeria

(i) The Adoption and Operation of Presidential System of Government in Nigeria:

The sequence of events that culminated the adoption and operation of presidential system of government in Nigeria is holistically encapsulated within the lofty ideals and postulations of Rawls Theory of Justice as “Fairness”. Nigeria prior to October 1, 1979, was governed by foreigners with illusive policies and few generals from the Armed Forces of the Federation with little or no reflection of the views or opinions of the various peoples (EbhonIdami, 2001). The advent of the

Murtala/Obasanjo's Military Administration of 1976-1979, saw the crucial need of tilting from the existing structures to have a Nigerian-oriented government for the peoples of Nigeria.

In achieving this, Nigerians from all walks of life and from all localities were elected into an electoral college which in turns elected a 230 (Nwabueze, 1982) member Constituent Assembly (CA) who sat in Lagos representing all Nigerians. This Assembly is equated to Rawls' original position (OP), where the veil of ignorance (VI) permeated the people at the original position (POP). Their suggestions, opinions, views, discussions and deliberations were Rawls' considered judgement (CJ). The objective evaluation and assessment of all the suggestions at the original position procreated the presidential system of government in Nigeria on October 1, 1979 which is operational today. This is akin to Rawls' reflective equilibrium (RE), Derikuma-Ferdinand (2009) in all ramifications as it where in the initial original position.

The just concluded National Conference at Abuja, the nation's capital is in tandem with John Rawls' Theory of Justice as fairness that is likened to the initial original position (IOP) as it were in 1978 where rational people met and pondered about the future of the country. Nigeria has been⁶¹ applying the ideals of Rawls postulations directly or impliedly in all most spheres of national life. These reflections include state equality in representation in the Senate, federal character (geographical spread) in employment and appointments into the Federal Civil Service as well ministerial appointees and members into the numerous Federal Government Boards and agencies. Others are catchment area and quota system in enlistment into the Armed Forces and admissions into Federal Universities, and many others. The above are in consonance with Rawls' second principle of justice. Some of these resemblances shall be discussed in details below.

(ii) *The Entrenchment of Fundamental Rights in the Constitution:*

One of Rawls' fundamental principles of justice as fairness is the right to equal concern and respect for all strata of people in the society. According to Rawls, the very first principle of justice is the principle of greatest equal liberty. Where he argues that each person is to have an equal right to the most extensive total system of equal basic liberties compatible with a similar system of liberty for all. This equal liberty is consistent and coterminous with the much cherished and universal concept of rule of law. This concept is applied by almost all civilized societies in the world including Nigeria in their *corpus juris*.

The Nigerian version of this Rawls' ideals is contained in Chapter Four of the Constitution of the Federal Republic of Nigeria (CFRN) 1999 as amended. This Chapter outlines some fundamental rights for Nigerian citizens. These rights include the right to life, right to dignity of human person, right to personal liberty, right to fair hearing, right to private and family life, right to freedom of thought, conscience and religion, right to freedom of expression and the press, right to peaceful assembly and association, right to freedom of movement, right to freedom from discrimination right to acquire and own immovable property anywhere in Nigeria, and protection

against compulsory acquisition of property. These rights and liberties are in resonance with Rawls' first principle of justice and are required by the Nigerian Government to be equal to all citizens since a just society are to have the same basic rights.

In addition to the entrenchment of these rights, the Federal Government of Nigeria makes them justiciable whenever any of such rights and liberties is about to be trampled or is being trampled upon, action can be instituted for redress. The right of justiciability is provided for in section 46 (1), where it provides:

Any person who alleges that any of the provisions of this Chapter [Four IV], has been, is being or likely to be contravened in any State in relation to him may apply to a High Court in that State for redress.

(iii) *State equality in the Senate:*

A pellucid demonstration of Rawls' principle of equality in Nigeria is the representation of members in the upper legislative arm of the National Assembly, the Nigerian Senate. The Constitution provides: The Senate shall consist of three Senators from each State of the Federation and one from the Federal Capital Territory (FCT), Abuja.

The show of State equality in members' representation in the Senate is good and fair in all spheres in that all executive appointments ratification and screening exercise is done by the Senate. It further demonstrates equality of all the federated units of the federation. Representation in the House of Representatives is based on a proportional population indices and geographical spread. Thus, representation of members in the National Assembly is in tandem with Rawls' "equal liberty principle."

(iv) *Federal Character Principle:*

Rawls' second principle of justice applies to social and economic inequalities. He argues:

Social and economic inequalities are to be arranged so that they are both:

- (a) reasonably expected to be everyone's advantage; and
- (b) attached to position and offices open to all.

The second principle is applied by holding the positions open, and then, subject to this constraint, arranges social and economic inequalities so that everyone benefits. Section 14 (3) of the Constitution of the federal Republic of Nigeria (CRFN) 1999 as amended, is applicable to Rawls' principle.

By the second principle of justice, Rawls has a concept of constitutional democracy, with what the people will initially consider as a higher law. Thus, what Rawls considered as the people in the original position may be likened to what the people of Nigeria enact, firmly resolved to make, enact, and give to themselves. Thus Rawls has a dualist conception of constitutional democracy. Furthermore, the

equality and justice which Rawls talked about are forcefully provided for in the preamble to the Nigerian Constitution.

To protect the “higher law” against challenges and encroachments by the ordinary legislation, the judiciary has a crucial role to play. Thus, Rawls is committed to the institutions of judicial review as a necessary feature of constitutional democracy.

Practical illustration derived from the provisions of section 14 (3) and (4) of the 1999 Constitution and in resonance with the heterogeneous nature of country. Ministerial appointments are based on State equality, at least one from each States of the Federation and equal membership of judicial officers in all Federal Courts, that is, the justices of the Supreme Court, Court of Appeal, judges of the Federal High Court, the High Court of the Federal Capital Territory (FCT), Abuja and as well the judges of the National Industrial Court. Other aspects include the enlistment of officers and men of Armed Forces of the Federation. Employment of staff into the Federal Civil Service, quota system in admission of students into the Federal Universities and appointments of chairmen and members into the numerous Federal Bodies and Agencies.

In order to ensure equity and probity to this amiable endeavour, the Constitution establishes, Federal Character Commission in item C of the Third Schedule to the 1999 Constitution which membership include a member from each State of the Federation. This Commission’s duty is to project the ideals of section 14 (3) and (4) of the Constitution by making sure that there is equal representation of all Nigerians in all institutions and agencies owned and managed by the Federal Government of Nigeria.

(v) *Distribution of natural resources and revenue allocation formula in Nigeria:*

The chunk of the hydrocarbon resources that sustain the entire economy of Nigeria are deposited in the Niger Delta region of the country. It is Rawls’ first clause of the second principle that social and economic inequalities should be used to the benefit of the least advantaged. Consequently, in accordance with this argument, the proceeds from the sales of the crude oil and gas produced in the Niger Delta States are shared and distributed for other States of the Federation.

As a result of this arrangement, the Federal Government maintains an account known as Federation Account, wherein all sales of crude products and gas are kept for the use of all Nigerians, especially for the States which add nothing to the Federation Account. Indeed, economic inequality is used for the benefits of the least advantaged in Nigeria in resonance with Rawls’ second principle of justice.

To ensure fair fiscal allocation, sharing and distribution of this common good of the people, the Constitution creates a Commission to be in charge of the Account. The allocation, sharing and distribution of funds from the Federation Account are done monthly to the federated components of the Federation. Howbeit, to assuage the ideals of corrective justice, thirteen percent (13%) of the funds derived from the sales of natural resources shall be allocated and shared on the basis of derivation.

(vi) *Distribution of agro-allied produce in Nigeria:*

Due to the vast landmass of the country transcending many geographical zones. Agricultural and allied produce are not evenly distributed, though not used as common good of the people, but a demonstration of inequalities used for the benefit of the least advantaged. Besides, the manner and chain of distribution enhances social integration as posited by the tenets of section 14 (3) of the 1999 Constitution, concerning social integration and unity of the heterogeneous population (Derikumam-Ferdinand, 2009). The beef, mutton and as well grains, leguminous nuts, vegetable fruits, cabbages, tomatoes and so on consumed in the Southern part of country are kept and grown in the Northern part.

Whilst, forestall fruits such as mango, plantain, cassava as well wood for building construction consumed in the Northern part are grown and produced in the Southern part. One of such important fruit crops is the kola nut, which is grown by the Yorubas in the West, sold by the Hausa-Fulanis of the North and celebrated by the Igbos of the South Eastern part (IdamiEbbon, 2001) Social inequality is balanced in that the bulk of lecturers and teachers in the Northern universities and secondary schools are from the south-east and south-western parts of the country.

(vii) *Attach to offices and position open to all:*

The second clause of Rawls' second principle is on the emphasis that position should be opened to all under conditions of fair equality of opportunity. By this, Rawls presupposes an open system whereby all persons should be given the very equal opportunity to rise or aspire to the top echelon of society. In line with this principle, the 1999 Constitution provides:

A person shall be qualified for election to the office of the president if, he is a citizen of Nigeria by birth. (Constitution of the Federal Republic of Nigeria (CFRN), 1999)

The highest political position in the country is accorded equality for all to attain and no restriction whatsoever is attached thereto. If the highest position in the land is open to all, it then follows that there no closed stratification in Nigeria, no establishment or institution is reserved for some class of persons in the country. It is open for all the citizenry; the only limitation to get to the apex of the country's stratification is the person and not imposition by law or convention.

Therefore, Nigeria applies Rawls' second ambit of the second principle of justice to the letter, as in Nigeria there is no inhibition to access any position be it political or career service. This is completely in tandem with Rawls' second clause of the second principle of justice.

Conclusion

There is no doubt, some resemblances and implications could be deduced from Rawls' two principles of justice as fairness and the running of the Nigerian State politically, economically and socially. For instance, Rawls' "just saving principle" is all about the protection and reservation of basic social institution and

natural resources. This is the basis of maintenance of existing institutions and sustainable development for the future generation.

Nigeria is a strong advocate of sustainable development, protection of the environment and preservation of fluidic assets for posterity. Thus, it underscores the keeping and maintaining of Foreign Reserve Accounts, Ecological Funds and as well Excess Crude Account by the Federal government of Nigeria. This is in consonance with Rawls' just savings principle.

Nigeria needs a new constitutional order which goal is to set up a social system that guarantees fairness to all actors and equal fair opportunity for the people to operate favourably. The Constitutional order will reflect the general will of the people as it was done in Abuja recently which is akin to Rawls' initial original position. The just concluded Constitutional Conference in Abuja will result to minimum fair and admirable standards of negotiation in line with the original position posited by Rawls (Derikuma-Ferdinand, 2009)

Rawls, J., Theory of Justice "As Fairness" irrespective of numerous criticisms by curious and critical minds has a lot of reflections, implications and resemblances in the running of Nigerian Federalism, adopted either impliedly or expressly. Nigeria lives by Rawls' ideals in all ramifications.

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Party Defections in Nigeria's Fourth Republic: An Analysis of Atiku and Saraki

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Abstract

Nigeria's political scene has witnessed frequent defections from one political party to the other in an unprecedented manner. The phenomenon has raised serious concerns in many quarters as it is understood to have negative impacts on the development of formidable political parties, healthy party politics, as well as the growth of democracy in the country. Against this backdrop, this paper examines the prevailing trend of political party defections under the present democratic dispensation in the country. The paper employs the case study method; it specifically analysis the cases of two prominent politicians - Atiku Abubakar and Bukola Saraki. Based on its analysis of these personalities and their reasons for defecting from their original party - APC, the paper argues that politicians of the Fourth Republic are frequently changing camps in the quest for a favourable platform to pursue their personal political interests rather than the interest of the country as a whole and the collective wellbeing of its citizenry, nor as part of effort in agitating for the deepening of democracy within the parties and in the wider polity. In broad terms, the paper holds that the current trend of incessant defections in Nigeria is a proof of gross party indiscipline and undemocratic attitude pervading the political class. Further, the paper posits that, underlying this, are the inadequate party system in Nigeria indicated by lack of distinct party ideologies and lack of internal democracy that permeates political parties of the Fourth Republic. Accordingly, the paper recommends among other things that, ideology-based party system and politics, and upholding internal democratic principles in the management of internal affairs of the parties, are the most effective means of checkmating the increasing rate of defections among Nigerian politicians, and in the long-run, strengthening the party system towards consolidation of democratic ideals in the country.

Keywords: Atiku Abubakar, Bukola Saraki, Democracy, Democratic Consolidation, Political Party Defection, Political Parties, National Interest.

Introduction

Since 1999 when political party activities re-commenced in Nigeria, there has been incessant movement of politicians from one party to the other. This trend has almost become a major feature of party-life in the current political dispensation in Nigeria. Indeed, the attitude of transfer of loyalty from party-to-party, known technically as 'political defection', is fast deepening its tap-roots within the Nigerian party system, and most politicians are beginning to consider it as an acceptable practice or culture. The phenomenon has become too rampant and alarming that the

ordinary Nigerians, political commentators and analysts, as well as close watchers and followers of the political events in Nigeria have expressed immense worries about its potential consequences for the country's party system and growing democracy. The trend has largely been blamed on the lack of party ideology by Nigerian political parties. True, Akinola (2017, para, 5), for instance, is of the view that the ease with which Nigerian politicians change political party clearly suggests that little relevance is attached to ideology in the country's politics.

In advanced democracies where ideology is the guiding principle of party membership, defection scarcely occurs. This is because, in the well-established political parties with wide-support bases, politicians are divided along ideological lines – left, rights, centre or moderate, among other wings, but they share unanimous purpose despite that they may have divergent views on specific issues (Akinola, 2017, para. 5). Defection as a concept, however, is ordinarily not to be considered as the problem; the problem is embedded in the structure of Nigeria's party system itself which creates fertile ground for defections among politicians. As Maduekwe (2017, para. 4-7) has argued:

When critically analyzed, devoid of the usual sentiments that typify public discussions in Nigeria, defection should not be criticized. The configuration of many Nigerian political parties allows room for politicians to defect. By simple definition, a political party should be “an organized group of people with at least roughly similar political aims and opinions that seeks to influence public policy by getting its candidates elected to public office”. The political parties in Nigeria fall short of standards set in the above definition. Except for the unpopular Socialist Party of Nigeria, whose logo along with others are only good for filling up the ballot, the ruling APC and opposition People Democratic Party, PDP are ideological hollow. The membership of these two big parties is unorganized, have no similar aim and opinions, and only seek to advance their individual interests.

The argument may be somewhat tenable that Nigeria's party system is still developing. However, the pattern of party politics favoured by majority of Nigerian politicians does not suggest that the elites are keen to build the foundations for a formidable party system for the country. They are rather preoccupied with advancing their political aspirations at the expense of the nation's political development. As a paramount institution in democracy, political parties, to a large extent, shape the building of a political culture for a country, as well as the direction and pattern of its politics. Nigerian elites and politicians are generally lacking in the most essential qualities necessary for developing a robust party system and political culture that would support the deepening and strengthening of democracy in the country. The wind of defections currently blowing, especially, among prominent Nigerian politicians from one political party to another, is another disturbing attribute of the weak party system upon which the politics of the Fourth Republic is being played, and this has generated immense concern in the country's political activities.

This paper advances the argument that Nigerian politicians of the Fourth Republic are defecting from one party to the other in pursuit of their personal political ambitions, and not the interest of the nation and the collective wellbeing of its citizenry, neither is it as part of the effort in canvassing for the strengthening of democracy in the country. The paper buttresses its stand-point by using two notable Nigeria politicians, Atiku Abubakar and Abubakar Bukola Saraki, as specific examples. The paper is structured into eight different but complementary sections of which the introductory part constitutes the first section. The second section of the paper explains the meaning of political party defection based on what is obtainable in scholarly literature on the subject matter. The third section offers an overview of party defections in Nigeria during previous republics. The fourth section highlights the trend of party defections under the current Fourth Republic. The fifth section looks at the specific cases of political defections by Atiku Abubakar and Bukola Saraki with a view to ascertaining the major motivations for their actions, and frequent changing of political parties by Nigerian politicians generally. The sixth section reveals the implications of the high rate of defections for Nigeria's democracy. The seventh section recommends measures for curtailing the malaise, while the eight section of the paper is made up of the conclusion.

What is Political Party Defection?

Political party defection is a co-joined concept often used interchangeably with party-cross carpeting, party switching, floor-crossing, party hopping, canoe-jumping, decamping, party-jumping (Malthora, 2005; Mbah, 2011, Fashagba, 2014). In terms of meaning, political party defection refers to the departure of a member of a political party to join another political party, mainly due to discontent in his or her existing party (Eme & Ogbochie, 2014, p. 22). In his own view, Chang (2009) defines political defection as a situation in which a legislator switches from his original party to run either under another party or as an independent candidate. Similarly, party defection is conceived by Blunt (1964) as a situation in which a member of a legislature who had been elected on a certain party platform changes his allegiance before a next general election. In another sense, "it is also the state of having rejected one's political beliefs or...political party or a cause and often in favour of opposition political beliefs of causes" (Eme & Ogbochie, 2014, p. 22).

Based on the foregoing definitions, political party defection is not an ambiguous or confused concept; it is a simple term, in that, its conception by various scholars imply the same thing. Thus, in the context of this paper, political party defection occurs when a member of a particular political party willfully transfers loyalty or allegiance from his or her original political party to another as a result of certain personal reasons. A political party defector is someone who shifts loyalty from his or her original political party to another due to certain motivations. In most climes, party defection is often not seen in the light of integrity and good partisanship on the part of the concerned individual. Party defectors are usually considered as unfaithful or disloyal party members. Consequently, no matter what may be the case, "...political defectors are usually regarded as political prostitutes without political

principle, morality, conscience and lacking in political ideology to champion the cause of leadership for the wellbeing of the society and political development of the country” (Awosefo & Irabor, 2016, p. 34). In Nigeria, precisely under the current Fourth Republic, the rate of defections from one party to another among politicians has become so alarming that many have warned about its dangers to the country’s yet party system and democratic practice.

Overview of Party Defections in Previous Republics

The phenomenon of party defection in Nigeria is not a particular attribute of the Fourth Republic alone. The trend has been part of the country’s political history as records show that it played-out in the previous republics, though in varying degrees from what is obtainable in the Fourth Republic. According to Oreva (2018, para. 1), “as a matter of fact, it is impossible to talk about the history of Nigerian political parties without the mention of carpet crossing, because the movement of politicians from one party to another was first showcased by the First Republic politicians”. Nigeria’s First Republic including the republican government between 1963 and 1966, was governed by the first republican constitution. The political parties that operated in the First Republic were already in existence before Nigeria became a republic. These parties were formed in 1959, shortly before Nigeria’s independence in 1960, and they included the National Council of Nigeria and Cameroons (NCNC), the Northern People’s Congress (NPC), and the Action Group (AG). Newly formed then, the leaders of these political parties were Nnamdi Azikiwe, Ahmadu Bello, and Obafemi Awolowo, respectively (Oreva, 2018).

After the 1959 elections, none of these three political parties secured the majority votes to control the national government. As a result, the NPC and the NCNC struck an agreement and merged together to form the national government. Three years after independence, Nigeria became a republic. Nnamdi Azikiwe was made the President, while Tafawa Balewa remained the Prime Minister. In that same year, a national census was conducted and the result was believed to have favoured the north than the south. Thus, the Igbo people were dissatisfied and pulled out of the union, and joined a faction of the AG to form a new political party, the United Progressive Grand Alliance (UPGA) under the leadership of Chief Obafemi Awolowo. On the other hand, the other part of the NPC and the other faction of the AG formed an alliance and created a new party, the Nigerian National Democratic Party (NNDP) that was led by Samuel Akintola (Oreva, 2018).

The Second Republic began in 1979, after the Biafra War and followed by series of military coups, one of which resulted in the assassination of General Murtala Muhammed. During this period, General Olusegun Obasanjo initiated a transition programme to end military rule. This led to the drafting of a new constitution, and the American-styled presidential system was subscribed to as against the Westminster system of government adopted in the First Republic. The new constitution required political parties to ensure that they were registered in not less than two-third of the states, and each state was required to produce at least one cabinet member. The 1979 elections were contested by six registered political parties, namely, the Greater

Nigerian People's Party (GNPP), the National Party of Nigeria (NPN), the Nigerian People's Party (NPP), the People's Redemption Party (PRP), and the Unity Party of Nigeria (UPN). Among these, Alhaji Shehu Shagari of the National Party of Nigeria (NPN) emerged as President-elect. Following this, the Second Republic, just like the experience in the First Republic, saw high profile defections by prominent politicians among whom were Chief Akin Omoboriowo and Chief Fagbamigbe (from former Ondo State), both of who defected from the Unity Party of Nigeria (UPN) led by Chief Awolowo to the National Party of Nigeria (NPN). Late Senator Lai Joseph (from the Old Oyo State) also carpet-crossed from UPN to NPN, likewise Senator N.N. Anah (SAN) of the defunct Nigeria People's Party (NPP) who defected to NPN (Oreva, 2018).

The Second Republic came to an end following a successful coup and a counter-coup. In 1989, the constitution of the Third Republic was drafted and General Ibrahim Badamasi Babangida, the then military head of states gave a promise to end military rule by 1990. Babangida could not keep to his promise, and thus extended the end of military rule to 1993. However, prior to this time, General Babangida had lifted ban on political activities, which had been in place since the 1983 coup. There were two political parties decreed by the military, namely, the National Republican Convention (NRC) and the Social Democratic Party (SDP). In 1991, gubernatorial elections were held and the NRC won more states than the SDP. However, on June 12, 1993, the presidential election was conducted and Chief M.K.O. Abiola, the presidential candidate of the SDP was presumed the winner (Oreva, 2018).

Unfortunately, the election was annulled and Chief Abiola never became President. The interim government of Ernest Shonekan which was set-up by the Babangida regime did not last long as General Sani Abacha ousted it in a coup, thus bringing the Third Republic to an end. The re-opening of the political space for political party activities followed the death of General Abacha in 1998 and the successful transition programme organized by the military government of General Abdulsalami Abubakar. New political parties emerged including the People's Democratic Party (PDP), All Nigeria Peoples Party (ANPP), and the Alliance for Democracy (AD). In April 1999, elections were held and former military ruler, Chief Olusegun Obasanjo, the presidential candidate of the PDP emerged winner (Oreva, 2018). The 1999 elections ushered in Nigeria into the present Fourth Republic.

Political Party Defections in Nigeria's Fourth Republic

The unfolding Fourth Republic in Nigeria has, no doubt, witnessed continuous movements by politicians from one political party to the other, more than has ever seen in the nation's history. The Fourth Republic has, no doubt, seen a multiplicity of political parties than previous republics. In addition to the increased number of parties (about 91), the Fourth Republic politicians appear to be lacking in party discipline and ideal democratic attitudes, and this makes it easy for them to change political parties so frequently and at will. In some way, the phenomenon of godfatherism and godson factor, factionalization of the political parties, and inter-personal clashes among politicians have undoubtedly fueled the undesirable state of

affairs. For example, after the personal battle that ensued between former Vice-President Atiku Abubakar (1999-2007) and his boss, former President Olusegun Obasanjo, Atiku defected from the People's Democratic Party (PDP) to the then Action Congress where he contested the presidential elections in 2007 (Mbah, 2011; Ochayi, 2009).

Also, as a result of the opposition to the PDP, a party leader in Edo State, Senator Ehigie Uzamere (Edo-South) moved to the Action Congress of Nigeria prior to the 2011 elections, and was re-elected (Independence National Electoral Commission, 2011; Vanguard, 2011). It is noteworthy, however, the fact that defection is in itself not the problem in light of the above scenarios, even as earlier stated; it is rather the effect or outcome of the battles between members of political parties in a bid to galvanize their personal or factional interests over one another. According to Oreva (2018), the list would be endless if we are to catalogue the names of Fourth Republic politicians who have shamelessly carpet-crossed from one party to another in order to fulfill their political aspirations. It is argued that:

Except a few, for many Nigerian politicians, not defecting is the exception...It appears that even those politicians generally considered as upright are not immune to defections; one example is President Muhammadu Buhari. Elected in his fourth attempt on the platform of the APC, Buhari had in the past ran for president thrice and in two of the three times on different parties (Maduekwe, 2017, para. 1 & 3).

Thus, there are not too many Nigerian politicians that have not defected from one party to the other under the present democratic experiment in the country.

However, it is unarguable that by 2013, defections by politicians took a dramatic dimension with the formation of the All Progressive Congress (APC) which is a product of a merger formed by four political parties, namely, Action Congress of Nigeria (ACN), All Progressives Grand Alliance (APGA), All Nigeria Peoples Party (ANPP) and Congress for Progressive Change (CPC), to establish a wider support-base and to stand as a formidable opposition to the People's Democratic Party (PDP) in the run-up to the 2015 general elections (Joseph, 2014), which coincided with the formation of the New PDP under the leadership of Kawu Baraje, a former leader of the party (Awofeso & Irabor, 2016). This resulted in the defection of five PDP's governors – Murtala Nyako (Adamawa), Abdulfatah Ahmed (Kwara), Rabiu Kwankwaso (Kano), Aliyu Wammako (Sokoto), and Chibuike Amaechi (Rivers), to the APC in the build-up to the 2015 general elections (Ebere, 2014; Nwogu, 2018). During the period, Imo State Governor, Rochas Okorocha also defected from the All Progressive Grand Alliance (APGA) to the APC, along with eleven PDP senators – Senator Bukola Saraki (Kwara Central), Umaru Dahiru (Sokoto South), Magnus Ngei (Rivers South), Wilson Asinobi (Rivers West), Bindawa Muhammed (Gombe Central), Aisha Jummai (Taraba North), Mohammed Ali Ndume (Borno South), Mohammed Shaba (Kwara North), Abdulahi Adamu (Nasarawa West), and Ibrahim

Abdullahi (Sokoto East), together with thirty-seven PDP members of the House of Representatives who switched to APC (Ebere, 2014).

As the 2019 elections are under way, Nigerian politicians, in their usual manners have continued to search for political parties where they feel their interests would be better protected. Consequently, the country has not ceased to experience massive defections by politicians from party to party. The most outstanding among these instances of defections is the much talked- about mass movement of members of the ruling party, the All Progressive Congress (APC) in the national assembly, to the People's Democratic Party (PDP) (Gabriel, 2018). This development took place prior to the conduct of the 2019 party primaries by most political parties in the country. The Senate President, Bukola Saraki was among the key politicians that defected from the APC to the PDP. There were also the defections of Samuel Ortom, Benue State Governor from the APC to the PDP, and that of the former Akwa-Ibom State Governor and political strongman, Senator Godswill Akpabio from PDP to the APC of recent (Gabriel, 2018).

Some have argued that this trend of defections is part of the normal process of reaching a mature democracy in Nigeria, but ideally, changing from one political party to another, if in the interest of Nigeria, should be bring about proportionate significant changes in the country. It becomes difficult to explain that many of these politicians were in the then ruling PDP before the 2015 elections, but they decamped to APC based on the belief that the APC would enable them win elections (Dibia, 2018). The same people have now carpet-crossed from the ruling APC to the PDP as the 2019 elections draw nearer. This scenario showcases the lack of ideology in Nigeria's party politics. As Omotola (2009) argues, poverty of ideology is significantly responsible for the prevailing cross-carpeting in the Fourth Republic.

Political Party Defections in the Fourth Republic: Specific Analysis of Atiku and Saraki

Atiku Abubakar and Abubakar Bukola Saraki are two notable politicians of the Fourth Republic that have been identified with the issue of carpet-crossing that attracted popular concerns in Nigeria. On his part, Atiku Abubakar is generally known by close monitors and followers of Nigerian politics as a serial defector. His case has aptly been captured as follows:

There have been quite a few noticeable defections since political party activities resumed in 1999; however, no individual has been identified with this phenomenon more than Alhaji Atiku Abubakar, erstwhile Vice-President between 1999 and 2007. He has moved from one party to the other on several occasions and any prostitute could easily have become jealous of his shifting loyalties (Akinola, 2017, para. 4).

The above expression clearly supports the earlier statement that Atiku Abubakar is one of the prominent Nigerian politicians known widely for his undeniable record of switching loyalty from one political party to the other since the Fourth Republic began in 1999. To deconstruct the basis of this argument, it is widely known that

Atiku is one of the key founding members of the People's Democratic Party (PDP), under whose platform he served as Vice-President to the former President Olusegun Obasanjo from 1999 to 2007.

The whole scenario began when Atiku was elected Governor of Adamawa State in 1998 on the platform of the PDP. While he was still the Governor-elect, the Presidential candidate of the Peoples Democratic Party (PDP), Olusegun Obasanjo chose him as his running mate. They won the elections in February 1999 and, thus Atiku Abubakar became Nigeria's second democratically elected Vice-President and was sworn into office on 29 May 1999, and served two terms from 1999-2007, under President Obasanjo who won the Presidential election. However, after years of personal clashes with his boss, President Obasanjo, before the expiration of their second term, Atiku for the first time defected from the PDP to the Action Congress (AC) in 2006 (Tukur, 2017). Before this time, Atiku had secured the support of most PDP Governors who had urged him, during his fights with Obasanjo, to run against the President as the end of their first term drew nearer (Egbas, 2017). Albeit, Atiku's influence in the PDP systematically whittled-down when he obtained fresh membership registration at the AC as most of his supporters were pushed out of the party, due to Obasanjo's determination to ensure that he was not nominated to succeed him (Tukur, 2017).

Thus, Atiku swapped to AC to obtain the party's ticket to run for president in the 2007 election. He remained in the AC between 2006 to 2009, when he carpet-crossed again, from the AC to the PDP, owing to disagreements between him and the godfather of the AC, Bola Tinubu, former Governor of Lagos State (Tukur, 2017; Egbas, 2017). With his return to the PDP in 2009, Atiku ran for the party's presidential ticket in the 2011 primaries, but lost to the then incumbent Goodluck Jonathan at the Eagle Square, Abuja, the venue of the PDP convention (Tukur, 2017; Egbas, 2017). The PDP emerged successful at the 2011 polls. However, the PDP became engulfed in a serious crisis following the appointment of Alhaji Bamanga Tukur as the party's national chairman. Resultantly, Atiku Abubakar together with seven Governors alleged the PDP leadership and President Jonathan of impunity, and broke away from the party and formed the 'new PDP'. When efforts to reconcile with the Bamanga Tukur-led PDP and their plots to stop Goodluck Jonathan from running for election proved unsuccessful, Atiku and five of the Governors alongside others made public in November 2013 their decision to defect to the APC (Tukur, 2017).

In 2014, Atiku Abubakar and Rabi'u Musa Kwankwaso, former Kano State Governor who also belonged to the 'new PDP' contested the APC presidential primary in Lagos, but lost to Muhammadu Buhari who later emerged winner of the 2015 presidential election (Tukur, 2017; Egbas, 2017). As it were, Atiku came third after Muhammadu Buhari and Rabi'u Musa Kwankwaso (Egbas, 2017). He remained in the APC but his absence in most of the party's activities at the national level was noticeable. His complaint was that President Buhari and the party had side-lined him. Subsequently, on November 24, 2017, Atiku defected from the APC to the PDP, alluding that his action was due to lack of internal democracy, non-adherence to

APC's Constitution and the dictatorial posture of the party (Tukur, 2017; Egbas, 2017). As he stated:

While other parties have purged themselves of the arbitrariness and unconstitutionality that led to fractionalization, the All Progressive Congress has adopted those same practices and even gone beyond them to institute a regime of draconian clampdown on all forms of democracy within the party and the government it produced (Odebode, 2017, para. 10).

While announcing his defection, Atiku said he took the decision after consultation with God, family members and supporters (Odebode, 2017; The Cable, 2017).

As part of the reasons for leaving the APC, Atiku also mentioned that he was highly displeased with the Mohammadu Buhari-led government's neglect of Nigerian youths, adding that the APC was a 'dying party' (Adaoyichie, 2017, para. 2-3). While with residents of Jimeta during a town hall meeting in Yola, Adamawa State, Atiku apologized for joining the groups, who came together to form the All Progressives Congress (APC). He said that the apology became necessary because the APC, a party he was very instrumental to bringing to power, had subjected Nigerians to severe sufferings in the past three and half years now, describing the APC as an assembly of 'elements' that came together to defraud Nigeria. He argued that the party had failed in changing the fortunes of Nigerians for good (Livinus, 2018). Atiku's words read thus:

I regretted being a part of the party which never deemed it fit to fulfill all of the promises it made to Nigerians. If I had known that the APC would be such a colossal failure and disgrace, I would have never had joined the party. The APC has failed to fulfill even one of the promises it made to Nigerians. The APC is simply an assembly meant to defraud Nigerians (Livinus, 2018, para. 5-7).

Further, speculations by Atiku's close political associates equally suggest that the former Vice-President might have left the APC, partly because his business investments were already being targeted by the Muhammadu Buhari-led Federal Government. Atiku had earlier said in September 2014, while launching his presidential bid, that Integrated Logistics Services (Intels), a logistics and facilities services provider he co-founded with an Italian businessman, Gabriel Volpi, in the 1980s, was his most successful business (Adebayo, 2017; The Cable, 2017). However, in October 2017, the Federal Government terminated the pilotage agreement between the Nigerian Port Authority (NPA) and Integrated Logistics Services (Intels) (The Cable, 2017).

The business dispute between Atiku's Intels and the Federal Government later on became a subject of litigation, and Intels accused the authorities of breaching agreements and sabotaging its multi-billion dollar ports investments through de-categorization of terminals (Adebayo, 2017).

Subsequently, on November 15 of the same year, the Federal Government also revoked the resident permit of Intels' expatriate staff, though it (Federal Government) said the move was not informed by any political motive (The Cable, 2017). Nonetheless, some saw the attacks on Intels as having political undertones. When Atiku announced his defection from the APC, Ben Murray-Bruce, the Senator representing Bayelsa East applauded his action, noting that the former Vice-President took the right decision because his (Atiku's) investments were already targets and could be further targeted. Senator Bruce described Atiku's action as courageous (The Cable, 2017). In his words, Senator Bruce stated as follows: "I congratulate Atiku for leaving the APC. It took courage especially as he has wide business investments that are already targets and could be further targeted. I, Senator Ben Murray-Bruce now, now appeal to Waziri Adamawa, to return to the house he helped build, the PDP" (The Cable, 2017).

Against all the above claims, however, prevailing opinions indicate that the real primary reason for the former Vice-President's defection from the APC to the PDP was the search for convenient platform to advance his presidential aspirations. Ultimately, reports reveal that Atiku returned to the PDP based on his receipt of the party's commitment to give him its ticket to contest for president in the forthcoming 2019 elections (Tukur, 2017). Following the PDP's presidential primary held in Port Harcourt, Rivers State on October 6, 2018, Atiku eventually emerged winner of the party's presidential ticket. He polled the highest number of votes in the exercise with 1,532 votes, while Aminu Waziri Tambuwal, his closest rival polled 693 votes (TheCable, 2018). As the PDP presidential ticket bearer, Atiku is definitely getting ready to face President Buhari, the APC ticket holder, in the forthcoming 2019 presidential election.

A critical look at Atiku's defection history easily reveals a desperate politician who was searching for a conducive platform to actualize his presidential ambition and to further his political career. For instance, even if one would agree with Atiku that his last defection from the APC to the PDP in 2017 was due to lack of internal democracy in the APC, disrespect for the party's constitution, and the dictatorial character of the leadership of the party, it is well-known that these attributes are common among major Nigerian political parties in the Fourth Republic including the PDP on whose platform he is preparing to contest for president in the 2019 elections. The point, therefore, is that, Atiku quickly realized, as in previous times, that his chances of winning the APC presidential primary in 2019 were limited, especially as he knew that the incumbent Buhari whose influence in the APC he cannot match, would have automatic ticket from the party to contest for a second term. That was his calculations. Atiku knew he had more chances to win if he contested presidential primary in the PDP than in the APC. As one analyst affirms, "...I want to assure you that Atiku has more prospects when he defects to the PDP than being in the APC" (News Agency of Nigeria, 2017, para. 8).

It is certain that Atiku has not frequently changed political parties due to undemocratic practices and anomalies that pervade key political parties in Nigeria, or as expression of his displeasure for the weak party system in the country, and the

need to reposition the political parties to serve as real instruments of democratic consolidation and socio-economic transformation, but has always acted in pursuit of his selfish interest. When Atiku defected from the PDP to the APC at the initial time, he alleged that the party had lost its focus and direction (Africa Independent Television, 2014). According to him, he left the party because, “a lot has gone wrong in the PDP”. For him, the PDP is “a sad story” as the ship of the party had widely deviated from the intended course” (Africa Independent Television, 2014, para. 10). He further explained that the PDP is founded on noble principles, but the party had completely lost direction without any signs of willingness to return to the track. Regardless of his claims, there was a popular view that Atiku’s defection to the then opposition party, APC was in the quest for a more convenient platform to obtain the presidential ticket (Africa Independent Television, 2014). Of course, Nigerians know that Atiku’s primary interest has always been to rule Nigeria as president. It is still in a bid to attain this presidential aspiration that Atiku eventually resigned from the APC ahead of the 2019 elections, and returned again to the PDP, the party he already condemned as having lost sense of direction and purpose,

Akinola (2017, para. 4) buttresses the foregoing claim in the most appealing perspective as he argues thus:

Even when his most recent resignation from the ruling All Progressives Congress, could be justified by his avowed supporters, there are not a few who would be incensed by what has become his pathological obsession with the presidency. Many had predicted he would quit the APC for another political party if he was not going to grab the presidential candidacy of that party for the putative 2019 election. Whatever might be his strength and good qualities, critics would nevertheless say that Atiku is a politician with unstable character—someone who has never been a good team player.

Thus, Atiku’s incessant defections from one party to another has never been as a matter of his dissatisfaction with prevailing hardship and sufferings among majority of Nigerians, nor to put right the wrongs in the country’s party system, but to remain politically relevant, and pursue his self-centered objectives just like most other Nigerian politicians of the Fourth Republic. With Atiku’s unstable political characters, if his supporters would argue that his leadership will alleviate the sufferings of the masses of Nigeria, critics and the generality of Nigerians would ordinarily doubt his ability to fulfill his campaign promises, that is, if he wins the 2019 presidential elections. This is true, due to his unstable attitude, coupled with the fact that Atiku is one of the personalities that have been identified with allegations of serious corruption (yet to be proven) and lack of credibility and personal integrity.

In his case, Bukola Saraki was Kwara State Governor for two consecutive terms, from 2003 to 2011. He first contested gubernatorial election in Kwara State in 2003 on the ticket of the People’s Democratic Party (PDP). Bukola emerged winner of the election and was sworn into office in May 2003. At the expiration of his first tenure, he contested again on the PDP platform and was re-elected in 2007 to serve a

second term as Governor of Kwara State (Abdulrazaq, 2012). After his two term tenure in office as Kwara State Governor, Bukola Saraki contested senatorial election in April 2011 under the People's Democratic Party (PDP) and was elected as Senator representing the Kwara Central Senatorial District, succeeding his sister, Gbemisola Saraki-Fafowora. In January 2014, prior to the 2015 elections, Bukola alongside other ten PDP senators, namely, Senator Umaru Dahiru-Sokoto South, Senator Magnus Ngei Abe-Rivers South-East, Senator Wilson Asinobi Ake-Rivers West, Senator Bindwada Muhammed Jibrilla-Adamawa North, Senator Mohammed Danjuma Goje-Gombe Central, Senator Aisha Jummai Alhassan-Taraba North, Senator Mohammed Ali Ndume-Borno South, Senator Mohammed Shaba Lafiaji-Kwara North, Senator Abdulahi Adamu-Nasarawa West, and Senator Ibrahim Abdullahi Gobir-Sokoto East, defected to the then opposition All Progressives Congress (APC) (Vanguard, 2014).

Explaining why he and the above named PDP senators decamped to the opposition APC, Bukola alluded to impunity within the PDP as one of the reasons for his decision. In his words:

I think largely, it is due to the kind of dissatisfaction that we've seen in the affairs of the party over a while with regards to key issues like the level of impunity, the regard for the rule of law, the level of inclusiveness, the consideration of the wishes of the people and party members at the different chapters, not ready for us to engage more in participatory democracy (Channels Television, 2014, para. 11).

Bukola stated that the change in the PDP's leadership would not make him to return to the party. According him, it was too late to go back to the PDP despite that the then new chairman of the party was a nice chap (Channels Television, 2014). Subsequently, in March 2015, Bukola contested for a second time for the office of senator under the platform of the APC and was re-elected. Having won his re-election into the senate in the 2015 general elections, on June 9, 2015, he was elected unopposed as President of the Senate by an alliance constituted by PDP and APC Senators. This was after a stiff opposition from Senator Ahmed Ibrahim Lawan who was preferred and supported by a group of APC's senators in the National Assembly (Agbakwuru & Erunke, 2015).

Shortly before the just concluded party primary elections ahead of the 2019 general elections, Bukola Saraki on the 31st of July 2018 announced his defection again from the All Progressives Congress (APC) to his former party, the People's Democratic Party (PDP) (Ebuzor, 2018). He cited several reasons why he decided to leave the APC for the PDP. According Saraki, one of the main issues that informed his return to the PDP was informed the lack of peace, cooperation, disrespect for party rules among other things. In his words:

While I take full responsibility for this decision, I will like to emphasize that it is a decision that has been inescapably imposed on me by certain elements and forces within the APC who have ensured that the minimum conditions for peace, cooperation, inclusion and a general sense of belonging did not exist. They have done everything

to ensure that the basic rules of party administration, which should promote harmonious relations among the various elements within the party were blatantly disregarded (Ebuzor, 2018, para. 11-12).

He explains that:

All governance principles which were required for a healthy functioning of the party and the government were deliberately violated or undermined. And all entreaties for justice, equity and fairness as basic precondition for peace and unity, not only within the party, but also the country at large, were simply ignored, or employed as additional pretext for further exclusion (Ebuzor, 2018, para. 11-13).

Saraki further recounts thus:

When we left the PDP to join the then nascent coalition of All Progressives Congress (APC) in 2014, we left in a quest for justice, equity and inclusion; the fundamental principles on which the PDP was originally built but which it had deviated from. We were attracted to the APC by its promise of change. We fought hard along with others and defeated the PDP. In retrospect, it is now evident that the PDP has learnt more from its defeat than the APC has learnt from its victory. The PDP that we returned to is now a party that has learnt its lessons the hard way and has realized that no member of the party should be taken for granted; a party that has realized that never again can the people of Nigeria be taken for granted (The Sun, 2018, para. 17-18).

As contributing to his defection to the PDP, Saraki also cited the marginalization of Kwara State in terms of appointments by the APC, alluding that the Federal Government allotted all juicy employments to Katsina and Lagos States alone, without any slot given to him (Punch, 2018, para, 2). His words indicate his displeasure over the development and, hence one of the issues that motivated his defection from the APC. As Saraki states:

The Federal Government appointed over 200 persons into juicy offices without allotting any slot to me or (Speaker, House of Representatives, Yakubu Dogara). Everything went to Katsina, Katsina, Lagos, Lagos. If not for the love I have for Nigeria, we would have scattered everything. They don't want us in their party. They don't like us in Kwara. What I am after is for my people to enjoy dividend of democracy. I want us to be in the party that will love my people. Wherever we are, we will win elections (Punch, 2018 para, 5-6).

Moreover, Saraki also pointed at his humiliation at the hand of the APC-led Federal Government through corruption charges. No doubt, Saraki's three years in the APC

was hitherto characterize by troubles. The Senate President battled the Federal Government at the Code of Conduct Tribunal over allegations of corruption. In addition to this, Saraki just recently won his case of assets declaration at the Supreme Court of Nigeria (Adaoyichie, 2018). According to Saraki, the popular notion of anti-corruption driven by the APC has become a weapon for silencing any form of dissent and for framing even principled objections as “corruption fighting back” (Leadership, 2018). He overtly opined that, “the anti-corruption war was being used by the Executive to silence some members of the Legislature” (Adaoyichie, 2018, para. 13).

Saraki said that his experience as Senate President in the last three years is such that every disagreement by the Legislature on any issues was regarded as an affront on the executive or as part of an agenda to undermine the government itself (Leadership, 2018). Saraki claimed that there had been persistent onslaught against the legislature and open incitement of the people against their own representatives by the government, a means by which its attempts to defend its shortcomings in a manner that betrays all too easily (Leadership, 2018). He argued that himself together with his people and associates had suffered alienation in the past three years and were being treated as outsiders in their own party. As a result, many became disaffected and disenchanted (Adaoyochie, 2018). Saraki disclosed that:

At the same time, opportunities to seek redress and correct these anomalies were deliberately blocked as a government-within-a-government has formed an impenetrable wall and left in the cold, everyone else who was not recognized as one of us. This is why my people, like all self-respectful people would do, decided to seek accommodation elsewhere (Leadership, 2018, para. 20).

He stated that his decision to defect to PDP was not by accident as he waited for so long and did all that was necessary to create opportunity for peace, reconciliation and harmonious existence, even in the face of serious provocation, ridicule and flagrant persecution, but all efforts proved unprofitable (Leadership, 2018).

Further, another reason why Saraki left the APC, according to him, was the insistence of his followers and supporters. Apparently, it was disclosed that, “Saraki, while announcing his defection during a stakeholders meeting in his Ilorin resident in Ilorin in Kwara State, said that his decision to leave the APC was based on the insistence of his supporters and the guidance he received from God” (Leadership, 2018, para. 3). Revealing how the yearning of his followers and supporters was said to have influenced his decision, Punch (2018, para. 4) reports that, at the stakeholders meeting in his Ilorin resident, Saraki stated thus: “We discussed this issue last week when I came home. You told me that you were tired of the APC, but I asked you to exercise patience. I told you that I will seek God’s guidance and feed you back on my return to Ilorin”. More so, in the published statement where he publicly announced his defection from the APC, Saraki also alluded as follows:

Perhaps, more significantly, I am mindful of the fact that I carry on my shoulder a great responsibility for thousands of my supporters,

political associates and friend, who have trusted in my leadership and have attached their political fortunes to mine. However, it is after an extensive consultation with all the important stakeholders that we have come to this difficult but inevitable decision to pitch our political tent elsewhere; where we could enjoy greater sense of belonging and where the interests of the greatest number of our Nigerians would be best served (Busari, 2018, para. 7).

Whatever the case may be, Saraki's exit from the APC, a party on whose platform he became the Senate President, provoked intense controversy. Nevertheless, he is eventually settled at the PDP and contested the party's presidential primary held in Port Harcourt, Rivers State, in October 2018 to run for president in 2019, but came third behind Atiku Abubakar and Aminu Tambuwal (TheCable, 2018).

From the above, it can be rightly argued that Bukola and Atiku are not in any significant ways different with regard to reasons for their defections from one party to the other. Just like Atiku, ardent followers of Nigerian political events would not take any other reasons for Bukola's defections than the fact that he is also pre-occupied with an utmost personal ambition to become Nigeria's President. Apparently, when Bukola left the PDP for the APC in 2014, analysts and critics observed that he did so as part of his preparatory effort in pursuit of his ambition to become President (Channels Television, 2014). The same factor also informed Saraki's recent defection from the APC to the PDP in 2018. It is not difficult to understand that he decamped to the PDP in search of the party's ticket to run for the office of president. Evidently, Nigerians were aware of the crisis that ensued between him and the APC's leadership at the early stage of his tenure as the Senate President of the 8th National Assembly. For this reason, to some, Saraki's allusion to lack of peace, cooperation and disrespect for party rules as major reasons for defecting to PDP may seem to be true and acceptable, but the underlining reason was to seek a platform to pursue his political ambition.

It is good to recall that, initially, Saraki left the PDP in 2014 based on what he described as a political adventure in search of justice, equity and inclusion, and according to him, he was attracted to the APC by the party's promise of change (The Sun, 2018). However, having decided to leave the APC for PDP in July 2018, with the ulterior motive to contest for the party's presidential ticket to run for president, which he did and lost to Atiku Abubakar, he offered somewhat appealing reasons for his defection from the party under whose platform he became Senate President to include lack of peace and cooperation, as well as disrespect for party rules among others. When examined closely, these were the same excuses he gave for switching from the PDP to the APC in 2014; this means that neither the APC nor the PDP, to which Bukola has recently defected, possesses essential attributes of an ideal political party. Yet, Bukola went back to the PDP. It is self-evident that Nigerian political parties of the Fourth Republic, especially the major parties, are beset by several issues

including godfather and godson factors, fractionalization, inter-personal clashes to mention a few.

What this means is that, none of these parties – the ruling APC and opposition PDP are devoid of one form of crisis or the other, and they cannot be said to be living up to expectation and standards required of a good political party in a democracy, compared with political parties in advanced Western democracies. Neither the APC nor the PDP can be said to be better or different from the other. Ultimately, as Ilo (2015) rightly posits, Nigerian political parties are not different from one another in terms of character composition, but only in nomenclature. The parties lack distinct ideologies and are largely existing to facilitate the attainment of the personal interests of the politicians/elites as against the collective interest of the nation. Hence, except for the want of a convenient party to further his political ambition, which is to explore all possible avenues to become president, Bukola Saraki would not have defected to the PDP in the recent past. As Akinola (2017, para. 5) poignantly contends:

Our politicians are divided by their greed and selfish interests than by anything else. Where there is commitment to ideology, a politician will not transfer their loyalty for the fear of competition by potential rivals. They will not be running from the political party they believed in for the fear that its structure could be hijacked by another. On the contrary, an ideologically-informed politician will remain in their party and sort out whatever problems might have arisen therein.

Thus, the summary is that, just like Atiku, Saraki is an ambitious politician, acting in pursuit of his personal interest, and not in the interest of the nation nor in an effort to facilitate the deepening of democracy in the country. The same applies to most Nigerian politicians who have been in the business of changing camps since the ban on political party activities was lifted in 1998. In their political calculations, they are mostly pre-occupied with how to actualize their personal interests in the face of all the serious national problems facing the Nigerian State.

Implications of the High Rate of Defections for Nigeria's Democracy

The current trend of incessant defections by Nigerian politicians has overwhelming effects on the country's democracy. Political parties, as already noted, are critical to the sustenance and effective functioning of democracy. Where a virile and stable party system exists, democracy would thrive vehemently and vice-versa. Thus, as it pertains to Nigeria where the ideals of intra and inter-party politics are yet to be firmly rooted and, where instabilities characterize the party system, political parties themselves tend to be a major obstacle the consolidation and sustenance of democracy. Matlosa and Shale (2006) have observed that the formation and existence of political institutions like political parties, is one of the major challenges facing nascent democracies like Nigeria; for democracy to be sustained it is pertinent that such institutions provide a solid foundation for a working democracy. In order words, the increased rate of party defections which is one of the greatest problems that has

hit Nigeria's party system in the Fourth Republic, leaves much negative impacts on the country's democratic practice. As Veen (2007) rightly states, floor crossing is dysfunctional in a parliamentary system since it prevents parties in governance and opposition from acting as they should, of which the resultant effect is the existence of a weak political party system. Thus, given the weaknesses of the party system, the political parties are incapacitated to play the necessary role in strengthening democracy.

Omotola (2009) strongly posits that the issue of ideology has been central to politics, democracy and activities of political parties across time and space. Regrettable, however, in Nigeria, political parties show no interest in organizing the society better through a specific ideology (Tatalo, 2013). Consequently, Badejo, Agunyai and Buraimo (2016) aver that, though party defection is not new in Nigeria's political landscape, the recent development has proven beyond reasonable doubt that politics in Nigeria is completely lacking in ideological commitment to the welfare and sensibilities of the people. Edet (2017) corroborates the above stance, stating that the alarming rate of political defection in Nigeria is a display of paucity of ideas, collapse of political values and norms, lack of principles based on shared beliefs and the selfish interests of Nigerian politicians. While reflecting on the mass defection that hit the then ruling party, PDP prior to the 2015 general elections, for instance, Badejo, Agunyai and Buraimo (2016) explain that a serious opposition political party ought to be cautious of elected public officers of a ruling party defecting en masse to swell its ranks for good or for ill. Although it can be argued that the development revealed that the PDP is home to many frivolous and self-seeking politicians that are interested only in the acquisition of political power for personal, parochial purposes, celebration of the defection by the opposition party shows that there is no credible alternative political party on ground in Nigeria with clearly defined manifesto and programme of action different from that of the then ruling party (National Mirror, 2014).

The same thing is applicable to the recent development in run up to the 2019 general elections; the mass movement of large number of officials elected on the platform of the ruling party, the APC, to the opposition party, the PDP, obviously further indicates that there is yet no credible and visionary political parties and politicians capable of taking Nigeria to its expected destination. It becomes clearer, thus, while Mba (2011) contends that it is the desperation to hold political office in order to accumulate wealth that makes Nigerian politicians to defect from one party to another without justifications. According to Adeyemi (2014), political parties in Nigeria have mainly remained mere platforms for advancement of individual interests and ambitions. He goes further to posit that:

Where these selfish interests are not served or threatened, Nigerian politicians have evolved the culture of defections and cross-carpeting in desperate bids to serve sectional, individual or group interest. Hence, defection from one political party to the other has characterized the political landscape of Nigeria. It has become an established political culture in the Nigerian case to defect. This

comes with it, a lot of debilitating challenges and implications for democracy and party politics in the country (Adeyemi, 2014, para. 3-4).

Undeniably, “under this circumstance, democracy is built on faulty and false foundation. Issues such as ethnicity, religion, individual personality and language influence the formation of political parties and movement of politicians to a particular party” and, “this erodes the efficacy of democratic sustenance through party processes” (Edet, 2017, p. 5).

With particular attention to the impact of the frequent party switching by politicians on the effectiveness and functioning of the legislative arm of government in Nigeria, precisely the lower chamber, Badejo, Agunyai and Buraimo (2016, p. 6) hold that “the recent trend of political party defections in the lower house of legislature in Nigeria, points to the need to query the reason for the defection of political leaders and federal lawmakers”. They argue that phenomenon of defection has become so popular with lawmakers (especially those in the House of Representatives), members of House of Representatives and political parties passionately drumming up support to join their party, at the expense of their statutory duties of lawmaking and good governance. Instead of focusing on how to perform their oversight duties in a way to consolidate the country’s democracy, the lawmakers are busy playing politics of power relevance and gains accretion (Badejo, Agunyai and Buraimo, 2016). In light of this, Okoye (2014) laments that majority of Nigerian politician and lawmakers have made a mockery of the character of quality leadership that is expected of political leaders in any healthy democracy, instead of advocating for a wide-range democratic political culture. It is clear, from the above that, the malaise of defections in Nigeria causes distractions and dramatic deviation from real governance issues and purposes.

Defection also sparks off hostility among political elite or leaders and heightens political tension in the polity. Still with emphasis on the House of Representatives, Badejo, Agunyai and Buraimo (2016) are of the opinion that, indeed, whatever may the reasons for it, party defections in Nigeria have created more enmity among members of the lower chamber of the legislature in a manner that engage in bad politics with every at the floor of the house at the expense of credible and objective legislation. As they hold, the unhealthy rivalry and unconstructive criticisms between PDP and APC lawmakers at the lower house of legislature is one of the commonest effects of defection in Nigeria. For example, the case pertaining to the seizure by South Africa, of Nigeria’s money meant for procurement of weapons made the parliamentarians from the two major parties to argue and openly abuse themselves at their session. The APC lawmakers do not see anything good in PDP policy and programmes even when some of these policies are credible and commendable. On the other hand, the PDP sees the APC as their enemy, irrespective of the fact that some of their criticisms can be helpful in deepening and strengthening the country’s democracy. So, defection has created unhealthy and hostile relationship between APC and PDP lawmakers in the lower house of the legislative (Badejo, Agunyai and

Buraimo, 2016). This explains why Nigerians have not seen much positive impact made by the House of Representatives in unraveling many critical issues plaguing the country. It is saddening to mention that defection has also affected the on-going war against the Boko-Haram insurgency in the North-East. Majority of the lawmakers in the house are playing politics with the insurgency in the North East that has brought the peace of region and stability of Nigeria as a whole under severe threats. Rather than making collective efforts towards ensuring that the country fights and wins the war against Boko-Haram insurgents, the lawmakers are over-politicizing the issue, apportioning blames to each other (Badejo, Agunyai and Buraimo, 2016). Of course, there cannot be peace and progress in an atmosphere of sheer enmity.

The above scenario is in tandem with Okoye (2014) assertion that defection from one party to the other at all levels of government creates serious political tension and hostility and is a source of worry to Nigerians. Another evident that buttresses this is the recent case of defection of Bukola Saraki, the current Nigeria's Senate President. His defection from the APC, the party upon whose back he rode to win election as Senator, to his former party, the PDP, resulted in serious altercations between him and the leadership of the APC such that the workings of the legislative arm of government over which he presides, was badly affected during the period. Following his defection, the APC demanded Bukola Saraki to quit his office as Senate President on the ground that he had defected to the opposition party. The party urged Saraki to act honourably and relinquish his position (Tukur, 2018). In his statement, the APC's national chairman, Adams Oshiomole insisted that: "...you should not collect a crown that belong to a family and wear it on behalf of the family; if for your personal reasons, which he has enumerated that he has gone to another family, it is just a matter of honour to leave the crown in the house that the crown belongs to" (Tukur, 2018, para. 5).

Every close follower of political events in Nigeria, both from within and outside the country would remember that many events that followed Saraki's defection were inimical to proper functioning of the government and growth of the country's democracy. If not anything, shortly after his defection, armed officers of the Department of State Services (DSS) barricaded the National Assembly complex and prevented lawmakers, staff and journalists from entering the premises. This event took place ahead of an emergency meeting that was to be held by the leadership of the Upper and Lower chambers of the National Assembly, convened by the Senate President, Bukola Saraki, who had just recently crossed from APC to the PDP. The speculation was that the action of the DSS was part of the ploy by the APC to impeach Saraki due to his defection (Obijesiri, 2018). As reported by Ayitogo (2018, para. 2), "some lawmakers said the siege was to aid senators who support President Muhammadu Buhari impeach Senate President, Bukola Saraki and his deputy, Ike Ekweremadu". The barring of lawmakers from entering into the National Assembly premises did not just expose Nigeria's political/democratic immaturity, it was regarded as a great mockery to the country's democracy.

It can be called that similar development occurred in 2014, when the Nigerian Police Force denied the then Speaker of the House of Representatives, Aminu

Tambuwal, entrance to the National Assembly after he defected from the PDP to the APC, claiming that the operation was based on an intelligent report that some hoodlums were perceived to have planned to invade the assembly. Meanwhile, Tambuwal was denied access into the assembly by the security operatives on the first day the House was to sit since after his defection from the then ruling PDP to the APC. Premium Times (2014, para. 3) disclosed that: "Police fired teargas to stop mainly opposition lawmakers, including Mr. Tambuwal, from accessing the assembly, before the speaker's loyalists smuggled him through security barriers into the House of Representatives chamber". The APC accused the police of acting on the instructions of the then President Goodluck Jonathan to make way to remove Aminu Tambuwal's as speaker (Premium Times, 2014). These are how defections and its accompanying awful follow-up events such as often seen within Nigerian political context hits-up the polity and truncates democratic processes. Nigerians generally saw these unwholesome occurrences as a big slab on the country's democracy.

More so, it is important to state that the disturbing rate of defections among the politicians has suddenly stimulated absolute loss of confidence and trust in them by majority of Nigerians. There is no doubt that the news making around regarding the continuous switching of party by the politicians have attracted the concerns of Nigerians of virtually all categories, including the so-called apolitical citizens. As the trend continues to thrive, a large number of the citizens have come to realize more vividly that the politicians are merely after their selfish interests and ambitions. Hardly can any politician be justified by Nigerians that the defections are in pursuit of the collective interest of the citizens and consolidation of the country's democracy. For example, Adeyinka (2018, para. 3) believes that:

The defections are for selfish reasons but if you ask them, they will say it is for the benefit of the masses. They are just playing games. They are migrating like rats running from one room to another and keep saying they are working for us. If you needed to trust anyone, trust yourself first. They defect just for the sake of power. They should think well and work for the benefit of the masses.

Similarly, Omozusi (2018, para, 4) comments that:

...Nigerian politicians always engage in this. The defections have absolutely nothing to do with the interest of Nigerians. It is all about personal interest. If they could not get it right with the government which they were part of for almost four years, what do they have to offer to the new party they just joined? We are just seeing on of the features of Nigerian politics.

From the above, it can easily be deduced that Nigerians have fully become aware that the crop of politicians operating under the present political dispensation are a bunch of selfish-interest elements that parade themselves as patriots, while they do not exhibit any iota of passion for the country and its already deprived citizens.

Most Nigerians do not believe nor trust politicians and their parties any longer because of their continuing failure to change the plight of the suffering citizens, especially with the high hopes with which they embraced the return of the country to democratic rule in 1999.

Recommendations

There is urgent need for Nigeria politicians to strengthen the party system in order to curtail the current spate of party defections and salvage the future of the country's democracy. In light of this, the paper recommends the following measures:

Since political parties are the heart-beat of democracy, it is highly important for Nigerian political parties to do everything possible to inculcate in themselves the values of internal democracy in the management of their affairs. This is important because one does not give what he or she does not have. Thus, for the political parties to be able to facilitate the development of democratic ideals in the wider context, they have to first of all demonstrate that in the management and co-ordination of their intra-party issues, especially regarding the selection of candidates to be fielded in broader elections. The onus falls on the parties' leaders. They have the responsibility to put proper mechanisms in place for ensuring that the will of the members and not those of the so-called powerful or influential individuals in the parties' leadership hierarchies prevail in the nomination of party flag-bearers. In this regard, the phenomenon of godfather-godson should be completely eschewed. Moreover, the parties need to institute mechanisms to ensure that grievances within the parties are properly resolved in fair and just manners so that aggrieved members would find no occasion to leave the parties on the basis of felt biases in the settlement of such issues.

Political parties must identify themselves, respectively with given ideologies. This is also of high imperative as it would naturally streamline membership of parties; it will prevent the infiltration of parties with opportunistic individuals who have nothing to offer the country, but are just looking for platforms to advance their personal interest and political ambitions. This is true because individuals whose personal preferences, in terms of beliefs or ideologies do not align with any party would hardly want to join such party. At the same time those who tenaciously hold a given ideology as their political party would hardly defect from such party. Also, ideology is like a compass, it guides the parties in designing their manifestoes which in-turn help the electorate in making right choice of party to vote for in elections. Ideology-based party system and politics will help the masses to easily detect parties and candidates who are out to pursue individual and group interests as against the interest of the country, and use their voting power to oust them from the political scene completely.

Politicians should imbibe the spirit of sportsmanship and party discipline. Much as defection, on genuine ground, is statutorily supported, they must learn to show allegiance and moral commitment to their parties. Just as it is often said that one does not bite the finger that fed him or her, transferring loyalty from a party in whose name one won an elective position, to another party for no genuine reasons,

especially as a serving public official, is a breach of the important moral obligation of faithfulness to one's party. It can be rightly described as political prostitution, and such trend is very detrimental to Nigeria's party system and prosperity of its democracy.

Politicians and their parties should realize that, having decided to hold political offices or control the government, they have automatically accepted the moral and legal obligations to serve the country and its citizens, and not to advance their individual or group interests. By virtue of the social contract between them and the masses, they are bound to put the collective good and welfare of Nigeria and the entire citizenry over and above their individual concerns. Acknowledgement of this fundamental truth is essential so that individuals desiring to hold public offices would have the basic understanding that involving in politics is mainly about seeking opportunity to serve the nation, and not to serve one's self of it.

Nigerian electorate have rather an important role to play in this regard. It is them that determine which political parties and politicians that come to power, at least to a very large extent. To this end, Nigerians should develop high sense of political consciousness and always make informed choices during voting. This will help to ensure that self-interested politicians and parties bereft of good visions for the country and the citizens, no longer ascend to any elective posts at all levels, specially, as the 2019 general elections draws very closer.

Conclusion

This paper has examined the phenomenon of frequent changing of political parties among Nigerian politicians in the unfolding Fourth Republic. Using two important politicians of the era – Alhaji Atiku Abubakar and Senator Bukola Saraki, the paper has argued that most Nigerian politicians are frequently defecting from one party to the other in pursuit of their personal political ambitions or interests as against the collective interest of country and wellbeing of its citizens as well as the important task of consolidating the country's democratic practice. As revealed from the analysis of Atiku Abubakar and Bukola Saraki, majority of Nigerian politicians of the Fourth Republic are mainly driven by greed and self-centeredness, and without restriction, manifesting high level of party indiscipline and other attitudes that inhibit the growth of the country's party-politics and overall political maturity, in a bid to achieve their individual goals. Underlying these undemocratic attributes of Nigerian politicians is the weak party system as manifest mainly in the lack of internal democracy within the parties and lack of ideologies that serve as the main guiding principles of party life in advanced democracies. Notwithstanding, the present study expresses a great measure of optimism in the possibility of the Nigerian party system and nascent democracy to be rid of the phenomenon of defection currently bedeviling it, if the measures recommended by the paper are fully subscribed to and applied.

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Small Arms and Light Weapons and Maritime Security in the Niger Delta Region of Nigeria

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Abstract

The Niger Delta region of Nigeria is awash with a rapidly increasing stock of arms that has boosted the activities of criminals in the area. These arms are carried about and used by criminal gangs and militia groups to commit heinous crimes that pose great threat to the security of lives and property of residents. This paper examined the relationship between the spread of small arms and light weapons and maritime insecurity that is prevalent in the region. It adopted the Basic Human Needs theory of conflict, which asserts that human need serves as a motivation for violence in a society. Where the needs of actors are not met in a particular way, other alternatives or means are sought to achieve desired needs. The cross-sectional design and multi-stage sampling technique was adopted to get the target population. The Taro Yamene formula was used to determine the sample size. The major finding is that there is an incessant and increasing level of violence such as sea piracy, kidnappings, robbery, hostage-taking, illicit oil bunkering at sea enhanced by the use of SALWs which has led to the death of crew members, reduction in economic activities as well as travels using the waterways. It is recommended that poverty, environmental degradation and underdevelopment should be addressed so that those involved in sea piracy and oil bunkering can redirect their energies to meaningful economic ventures to meet their needs.

Keywords: Small Arms, Light Weapons, Sea Piracy, Maritime Insecurity, Maritime Domain Awareness

Introduction

The Niger Delta is facing serious security challenges owing in large part to the availability of small arms and light weapons in the region. These arms have become useful in the hands of the warlords and non-state actors and have given the people the mentality and perception that violence is part of the culture of the society. The insecurity situation caused by the availability and use of arms has diverted the attention of the government from attending to proper governance of delivering desired development to the people in recent times. Ikelegbe (2005) states that thousands of variously smuggled assault rifles, explosives and bombs as well as rocket propelled grenades get into the region through agents who use boats to reach out to ships that anchor in the high sea. This is a clear indication that these arms are illegally imported or exchanged for crude oil. Among these security challenges facing the country and particularly, the Niger Delta region is maritime insecurity. There have been increasing cases of violence at sea or the maritime sector that has affected

the business concern of individuals, groups and companies alike including multinationals. These violent activities are carried out with the aid of Small Arms and Light Weapons which litter all over the region. Consequently, arms have become the tools with which the perpetrators of violence at sea execute their planned attacks on commercial boats, fishing trawlers, and oil vessels conveying oil to and fro the country. As a result, several persons have been killed, kidnapped maimed and economic activities disrupted. The trend of insecurity in the maritime stretches of the region if not checked or addressed urgently is likely to result in further loss of lives and property, disruption of economic activities, and loss of revenue and jobs on the part of the maritime businesses and workers. Its continuous threats can also lead to a downward trend in trade transactions between Nigeria and other countries bearing in mind that the maritime sector plays an important role in the transportation of goods and services to and fro the country.

It is against this backdrop that this paper examines the role and extent to which small arms and light weapons threaten maritime security in the Niger Delta region of Nigeria. The paper is divided into five sections – introduction, literature review, and theoretical framework and method of study, discussion of findings, conclusion and recommendations

Literature Review

The prevalence of conflict situations and violence in most African States and particularly, Nigeria has attracted the use of small arms and light weapons. Its spread therefore, has caught the attention of scholars and policy makers alike as it has become a source of threat to the security of the country. The spread of arms has been acknowledged by many scholars and commentators alike. Ndime (2005) asserts that light weapons are widely used in conflicts owing to their “advantages”. They are cheap, easy to transport and conceal, simple to maintain and easy to handle. As a way of curbing the menace, Ndime suggested co-operation among states. Although this may sound good, using the state as a machinery to put a stop to arms deal is ironical because the state that has her national security interest as a primary concern would continue to arm herself and in the process, the arms intended to be used get into the hands of non-state actors or rebel groups.

Emphasising the spread of arms, Okodolor (2005) observed that small arms that have fuelled conflicts also manage to enter the illicit trade in the region and thus leads to escalation of violent crime or criminality. According to him, the primary concerns with small arms and light weapons proliferation continues to be their use as tools in the region’s internal conflict. These arms entering the region do not only pose serious threats to fragile or existing peace but fuels conflict and increasing violent crime and banditry. Abolo (2006) asserts that Nigeria serves as an example of a country with widespread of proliferation and misuse of arms. He maintains that significant quantities of small arms are readily available, resulting from active smuggling across borders.

The spread of arms availability, particularly in Nigeria poses a threat to the security of lives and properties. These arms are used by non-state actors, in carrying

out violent attacks on unsuspecting citizens or public individuals of the region. This affirms the view of the International Crisis Group (2010) which asserts that arms are readily available and used in the Niger Delta territory. The presence of these arms indicates that there is an influx of (and preference for) new weapons because of its usages. It is also obvious that recycled weapons drawn from both internal and external suppliers are widely available and used. A bulk of these arms is supplied through the black market secretly unknown to the government and security agents. Non-state forces such as militants, militia groups and warlords have accessed illicit international market since 2003 when the violence that rocked the region started, leading to a significant escalation in the sophistication and volume of importation of weapons since 2006. Through multiple channels of supply, sophisticated weapons are widely available throughout the Niger Delta and for this reason, militia groups, cult groups and gangs have sufficient firepower to seriously challenge the authority of Nigeria's military and police forces when engaged in physical combats.

According to Obuoforibo (2011), Small Arms and Light Weapons (SALWs) proliferation has gained widespread international outlook in the post cold war era. It is primarily so because these weapons have become the instrument of ethnic and internal conflicts in the present times for which Africa is the most susceptible. The problem of SALWs currently witnessed in the Niger Delta is caused by brute or naked force as the people do not have an alternative than resorting to violence. According to him, small arms are weapons that are most often designed for personal use, while light weapons are for use by persons who are serving as a crew. Revolvers and self-loading pistols, rifles, sub-machine guns, assault rifles and light machine guns among others are examples of small arms. Examples of Light weapons include portable anti-aircraft and anti-tank guns, heavy machine guns, some types of grenade launchers and portable launchers of anti-aircraft missile. They are mostly durable, can easily be carried about, easily hidden or concealed, and can be found in the hands of legitimate military, police and civilian users. SALWs are also used by non-state actors such as ethnic militias, war lords, guerrillas, brigands and the likes who engage in conflicts of low intensity.

Onigbinde (2002) observed that with heightened trafficking and trade in small arms in West Africa and with the borders between different countries, it has become increasingly difficult to tackle the spread and availability of these weapons. Small arms have always been recycled in the West African countries of Nigeria, Gabon, Ghana, Guinea and Burkina Faso. She maintains that the closeness of West Africa countries to international waters and porous borders have made it possible for the supply and demand for Small Arms and Light Weapons (SALWs). The consequences of the too many arms spreading in and around has been so devastating that apart from being threat to life and property, they also threaten security the peace and stability of civil society (Nna & Pabon, 2012; Badmus, 2005). Badmus adds that Africa has been and still attractive as a dumping ground for SALWs.

Mezie-Okoye and Kpae (2013) maintain that increased availability of SALW has, in the aftermath of conflicts, led to an exponential increase in crime rates in the sub-region, perpetuating a climate of insecurity. SALWs are convenient and attractive

to rebel groups and dissidents that characterise the landscape of Africa because they are widely available, very cheap, deadly, easy to use, transport and smuggle, unlike heavy conventional arms, such as artillery pieces and tanks, which are typically required by government forces, police, soldiers and civil populations. They further stated that the spread and availability of arms in Nigeria has led to increase in crimes such as piracy, oil theft and bunkering, armed robbery and kidnapping that are peculiar to the Niger Delta. Tracing how arms find their ways into the Niger Delta, they assert that arms increased significantly when the youths in the region were mobilised to secure elections. The need to secure elections, according to them, meant that powerful political patrons were able to open the way for supplies of illegal weapons to reach their required destinations (Mezie-Okoye & Kpae, 2013).

Affirming the availability of small arms and light weapons in the region, Bisini (2003) outlined several conflict hotspots in which SALWs were involved to include Ijaw/Itsekiri crises, Ijaw/Ilaje crisis, Itsekiri/Urhobo crisis, the Uvwie crisis, Enwreni internal crisis, Ogulaga/Odimodi crisis among others. According to him, the use of these arms in the crises caused the death of at least one thousand persons, several thousand injured while others were maimed. Other sources identified by him include arms imported by multinational companies, soldiers returning from peacekeeping operations in West African countries - security personnel drafted to the region hire out their arms to criminals - and ethnic militias and arms sold to private individuals. Nnoli (2006) stated that the acquisition of small arms and light weapons vastly increased in the 1990s and those involved in the trade are often militias that support or oppose the government, criminal gangs, vigilantes, and ordinary citizens who are apprehensive of the increasing inability of the state to provide them with security.

Maritime Security/Insecurity

Maritime is taken to mean waterways used for the transportation of people, goods and services. Maritime security is therefore viewed as security as it relates to territorial or inland waterways. Although there are no clearcut definitions of the concept, maritime security is concerned with problems and concerns relating to maritime commerce and navigation, business transacted at sea, ships and shipping, ports and ports facilities, to seamen and to marine affairs generally and as are affected by piracy and maritime violence. For the purpose of this paper, maritime security would be defined as the quality or condition of being secured, freedom from exposure to danger, protection and safety of the sea and waterways for the passage of people, goods and vessels as it relates to sea piracy and organised crime. On the other hand, Maritime insecurity is defined as the condition of being unsafe, existence of danger and violence at sea which threatens the free movement of goods and service along the waterways.

Theoretical Framework

The theoretical framework for this paper is the Basic Human Needs theory of conflict. This theory of conflict put forward by John Burton (1979) and adapted in the work of Havv (2007) asserts that the needs that are important to be considered in the

understanding of social conflicts that are destructive in any society, were those of identity, recognition, security, and personal development and not just food, water and shelter. They also include both physical and non-physical elements required for human growth and development as well as all other things that humans are inherently driven to attain. These needs however, are simultaneously sought in an intense and ceaseless manner. Ultimately, human needs serve as a powerful source or means of explaining the behaviour and social interaction of all human beings. To satisfy these needs of the individuals in the society, they either use the system [acting within the ambits of the laws] or acting as outlaws or reformists.

According to Sandole (2001), if the needs of an actor are not met in one way, an attempt or attempts would be made to secure such needs in another way. Such other ways sought to meet these needs would be parallel to the norms of society or outside the ambits of the laws. That is, if they cannot meet their needs within the existing “status-quo” system, they may devise parallel, revolutionary methods of achieving them. These needs would even be seen to be more important than food and shelter. To achieve these needs therefore, individuals are prepared or ready to go extreme lengths or extra mile by defying systems in order to meet their deeply desired needs, even through suicide bombing. Sandole (2001) further maintains that trying to constrain individuals from being secure from wicked and ill-treatment dished out to them solely because of their membership in certain ethnic, religious, racial, and other groups, may turn out to be a serious problem for all in the long run. Consequently, social systems must respond to the needs of individuals or be subjected to instability and forced or induced change that will be made through violence or conflict.

Havv (2007) points out that one of the primary causes of protracted conflict is people’s unyielding or continuous drive to meet their unmet needs on the individual, group, and societal levels. In so far as humans continue to strive to get their needs, there is the tendency that conflict would arise owing to interaction with others who may also desire the same thing. Havv further asserts that living and attaining well-being and or good standard of living, requires that humans need certain essentials of life called Human Needs or Basic Human Needs. Thus, violence is likely to occur when certain individuals or groups seek other alternative ways to meet their needs such as the use of violence or force. Citing Rosenberg (2003), Havv (2007) further maintains that violence is an expression of unmet human needs of people. This implies that all actions carried out by human-beings or individuals are all aimed at satisfying their needs, which in most cases are not met through legitimate means. Consequently, the actions of sea pirates and oil bunkerers on the waterways of the region can be described or viewed as an attempt in trying to meet their needs, which the state and its institutions could not or have not provided for them. Meeting their needs through these ways outside the confines of the law require some concerted efforts and organised set up or co-ordination, which can only be actualised with the use of weapons, principally (SALWs) made available through the black market. The activities of sea pirates, and or robbers and illegal oil bunkerers are examples of organised network of individuals to meet their needs.

The use of this theory enables the analyst come to terms with how the insecurity in the Niger Delta region was triggered and is sustained by conflict situation caused by underdevelopment, environmental degradation, pollution, poverty and the desire of the people to have the government, its agencies and multi-national companies responsible for the environmental degradation of the region to develop the area, provide basic human needs for them and allow the people to control its resources among other issues raised. This theory is relevant as it focuses on the unmet needs of a people or group as the cause of conflict and the alternative means used by some individuals to meet their unmet needs, which necessitated the conflict. Since the government and institutions responsible for providing the needs of the people have not done so, some individuals now look for an alternative means, which is “criminal” in nature to secure their needs.

Method

The cross-sectional research design was adopted for this paper and the Multi-stage sampling technique was used to determine the location of the target population. A three stage sampling technique was adopted and three Local Government areas, each of Bayelsa and Rivers States were randomly selected. They are Brass, Nembe, Ekeremor in Bayelsa and Port Harcourt, Bonny and Akuku-Toru in Rivers State. The sample size of 400 was drawn from a total population of 1,498,716 from six local government areas of Port Harcourt, Bonny, Akuku-Toru, Brass, Nembe and Ekeremor in Rivers and Bayelsa States, using the Taro Yamene formula. However, a total of six hundred (600) copies of the Likert Type (four scales) questionnaire were distributed to accommodate the interest of those who were not considered direct stakeholders in the maritime industry but were likely to be indirectly affected by the activities of sea pirates such as relatives of those may have been affected directly. Four hundred and fifty (450) copies were retrieved and analysed. The simple percentage statistical tool was used to analyse responses from the questionnaire. The Taro Yamene formula is stated thus:

$$n = \frac{N}{1 + N(e)^2}$$

Other sources of information for the paper included books, journal articles, the internet, periodicals, magazines and national dailies.

Table 1 Distribution of Questionnaire

Local Government Areas	No. of Questionnaire distributed	No. Retrieved	Percentage
Port Harcourt	135	78	57.8%
Akuku Toru	90	75	83.3%
Bonny	95	78	82.1%
Brass	95	77	81.1%

Ekeremor	95	72	75.7%
Nembe	90	70	77.7%
Total	600	450	75%

Source: Field work, 2014

Table 2 showing responses on relationship between small arms and maritime insecurity

Table 4.12 Responses showing relationship between SALWs and maritime insecurity

S/ N	Item Statement		Responses SA+A	(%)	Reponses D+SD	%	Total %
1.	The rate at which arms are available in the region is:	Very high	311	69.1	139	30.8	100
		High	386	85.7	64	14.4	100
		On Average	248	55.1	202	44.8	100
		Low	82	18.2	368	81.7	100
		Very low	55	12.2	395	87.7	100
2	The spread of arms (SALW) pose a serious threat to the maritime security in the Niger Delta		388	86.2	62	13.7	100
3.	The availability of these arms or weapons encourages the acts of sea piracy as they are used in their operations		400	88.8	50	11.1	100

Source: Field Work (2014)

For the statement in respect of arms availability in the region, 311 (69.1%) of the respondents agreed that arms prevalence is very high, 139 (30%) disagreed. 386 ((85%) agreed that it is high, 64 (14%) disagreed. For those who responded on the average, 248 (55.1%) agreed while 200 (44.8%) disagreed. Those whose views were expressed in the low and very low respectively, 82(18.2) agreed, 368 (81.7%) disagreed and 55 (12.2%) agreed, 395 (87.7%) disagreed. Responses to the spread of arms posing a serious threat to maritime security as retrieved indicated that 388respondents representing 86.2% agree that the spread of arms poses a serious threat to maritime security while 62 representing 13.7% disagreed. Similarly, respondents on the item that availability of these arms encourages acts of sea piracy indicates that 400 (88.8%) agreed while 50 (11.1%) disagreed. These responses indicate that arms poses serious threat to maritime security. These arms are imported illegally in most cases and used to perpetrate violence at sea. It is with these arms that the activities of the sea pirates become successful. They use sophisticated weapons as well as Small Arms and Light Weapons (SALWs) to perpetrate violence at sea.

The spread of Small Arms and Light Weapons (SALWs) in the Niger Delta region has to a great extent impacted negatively on the maritime domain as piracy in Nigeria involves armed robberies with the highest percentage of injuries to crew members. Pirates also kidnap crew members with high frequency than anywhere in the world except Somali. The International Crisis Group (2012) reported that there were about an estimated 150 cases of maritime piracy to the east of the Niger Delta between 2007 and 2011. Onuoha (2012) indicates that the pirates are known to be violent as they normally deploy sophisticated arms and weapons such as AK-47s. He states that the way the pirates operate mostly involved the use of speedboats to launch attacks and dispossess shipping crew members of cash, cargo and valuables.

It is with arms that the activities of the sea pirates become successful. They use sophisticated weapons as well as Small Arms and Light Weapons (SALWs) to perpetrate violence at sea. Bisina (2003) asserts that in recent years, the presence of arms in non-military hands appears to have reached a most alarming rate. Also, the conflicts in the region were prosecuted using SALWs. Modern communication gadgets, satellite phones, radio communications and fast moving speed boats have equally been used by the combatants. The availability of these arms acts as an encouragement to the activities of sea pirates to carry out their heinous activities on the sea or waterways of the region. Evidence abounds in cases of attacks on boats, vessels and oil installations in the region with fire arms or weapons. For instance, gunmen attacked a passenger boat belonging to the Bonny Local government near Yellow platform on Bonny River. Reacting to the availability of arms in the region, Amaechi (2008) asserts that arms in the region are in large quantity and some are very sophisticated, particularly those found in the hands of or possessed by the militants and gangs who are involved in criminal activities. These arms he says, stall development processes, work in communities and hinders oil security. It facilitates the activities of the kidnappers who kidnap foreign workers (expatriates) as well as Nigerians that work in the oil industry. He further admits that these arms or weaponry are capable of impacting negatively on the economic fortunes of Nigeria.

Okumagba (2009) maintains that oil barons import weapons and arm militia groups for the purpose of securing and defending their operations. To further demonstrate the fact that arms are available in the Niger Delta region, the militants who got the amnesty money from the government, thereafter went and bought guns to carry out sea piracy, robbery and illegal oil bunkering on the waterways. It is against the background of insecurity on the waterways of Nigeria that Ezem (2013) asserts that massive stockpiling of arms used for piracy and other crimes on Nigeria's waterways, particularly the Niger Delta Region, might spell doom for her socio-political system in future. The leader of the Niger Delta People's Volunteer Force (NDPVF) also confirmed the flooding of illegal arms in the region when he stated that there were illegal arms dealers (traders) along the coast, asserting that he had enough weapons at his command, which included AK47s, General Purpose Machine (GPM) guns and rocket-propelled grenades to equip 2,000 of his men (Osodi, 2014).

The availability of SALWs including machine guns and rocket propelled grenades are widely used to intimidate crew members in order to gain access onboard

ships and boats plying the sea routes of the region. For instance, when the Floating Storage and Offloading (FSO) Oloibiri was raided on May 1, 2007, the militants/pirates shot one Navy personnel and compelled the crew to throw down a rope through which they were able to enter the ship. The coastal areas of Bayelsa State, particularly the mouth of Brass (Santa Barbara), the approaches to Bonny (Sombreiro), Warri and its surrounding zones have been the hardest hit and high risk zones (ICG, 2012). Bisini (2003) says large quantities of weapons are available as Onuoha (2012) insists that the activities of sea pirates contribute to the available number of SALWs because they buy sophisticated weapons with ransom paid to them.

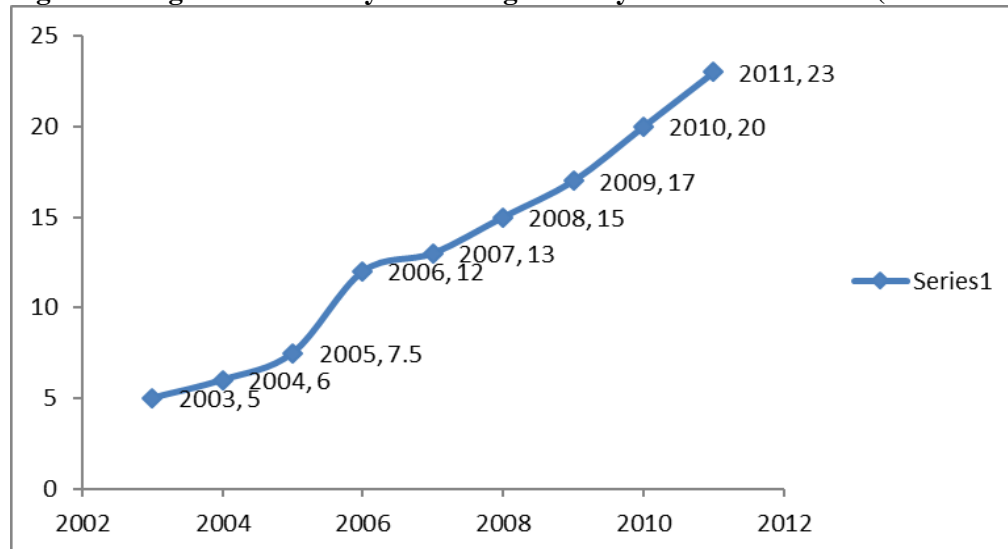
The factors that account for the spread of arms in the region are numerous and varied and include political and electoral violence, cult-related violent activities, violent communal conflicts, illegal importation, arms stolen from military camps and personnel and exchange for oil. Of these, illegal importation ranks the most viable channel through which these arms spread or proliferation in the region (Fieldwork, 2014). The sale of arms by military personnel is also another source of the proliferation of arms in the Niger Delta region but not of the magnitude as illegal importation. Keili (2008), on his part stated that weapons are brought into West Africa [Nigeria] on a smaller scale, by soldiers who have served in peacekeeping missions or operations and who are poorly paid. They often return home with their weapons from Liberia and Sierra Leone and sell them to local based combatants and gun dealers. In addition, some of the weapons in the hands of armed groups are acquired during attacks on Police and Military armouries. Bisini (2003) puts that the major players in the spread of small arms and light weapons include the youth, community leaders, ex-servicemen, politicians and elites, organised ethnic militias and organisations, serving security personnel, oil companies, illicit businessmen and illegal bunkerers, and criminals and armed robbers. He asserts that security personnel assist to convey SALWs to destinations that would be easy for beneficiaries to get them and affirms that criminals use these arms to perpetrate their acts of violence.

Sea pirates who indulge in kidnapping buy arms with ransom paid to them by their victims. As stated earlier, some of them, when they received the amnesty money later bought guns to carry out nefarious sea piracy activities and oil bunkering in a bid to meet their unmet needs for which the government and its institutions have not been able to provide (Ross, 2013). The desire to re-arm is just to engage in criminality in order to secure their unmet needs because they realise that some of the ex-militant commanders had used such means to make good money to satisfy their needs in life and further enrich themselves. These arms are easily bought by sea pirates as its sources are clandestine and in most cases unknown to security operatives. The waterways are the channels through which most of these arms are traded and thus serves as a major source of supply. According to Bolokor (2013) for two consecutive years, the International Maritime Bureau (IMB), a specialised department of the International Chamber of Commerce (ICC) that fights crimes in maritime trade and transportation, particularly piracy, has rated maritime safety in Nigerian waters low. It condemned the rising wave of sea piracy and sea robbery within the Nigerian territorial waters, noting that the robbers used sophisticated weapons to rob fishermen

and others of valuables worth millions of naira. In 2010 for instance, 58 piracy related incidents took place in the coastal and inshore waters of Nigeria (Hansen & Steffen, 2010).

According to Keili (2008) Small Arms and Light Weapons from different locations are brought into the Niger Delta region. The supply of most of these weapons like the Russian AK-47, the German G-3, the Belgian FN-FAL, and Czech Machine Guns are by illegal dealers and sellers, who received payments through bunkered (stolen) oil proceeds. The militias or sea pirates in the Niger Delta use a wide range of modern and sophisticated weapons like the semi and fully automatic rifles to carry out deadly attacks on oil and gas platforms, killing security agents and kidnapping crew. The activities of the sea pirates are facilitated by the availability, possession and use of small arms and light weapons. The presence and use of these arms by the non-state actors creates an atmosphere of tension and fear and prevents or reduces normal economic and business activities (Keili, 2008). Otto (2013) informs that the Niger Delta region and people suffer more from maritime crime. The use of small arms and light weapons or arms in general, has caused losses on the part of the fishing industry as represented in the figure below.

Fig 1 showing revenue lost by the fishing industry in billions of naira (2003-2011)



Source: Adapted from Ezem (2013) and plotted by the authors.

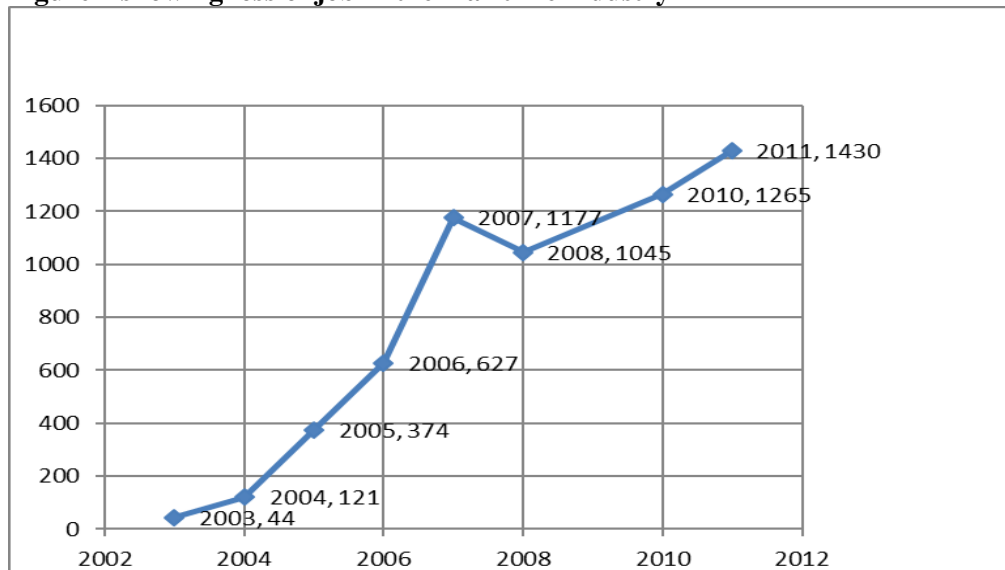
The fishing industry lost N5 billion in 2003, N6 billion in 2004, N7.5 billion in 2005, N12 billion in 2006, N13 billion in 2007, N15 billion in 2008, N17 billion in 2009, N20 billion in 2010 and N23 billion in 2011 (Ezem, 2013).

It is in the light of these losses that Abell (2013) maintains that many thousands of Nigerians have been put out of job thereby adding to the problem of high unemployment rate as the fishing industry lost some billions of dollars. He further asserts that the fishing industry is the second-largest industry in Nigeria after the oil

industry but over the decade past, aggression of environmental damage resulting from oil spills and maritime piracy has made the fishing industry of the country to dwindle. According to him, the number of attacks carried out on fishing vessels has caused many trawlers to remain idle including spills from vandalised or destroyed pipelines and decaying infrastructure. The high cost of seafood in Nigeria is evidenced by the scarcity of fish. Mbekeani and Ncube (2011) observed that maritime piracy has impacted negatively on the cost of shipping, tourism and fishing activities, noting that Nigeria lost up to US\$600m in export earnings due to threats posed by sea piracy to the fishing industry. For instance, over fifty (50) cases of attacks in the first month of 2008 caused the death of ten (10) members of the fishing industry.

The negative impact of the use of small arms on the waterways of the region has also been felt by the maritime workers as jobs were lost and several personnel either killed or maimed following the activities of sea pirates. See figure below for a graphical representation of data as from Ezem (2013).

Figure 2 showing loss of job in the maritime industry



Source: Adapted from Ezem (2013) and plotted by the authors.

From the above figure, 44 crew members were affected by the insurgence in 2003, 121 in 2004, 374 in 2005, 627 in 2006, 1,177 crew and other staff in 2007, 1,045 in 2008 while 1,265 in 2010 and 1,430 in 2011 (Ezem, 2013). Pottengal (2012) asserts that tankers have been severally attacked and sometimes diverted to unknown places. One boat was collected from its operators along the creeks of Rivers State on the 20th July, 2013 and on the 7th of August same year, two boats – Job 2 and Matco 2 were collected from their operators. Also, on the 15th August, 2014, two boats – Precious 1 and Rosen 1 were attacked by sea pirates and the properties of the passengers looted. Anagor (2013) asserts that the increasing rate of insecurity in the

waterways of Nigeria is the main reason people find it difficult to travel by the waterways to their destinations and that it discourages investors from doing business in the area. A situation, Alagoa (2013) described as sad and disturbing owing to increasing insecurity caused by increase in availability of AK 47s in five-fold (Obi, 2009).

Beside sea pirates' violent activities at sea, illegal or illicit bunkering popularly called '*Kpo-fire*' is one activity that has caused insecurity in the territorial waters of the Niger Delta region. The territorial waters where this illicit activity takes place are the Fishtown-Brass-Bartholomew-Barbara area of Bayelsa, QuaIboe/Calabar/Rio Del Rey axis of Cross River state, the Sombreiro-Bonny-BOT/andoni-Opobo area of Rivers State and Escravos-Forcados-Ramos-Dodo in Delta state (Obasi, 2011). Of these, the area wherein the operation of illegal bunkering is highest is the Sombreiro-Bonny because of the sophistication involved. The Escravos and Forcados area seems the most dangerous considering the way the organised armed gangs engage in rivalry with the use of SALWs. Bunkering of oil has become successful because of some enabling factors, which according to Obasi includes weak governance, conflict and instability that are prevalent in the region. This is further reinforced by the complex nature of the geography of the region and confusing swamps and creeks, no effective monitoring of the process of accounting in the oil industry, high rate of poverty and youth unemployment, ineffective governance of the maritime domain resulting from poor security arrangements, corrupt practices on the part of security and law enforcement officers and the low level at which suspected bunkerers are prosecuted and high demand for low sulphur, low viscosity and low density crude oil coming from Nigeria. Obasi further asserts that there is an international market well established for the buying of stolen oil.

Illicit bunkering is of three forms which includes small-scale mostly engaged in by local gangs that steal and refine crude oil with the intension of selling it at the local market. Obasi (2011) says small-scale bunkering involves the diversion of trucks containing refined products to places that are not authorised and or even outside the country. In this activity, 30, 000 barrels of crude per day are estimated to have been lost by the oil industry. Another form of illicit bunkering is that which involves larger quantities of crude obtained by gangs through breaking of pipelines or by removing wellheads to scoop away crude oil into barges at sea. The third type is that which one can describe as a 'corporate' one, which takes the form of excess lifting of crude oil above that for which license is granted. The export of this crude is sometimes done following fraudulent paperwork put together at a very high level of the Nigerian National Petroleum Corporation (Obasi, 2011).

Importantly, these transactions involve certain individuals or groups to make them happen. They include both local and international collaborators. Locally, the people involved are organised gangs such as business 'magnets' often called 'the barons' and young men who are armed with guns or arms to carry out the real operations in the creeks called 'the boys' who most times settle in the adjoining communities close to their areas of operations. There is also trade in arms between

these international collaborators and the oil bunkerers, as the illegal oil dealers/actors barter oil for arms as well.

It is pertinent to note that, illicit oil bunkering activities have had negative consequences on the territorial waters and human security of the region. Obasi (2011) asserts that they are manifest in the economic, environmental and physical security of individuals and communities. Nigerian economy has been affected as it lost revenue to the tune of \$2.4bn and \$6.3bn annually since 2003. Environmentally, spills arising from this illicit business of bunkering have caused serious damage to the environment and ecosystem of the coastal communities. This has posed a serious challenge to the region over the years and has been an issue of contention between the oil companies and the people or host communities with respect to who is responsible for the spill. The companies have always accused the bunkerers while the people blame it on the decaying oil installations or infrastructure.

In the sphere of physical security, Obasi (2011) maintains that illicit bunkering has led to lawlessness, insecurity and physical violence which have been prevalent in the region as the bunkerers get weapons with the monies earned from illegal business. Violence or conflicts mostly ensued between the organised gangs over the control of bunkering space and the sharing of the money earned from it. Obasi further puts that these illicit activities have been carried out alongside arms smuggling and their spread in the region. These arms are used to secure their operations at sea and to enhance the struggle for the control of lucrative areas.

Evidence abounds that the activities of sea pirates' illegal bunkering has been on the increase. For instance, Etim (2011) reports that there is an increasing rate of banditry on the waterways of Bayelsa following several attacks by sea pirates along Saibaturu community. He asserts that illegal bunkering takes place on the water as was the case with when a vessel, *MT ZIA*, containing about 5,000 tons of illegally refined diesel, four Geepee storage tanks with capacity of 7,500 litres each, six electric pumping machines and hoses were impounded along the Nembe river. He further reports that *MV Omiesan* housing 46 suspects and 13 Cotonou boats carrying illegally refined diesel were also impounded along the Akasa River and four AK-47s assault rifles, 203 rounds of 7.62mm ammunition and 11 dynamites were recovered from them. One barge and a wooden boat containing stolen crude oil and illegally refined diesel were impounded as well. It is worth noting that these activities are carried out with the aid of small arms and light weapons and therefore increase the usage and spread of arms.

Conclusion and recommendations

This paper discusses the impact of SALWs on the security of the maritime domain of the Niger Delta of Nigeria. It traces the insecurity situation on the territorial waters of the region to the misuse of SALWs by sea pirates whose desires are to meet their needs. The paper thus, concludes that the availability and use of small arms and light weapons (SAWLs) by the sea pirates on the waterways has dealt a negative blow on the region. It has caused death of crew members, destruction of offshore oil installations and reduced travelling by the waterways. Again, illicit oil bunkering

operations has been secured with the aid of SALWs, which further accounts for the widespread of arms in the region. Economically, businesses were grounded and the fishing industry recorded a great loss in revenue while maritime workers lost their jobs following the use of SALWs in the maritime domain. Arms have become veritable instruments in the hands of bandits to perpetrate violence and to secure illicit businesses at sea. It thus, threatens maritime as well as human security.

This paper recommends that the factors that caused the insurgency such as underdevelopment, poverty, marginalisation and environmental degradation should be addressed so that the needs of the inhabitants of the region can be taken care of. Providing better opportunities for these youths would divert their attention from criminality and violence to peaceful and productive ventures. A deliberate policy, commitment and strong political will of the government to achieving this will suffice.

Again, the government should among other things ensure proper policing of the territorial waterways of the region by providing patrol boats, arms and ammunitions for security agents who are charged with securing the waterways. It should also adequately fund the security agents discharging this responsibility of securing the territorial waters.

There should be early warning centres where the people can share information on issues that border on the security of the maritime domain. This will help provide the government and security agencies with relevant information from the people as they will be involved in the process. This will ensure prevention of violence and or threats by security agents or agencies before they are hatched.

The government should collaborate with other neighbouring countries and aggressively adopt a policy of mopping up arms in the region as its continuous use will forestall development efforts of the government. They must also muster the political will to do this.

Lastly, the government should embark on maritime domain awareness campaign, particularly in the coastal communities of the region so that the people can readily understand the issues that are capable of threatening the maritime domain and give appropriate information to security agents or agencies at the right time to forestall occurrence of issues of threats to the maritime environment. This is made considering that the people are not aware of the issues that threaten the maritime domain such as poaching, illegal fishing, sea piracy and oil bunkering activities among others.

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Rethinking Militia Uprising in the Niger Delta: Implications for National Security

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Abstract

The Niger Delta of Nigeria constituted one of the flashpoints of internal crisis of varying dimensions, including hostage taking, sea piracy, political hooliganism, terrorism and vandalism of pipelines. This study takes a reconstructive analysis on militia uprising in the region in view of the implications for development and security in Nigeria. Using qualitative research method, findings show that the militia uprising in the Niger Delta is not a mere display of rebellious acts against constituted authority, but an aggressive reaction to enduring social neglect and exploitative tendencies inflicted on the region and its people by successive activities of state and non-state actors. Using frustration-aggression theory of conflict, the study submits that the subsisting reactionary measures by stakeholders, including amnesty programme cannot guarantee lasting peace and security required for sustainable development at the expense of problem-solving policy responses. Therefore, the study recommends holistic conflict transformation initiatives for addressing militia uprising in the Niger Delta with a view to ensuring lasting peace and security in the interests of sustainable development and national integration.

Keywords: Niger Delta; militia uprising; enduring social neglect; national security; comprehensive conflict transformation initiative.

Introduction

Arguably, endemic internal conflicts have invariably constituted an enduring image of post-independence Nigeria. Empirical evidence is overwhelming to the effect that the country is inundated with a plethora of internal conflicts: ethno-communal acrimony; sectarian violence; resource-based violence arising from economic marginalisation; identity-based conflicts arising from political deprivation and social exclusion; electoral conflicts; and domestic terrorism among others (Osaghae, 2002; Agbaje, 2003; Ehidiemen, 2003; Osuoka, 2003; Olutokun, 2003; Dukor, 2003; Emiri, 2003; Akinyemi, 2003; Ekeh, 2004; Adebani, 2004). The World Bank Reports in 2006 and 2007 ranked Nigeria among first 15 fragile states in the world. This ranking was confirmed by The American Bipartisan Centre in May 2011 as the country was ranked among the world's most fragile states. This has created skepticism about the prospects for peace, security and continued existence of Nigeria within the context of its heterogeneous composition.

The Niger Delta Region constitutes one of the flashpoints of internal conflicts in Nigeria arising from oil politics inspired by state and non-state actors and the concomitant aggressive reactions of various interest groups from across the region.

Considering the volume of scholarly discourses on Niger Delta crisis in extant body of literature, it cannot be considered as an understudied phenomenon in Nigeria (Osaghae 1994; Davis & Hammed, 2001; Ekiyor, 2001; Dukor, 2003; Osuoka, 2003; Menegbon, 2003; Albert, 2015).

However, the fluidity of the crisis in terms of the dynamism of aggressive militant activism in the region, and the challenges these have continued to pose on national security have created a lacuna in existing scholarship. The preoccupation of this study, therefore, is to attempt a reconstructive analysis on the factors that have sustained the activities of militia groups in the Niger Delta in view of their implications for national security and development.

The core argument of this study is that it would be misleading to presume that militia uprising and the attendant intractable violence in the Niger Delta region was stimulated by mere expression of youth restiveness. Rather, the notoriety of militia uprising in the region should be viewed from the broad perspective of people's reaction to prolonged sense of injustice arising from economic marginalization, political deprivation, perceived hanging identity, and devastating environmental degradation inflicted on the region and its people, despite its economic importance to the country. An axiomatic strand of this thesis is that militia uprising in the Niger Delta, despite its protracted nature, is susceptible to transformation given holistic, joint problem-solving responses by both state and non-state actors. It is apt to note that the struggle for space by minority groups is not an exclusive feature of Nigeria's federalist structure. In other climes such as New Zealand, Australia and Canada, minority agitation is equally a prevalent phenomenon of modern state system (Emiri, 2003). What make the difference is that the political system and structure of these societies make provision for problem-solving responses within which context ensuing agitations are constructively addressed without recourse to arms. What factors motivated the Niger Delta youths to engage in militia activism in the country? How responsive is the state to the plight of the Niger Delta people within the context of its social contract responsibility? What are the implications of continued fluidity of the crisis for national security and sustainable development? This study attempts to critically explore these posers in the context of the prevailing challenges of militia uprising in the region. The study submits that addressing militia uprising in the Niger Delta requires broad-based, problem-solving conflict transformative mechanism through deliberate policy response by state agents and corporate social responsibility initiatives of non-state agents.

Theoretical Framework

This study adopts Frustration-Aggression theory in an attempt to determine the causes of militia uprising in the Niger Delta region. The theory postulates that aggressive behaviour is a proportional reaction to frustrating tendencies within a given conflict scenario. The theory was developed in 1939 by John Dollard and his research associates, and later expanded and modified by other scholars, including Aubrey Yates and Leonard Berkowitz (Anifowose 2011). Frustration-Aggression theory suggests that given the requisite conditions, individuals or groups whose basic

desires are thwarted and consequently experience profound sense of marginalisation, dissatisfaction, deprivation and exploitation have the tendency to manifest violent behaviour to the perceived cause of their unmet desires at the slightest provocation. With emphasis on the Niger Delta Region, the implication of this theoretical exploration is that the existing violent conflicts and the attendant security challenges in the region cannot be logically explored in isolation from multidimensional factors and forces that have a bearing on the collective existence of the Nigerian political system.

The manifestation and dynamics of militia uprising in the Niger Delta region will result in wrong diagnosis if merely considered as youth restiveness or act of insurrection against the state. Rather scientific diagnosis of the problem must reflect aggressive reaction to frustrated desires and thwarted goals arising from government's insensitivity to the needs of the people of Niger Delta. Put differently, enduring national security may continue to be elusive as long as the character, motivation, ideological underpinnings and grassroots operational mode of the militants are poorly understood and erroneously interpreted.

Suffice it to say that the prevailing complex conflicts of ethnic, political, and economic undercurrents in the Niger Delta Region can only be understood by establishing the correlation between historical antecedents and divergent value systems of the various constituent groups and the subsisting socioeconomic and political realities of the Nigerian nation state.

Militia Uprising: a Contextual and Conceptual Analysis

This section attempts to provide an analytical framework for understanding the context and concept of militias. From traditional and contemporary perspectives, militias constitute part of non-state actors such that, in principle, they are autonomous from the structure and machinery of the state (Alden, Thakur & Arnold, 2011). Simply put, they are armed non-state actors, operating outside the formal state military apparatus. Militias, whether operating at ethnic, regional, or national levels, have propensity to use crude violence for accomplishing their goals within political and socioeconomic realms.

The diversity of militias has become more complex in contemporary times than ever, ranging from paramilitary formations used as counter-insurgency forces, small localized village militias centred on self-defence, to militias that have spun off from failures within a state security sector and have subsequently sought to counter state power structures (Alden *et al.*, 2011). Perhaps in an attempt to distinguish them from other forms of combatants, Alden *et al* (2011, p. 1) describe militias based on their peculiar characteristics thus:

Part of what distinguishes them from more traditional combatants is their operational mode, especially their willingness to engage in violent tactics that defy international norms of conflict and their proclivity to embrace expediency in alliance-making --- as materialized entities are prone to pursue conflict --- in terms of local interests, militias are notoriously difficult to manage in the context of

transitions from war to peace. As such, the conventional approaches to conflict management and resolution promulgated by the international community are singularly inadequate in addressing the issue of militias as well as the enduring effect they have on post-conflict situations.

In broad terms, there are two categories of militant groups, namely the ideological, politically-inspired or principled militants and non-ideological, criminally-motivated militants or opportunistic mercenaries (Ogundiya, 2011, p. 14). Ideological militants are those purpose-driven militants who display aggressive tendencies in reaction to real or perceived social injustice and other forms of marginalization which are considered as threats to their individual and/or collective identity in a given political entity. The Niger Delta crisis was propelled by the quest for redress of age long inequality, marginalization, environmental damage and political deprivation.

Non-ideological militants are those who perpetrate acts of violence against fellow humans without just cause. This category of militants heartlessly employs violence and criminal activities as means of survival. A larger percentage of non-ideological militants make themselves available for political hooliganism and communal and/or campus cultists who make themselves available for commercialized criminality (Ojo, 2017). As Ogundiya (2011) rightly observes, criminally-motivated militants are equipped by unscrupulous elements in society such as unprincipled politicians to commit crimes including electoral violence, assassination of opponents, public unrest, and hostage taking, among others. By implication, the activities of non-ideological militants are an aberration in any given society as the rationale for their actions is not confined within the fringes of fundamental human rights and the rule of law.

Militia uprising is not an exclusive prerogative of modern Nigeria society, and by extension Africa. For instance, militias have a deep resonance in America's history on account of the central role they played in the American war of independence from British colonial rule. They were referred to as "patriot militias" and they recruited their commanders where they were active under the premise of self-defense against British oppression. It is worthy of note that the second Amendment of the US constitution conceded some measure of sentiment to patriot militias by stating that: "a well-regulated militia being necessary to the security of a free state. The right of the people to keep and bear arms shall not be infringed" (Alden *et al.*, 2011, p.5). Within the American context of militia phenomenon, militias were seen as playing legitimate violent actions thought not as "standing armies" or as a perpetually benign force which could be regarded as "national militia" (Alden *et al.*, 2011).

In contemporary times where revolution in science and technology has compressed the whole world into a global village, militias have tended to constitute serious threats to peace, stability and security at communal, national, sub-regional, regional and international levels. As Alden *et al* (2011, p. 5) observed, outside of the

historical American and European experience which has dwindled, the rest of the world has continued to see a very strong presence and activities of militias and their centrality to conflicts. Thus, they have severely distorted the traditional application of legitimate force within which context the monopoly of violence was confined in state actors.

Apart from perpetrating and perpetuating internal conflicts and violence in various independent states in post-cold war era, militias have continued to play a central role in the generation, intensity and manifestation of various ongoing global conflicts. Within the African context, the contemporary post-second world war period provides egregious examples of conflicts that involve a diversity of militias. Prominent among them across the continent include the *Janjaweed*, being interpreted as ‘devils on horseback’, in Darfur, Sudan; the ‘*Interahamwe*’, (meaning ‘those who work/fight together’) among the Hutu; and the ‘*Impuzamugambi*’ (meaning those who have the same goal) among the Hutus in Rwanda; the *Maumau* secret liberation army in Kenya ((Aldean, *et al.*, 2011); and *Oodua* People’s Congress (OPC); *Bakasi* Boys, and Movement for the Survival of *Ogoni* People (MOSOP), all in Nigeria.

With particular emphasis on the Niger Delta, although militias were originally motivated by the urge to agitate for social change and justice in political, economic and environmental terms, political elite have employed their activities for anti-people and counter-productive tendencies. Elsewhere, this author has argued that political gladiators in the region have always relied on ethnic militias and campus cultists to perpetrate electoral violence (Ojo, 2017). For instance, they have recruited, financed and armed ethnic militia groups such as MOSOP, Bakasi Boys, ‘Sea Pirates’ and ‘Creek Boys’ to gang up against the state to perpetrate electoral violence in their bid to win elections at all cost. By so doing, political elite who are expected to be models of good politics and custodians of the rule of law have been the ones promoting commercialized criminality through militant activities.

Conflict in the Niger Delta: A Historical Analysis

The Niger Delta people constitute part of the so-called minority groups in Nigeria based on the size of their number compared to other core groups, especially the three majority groups (Yoruba, Igbo and Hausa) who are so-called based on their being more densely populated than their minority counterparts. They are located in the south-south geo-political zone within Nigeria’s political entity. The original occupations of the inhabitants of the region include fishing, farming, trading, and forest product gathering, among others. The region is located in the southern part of the country, spreading over a total landmass of about 70,000 square kilometers. The ethnic components of the Niger Delta region comprise the Ijo, Ogoni, Efik, Urhobo, Bakasi, Ogbas, Ikwerres, and Ekpeyes. Others are the Abuas, Egbemas, Engennes, Obolos, Isokos, Itsekiris and some parts of Kwale. These ethnic groups constitute the dominant indigenes of seven states from among the present 36 states of the federation: Edo, Akwa-Ibom, Rivers, Cross Rivers, Delta, Bayelsa and Ondo States.

In the present political structure of Nigeria, Dukor (2003) observes that by all standards, the minorities are no less inferior to the so-called majority groups. This is

because apart from paradoxically constituting the majority over the acclaimed majority groups if they (i.e. minorities) are all combined together, the minorities are greatly endowed with economic relevance in the polity. This economic relevance, says Dukor (2003), comes from the crude oil in their soil coupled with other natural resource endowments such as aquatic habitants. Hence, despite their so-called minority status, within the polity, the Niger Deltans remain the 'landlords' of national wealth and they deserve considered recognition (Dukor, 2003). Thus, as the majority groups have unduly dominated the political arena, subjecting the minorities to political marginalization, the minorities invariably hold onto economic power through the natural resource deposits conceded to them by divine design in Nigeria's geopolitical architecture.

Ab initio, the Niger Delta Region used to rank relatively high among peaceful and tranquil communities that constitute the geographical entity now known as Nigeria. However, for quite some time now, the region has remained one of the most troubled spots in Nigeria, arising from the militant uprising by the youths of the region. This was sequel to the discovery of oil in commercial quantity in the region first from Oloibiri, Bayelsa State in 1956.

It is pertinent at this juncture, to note that neither the discovery of crude oil in commercial quantity nor subsequent exploration of same *per se* that led to militant uprising in the region, which has regrettably reduced it to an enclave of social conflicts. Rather, it was due to the fact that over the years, successive governments at all levels seemed to have played politics with the peculiarly deplorable conditions of the people, following the devastating consequences of gas flaring and oil exploration activities of multinational oil companies across the region. Worse still, subsequent exploitation of crude oil has had devastating effect on the entire ecosystem of the region in terms of polluted land, air and waters, with the domino effect on the erstwhile non-oil socio-economic activities and political life of the people without commensurable response either from the government or from the multinational companies. Thus, despite the fact that the largest proportion of the country's revenue is derived from the region, it ranks among the most backward and socially excluded regions in the country where suffering from hunger, ever increasing rate of unemployment, persistent violence, and other human rights abuses have made life unduly brutish and hostile.

On the part of multinational companies, despite existing law and Acts under which the oil exploration could be conducted, their operations still run contrary to international best practices. Suffice it to say therefore, that militia uprising in the Niger Delta, which has been a major determinant of political instability, social unrest, economic chaos and developmental retardation, was in reaction to protracted injustice inflicted on the people over the years.

Thus, in comparative terms with other internal political and sectarian conflicts, particularly the Boko Haram terrorist insurgency, militia uprising in the Niger Delta was not borne out of mere act of rebellion against constituted authority. Rather it was instigated as response to long lasting economic deprivation and political marginalization suffered by the people of the region. The people that had sustained

themselves over the years through subsistence economy in terms of land-based and aquatic agricultural practices were deprived of their means of livelihood arising from oil exploration activities.

What is more, many groups were forcefully ejected from their traditional abode to other localities where they live as aliens arising from the hostility inflicted on their environment by oil exploration and exploitation activities. Following from economic incapacitation, many parents could not give their children qualitative education which resulted in a cycle of ignorance, disempowerment and abject poverty. Moreover, given age long political deprivation and economic marginalisation, the people felt that their identity was hanging in the scheme of governance and resorted to aggressive means to seek redress given government insensitivity to their plight.

It is imperative to note that the Niger *Deltans* did not just wake up and began to take up arms against the state, or perpetrate serious industrial destabilisation against the activities of the multi-nationals in the region. A number of non-violent activities that had potentials for conflict transformation were employed by the people.

Among the foremost measures employed by the people of the region in the course of their struggle was the agitation for separate states in the 1950s and 1960s. This struggle was informed by demands for more acceptable formula for the distribution of power and resources without placing undue premium on numerical strength of the constituent groups. This development resulted in the setting up of the Minorities Commission in 1956, which examined the feasibility of creating distinct states for the minority groups within the Nigeria's federalist system (Hyam, 2007).

Another drastic measure taken by the Niger Delta people was the intellectually-driven draft and presentation of Ogoni Bill of Rights by the Ogonis to the federal government in 1990 during the military regime of General Ibrahim Badamosi Babangida. The internationalization of the Ogoni Bill of rights was expressed in successful presentation of the Bill to various international communities and institutions across Africa and the western world. These include the United Nations sub-committee of Human Rights on Prevention of Discrimination Against and Protection of Minorities, the African Human Rights Commission, Rain Forest Action Group and the Green Peace Organization (Emiri, 2003). The Bill contained the lamentation of the people arising from government negligence to the deplorable conditions of the people, the protracted neglect of their environment by successive governments and their image about themselves as "a separate and distinct ethnic nationality" within Nigeria's corporate entity. The central position of the bill was that the Ogonis should be granted political autonomy to be able to lay absolute claim on the oil deposit in the region as a distinct entity within Nigeria's federalist structure. The Bill among other things further advocates the preservation of Ogoni cultural identity and the need for development of Ogoni local languages as well as the protection of their ecosystem. Arguably all the foregoing non-violent efforts by the Deltans provoked reactionary measures by successive governments, especially at the federal level.

Thus, the people of the region began to display more aggressive measures expressed in physical, structural and psychological dimensions in the defense of their

destiny against state-centric oppressive inclinations. The revolt of the Ogoni people in 1966 marked a watershed in the aggressive agitation for redress by the Deltans to the oppressive tendencies of the state. Isaac Jasper Adaka Boro, Sam Owonaro and Nottingham Dick led the 12-day revolution, declaring the pre-matured independent Niger Delta Republic (Osuoka, 2003). A successful execution of that secessionist attempt would have undermined the territorial integrity of the Post-independent Nigerian State. In 1993, the Ogoni people further related their grievances to the government and to all Nigerians by seizing from participating in the presidential election. MOSOP mobilised the Ogoni people to boycott the elections on the argument that they, as a people, had no part in fashioning the constitution on which basis the election was conducted (Osuoka, 2003).

In another development, Ken Saro-Wiwa led the Ogoni in a revolt against the state between 1993 and 1995. Ken Saro-Wiwa describes the oppressive tendencies on the part of the so called majority groups as a calculated mechanism for drifting the minorities into extinction. According to him:

If you take away all the resources of the (Ogoni) people, you take away their land, you pollute their air, you pollute their streams, you make it impossible for them to farm or fish, ---, and then what comes out of their soil you take entirely away--- if more people in Ogoni are dying than are being born, if Ogoni boys and girls are not going to school --- if those who manage to scale through cannot find jobs --- then surely you are leading the tribe to extinction (Tell, April 4, 2005, p.29).

On January 4, 1993, Saro-Wiwa led about 300,000 Ogoni people in aggressive protest against Shell Oil activities and the devastating condition of the environment in the region arising from exploration and exploitation of oil and gas by multinational oil companies. This mass protest was unprecedented in attempted reactions against environmental damage in the Niger Delta in that it marked a watershed in physical demonstration of the people of the region.

On May 24, 1993 the protest of the Ogoni people assumed an intellectual dimension as Ken Saro-Wiwa began to tour Europe with the motive of attracting the attention of international stakeholders on the deplorable conditions of the Ogoni people and their environment. Ken Saro-Wiwa and his men complained about the innumerable oil spills caused by indiscriminate use of outdated equipment and technology by multi-nationals, which intensified exploitation in order to maximize profits. They contended that this had destroyed their farmlands, waters and air, and demanded for commensurable compensation as well as the need to operate in compliance with international standards and best practices.

The group claimed that one of the most visible casualties of the oil spills has been the grave damages done to mangrove tree in the swamps. The tree which has become an endangered species used to provide habitat for seafood such as oysters, crabs, and mussels which had been sources of wealth for the Niger *Deltans*. However,

in 1998, Saro-Wiwa and eight (popularly referred to as the Ogoni nine) other activists were arrested and sentenced to death by hanging without due process in military tribunal under the despotic regime of General Sani Abacha despite international opposition to that stance (Green & Luehrmann, 2003).

There was also the Ijo youth *Kaiama* Declaration in 1998. The minorities further drove in their demand through “*Kiama* Declaration” in which the people demanded for resource control, calling on the state to introduce a legal regime for resolving the just claims of the minorities in the spirit of understanding and equity (Emiri, 2003). The common thread running through these aggressive revolts is the need to resist the persistence of injustice, bad governance and environmental degradation with a view to defending their common destiny and survival in the context of the Nigeria’s federalist structure.

The prevailing context and dynamics of open confrontation by Niger Delta militants has taken various dimensions as follows:

- (i) Confrontation between militants and the state, triggered by socio-economic deprivation and political marginalization;
- (ii) Confrontation between militants and multinational oil companies in the region: this took the form of confrontations between specific oil-deposit communities and designated oil companies over particular issues such as neglect, damage done to their environment, demand for improved socio-economic conditions of indigenes, provocation over affluent life styles of expatriates compared to abject poverty on the part of the indigenes, among others;
- (iii) Confrontations between militants and their paramount leaders in various communities across the Niger Delta Region arising from breach of agreement and mutual distrust and suspicion; and
- (iv) Crisis of relevance and supremacy among various militant groups across the region.

At this confrontational stage, both the militants and the government had shifted emphasis from solving the problem to winning the war. The devastating consequences of the conflict has undermined governance process and security concerns and posed deadly threat to the collective existence of Nigeria as a united political entity. The international implication of the foregoing is that protracted violence in the region has subjected the image of the country into disrepute among the comity of nations.

Recent security-threatening occurrences of international magnitude tend to affirm the continued prevalence of violent attacks in the Niger Delta despite existing management initiatives. For instance, in 2012, the Canadian government labeled some parts of the region danger zones, consequent upon which it warned its subjects to “go there with caution” (The Punch Nov 25, 2012; p. 2). In the same vein, within the same timeframe, the United Kingdom, warned its citizens against traveling to some parts of the Niger Delta including Bayelsa, Akwa-Ibom and Rivers States (The Punch Nov 25, 2012; p. 2). This apprehension is not unfounded considering the fact

that cases of abduction and extra-legal killing of various categories of people including expatriates is still rampant in the region, despite the amnesty programme and other counter-insurgency measures by government and other stakeholders. For instance, on October 2014, there were attacks by pirates in the creeks of Niger Delta which resulted in killing of security agents and abduction of oil workers. The incident occurred in Bayelsa State and the state Commissioner of Police confirmed it. The CP, Mr. Valentine Ntomchukwu attests that Sea pirates attacked and killed three policemen who were escorting an Agip barge (The Punch, Tuesday October 28, 2014, p. 36). Within the same period, unknown gunmen attacked a boat in the Nembe Local Government Area of Bayelsa State and abducted six personnel from a local oil service company (The Punch, Tuesday October 28, 2014, p. 36). In another operation, sea pirates on a speedboat boarded a supply vessel and kidnapped the ship's master and its chief engineer (The Punch, Tuesday October 28, 2014, p. 36).

In another development, in November, 2014, three expatriates working with ElMerit Oil Company were abducted by gunmen at Emakalakala in Ogbia Local Government Area of Bayelsa State. It was reported that the abduction, which was confirmed by security agents, occurred barely a day after Bayelsa State government made a political declaration that the Niger Delta region was free from militant attacks and that "Bayelsa State was the most secure state in the country" (Saturday Punch, November 29, 2014, p.13). Precisely, the coordinator of Joint Media Campaign Centre, Joint Military Task Force Operation tagged, *Operation Pulo Shield*, Col. Mustapha Anka confirmed the incident (Saturday Punch, November 29, 2014, pp. 13). It is disheartening to note that attacks on Joint Military Task Force by sea pirates have become a recurring decimal in the Niger Delta Region. On Sunday, December 21, 2014, it was also reported that sea pirates attacked and killed three soldiers attached to Operation *Pulo Shield* and hijacked a military gunboat at Santa Barbara, a notorious waterway in Nembe area of Bayelsa State (*The Punch*, 23/12/2014: p.5).

Militia Uprising in the Niger Delta Region: The Youth are not to Blame!

War is defeat for humanity. Only in peace and through peace can respect for human dignity and its inalienable rights be guaranteed"- Pope John Paul II, World Day of peace, January 1, 2000; "Those who make peaceful revolution impossible will make violent revolution inevitable- John F. Kennedy, 1962 cited in Barash & Webel, 2002: 28, 244).

The above popular quotation epitomizes the ideological underpinnings of militia uprising in the Niger Delta. Anywhere in the world, oppressive tendencies of the political class, which subject the citizenry to bondage that is not imposed by nature usually determines the emergence of militias as a counter-measure in an attempt to deliver themselves and those who identify with their mission from the clutches of political predators. Suffice it to say, therefore, that the rise of any militant group in whatever form – be it ethnic or otherwise, anywhere across the globe, could be attributed to the urge on the part of the oppressed to reverse the unjust *status quo*

and pave way for change. With specific reference to the third world, Dukor (2003, p. 165) convincingly captures why members of the public are wont to resort to violence in expressing their grievances thus:

State violence, manifesting itself in fascist and dictatorial rule, press censorship, physical and psychological intimidation of the citizenry is rampant in the third world. History has shown that forms of protest like civil disobedience, legal challenges, sit-down strikes, sit-ins, hunger strikes, self-immolation and cessation of public activities are either not applicable or ineffective in resisting State violence in third world countries like Nigeria. Instead, militant demonstrations on the part of students, traders, workers and armed resistance may be the only viable way of resisting State violence.

In his theory of civil disobedience, John Rawls (1984), cited in Dukor, (2003, p. 146) justifies why deliberate violation of basic principles of civil liberties could be employed as a veritable instrument of non-violent change in a democratic society. According to Rawls (1984):

a constitutional theory of civil disobedience defines the theory and separates it from other forms of opposition to democratic authority ... It sets out grounds of civil disobedience and the conditions under which such action is justified in a just democratic society. And finally a theory should explain the role of civil disobedience within a constitutional system and account for the appropriateness of this mode of protest within a free society.

Leaning on Rawls' analysis and with emphasis on the Nigeria's context, Dukor (2003, p. 143) stresses that through the instrumentality of civil disobedience, a minority sends signals to the majority to consider their plight in quest for redress:

in civil disobedience, fidelity to law helps to establish to the majority that the act is indeed politically conscientious and sincere, and that it is intended to address the public's sense of justice. It is clearly distinct from militant action and obstruction and organised forcible resistance.

Against this standpoint and with particular emphasis on the Niger Delta region, therefore, Osuoka (2007, p. 144) argues that the resistance of the nationalities in the Niger Delta area- the Ogoni, Isoko, Urhobo, Itsekiri, and Ijo, among others- is the peoples' response to the crisis within the Nigerian state. It is within this context that the sporadic and endemic outburst of militant uprising against the state and multinational companies could be explained. The long years of unyielding disposition on the part of the government was partly demonstrated by continued reduction of revenue allocation to the Niger Delta from 100 percent in 1954 to the current 13 percent. No doubt, the consequences of violent acts of the militants in the region under discourse have been so devastatingly far-reaching considering the invaluable human and material resources that had been lost to the crisis; coupled with

further damage it had done on the environment. It has also aggravated political instability, complicated economic disorder and dented the image of the nation at the international community. What is more, some opportunistic mercenaries have taken undue advantage of the militancy in the region to their selfish interests by perpetrating and perpetuating criminal and inhumane acts including hostage taking for ransom, human trafficking, electoral violence, political assassination and economic sabotage through vandalism of pipelines among other.

Against that background, successive governments have always criminalized militant uprising in the Niger Delta at the expense of proper diagnosis and development-inclined policy responses. More often than not, governments at all levels have always condemned the aggressive reactions of the militants as acts of rebellion against the state, and as mindless attempts to disrupt the socioeconomic order of society. These repressive measures by the state have further compounded the problem rather than solving it. Government repressive clamp down on Odi Community during Olusegun Obasanjo administration in 1999 over the violent act of militants is a good case in point. The entire community was reduced to rubbles and death tolls were counted in hundreds and the environment destroyed beyond recognition.

Moreover, in May 2009, the Joint Task Force (JTF) comprising more or less 7000 troops, two war ships, and 14 gunboats bombarded Gbaramatu kingdom and Camp 5, the Headquarters of MEND on the order of the federal government under Late Musa Yar'Adua. In the course of the counter-insurgency, 4 Ijo communities were grossly attacked by the JTF, namely: Oporoza, Kunukunuma, Okerenkoko and Kurutie (Ogundiya, 2011).

The central position of this study is that the perpetration of violence by the Niger Delta people could be explained in the context of failure of government to address the National Question through the instrumentality of constitutional provision in the interest of the continued existence of Nigeria and Nigerians. Thus it will be misleading and counterproductive to presume that the militia uprising could be suppressed by 'rhetoric, military campaigns or repressive and regulative policies' (Ogundiya, 2011), which are not directly designed to address social inequality, iniquity of state and non-state actors and unjust dealings with the environment.

Subsisting Management Approaches of the Niger Delta Crisis

Apparently, security challenges in the Niger Delta region arising from provocative activities of aggressive youths have remained a subject of concern for successive governments in Nigeria. Hence, almost all Nigerian leaders have attempted to address the problem in the interest of national security and sustainable development. However, one common characteristic of most government interventions is that they are reactionary rather than responsive in nature. This has to a large extent accounted for the persistence of the problem with the far-reaching implications for National peace and security.

One way by which government's reactionary approaches are being measured is employment of coercive measures by deploying security apparatus to the troubled

zone. Unfortunately, such fire-brigade measures have not been translated into much desired peace in the region. Indeed, on many instances, government's deployment of counterforce has aggravated the existing problem it was meant to solve. A good case in point was the 2003 Odi massacre during General Olusegun Obasanjo civilian regime. As a follow-up to coercive measures, government is fond of sending delegates on an official visit to the conflict zone to express concerns to the damage done on people, their property and the ecosystem.

Apart from coercive approach, successive governments have attempted to address the Niger Delta crisis through management agencies. For instance, in 1960, the Niger Delta Development Board (NDDDB) was established with the prime mandate to "consider the problems of the area of the Niger Delta". Provision was made for the establishment of NDDDB in Nigeria's Republican constitution of 1963. Section 159 of that document clearly states that "there shall be a board for the Niger Delta which shall be styled the Niger Delta Development Board" (The Punch, 1/1/2015, p.29). The terms of reference of the board which was meant to be effective until July 1, 1969 is stated in the constitution to the effect that it shall be responsible for advising the government of the federation and governments of Eastern Nigeria and Mid-Western Nigeria with respect to the physical development of the Niger Delta. It was further stated that:

in order to discharge that responsibility, the Board shall cause the Niger Delta to be surveyed in order to ascertain what measures are required to promote its physical development; prepare schemes designed to promote the physical development of the Niger Delta, together with estimates of the costs of putting the schemes into effect; submit to the government of the federation and the governments of Eastern Nigeria and the Mid-Western Nigeria annual reports describing the work of the Board and the measures taken in pursuance of its advice (The Punch, 1/1/2015, p.29).

It is instructive to note that although the Mid-Western region had not been evolved as at the time the Board was established, however, efforts towards its creation had been in the pipeline. Since then, the mandate of NDDDB has been reviewed, which has equally attracted continued change of name of the agency: Niger Delta River Basin Development Authority (NDBDA) in 1976; the Oil Mineral Producing Areas Development Commission (OMPADEC) in 1992; and the Niger Delta Development Commission (NDDC) in the year 2000.

Security Commission on the Oil Producing Area is another initiative developed to address the endemic crisis in the Niger Delta. The Security Commission had the mandate to examine the causes of protracted crisis in the area and come up with possible way out. Some of the observations of the Commission include the following:

- Government neglect of the area;
- Certain retired and serving military generals' involvement in the vandalism of the pipelines and refineries;
- The use of force by government to curb the crisis which rather aggravates it;

- The insensitivity of multinational corporations to the plight of the people of the region and the environment.

Unfortunately, the reports of the commission were not implemented by the same federal government that set up the commission in the first instance.

Subsequently, by way of responding to problem of the region, successive military governments created more states in the region. These include Akwa Ibom State on September 28 1987; Delta State on August 27, 1991 during Ibrahim Babangida administration; and Bayelsa State on October 1, 1996 under Sani Abacha administration.

Fiscal response is yet another policy measure employed by government to address the Niger Delta crisis. However, governments' fiscal responses have not demonstrated enough sense of justice to the region and its people considering continued reduction of revenue allocated to the region. Since 1946, revenue derivation to the Niger Delta has been on reducing trend. In 1946, revenue derivation to the region was 100 percent. This was reduced by 50 percent based on Raisman Commission in the 1950s when the exploration of crude oil in commercial quantity kicked off. The General Yakubu Gowon military regime further reduced it to 25 percent following Ojetunji Aboyade Technical Committee on Revenue Allocation recommendation. The civilian regime of Alhaji Shehu Shagari further reduced it to 5 percent while General Mohammadu Buhari's military regime cut it to 1.5 percent; the worst so far between 1946 and 1985 when the Buhari military regime was in power. When the Babangida administration took over from Buhari through a counter coup in December 1985, it raised it from 1.5 percent to 3 percent, which was later raised to its present 13 percent (The News, March 6, 2006, p. 4).

Apparently the present derivation conceded to the region has not met its pressing needs to any appreciable extent. The position of the United Nations Development Programme (UNDP) in late 2005 which still remains valid, lends credence to this assertion. In 2006, the UNDP describes the Niger Delta region, as "a region suffering from administrative neglect, crumbling social infrastructure and services, high unemployment, social deprivation, abject poverty, filth and squalor, and endemic conflict" (The Punch, Nov. 7, 2012, P. 18). This development has informed the protracted and intractable nature of the problems as they are being treated on the face value, rather than being tackled from roots.

By way of comprehensive policy response to Niger delta crisis, the Olusegun Obasanjo administration set up the "Oil and Gas Reform Implementation Committee" in the year 2000. The committee had the mandate to carry out a comprehensive reform of the Oil and Gas industry with a view to responding holistically to the various environmental, socioeconomic and security challenges encountered by the people of the region arising from the exploration and exploitation activities of stakeholders in petroleum industry.

One of the recommendations of the Committee as contained in its report was Oil Sector Reform which instigated Petroleum Industry Bill (PIB). Among other objectives, the Bill proposes (i) the establishment of efficient institutions and

structures for effective management and utilization of the country's hydrocarbon resources; (ii) the creation of a national oil company that will encourage indigenous operational development; (iii) the commercialization of government's interest in the industry; and (iv) a fiscal policy framework that will attract investment and allow for production-based taxation (The Punch, 7/11/2014).

One of the latest efforts employed to address the militia uprising in the region by the Federal government was the establishment of Ministry of Niger Delta on September 10, 2008 during the regime of Late Umaru Musa Yar'Adua with Chief Ufot Ekaette as pioneer Minister (The Punch, Thursday, 1/1/2015, p. 29). The Ministry of Niger Delta was created as a deliberate political and structural measure to address the problem of the region and bring about the desired rapid integrated development in the region. A critical evaluation of the huge amount of money released to the ministry since inception could suggest that the quality of its delivery so far leaves much to be desired. It could be argued that stakeholders in that ministry have not performed up to expectation. Between 2009 and 2013, the ministry has received a cumulative sum of N342 billion. In 2009, 2010, 2011, 2012 and 2013, the ministry has collected N51.2 billion, N82.6 billion, N55.2 billion, N86.2 billion, and N63.4 billion respectively (The Punch January 1/1, 2015, p. 29).

From all indications, it is obvious that the ministry cannot be exonerated from fiscal impropriety and corrupt tendencies considering the prevailing socioeconomic and environmental challenges confronting the region. President Umaru Musa Yar'Adua also declared amnesty for the militants in the Niger Delta on 25 June, 2009, christened "Presidential Amnesty Programme". This was in pursuant to Section 175 of the Constitution of the Federal Republic of Nigeria and 'in consultation with the Council of State. The root of amnesty programme could be traced to the recommendations of the technical Committee on the Niger Delta (TCND) constituted by the administration of Yar'Adua (Ogundiya, 2011:18). In its report, the TCND recommended the need for amnesty to be extended to the militants within the context of Disarmament, Demobilisation, and Reintegration (DDR). Other recommendations made by TCND included increased allocation of crude revenue to the region; urgent improvement of infrastructure and human welfare services; and new institutions for actualizing the region's longer term of development (Ogundiya, 2011). The whole idea of the amnesty was to discourage militia uprising in view of the inadequacies of previous attempts at addressing the region in the interest of sustainable development and national integration.

However, apart from want of constitutional clarity leveled against the idea of amnesty programme, poor policy framework, technical deficiency and faulty approach vitiated prospects of the project. Albert (2011, p. 17) argues that the 'amnesty' programme in the Niger Delta provides one of the most laughable dimensions of handling the problem as:

It does not come anywhere near the process and procedure of rehabilitation and reintegration", and it seems "to be in a hurry to unleash the ex-militants back on society"; whereas "there is little or

no effort to come to terms with the ex-militants in relation to their perceptions of the problems of the region”.

From technical ground, Ogundiya (2011) observes that poor coordination, corruption and mismanagement, inflation of militants’ registers, poor funding culminating in the delay of the payment of ex-militants’ allowances and delay in the skill acquisition programmes for the militants, short supply of training facilities pose dangerous threat to effective implementation of the programme.

Against the backdrop of poor policy framework and technical error, incoherent approach ultimately undermined the effective implementation of the amnesty project. In that regard, the project lacks due process in terms of transparency, proper monitoring and evaluation framework, thereby making the outcome short of desired expectation. For instance, Sampson, (2010) cited in Ogundiya (2011) laments that only 20 per cent of the estimated cost for running the programme actually get to the reach of the ex-militants who are invariably the primary beneficiaries of the programme. The remaining 80 per cent goes to consultants and contractors who are strategically involved to represent the interests of certain politicians and businessmen behind the scene.

What the foregoing suggests is that the amnesty project did not take cognizance of the major shortcomings of the existing initiatives which makes transformation impact assessment of its initiative grossly insignificant.

Conclusion

This study has examined the precipitating and accelerating determinants of militia uprising in the Niger Delta region. The study has revealed that this development should not be reduced to mere display of youth restiveness but a reaction to protracted oil-induced injustice inflicted on the people and their ecosystem by state and non-state agencies. As this study has shown, failure of successive governments to respond proactively to non-violent agitations over the years had provoked the youth to presume that the only instrument of action at their disposal was to take up arms against the state. Semenitari (2004:26) summarized the nature and character of violence in the region thus:

History shows that the Niger Delta is the nation’s soft underbelly and the region of many stubborn kings and revolutionaries who insist on control of their resources. Whether it is king Jaja of Opobo, King Nana of Itshekiri, King Koko of Nembe, or the more recent Isaac AdakaBoro and Ken Saro-Wiwa, the people of the region have remained committed to the same ideals, freedom from oppression, and control of the land and resources God has put within them (see TELL, October 18, 2004, p.26).

Apart from the negligible performance on the part of Multinational Corporations within the context of their Corporate Social Responsibility (CSR), governments at the federal and state levels seem insensitive to the plight of the people

in the Niger Delta within the context of their Social Contract Responsibility (SCR). For instance, in 2012, Governor Rotimi Amaechi of Rivers State and his Akwa Ibom State counterpart, Governor Godswill Akpabio, purchased private jets at \$45.7 million and \$45 million respectively (The Punch, 07/11/2012). In other climes, attempts are being made by the leaders to reduce recurrent expenditure in order to be more responsible and responsive to the needs of their people. For instance, the King of Norway and the British Prime Minister fly commercial Airlines when they travel.

The scenario in the Niger Delta is a microcosm of internal crises and the attendant development retardation and security challenges in Nigeria. It could be submitted that the problem in the region has not been susceptible to management because successive governments have failed to be sensitive to the prevailing socioeconomic and environmental realities of the region. It is revealed that failure of reactionary measures mainly demonstrated through coercive and palliative approaches by government and multinational oil corporations have informed the endemic feature of youth restiveness and other dimensions of violence in that hitherto peaceful region. Hence, emphasis must be placed on responsive policy framework in order to transform the Niger Delta Region from violence to sustainable development and human security.

Recommendations

Militia uprising in the Niger Delta is a practical problem that requires grand strategy in terms of proper diagnosis with a view to applying people-based and development-oriented grand strategy which has the following components:

Public/private Response to Niger Delta Crises: As this analysis has shown, governments at both federal and state levels have not demonstrated enough political will and constitutional commitment to the prevailing problems in the Niger Delta. Hence government should be more proactively responsive through the Social Contract Responsibility (SCR) in collaboration with the multinational investors within the context of their Corporate Social Responsibility (CSR) in the interest of national integration and sustainable development.

Political Approach: this has to do with addressing the Niger Delta problems through constitutional and legislative response to the National Question. As obtained in other climes such as New Zealand, Australia and Canada where minority concerns constitute an integral component of the national Question, deliberate attempts should be made towards fashioning institutional structural mechanisms that will protect minority interests within Nigeria's federalist composition. This could be accomplished by amending the constitution along true fiscal federalism by increasing the revenue accruable to oil producing states. This will ensure full sense of social justice that would promote a common sense of identity in the people of Niger Delta Region in particular and the Nigerian citizenry in general.

Legal Approach: There is the need for the passage of Petroleum Industry Bill (PIB) into Law with a view to providing comprehensive legal framework for the activities of oil exploration in the region in consonance with international best practices. If carefully managed the PIB has the prospect to ensure the comparative advantage of promoting scientific exploration of oil and gas and enhancing environmental protection in the region.

Socioeconomic Approach: Nigerian government should transform the aggressive behavior of militant youths in the Niger Delta region into national strength by according them a more sense of belonging and identity through capacity-building and empowerment. For instance, the ministry of Niger Delta should initiate socio-economic empowerment scheme for the youths of the region through which they could have access to interest-free loans for self-employment and self-development. Government agencies and institutions in charge of addressing Niger Delta issues need to be sincere and committed in the discharge of their delegated and constituted responsibilities. This will go a long way in strengthening the capacity of the state to address the problems in the region and bring about the desired steady development the region.

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Reinventing African Economic Development Integration: From A Culture of Theory to Praxis

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Abstract

African states gained political independence after long political battles against colonialism, racism, and apartheid. Since after that, the primary preoccupation of these independent States of Africa has remained how to wage concerted war against development problems of collective self-reliance, endogenous development, and regional economic integration. Unfortunately, the rapidity with which African countries became independent produced, paradoxically, a negative impact on African solidarity. Independence reinforced boundaries established by the colonial powers and gave new leaders a vested interest in maintaining them. This was a serious problem for development, which undermined economic integration and thus, complicates continental unity and cooperation, even till today. The paper, therefore, examines the African economic integration and the challenges for regional development within the continent in an era of open world economies. We adopted liberal intergovernmentalism variants of integrationist theory. Data for the study were collected using the documentary method, and subsequently analyzed through content analysis. We noted among others, that these constraints include the challenges of governance, the lack of national and regional infrastructures, and the ongoing dependence on the export of commodities whose prices and markets are volatile and remain largely determined by the large companies of western countries etc. The study recommended among others, that Africa's march toward integration with its inherited colonial mono-cultural economic legacy held no dignified future at all, and must generate resources from within its economies to achieve breakthrough in socioeconomic transformation and development that is owned by Africans.

Keywords: Economy, Development, Globalization, Integration, intergovernmentalism

Introduction

Today's rapidly changing world is in a constant flux with multi-faceted challenges. Hence, the world's population find themselves in an entirely challenging social, economic and political context brought about mainly by technological development and unequal globalization. African continent is no exemption. The dynamic changes in global governance led to a multitude of forces, both internal and external to exert pressure over governments and organizations to become more accountable to their national and regional partners. Over the years, development fora have been created globally, regionally and nationally, to address the development needs of continents and countries; and these have been changing with the needs of the dynamic society. Such development trajectories include the African economic development forum which demands from citizens tangible development outcomes.

The search for the continental political cum economic development integration has been on the agenda ever since African countries gained political independence. The strong tradition of Pan-Africanism, as espoused by DuBois, Nkrumah, Azikiwe, Nyerere and other influential political leaders and thinkers of the independence era, is the foundation for a strong popular demand for African unity. African leaders and people alike have long recognized the economic and political benefits of integration. There have been numerous attempts to promote political and economic integration during the last 50 years. While these attempts have resulted in some advances in sub regional cooperation and integration, Africa-wide integration efforts in the context of economic integration have proved much more difficult. Presently, Africa has the deepest levels of poverty, lowest share of world trade, and weakest development of human capital and infrastructure. Economic integration is an imperative if Africa is to achieve accelerated development (Economic Commission for Africa, 2002).

Africans have suffered slavery, colonisation and marginalisation, and, in fact, they are “still being colonised” and marginalised. This colonisation alienated people from their own culture – their ways of knowing – and held them captive to Western theory and practice. According to Mzukisi (2007), the old model of regionalism, cast on the ideological paradigm of Pan-Africanism with its primary focus on politics rather than economics, is incompatible with the new challenges of globalization. Furthermore, the character of Africa’s post-colonial development is excellently summed up by Ayittey who calls it ‘one giant false start’, characterised by a wrong political system (one-party states); a wrong economic system (statism); a wrong ideology (socialism); and a wrong growth path (industrialisation via import substitution) (Ayittey, 2005). It should be noted that not all Africa’s leaders fell for the elusive appeal of socialism – although statism was particularly powerful because of its link to sovereignty and the natural inclination of newly independent African states to assert and jealously guard their new-found status.

In the past, to move the regional integration process forward, African countries have also adopted the New Partnership for Africa’s Development (NEPAD), the overarching development framework for the region, recognized by the United Nations and its agencies and such global bodies as the G-8 industrial countries (UNECA, 2004). How much has this pooled African continent out of the wood for the much-needed socio-economic integration? Africa’s growth can be described as largely non-inclusive because of its limited contribution to job creation and overall improvement to people’s living standards (UNECA, 2011). These, justify the cliché that, the continent of Africa is ‘different’ and that it therefore requires ‘exceptional’ solutions to its development and economic integration problems. This study, explores in greater details the reinvention of the African economic development integration and the need for practical regional development in an era of globalization.

Theoretical Compass

The theory of liberal intergovernmentalism was adopted in this study. Intergovernmentalism appeared as a response to criticism on neofunctionalism. The

main argument of intergovernmentalism is that states are the main actors in international cooperation and that they act both unitary and rational. Hoffmann (1966) introduces the new approach by criticizing Haas' neofunctionalism on several grounds.

During the 1990s, scholars were facing the renaming of the European Commission to the European Union and both a widening and deepening of issues being dealt with at the European level. This led Andrew Moravcsik to further develop the idea of intergovernmentalism and to adapt it to the developments that took place in the integration process. While the core assumptions are similar in both intergovernmentalism and its newer, liberal, form (rational actors with sets of preferences, nation states as primary actors), Moravcsik (2009) added a few aspects to the theory, making it one of the most used approaches for explaining European integration. Moravcsik himself summarizes the theory as follows:

European integration can best be understood as a series of rational choices made by national leaders. These choices responded to constraints and opportunities stemming from the economic interests of powerful domestic constituents, the relative power of each state in the international system, and the role of institutions in bolstering the credibility of interstate commitments (Moravcsik 1998, as cited in Moravcsik and Schimmelfennig 2009, p. 69).

This corresponds with Moravcsik and Schimmelfennig's claim that liberal intergovernmentalism constitutes a 'grand' theory, which is able to explain any regional integration process (2009). Liberal intergovernmentalism rests on three stages of integration, namely 'preference formation', 'substantive bargains', and 'institutional choice'. Liberal intergovernmentalism assumes that nation states during negotiations create international (even supranational) institutions in order to prevent unwanted consequences, tackle unforeseen outcomes, and reduce future transaction costs of cooperation (Stefan, 2012). Although such a shift of competences to a higher level than the national is similar to the above-mentioned neofunctionalist model, Moravcsik and Schimmelfennig (2009) argue that the motives behind it are different. Instead of shifting loyalties and power leading to the creation of supranational organizations, nation states' interests in securing their own (future) benefits play the most important role.

African integration has its roots in the late nineteenth and early twentieth century, when the idea of Pan-Africanism developed as a response to colonialism and racism. As a result, a series of Pan-African Congresses between 1900 and 1945 were organized to provide a platform for discussion amongst black leaders, intellectuals and members of the African diaspora (Ayittey, 2010). One of the major aspects of these congresses was the call for an African 'unity', less in the economic or political integration sense, but much more in an ideological and cultural way of solidarity. Two factors were important in the creation of the AU, namely the ideology of Pan-Africanism, and strong national leaders seeking benefits through integration or even unification. Thus, national leaders are the main actors in international cooperation,

leading to either the creation of intergovernmental institutions or to no integration (Stefan, 2012).

Liberal Intergovernmentalism can be used to explain most parts of African integration, as well as the failure of impacts by (mostly) the OAU and now AU. National interests were the main driving force behind cooperation, although the role of Pan-Africanism in important steps of the process should not be overlooked. Also the fact of first political, then economic, then again political integration can be attributed to the role of national leaders seeking gains through integration. First independence played the most important role, then did economic stability (and hence economic dependence), then peace and security on the continent (Stefan, 2012). The main driving force behind African integration in the 1950s and 1960s was the Pan-African movement calling for independence of African states and the end of colonialism. This ideologically driven movement was supported by a transnational elite pushing for regional cooperation. The main actors in creating the Organization of African Unity, the African Economic Community and the African Union were national leaders, basing their efforts both on Pan-African reasoning and on the maximization of national gains.

In a response to criticism, the idea of nation states as main and unitary actors has been weakened a little. During the preference formation stage, several players are presumed to play a role, using a pluralist approach. These actors are all national. The second step assumes strict intergovernmental bargaining, with nation states as the main players making rational cost-benefit choices. The role of international institutions is seen as merely reducing transaction costs for further cooperation and as a way of securing compliance with the treaty or agreement provisions by the other parties. The aspect of time is not answered by liberal intergovernmentalism, as it can be used to predict single acts of integration as well as a series of events. It all depends on whether the participating states expect benefits in further cooperation. Unlike neofunctionalism, however, there is no inherent logic as to why integration should stimulate further integration.

Sub-regional Constraints to Integration and Sustainable Development in Africa

The common interests of African countries are the security and stability of the continent, sustainable economic development, good governance, democracy and human rights, technology transfer, development of culture, environment and the like. Thus, from the continental level there is a strong belief that regional integration will accelerate the development of Africa. The notion of pan-African integration even predates independence movements and the creation of nation states on the continent. Trade has traditionally been the motor of economic, social and political integration. According to Hatzenberg (2011), the aspiration of African leaders to integrate Africa, provided the rationale for the Lagos Plan of Action (LPA). The LPA was an initiative of the Organization of African Unity (OAU), adopted by Heads of State in April 1980, and aimed at increasing Africa's self-sufficiency and reducing dependency on the Western countries through the coming together of African states. A decade later in 1991 the Abuja Treaty was signed, providing strong support for the African

integration agenda. This Treaty emphasized African solidarity, self-reliance and an endogenous development strategy through industrialization. This treaty came into force in 1994 and envisages the development of an African Economic Community by 2028. Despite numerous commitments to create integration zones, Africa continues to register the lowest percentage of trade worldwide - a mere 12% cent of total exports take place within Africa, compared with 25% in ASEAN and over 60% in the European Union (Ko, 2013).

According to the OECD (2010), the desire to integrate African economies on a regional, and ultimately continental, basis is strong. It is shared amongst African elites and their international development partners. Consequently many formal initiatives have been established to further this goal, under the over-arching umbrella of the African Union's plan to achieve a continental common market by 2028. Leaders at the African Union Summit which took place in January 2012 under the theme 'Boosting intra-African Trade' endorsed a plan to set up a Continental Free Trade Area (CFTA) by 2017. The proposed CFTA would be a key component of the AU's strategy to boost trade within the continent by at least 25-30% in the next decade (International Centre for Trade and Sustainable Development, 2012). The launch in June 2015 of the Tripartite Free Trade Agreement, followed by the official start of negotiations with a view to establishing a Continental Free Trade Area (CFTA) by 2017, marks a key milestone in this process. African leaders now recognize more than ever the urgency of accelerating Africa's integration, especially given the challenges of regionalism amid globalization. Pursuing regional integration has, however, been challenging on the continent with many initiatives motivated more by political cooperation than by economic interest and trade, let alone sustainable development concerns. Besides concerns around the adverse impacts of tariff cuts on government revenue and local industries, the process has been affected by high implementation costs, institutional weaknesses and overlapping memberships.

Regional integration is particularly prominent in Africa, where it has been estimated that the continent's current trade intensity barely stands above 12 percent. But the integration agenda in Africa is rendered extremely complex due to the multiplication of processes. The African Growth Opportunity Act (AGOA) with the US, the Economic Partnership Agreements (EPAs) with the EU, the regional Tripartite Free Trade Area (TFTA) and the drive for a grand Continental Free Trade Area (CFTA) all have an impact on how each Regional Economic Community (REC) handles its integration agenda and priorities. Also, there are many challenges facing the RECs, which are the dedicated platform for the African Economic Integration. A major challenge among the many challenges facing Africa RECs, is overlapping membership. Out of the 14 existing RECs, most member countries belong to at least 2 (Ndomo, 2009). Alves, Draper & Halleson, 2007, p. 15), described the situation as "a spaghetti bowl that hinders regional integration by creating a complex entanglement of political commitments and institutional requirements".

The multiple memberships of regional economic groups by African countries do not have shared objectives. For example, there are many countries that are

members of the Economic Community of the West African states (ECOWAS) that are also members of West African Economic and Monetary Union (also known by its French acronym, UEMOA). UEMOA currently share a currency called the West African CFA franc guaranteed by France, a country outside the AU. This may occasion loss of focus, divided loyalty and the pursuit of divergent objectives. There are also financial implications for countries having multiple memberships of RECs. Also, there appears to be a proliferation of regional economic bodies, some of which are not recognized by the AU. Other challenges include political instability, armed conflicts, terrorism, civil unrest, and corruption. Arising from the above, this has resulted in the formation of up to 13 Regional Economic Communities (RECs) in Africa. Good as this may be, it poses a great challenge on policy making as countries go into membership within two or more RECs. We discovered that sub-regional groups in the African regional economic communities undermine the commitment and allegiance of some African states towards the regional bodies. The table below shows the overlapping nature of membership within the various African RECs.

Table 1: Overlapping membership to various integration arrangements in Africa

Arab Maghreb Union+(UMA) 5 Members	Algeria, Morocco, Libya, Mauritania, Tunisia
Economic Community of West African States 15 Members	Benin, Burkina Faso, Cape Verde, Gambia, Ghana, Guinea, Guinea-Bissau, Ivory Coast, Liberia, Mali, Niger, Nigeria, Senegal, Sierra Leone, Togo
West African Economic and Monetary Union (UEMOA) #8 Members	Benin, Burkina Faso, Ivory Coast, Guinea Bissau, Mali, Niger, Senegal, Togo
West African Monetary Zone # 6 Members	Gambia, Ghana, Guinea, Liberia, Nigeria, Sierra Leone
Common Market for Eastern and Southern Africa * 19 Members	Burundi, Comoros, Democratic Republic of the Congo, Djibouti, Egypt, Eritrea, Ethiopia, Kenya, Libya, Madagascar, Malawi, Mauritius, Rwanda, Seychelles, Sudan, Swaziland, Uganda, Zambia, Zimbabwe
East Africa Community 5 Members	Kenya, Uganda, Rwanda, Burundi, Tanzania
Community of Sahel Saharan States (CEN-SAD)* 28 Members	Burkina Faso, Chad, Libya, Mali, Niger, Sudan, Central African Republic, Eritrea, Djibouti, Senegal, Egypt, Morocco, Nigeria, Somalia, Tunisia, Benin, Togo, Ivory Coast, Guinea, Guinea-Bissau, Liberia, Ghana, Sierra Leone, Comoros, Kenya, Mauritania, Sao Tome and Principe
Intergovernmental Authority on Development+(IGAD) 7 Members	Ethiopia, Somalia, Kenya, South Sudan, Sudan, Djibouti, Uganda

Economic Community of the Great Lakes Countries (CEPGL)+ 3 Members	Burundi, Democratic Republic of the Congo, Rwanda
Economic Community of Central African States 10 Members	Angola, Burundi, Cameroon, Central African Republic, Chad, Democratic Republic of the Congo, Equatorial Guinea, Gabon, Republic of Congo, Sao Tome and Principe
Economic and Monetary Community of Central Africa (CEMAC)# 6 Members	Cameroon, Central African Republic, Chad, Equatorial Guinea, Gabon, Republic of Congo
Southern African Development Community 14 Members	Angola, Botswana, Democratic Republic of Congo, Lesotho, Malawi, Mauritius, Mozambique, Namibia, Swaziland, Zambia, Tanzania, Zimbabwe, South Africa, Seychelles
Southern African Customs Union # 5 Members	South Africa, Botswana, Lesotho, Namibia, Swaziland

Source: ORF occasional paper # 48 October 2013.

Key:

+ denotes inactive, in the case of the CEPGL efforts have been made to reactivate negotiations

denotes a subsidiary organization to a larger Regional Economic Community

* denotes a Free Trade Area or a Trade Bloc as opposed to a Regional Economic Community

From the table above, it can be deduced that in search of stronger economic ties and avenues for market, many of the countries resort to forming or entering other regional economic groups. The result of this is the proliferation of regional economic blocs in Africa leading to unnecessary duplication, overlapping and multiple memberships. The basis for stronger and successful regional economic integration is weakened or loosened. The implication of the above is that African Economic Community (AEC) has failed to achieve or complete part of the second stage of strengthening the intra-REC integration or subgroups merging two years after the year (2007) it had proposed to do so. The point being made is that sub-groupings in African regional economic communities is undermining or loosening regional economic ties among member state by tightening the economic ties between members of subgroups.

Globalization and Africa's Economy: Underscoring the Dynamism

Globalization is a great idea whose time has come in the post-Cold War development discourse. Globalization envisages a global village through the broadening and deepening of linkages of national boundaries into a world-wide

market for goods and services, especially capital. Put simply, globalization entails free flow of capital, culture, knowledge, goods and services within and across national boundaries, autonomous and semi-autonomous nation states without political restrictions. It refers to process of the intensification of economic, political, social and cultural relations across international boundaries. It is principally aimed at the political and socio-economic theory across the globe (Fafowora, 1998:5 cited in Uwa, Lanrewajuu, & Ojeme, 2014). Thus, it deals with the increasing breakdown of trade barriers and the increasing integration of the world –market at large.

Globalization has been known to hold both potential benefits and risks for the economic and political development of states. The extent of integration is clearly reflected in the rising importance of world trade and capital flows in the world economy. It is an outcome of extension and deepening of trade and financial bond among countries. That is, open economies are more likely to be successful than closed ones. Hence, the current trend of liberalization by countries through macroeconomic policies that create conducive atmosphere for foreign investment. It is important to recognize that globalization is not a zero-sum game--it is not necessary for some countries to lose in order that others may gain. But to take advantage of this trend, countries will have to position themselves properly through the right policies. Clearly, those economies that open themselves to trade and capital flows on a free and fair basis and are able to attract international capital will benefit the most from globalization. Open and integrated markets place a premium on good macroeconomic policies, and on the ability to respond quickly and appropriately to changes in the international environment (Ouattara, 1997).

Globalization is a double-edged sword for Africa. This is due to the fact that most African states have very weak economy and therefore, their share of international trade is almost always in deficit. Thus, more than any other region in the world, Africa has paid a high price for the globalizing policies of rival capitalist powers as they strived to expand the geographic bounds of capital. Starting with the slave trade in 1650 and continuing under colonial rule after the Berlin conference of 1884, the continent has been heavily drawn into the centers of capitalist accumulation, but always as a subordinate partner with the primary purpose of contributing to the development of the metropolitan powers. The post-1945 world order has done very little to alter Africa's subordinate role in it (Carin & Fantu, 2008 cited in Uwa, Lanrewajuu, & Ojeme, 2014). However, globalization as third force for international development does not produce poverty and inequality. The main problems are the rules and regulations that govern economic globalization. These rules are fundamentally unjust and cannot be expected to reconcile the interests of rich countries with those of poorer and weaker developing countries (third world countries). Thus, for many Africans, the globalization project is seen as nothing more than a project of 'colonialism in disguise' (Uwa, Lanrewajuu, & Ojeme, 2014).

Liberalization, competition, and free market policies as empirical indicators of globalization, can benefit Africa's fragile political systems and economies and can also create phenomenal developmental challenges for the continent. Driven by the explosive growth of information, communications and other forms of technological

changes, the interrelated processes of globalization, marginalization and integration profoundly influence Africa's development needs, challenges and opportunities. Keeping pace with the processes of globalization demands a high degree of literacy and technical ability-skills the majority of Africans do not yet possess. Globalization will continue to reinforce the interdependencies between different countries and regions. It can also deepen the partnership between the advanced countries and the rest of the world. And to support this partnership in a mutually beneficial way, the advanced countries could help to further open their markets to the products and services in which the developing world has a comparative advantage. The combined effects of globalization and economic liberalization have thus intensified African countries' needs for intra-trade agreement. Many African countries lack market access and face competition in the world market. Wiredu (2011) indicated that most of African countries are highly dependent on single primary commodity exports and price volatility in the world market has also been a major issue. However, the outcomes of the trade agreement so far raise serious questions about the state capacity of African states to negotiate on equal basis the terms of trade and the form and manner of these engagements. Thus, Africa is faced with how to strike the right balance between the demands of economic integration and the prospects and challenges of globalization.

As at today, intra-African trade is quite low, and its external trade volumes and destinations not well-diversified. Some of the factors behind this include: the economic structure of African countries, which constrains the supply of diversified products; poor institutional policies; weak infrastructure; weak financial and capital markets; and failure to put trade protocols in place. To address these problems, various African countries have made efforts to create common markets and there has been some success, including the launch of the COMESA customs unions and the common market of the East African Community (EAC), which will facilitate free movement of labor and goods among its members. This is important because while Africa's exports to the rest of the world are often focused around a few primary commodities; intra-African trade is more evenly distributed among fuels, non-fuel primary products and manufactured goods. As intra-regional trade grows, it can be expected that the range of exports will follow suit as well (Torado, 2005).

Africa has the lowest rates of intra-regional trade in the world, which critically affects sustainable development in Africa (Wambura, 2014). Sustainable development has not been very realistic in Africa, especially, as a result of the spontaneous aloofness and separation of quantum returns accumulated out of international trade partnerships from internal productive forces. Thus, foreign trade bears little or no reflection or relationship with internal productive activities (human capacity development and productive use of labor power) so as to potentially initiate reliable and sustainable forward and backward linkages within national economies in Africa (UNDP, 2003). Put differently, the economic gains of North-South trade relations have refused to positively trickle down to the root of African economies and stabilize market indicators and modulating forces. Obviously, the irrationalities and logical disconnect associated with the imbalance between African involvement in

international trade partnerships and her internal productive ability climax the problematic of sustainable development in Africa (United Nations, 2002 cited in Wambura, 2014).

What Africa wants from globalization includes benefits that can help the continent develop and sustain economic integration. Since no country is all sufficient, it behooves on the African countries to participate in the 'globalization train' with the aim of benefiting commensurately, though structurally disadvantaged. Globalization, no doubts, presents both risks and opportunities for African nations. Democracy in Africa requires a solid-economic foundation, one capable of uplifting the standard of living of Africans. It is through this that democracy can provide a base for socio-economic development. This will be possible if there is economic integration and satisfactory human development in the continent.

African Union and Socioeconomic Integration: A Union in Disarray or in Unity

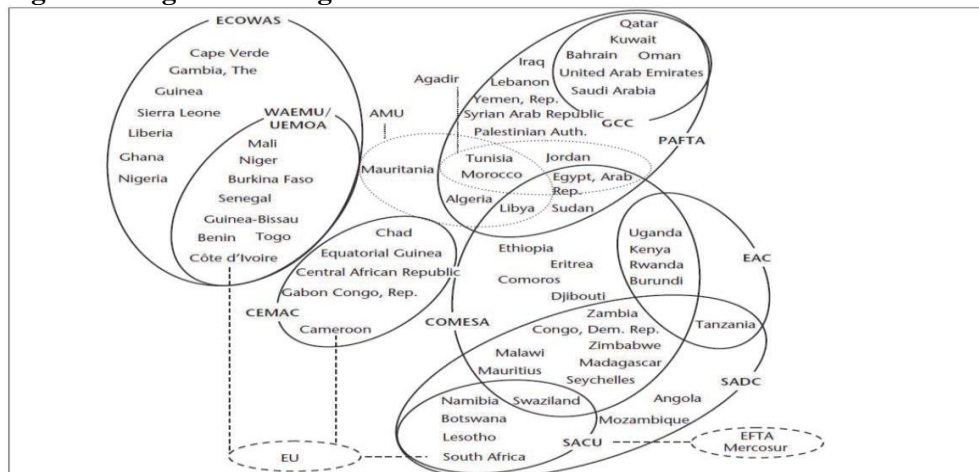
African countries have always embraced the idea of an African Economic Integration. This idea was initially motivated by shared colonial experiences and the perception that the colonial powers deliberately created artificial lines among African states. Regional Economic Communities and cooperation are considered by many as pivotal to continental and global economic stability and growth (Padoa-Schioppa, 1987, cited in Odusote, 2015). Thus, in the 1960s, there were high hopes for newly independent African countries. At that time, Africa was economically better off than Asia. Economic growth has taken root across many of the regions. In many countries, exports were booming, foreign investment was on the continual rise and dependence on aid was declining. Government reforms transformed the political landscape. Democracy, transparency and accountability have improved, giving Africa's citizens a greater voice in decisions that affect their lives. However, what remains an albatross are the harnessing and the integration of the economic, social and cultural potentials for mutual benefits towards the continuation of achievement of more sustainable and inclusive societies in Africa. At a time when the other continent is building its productive capacities, deepening regional integration and pursuing economic diversification, economic development and integration in Africa remains a challenge.

The African Union strategy for economic growth across Africa is to establish an African Economic Community by using RECs as building blocks. Article 88 of the African Economic Community Treaty (also known as the Abuja treaty) provides that "the Community shall be established mainly through the co-ordination, harmonization and progressive integration of the activities of regional economic communities." This idea was first conceptualized in 1980 through the Lagos Plan of Action for the Development of Africa. Thereafter, the Abuja treaty sought to use the regional economic communities (RECs) as the platform for African Economic Integration (Odusote, 2015). This was reiterated by Mzukisi (2007), when he posited that the first major blueprint for Africa's development – the Lagos Plan of Action and the Final Act of Lagos – was adopted almost three decades ago, and set out a vision of an integrated African market by the year 2000. It was given further impetus by the Abuja Treaty which was approved in 1991 and came into force in 1994.

According to this Treaty, the African Economic Community (AEC) would be in place by 2028. Some of its milestones would include strengthening of existing regional economic communities and the formation of the new ones (between 1994 and 1999); stabilization of existing tariffs, and integration and harmonization of economic sectors (1999 to 2007); establishment of a free trade area and customs union (2007 to 2017); harmonization of tariff systems across various regional economic communities (RECs) (2017 to 2019); the creation of a common African market and harmonisation of monetary, financial, and fiscal policies; and the establishment of a pan-African economic and monetary union (2023 to 2028). This plan envisaged that, through RECs, deep seated challenges of poverty and underdevelopment would be eradicated. Among the latest initiatives has been the New Economic Partnership for Africa's Development (NEPAD), as well as the vision for the 'United States of Africa'. The establishment of the Pan-African Parliament (PAP) in March 2004 can be regarded as an important achievement towards this strategic objective. While the previous plans placed a premium on intra-regional trade, agriculture, technology and the environment, the new initiatives are emphasizing ownership, economic reform and political modernization.

There is a powerful Africa-wide consensus on the prerequisites for economic development and poverty reduction. One component of this consensus is good governance for building a capable and effective State, with political representation of all social groups, effective institutions, good macroeconomic management and corporate governance. ECA's concept of 'enhanced partnership' envisages a compact between African governments and their peoples. Leaders undertake to provide good governance, and to manage the affairs of the State fairly and effectively in pursuit of development. Good governance also enables high-quality development partnerships for poverty reduction, and facilitates private sector investment and economic growth. A second key component is regional economic integration, to overcome the handicaps imposed by small and fragmented national markets, to obtain economies of scale in key infrastructural developments, and to maximize the efficient use of capital and labour in the context of globalization. The paper noted that there is a rapidly changing global order, epitomized by the rapid acceleration of globalization processes which has implications for Africa's socioeconomic integration.

The various development programmes in Africa have experienced a number of setbacks since independence. A very important factor that contributed to this failure is the perpetuation of inherited colonial structures, which are often ineffective. This could be added to the problem of the continuing fragmentation, fragility and external control of the development process; poor social and economic infrastructure; and the concentration of the benefits from development in the hands of just a few. One last point in this regard is the diminishing relevance of primary products on which export earnings have long depended; and the many social and institutional discontinuities that constrain effective development administration.

Figure 1: Regional arrangements in Africa

Source: Acharya *et al.* (2011) WTO Secretariat.

Note: AMU, Arab Maghreb Union; CEMAC, Economic and Monetary Community of Central Africa (Communauté Économique et Monétaire de l'Afrique Centrale); COMESA, Common Market for Eastern and Southern Africa; EAC, East African Community; ECOWAS, Economic Community of West African States; EFTA, European Free Trade Association; EU, European Union, GCC, Gulf Cooperation Council; Mercosur, Southern Cone Common Market; PAFTA, Pan-Arab Free Trade Area; SACU, Southern African Customs Union; SADC, Southern African Development Community; WAEMU/UEMOA, West African Economic and Monetary Union/Union Économique et Monétaire Ouest-Africaine.

In reality, the African economic integration does not appear to be progressing as supposed because there is no significant change in Africa's intra-African trade, nor is there any significant change in Africa's economic growth. Most decisions are not being implemented and even where implementation is attempted, they inadvertently work against conditions conducive to Africa economic integration. Interregional trade among RECs is very low, income and industrialization levels differ, and the political will to correct the problems is lacking. African Union has failed to draw lessons from the EU economic integration. In addition, RECs have different perceptions of industrial harmonization plans; this is because decisions on investments in industries are not public private partnership cum market driven. They are made through intergovernmental negotiations and concessions. As a corollary to the above, we make bold to state that Africa has a narrower institutional scope and regional institutions and at best remains a union in disarray with regards to regional economic integration.

Conclusions and Recommendations

The contention in this paper is that too little has changed since the post independence era to advance economic integration and to ensure developmental

progress on the continent. We make bold to state that the realization of the goals of socio-economic integration on the continent lies in the establishment of a strong social, economic and political institutions to regulate economic and financial reforms, technological growth and social provisioning. The pre-requisite for economic growth in Africa include; governance, the private sector involvement, Africa's natural resources as well as regional factors. Economic integration is vital if Africa is to optimize the use of its resources and attract inward investment.

There is a worldwide trend towards accelerated regional economic integration with several experiments in sub-regional economic integration across the globe. Accelerating the pace of regional integration in Africa requires a strong and pertinent understanding of similar processes across the world, along with an appreciation of the specific conditions in Africa. Africa's regionalization cum economic integration must be seen as a step towards globalization, as a means of better enabling Africa to meet the challenges of competing in the global economy. The process placed strains on important economic sectors and there would be losers as well as winners. Therefore, institutions and mechanisms to deal with the asymmetric impact of integration, as well as widespread political instability and persistent conflicts were needed. The history of integration ran parallel to a history of building strong multi-state institutions. Almost all of the challenges confronting Africa – certainly the regional trade and investment issues – required stronger and more financially viable sub regional and regional organizations, backed by expert knowledge and understanding of the global economy.

There is the necessity to reform the contemporary governance architecture in the continent. This underscores the need for Africans to generate policy proposals and platforms on issues of economic development, governance, democracy and other issues that highlight a human and social perspective to development, and bring African voices to bear on these issues. Herein lay the need to reinvent African development from a culture of theory to a culture of praxis. Thus, Africa needs to transform and integrate its economies to create wealth, reduce poverty, minimize inequalities, strengthen productive capacities, enhance social conditions of its people and achieve sustainable development. Economic transformation will ensure that Africa makes optimal use of its natural resources which are exhaustible. The African economic integration strategy should be private sector and market driven. The private sector and the government should collaborate, as well as be involved in the design and implementation stages in the form of public private partnership. The development of adequate human and institutional capacity, physical infrastructures, and access to markets, capital and technology, necessary for economic integration in Africa should be pursued. More than ever before, African countries need to pay more attention to their regional integration agenda. Regional integration efforts should now move beyond rhetoric into concrete plans and action for effective integration of markets.

There is also the need for a regular venue to bring Africa's leaders or Heads of state, national and international policymakers, and a wide range of stakeholders, policymakers of African member States, development partners, intergovernmental and non-governmental organizations, academia, civil society organizations, the

private sector and eminent policy and opinion leaders together to examine Africa's most profound problems, to learn best practices, to explore options for further progress and to accelerate actions for the collective good and to seek consensus and ownership of regional integration. This will also create opportunity for stakeholders and experts to provide inputs into Africa's strategies for economic development, with a special focus on regional issues. For regional integration in Africa to be a success, Africa's leaders will have to move beyond grand gestures and abstract visions. Africa's challenges call for pragmatism and a sense of urgency in action. Africa's march toward integration with its inherited colonial mono-cultural economic legacy held no dignified future at all, and must generate resources from within its economies to achieve breakthrough in socioeconomic transformation and development that is owned by Africans. This is the needed panacea for Africa's socio-economic development and integration under the forces of globalization.

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Treasury Single Account (TSA) and Revenue Generation and Management in National Development: The Nigerian Experience

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Abstract

There is every reason to assert that many emerging markets and low-income countries such as are commonly found in Africa, Latin America and Asia; have fragmented systems for handling government receipts and payments. It is common to discover in these countries, that the ministry of finance lacks a unified approach and centralized control over government's cash resources. Consequently, this cash lies idle for extended periods in numerous bank accounts held by spending agencies such as ministries, departments and agencies (MDAs) while the government continues to borrow to execute its budget. This paper is designed to elucidate the nuances and innuendoes of the Nigerian experience at TSA implementation. The paper submits that establishing a unified structure of government bank accounts via a treasury single account (TSA) has the potential of solving these problems, by improving revenue generation, and also ensuring cash management and control. It should, therefore, receive priority in any public financial management (PFM) reform agenda. Despite its initial challenges; aTSA also facilitates better fiscal and monetary policy coordination as well as better reconciliation of fiscal and banking data, which in turn improves the quality of fiscal information. Finally, the establishment of an effective TSA significantly reduces the debt servicing costs and saves the public sector from flagrant corrupt practices among public officials.

Keywords: Treasury Single Account (TSA), Revenue Generation and Management, National Development, the Nigerian Experience

Introduction

The idea of treasury single account was introduced into the Nigerian public finance management lexicon in the year 2012 following a pilot test for its implementation during the Goodluck Jonathan administration. The Federal Government had started the implementation of TSA with the e-payment component since 2012, while the e-collections components commenced in January 2015. The first Treasury Circular on e-Collection was issued on the 19th of March 2015. But nothing more was heard about the policy after the pilot testing. Whatever the reason for its non implementation may be despite its avowed potentialities at effective public revenue management and control; the fact remains that it remained in the pipeline till the end of that administration in May 2015.

Precisely in August 2015, the newly inaugurated president of Nigeria, Muhammadu Buhari, officially announced the introduction and enforced compliance with Treasury Single Account (TSA) in the country with the use of REMITA. At

inception most Nigerians expressed mixed feelings and expressed divergent opinions as some applauded the development while others have continued to criticize it. This development may not have been far-fetched from the President's avowed stance against corruption in the public sector.

Treasury Single Account TSA has a lot of prospects and challenges for developing economy like Nigeria. In practice, the government banking arrangements may consist of several bank accounts which can be at both the central bank and commercial banks. However, the balances in commercial banks should be cleared every day and all government cash balances should be consolidated in one central account—the TSA main account—of the treasury at the Central Bank.

A government lacking effective control over its cash resources can pay for its institutional deficiencies in multiple ways. First, idle cash balances in bank accounts often fail to earn market-related remuneration. Second, the government, being unaware of these resources, incurs unnecessary borrowing costs on raising funds to cover a perceived cash shortage. Third, idle government cash balances in the commercial banking sector are not idle for the banks themselves, and can be used to extend credit. Draining this extra liquidity through open market operations also imposes costs on the central bank.

In the light of the above, Treasury Single Account is a public accounting system under which all government revenue, receipts and income are collected into one single account, usually maintained by the country's Central Bank and all payments done through this account as well. The purpose is primarily to ensure accountability of government revenue, enhance transparency and avoid misapplication of public funds. The maintenance of a Treasury Single Account will help to ensure proper cash management by eliminating idle funds usually left with different commercial banks and in a way enhance reconciliation of revenue collection and payment (Adeolu, 2016). Section 80(1) of the 1999 Constitution as amended states "All revenues, or other moneys raised or received by the Federation (not being revenues or other moneys payable under this Constitution or any Act of the National Assembly into any other public fund of the Federation established for a specific purpose) shall be paid into and form one Consolidated Revenue Fund of the Federation".

Whereas successive governments have continued to operate multiple accounts for the collection and spending of government revenue in flagrant disregard to the provision of the constitution which requires that all government revenues be remitted into a single account. It was not until 2012 that government ran a pilot scheme for a single account using 217 ministries, department and agencies (MDAs) as a test case. The pilot scheme saved Nigeria about N500 billion in frivolous spending. The success of the pilot scheme motivated the government to fully implement TSA, leading to the directives to banks to implement the technology platform that will help accommodate the TSA scheme. The recent directives by President Muhammadu Buhari that all government revenues should be remitted to a Treasury Single Account therefore is in consonance with this programme and in compliance with the provisions of the 1999 constitution (CBN, 2016). The TSA is

specifically scripted to promote transparency and facilitate compliance with sections 80 and 162 of the 1999 Constitution.

It is against the backdrop of the above, that this paper, relying on the Nigeria experience in the implementation of a TSA, discusses the rationale and strategy for establishing a TSA as imperative for revenue generation and management. The paper first discusses the concept of a TSA, its objectives and benefits, followed by a description of alternative TSA models and operations depending on institutional structures. Finally, the paper assesses the Nigerian experience with respect to TSA operation in the last two years.

Statement of the Problem

Developing countries like Nigeria are facing one of the greatest challenges of efficient allocation of resources as well as stabilisation of the business cycles. Of course, an important factor for efficient management and control of government's cash resources is a unified structure of government banking. Such banking arrangements should be designed to minimize the cost of government borrowing and maximize the opportunity cost of cash resources. The arrangement should ensure that cash received is available for government's expenditure programmes and for making payments in a timely manner. But many emerging market and low-income countries have fragmented systems for handling government receipts and payments.

In these countries, the ministry of finance/treasury lacks a unified view and centralized control over government's cash resources. As a result, the cash lies idle for extended periods in numerous bank accounts held by spending agencies while the government continues to borrow to execute its budget. Most of the times, it has become a deal instrument between the government officials and the financial institutions. These observations are the basis for the current global revolution in government accounting, which Nigeria seems to be following through its Treasury Single Account (TSA) policy, among other economic policies designed to tame corruption. Given the above, this study has the objectives of examining the nature and scope of Treasury Single Account in developing economies such as Nigeria; identifying the objectives and benefits of Treasury Single Account; examining the challenges and prospects of treasury single account and highlighting the experience of Nigeria in the operation of treasury single account.

Conceptual and Theoretical Insight

The treasury single account (TSA) is a unified structure of government bank accounts that gives a consolidated view of government cash resources. Based on the principle of unity of cash and the unity of treasury, a TSA is a bank account or a set of linked accounts through which the government transacts all its receipts and payments. The principle of unity follows from the fungibility of all cash irrespective of its end use. While it is necessary to distinguish individual cash transactions for control and reporting purposes, this purpose is achieved through the accounting system and not by holding/depositing cash in transaction specific bank accounts. This enables the treasury to delink management of cash from control at a transaction level.

More so, IMF (2011) describe a Treasury Single Account (TSA) as an essential tool for consolidating and managing governments' cash resources, thus minimizing borrowing costs. In countries with fragmented government banking arrangements, the IMF admits that the establishment of a TSA should receive priority in the public financial management reform agenda.

In the light of the above, IMF (2011) maintains that a full-fledged TSA shares three essential features:

First, the government banking arrangement should be *unified*, to enable ministry of finance (Mof) (or treasury) oversight of government cash flows in and out of these bank accounts. A unified structure of government bank accounts allows complete *fungibility of all cash resources*, including on a real-time basis if electronic banking is in place. The TSA structure can contain ledger sub-accounts in a single banking institution (not necessarily a central bank), and can accommodate external zero-balance accounts (ZBAs) in a number of commercial banks.

Second, no other government agency operates bank accounts outside the oversight of the treasury. Options for accessing and operating the TSA are mainly dependent upon institutional structures and payment settlement systems.

Third, the consolidation of government cash resources should be *comprehensive* and encompass *all* government cash resources, both budgetary and extra-budgetary. This means that all public monies irrespective of whether the corresponding cash flows are subject to budgetary control or not (e.g., in the case of reserve funds, earmarked funds and other off-budget/extra-budgetary funds) should be brought under the control of the TSA. The cash balance in the TSA main account is maintained at a level sufficient to meet the daily operational requirements of the government (sometimes together with an optional contingency, or buffer/reserve to meet unexpected fiscal volatility).

Following from the above, it is taken that establishing a TSA usually requires a legal basis to ensure its robustness and stability. Being legally recognized is thus a precondition that is particularly important in those countries where the "presumed" autonomy of some institutions is an obstacle to the implementation of a TSA.

Custody of the TSA

In some climes the question could arise as to the custody of the TSA. Thus this paper finds it imperative to elucidate on this *ab initio*. As the Central Bank acts as the fiscal agent of the government, the custody of the TSA in most countries including Nigeria is with the Central Bank, although in theory, the main account of a TSA system may also be held at a commercial bank. In fact, there is no realistic alternative for economies without a well developed commercial banking system. In practice, the government banking arrangements may consist of several bank accounts which can be at both the central bank and commercial banks. However, the balances in commercial banks should be cleared every day and all government cash balances should be consolidated in one central account—the TSA main account—of the treasury at the central bank. There are also instances, particularly in Latin American

countries, where a large publicly owned commercial bank operates the TSA (IMF, 2011).

However, a number of advantages are attributable to locating the TSA at the Central Bank. Adeolu (2016) enumerates the following:

- Provides a safe haven for government cash deposits which minimizes credit risk exposure.
- Aids the efficient management of government liquidity, and facilitates the central bank's coordination of its monetary policy operations in managing liquidity in the economy with government's cash and debt management functions.
- Can facilitate cost effective banking arrangements and speedy settlements (it might be possible to negotiate with the central bank to act as the clearing house for government operations, which may speed settlement).
- Allows for clarity of banking arrangements and remuneration policies between the Ministry of Finance and the Central Bank (a service level agreement is normally negotiated to clarify obligations and responsibilities when the central bank acts as the clearing house for government operations).

Evidently, the Central Bank, while maintaining the TSA, may not necessarily maintain bank accounts for agency-specific transactions. In these instances, it is regarded as inappropriate for the central bank to undertake the government's retail banking transactions, particularly as the government is usually its only direct customer. This is a task more effectively and efficiently performed by the commercial banks. Indeed, in country like New Zealand, the entire daily retail transactions of the TSA are performed at a commercial bank with only a single nightly sweep of the balance going into the government account at the central bank. In competitive bidding for this business, the central bank has stated that it has no intention to play a role in retail banking (IMF, 2016).

Further, it must be noted here that technology is central in TSA effective implementation. Thus Bernard (2015) avers that technological changes and recent innovations in banking practices have facilitated the operation of a TSA for government transactions. Developments in electronic banking and communication systems, including payment clearing systems and interbank settlement systems—such as the Real Time Gross Settlement System (RTGS)—have enabled the banking sector to provide single-window banking services to clients. Such facilities are used by private firms whose operations spread across large geographical areas. Centralized cash and accounts management takes place using facilities offered by the commercial banking sector.

Main Objectives and Benefits of TSA

The primary objective of a TSA is to ensure effective aggregate control over government cash balances. The consolidation of cash resources through a TSA arrangement facilitates government cash management by minimizing borrowing costs. In the absence of a TSA, idle balances are maintained in several bank accounts.

Effective aggregate control of cash is also a key element in monetary and budget management (Sailendra and Israel, 2006).

As an addendum, (Horchel, 2006) posits other objectives for setting up a TSA. They include: minimizing transaction costs during budget execution, notably by controlling the delay in the remittance of government revenues (both tax and nontax) by collecting banks, and making rapid payments of government expenses; facilitating reconciliation between banking and accounting data; efficient control and monitoring of funds allocated to various government agencies; and facilitating better coordination with the monetary policy implementation.

Aligned to the above objectives, we identify the following benefits of a TSA relying on evidence from (Sailendra and Israel, 2006):

- Allows complete and timely information on government cash resources: In countries with advanced payment and settlement systems and an Integrated Financial Management Information System (IFMIS) with adequate interfaces with the banking system, this information will be available in real time. As a minimum, complete updated balances should be available daily.
- Improves appropriation control: The TSA ensures that the Ministry of Finance has full control over budget allocations, and strengthens the authority of the budget appropriation.
- When separate bank accounts are maintained, the result is often a fragmented system, where funds provided for budgetary appropriations are augmented by additional cash resources that become available through various creative, often extra-budgetary, measures.
- Improves operational control during budget execution: When the treasury has full information about cash resources, it can plan and implement budget execution in an efficient, transparent, and reliable manner. The existence of uncertainty regarding whether the treasury will have sufficient funds to finance programmed expenditures may lead to sub-optimal behavior by budget entities, such as exaggerating their estimates for cash needs or channeling expenditures through off-budget arrangements.
- Enables efficient cash management: A TSA facilitates regular monitoring of government cash balances. It also enables higher quality cash outturn analysis to be undertaken (e.g., identifying causal factors of variances and distinguishing causal factors from random variations in cash balances).
- Reduces bank fees and transaction costs: Reducing the number of bank accounts results in lower administrative cost for the government for maintaining these accounts, including the cost associated with bank reconciliation, and reduced banking fees.
- Facilitates efficient payment mechanisms: A TSA ensures that there is no ambiguity regarding the volume or the location of the government funds, and makes it possible to monitor payment mechanisms precisely. It can result in substantially lower transaction costs because of economies of scale in processing payments. The establishment of a TSA is usually combined with elimination of the “float” in the banking and the payment systems, and the

introduction of transparent fee and penalty structures for payment services. Many governments have achieved substantial reductions in their real cost of banking services by introducing a TSA.

- Improves bank reconciliation and quality of fiscal data: A TSA allows for effective reconciliation between the government accounting systems and cash flow statements from the banking system. This reduces the risk of errors in reconciliation processes, and improves the timeliness and quality of the fiscal data down to the lowest level in the organizational hierarchy are allowed accounts.
- Lowers liquidity reserve needs: A TSA reduces the volatility of cash flows through the treasury, thus allowing it to maintain a lower cash reserve/buffer to meet unexpected fiscal volatility.

The TSA Structure

In order to realize the noble objectives of TSA as well as reap its numerous dividends, its structure must be well laid out and strictly adhered to. Although there are several variants of the TSA structure that conform to the objectives discussed above, according to (Sailendra and Israel, 2006) they can be broadly grouped into two categories: centralized and distributed TSA architectures. The TSA systems established in most countries fall somewhere in between these two models:

- A purely centralized arrangement is one in which all revenue and expenditure transactions of the government pass through a single account generally maintained with the central bank.
- At the other extreme, a TSA could be virtually operational even though line agencies to retain separate transaction accounts in the banking system. However, in the latter case, balances in all transaction accounts should be swept into the TSA main account at the end of each day. The degree of decentralization of a TSA structure is linked to the authority of various entities to access and operate the government bank accounts.

In some countries, the TSA is composed of a single bank account (sometimes with subsidiary ledger accounts) at the central bank, which is operated either by a centralized authority (such as the treasury and its regional units) or by a number of budget institutions. In the latter case, each budget institution's transactions are tracked, accounted for, and managed through a well developed general ledger system. On the other hand, there are countries (e.g., Sweden) that have several linked bank accounts outside the TSA main account—with their balances automatically swept off at the end of each day. Individual line agencies (including deconcentrated units) are allowed to have separate transaction accounts and operate them (Horcher, 2006).

The TSA in this case is organized along the following lines::

- (i) accounts for individual spending agencies are opened either at the central bank, or with commercial banks; in both cases, the accounts must be authorized by the minister of finance;

- (ii) these accounts are zero balance accounts, with money being transferred to the accounts as specific approved payments are made;
- (iii) the balances in the accounts are automatically swept at the end of each day (where the banking infrastructure allows daily clearing) to the TSA main account; and
- (iv) the central bank consolidates the balances in all the government accounts at the end of each day (IMF, 2006).

Special ledger arrangements may be required in cases where the authority to operate the government bank accounts is centralized, particularly if some entities have legal authority to retain self-generated funds, or if there are legal requirements that the funds of social security institutions be maintained separately from other funds. Sometimes, multilateral and/or bilateral donors, even if they agree to manage their aid resources through the TSA, may request that such arrangements be set up in order to ring-fence the loans or grants they provide. This would require sub-accounts within the TSA and/or the development of a comprehensive treasury ledger system to track, account for, and report on specific flows through the bank accounts.

The decision as to whether—and to what extent—budget authority should be delegated to line ministries and spending units is independent of the TSA structure. The TSA is a centerpiece of treasury management in countries with very different circumstances. In many developed countries with highly decentralized budget and accounting systems, spending agencies have considerable autonomy in implementing the budget, but the end-of-the-day balances in government bank accounts are electronically swept into the TSA.

The government's banking arrangements should take into account possible impact on financial management within spending agencies and must also be cost effective. For example, it is generally advisable for the central units of line ministries and departments to replace a system of separate bank accounts with a single account (with or without subaccounts). But for the regional deconcentrated units of line ministries/departments, the organization of the payment system must take into account the country's context and infrastructure. However, imprest accounts with non-zero balances violate the TSA principle, and the use of such accounts should be actively discouraged (IMF, 2006).

Typology of Bank Accounts under a TSA System

In proving the model for TSA infrastructure, the IMF (2006), identified a number of bank accounts to be operated in a TSA system. These are:

TSA main account: This is the treasury's account with the central bank which consolidates the government's cash position. It is the main TSA account when the TSA arrangement in a particular country consists of a set of linked accounts. Cash balances in all other linked accounts are swept into this account. In other words, all government receipts finally flow into, and all disbursements are met from, the central TSA account.

TSA subsidiary accounts or sub-accounts: These are not separate bank accounts per se (in the sense of holding individual cash balances), but are special sub-accounts within the main TSA account. This is basically an accounting arrangement to group together a set of transactions and allows the government to maintain the *distinct accounting identity or ledger* of its budget organizations (line ministries/agencies) effectively. A cash disbursement ceiling for each entity can be enforced against these ledgers. Balances in these accounts are netted off with the TSA main account for cash management purposes.

Transaction accounts: Sometimes government bank accounts that are justified for retail transaction banking operations are opened separately and are structured as transaction accounts. These separate transaction accounts could be opened for government entities that need transaction banking services, but do not have a direct access to the TSA main account or a subsidiary account, and/or specific category of operations (e.g., special funds). A transaction account could take the form of a *zero-balance account* or an *imprest account*. It is possible to impose a cash disbursement limit (for the concerned agency) on a particular transaction account, which could be monitored by the concerned bank.

Zero-balance accounts (ZBAs): Where transactional accounts are necessary, these are generally opened on a zero-balance basis, i.e., end-of-the-day cash balances in these accounts are swept back into the TSA main account periodically (preferably daily). Such accounts opened in commercial banks are used for disbursements or for collection of government revenues (particularly non-tax revenues). At the end of the day, all revenues collected would be deposited in the TSA. The commercial bank would honour payments of the respective agency, and would be reimbursed by the TSA overnight. ZBAs have many similarities with special credit line arrangements, where budget agencies are provided spending credits towards the amount of payments they can make within a specified period, to be reimbursed by the TSA in the central bank. A ZBA also has the benefit that it bypasses the normal interbank settlement process for each individual transaction, which is often time consuming in developing countries, and ensures same-day settlement on a net basis for all receipts and payments passing through the accounts.

Imprest accounts: These transaction accounts can hold cash up to a maximum authorized amount and are recouped from time to time. Such accounts might be necessary in some cases, particularly when there is only limited availability of interbank settlement facilities. However, the number of imprest accounts should be kept to a minimum and the strategy should be to progressively transform these accounts into zero-balance accounts.

Transit accounts: These accounts are not meant for day-to-day transaction banking operations of government units. A transit account simply serves as a transit for eventual flow of cash into the TSA main account.

Transit accounts might be necessary:

- (i) for major revenue streams to monitor their collection and remittance by the banking system; and
- (ii) to facilitate revenue sharing (formula-based sharing from a common pool of resources) between tiers of government in a federal system like Nigeria in line with constitutional and/or legal requirements (IMF, 2006).

Correspondent accounts: A separate ledger account is opened for each correspondent. The correspondent entity has real time information on the balances it maintains in the TSA. There should be safeguards to ensure that each correspondent government is provided with the funds needed to implement its own budget in a timely manner. The central bank (which maintains the accounts in the TSA) has the obligation to make payments to the extent of the balances available in a correspondent's account.

The TSA in the Nigerian Experience

The discourse so far has provided basic information as to the nature, scope, objectives, benefits and structure of the TSA and more. In this section therefore, we do the needful by proceeding to appraise the TSA in the light of Nigerian experience. It has been stated that the Treasury Single Account (TSA) is a financial policy introduced by the federal government of Nigeria in 2012. But it came into full operational force in 2015 under the Muhammadu Buhari government, as a strategy to consolidate all inflows from the country's ministries, departments and agencies (MDAs) by way of deposit into commercial banks, traceable into a single account at the Central Bank of Nigeria (Wikipedia, 2017). The Treasury Single Account policy in Nigeria was established in order to reduce the proliferation of bank accounts operated by MDAs and to promote financial accountability among governmental organs. The compliance of the policy faces challenges from majority of the MDAs. The commercial banks in the country have lost over 2 trillion Naira worth of deposit with full implementation of this policy (Obaro, 2016). Meanwhile, the bankers committee of Nigeria has declared their support for the policy (Wikipedia, 2017).

Immediately on reception of the directive from Mr. President, the Central Bank has opened a Consolidated Revenue Account to receive all government revenue and effect payments through this account. This is the Treasury Single Account. All Ministries, Departments and Agencies are expected to remit their revenue collections to this account through the individual commercial banks who act as collection agents. This means that the money deposit banks will continue to maintain revenue collection accounts for Ministries, Departments and Agencies but all monies collected by these banks will have to be remitted to the Consolidated Revenue Accounts with the CBN at the end of each banking day. In other words, Ministries, Departments and Agencies accounts with money deposit banks must be more or less zero balance accounts at the

end of every banking day by a complete remittance to the Treasury Single Account of all revenues collected per day.

Commenting on the above development, Adebajo (2016) maintained that, “the implication is that banks will no longer have access to the float provided by the accounts they maintained for the Ministries, Departments and Agencies”. Different types of account are maintained under a Treasury Single Account arrangement and these may include the TSA main account, subsidiary or sub-accounts, transaction accounts and zero balance account. Other types of accounts that operate include imprest accounts, transit accounts and correspondence accounts. These accounts are maintained for transaction purposes for funds flowing in and out of the Treasury Single Account (Adeolu, 2016).

From the foregoing, it is obvious that the primary benefit of a Treasury Single Account is the mechanism it provides for proper monitoring of government receipts and expenditure. In the Nigerian case, it has no doubt helped to block most if not all the leakages that have been the bane of government revenue generation and management and the overall growth of the economy. In the past we have had a situation whereby some Ministries, Departments and Agencies manage their finances like independent empire and remit limited revenue to government treasury. It is expected that with the TSA such situations are no longer obtainable. Given the implementation of TSA, agencies of government are meant to spend in line with duly approved budget provisions. The maintenance of a single account for government enables the Ministry of Finance monitor fund flow as no agency of government is allowed to maintain any operational bank account outside the oversight of the ministry of finance (Chijioke and Orioha, 2016)

As a matter of fact, deposit money banks have recorded immensely loses from the implementation of Treasury Single Account. This is because of the fact that public sector funds constitute a large chunk of commercial banks deposit. Indeed, it is estimated that commercial banks held about N2.2 trillion public sector funds at the beginning of sector quarter of 2016 (CBN, 2016). The impact of this amount of money leaving the system can be imagined when one considers the fact that each time the monthly federal allocation is released, the banking system is usually washed with liquidity and as soon as this public sector funds dries up through withdrawal by the states, liquidity tightens again with inter bank rates going up.

Implementation Challenges and Prospects of TSA

Whilst that project was conceived by ex-President Goodluck Jonathan’s regime, the implementation didn’t happen until President Muhammadu Buhari mounted the saddle. Following the directive from Mr. President, the Office of the Accountant General (AGF) had the statutory mandate to drive the implementation of the policy with support from the CBN. For about two years now since the full implementation the Treasury Single Account (TSA) policy, the total inflow of funds through the mop-up and direct debits by Central Bank of Nigeria amounted to in excess N5.244 trillion, data from the office of the AGF showed (Office of Accountant General of the Federation, 2017).

The Accountant-General of the Federation, Ahmed Idris also said the implementation of the Treasury Single Account has brought about considerable gains to the Federal Government and to the Nigerian economy.

With the TSA, he said government has “successfully eliminated multiple banking arrangements, resulting into [the] consolidation of over 20,000 bank accounts; which were spread over Deposit Money Banks across the country. This has further brought about transparency and effective tracking of Government revenues. It has also led to blocking of leakages and abuse, which characterized the Public Finance Management before [the] implementation of TSA” (Office of Accountant General of the Federation, 2017).

“The TSA has taken us out of the era of indiscriminate borrowings by MDAs and saved Government charges associated with those borrowings which amounted to an average of N4.7 Billion monthly prior to full implementation of TSA,” Idris (2017). Idris also disclosed that because of the TSA, in one university they discovered over 100 bank accounts and the University didn’t even know about the accounts. “They said they didn’t know about some of the accounts. If you lose track of what you have it means it has gone. TSA has stopped all that,” he said.

Idris (2017) further outlines other benefits of the TSA derived from its implementation to include: ensures availability of funds for the execution of government policies, programmes and projects; control of aggregate cash flows within fiscal and monetary limits; improved management of domestic borrowing programme; enable investments of idle funds; improve transparency and accountability in the management of all FGN receipts and consolidated view of government cash flow.

Currently, over 1500 Ministries, Departments and Agencies (MDAs) have complied with the TSA, including the military and other security agencies, data from the Accountant General Office show (Office of AGF, 2017). Recently, at a retreat to review TSA implementation in Nigeria held in Abuja, the AGF, Alhaji. Ahmed Idris said the TSA has succeeded in pulling government funds together but it must go beyond that adding that the AGF is seeking credible ways to deepen the impact of TSA on the economy (Office of AGF, 2017). The above source further states that “TSA needs to go beyond mere cash management. We should explore the inherent potential of TSA and identify the most economically viable options of resource utilization and deployment particularly during the present economic recession”

Corroborating the benefits accruable from TSA implementation, The Vice President, Professor Yemi Osinbajo also recently remarked that with TSA, there is now improved visibility of government revenue and cash flows. Osinbajo was reported to have said that “Before TSA implantation, it was difficult for institutions to determine FG cash positions in a timely manner. Now [it] is clear that an average of N13 billion is accruing to all government agencies, every single working day” (Osinbajo, 2017).

More so, the managing director/CEO, Systemspec, a financial management firm, Mr. John Obaro, speaking on the gains of TSA recently said, “With TSA, the President, the Accountant General, CEOs of government agencies of the federation

and other relevant government functionaries can see on a dashboard all that is happening within the economy. In his statement, “You know your inflow and outflows and you are able to speak to your cash balance at any point in time,” he said, adding that the cash balance can be deployed for development projects (Obaro, 2016).

The Implementation Challenges of TSA

One key challenge of TSA is the ignorance of how it works by some Nigerians. Even the AGF recently noted that “the greatest challenge is that people should understand that the TSA is out to achieve efficiency and effectiveness. It is one of the critical aspects of our economic reform. If you are talking of accountability and transparency, the best way to go is TSA” (Office of the AGF, 2017). There is also the issue of deploying the saved monies into funding the economy. For now it is unknown how the funds accruable in the TSA is been deployed and this poses serious threat to economic growth and development.

The TSA, at inception, experienced some difficulty in releasing funds to MDAs for their operations but Office of the Accountant General recently declared that “the initial challenges of TSA have been resolved and the Projects are now accessing funds through the TSA. The major challenge still remains how the funds can be deployed for betterment of the economy and not just for recurrent expenditures.

Funds in the TSA are largely owned by government MDAs, funds that huge chunks of which were previously lost to corruption. But now that it is believed that the funds are no longer being stolen, it is expected that the MDAs can better utilize them to fund building of infrastructure and providing basic social amenities for the Nigerian populace.

Recommendations

Following from the issues herein above illustrated and the discussions with reference to documented evidence, the following recommendations are proffered as measures to enhance the viability and efficiency of the TSA infrastructure:

- a) There is periodic need for Capacity development of the TSA users. The prospective users of the TSA system both within the Ministry of Finance and line agencies will need to be trained and retrained in the new procedures and applications. Such training should be carefully coordinated to ensure effective implementation of the TSA. A user manual on receipt and payment procedures under the TSA system should also be developed and circulated accordingly.
- b) There is also need for appropriate interface between the Ministry of Finance and the banking network. The interface between the treasury, line agencies and the banking network should be agreed by all the stakeholders and formalized through agreements to avoid unwarranted violations.

- c) The government should ensure steady update of the technological requirements for effective implementation of TSA. The technological feasibility and capacity of the banking system to participate in the operation of a TSA, and to report on TSA transactions, should be up to date and this requires collaboration between the government and banking sector.
- d) There is need for public enlightenment to boost public support for the programme. Establishing a TSA can require hard decisions, such as closing the existing bank accounts of budget organizations (outside treasury control), that can provoke powerful opposition. For success, a TSA reform must be explicitly and strongly supported by masses of the people to enable it realize its objectives.

Conclusion

The implementation of the TSA programme is a critical step towards curbing corruption in public finance, at least ideally so. This is a tool to eliminate indiscipline in public finance and ensure adequate fund flow that will be channeled to critical sectors of the economy to catalyze development. Issues related to cash management should not be confused with issues related to the distribution of responsibilities for accounting control and administration of the payment system. This paper has maintained that a TSA can operate with both centralized and decentralized (or deconcentrated) transaction processing and accounting control systems. However, the feasibility of its implementation depends on the level of technological development of the banking sector and the government's banking arrangements, including a reliable communications network.

To sum up, the establishment of a TSA is a key element of an efficient and effective public financial management system and an essential tool for minimizing government borrowing costs. Regardless of their degree of development, all countries should aim at establishing a TSA provided this takes into account the preconditions identified in this paper, and is introduced in a way that fully reflects countries' unique circumstances.

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The State and Farmer-Herder Conflict in Nigeria: A Prima Facie Evidence from North Central Nigeria

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Abstract

This paper examines the role of the Nigerian state in the making and unmaking of farmer herder conflicts. Extant literature on farmer-herder disturbances in Nigeria has privileged rather disproportionately the socio-ecological and ethno-communal dimensions of the crisis. Scholars and analysts have been largely inclined to explicate the crisis variously from the standpoints of the adversities of climate change, modernist demographic changes, identity politics and resource scarcity/insecurity. While these perspectives are significantly plausible, they have, nonetheless, failed to account for the complicity of the state (its structures and machineries) in the crisis. By means of a synthesis of primary and secondary data, predicated on the theory of ungoverned spaces, the paper posits that the Nigerian state has contributed to the prevalence of the crisis through negligent security and development governance, especially within the rural agrarian sector. The paper makes a case for effective governance of the agrarian sector and relations thereof through land-use reforms capable of mediating the common grievances of farmers and herders without vitiating the prospect of their mutual dependence and coexistence.

Keywords: Farmers; herders; land use; the state; ungoverned spaces.

1. Introduction

Violent conflicts between nomadic herders and sedentary agrarian communities in the central and southern zones have escalated in recent years and are spreading southward, threatening the country's national security. With an estimated death toll of approximately 2,500 people in 2016, these clashes are becoming as potentially dangerous as the Boko Haram insurgency in the north east (International Crisis Group, 2017, p. 1).

Over the years, factors relating to competitive use of land and water, obstruction of traditional migration routes, livestock theft and crop damage have triggered these farmer-herder disputes (Olaniyan, Francis, & Okeke-Uzodike, 2015). But the root-causes of the conflicts are a lot deeper. Climate Change-related adversities such as drought and desertification have degraded pastures, dried up many natural water sources across Nigeria's far-northern Sahelian belt and forced large numbers of herders to migrate southward in search of 'pasturable' space

(International Crisis Group, 2017). Insecurity and criminality (Boko Haram, cattle rustling, rural banditry) in the wider north have also prompted increasing numbers of herdsmen to migrate southward. Modern human settlements, mega infrastructural and industrial development and 'land grab' by large-scale farmers and other private commercial concerns, have deprived herders of grazing reserves and routes hither to designated by the government. The influx of herders into the savannah and rain forests regions of the central and southern Nigeria where high population growth has heightened invariably brings about pressure on farmland, increasing the frequency of disputes, with contestations over crop damage, water pollution and cattle theft as veritable pretexts (Olaniyan, Francis, & Okeke-Uzodike, 2015). In the absence of mutually accepted mediation mechanisms, these disagreements have, over time, turned too violent, assuming the scale of organized militancy (IEP, 2014).

In the face of the unfolding farmer-herder imbroglio, the Nigerian state appears to have been at best helpless in preferring any respite. To a large extent, the reaction from the Nigerian state (federal and state authorities) has been largely pathetic. Public security operatives/law enforcement agencies have established neither early-warning nor rapid response mechanisms to proactively address the challenge; they have scarcely arrested and prosecuted perpetrators of violence or offered redress to victims to ensure deterrence. Government authorities have paid inadequate attention to improving and regulating livestock management practices moderate agrarian relations (poor political will). State governments' responses have largely been short-sighted and bereft of strategic efficacy. Consequently, both herders and farmers are taking matters into their hands, exacerbating the crisis thereby.

Extant literature on farmer-herder disturbances in Nigeria has privileged rather disproportionately the socio-ecological and ethno-communal dimensions of the crisis. Scholars and analysts have been largely inclined to explicate the crisis variously from the standpoints of the adversities of climate change, modernist demographic changes, identity politics and resource scarcity/insecurity. While these perspectives are significantly plausible, they have, nonetheless, failed to account for the complicity of the state (its structures and machineries) in the crisis. It is in the light of this fact that this paper seeks to interrogate the role of the Nigerian state in the making and unmaking of the crisis. The paper posits that the Nigerian state has contributed to the prevalence of the crisis through negligent security and development governance, especially within the rural agrarian sector.

The study is a product of a rigorous field survey carried out in fulfillment of a commissioned research conducted in selected communities in parts of Benue and Nasarawa State within the period of 2017 to 2018.² Suffice it to note that the paper is a descriptive-analytical exploration of the role of the Nigerian state in the prevailing farmer-herder crisis in the country, relying on a synthesis of primary and secondary data. The remainder of the study is thematically structured under the following sub-

² The methodological protocol and techniques of the study are contained in the main report of the research herein cited: Abubakar *et al* (2019) at references.

sections: perspectives on farmer-herder conflicts in Nigeria, which is an attempt to explore relevant literature; theoretical framework, whereby the ungoverned spaces thesis is appropriated in an effort to proffer an analytical anchor for the discourse; the state, governance question and prevalence of farmer-herder conflict in Nigeria, whereof the governance deficit of the Nigerian state is implicated in the prevalence of farmer-herder crisis; and conclusion and recommendations.

2. Conceptual Clarifications

Three key terms constitute the conceptual framework of this paper, namely the state, farmers, and herders. This sub-section (see Table 1) offers operational definitions of these terms in relation to their contextual application in an attempt to foster a shared understanding.

Table 1: Conceptual Framework

Term	Operational Definition
The State	A territorial authority that wields coercive power over a definite population. The Nigerian state consists of the structures and authorities of the federal, state and local governments.
Farmers	Community of crop cultivators who are engaged in subsistence and semi-commercial agriculture. Note: most of the crop farmers live among the various settled communities of Nigeria's hinterlands.
Herders	Community of migrant livestock attendants, who are engaged in mobile pastoralism. Note; Most herders in Nigeria are of the nomadic Fulani clan.

Source: Authors' original conceptions.

Perspectives on Farmer-Herder Conflicts in Nigeria: Literature Review

Literature on Farmer-herder disturbances in Nigeria has been evolving in keeping with the growing currency of the subject matter. Pioneering works considered the subject matter from the perspective of resource conflict paradigm (Blench, 2004; Blench & Dendo, 2005; Gyuse & Ajene, 2006). The second generation of literature emphasizes the factor of identity politics and citizenship crisis (Gyuse & Ajene, 2006; Alubo, 2008). The argument in this regard is that the herder-farmer conflict is a manifestation of resource-based contestations in the context of shrinking ecological opportunities accentuated principally by the dynamics of climate change. The third generation of literature on the subject matter sought to interrogate the total organic contexts that conduce to farmer-herder disturbances from the stand point of political ecology (Adogi, 2013; Tukur, 213). This perspective offers a structurally in-depth and rigorous analysis of the phenomenon under reference by

probing the complex socio-ecological, socio-economic, political and demographical factors that drive and complicate it.

There is also an attempt by scholars to approach the issue from the point of view of post-Marxian Political Economy, with particular reference to its economic-cum-structural materialism (Abbass, 2012; Egwu, 2015). The Political Economy and Political Ecology approaches transcend the foremost perspectives by bringing into analytical focus the fundamental systemic and structural undercurrents of the crisis under review. One of the best contributions of these approaches is the slight indication of the role of the state in the crisis. One of the latest perspectives on the subject matter is the eco-survivalist approach, which seeks to explicate the transformation of the farmer-herder conflict to a form of organized militancy that defines its contemporary manifestation in Nigeria (Okoli & Ogayi, 2018).

By and large, case studies on herder-farmer conflicts in West Africa have drawn inferences from contradictory accounts, inadequate information, and partial observations. They generally rely on one or two, often isolated historical cases, to illustrate observable patterns in herder-farmer relations, rather than surveys with several cases across historical epochs (Moritz, 2006). But even surveys alone do not capture the complex dynamics of how conflicts unfold. To capture these dynamics and explain when, how, and why some herder-farmer conflicts escalate and others do not, Moritz developed the processual analysis, which we find useful for the purpose of this study. Foremost, processual analysis involves a holistic approach to an event. By holistic here, we mean interpreting events, actions, and actors within their particular, local contexts, considering socio-cultural, historical, ecological, economic, political or institutional factors (Moritz, 2006). The importance of the processual analysis is that it starts with the event (the conflict) and then examines how it articulates with the socio-cultural, political, historical, ecological, demographic, economic, and institutional contexts.

Moritz (2006) posits that herder-farmer relations can be latent or manifest. Latent conflicts occur when the parties recognize that their goals are incompatible, but they stop short of active hostility and confrontation. Herders and farmers alike are conscious of the fact that they compete with one another over natural resources. But as long as both parties do not engage in actual conflict behavior, i.e., trying to bring about change in the other party to reduce their grievances, there is no manifest conflict. Moritz's thoughts in this regard are particularly concerned with the transition from either latent to manifest conflict, or from low-intensity to high intensity conflict (Institute for Peace and Conflict Resolution, 2017). It draws from a combination of models, including the contender-defender, the conflict-spiral, and the structural change model, to study conflict transformation. It focuses, for example, on the action and reactions of the parties involved in the conflict [e.g., the initial use of violence and the reaction thereupon] and the psychological changes in individuals and groups [e.g., the formation of crowds and militant leadership]. It also situates the socio-contextual dialectics of conflict in such a manner that underscores concatenated dynamics underpinning conflict onset and transformation (Institute for Peace and Conflict Resolution, 2017; Okoli & Ogayi, 2018).

In line with Moritz perspective, our approach to analyzing the conflict between herder and farmer communities, therefore, integrates the specific and general contexts that define the conflict as well as the nature and character of social dynamics that characterize the transformation of the same conflict. This is anchored on historically conscious perspectives that draw discursively from extant literature on the subject. While the above approach has been quite useful for understanding of the phenomenon of farmer-herder conflicts in Nigeria, they have nonetheless failed to adequately account for the role of the state in that context. In other words, such perspective has not clearly shown how the actions and inactions of the state have complicated such conflict, leaving the citizenry in dire humanitarian conundrum. This forms the point of departure in this study, which offers a state-biased interpretation, with human security implications.

Theoretical Framework: The Ungoverned Spaces Thesis

Previous studies on the phenomenon of natural resource violence were anchored on a number of theses such as eco-violence (Homer-Dixton, 1994, 1999; Gleditsch, & Urdal, 2002), competitive control of resources (Fisher & Mercado, 2014), among others. However, despite their useful contributions in explaining the emergence, nature and dynamics of natural resource violence, their 'concatenated portrayal of the place of environment in conflicts' (Ibeanu & Ibrahim, 2009, p.xx), and the concomitant relegation of the role of the state and the place of governance has remained a major limitation of this perspective. Given this shortcoming, this study departs from this theoretical architecture. It adopts the ungoverned spaces thesis due to its analytical utility in highlighting the socio-economic and political variables that variously interact to engender natural resource violence within Nigeria's ungoverned spaces.

The concept of ungoverned spaces was first developed by US think tanks, most notably the RAND Corporation. It was popularized by Hillary Clinton, during her time as U.S. Secretary, after she labeled the Afghanistan-Pakistan border as ungoverned spaces (Marsden, 2017). Since then researchers and policy-makers have used ungoverned spaces thesis to designate discourses involving different strands of security concerns.

Ungoverned spaces depict a situation of weak or non-existence of state authority in a defined geographic area. In other words, where there is lack of effective government control. It also implies the inability or unwillingness of the state to exercise authority in certain areas and ceding of that authority to outside elements. More so, it means the existence of legal principles and rights (or lack of such) which can be exploited by actors to perpetrate crimes (Taylor, 2016).

The concept of ungoverned spaces refers to both physical and non-physical policy spaces in which there is an absence of effective state control (McCormack, 2018). Limited or unreliable capacities of the state for internal security, law enforcement, and border protection provide the fertile ground within which other authorities have developed to compete with the state (Reno, 2010). Although strong

states are not exempted, weak and dysfunctional states generally suffer the consequences of ungoverned spaces.

Though the ungoverned space thesis has been criticized for being pro-Western, in that the discourse tends to portray non-Western states as constituting security threats to the Western countries as a result of their weaknesses (Menkhaus, 2010; Feldman, 2009), it is found to be analytically plausible in explicating the perennial conflict between the migrant herdsman and sedentary farmers in North central Nigeria.

The ungoverned space implicates the government of Nigeria for providing conditions that facilitate the emergence of ungoverned and exploitable spaces controlled by networks of criminalities. One of such spaces is the unregulated practice of nomadic migrancy and exploitation of natural resources, which has yielded violence in many parts of Nigeria (Okoli & Atelhe, 2014). In the recent time, Nigeria has witnessed the implosion of resource based conflict as a result of nomadic migration south wards in search of grazing land and fresh water. The activities of these nomads are scarcely regulated, and their movements are undocumented. This allows the influx of 'Foreign Fulani', otherwise called the 'Bokoroji'³, into Nigeria with the intention to cause mayhem. The porous nature of Nigeria's numerous borders, characterized by the existence of many unofficial routes, poor inter-agency co-ordination, inadequate boundary delineation, absence of effective border control mechanism among others not only presents serious challenge to border security agencies, but also provides the interstices exploited by criminal elements, masquerading as herders, to enter Nigeria (Azom & Okoli, 2016). The consequences are incidences of arms proliferations, herdsman militancy, ethnic cleaning and the consequent humanitarian crisis, livelihood disruptions and forced migration in most parts of Nigeria.

Endemic corruption characteristic of the Nigeria state also complicates the challenge of effective governance. Corruption undermines the desire to pursue effective change. Corrupt government officials undermine the implementation of government policies and reforms. The result is lack of health care, high illiteracy rate, poor infrastructure, high rate of poverty and unemployment. The failure of the Nigerian state to provide basic services for a long time has helped to create extensive tracts and social spaces that operate outside the purview of effective control of the Nigeria.

In the recent times, the functional weakness of the Nigerian state has found expression in the apparent incapacity of government institutions, notably the security sector to reduce ungoverned areas. Parties to resource conflict are rarely arrested and prosecuted for their criminalities, neither are they questioned for their illegal possession of fire arms. This has emboldened them to engage in criminal activities with impunity.

³ This is a local parlance designating migrant Fulani.

The prevalence of farmer-herder conflict in Nigeria suggests the inability of the state to regulate the agrarian relations through effective state action. The extant *1978 Land Use Act* makes a contradictory provision on land tenure system between the federal and the federating units, while the grazing reserve system has long collapsed amidst the growing lethargy of the government to modernize the sector (Blench & Dendo, 2005, Okoli & Atelhe, 2014). All these have given rise to other forms of authority within the Nigerian state. There is thus the preponderance of a chaotic situation which creates an effective avenue for parties to consistently take laws into their hands.

The State, Governance Question and Prevalence of Farmer-Herder Conflicts

One of the major challenges facing the contemporary Nigerian state is 'governance question'. This is exemplified in the decreasing capacity and indisposition of the state to assert its presence and influence within the confines of its territory. In effect, the government has become virtually ineffective owing to its inability or failure to secure compliance with its policies (Whelan, 2005; Taylor, 2006; Rasas, Boraz, Chalk, Cragin, Karasik & Moroney, 2007).

Nigeria's governance question smacks of the syndrome of virtual un-governability (cf: Mclean & McMillan, 2003, p. 226). To be sure, there exists an avalanche of 'ungoverned' and 'under-governed' spaces within the territorial domain of the country, namely:

- i. porous and compromised borderlines and frontiers that are susceptible to transnational criminality;
- ii. vast and distant hinterlands that are bereft of significant governmental presence and influence;
- iii. expansive forested landscapes that are prone to illegal/illicit occupation and exploitation;
- iv. richly endowed rural agrarian sector that is barely developed and regulated;
- v. ebullient human/natural resources that are scarcely harnessed and exploited;
- vi. degenerate infrastructural system that has suffered perennial neglect and abuse;
- vii. general lack of political will and commitment by government at various levels to govern.

The point being emphasized in the foregoing is that there is a serious governance vacuum in Nigeria. Although the governance deficit is relative, the truth remains that the Nigeria state has to a large extent demonstrated gross incapacity to hold optimal sway in the critical spheres of its territorial domain. This situation has created pockets of 'governability gaps' in the polity, with opportunistic non-state actors exploiting the prevailing circumstances to perpetuate lawlessness, often with impunity (Olaniyan & Yahaya, 2016). This is the case with the incidence of farmer-herder conflicts, which has so far proven rather intractable.

The prevalence of farmer-herder conflict in Nigeria has implicated the state in a number of ways. First, the inability of the Nigerian state to effectively govern and/or regulate the agrarians sector (and relations) through a pragmatic land-holding

and land-use regimes have created alibi for unnecessary un-mediated contestations among the various stakeholders in the sector (Abbass, 2012). The extant *1978 Land Use Act* makes a contradictory provision on land tenure system between the federal and the federating units (Blench & Dendo, 2005). Besides, the government has been increasingly unable to fashion out an efficient means of mediating and moderating agrarian relations in such a manner that ensures the sustainability of the rural agrarian sector. The grazing reserves/routes projects as well as farm settlement schemes have long collapsed amidst the growing lethargy of the government to modernize the sector (Okoli & Atelhe, 2014). Generally, grievances arising from farmer-herder contestations have not been creatively addressed in such a way that guarantees justice, equity and mutual deterrence. For instance, perpetrators of the violence have hardly been brought to book. As Amnesty International's (AI, 2018, p. 6) report puts it "government's inaction fuels impunity, resulting in attacks and reprisal attacks." This has given rise to a chaotic situation whereby parties take laws into their hands in every instance of conflict, thereby precipitating crises.

In effect, therefore, a key dimension of farmer-herder conflict is the failure of the state to exercise effective governance functions within its jurisdiction. This manifests in lack of control, surveillance and enforcement capabilities which create an attractive venue for the incubation of violent extremism, terrorism and other forms of criminal activities (Whelan, 2016). Based on the scope and frequency of security challenges in most parts of Nigeria, the apparent weakness of the Nigerian state to ensure internal security, and border management is well known. The pattern of farmer-herder conflict in central Nigeria is thus symptomatic of governance failure, evident, among others, in the absence of efficient means of mediating and moderating agrarian relations, prevalence of contradictory provisions on land tenure system, growing lethargy of the government to modernize the agricultural sector (Abbass, 2012; Blench & Dendo, 2005; Okoli & Atelhe, 2014).

The findings of this study clearly indicated that while the presence of the state is fundamental in providing collective goods and holding monopoly of legitimate coercion (Börzel & Risse, 2010; Taylor, 2016); the consistent failure or unwillingness of the state to fully exercise its authority causes other forms of authority to emerge. In effect, security challenges emanate from states that fail to exercise effective sovereignty.

To confirm the foregoing, our field inquiry sought to know whether the Nigerian government has done enough to mitigate resource-based conflict. Table 2 highlights the outcome that was elicited.

Table 2: Government's effort in mitigating resource- based conflict

	Response	Frequency (f)	Percentage (%)	Total (%)
Has the government done enough in mitigating resource conflict in your area?	No	72	49.66	
	Yes	64	47.56	
	I don't know	4	2.76	100.00

Source: Field survey (2018).

Table 2 shows that the respondents (49.66%) believed that the government has not done enough to mitigate resource-based conflict. Although 47.56% of the respondents held contrary opinion, the prevailing circumstances in the focal area tend to confirm the lackadaisical attitude of the Nigerian state to the festering incidence of resource-based conflicts. Majority of the respondents held the opinion that the Nigerian state has not done enough to mediate the conflict between the settled natives who are predominantly Christians and the migrant herders who are mostly Fulani and Muslims. Consequently, migrant herders more often than not view state regulations and policies aimed at managing grazing and land ownership in the country with suspicion.

The above scenario is best understood against the background of state's neglect of grazing system, *the 1978 Nigerian Land Use Act* with its contradictory provisions on land ownership and most recently, the Benue State Open Grazing Prohibition and Ranches Establishment Law, 2017, which the migrant herders perceived as deliberate attempts by the Nigeria state, in connivance with the settled communities, to deny them both legitimate access to natural resources, particularly grazing land and fresh water, as well as their constitutional right to free movement and residence in any part of the country as guaranteed in section 41 (1) under Chapter 4 of the Constitution of the Federal Republic of Nigeria 1999 (as amended). A member of Myetti Allah interviewed in Lafia in the course of the study emphatically stated that the "Anti-Open Grazing Law enacted by the Benue State government is responsible for the present conflict between herders and crop farmers in the state"⁴. Another member of Myetti Allah interviewed in Awe maintained that the "Federal Government has not done enough to mediate the conflict. There is bias in favour of Tiv."⁵

There is also a widely held belief among the settled native communities of central Nigeria that the criminal activities of the migrant Fulani herders enjoy tacit support of the Nigerian state. This sentiment has found expression in the apparent unwilling of security agencies under the command and control force of the Federal Government to proactively develop an effective internal conflict management system, as well as statements by top-ranking government officials⁶, who are predominantly Fulani by ethnicity, insinuating open support for killer herdsmen. Aside this, the seeming unwillingness of the government to arrest and prosecute herdsmen for illegal possession of fire arms in line with the extant laws is equally seen as part of state sponsorship of herdsmen. An interviewee in Lafia revealed that "herders invade farming areas and communities, destroy lives and properties and ultimately occupy such communities without fear as they are well armed and claim to have state support"⁷

⁴ Field study, Lafia, 2018.

⁵ Field study, Awe, 2018.

⁶ Corroborated insights from various Key Informant Interviews in the focal areas (Field study, 2017-2018).

⁷ Field study, Lafia, 2018.

Table 3 is designed to highlight the specific ways the Nigerian state has complicated farmer-herder conflict in Central Nigeria.

Table 3: Ways Nigerian state has complicated resource conflict

	Response	Frequency (f)	Percentage (%)	Total (%)
In what specific ways has the Nigerian state complicated the conflict?	Weak federalism	12	8.3	
	Poor internal security regime	34	29.86	
	Ineffective resource governance	32	22.22	
	Lack of proactive conflict management	57	39.58	100.00

Source: Field survey (2018).

Table 3 indicates that there is a convergence of belief that the Nigerian state has compounded the phenomenon of farmer-herder conflict in Central Nigeria. The narratives arising from our field survey clearly highlight government's poor internal security regime (29.86%), ineffective resource governance (22.22%), lack of proactive conflict management (39.58%), and weak federalism (8.3%). The factors of poor internal security regime and lack of proactive conflict management were particularly stressed by the respondents in the course of the field discussions. A sizeable volume of the extant inquiries also accord attention to this narrative (Amnesty International, 2018; Egwu, 2016; Ibeanu, 2009; Okoli & David, 2016).

The outcome of our field survey suggests in bold relief the apparent failure of the Nigerian state to exercise effective sovereignty and the consequent security challenges. When this effectively feeds into dialectical ethno-communal relations, the consequences is inter-communal conflagrations and ethnic cleansing, as evident in Benue and Nasarawa states between 2012 and 2018.

Conclusion and Recommendations

Farmer-herder conflicts have been a veritable threat to Nigeria's national security. Over the years, the crisis has degenerated from a low-intensity rural phenomenon to an aggravated armed violence. In its apparent dynamics of deterioration, the crisis has opportunistically exploited the prevailing faultlines of identity and insecurity and further escalated into a genre of complex national emergency. In effect, this has resulted in dire and complicated humanitarian outcomes that negate sustainable human security and development. To mitigate the crisis, the paper makes a case for effective governance of the agrarian sector and relations thereof through land-use reforms capable of mediating the common grievances of farmers and herders without vitiating the prospect of their mutual dependence and coexistence. This would entail the following specific measures:

- i. regulation of mobile pastoralism as well as rural crop-farming sector in such a manner that forecloses rangeland/farmland trespasses that often bring about tensions
- ii. propagation of state-sponsored or government-subsidized modern animal husbandry based on ranching in order to douse the excesses of mobile pastoralism
- iii. resuscitation of the moribund national and states' grazing reserves and routes and creation of new ones
- iv. reformation of the extant land-use/land-holding statutes with a view to expunging contradictory claims and tensions between the federal and state governments
- v. establishment of farmer-herder coexistence joint-commission to assist the government in mediating agrarian contestations between farmers and herders
- vi. institutionalization of hinterlands and forestlands community policing based on tactical synergy between public security operatives and relevant local vigilantes
- vii. Entrenchment of borderlines and frontiers vigilantism also based on a tactical synergy between the state and community forces.

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Vienna Convention on Diplomatic Immunity Relations: Issues and Challenges

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Abstract

The paper reviewed the Vienna Convention on Diplomatic Immunity Relations, 1961. It specifically set out to ascertain the cases of abuse of diplomatic immunity and its implications on the Convention. The paper adopted the theory of Diplomatic Immunity and argued that immunities and privileges accorded diplomats in the receiving state is for the purpose of effective representation. Thus, the paper reviewed the Convention and revealed that many states have had cases of abuse of diplomatic immunity in the area of criminal and civil crimes. Some of such cases include the killing of an American police, Yvonne Fletcher, Kidnapping of Umaru Dikko and other criminal and civil offenses. Even though the Vienna Convention provided remedies against abuse of diplomatic immunity, cases of abuse are at alarming rate and it poses threat to the implementation of the Convention. The paper concluded that, some diplomats have taken advantage of their immunity to commit crimes and the development is a threat to the sanctity of international law, particularly the Vienna Convention on Diplomatic Immunity Relations, 1961 regime. It recommends that every diplomat who commits offense should be made to face the wrath of the law after their sojourn in foreign land.

Keywords: Diplomat, Immunity, Convention, Law and Abuse

Introduction

The concept of diplomatic immunity is by no means a new phenomenon. It is pertinent to state that diplomatic immunity is a principle of public international law by which a category of foreign government and international organization officials are not subject to the jurisdiction of the municipal laws of the receiving state. The doctrine of diplomatic immunity is one of the oldest components of foreign relations. This practice could be traced to the ancient Greek and Roman Governments where foreign envoys were accorded with certain immunities and privileges to enhance their effective representation in the foreign land.

Earlier, diplomatic immunity as an integral part of international law was basically based on customs accepted among nations until the emergent of the Vienna Convention on Diplomatic Relations, 1961 (VCDR, 1961). The emergence of this Convention principally redefined the nature and character of diplomatic relations among nations and international organizations. The Convention clearly provided the scope of the immunities and privileges accorded to diplomats according to their status

and as well as the procedures involved to prosecute diplomats who abuse the privileges (Kaul,1989). In other words, the rules governing diplomatic relations in contemporary time is more defined and explicit in nature than the pre-Vienna Convention era.

Despite of the explicit provisions of the Convention, it has been observed that some diplomats are taking advantage of the 'diplomatic attire' on their body to violate the law of their host state for personal benefit, while innocent citizens suffer the consequences of the violation. Even though the preamble to the VCDR, 1961 state that 'the basis of the diplomatic immunities and privileges is not to benefit individuals, but to ensure the efficient performance of the functions of diplomatic missions as presenting States' (Oke,2000). It seems that the advent of the VCDR, 1961 has not completely put an end to the scourge of the abuse of diplomatic immunities. It is within this premise that this paper reviews the VCDR viz-a-viz the issues and challenges arising from its implementation.

Conceptual and Theoretical Underpinnings

To start with, the word immunity is generally regarded as a cover that provides protection to certain category of persons against injurious action by the law of the land. While Satow (1957, p.765) posits that immunity is any exemption from a duty, liability, or service of process, especially accorded to a public official. In this context, therefore, the action and inaction of the immuned person is considered as "no go area" (unenforceable) for the state law enforcement agents. This could be the reason why the Green Encyclopedia (2001, p.811) simply sees immunity as a legal condition of aloofness from enforcement of the municipal laws of other states. If the word 'diplomat' connotes a man who represents his state in a foreign state, then the concept of diplomatic immunity is the scope of protection accorded to diplomats by the VCDR, 1961 which exempted them from the jurisdiction of municipal law of the receiving state.

The practice of diplomatic immunity among nations is built within the theory of diplomatic immunity which has three components namely, extraterritoriality, representative character and functional necessity. In the aspect of the extraterritoriality, the theory believes that diplomatic premises in the receiving state is a territorial extension of the sending state in receiving state and as such entry into the diplomatic premises without the approval of the chief diplomat is tantamount to violating the territorial integrity of the sending state. Secondly, for the representative character, the theory holds that a diplomat is a personification of the sending state in the receiving state. That is, diplomats possess the full attributes of state, which implies that attacking a diplomat is tantamount to attacking a sovereign state. The functional necessity component of the theory argues that representatives of state can only carry out their functions effectively in the receiving state if they are completely free from legal and political pressure that receiving state may impose on them. The essence of diplomatic immunity as advocated by the VCDR, 1961 revolves around this theory.

A Glance at Some of the Diplomatic Immunities in the Vienna Convention on Diplomatic Relations of 1961

VCDR, 1961 formally came into force in 1964. As members of United Nations unanimously codified and ratified it to become part of international law to regulate diplomatic practice. The Convention vividly made provisions that cover all categories of diplomatic staff, diplomatic premises, diplomatic properties, diplomatic functions and family members of diplomatic staff. To start with, Article 3(1) of the VCDR of 1961, specifies the functions of a diplomat as contained inter alia in the Convention; promoting the sending state's interest and its nationals in the receiving state within the ambit of international law, negotiating with the government of the receiving state on issues of mutual interest, and promoting friendly relations between the sending state and the receiving state, and developing their economic, cultural and scientific relations (VCDR, 1961). For diplomats to effectively perform these functions, the Convention accorded them with the following immunities and privileges.

- (i) Inviolability of the premises and properties used by diplomatic mission: Article 22 of the Convention states that diplomatic mission shall be inviolable. While Article 1 of the Convention defines diplomatic premises as the building or parts of the building and the other land ancillary thereto, irrespective of ownership used for the purpose of the mission (VCD, 1961). This provision implies that diplomatic premises are outside the legal and administrative jurisdiction of the receiving state. In other words, by international law, the municipal police or law enforcement agents do not have the authority to enter the mission premises or diplomatic residence without official permission issues by the chief diplomat.

Entry into the premises by any person or group of persons acting on authority without the consent of the Head of the mission contravenes international law and such act is tantamount to invasion of a sovereign territory. A case of violation of this provision was seen when the Pakistani government told the ambassador of Iraq serving in Pakistan that they had empirical evidence that some sophisticated weapons were surreptitiously brought into the country with the aid of diplomatic cover and stored in the embassy of which the Pakistani government demanded for search of the premises. The Head of the mission did not grant the request. However, the Pakistani police searched the premises in the Ambassador's presence and large quantities of arms were actually found. The receiving state protested to the Iraqi government where the state declared the Ambassador 'persona non grata' and Iraq recalled the Ambassador. This situation led to diplomatic fracas between the two countries (Oke, 2000).

- (ii) Inviolability of diplomatic agents: Article 29 of the Convention provides that the person of diplomatic agent shall be inviolable. He shall not be liable to any form of arrest or detention. The receiving state shall treat him with due

respect and shall take all appropriate steps to prevent any attack on his person, freedom or dignity (VCDR, 1961).

- (iii) Article 31 of the Convention provides that diplomatic agent cannot be tried or punished by the municipal courts if he commits a crime in the receiving state. The Article 31 also provided that diplomatic agents are immuned from civil and administrative jurisdiction of the receiving state with exception to: (1) any action relating to private immovable property situated in the territory of the receiving state, unless the diplomat holds it on behalf of the sending state for the purpose of the mission, (2) action relating to succession in which a diplomat is involved as initiator, executor, heir or legatee as a private person and not on behalf of the sending state; and (3) any action relating to professional or commercial activity exercised by diplomats in the receiving state outside their official functions(VCDR, 1961).
- (iv) Article 34 of the Convention exempted diplomats from taxation. This entails that diplomatic agents are exonerated from paying all manners of taxes, fee or levies that ought to be paid in performing their duties in the receiving state.
- (v) Article 36 of the Convention exempted diplomatic bags from the jurisdiction of custom authority of the receiving state. In other words, diplomatic bags are inviolable.
- (vi) Going by the provision of Article 37 of the Convention, family members of diplomatic agents who form part of their household in the receiving state enjoy the entire range of diplomatic immunities and privileges. But the privileges and immunities are only applicable to those who live with the diplomatic agent and are directly under his responsibility. For instance, if a child of a diplomat decides to live apart from his father, he will not enjoy privileges and immunities. It is worth of note that the Vienna Convention did not clearly define the word “family members” as regards to persons entitled to diplomatic immunities and privileges under the diplomatic agent’s household. But by the evolution of practice of international law, certain degree of immunities and privileges have been granted to non-official staff (private secretaries or servants), hence they remain within the premises of the diplomatic mission and the official residence of the diplomat.

The significance of this Convention to international relations cannot be over emphasized. To start with, VCDR of 1961 has over the years become a legal mechanism to checkmate diplomatic behaviour in international relations. In other words, the provisions of the Convention have immensely shaped diplomatic relations among sovereign nations. Also, the experience of VCDR of 1961 served as the basis for the conceptualization of the 1963 Vienna Convention on Consular Relations and diplomatic law of most receiving states. The acceptance of the rules in the VCDR of 1961 by the international community has invariably made it to become a guild and a minimum standard. The spirit of the law for meant no harm to anyone, but its implementation may be shrouded with pertinent issues and challenges.

Issues and Challenges in the Implementation of VCDR, 1961

The essence of diplomatic immunities and privileges are not to serve as protective cover for illegal acts among diplomats and diplomatic agents. Originally, the spirit of the VCDR of 1961 was for the purpose of security of diplomats while performing their duties in foreign land. Over the years, cases of abuse of diplomatic immunities and privileges by those accorded with such rights have become a source of challenge to the implementation of the VCDR of 1961 and diplomatic practices at large. To start with, in April 1984, there was a case of shooting a British police woman in St. James square by an unidentified person within the Libyan Embassy in London. Protesters were peacefully demonstrating when submachine gun sporadically fired from the Embassy killing the British police constable, Yvonne Fletcher and wounded many others. In swift reaction, the British government declared the diplomats *persona non grata*. This incident led to broke of diplomatic ties between the two states. Although the British diplomat was declared *persona non grata* and recalled home, the unflinching truth is that, the illegal act of the diplomatic agent violated the fundamental right of the police woman (Eze,2012). Thus, no amount of break of diplomatic relations can bring back the deceased to life.

Another abuse is the case of a former member of Nigerian government, Alhaji Umaru Dikko in Britain. In 1984, Alhaji Umaru Dikko was kidnapped from his London home and kept in a diplomatic bound for Nigeria. The Nigerian government refused to cooperate and all the British government could do was to declare the diplomat *persona non grata* and recalled the diplomats involved in the kidnapping. Also, the United States of America had a similar case in 1983 when Guatemalan diplomats helped to kidnap the wife of El Salvador's former Ambassador to United States. She was taken from her Florida home and held for a 1.5 million dollars war tax. The two diplomats involved in the kidnapping were taken into custody after the State Department swiftly waded into the matter (Eze,2012).

In 1987, Shah Mohammed Dost, a former Afghanistan's diplomatic envoy to the United Nations recklessly killed a woman with his car due to dispute over parking space in New York. But he could not be arrested and prosecuted because of the immunities and privileges that he enjoyed. There was another case in 2004 when American Ambassador in Bucharest, Romania allegedly drunk and collided with a taxi which led to the death of the popular Romania musician, Teo Peter. Nothing happened to the diplomat as he was protected by the rules of the VCDR of 1961 (Vark, 2012).

Equally in 1981, a New York police were in search of a black young man who had allegedly raped young ladies. In the course of investigation, the young man was identified as Mannel Aryee, a son of a Ghanaian diplomat. Aryee could not be arrested for interrogation and prosecution due to the inviolability legal status of diplomatic missions and residence (Vark, 2012). In all these criminal situations; giving the provisions of the VCDR of 1961, the receiving governments had narrow range of options, i.e. declaring a diplomat *persona non grata* and a break in diplomatic relations.

Civil laws are not exonerated from the abuse of diplomatic immunities and privileges. In civil cases, diplomatic immunities permit diplomats to escape liability for their actions. Immunity also allows diplomats to avoid service of process and appearance in court of competent jurisdiction. For instance, see the case between Skeen V. Federative Republic of Brazil. The plaintiff, an Ambassador's grandson was accused of assault and shooting. A legal action was instituted against the defendant at the United States District Court for Columbia. Upon showing that the Ambassador and his family were certified diplomat by United States Department of States, the court dismissed the suit accordingly (Vark, 2012). The foregoing implies that service of summons by courts will amount to violation of diplomatic immunity.

What comes to mind here regarding the abuse of diplomatic immunities and privileges is the amendment of the VCDR of 1961 so as to reduce the rights and privileges of diplomats. But this agitation has not been given proper attention considering the catalog of challenges connected to diplomatic immunity. It is believed in some quarters that any reduction in diplomatic immunities and privileges would lead to unfair treatment of diplomats in the receiving state. For instance, if country "A" treats diplomatic agents in its state well; it can equally expect that its own diplomats will be treated likewise. This is when the doctrine of reciprocity comes in.

The uncooperative nature of some states to waive the immunity of diplomats even when it is glaring that such diplomat or his agent has erred by violating the law of the receiving state with impunity. This development to a large extent encourage recalcitrant diplomatic agent to continuously abuse diplomatic immunity. While the aforementioned cases have evidently showed that the implementation of the Convention is shrouded with challenges, what is imperative now is the remedies against the challenges.

Remedies of the Challenges raising from the Implementation of VCDR, 1961

Waiver of immunity ought to be an alternative mechanism to bring erring diplomats to book. For instance, Section 2 of Nigerian Diplomatic Immunity and Privileges Act states envoy or consular officer could *suo moto* waive the immunity or inviolability conferred on his subordinate official or domestic staff. Also, the Act clearly states that a chief representative of a Commonwealth country could waive the inviolability conferred on foreign diplomats by the Act with the consent of his government (Cap D9 LFN, 2004). In other words, when there is a waiver of immunity, process of legal action ought to commence against the erring diplomat. See the case of African Reinsurance Corporation V. Fantaye, where the court held that the person in whose favour, the privileges and immunities is presumed must be shown to have waived it knowing fully what he or she is doing.

Immunity can only be waived by the sending state on the request of the receiving state so that the alleged diplomat can be tried in court. This implies that it is the sending state that has the prerogative to waive immunity of its representatives. It has be observed that in practice, the waiver of immunity is more political in nature than legal procedure and to some large extent, the refusal of sending states to waive

immunity encourages defiant diplomats to feel that the highest action the receiving state can do when they commits crime is to declare they persona non grata and they will be allowed to return untouched to their home state. In other words, the doctrine of waiver of immunity has not in any significant way helped to checkmate the abuse of diplomatic immunities, hence, states do not easily grant the request for waiver and surrender the accused diplomat to face legal trial. The exercise of waiver ought to be the basis for post-immunity prosecution to ensure that an alleged erring diplomat is prosecuted after his assignment has been terminated but the refusal to waive the immunity invariably makes their home state a 'safe heaven' for them upon their return.

The doctrine of Self Defense became very popular among scholars around 15th to 17th centuries as an alternative mechanism to reduce the degree of crimes often committed by diplomats. This concept evolved on the ground that diplomatic immunity should not be more fundamental than the security of the receiving state and lives of the innocent citizens, thus the receiving states may, without violating provisions in article 29 of the VCDR of 1961, detain diplomats when they commit crime for their safety and the affected member of the public. This measure sounds laudable as a panacea for the abuse of diplomatic immunity, but the missing link is whether the detention is presumed to guarantee the security of the diplomat and maintain public order, and the contradiction is that; any arrest or detention against the person of diplomats in an attempt to maintain law and order would amount to violability of the immunities and privileges accorded to them by the VCDR of 1961 which supersedes diplomatic laws of states.

The Missing Links

The doctrine of self defense has been criticized on the ground that its practice would contravene the provisions of the VCDR of 1961. Because waiver of immunity has not been so realistic in practice. Thus, apart from declaration of persona non grata and recalling which aim to ensure safety return of the erring diplomat, what becomes the best alternative measure from preventing the abuse diplomatic immunity at the first instance. What would happen if for instance, a diplomat who is under the influence of alcohol threatening to shoot a gun at armless citizen, should security agents disarm and arrest the diplomat? Or should they observe the provisions of the VCDR of 1961 at the detriment of the innocent citizen? Therefore, the doctrine of self defense as suggested would have been the solution in this situation. Unfortunately, it is not recognized in international law and as such the failure of the VCDR of 1961 to provide rapid remedy to such emergency situation is considered as a conundrum that required a second thought.

Article 41 of the VCDR of 1961, vividly stated that the people who have privileges and immunities are to 'respect' the laws and regulations of the receiving state. A critical look at this provision will reveal that the Convention (law) only admonishes diplomats to 'respect' law of their receiving states but not to 'obey' left alone compliance. Therefore, the absolute exoneration of diplomats from the

administrative, legal and legislative jurisdiction of the receiving state could be identified as the booster of the abuse of diplomatic immunities and privileges.

Article 9 of the VCDR of 1961 states that a host country may declare erring diplomats *persona non grata* at any time, when a crime has clearly been committed by either the diplomat or family member. In an event when the sending state is notified and waiver of immunity is requested and the sending state refuses to waive immunity, the receiving state is empowered by the VCDR of 1961 to declare the diplomat *persona non grata*. Despite of this provision, the waiver of immunity which among other measures appears to be a more viable legal procedure to check the excess of diplomats has its own challenges.

Waiver of immunity is not a solution rather a means to an end. Because it is one thing to waive the immunity and recall the diplomat to his home country to enable the receiving state institute a legal action against the diplomat. Also, it is entirely another process for a sending state to extradite an erring diplomat to be prosecuted in the receiving state. This could be what came to his mind when Dakas (2006) lamented on the nature of curious provision of double waiver. According to him, why should a waiver from jurisdiction be accorded, why quality time and resources expended in the determination of a matter only for the execution of the judgment to be conditional upon another waiver? It is against this precarious standard that we observed that the waiver of immunity is ambiguous and too loose to rely on it for result driven legal exercise.

Conclusion

This paper has established that the diplomatic immunity law of various nations are in tandem with the international best practices in line with the provisions of the VCDR of 1961. Based on the established cases, abuse of diplomatic immunity is mostly perpetrated by the subordinate staff in foreign mission and dependents of the Ambassador or Head of Mission. The high number of abuses of diplomatic immunity anchor on the mammoth size of diplomatic agents all over the world. And states are uncooperative in calling erring diplomats and their agents to face consequences of their misconducts.

It is unflinching fact that diplomatic agents perform crucial functions that require them to be accorded some level of protection in the foreign land. But the cause for our worry is whether the protective cover accorded them by the VCDR of 1961 is a license to perpetuate impunity against innocent citizens. The abuses of diplomatic immunity have over the years being a source of diplomatic fracas among nations. This does not mean that international law did not provide possible remedies to that effect; the problem with the remedies is the unwillingness of actors to adhere to the rules of engagement.

Recommendations

The following recommendations are offered based on the findings of the paper. In other to reduce the abuse of diplomatic immunity, the Convention should be reviewed to provide for erring diplomats who have been declared *persona non grata*

by the receiving state should be made to remain in the receiving state to answer legal charges instituted against him. This suggestion is imperative because recalled diplomats often enjoy the protective cover of their home country, thereby making litigation for extradition more or less an exercise in futility.

Secondly, due to the phenomenon increase of alleged state-sponsored crimes with connection to the inviolability of diplomatic bags, there is a compelling need for the Convention to be reviewed to empower security agents of receiving states to search diplomatic bags at the point of entry in receiving states.

Thirdly, the scope of immunities and privileges accorded to family members of diplomats should be down sided. This is necessary to curtail misconduct of dependants of diplomats; hence most cases of abuse of diplomatic rights and privileges are often perpetuated by family members (dependants) of diplomats. The Convention should be reviewed to empower receiving states to institute action against family members of diplomats on criminal charges. With this, the incidents of abuse of diplomatic immunity would be reduced because of the fear of prosecution.

Fourthly and finally, the Convention should be reviewed to empower security agents of receiving states to arrest those accorded with diplomatic immunity when they are attempting to engage in an act that is capable of threatening lives of innocent citizens of their host country. Such arrest should be for the purpose of preventing possible loss of lives. By this suggestion, any affected diplomats should be released and accompanied by security agents to his mission or residence as soon as the situation is brought under control. The essence is that every diplomat who commits offense should be made to face the wrath of the law after their sojourn in foreign land.

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Civil Society and Democracy in Nigeria's Fourth Republic: Issues, Challenges and Prospects for Democratic Consolidation

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Abstract

This paper examined the place of the civil society in Nigeria's democracy in the fourth republic. Democracy is a form of government that entails popular participation. The extent to which the civil society mobilizes the people for political actions in a democracy and serves as the watchdog of the democratic process determines the level to which the needs of the populace are to be met. This is because democracy as a form of government is expected to be geared towards satisfying the needs and aspirations of the people. This paper is qualitative because data for the study were gathered from secondary sources. The data analysis method adopted is historical. The systems theory was adopted as the theoretical framework. The paper found out that democratic consolidation is yet to be achieved and this manifests in bad democratic governance over the years leading to high level of unemployment, poverty and underdevelopment. This situation is as a result of the docility of the Nigerian masses in the democratic process as well as the civil society. The paper recommended amongst other things that the civil society should be very active politically by participating effectively in the democratic process.

Keywords: Civil Society, Democracy, Development, Systems Theory, Democratic Consolidation

Introduction

Nigeria's journey to democratic rule is tortuous and chequered. Many factors were responsible for this, first was the colonial rule followed by the military who at one time or the other truncated democratic rule in Nigeria. The role played by the civil society in the decolonisation struggle as well as the struggle to return the country to democratic rule after many years of military rule in Nigeria cannot be overemphasized. The reasons for the desirability of democracy rest in the belief that it has the potential of bringing about the well-being of the citizenry. It is apt to state that democracy as a form of government on its own cannot engender good governance. Good governance is derived when there is efficient and effective democratic practice. It is on this note that the task of the civil society is not limited to ensuring that the country achieves independence and return to democratic rule. It is the responsibility of the civil society to also ensure that democracy is practiced the way it ought to be. It is the effective and efficient practice of democracy that ensured democratic consolidation. It is on this note that Smith cited in Ekanem (2009,p.40) insisted that "civil society promotes the consolidation of democracy, by monitoring the exercise of state power, stimulating political participation, educating people in democracy,

representing interests and providing an alternative to clientelism. It creates cross-cutting allegiances, throws-up political leaders and disseminates political information”.

When there is democratic consolidation, there is the tendency of achieving good governance which will translate to the welfare of the citizens and overall societal development. Democratic consolidation can be said to be in place when virtually all obstacles inhibiting effective and efficient democratic practice are eliminated. The role of the civil society in brining this about cannot be over-emphasised. The civil society not only ensures that elections are properly conducted by monitoring the electoral process but also ensured that those to govern do so with the interest of the citizens at heart. The activities of the civil society to a very large extent open up the political space that guarantees popular participation in both the electoral and political process as well as governance. According to Obi (2003, p.5) “one of the essential tasks of civil society in West Africa is to reconstruct itself, build up its own capacities, and educate, organize and mobilize the citizens to ensure that democracy is expanded and deepened in all facets of social life as well as social institutions”. When the large numbers of the populace are politically conscious and active, they would be able to hold those in government accountable thereby extracting good governance from them.

Popular participation in governance process which democracy is meant to offer is what differentiates democracy from all other forms of government. Those who are to govern are products of elections and as such the representatives of the people and therefore are meant to serve the interests of the people they are representing. When the representatives fail in this regard, there are opportunities such as elections to remove those who failed to serve the interest of the people. According to Thompson cited in Ekanem (2009, p.39) “should a ruling party fail to provide what the electorate expects, then they will soon be voted out of office. Accountable governments have therefore to meet many demands, a sound economic environment in which one can prosper, health care, education, social provision and transport infrastructure are just a few of the basic services that are expected by citizens”.

The civil society would be in a position to perform its functions effectively and efficiently if it is focused and not entangled with the problems it is meant to tackle. A visionless, deeply divided and corrupt civil society cannot effectively engage the managers of the state in order to engender good democratic governance. In examining the challenges of civil society in Nigeria, Olukotun (2018, p.5) asserted thus,

It is important not to glamourize civil society, considering the fact that it is all too often as factionalised as the political public sphere. Ethnic and religious conflicts, partisanship, corruption, co-optation by state actors and the locational concentration of civil society activities in the South-West are all factors that come into play.

A civil society described by Olukotun can hardly play roles expected of it in ensuring democratic consolidation and good governance. On this note, Obi (2003,

p.5) asserted that “civil society would also need to re-examine itself, and ensure that the dividends of democratic governance reach down to the grassroots”.

Conceptual Clarification

It is very imperative and germane to at this juncture attempt a clarification of the major concepts in this paper. These concepts are civil society, democracy and democratic consolidation. A clarification of these concepts would to a very large extent aid the understanding of the subject matter.

The concept of civil society has dominated discourse particularly around democracy. Several scholars have defined the concept in several ways. While some scholars view the civil society as constantly being in opposition to the state; others view it differently. Some scholars who assume that civil society is in opposition to the state are Chabal and Bayart. According to Chabal cited in Animashaun (2008, p.24)

civil society is a vast ensemble of constantly changing groups and individuals who have acquired some consciousness of their externality and opposition to the state. Bayart in his own part sees civil society as a “... society in its relation to the state... in so far as it is in confrontation with the state or, more precisely, as the process in which society seeks to break and counteract the simultaneous ‘totalization’ unleashed by the state.

Scholars like Diamond does not believe that the civil society is in confrontation with the state rather the civil society and state are interdependent. According to Animashaun (2008, p.25), Diamond draws attention to this interdependence when he observes that civil society needs institutionalized legal order created by the state to assert its autonomy, while the state needs civil society to earn legitimacy and expand state support within the non-state sectors. Diamond (1994, p.5) refers to civil society as

...the realm of organized social life that is voluntary, self-generating, self-supporting, autonomous from the state and bound by the legal order of a set of shared rules...it involves citizens acting collectively in a public sphere to express their interests, passions and ideas, or exchange ideas, exchange information, achieve mutual goals, make demands on the state and hold state officials accountable...

Keane cited in Animashaun (2008, p.23) defines civil society as

... an aggregate of institutions in which members are engaged in a complex of non-state activities, economic and cultural production, household life and voluntary associations and who in this way preserve and transform their identity by exercising all sorts of pressures or controls upon state institutions.

It is important to state that the nature of the use of state power by those controlling the state determines whether there would be confrontation between state

and civil society. If the state provides an enabling environment for the civil society to operate, there is no likelihood of confrontation but the reverse would be the case when a conducive atmosphere is not created for the civil society by the state. The civil society exists because of the existence of the state and the state exists to ensure the overall well-being of the citizens and the society. Civil society can be described as a body that constantly engages the state in order to make the state performs its functions effectively and efficiently by making sure that the state is run properly. On the other hand, the civil society can be seen as a group of people who come together to achieve a common purpose of ensuring the efficient and effective management of the state in line with the principle of rule of law and to also see to it that the state is in a position to protect the lives and properties of the citizens and also ensure their welfare and well-being.

Diamond cited in Kukah (2000, p.44-45) presented some of the characteristics and benefits of an organized civil society in the following context:

- a) An organized civil society serves as a check against the excesses of government, human rights violation, abuse of the rule of law, monitoring of the application of constitutional provisions.
- b) Increases the participation and the skills of all the various segments of society and instils a sense of tolerance, thrift, hardwork, moderation, compromise among the various competing parties in the society.
- c) It serves as an alternative to political parties and can offer a refuge for those who are shut-out from their rights due to non-membership of given political parties.
- d) It serves to enhance the bargaining power of interest groups and provides inclusive mechanisms for them.
- e) It has a role in mitigating the excesses of fundamentalist extremists and maximalists who tend to have a very narrow view of life in the context of either/or. It thus also provides other alternatives for negotiation within a multi-faceted society.
- f) It can serve as recruiting ground for, and the training of prospective members of the political or economic classes to enhance the quality of participants in government. In effect, it is a leadership recruitment field. In a similar vein, Schmitter cited in Kasfir (1998, p.126) identifies four significant characteristics ascribed to civil society by its users:
 - i. Autonomy from both social interests and state
 - ii. Capacity for collective action promoting interests and passions
 - iii. Absence of intention to seize power and;
 - iv. Agreement to act within civil rules 'conveying mutual respect'.

It is apt to state that civil society is interested in efficient and effective practice of democracy and good governance.

Having clarified the concept of civil society, the next concept for clarification is democracy. The centrality of the concept of democracy in the governance system has made it to attract the attention of not only scholars across the globe but also some

world governance institutions like the World Bank and the United Nations Organization (UNO). The concept of democracy originated in Ancient Greece. To the Greeks, 'Demos' means the people; while 'Kratein' means government or rule. These two Greek words make up the concept "Democracy" which by implication means "people's rule" or "rule by the people". Abraham Lincoln, a former president of America defined democracy as the "Government of the people, by the people and for the people". With this, Abraham Lincoln meant that the people are responsible for choosing their leaders who are expected to rule in a way that would ensure the satisfaction of the wishes and aspirations of those that chose them through elections. Elections can also be said to be an avenue where those who could not satisfy the wishes and aspirations of the people are removed. This can only be possible where there are free, fair, credible and peaceful elections. On this note, Delistle C. Burns cited in Akindele (1998, p.47) defined representative democracy as a system whereby "all (i.e. people) elected a few to do for them what they could not do together". According to Mill, cited in Akindele (1998, p.47), for representative government to be democratic, it must be accompanied by universal adult suffrage, free elections, short terms of office and individual liberty. Without these ingredients, any government will cease to be democratic. In the view of Akindele (1998, p.47), "Democracy is a system of government through which representatives are periodically elected by the qualified adult voters (electorate) into the seat of government to be responsible for directing and deliberating on the affairs of the state on behalf of the electors". To Schumpeter cited in Ujo (2000, p.4), "democracy is an institutional arrangement for arriving at political decisions in which individual acquire the power to decide by means of a competitive struggle for the people's vote". Appadorai (1975, p.137) defines democracy as "a system of government under which the people exercise the governing power directly or through representatives periodically elected by themselves". Democracy can be said to be a form of government whereby the people elect those to govern them and are also expected to ensure they are well-governed. Democracy is known with certain features which include:

- Majority rule:- Majority decision is paramount in a democratic government
- Guarantee of fundamental human rights such as personal liberty, freedom of association, right to life, freedom of speech and expression.
- Free and fair elections at regular intervals
- Existence of universal adult-suffrage (one man one vote) in which all qualified citizens have right to vote at elections.
- An impartial and fearless electoral body to conduct election at regular intervals
- Existence of political parties
- An impartial and independent judiciary
- Equality of opportunity for citizens
- Operation of rule of law and constitutionalism.

According to Egugbo (2014, p.25), “for democracy to be effectively institutionalized in a polity the above features must be in existence”. Having examined the concept of democracy, what then is democratic consolidation? According to Longman Dictionary of Contemporary English, to consolidate means “to strengthen the position of power or success that you have, so that it becomes more effective or continues for longer”. To Egugbo (2014, p.25), “democratic consolidation can be said to be the modifying and strengthening of democratic culture and structures already in place to bring about the true value of democracy that would be enduring and sustainable”. With this, it means democracy would have to be in existence first and foremost before it can be consolidated. This explains why Oche (2003, p.194) opines that “a major goal of democratic consolidation as to avoid a breakdown of democracy”. Juan Linz and Alfred Stepan cited in Oche (2003, p.192) argued that “democratic consolidation can only be said to take place after a transition of democracy has taken place. They define a consolidated democracy as a political regime in which democracy as a complex system of institutions, rules and patterned incentives and disincentives has become, in a phrase, “the only game in town”. To Asiwaju (2000, p.13), “Democratic consolidation implies the internalization of democratic culture and the institutionalization of democratic “best practices” by a polity that has successfully embarked on a democratic transition”. According to Diamond et al (1997, p.29), democratic consolidation consists of overlapping behavioural, attitudinal and constitutional dimensions, through which “democracy becomes routinized deeply internalized in social, institutional, and even in psychological life, as well as in political calculation for achieving success”. In the words of Przeworski (1992, p.106), “if democracy is to be consolidated, four problems must be resolved along the way:

- i. An institutional framework for contestation, to use Dahl’s term must be constructed.
- ii. A competitive representative regime must be established.
- iii. Economic conflicts must be channelled into democratic institutions.
- iv. The military must be tucked under civilian control.

Theoretical Framework

The theoretical framework adopted in this paper is the systems theory. The major proponent of the systems theory is David Easton. He defines the political system as “the system of interactions in any society through which binding or authoritative decisions are made and implemented”. He considers the political system as existing within an environment of other systems- physical, biological, social, psychological, etc., which affect it and are in turn affected by the political system- through continuous transactions and exchanges.

According to Easton, cited in Enemu (2015, p.2) the political system functions by getting inputs from its environment. Inputs are events in the environment which evoke response from it. The inputs could be demands that values be allocated in a particular way or they could be supports, that is, expressions of approval for particular decisions. The inputs from the environment undergo a conversion process

within the political system and come out as outputs, which are usually authoritative decisions such as government policies, judicial decisions, acts of parliament, etc., promulgated by the authorities. These authoritative outputs usually affect the environment as outcomes and in turn excite some form of feedback, that is, changes in the intensity and volume of demands and support from the environment.

The choice of the systems theory as a theoretical framework in this paper is predicated on its relevance to the subject matter of the paper. There is no other form of government where the postulations of the systems theory hold sway than democracy. This is because democracy is a form of government that is hinged on popular participation and governance by people representatives. People are voted into office to ensure they satisfy the yearnings and aspirations of the people and failure to do this would amount to removal at the next available opportunity. This is to say that a relationship exists between those that govern and the governed, in such a way that the governed from time to time let the governors know their needs and the governor is expected to provide them with those needs. The extent to which the governors provide them with their needs determine the extent the governor would be supported by the people. And the support of the people to a large extent would make governance easy and smooth sailing. This is because it would make it easy for the government to ensure that citizens perform their civic responsibilities. The reverse would be the case when the government is unable to satisfy the needs and aspirations of the citizens. On this note, Anifowose (2015, p.104) opined that, "the state is a useful instrument for promoting social good. It follows that its laws must be obeyed when they are designed to promote that end. The sovereign power of the state will be disobeyed when the state's acts bear no relation to its purposes. Man has a sense of right and wrong".

The civil society is the engine of democratic governance in the sense that it is at the centre of injecting the needs of the citizens to the government and also ensures that the government is run in such a way as to satisfy the needs and aspirations of the citizens. The civil society constantly monitors and engages the government to ensure the right things are done. The goal of the civil society in a democracy is good governance- governance system that is accountable, transparent, prudent, respect for the rule of law and fundamental human rights of the citizens.

The Role of the Civil Society in Democratic Consolidation in Nigeria's Fourth Republic

Democratic consolidation is not all about having periodic elections and ensuring that the votes count, it also entails a condition of good governance that involves respect for the fundamental human rights, respect for the rule of law, transparency and accountability, zero tolerance for corruption, equity and justice. The role of the civil society in bringing all these about cannot be overemphasized.

The civil society played a very significant role in the return of democracy in Nigeria in 1999 ushering in the Fourth Republic. The civil societies such as Campaign for Democracy (CD), Civil Liberties Organizations (CLO), Committee for the Defence of Human Rights (CDHR), Transition Monitoring Group (TMG),

NADECO, and others used various means and strategies to fight the military. Students and workers were mobilized for civil disobedience, strikes and protest marches were carried out across the country. Having returned to democracy in 1999, it is the responsibility of the civil society organizations to ensure democratic consolidation in order for it not to collapse. This explains why Smith cited in Ekanem (2009, p.40) opined that “civil society promotes the consolidation of democracy, by monitoring the exercise of state power, stimulating political participation, educating people in democracy, representing interests and providing an alternative to clientelism. It creates cross-cutting allegiances, throws-up political leaders and disseminates political information”

Since the advent of the Fourth Republic, the civil society organizations have intervened and participated in one way or the other in voter education, election observation, campaign finance monitoring, election tribunal monitoring, electoral reform advocacy, budget tracking, anti-corruption crusade, etc. Despite the intention of the civil society organizations in these areas, good democratic governance is still not offered as expected. But this does not mean that the civil society organizations have not recorded some successes in their activities.

For example, in the area of elections, the civil society has played active role particularly in the area of voters' education and election monitoring and from time to time expressed concern over the conduct of the elections. According to Transition Monitoring Groups (TMG), a consortium of domestic election observer groups reported that the elections of 2007 “were seriously marred by egregious irregularities and malpractices to the extent of not only compromising the integrity of the ballot in many states, but also calling into question the reliability and validity of the result declared by INEC” (TMG, 2007). There is no gainsaying the fact that the reports of the civil society particularly in the area of elections have helped to sensitize the voters as well help the Independent National Electoral Commission (INEC) to carry out some electoral reforms for the improvement of the electoral systems. The electoral report of the civil society to large extent also contributed to the various electoral act amendments by the legislature in Nigeria since 1999.

The passage of the Freedom of Information Act signed into law by former President Goodluck Jonathan on May 28, 2011 after twelve years of struggle by civil society groups such as Media Rights Agenda, Civil Liberties Organizations and the Nigerian Union of Journalists is one of the achievements of the civil society in Nigeria. The essence of Freedom of Information Act is to widen the democratic rights of Nigerian thereby contributing to the democratic consolidation.

The civil society in Nigeria over the years has acted to ensure the rule of law guides the activities of the Nigerian government. This is because of the realization that the rule of law is the bastion of democracy. This explains why Egugbo (2014, p.24) asserts that “the rule of law is the oil that lubricates the engine of democratic governance”. When the death of former president Umar Musa Yar'adua almost created constitutional crisis in Nigeria because of the political controversy that surrounded the death, it was the civil society group mainly spearheaded by Save Nigeria Group (SNG) that occupied Abuja in protest to ensure that the then vice-

president was made acting-president and eventually the president of the country in 2010. The National Assembly had to invoke the doctrine of necessity that elevated the then vice-president Goodluck Ebele Jonathan to acting-president. The Save Nigeria Group also spearheaded the anti-fuel subsidy removal protest or demonstration in January 2012, many civil society groups such as Democratic Social Movement (DSM), Joint Action Forum (JAF), Maryland I (MI), and the Campaign for Restoration of National Dignity (CARND), etc. protested and the demonstration made the government to reverse the deregulation policy and returned to the status quo regime of fixing pump price which was put at 97 Naira per litre.

The civil society groups have also intervened in the anti-corruption crusade in Nigeria. The negative impact of corruption on Nigeria democracy and development has been well documented. Successive governments in Nigeria particularly in the Fourth Republic have made concerted effort to eradicate corruption in Nigeria but the malaise is still very potent. The civil society groups have intervened in one way or the other to contribute in the anti-corruption crusade. The Socio-Economic Rights and Accountability Project (SERAP) is a major civil society organization that has been working assiduously in the area of anti-corruption crusade. According to Olukotun (2018, p.15)

in recent years, Social Economic and Accountability Project founded in 2004 has been quite visible in public advocacy especially in the area of anti-corruption. It succeeded in securing court judgement in respect of the stoppage of public officials earning double pay in the form of pensions, as well as being currently on the payroll. This has led to the Senate President, Dr. Bukola Saraki, for example, forfeiting his pension from the Kwara State Government, where he was a governor.

Democracy is seen as the government of the people, by the people and for the people. It means the people ruling are product of people vote with the expectation that the mandate given by the people should be used to serve the interest of the people. This can only be done when the citizens hold public office holders accountable and make them realize that the office they are holding are being held for the purpose of satisfying the needs and aspirations of the people and can be removed when they act contrary to the wishes and aspirations of the people. The civil society organizations are saddled with such responsibility and they are to constantly mobilize the citizens against a government that is not in the favour of the people. When those in government know that the people are politically at alert and resolute to decisive action, they would not have any choice than to provide good governance that would be of benefit to all and sundry. A country with inactive civil society and docile populace can hardly have good governance.

Challenges Facing Civil Society in Nigeria

The civil society in Nigeria is faced with a plethora of challenges thus making it difficult to be at the forefront of ensuring democratic consolidation and

good governance. The crisis of governance and development in Nigeria shows to a very large extent that all is not too well with the civil society in Nigeria. It is on this note that Godwin Onyeachole published an article entitled the "Death of Nigeria's Civil Society". According to Olukotun (2018, p.20) "however, it will be idle to wave aside the perception that civil society is dead. What is often meant by this is that we are not seeing the kind of seminal encounters and confrontations that were so much a feature of state-society relations in the 1980s and 1990s". This statement is a manifestation of the fact that the civil society in Nigeria is enmeshed in serious challenges that is stultifying its activities.

One of such challenges is inadequate funding. The place of funding in the activities of the civil society cannot be over emphasized. The fund available to the civil society is not adequate. The source of fund to the civil society to a large extent determines the way the civil society carryout its operations. Closely related to the above is the issue of corruption. Corruption has permeated all segments of the Nigerian society. Leaders of some civil society organizations in Nigeria have at one point or the other been accused of embezzlement of fund.

The politicization of ethnicity is also a problem for the civil society in Nigeria. Nigeria is a country with more than 300 ethnic groups and this condition affects adversely the activities of civil society in Nigeria. This explains why Olukotun (2018, p.5-6) opines that "indeed, the visibility of ethnic associations, such as Afenifere, Ohaneze Ndigbo and Arewa Consultative Forum suggest that a divided nation has merely reproduced a divided civil society". This is because there is the tendency of people from different ethnic groups within and outside civil society organizations to be working at cross purposes.

There is also the problem of lack of coordination and unity between and amongst civil society organizations. The civil society organizations in Nigeria are meant to be cooperating with one another in the discharge of their responsibilities.

Non-cooperative attitude of the state with civil society constitutes a major challenge. The attitude of the state through the suppression of dissenting views and opinions is not favourable to the operation of the civil society. The state should see the civil society as partners in progress and not as an enemy that must be suppressed.

Lack of proper political awareness and culture by Nigerian citizens- large numbers of people in Nigeria are still illiterate and have parochial political culture. Synergy between the citizens and civil society is needed for the effective operation of civil society in Nigeria. But this is difficult to achieve with an illiterate populace and people with parochial political culture. The citizens are meant to be mobilized for political action but this is difficult with a population that is illiterate and lack the requisite political culture.

Infiltration of the civil societies by the government is also a major challenge. Because of the huge benefits attached to political office in Nigeria, some members of the civil societies have got involved in partisan politics. Some have been offered political appointment and some of their leaders have at one point or the other bribed by the government. All these weaken the effectiveness of the civil society organizations.

Prospects for the Civil Society and Democratic Consolidation in Nigeria

A symbiotic relationship exists between the civil society and democratic consolidation in the sense that the two influence and affect each other. A viable and vibrant civil society can help to bring about democratic consolidation and when there is democratic consolidation, there is the tendency for a conducive atmosphere favourable for the civil society to operate. The following can bring about efficient and effective functioning of civil society and democratic consolidation in Nigeria:

1. Massive political awareness and education of the citizens: The citizens are very critical in both the activities of the civil society and democratic consolidation. A politically conscious and active populace is an asset to the country because they can be easily mobilized for political action that would aid democratic consolidation and development.
2. Members of the civil society should be committed and shun acts of corruption so that it can be in a position to advocate for a corrupt free country. This is because corruption is one of the factors adversely affecting the activities of the civil society and democratic consolidation.
3. Adherence to the rule of law: According to Akinbogun cited in Alonge (2005, p.131), "the rule of law means respect for the general order of law, it is an appeal for obedience to law, just as custom and traditions are observed in a community. In essence, the rule of law is based on the philosophy of legality and impartiality". In a society where there is the adherence to the rule of law, the civil society would operate seamlessly and it can also engender democratic consolidation.
4. The Nigerian citizens should take the work of the civil society organizations seriously by supporting them morally and financially. The citizens should partner with the civil society organizations to produce better results. The masses should be amenable to be mobilized by the civil society organizations in the common interest.
5. There should be respect and protection of the fundamental human rights. These rights are liberty, property, security and resistance to oppression (United Nations, 1948). People should be allowed to exercise their fundamental human rights particularly in the area of freedom to vote and be voted for as well as the right to form associations, and also of making peaceful protest when they feel the actions and inactions of government are not favourable and injurious to them (Egugbo, 2014, p.30)

Conclusion

The civil society is central to democratic consolidation in Nigeria. And when there is democratic consolidation, the citizens are likely to benefit from the advantages of democratic form of government. On this basis, efforts should be made by both the citizens and the government to support the efforts of the civil society organizations in Nigeria. The overall development of the country which can be derived from good governance is in everybody's interest. The nature of security challenges in Nigeria which is attributable to bad governance of the country over the

year's shows that an insecure country is not favourable to anybody whether rich or poor. Armed robbery, kidnapping and other social vices are threatening everybody in the country. And all these security challenges in turn adversely affect the development of the country because not only do they threaten domestic economic activities with its attendant consequences but also scare away foreign investors. The civil society should be alive to its responsibilities in order for those in government to be put on their toes to deliver dividend of democracy to the citizens. The citizens can only be actively involved in the political and governance process with its attendant advantages if they are fully mobilised by the civil society.

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Challenges of Border Security in Nigeria: Implications for National Security

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Abstract

Border security has been receiving serious attention by many countries in recent times since the rate of criminal and terrorist activities have assumed dangerous dimension. Despite the measures taken by Nigerian government to protect its borders, it is a sad commentary that border security is beset with a lot of problems. The primary objective of this paper is to identify the challenges that militate against effective border security in Nigeria and determine its implication for national security. The paper relies on the use of secondary data as its source of information. The study reveals that porous nature of border, poor facilities and corruption pose a serious threat to border security in Nigeria. The paper recommends the provision of adequate facilities for security agencies, proper fencing of Nigeria's borders and addressing the menace of corruption will help to achieve sustainable border security in Nigeria.

Keywords: Border, Border Security, National Security, Boundary

Introduction

Border security is indispensable for protection against threat to national security and sovereignty of any nation. It is on this ground that many countries in recent times have been paying serious attention to it. According to Onuoha (2013) "the border is the first line of defence against terrorism and last line of a nation's territorial integrity". Similarly, Ikome (2012) observed that in "the contemporary nation state, well defined borders are not only a key element of the definition of statehood, but their consolidation has been identified as essential for building stable states and societies while unconsolidated borders have been seen as recipes for instability and conflict". Since attainment of independence Nigeria has been battling with border security challenges. These problems constitute serious threat to global and national security and undermine social, economic and political transformation of the country.

Therefore, the basic thrust of this paper is to examine the border security challenges and determine their implication for national security. The paper also suggests suitable strategies to address the challenges of border security. The study is based on qualitative analysis which relies on secondary data as its source of information. These include books, newspapers, journals, among others.

Conceptual Clarification

Boundary

According to Musalli, Harum & Zainuddin (2015) boundary is "a dividing line between politically sovereign territorial entities". Okumu cited in Oharuzike &

Nosiri (2015) defined boundary “as a line that marks the confines or divides two contiguous territories. It defines physical limits of a state’s territorial and physical jurisdiction”.

Border

Some scholars see border and boundary as one and the same thing. Actually, they are not the same. In the opinion of Magaret cited in Musali *et al* (2015) “a border in the technical sense means area or region near to a boundary. Musali *et al* (2015) defined it “as an invisible margins and legitimate jurisdiction of political units. Border simply defines geographical government and sub-national entities”.

Border Security

According to Joseph cited in (Okumu n.d) border security is asserting of territorial sovereignty by enforcing the boundary and by protecting it through permanent surveillance”. Willies cited in Davis & Brown (2010) sees border security as “the control of cross-border movement with the ultimate goal of reducing illegal flows and not (unduely) limiting legal flows”. Nelson *et al* (2010) defined border security as “managing the flow of people’s goods, and other tangible items across national boundaries. Therefore, border security means safeguarding any state against illegal cross-border activities such as illegal arms and ammunitions, illegal migration including human trafficking, illegal drugs etc. Put differently border security means preventing illegal movement of goods and persons which militate against national security and development.

National Security

According to Nte (2012) national security is “the ability of a nation to protect its internal values from internal and external threats. Thus for all practical purposes includes securing the individual against war, poverty, disease, loss of income and other health hazards. There must be national preservation and equilibrium in the economic, social, and environment spheres”. Adams (2012) observed that “national security covers critical dimensions viz; economic security, food security, personal security, community security, political security. Based on the above mentioned definitions we can deduce that national security is the ability of any nation to ensure adequate protection of lives and property of individuals, facilitate rapid economic, social and political transformation and maintenance of law and order.

Theoretical Framework

System theory and theory of transnationalism could be used to explain the challenges of brooder security in Nigeria. The concept of system theory can be traced back to the writings of Ludwig Von Bertallanfy. He invented this concept for the study of biology. David Easton in 1953 adopted the same theory to explain what happens in political system but later elaborated his conception in 1965 in his two works: A Framework for Political Analysis and a System Analysis of Political Life.

Proper understanding of system theory as developed by Easton may demand the following steps:

1. Changes in the social or physical environment surrounding a political system produce “demands” and supports for action or status quo directed as “inputs” towards the political system through political behaviour.
2. These demands and supporting groups stimulate competition in the political system, leading to decisions or “outputs” directed at some aspect of the surrounding social or political environment.
3. After a decision or output is made (e.g specific policy), it interacts with its environment and if it produces change in the environment there is “outcome”.
4. When a new policy interacts with its environment “outcomes” may generate new demands or supports and groups in support or against the policy (feedback) or a new policy on some related matter.
5. Feedback leads back to step I, forming a never-ending cycle (System Theory in Political Science 2016).

It means that if the system is functioning effectively and responding to demands and input in the environment, there will be stability and development in the political system. The failure of the political system to address the demand from the environment will result in break down in the system, thereby making the political system to be dysfunctional.

This theory is applicable to the study because the challenges the Nigerian government encounter in achieving border security is because of the inability of the political system to respond to the demands and input in the environment. Therefore incapability of the Nigerian government to respond to the demand in order to address the challenges of cross-border crimes such as human trafficking, terrorist activities, smuggling of illegal goods and illegal movement of people, militate against stability of the Nigerian political system. Hence the failure to provide effective border security leads to dysfunctional political system which adversely affects national security and development.

Theory of Transnationalism

The theory of transnationalism (which can also be seen as a concept) was popularized in the early 20th century by Randolph Bourne which grown out of the increased interconnectivity between people and receding economic and social significance of boundaries among nation-state (Transnationalism, 2016).

This theory viewed that the increased in interaction between non-state actors (as a result of globalization) across borders has led to several impact on the capability of states. This transnational interaction can take place in one country while the effects are seen in another country (Soehi & Waldinger, 2012).

“This theory or approach emphasizes the ways in which nations are no longer able to contain or control the disputes or negotiation through which social groups annex a global dimension to their meaningful practices, the notion of diaspora brings

to the fore the racial dynamics underlying the international division of labour and the economic turmoil of global capital” (Transnationalism 2016).

This theory is relevant to this study because it helps to explain that the increased cross-border activities or relations between people or non-state actors from different locations has posed a problem to state’s capability on how to ensure effective border and national security in Nigeria. As people interact across borders by engaging in illegal or illicit trade activities, they devise several strategies on how to sustain such relations across borders. This can lead to several challenges to state’s capability to control and manage its borders from unnecessary infiltrations which invariably posed a threat to sovereignty and survival of the state.

Challenges of Border Security in Nigeria

Border security in Nigeria is hampered by the following factors:

Absence of Clearly Defined Boundary: A properly defined boundary would facilitate adequate security arrangement. According to Lafaji (2003) Nigeria share land borders with Niger Republic, Chad, Cameroon and Benin with the border line estimated to be about 400 km however, most of these boundaries are not well demarcated and efforts to clearly demarcate them are inconclusive. Adams (2012) observed that there is existence of 1475 official border sites and estimate of 2000 unofficial border sites across Nigeria borders. The porosity of Nigeria’s border is manifested in the use of dried tree, oil drum, tyres etc to demarcate national borders which makes the borders highly disorganized (Gbemre, 2016). The prevalence of large number of unauthorized routes has encouraged “all sort of transnational crimes like movement or smuggling of illegal goods, trafficking of persons, theft, terrorist and other violent activities etc”.

Inadequate Security Personnel: Inadequate number of security personnel is another serious challenge that militates against effective border security. Insufficient manpower has jeopardized the management of Nigerian borders in recent times. Gbemre (2016) has observed the availability of security personnel is not enough for management of both regular/official routes and irregular/unofficial routes in Nigeria. This has resulted in smuggling of illegal goods and persons.

Corruption: Excessive corruption among security operatives is another major challenge to border security in Nigeria. In most cases, security agencies are often compromised to allow illegal flow of good and people (Akinyemi 2013). The recent anthropological research shows that regular traders, transporters and passengers that move along West African States usually provide various kinds of informal payment to state agents in order to escape taxation of goods and certain procedures (Hahonour, 2016).

Lack of Adequate Facilities and Logistics: Inadequate facilities and logistics is a serious impediment to border security in Nigeria. It has been observed that

operational facilities such as border barracks, offices, communication gadgets, patrol vehicles are in short supply (Akpomera & Omoyibo, 2013). According to Lampey (2015) “the work of border security officials is also hampered by logistic and poor government remuneration, creating avenues for corruption”.

Abuse of the Economic Community of West African States (ECOWAS) Protocol on Free Movement: The provisions of the ECOWAS Protocol which allows free movement of West African citizens militate against effective border security in Nigeria. This protocol has been abused by some drug pushers, smugglers, terrorist and other criminals that visit Nigeria. According to Akinyemi (2013):

This protocol allows the movement of criminals across the border and also engages in cross border activities under the pretext of this protocol. It is important to note that border has become a safe passage for people without identities as ECOWAS protocol on free movement has been abused to mean entry without valid documents.

Therefore, it is imperative to note that the inability of ECOWAS to check illegal immigrants has led to poor border security in Nigeria.

Lack of Coordination among the Border Security Agencies: Lack of coordination among border security agencies is a serious threat to border security in Nigeria. Each group ‘does it patrol independently’ without communication and consultation with the other. This has resulted in lack of articulate security plan in their areas of operation. For example, the NCS and NIS function independently at present without the necessary cooperation among them. Tennisan (2015) opined that there is poor cooperation and coordination between the security agencies (mainly the NCS and NIS) in joint patrol arrangements of borders. It is also observed that lack of adequate cooperation and coordination between security operatives within Nigeria and other neighbouring countries poses a major challenge to border security in Nigeria. According to Menner (2014) even though the Multinational Joint Task Force has been improving in its efforts to ensure security mainly at the borders, there has been issue of effective collaboration, coordination and cooperation between the security of other countries.

Lack of Basic Amenities in the Border Areas: The failure of the government to provide basic amenities in the rural areas and border communities is a strong impediment to effective border security. When the people at the rural areas and border communities are living in abject poverty and lack of basic infrastructure, this makes them to encourage cross border activities and also involve them in clandestine activities such as armed banditry, smuggling etc (Akinyemi, 2003).

Challenges of Border Security: Implications for National Security

The challenges of border security have serious implication for national security in Nigeria. These are:

Increase in Cross Border Crimes: Poor border security has facilitated rise in cross border crimes which militate against national security. Such cross border crimes include: human trafficking, importation and exporting contraband goods, aiding or collaborating with local and foreign syndicates etc (Nuhu & Ishaku, 2005). Similarly, Addo (2006) has mentioned categories of cross border crimes in Nigeria to include but not limited to: small arms, recruitment of mercenaries and child soldiers, human trafficking, narcotics, money laundering and internet crimes. According to him, the porous complex and disjointed nature of international boundaries of most countries in Africa and most especially in West Africa are some of the reasons for incessant nature of such crimes. In arms trafficking about 70% of illegal weapons in West Africa were reported to flow into Nigeria through neighbouring states (Onuoha 2013). The United Nations Office on Drug and Crimes observed that Nigeria is among the top eight countries with highest human trafficking rates in the world (Austral, 2014). According to Nigerian Tribune cited in Ohazurike & Nosiri (2016) Nigeria is the only West African country on American list of major drug producing and transit countries and its illicit drug network is seen as one of the most sophisticated and finely tuned trains-shipment, money-moving and document forging organization in the world. Based on the above mentioned challenges, it is beyond doubt that cross border crimes are serious threat to national security in Nigeria.

Encourages Terrorist Attacks: Porous border has contributed to rise in terrorist attacks which is a major challenge to national security. Boko Haram terrorists launch several successful attacks in Nigeria and other neighbouring countries killing thousands of people and displaced millions of people (Menner, 2014). Suspected Boko Haram terrorist in army uniform mounted road block on highway in a village at Gambore-Ngala and massacred twenty traders in a cold blood and escaped to bush (Nuhu & Ishaku, 2015). Okumu cited in Ohazurike & Nosiri (2016) has rightly observed that insecure borders have greatly contributed to severe security threats such as insurrection, incursion and terrorist activity.

Retards Economic Development: Border insecurity which encourages smuggling of goods and persons is a major threat to economic development. It militates against domestic and foreign direct investment and huge loss of government revenue. Regarding domestic and foreign investment, it has been observed that cross border criminal activities impede its growth. But many of these goods are exported through informal channels thereby excluding manufacturers from most support on offer whether from government... or from institutions...". Again, the increase in all these informal and illegal smuggling of goods and infiltration of terrorist in Nigeria has contributed to low level of foreign direct investment and high unemployment rate (Akinyemi, 2013).

Porous border also results in huge loss of government revenue. The Nigerian government has lost a lot of fund due to illegal activities such as oil bunkering and smuggling of illicit goods. The Nigerian Navy revealed that Nigeria losses about 20 billion dollars annually in crude oil theft and estimated 55,210 barrels of oil per day

or monthly average of 1,656,281 barrels was stolen in 2013 (This Day 2014). Furthermore, the Human Right Watch reported the figure of illegal oil bunkering between 150,000 to 200,000 barrels per day which may be sold between 10 to 25 dollar per barrel amounting to 2 million dollar per day and 750 million dollar annually (Garuba, 2010).

Increase in Ethno-religious Crises: Poor boundary demarcation has contributed to massive increase in ethno-religious crises. Border insecurity in Nigeria has made it easier for ethnic and religious groups to acquire dangerous weapons and attack each other. The ethno-religious crisis in the states like Plateau, Kaduna, Taraba, Benue, Nassarawa etc where lives and properties were destroyed could not come to an end due to the importation and proliferations of small arms and light weapons into the country (Nuhu & Ishaku, 2015).

Health Hazards: The Nigerian porous border which encourages smuggling of illegal drugs and trafficking of persons has a tendency to create serious health challenges. The increase in the trafficking of women from Nigeria to other countries and vice versa has to a large extent contributed to high rate of HIV prevalence (Nte, 2011). Again, the smuggling of illegal drugs can cause health hazards.

Conclusion and Recommendations

We have examined the challenges of border security in Nigeria and determine its implication for national security. The challenges of border security increase cross border crimes, encourage terrorist attacks, enhance ethno-religious crises and create health hazards. The following recommendations would help to address the problems of border security and consequently accelerate economic social and political transformation of the country.

1. It is imperative for the government to construct proper fences, out-gates and provide other necessary materials and equipments to forestall illegal migration, human trafficking and smuggling of goods.
2. There is an urgent need to ensure recruitment of enough qualified personnel to man all Nigerian borders.
3. It is necessary to provide adequate facilities and logistics such as adequate accommodation, offices, patrol vehicles etc to security agencies. This will help them to address trans-border criminal activities.
4. There is need to address the menace of corruption in the security agencies. All convicted persons should be dismissed and not allowed to hold public office again.
5. There is an urgent need to provide basic amenities to people residing in border areas. This will help to reduce cross-border crimes.
6. It is imperative to ensure adequate cooperation and coordination among the security agencies in the border areas.

7. There is need to ensure that salaries payable to the officials in the security agencies should be attractive. This will help to provide effective border security.
8. It is necessary to encourage cooperation and coordination among the security agencies in the neighbouring countries. This will go a long way to reduce cross-border crimes.

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Industrial Policies and Low Productive Capacity in the Manufacturing Sector in Nigeria, 2000-2013

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Abstract

Industrial policy is every country's propelling force towards economic growth. In view of this, it becomes imperative for careful study of industrial policies and identify the ones suitable for a country in consideration to its peculiarity before adoption, for meaningful developmental pursuit. This study therefore, explored the link between industrial policies and low productive capacity in the manufacturing sector in Nigeria. Specifically, the study examined whether the adopted industrial policies contributed to the low productive capacity of indigenous manufacturing sector, and its effects on the economic growth of Nigeria, between 2000 and 2013. The Marxist instrumentalist theory, stemmed on the radical decision making models of economic policy formulation was adopted as the framework of analysis. The qualitative descriptive method was used for the analysis of documentary data. The study discovered, that government's primary reasons for making and adopting some new policies is out of political self-interest of the capitalist class, influence of the neo-colonialists to indirectly maintain their former colonies for open market to the sale of their goods and services, thereby incapacitating the indigenous industries for continuous carting away of resources, and dependence. Following the findings, it recommends pursuance of well defined, and restructured industrial policies that will fit in to the country's peculiarity and reduction in expatriates' services, foreign technical know-how, for self reliance on Nigeria made products, technology and so on.

Keywords: Industrial policy, indigenous manufacturing sectors, low productivity capacity, policy implementation and underdevelopment.

Introduction

The challenges of low productive capacity in the indigenous manufacturing sector has been enormous and posed a serious threat to the economic growth of Nigeria since its inception as an independent state. Although, this is not prevalent in Nigeria alone, but in Africa and other developing countries. The most troubling of all is on the adopted industrial policies which is supposedly meant to enhance the productive capacity of the manufacturing sector with the view to overcome dependence on foreign products and technology. Nonetheless, every developing economy experiences developmental challenges at one point or the other as a result of policy options. Importantly, industrial policies are adopted to guide the government plans to address most of its economic challenges, bring reduction in poverty and unemployment. As Pack *et al* (2000) posited, industrial policy is action designed to

target specific sectors to increase productivity and importance within the manufacturing sector to ensure the sustainable growth of the manufacturing sector for unemployment and poverty to be reduced. The value placed on industrial policies in the economic development of any nation, particularly in the manufacturing sector, have not contributed significantly to the developmental plan of Nigeria.

The first industrial policy Nigeria embarked upon was Import Substitution policy adopted in 1960 at independence. It was primarily meant to lessen the over dependence on foreign trade and save foreign exchange. Followed by indigenization policy of 1972; Nigeria Enterprises Promotion Act in 1977; Structural Adjustment Programme (SAP) 1986; Trade and Financial Liberalization Policy – 1989; Bank for Industry (BOI) – 2000; Small and Medium Industries Equity Investment Scheme (SMIEIS) – 2000; National Economic Empowerment Development Strategy (NEEDS) 2004 etc.

Amidst the various policies/programmes embarked upon by different governments to tackle the problems of industrialization in Nigeria since independence, the challenges still abound. The challenges range from policy inconsistencies, dependence on foreign goods and services to low productive capacity of the indigenous manufacturing sector. This has in turn hampered the industrialization and economic advancement of the country. In view of these challenges and more that this study investigates the nexus between industrial policies and low productive capacity of the manufacturing sector in Nigeria, between 2000 and 2013.

Conceptual Clarification

The concept of industrial policy can be dated back to 18th century. This was traced to a United States Economist and Politician, Alexander Hamilton in his work, “Report of the Subject of Manufactures” and the German Economist Friedrich List. However, became popular in many developed countries through active intervention in industrial policies, these countries include: United Kingdom, United States, German and Frances. Thereafter, the South Korea with the adoption of Export Oriented industrialization policy. Other emerged industrialized countries are Brazil, Mexico, Argentina and so on, who have been connected with active industrial policies that support and selectively promoted manufacturing and expedited technology transfer and industrial upgrading. Industrial Policy is defined as government deliberate plans to accelerated economic development. However, scholars have come up with difference definitions and perceptions of industrial policies. Scholars like Goh (2006), who asserts that industrial policy is characterized by a primary emphasis on attaining the desire macro-economic environment for industrial development, and at the same time achieving the intended economic performance for a country. While, the main rationale of industrial policy is to accelerate the pace of industrial development by radically increasing value added or the value chain (Duru, 2012). Pack et al (2000) posited, industrial policy to be action designed to target specific sectors to increase productivity and importance within the manufacturing sector. Other scholars have proposed industrial policies from a broader view by identifying

the problems of inconsistency and failure, especially as it has to do with developing countries like Nigeria. And this is traceable to its colonial make up that predisposed her to dependence on foreign technical know-how, goods and services.

Before independence, the Nigerian economy had been predominantly agrarian, both in production for domestic consumption and exports. Industrialization was not part of the British colonial economic policy which was meant to make the colonies producers of primary raw materials and consumers of imported manufactured goods (Duru, 2012). Hence, the economy was particularly managed and controlled by foreign commercial concerns, which were the precursors of today's Multinational Corporations in the country. The colonial economies were exploratory and exploitative, they were not meant to provide net transfer from the colonialist to the colonized. This led to the entire logic fostering dependency, and underdevelopment of the colonized (Cooker, Obo & Agba, 2012). In fact, there was no clear industrial policy initiated by the erstwhile colonial administration. At independence in 1960, the first industrial policy was adopted in Nigeria, the Import Substitution policy. As a guide to this study, we will briefly discuss the theoretical framework that is adopted for this study.

Theoretical Framework

The linkage between the industrial policies and low productive capacity in the manufacturing sector in Nigeria is explained in the light of the Marxist Instrumentalist Decision Making Model. It stresses on the nature of the bourgeois, the approach used in the control of government institutions, and as well on how socio-economic class interest is encouraged through direct participation in state activities and policy formulation by government through the capitalist class. The Marxist instrumentalist theory availed us the understanding that industrial policies as interpreted in Nigeria democracy and especially in the years under review, the new policies or reforms agenda particularly formulated are influenced directly by multinational/transnational via the ruling class merely to promote their self interests.

The Marxian instrumentalist model aptly explicates the ground for several industrial policies/economic programmes insignificant advancement of the indigenous manufacturing sector and low productive capacities. The restrictions have been the protection of vested interest in policy formulation, consistency and implementation. Accordingly, the problems of policy discontinuation, lack of implementation, and dependence on foreign technical inputs, political disorder, among others have resulted in unrestrained gap in the productive capacity in the manufacturing sector in Nigeria..

Methodology

We adopted ex-post-facto research design in this study. Ex-post-facto or after-the-fact research design implies the examination of the independent and dependent variables after the events have taken place and the data already in existence. The purpose of this design is to detect the assertable causes of a behaviour by comparing study participants in whom the behaviour is present with similar

participants in whom it is absent, after the independent variable had occurred (Sun, 2009). As such, the data generated in the course of this study to test the hypothesis is premised on qualitative data method. Having established this facts, we proceed to test our hypothesis.

Growth Rate of Importation and Low Level of Manufactured Goods, Products and Services

Over the years, the official statistics of Nigerian's importation of goods, products and services of various sorts from foreign countries are comparatively high and bothersome. The impact is deeply visible on the country's dwindling foreign reserves and nation's devalued currency. But, what constitute these imports? Trading Economics describes an import as "any good or service brought into one country from another country in a legitimate fashion, typically for use in trade. Import goods or services are provided to domestic consumers by foreign producers (Kayode., 2011). As import of goods involves the Customs' authorities in both country of import and the country of export, by that, import quotas, tariffs and trade agreements come into play. However, the situation in Nigeria oftentimes, is different from what actually obtains in other countries, due to government administrative gimmicks and some citizens economic betrayal of the nation.

In Nigeria, there is serious concern that manufacturing production has declined tremendously, knowledge and capabilities have been irreversibly lost. The Nigerian economic base remains relatively weak, narrow and externally-oriented with primary production activities of agriculture and mining and quarrying (including crude oil and gas) accounting for about 65 percent of the real gross output and over 80percent of government revenue (NPC, 2009).The primary production activities account for over 90 percent of foreign exchange earnings and 75 percent of employment. In contrast, secondary activities comprising manufacturing and building and construction, which traditionally have greater potential for broadening the productive base of the economy and generating sustainable foreign exchange earnings and government revenues, account for a mere 4 percent of gross output (FRN. Report on RIO+20 Summit, June 2012:28). This had a deteriorating effect on the growth of the industrial sector, as the valued added has no significant boost on the economy (See table 1 below).

Table 1: Value-Added in the Industrial Sector, 2009-2010

ACTIVITY SECTOR	Real GDP (Naira Billions)		Nominal GDP (Naira Billion)		% annual change		% Distribution		Contribution to Growth (percent)	
	2009	2010	2009	2010	2009	2010	2009	2010	2009	2010
Solid Minerals	2.37	2.67	40.61	45.66	12.08	12.28	0.33	0.34	0.55	0.52
Coal Mining	0.00	0.00	0.00	0.00	8.85	8.76	0.00	0.00	0.00	0.00
Metal Ores	0.01	0.01	0.03	0.04	11.51	11.53	0.00	0.00	0.00	0.00

Quarrying & Other Mining	2.36	2.65	40.58	45.62	12.09	12.29	0.33	0.34	0.54	0.51
Manufacturing	29.99	32.28	612.31	647.82	7.85	7.64	4.17	4.16	4.67	4.05
Oil Refining	0.98	1.05	53.96	61.27	6.95	7.01	0.14	0.14	0.14	0.12
Cement	0.61	0.68	19.56	22.12	10.83	10.85	0.09	0.09	0.13	0.12
Other Manufacturing	28.40	30.55	538.79	564.43	7.82	7.59	3.95	3.94	4.41	3.81
Utilities	23.73	24.52	62.15	70.54	3.23	3.32	3.30	3.16	1.59	1.39
Electricity	22.68	23.36	59.61	67.68	2.94	3.00	3.15	3.01	1.38	1.21
Water	1.05	1.15	2.54	2.86	10.19	10.21	0.15	0.15	0.21	0.19
Building & Construction	13.82	15.48	347.69	393.53	11.97	12.08	1.92	2.00	3.16	2.95

Source: Derived by National Planning Commission from NBS' (2010) Data on National Accounts

There is need for industrial policies to strengthen specific sectors, technologies or areas of economic activity, such as advanced manufacturing, knowledge-intensive business services or the 'green' economy, with the aim of fostering new sources of economic growth. This is usually constrained due to official corruption, smuggling and other sharp practices that are hurting the economy (Warwick, 2013). For instance: The country's economic strength is largely derived from oil and gas reserves, which make up over 90 percent of foreign exchange earnings, 78 percent of government revenues, and 38.8 percent of the Gross Domestic Product (GDP) in 2006. Followed by Industry whose share fell from 26.1 percent in 2006 to 23.7 percent in 2007. However, contribution of crude oil in the GDP in 2007 was 19.7 percent from 21.9 percent in 2006. Similarly, the average growth rate of Nigeria's GDP between 2002 and 2011 - 6.2 percent (FRN. Report on RIO+20 Summit, June 2012:29).

By first quarter of 2012, activities in the Industrial sector further dropped with a relative contribution of -0.31 percent from 0.51 percent recorded in preceding quarter. The fall in industrial production was attributed to decreases in the manufacturing and crude oil & natural gas sub-sectors from 0.53 and -0.06 percent in the preceding quarter to 0.06 and -0.4 percent in the first quarter of 2012. The drop in manufacturing production was due to inadequate power supply recorded during the first quarter of the year as well as the nationwide industrial action embarked upon by labour unions in the country to protest the fuel subsidy removal early in the year (FRN. Report on RIO+20 Summit, June 2012:13).

The government's action plan to encourage investments and promote industrial development and provide various incentive packages in form of fiscal measures like tax deductions and allowances, necessary infrastructural facilities like access roads, power supply etc., have not yielded the expected results over the years. Both sets of interventions need to be targeted on activities (a new technology, a particular kind of training, a new good or service), rather than on sectors per se (Rodrik, 2004:15). The problem of Nigeria in this regard is somewhat cumbersome to

the extent that agriculture has failed to keep pace with Nigeria's rapid population growth, so that the country, which once exported food, now relies on imports to sustain itself (Economy of Nigeria, 2011). Notably, a subtle but important point here is that even under the optimal incentive programme, some of the investments that are promoted can simply turn out to be failures. This is because optimal cost discovery requires equating the social marginal cost of investment funds to the *expected* return of projects in new areas (Rodrik, 2004:11).

Poor Infrastructural Development in Manufacturing Sector

The advancement of the manufacturing sector in Nigeria has been unsatisfactory and sluggish. Aside the fact that most of the developmental plans depend heavily on foreign resources and policies, the growth trend has also been dwarfed by lack of infrastructures.

The Manufacturing activities in Nigeria is categorized by the Nigeria Bureau of Statistics (NBS) into cement production, oil refining and other manufacturing sectors. The sector makes up only a small fraction of GDP and accounts for less than 5 per cent of overall output growth in the economy, stunted by a litany of growth inhibiting factors. The miniscule manufacturing sector share of GDP reflects the abysmal performance of the sector over several years constrained by pervasive growth-inhibiting factors like, the appalling state of physical infrastructure. Other constraints include high cost of funds to meet working capital requirements, heavy reliance on the external sector for raw materials and other intermediate inputs, hostile business environment characterised by multiplicity of taxes and levies (NBS, 2010:7). For instance, the value added of manufacturing activities at current basic prices rose to N612.3 billion in 2009 from N585.6 billion in 2008. In other words, manufacturing value added growth rate slowed to 7.85% in 2009 from 8.89% in 2008. In terms of contribution to growth, the manufacturing sector accounted for 0.32% of the total GDP growth rate of 6.46% in 2009 and 0.36% of the 5.98% real GDP growth achieved in 2008. Relative to size of the economy, the manufacturing sector contributes 4.17% of the real GDP in 2009 in contrast to 4.14% in 2008. By 2009 the value added of manufacturing activities at current basic prices rose from N612.3 billion to N647.82 billion in 2010. The real growth rate of manufacturing decelerated during 2010 as a result of dearth of funding of the sector by banks and contraction of domestic aggregate demand. The broadly anaemic performance of the manufacturing sector partially over the years mirrors the perennially low capacity utilization in the sector. The relative overall GDP growth, contributed by the manufacturing sectors declined to 4.05 per cent in 2010, in contrast to a 4.67 per cent decline in 2009 (NBS, 2010:46). Apparently, the most critical experience of Nigeria on growth of the manufacturing sector and low productive capacity of the manufacturing sector is the failure to keep pace with infrastructures required for the implementation and success of the adopted policies. Such as irregular electricity supply, poor road networks, poor access to portable water supply and others.

Poor Electric Power Supply: The Nigeria report during RIO+20 Summit (June, 2012) states, “Electricity is an essential service in alleviating poverty, facilitating socio-economic development and in removing the disparity in the standards of living between urban and rural areas.” The government has put lot of efforts in place in recognition to the fact that adequate electricity supply is imperative to the growth of the economy, but not commensurate with the expected capacity to effective service delivery. Despite the fact that Nigeria is endowed with numerous fuel sources for power, including hydro, natural gas, coal, wind, solar and an abundance of waste for biomass (Green Economy, June 2012:35), the issue of electric power supply has been so problematic in the midst of sugarcoated policies and huge sum of money invested in this sector.

Unclear Economic Policies: Nigeria’s economic policies are still characterized by declining capacity of major infrastructural facilities and poor implementation. According to CBN (First Quarter 2012:10) Business Expectations Survey (BES) which was carried out between February 6 —10, 2012, with a sampled size of 1850 business enterprises nationwide and a response rate of 94.4 per cent. The sectors covered during the exercise includes Industrial, Construction, Wholesale/Retail Trade and Services. Among the constraints emphasized by respondent firms were insufficient power supply (64.6) index points), high interest rate (53.4 index points), financial problems (48.4 index points), unfavourable economic climate (44.8 index points), competition (39.5) and unclear economic laws (38.6 index points) as the major factors among others, restraining the business activity in that quarter. From the above report, Nigeria government has critical problems in pursuit of its economic policies as enterprises in a given country among others cannot attest on the economic laws.

The policy setting has to be one in which public officials are able to elicit information from the business sector on an ongoing basis about the constraints that exist and the opportunities available. It cannot be one in which the private sector is kept at arms’ length and autonomous bureaucrats issue directives (Rodrik, 2004:17). The third quarter of 2012, manufacturing activities recorded an increase relative to the same period in 2011. That is increase in growth rate from 7.63 per cent in fourth quarter of 2011 to 7.70 per cent in the review period in 2012 as shown below. The increment or development was traceable to a number of factors which include steady improvement in power supply, increased production in cement industry and value-chain policy of the government towards some productive sectors.

Industrial Policies and Low Productive Capacity of the Manufacturing Sector in Nigeria, 2000 and 2013

The Nigeria industrial policies like other developing countries was in its interest to combat the deteriorating economic conditions tailored with the socio-political crises over time faced as independent nation.

The first industrial policy in Nigeria was Import Substitution policy adopted in 1960 at independence. This strategy relied mainly on imported inputs, particularly

raw materials. Of course, this policy meant dependence on imported machinery and equipment, which are basic to production in the economy. It is imperative to note that, imports are key part of international trade and the import of capital goods in particular is vital to economic growth. The need to pursue economic development, the expansion in crude oil export considerably raised the foreign exchange earnings and the over-valuation of the local currency, which artificially cheapened imports in preference to local production. From 1960 to 1970, the aggregate imports grew substantially from an average rate of 2.5% to an average of 33% per annum (Egwaikhide, 2000:2). The first half of the 1960s, Nigeria's customs duties were designed specifically to raise revenue for government and protect import substituting industries that were at their threshold. Nevertheless, from 1965, measure was taken to correct the balance of payments problems. Ad valorem taxes of 33-150% were charged on non-essential goods and duties on a number of other items were raised. With the civil war that raged between 1967 and 1970 came increased demand and high prices due to shortages. To combat inflation, tariff rates were substantially reduced on many items, particularly those associated with agriculture, reconstruction, road development and manufacturing.

Then, following the oil boom in 1973 the import tariff was reduced, this was a way of controlling especially the rising prices of food, that is, there was cut on taxes for food, agricultural production and processing. At the same period, the import duties were abolished on raw materials for many manufactured items; such as metal fabrications, electronics, kitchen utensils, pipes etc. While finished products had their duties raised between 15 – 50% (Egwaikhide, 2000:2). During the period under review of import substitution policy, the results indicate that short-run changes in the availability of foreign exchange, relative prices, and real output due to political instability affected the growth of indigenous manufacturing sector in Nigeria.

Nigeria indigenization of 1972 was to formally transfer the ownership and control of enterprises from foreigners to Nigeria. The 1972 Act contained 11 schedules while the 1977 Act contained 111 schedules (Ubi, Lionel and Eyo, 2012). Although the basic aim of economic independence is the same to all post-colonial states, but there were variations in approach and in the scope and depth of attempted indigenization. Apart from important considerations of ideology, these variations were due to differences in financial position, manpower availability, indigenous private sector capabilities to take over foreign enterprises, the volume of internal and external pressures for and against indigenization, and the responsiveness of the government. Evidently, government efforts to facilitate industrialization process in an economically conducive manufacturing environment was further interrupted by the gain of crude oil boom of mid 1970s and part of 1980s, since then the performance has been somewhat undesirable. The machinery and implementation of this policy was not holistically pursued by the government in spite of the involvement of the state (Mohammed, 1985).

Following a change of government in July 1975, the Nigeria Enterprises Promotion was introduced in 1977. All the enterprises in Nigeria were classified into three. The first and second schedule were covered in 1972 Decree, while the 1977

enterprises schedule was required to have 60% indigenous capital rather than the 40% stipulated in the first Decree (1972). The gradual decline in the import of consumer goods after 1980 was due largely to the foreign exchange crisis, precipitated by the collapse of crude oil prices in the world market. This was followed by import control measures (Egwaikhide, 2000). At any rate, foreign investors took advantage of the country's policy to invest in manufacturing, commodity processing and mineral extraction, in consequence became dominant in the Nigerian economy. The prominence of indigenization is reflected both in numerous official statements and in references in the literature on Nigerian politics and economy, as well as statements which originate in the country's business sector (Mohammed, 1985).

By 26th September, 1986, Structural Adjustment Programme (SAP) was introduced. Some of the objectives of this policy were to promote investment, stimulate non-oil export and provide efficiency of Nigeria's industrial sector. In other words, SAP is a set of economic reform measures designed to achieve recovery and growth (Ogugua, 1994). There were divergent views on the impact of SAP on the developing economy, especially Nigeria and other African countries. Some of the views, especially those sponsored by the World Bank, are pro-SAP and blame failures on government's softness and other factors outside the adjustment policy itself (Nwagbara, 2011).

The Trade and Financial Liberalization Policy was enacted in 1989, purposely to foster competition and efficiency in the financial sector. It was geared towards stimulating competition among the domestic firms and between the domestic imports competing firms and foreign firms. The objective was to promote efficiency, reduction of levels both tariff and non-tariffs barriers, scrap the commodity marketing boards and market determination of exchange rate as well as deregulation of interest rates meant to foster efficiency and productivity (Ubi, Lionel and Eyo, 2012).

The introduction of Bank of Industry in 2000 was to accelerate industrial development through the provision of term loans equity finances and technical assistance to industrial enterprises. The dispensation for this policy was totally different as it was built on the pedestrian of democracy. The National Economic Reconstruction Fund (NERFUND) was established in the same year as complementary institution to the industrial policy. The institution was to address the medium and long term financial constraints experienced by small and medium scale entrepreneurs, provide the required financial resources to participating merchant and commercial banks to lend to small medium scale firms and provide foreign denominated loans to participating firms for a period of five to ten years with a grace period of one to three years. This bank was meant to provide long term loans, assist in employment generation, etc (Ubi, Lionel and Eyo, 2012).

Small and Medium Industries Equity Investment Scheme (SMIEIS): In the same 2000, Small and Medium Industries Equity Investment Scheme (SMIEIS) was also introduced to help in the co-ordination of the scheme with a guideline that 60% of SMIEIS fund should go to core real sector, 30% to services, and 10% to micro enterprises through Non-Governmental Organizations (Famade, 2009:8). The industrial policy goal of Obasanjo's government from 2000 to 2003 was unclear

despite the introduction of Small and Medium Industries Equity Investment Scheme (SMIEIS, 2000) and Bank for Industry (BOI – 2000) respectively. Although, as part of the efforts to boost industrialization, the Federal government adopted the National Integrated Industrial Development (NIID) blueprint in 2007. This was a United Nations Industrial Development Organization (UNIDO) framework in collaboration with the Federal Ministry of Industry and other stakeholders. The framework was integrated as follows: industrial governance and public/private sector partnership, strengthening industry's institutional support base, the challenge of low power generation and utilization to be addressed through rural renewable energy and rural private sector agro-industrial development (Ubi, Lionel and Eyo, 2012). But much was not achieved in this effort as the government claimed to have used the period in preparation for the NEEDS programme (National Planning Commission, Abuja). National Economic Empowerment Development Strategy (NEEDS): By 2004, the government introduced its policy reform programme tagged, National Economic Empowerment Development Strategy (NEEDS). This programme was majorly meant respond to the development challenges of Nigeria. The programme was also complemented in the State as State Economic Empowerment Development (SEEDS) and Local government level as Local Economic Empowerment Development Strategy (LEEDS) respectively (National Planning Commission Abuja, 2004). It was also meant to put back on track the industrial policies that were previously hindered by years of mismanagements and poor implementation of the past decades toward achieving its full economic potential. A number of factors contributed to the failure of these efforts. The mechanisms to achieve this goal were not properly targeted, coupled with policy instability, inconsistent implementation of programmes and interference of government decisions by international political institutions which prevent continuous progress. Other factors were instability of governments, budgetary constraints and lack of accountability and transparency also made the programmes less effective.

During this period, Ptesident Obasanjo's campaign against corruption, only succeeded in recovering stolen funds but could not break off from neo-colonialists' gimmicks and control of his government hampered the development of manufacturing sectors. His allegiance to global political institutions and control of his government indirectly won him praise from the World Bank. In September 2005, Nigeria, with the assistance of the World Bank, recorded to have begun to recover US\$458 million of illicit funds that had been deposited in Swiss banks by the late military dictator Sani Abacha, who ruled Nigeria from 1993 to 1998. Amidst that, the broad-based progress was noted to be slow, these efforts became evident in international surveys of corruption. In fact, Nigeria's ranking was said to have consistently improved since 2001 ranking 147 out of 180 countries in Transparency International's 2007 Corruption Perceptions Index (Wikipedia). According to Rodrik (2004), "...a good industrial policy will prevent such failures from gobbling up the economy's resources indefinitely, and it will ensure that they are phased out. The trick for the government is not to pick winners, but to know when it has a loser."

National Industrial Revolution Plan (NIRP): In 2011, the Goodluck Jonathan administration inaugurated a committee for a new policy industrial policy, headed Prof. Mike Kwanashe, a Professor of Economics at Ahmadu Bello University, Zaria, there expected to submit the draft policy document in two months. Members of the committee were drawn from the public and private sectors. They were charged with identifying factors militating against the implementation of previous industrial policies; formulate sector specific policies based on areas where the country has comparative and competitive advantages; propose policies for the patronage of locally manufactured goods.

It was in three clearly defined pillars – industries where the country has comparative and competitive advantage such as agri-business and agro-industries, solid minerals-related industries and petrochemicals, among others; linking innovation research and development centres to industries; and industrial skills development (FMITI, 2011). Notably, under optimal incentive programme, some of the investments that are promoted could turn out to be failures (Rodrik, 2004). Amidst all, it was somewhat difficult to ascertain the true economic cost and value of industrial policies during this period without evaluating the achievements of the government whether it used these policies as intended. Some industrial policies may simply be bad policies, given the negative impact of the supported industry. For example, most members of the public might wish to stop the government from providing extra support for certain industrial activity that cause extreme damage to the environment. Other policies may support useful industries but be targeted at regions that do not need them instead of regions that are struggling to attract investment.

Among the challenges of indigenous manufacturing sector in Nigeria, standard and sophistication is the predominate position of the multinational corporations that have been existing since colonial era. Some of these multinational enterprises have little or no contribution to the implementation of the country's industrial policies. Rather, indirectly influence the adopted policies through international institutions or political organizations in order to boost their industries located in the country. Industrial policies of a given country is supposedly designed to guide and stimulate economic growth in areas where both the private and manufacturing sectors are not already investing heavily. They may also be used to target the growth of particular sectors of the population that are disproportionately absent from the labour force. Although, how and where to act remains a difficult question for most developing economies. It is important for the government to prioritize its goals in the sector the country need to excel.

Over the years, various reforms were made on the industrial policies by different regimes yet little impact were made to the economic growth of the country, whether on the manufacturing sector which is the panacea for economic growth. Reason being what Rodrik (2007), considers as a set of policy interventions targeted on a loosely-defined set of market imperfections that are rarely observed directly, implemented by bureaucrats who have little capacity to identify where the imperfections are or how large they may be, and overseen by politicians who are prone

to corruption and rent-seeking by powerful groups and lobbies. The ruling class influence on government policies for selfish and political reasons tends to incapacitate the implementation of these policies in the targeted areas. The policies/reform programmes investigated on, evidently suggests great potentials to promote the production in the manufacturing sector and economic development but various governments in power over the years lack the delivery capability. The test cases used here are supposed examples to illustrate this perspective which we then develop more systematically.

Conclusion

The study established that the industrial policies adopted in Nigeria since its inception as a sovereign state in 1960 had been conceived by international institutions and multinational organization through the political elites. Making it in turn difficult for Nigeria to solely control its resources, manufacturing sector, economy, politics, military and among others. The repulsion exhibit by these international institutions and transnational organizations on developing economies are basically geared towards advancing their manufactured goods and services through indirect control of the government, politics, resources through assisted programmes and technical aids. Consequently, the overall incompetence, unskillfulness, political puerility and galloping avarice of leaders have been major contributions to this challenges.

The study also established that industrial policy may support manufacturing sector production capacity if targeted at areas of importance, instead of struggling to attract foreign investments, by so doing most of the indigenous manufacturing sectors suffer developmental setbacks economically. Apart from the industrial development challenge of the indigenous manufacturing sectors in Nigeria, the dearth of human capital including techno-managerial capabilities and skills required for initiating, implementing, and managing industrial projects are lacking. This is due to the fact that most key projects relied greatly on foreign technical skills and services. Aside that, there still remains a skills-mismatch in the economic and infrastructural developments. Hence poverty, armed robbery, hostage-taking for ransom, illicit drug trade and addiction, militancy and more are still prevalent in the country

From the findings, we unquestionably maintain that the efforts of the colonial imperialists via the ruling class, who want to keep track of their former colonies determines and influences the industrial policies of the state in pursuant of their self-vital interest, accounts for low productive capacity of the manufacturing sector in Nigeria, between 2000 and 2013.

Recommendations

Following the above results, we make these recommendations:

- There must be conscious pursuance of well defined and restructured industrial policies stemmed on the country's and developmental needs.
- For easy financial access to loan for small and medium scale enterprises through low interest rate and taxation.

- To accelerate the indigenous developmental strategy for reduction on foreign dependence and external influences that undermine environmental, economical, political, and general promotion of the country's goods and services., This will bring drastic reduction in reliance on foreign products and technology. Notably, the interest and domination of the international institutions/organizations/expatriates who sponsors and supplies this technology but refuse to transfer the technical know-how to the former colonies do so to maintain their control of governments and economy to enable open markets for their products. However, to remedy the situation in the manufacturing sector, reduction on foreign products and technology should be the collective efforts of both the ruling class and citizens. The ruling class as agents of neo-colonialists for self -vital interests, to envisage a sustainable future of Nigeria, via self-sufficiency and denial of foreign aids /donations/sponsorships which impede the control, development of our manufacturing sector and economic growth.

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Nigerian Government and the Fight against Corruption: Reality versus Rhetoric

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Abstract

Despite the vast resources at the disposal of Nigeria, majority of the citizens remains poor, owing to corrupt practices. Corruption has deprived the country of the needed revenue necessary for development as it discourages investment, thereby leading to capital flight. This paper aimed to find out the progress the federal government has made in its fight against corruption dating back to the military era. While much has been written on the fight against corruption in Nigeria, there is little or no organized literature which provides an in-depth analysis or assessment of such efforts. As a result, these studies are limited in scope. This study gives a holistic assessment of the anti-corruption efforts of the various administrations. Drawing data from theoretical and empirical evidence, this study found among others that despite spirited by various administrations in Nigeria to stem the tide of corruption this effort has not translated into concrete progress. The reasons for this is partly because of the fact that the various administrations in Nigeria have been found to be corrupt, thereby making it difficult for them to fight the menace while institutions required to fight corruption lack independence and the political will to enforce laws on defaulters. The paper therefore recommends among others the need for accountability and transparency on the part of the government, due process in the fight against corruption and repeal or amendment of obsolete anti-corruption laws.

Keywords: Corruption, prebendalism, public administration, politics, Nigerian politics

Introduction

Corruption in Nigeria remains an albatross. It is a reality and not a myth and among the biggest challenges confronting Nigeria currently. The problem of corruption in Nigeria is that it is found at different levels in the society, among the high/mighty to the low and among the educated and the uneducated. Corruption has become a norm in Nigeria to the point that people look down on and try to persecute those who do not participate in the act. Nigeria ranks among the most corrupt countries in the world, sometimes maintaining the first position (Oluyemi-Kusa, 2007). According to Transparency international, it is one of the top three most corrupt countries in the world; in 1996, it was the second most corrupt country second to Bangladesh. In a survey of the corruption level of 90 countries conducted in 2000, Nigeria ranked as the most corrupt and in 2001 and 2002 second-most corrupt country out of 91 and 102 countries, with same ranking in 2003 (Transparency International, 2003). In 2011, it ranked 143 out of 182 countries and in 1996, 1997

and 2000, the country was labelled the most corrupt Nation and placed in the bottom five four more times: fourth from the bottom in 1998 and second in 1999, 2001, 2002 and 2003 (Transparency International, 2011). In 2014, it ranked as the 15th most corrupt country in the world and out of 168 countries in 2015, it ranked 32nd most corrupt (Transparency International, 2015). In an NBS Nigerian Corruption Survey 2017, the Nigeria police was named as the most corrupt institution in the country followed by the Judiciary. Other government institutions that are corrupt include Nigeria immigration, driving licensing agency, tax/revenue agencies and customs while Nigerians pay over 400bn cash as bribe to government officials annually (AIT News, 17 August 2017).

The corrupt status of Nigeria made the former British Prime Minister David Cameron to identify her as one of the ‘two fantastically corrupt countries’, that attended the Anti-Corruption Summit in London in 2016 (Nwabughogu, 2016). Although the statement was an embarrassment to the country and a British Broadcasting Corporation (BBC) diplomatic correspondent described the Prime Minister’s comment as “a truthful gaffe”, there is no doubt that Nigeria ranks as one of the most corrupt countries in the world even as the vice president of Nigeria Professor Osinbajo describes corruption in Nigeria as ‘wealthy and influential, permeating all the strata of the Nigerian society’ (Nwabughogu, 2017) and Itse Sagay; ‘as a national tragedy’ (AIT, 2017).

Nigeria is widely perceived to have a corruption problem (Nwabughogu, 2016). Corruption in Nigeria has caused the country a lot of setbacks economically, politically and socially. Nigeria is estimated to have lost close to 400 billion dollars to corruption between 1966 and 1999 (Ajere, 2012; Nigerian Observer, 2015). Despite this, the various governments have only paid lip service to the eradication of the phenomenon.

The establishment of institutions or agencies for fighting corruption has not meant reduction in corruption but even a heightening of the phenomenon as some of these institutions themselves are corrupt. This has resulted in concerned citizens demanding for reorganization or complete scrapping of some of the agencies.

Theoretical Underpinnings of the Study

This paper adopts prebendal theory to help our understanding of the issue of corruption in Nigeria. Prebendalism is a concept which was made popular by Joseph Richard following its usage in 1996 to depict the politics of corruption in the country where cronies or members of an ethnic group are compensated when an individual from the group comes into power. According to the theory; “state offices are regarded as prebends that can be appropriated by officer holders who use them to generate material benefits for themselves and their constituents and kin groups (Joseph 1996). Though prebendalism according to Richard (cited in Asogwa & Banko, 2015) did not necessarily originate from Nigeria, the concept as it applies to the country reflects shared expectations about the appropriation of state offices and the use of revenues accruing to them. The level of corruption in Nigeria is such that no government since independence has been free from the scourge. Even among those fighting corruption,

cases of corruption abound. In recent times, the immediate past government of Goodluck Jonathan has been labeled the most corrupt government in the democratic dispensation in Nigeria with the loss of \$32bn, about 16% of the government's resources to corruption according to the United Kingdoms' Department for International Development (DFID) (Olupohuna, 2016). The situation is such that patron-client or identity politics has encouraged corruption in the country to the extent that appointments, promotions, admissions, award of contracts among others are done with consideration for one's ethnic or religious affiliations.

Corruption is rooted in man's depraved nature and his attempt to always short-change his fellow. Corruption obtains when an official transfers a benefit to another individual who may or may not be entitled to the benefit, in exchange for an illegal payment. Corruption is a deviation from the accept norm of a society. Corruption is the illegitimate of power to benefit a private interest (Morris, 1991). Corruption is a global phenomenon and a menace found in both developed and developing countries. It has been in existence since time immemorial. Corruption has been on since creation when men began to interact with one another and sought to take advantage of the other. In bible days, some of the soldiers that stood watch over the tomb of Jesus and watched him rise from the dead were bribed to lie that his disciples came to steal Him at night while in another account, Felix, a governor in the old Roman Empire 'hoped that money would have been given him of Paul, (an imprisoned apostle), that he might loose (release) him.' As a result, he kept inviting the latter to interact with him and when he saw that he was not forthcoming, Felix had to agree to his being remanded in prison.

In recent times, there have been several cases of government functionaries and individuals in different parts of the world who have been indicted in corruption matters. Some of these cases include that of the Panama papers involving tax evasion by several individuals in different parts of the world and FIFA corruption scandal involving the former president of the Federation, Sepp Blatter and Platini as well as other football officials from different countries who have been accused of collecting and/or paying huge sums of money as pay off or bribe to give or receive hosting rights. In another instance, a former Prime Minister of Argentina was recently caught while trying to hide about \$3 million dollars in a monastery (Calatrava, 2016). Cases of corruption involving individuals and governments in advanced countries are myriad and in most cases, individuals involved resign immediately they are indicted but in Nigeria, this is not so as individuals indicted in corrupt practices use the funds that have acquired corruptly to fight back.

Corrupt Practices Under Various Administrations In Nigeria

Corrupt practices have been in operation in Nigeria dating back to the precolonial period. Corruption was however said to have been made prominent with the rise of public administration, the introduction of western education, urbanization, monetized economy, formal international trade and exchanges during the colonial period which in no small ways contributed to the growth of individualism which aided the rise of the phenomenon (the Storey Report, 2014). The activities of

colonialists before, during and after colonialism encouraged corruption in no small way. For instance, the colonialists used deception to get the people to will away their lands while raw materials sourced locally were exported at minimal costs to Britain and the end products were resold to the people at exorbitant prices. Also, the introduction of Indirect Rule system in Northern Nigeria and later other parts of the country brought with it incidences of public office corruption. Considering the influence and power the emirs and warrant chiefs wielded, all kinds of tricks and activities were exploited to secure and keep such appointments. It is a popular knowledge that absolute power corrupts absolutely and thus many of the appointed people who were said to be of questionable character often became intoxicated with power, leading them to abuse and misuse of office. Indigenous leaders who took over the government from the colonialists after independence were also corrupt. For instance, the Foster-Sutton Commission of Inquiry set up to look into the management of the African Continental Bank owned by the Eastern Region government in the Mid-1950s found that the bank had been strengthened by the addition of two million pounds of public funds by one of the leading nationalists of the colonial period and a leader in the new government. In the Post-Colonial era, the Coker Commission of Inquiry in the early 1960s also found the activities of some Western Region Government Corporations as tainted by corrupt practises.

In the First Republic (1960-1966), the federal and regional governments were characterized by electoral fraud involving the use of money to buy votes, employment of thugs to intimidate political opponents, hiring of assassins to eliminate opponents, hijacking of electoral boxes and materials, and the printing of fake voting cards, etcetera. With the coming to power of the military in 1966, corruption was institutionalized as military regimes (1966-1979; 1983-1998) tended to be more corrupt than the regimes they claimed to have come to correct. Despotism characteristic of military regimes destroyed a culture of accountability and institution of programmes such as WAIC (War Against Indiscipline and Corruption) and MAMSER (Mass Mobilization and Socio-Economic Reconstruction) to check corruption were more of window dressing as these programmes were short-lived and largely ineffectual because there was no sincerity behind their introduction as seen from the sudden inexplicable acquisition of wealth by serving military officers and their cronies. The record of General Sani Abacha's loot alone was put at between \$5-6 Billion dollars while the issue of disappearance of \$12.4 Billion dollars Gulf War oil windfall under General Ibrahim Babangida and his remains an unresolved mystery (Owolabi, 2007). The military regime under Abacha institutionalized corruption and corrupt practices and enthroned a culture of graft as evidence showed years after his death while Babangida's refusal to give account of the Gulf War windfall and several corrupt acts during his regime such as routine disbursement of vehicle and cash gifts to earn loyalty, made corruption to become legalized as a policy of state (huhuonline.com, 2010). Under the regimes of Generals Ibrahim Babangida and Sani Abacha, Nigeria was rated as one of the most corrupt countries in the world by Transparency International and was consequently blacklisted by the Financial Action

Task Force for condoning corruption and other serious economic crimes (Nigerian Observer, 2015).

The various civilian administrations beginning from 1979-1983 and from 1999 to date have also been characterised by lack of accountability, electoral fraud, violence and kickbacks. Corruption was deemed pervasive under the administration of Shehu Shagari; investigations into the collapse of the Johnson Matthey Bank of London in 1985 found that the bank acted as a surrogate and a conduit to transfer hard currency for members of the National Party of Nigeria (NPN) (Frankel, 1984). Corruption was cited as one of the reasons that the government was overthrown by the military. President Olusegun Obasanjo's administration which was the first democratic government after years of military rule was fingered in the Transcorp shares scandal that violated ethical codes for public officers while the president lobbied lawmakers by bribing them to support his bid to alter the constitution to get a Third Term in office (Vanguard News, 23 May 2011). In the case of Jonathan's administration, corruption was allegedly a normal activity with cases of embezzlement of government funds by governors and ministers as well as their family members to the tune of billions of dollars. In one instance, Diezani Alison-Madueke, Petroleum Minister in the administration and former chairwoman of the Organization of the Petroleum Exporting Countries has been accused of diverting hundreds of millions of dollars of public money and currently awaiting extradition by the Economic and Financial Crimes Commission (EFCC) (Campbell, 2018). With the end of his administration and amid fear of prosecution, some of these corrupt loots were dumped in cemeteries, forests, farmlands, underground buildings and abandoned in airports among other places (Opejobi, 2017). Some members of the cabinet are currently being prosecuted under the Muhammadu Buhari-led administration.

Buhari's administration itself despite the priority of tackling corruption has also been tainted with the scourge of corruption within its first term in office. There have been cases of budget padding by law makers and fraud involving the Treasury Single Account (TSA). These cases are captured in the table below:

Table 1: High profile cases of corruption in President Muhammadu Buhari's Administration from 2016-2018

S/n	year	Nature of corruption	Personalities involved	Steps taken by the administration
1	2016	Allegation of illegal padding of the 2016 budget to the tune of ^400bn	Speaker of the House of Representatives, Yakubu Dogara and other Principal Officers of the House	No action has been taken
2	2016	Property acquisitions in Dubai to the tune of ^42.2m.	Chief of Army Staff, Tukur Buratai	No charges have been brought against him.
3	2017	Employment scandal- illegal recruitment of personnel in	CBN and FIRS	No action was taken by the

		the Central Bank of Nigeria (CBN) and Federal Inland Revenue Service (FIRS)		government
4	2017	^544m allegedly spent on the removal of invasive plant species and simplified irrigation in the northeast, popularly referred to as the grass-cutting scandal.	Secretary to the Government of the Federation (SGF), Babachir Lawal	Has been prosecuted following pressure on the government
5	2017	Award of ^9tn contracts at the Nigerian National Petroleum Corporation (NNPC).	Group Managing Director (GMD), Nigerian National Petroleum Corporation (NNPC), Dr. Maikanti Baru and Chief of Staff to the President, Abba Kyari	No action has been taken by the government.
6	2017	Mishandling of the ^1.4 trillion oil subsidy regime	The Presidency	None
7	2017	Recall and promotion of former Chairman of the Presidential Pension Reform Task Team, Abdurashheed Maina, who was disengaged from service by the previous administration over ^2.7b pension fraud.	Attorney General of the Federation, Abubakar Malami and Head of Service of the Federation, Winifred Oyo-Ita.	No action was taken
8	2018	The National Emergency Management Agency (NEMA) scandal involving mismanagement of ^5.8bn earmarked for the northeast Intervention Fund and payment of about ^800 million demurrage on the rice donated by the Chinese government and the N10 billion received from Ecological Funds	Director-General of NEMA, Mustapha Maihaja	Action is yet to be taken
9	2018	The Nigerian Liquefied Natural Gas (NLNG) scandal involving the diversion of ^378bn by the NNPC to secretly fund subsidy payment of petroleum products.	Group Managing Director (GMD), Nigerian National Petroleum Corporation (NNPC), Dr. Maikanti Baru	No action has been taken.
10	2018	Budget padding to the tune of ^ 264m by the National	Professor Usman Yusuf	He was suspended after much pressure

		Health Insurance Scheme (NHIS) Executive Secretary		on the government
11	2018	The controversial effort by Babagana Kingibe-led Presidential Review Panel to siphon ^16bn intervention fund belonging to the National Intelligence Agency that apparently led to the unjust and unconstitutional removal of the immediate past acting Director-General of the Agency, Mohammed Dauda,	Babagana Kingibe	No action has been taken
12	2018	Illegal disbursement of recovered Abacha loot.	The Presidency	Explanation by the administration that the money is being distributed to indigent Nigerians
13	2018	Corruption and mismanagement of funds amounting to ^3bn of the ^10bn operation fund from Sambo Dasuki, a former National Security Adviser	former Department of State Services boss, Ita Ekpenyong,	No arrest has been made
14	2018	Alleged ^18mn bribe taking by Kano Governor Abdullahi Umar Ganduje	Governor Abdullahi Umar Ganduje,	No action has been taken
15	2018	vote buying and irregularities by the ruling party, APC during party primaries and governorship elections among others	APC-led administration	No action is taken in many instances
16	2018	NYSC exemption certificate forgery	Former Minister of Finance, Kemi Adeosun	No charges have been brought against her

Source: Compiled by author with data from Adebawale, 2018; Okechukwu, 2018; Sahara Reports, 2018

These various corrupt acts tagged Mainagate, Barugate, NEMAgate, Babachirgate, NHISgate, Abachalootgate, Gandu-Dollar among others are perpetrated under the watch of a president who has vowed continuously to fight corruption. As a matter of fact, the President is said to be privy to the reinstatement of Maina as stated in a secret memo allegedly credited to the Head of Service, Winifred Oyo-Ita (Nwachukwu, 2017). The president himself is not innocent having been indicted in the corrupt act of having made several trips outside the country and spending huge sums of money as medical bills without disclosing the details of the trips to taxpayers

whose money were used to fund these trips. In addition, key appointments in the administration have been based on favouritism and cronyism. This is why the United States believes that impunity remains widespread at all levels of the Buhari government, faulting the administration for not effectively implementing the law that provides criminal penalties for conviction of official corruption and thereby allowing such government officials to frequently engage in corrupt practices with impunity (Asadu, 2018).

Observing the worrisome trend of corruption in Nigeria, a spokesperson for Civil Society Organisations (CSOs) in the country, Auwal Rafsanjani, stated that:

While we are aware of the various commitments including the 2016 Anti-Corruption Summit in London, Open Government Partnership, and campaign promise by the present administration to combat corruption in all ramifications without fear or favour, we find it disturbing that official corruption is deeply embedded and fast becoming a permanent feature whose subculture melts seamlessly into the public office holders' daily life. We are worried over the administration's continued unwillingness to exert appropriate sanctions against high profile erring officials among others (Okechukwu, 2018). This shows that corruption in Nigeria continues to thrive and tackling it requires all the sincerity on the part of the government.

Government's Efforts to Combat Corruption in Nigeria

The war against corruption in Nigeria has been on for decades. Beginning from the colonial era, various criminal and penal codes existed under which cases bothering on corruption were tried. Ironically, during the years of military rule when corruption was endemic, various laws and measures aimed at combating corruption were put in place. Between 1968 and 1995 more than 15 of such laws were enacted including; Investigation of Assets (Public Officers and Other Persons) Decree of 1968, the Corrupt Practices Decree 1975, Public Officers (Special Provisions) Decree 1976, Recovery of Public Property Decree 1984, National Drug Law Enforcement Agency (NDLEA) Act, 1990 (this was the first law made in Nigeria to make money laundering a criminal offence), the promulgation of the Mutual Assistance in Criminal Matters within the Commonwealth (Enactment and Enforcement) Act No. 13 of 1988, designed to bring Nigeria's municipal law in line with the Harare Scheme (the scheme contains provisions on how to deal with the proceeds of crime and laundering of such money) (Olatunde, 2007). Others include the Public Complaints Commission Act Cap 377, Laws of the Federation 1990, the Code of Conduct Bureau and Tribunal Act Cap, Laws of the Federation 1990, the Criminal Code Act Cap 77, Laws of the Federation 1990, the Penal Code, Northern States Federal Provisions Act—Cap 345, Laws of the Federation 1990, Banks and Other Financial Institutions Act 1990, Recovery of Public Property (Special Military Tribunal) Act Cap 389, Laws of the Federation 1990, the Failed Banks (Recovery of Debts) and Financial Malpractices Act No. 18 of 1994, Failed Banks Act No. 16 of 1996, Advance Fee Fraud and other Related Offences Act No. 13 of 1995, intended to deal with the

menace of the so-called “Nigerian fraud letters” or “419”, the Foreign Exchange (Miscellaneous Provisions) Act No. 17 of 1995 and the Money Laundering Act No. 3 of 1995 (Olatunde, 2007). Despite these, corruption continued to thrive and to strengthen the various measures, the administration of former President Olusegun Obasanjo established two special anti-graft bodies: the Independent Corrupt Practices and Other Related Offences Commission (ICPC) 2000 and the Economic and Financial Crimes Commission (EFCC) 2004 and the Money Laundering (Prohibition) act in 2004 with the responsibility to investigate and prosecute corrupt people in the society.

A few years later, another commission was set up under the Economic and Financial Crimes Act, 2004 to deal with advanced fee fraud, money laundering and other economic and financial crimes. The establishment of these institutions brought a wind of hope to many Nigerians but years down the line; this hope has been dashed as corruption continues to permeate every face of Nigeria’s socio-economic life. As soon as the EFCC was established in 2004 it pounced on the kingpins of advanced fee fraud otherwise called “419” (Falana, 2016). Statistics from the EFCC reveals that it has convicted more than 100 suspects while it has also recovered property worth over N11 billion from corrupt Nigerians since its establishment. The statistics also reveals that a serving Inspector-General of Police and former governors, among others, were among the convicts (Nigerian Observer, 2015). Other agencies in the anti-corruption crusade include the Code of Conduct Bureau, National Agency for Food and Drug Administration and Control (NAFDAC), Standard Organization of Nigeria (SON), the Budget Monitoring and Price Intelligence Unit and otherwise known as “Due Process”, which enforces strict adherence to probity in the award and execution of government contracts.

A new dimension was introduced into the fight against corruption through the Plea Bargaining Policy (PBP). PBP works through a negotiated network where a suspect facing corruption charges is allowed to plead guilty and return part of his or her loots, in exchange for lesser punishment which include a dismissal of the other charges especially those that carry stiff penalties (Ikoh, 2016). Despite its seeming advantage in saving time and the necessity of public trials, the approach has been criticized for its compromise and preferential treatment vis-à-vis other suspects in the dispensation of justice. Furthermore, PBP is viewed by some scholars as corruption in another form as it not only eradicates the punitive aspect of Nigeria’s criminal justice system but could lead to unjust sentencing or provide soft-landing for influential and elitist law-breakers (Ayodele, 2014; Chiedozie, 2013; Robert and William, 1991 cited in Iko, 2016).

Apart from the PBP, a new innovation in the fight against corruption was the institution of the whistle-blowing policy in 2016 where individuals who report cases of financial crimes and corruption to the Federal Government through the Federal Ministry of Finance are handsomely rewarded with 2.5-5% of the amount recovered (Akinaso, 2017). In order to do this effectively, whistle-blowers are protected from harassment or intimidation by their bosses or employers. However, individuals who report false or misleading information will be liable to investigation and possible

prosecution. So far, the policy is said to have raked in \$160m about N8b for the country (Sahara Reports, 2017). In spite of the establishment of the various institutions, corruption continues to thrive and the reality on ground shows that most of the measures are smokescreens and mere rhetoric.

The Challenges of Combating Corruption In Nigeria

Combating corruption in Nigeria has been a herculean task for various governments not because corruption is invincible but of the lack of seriousness on the part of the government. For instance, it has been observed that those who put these measures in place particularly military Heads of State were the most corrupt leaders Nigeria ever had. While these agencies were created, the military heads were busy looting the treasury. To further help in their corrupt act, they made sure that the institutions they created were headed by their cronies or individuals who were loyal to them and would not raise an eyebrow no matter what they did. With this sort of patronage in employment and placement in key positions, it became difficult to fight corruption. The corrupt act of various leaders revealed years after they left office, show that they had no genuine interest in fighting corruption even though they wanted to create an impression that they did. For instance, investigation into the activities of former President Sani Abacha after his death led to the freezing of accounts containing about \$100 million stolen money and about \$3 billion looted (Hector, 2004; Uzochukwu, 2013). Also, despite the claim by Olusegun Obasanjo on assuming office on May 1999 to fight corruption by putting in place two anti-graft bodies to deal with the problem, his administration was characterised by corruption. Among other corrupt practices, a Japanese construction firm Marubeni Corporation between 1995 and 2004 allegedly paid bribes to officials of the administration to facilitate the award of the \$6 billion liquefied natural gas contract in Bonny to a consortium, TSKJ (Olorok & Baiyewu, 2012). Others include General Ibrahim Babangida who used various government privatization initiatives to reward friends and cronies and Goodluck Jonathan whose administration was alleged to have illegally withdrawn \$2.2 billion from Excess Crude oil accounts with \$1 billion supposedly approved by the president to fund his reelection campaign (Jonah, 2012; Adetayo, 2015).

A big challenge in the fight against corruption is the problem of selective justice. Since 1999 the fight against corrupt has been lopsided, vindictive, selective, biased, and meretricious. For instance, when the president or those close to him are involved in corruption, it is usually glossed over, because the president is 'above the law' and therefore cannot be subjected to the due process or the rule of law (Ayobu, n.d). The various institutions have become ineffective because they are controlled by the powers that be and are often afraid to step on toes. This is why there is a general opinion that that rule of law must be upheld strongly and the judiciary must be impartial before Nigeria can win the fight against corruption. According to former Chief Justice of Nigeria, Justice Dahiru Musdapher; "when the rule of law is weak, corruption will remain a nagging problem and without an honest criminal justice system, the wealthy, especially the corrupt, can escape the consequences of their

crimes; such impunity reduces the perceived cost of corruption....,” (Nigerian Observer, 2015).

There is also the lack of political will to enforce laws dealing with corruption as a result of allegiance and fear of those connected to the case. Since people know that they may not be caught or if caught, they may be let off the hook because of their connections, they carry on their corrupt acts with impunity. Corrupt public officers and politicians who should have been jailed walk freely in Nigeria and even get a State pardon and a heroic welcome in some cases. In the current administration, there is evidence that owing to party affiliations some corrupt individuals are treated as sacred cows. Furthermore, the government tends to harbour or shield from prosecution, corrupt elements who decamp to the ruling party. Many people who have been accused of corruption in the People’s Democratic Party (PDP) have decamped to the ruling party to avoid prosecution. Some of these include Musiliu Obanikoro, Orji Uzor Kalu, Godswill Akpbio, Abdullahi Adamu, Aliyu Wammako and a host of others. This does not speak well of a government which promises to fight corruption.

The EFCC has also been criticized for its modus operandi of trying suspects in the media before commencing investigations, taking suspects to court without concrete, incontrovertible and acceptable evidence as well as serving as debt collection agent for some individuals and organizations in addition to constantly amending its charge lists. These acts often expose its officials to corrupt practices which they claim to be fighting.

The immunity clause as entrenched in Section 308 of the 1999 Constitution which states that the President, the Vice President, Governors and their Deputies cannot be prosecuted while in the office encourage the spread of corruption as these officers perpetuate themselves in office and frustrate any effort to investigate them. There are former ministers in the previous government or current governors and other officials of the ruling party, who are accused of embezzlement of public funds but are currently serving and as a result they cannot be prosecuted at the moment because of the immunity clause.

The judiciary in Nigeria is inefficient, weak and dilatory. The judiciary which is referred to as ‘the hope of the common man’ is no longer the ordinary man’s hope as it is not free from corruption and therefore not strong and capable to deal with cases of corruption. Influence peddling which manifests in the form of graft taking in the bench leads to favouritism. Consequently, only very few offenders have been successfully prosecuted and tried for corruption as the technicalities of the laws are usually exploited by defense lawyers to their great advantage. Recently in 2016, about seven Supreme Court judges were found with millions and billions of dollars and naira respectively in cash. These monies were alleged to have been collected as bribes for the purpose of perverting justice. This particular case is in addition to several others who have been found wanting and risk going to jail. Some of these include Justices Rita Offili-Ajumogobia, Anwuli Chikere, Sylvester Nguta, Inyang Okoro, Adeniyi Ademola and Muazu Pindiga, Kabiru Auta, Munir Ladan, Bashir Suokla and Abdul Kafarati. Justice Chikere for instance was accused of receiving

bribe for a pre-election matter in which she ruled in favour of her benefactor, Justice Pindiga was alleged to have collected ^100 million naira from Governor Nyesome Wike of Rivers state to influence a tribunal ruling in favour of the governor, Justice Admola was accused of using his position as judge to influence that appointment of his wife as Head of Service in Lagos state as well as collecting \$200,000 bribe to discharge a garnishee order against the Delta House of Assembly while Justices Kafarati, Ladan and Suokla all collected bribe in exchange for verdicts (Sahara Reporters, 2016). In 2017 Justices Mohammed Tsamiya, Kabiru Auta and Umezulike Innocent were sacked by the National Judicial Council (NJC) for corrupt offences (Ibe, 2017).

Furthermore, slow judicial processes occasioned by filing frivolous cases which make high profile cases to remain in plea stage after many years, also encourage the spread of corruption. There are currently many cases of corruption pending because of this and these include those of some politicians currently campaigning for the re-election of President Muhammadu Buhari. They include; Abdullahi Adamu, former Governor of Nasarawa state and Senator representing Nasarawa West, Aliyu Wamakko, Senator representing Sokoto North and former Governor of Sokoto State, Godswill Akpabio, former Governor of Akwa Ibom State and former Senate Minority Leader under the PDP, Abdulaziz Yari, Governor of Zamfara State, Rotimi Amaechi, former Governor of Rivers State, Director-General of the Buhari Campaign Organisation in 2015 and Minister of Transport under the APC-led administration among others. Abdullahi Adamu for instance is being prosecuted alongside 18 others for stealing ^15 billion from the state treasury through contracts he awarded while he was Governor for eight years (Akinkuotu, Adeoye & Alagbe, 2018). These undecided cases can impede anti-corruption efforts because when others see that a case has not been decided after many years, they will not be deterred. While it is true that some convictions have been achieved, a lot needs to be done in this regard.

In addition, the use of outdated laws in the fight against corruption will achieve minimal results. For instance, the Nigerian Evidence Act of 1945 does not recognise electronically generated evidence and as a result makes such evidence inadmissible. Other laws such as the Criminal and Penal Codes which have become outdated may not be completely relevant in the new dispensation and as such they need to be amended or discarded.

The various institutions are also underfunded and depend on the Executive arm for funds which encourages interference as we all know that 'he who pays the piper dictates the tune.' The implication of the inability of the agencies to stem the tide of corruption is that corruption continues endlessly in the country.

Conclusion and Recommendations

Corruption in Nigeria is an issue that demands serious attention considering its impact in the underdevelopment of the country. Despite huge potentials, Nigeria remains poor owing to corruption and recently replaced India as the poverty capital of the world in 2018. Not many Nigerians can boast of three squares a meal in recent

times in a country that has made huge sums of money from the sale of crude oil. Although the country parades itself as the giant of Africa, corruption dwarfs it. The lack of commitment and sincerity by the government makes the fight against corruption a mere show as the reality on ground shows it is a mere rhetoric. For the fight against corruption to achieve its aim, the following recommendations are made:

- Investigating agencies such as the EFCC and ICPC should be autonomous and empowered to check corruption. Officers who are to head such institutions should be appointed by an independent Council, just like the Judiciary Advisory Council.
- There should also be a fixed tenure of office for the chief executives of corruption fighting institutions just like that of the office of Governor of Central Bank of Nigeria. The government recently stated that the institutions will soon be independent. This must be translated into reality. Also, financial independence for the judiciary and the various institutions fighting against corruption is necessary. The financial dependence of the judiciary and the EFCC on the government for instance encourages interference.
- The EFCC must do a quick re-assessment of its policies, procedures and modus operandi; ensuring proper training of its operatives and all its agents; handling of accused persons in a civilised manner; avoiding media trials and unnecessary impairment of people's reputations. Others include thoroughly investigating cases before charging accused persons to court, diligently handling prosecution and limiting the number of charges against an accused. The Commission must also begin to exhibit competence, professionalism and transparency in all aspects of its operations.
- There is need to remove the immunity clause from the constitution so that serving government officials will not carry on corrupt practices with impunity knowing that they will be prosecuted for any act of corruption.
- Anti-corruption agencies should also come up with laws and provisions that could reduce the monopoly powers of individuals in different government or private establishments. This is because the monopoly of power by an individual makes him abuse his discretionary powers which ultimately lead to lack of accountability. And where there is no accountability, corruption breeds better in such environment (Afegbua, 2017).
- Closely tied to this, those who decamp to the ruling party to avoid prosecution should be made to face the law.
- There is the need to rid the bench of all forms of corruption. Unless corruption is eradicated from the bench, not much can be achieved in purging the country of the vice. The effort by the current administration in this regard is commendable but it must be done within the ambit of the law.
- One of the key ingredients on which the fight against corruption is anchored is transparency and accountability. So far, no government in the country has demonstrated this. The government needs to demonstrate this by communicating or disclosing their activities to the public. For instance,

Nigerians have the right to know how their taxes, recovered loots and excesses from crude oil among others are utilized. This way they will see the fight against corruption as genuine and key into it.

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Illicit Financial Flows, Insecurity and Challenges of Governance in Nigeria

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Abstract

The paper examined how illicit financial flows (IFFs) have intensified insecurity and undermined governance in Nigeria. It adopted case study method and made use of state fragility model and resource curse theory as its theoretical frameworks. It argued that given the widespread nature of uncurbed financial haemorrhage and money laundering practices in many countries in Africa, including Nigeria, the situation is expected. The findings of the paper revealed that major challenges of curbing IFFs are attributable to endogenous and exogenous factors. The endogenous aspects for the unceasing movement from and within Nigeria which always allow IFFs to get to the so-called safe havens have arisen from the uncoordinated and ineffectual anti-corruption measures and poor security strategies resulting from governance deficits. The exogenous ones can also be traced to the global shadow financial system, which prevents the IFFs beneficiaries from outright denouncement and taking coordinated cum drastic measures against such unwholesome practices. Therefore, demonstration of political will through result-oriented local and global concerted strategies are necessary to curb IFFs in Nigeria and generally in Africa.

Keywords: illicit financial flows, insecurity, governance, state fragility, resource curse

Introduction/Background

Governance, within the democratic context, lies at the heart of addressing many development challenges confronting sub-Saharan Africa and Nigeria in particular. While the account of the past decade partly signals continual progress, issues of illicit financial flows (IFFs) and insecurity are part of a complex phenomenon undermining governance in sub-Saharan Africa. Owing to improved economic environment in Africa, there is an upsurge in the IFFs that are estimated at about \$50 billion per year. Between 1970 and 2008, illicit financial flows were estimated to be over \$800 billion from Africa (Tafirenyika, 2013). Since then, the rate of losses has increased significantly with Africa losing more than \$50bn (£33bn) every year in IFFs (*The Guardian*, February 2, 2015).

There is no available evidence in the existing literature suggesting the exact time when the IFFs commenced in Nigeria. What could be likened to be a noticeable period could be dated back to early 1970s during oil boom period. The late 1970s and early 1980s of the Nigeria's Second Republic and throughout the military era in the 1990s witnessed one form of IFFs or the other. There are available instances to prove that the country has not been able to reap the full benefits from its wealth in natural

resources, especially oil and gas given the prevalence of corruption pervading the sector resulting in IFFs. Of all countries in Africa, Nigeria has possibly experienced the highest percentage of its gross domestic product (GDP) stolen and deposited externally (Campbell, 2017). Thus, from the onset, it should be emphasised that most of the IFFs that have occurred in Nigeria are oil and gas related and have metamorphosed into grand corruption, money laundering, tax evasion and illegal transfer of profits by multinational corporations (MNCs). Since the 1960s, about \$400 billion has been looted due to primitive accumulation, with about \$100 billion illegally transferred out of the country (Campbell, 2017). Also, a study undertaken by the United Nations Conference on Trade and Development (UNCTAD) discovered that between 1996 and 2014, under invoicing of oil exports from Nigeria to the United States was worth \$69.8 billion, or 24.9% of all oil exports to the United States (cited in Campbell, 2017). The 2015 Thabo Mbeki High Level Panel on the IFFs from Africa pointed towards the foregoing direction emphasising that IFFs through the aforementioned sources have caused Nigeria N6.87 trillion.

To corroborate the foregoing, the disappearance of \$12.4 billion realised from the sale of oil during the 1991 Gulf War under former President Ibrahim Babangida could be attributed to IFFs and till today its disappearance is yet to be satisfactorily accounted for (Adebajo & Mustapha, 2008). According to Adebajo and Mustapha (2008), of the \$120 billion siphoned out of the Nigerian treasury into offshore accounts by dishonest politicians, \$20 billion is allegedly traceable to the Babangida era from 1985 to 1993. Thus, in most cases, the disappearance of such commonwealth is traceable to illegal transfer to safe havens abroad. According to Sagay (2017) cited in Chesa (2017), “most of the financial assets stolen in Nigeria are taken out of the country as part of the illicit financial flows”.

It is also generally believed that the magnitude of the IFFs that took place during Sani Abacha regime between 1993 and 1998 was massive involving at least \$4 billion (Gordhan, 2016). In 2013, US\$700 million assets stolen and stashed in Switzerland by the Sani Abacha regime was returned to Nigeria (Bafana, 2017). In fact, the United States Department of Justice froze more than \$458 million in corruption proceeds hidden in bank accounts around the world by Sani Abacha and his cronies (*Africa Focus Bulletin*, 2014). Up till today, successive Nigerian governments since the advent of the Fourth Republic have been making frantic efforts towards the repatriation of illegally transferred funds by the then maximum ruler, Sani Abacha. No wonder African Development Bank (ADB) disclosed that Nigeria lost \$83.3 billion to IFFs between 1960 and 2011 alone (cited in Jimoh, 2015). According to the Global Financial Integrity's (GFI) recent report, the IFFs in and out of Nigeria, the entire Africa and emerging market economies have been put at between \$2 trillion and \$3.5 trillion yearly (cited in Nelson, 2017).

The gap in the literature on the subject matter calls for a focus on how IFFs have intensified insecurity and undermined governance in Nigeria. For this purpose, the paper has been divided into seven sections aside the introduction. Section one focuses on the introduction/ background, section two explicates vital concepts utilised in the paper, section three tries to establish the nexus among the vital concepts

within the context of theoretical explanation, section four contextualises IFFs, insecurity and governance in Nigeria, section five overviews the sources and causes of IFFs in Nigeria, section six elaborates on the implications of IFFs on security and governance in Nigeria while section seven concludes and recommends.

Conceptual Issues

Illicit Financial Flows

The definitions of illicit financial flows (IFFs) vary. According to Schlenther (2015), is an imprecise term and its borderlines are disputed mainly because ““illicit” does not equate to “illegal”” (p. 2). Everest-Phillips (2012, pp. 70-71) states that:

Illicit indicates that the activity is generally perceived as illegitimate, which, in turn, requires the state to be regarded as legitimate. International capital transfers become illicit if they originate from an illegal source (evasion, corruption, or criminality) or are illegal by bypassing capital controls, but also immoral in undermining the state’s willingness and capacity to deliver better lives for its citizens.

Blankenburg and Khan (cited in Schlenther, 2015) view an IFF as a flow that impacts negatively on an economy considering all direct and indirect benefits within the context of the certain political economy of a given society. This indicates that “not all illegal flows are necessarily illicit, while some legal flows may be illicit” (Schlenther, 2015, p.2). The Organisation for Economic Cooperation and Development (OECD) (2014, p.16) conceptualises IFFs as “flows generated by methods, practices and crimes aiming to transfer financial capital out of a country in contravention of national or international laws”. Thus, IFFs are by nature unrecorded, and cannot be used as public funds or private investment capital in their country of origin (Kar & Spanjers, 2014). In the same vein, United Nations Economic Commission for Africa (UNECA) (2015) defines IFFs as money unlawfully gained, moved or used where such flows of money are at variance with the laws in their origin, or during their movement or use, and are consequently deemed illicit.

However, for the purpose of this paper, Baker’s is adopted because it does not only serve the purpose of understanding the scope of illicit financial flows, how security and governance are affected, but also useful for the purposes of policy intervention and necessary remedies that may arise from this paper. Baker (2005) views illicit financial flows as “dirty money,” and dirty money as “money that is illegally earned, illegally transferred, or illegally utilised”... [i]f it breaks laws in its origin, movement, or use, then it properly merits the label” (p. 23). In this sense, Kar (2011) views IFFs as involving “the cross-border transfer of the proceeds of corruption, trade in contraband goods, criminal activities, and tax evasion” (p. 3).

According to Kar (2011), two crucial variables are identifiable within the context and scope of the IFFs in Africa and by extension Nigeria despite the diversity of views on its nature; they include cross-border movements and the nature of the money. Thus, the source of such money and how it is transferred are critical, such that provenance of the money usually determines the decision on how the money is

moved. In essence, IFFs more often than not, refer to those illegally earned or transferred, within or across national borders (Reed & Fontana, 2011) and this conception is also relevant to this paper.

Insecurity

There exist differing approaches to conceptualising security which remains the antithesis of insecurity. Thus, examining the concept of security will enhance a good comprehension of insecurity. Although, it has been argued that “any attempts to elaborate a comprehensive definition of security are of course in vain” (Mesjasz, 2004, p.2). However, Wolfers’s (1962) seminal work and Liotta (2002) exposition on the concept of security offer a good starting point. Wolfers (1962) states that “security, in an objective sense, measures the absence of threats to acquired values, in a subjective sense, the absence of fear that such values will be attacked” (p. 149). Thus, security is attained if both components are present. In this sense, security is power related and the referent object is the state such that if state security is sustained, then the security of citizens will logically follow. However, Liotta (2002) explicates that a great deal of insecurity emanates from state itself and that is why the fundamental flaws in the traditional conceptualisation of security led to the redefinition of security in the post-Cold War era. Thus, the revisionist perspective of security corrects the inordinate emphasis on state sovereignty and protection and treats human beings as the frames of reference for security concern; whereby human security issues like economic security, environmental security, food security, or military security are of great significance (Liotta, 2002) As a corollary, Liotta (2002) maintains that states are becoming increasingly similar in treating national and human security as a conjoint issue.

In essence, this article views insecurity from two perspectives. First, it is a state of being exposed to danger or threat or absence of safety; uncertainty; absence of protection due to state security lapses or inability to effectively protect the territorial integrity of the state. Second, it is related to absence of human security or people-oriented approach where protection of well-being of individuals, their need, and response to ordinary people's needs and creating avenues to deal with sources of threats to such needs are patently absent.

Governance

Governance also needs some explication. Governance itself connotes the existence of all facets of the complex and numerous relations between a government and a people (Bello- Imam & Obadan, 2004). It is also a system of values, policies and institutions by which a society manages its economic, social and political affairs through interaction within the state, civil society and private sector (Nwabueze, 2003, cited in Odusanya, 2013). Huther and Shah (1998 cited in Abdullahi & Lawal, 2017, p.45) viewed governance as “including all aspects of the exercise of authority through formal and informal institutions in the management of resource endowment of a state”. Shah (2008, cited in Abdullahi & Lawal, 2017, p.45) sees it as the exercise of authority and control to preserve and protect public interests and enhance the quality

of life enjoyed by its citizens. However, the most suitable conception of governance is that of the World Bank (1989) which viewed it as the manner in which power is exercised in the management of a country's economic and social resources for development. In this context, governance under democratic practice is being referred to here which entails the appropriate management of state institutions and structures for the purpose of enhancing socio-economic and political change of society. The relationship that exists among the three concepts is the subject of brief discussion in the next sub-section.

Illicit Financial Flows, Insecurity and Governance: A Theoretical Explanation

It is argued in this section that IFFs have led to insecurity while the weak governance remains the cause and effect. The occurrence of the insidious nexus may have arisen due to the fragility of the state which had prepared grounds for these complications.

Ardigo (2014) averred that there is a broad consensus among experts that illicit flows may contribute towards undermining security and intensifying insecurity by ensuring funds for terrorist and criminal groups for their operations and this usually erodes state legitimacy. It is believed that this can create governance crisis in the affected countries. Aside from destabilising security, state legitimacy and intensification of insecurity, it is argued that IFFs have the capacity of running governance aground by siphoning the state of important resources that could otherwise be utilised to enhance security, whether national or human. As Ardigo (2014) further noted, there is likelihood of public trust erosion in institutions and political processes, which has the tendency of unleashing in the long run, harmful consequence thereby undermining the governance within a state. This was the Nigerian experience under Goodluck Jonathan administration when Boko Haram insurgency nearly ran the nation aground.

In the same vein, Cobham (2014) explicates the vicious cycle of IFFs and security, though less emphasis was laid on their link to governance. However, by extension, his insistence on the point that IFFs weaken state legitimacy and may prove as the fertile grounds to support conflict put governance at risk. Thus, the state that is having issue with its acceptance is averse to moving against IFFs which in due course leads to IFFs persistence and may even aggravate their occurrence.

In addition, as corollary from foregoing explication and as alluded to in the first paragraph of this section, the occurrence of the insidious nexus among the IFFs, insecurity and governance may have ensued ab initio due to the state fragility, as epitomised in the operations on of the Nigerian state, which prepared grounds for these complications. Thus, the state fragility model has spawned such concepts like 'weak state', 'failed state' or 'collapsed state'. However, a fragile state as opposed to a collapsed or a failed state is simply distressed and bereft of the key elements needed to function effectively. State fragility has been taken to mean essentially as inability of the state to perform basic functions necessary to meet the needs and expectations of its citizens through the political process (McLoughlin, 2012). In theory, state fragility can be viewed within a combined measure of all facets of state performance

including authority, service delivery and legitimacy that typify the state (European Report on Development, 2009).

How a state's weakness, failure and collapse are measured remain roughly the same and vary from the powerlessness of the state to perform its primary duties as a pivotal centralised governmental structure, failure to exercise its independent rights, inability to make binding decisions on its people to the absence of an effectual mechanism for growth and significant development. Thus, consistent faltering steps towards the provision of basic welfare services and security for the citizens, legitimacy crisis arising from challenging national cohesion, contested citizenship, violent struggle for the control of state power and insidious corruption characterise a fragile state (Carment, 2003; Osaghae, 2007; Okoro, 2014). As espoused by Menacol (2011), the state of being fragile is not static, and these various descriptions also fit in at different stages of the state of fragility. Thus, fragility can be deep-rooted or momentary and it brings about challenges of different scales within the context of security and socio-economic development perspectives

In a situation where a state is nauseous and cannot perform its statutory duties as expected, it is very unlikely that it will be able to effectively manage its resources and withstand or contain all sorts of sharp practices emanating from its privileged citizenry. Therefore, it is not surprising that the IFFs remain a bottleneck to many of fragile states in Africa like Nigeria that has been consistent on the fragile index charts since 2007. Though IFFs are no respecter of any particular jurisdiction, arguably, most non-fragile states appear poised to combat them in spite of the fact that they are the havens for most of these IFFs. The implication is that a fragile state is necessarily not only sick, but lacks capacity to govern well and guaranteeing its own security, and managing its resources well is a tall order.

IFFs, Insecurity and Governance in Nigeria

Nigeria's Fourth Republic also has continued to witness stunning IFFs which have undermined security and weakened governance. It was revealed that between 2003 and 2012, the country experienced illicit outflow of \$157 billion, the highest in Africa, followed by South Africa with \$122 billion and Egypt came third with \$37 billion (Kindzeka, 2017).

Available evidence suggests that MNCs illegal acts in terms of tax evasion, tax avoidance, tax splitting among others in Nigeria remain a drain pipe through which IFFs are perpetrated and these have extensively been documented (Ierkwagh & Shankyula cited in Tawoju, 2018; Eyitayo, 2015). Otusanya (2011) observed in his empirical study that MNCs in the oil, gas, and manufacturing sectors have employed various tax avoidance schemes, varying from off-shore intermediary companies to claiming recharges, royalties or technical fees and under-reporting of profits, to circumvent paying tax in Nigeria. For example, several cases abound involving Shell Petroleum Development Company (SPDC), the largest oil producing company in Nigeria, which has been tagged as a "veritable" state in the State of Nigeria (*Daily Independent*, August 24, 2006; *This Day*, August 24, 2006; *Daily Sun*, August 24, 2006). The House of Representatives Committee on Petroleum Resources

investigated its exploration arm SNEPCo, in 2006, and it was discovered that it teamed up with the then Nigerian Minister of State for Petroleum, Edmund Daukoru, to infringe on the Nigerian laws and regulations by swindling Nigerians a total sum of \$3.2 billion tax underpayment (*London Financial Times*, May 23, 2008; *The Guardian*, May 21, 2008).

Recently, it came to the fore that the oil swap contracts (barter arrangement) involving the former Petroleum Minister, Diezani Alison-Madueke and her business partners Kola Aluko and Jide Omokore on the one hand and the Atlantic Companies on the other. Between 2010 and 2014, Nigeria was estimated to have channelled over 352 million barrels of oil worth totalling \$35 billion into oil swap deal and lost over \$900 million in the deal (Okogba & Sunday, 2017). The Atlantic Companies were required to finance the exploration and production operations, the companies were expected to get a portion of the oil and gas produced in return. In spite of the failure of the companies to meet substantial part of the contracts, including failure to pay \$120 million entry fee, the companies were permitted to lift and sell more than \$1.5 billion worth of Nigerian crude oil. Thus, the Atlantic Companies then employed series of Shell Companies and intermediaries to launder a portion of the total proceeds and illicitly transferred them into and through United States (Okogba & Sunday, 2017). Parts of the proceeds of IFFs were allegedly used by Kola Aluko to buy Galactica Star Yacht worth \$80 million (about N29.024 billion) and \$50 million New York based condo luxury apartment (Okogba & Sunday, 2017).

Also, in October 2016, the Nigerian government filed fifteen separate suits against fifteen oil companies at the Federal High Court in Lagos to recover billions of dollars that have been illegally looted through various means from the country (Campbell, 2017). For instance, “76.4 per cent of IFFs in oil from Nigeria in 2008 benefited only five countries, namely the United States, Spain, France, Japan and Germany” (Economic Commission for Africa (ECA), 2013, p.9). Much evidence regarding the proceeds from criminal activities as part of the components of IFFs in Nigeria is not available. However, criminal activities ranging from human trafficking, drugs and arms, to fraud in the financial sector – such as unauthorised or unsecured loans, money laundering, stock-market manipulation and outright forgery – constitute major components of criminal activities.

Part of such IFFs can be partly linked to the illicit diversion of the funds meant to procure arms to fight Boko Haram insurgency in Nigeria, especially under the former president, Goodluck Jonathan. The probe of the activities of Nigeria’s Office of the National Security Adviser (ONSA) under Jonathan administration by the Arms Procurement Investigative Committee inaugurated by President Buhari on 31 August 2015 showed several fraudulent financial transactions. The report revealed an extra-budgetary spending to the tune of N643.8 billion and mysterious spending of about \$2.2 billion in the foreign currency component (Nwabughio, 2015 cited in Ayodeji, 2016a). The Committee analysed how funds were transferred to the ONSA and the Nigerian armed forces in local and foreign currencies. It was revealed that aside the \$15 billion arms deal, a sum of \$40 million (N13.6 billion) must have been diverted offshore in a failed under-the-table negotiation with Boko Haram for the

freedom of the Chibok girls (Ayodeji, 2016b). The Committee further observed that about \$2.2 billion was disbursed for the procurement of ammunition to tackle insurgency but regretted that despite these enormous sums, little or nothing was spent for the procurement of the arms for which the fund was disbursed (Ayodeji, 2016a).

It is paradoxical that the Nigerian military faced probably its worst arsenal depletion in the period the defence sector enjoyed its heaviest allocations. This may be partly due to IFFs within and outside Nigeria. Under the Appropriation Bill signed into law on May 23, 2015, 20 per cent of the entire N4.962 trillion budget (representing N968.127 billion) was earmarked for defence (Yusuf, 2015 cited in Ayodeji, 2016a). Part of the discoveries from the investigation by the Committee established to audit the procurement of arms and equipment in the Armed Forces and Defence sector from 2007 to 2015 was the misconduct established against three serving major-generals, a retired major-general, three brigadier-generals, four colonels, and one lieutenant-colonel. These include Air Chief Marshal A. S. Badeh (ret'd), Air Marshal A. N. Amosu (Ret'd), AVM Adigun, and former Chief of Air Staff (CAS), Air Marshal Mohammed Dikko Umar (Ret'd) Air Vice Marshal John Ode (Rtd), and others (Nwabughio, 2016a; Iroegbu, 2016; *Premium Times*, January 15 2016 cited in Ayodeji, 2016a). Further inquiry by the Economic and Financial Crimes Commission (EFCC) discovered N17.5 billion in the accounts of wives of three Air force chiefs and the officers have confessed regarding the ownership of the funds after being confronted with the bank statements and they have also confessed that the funds are proceeds from arms procurement, contract awards and other deals some stashed away in foreign accounts (Ojo, 2016 cited in Ayodeji 2016a). According to Vice President Yemi Osinbajo, a whooping sum of \$15 billion was lost to the purchase of security equipment under the watch of former president Goodluck Jonathan towards the prosecution of Boko Haram and other insurgent acts (Nwabughio, 2016 cited in Ayodeji, 2016a) and there was little to show for it.

A study revealed that between 2006 and 2015, 55 top government officials and private businessmen in Nigeria illicitly diverted a total of N1.35 trillion (about \$7.5bn), including trillions wasted on fuel subsidy scam, billions on Dasukigate scam, hundreds of millions of dollars taken from the NNPC by the former minister of petroleum to bribe election officials in 2015, the list goes on (Sagay cited in Chesa, 2017). For instances, Sambo Dasuki (former National Security Adviser (NSA), accused of illicitly transferring over \$2 billion), Bashir Yuguda (former Minister of State for Finance, illicitly receiving N1.5 billion from the NSA's office; including N1.275 billion; collecting N775 million from the Office of the Accounting-General of the Federation); Attahiru Bafarawa (ex-Governor of Sokoto state, received N4.6 billion from the NSA's office for spiritual purpose); Olisa Metuh (Peoples Democratic Party Publicity Secretary, received N400 million from the Office of the NSA's Central Bank account); Air Vice Marshal Saliu Atawodi Rtd. (diverted N600 million meant for the procurement of military boats to fight insurgency. All these accused persons are currently on court trials.

Overview of Sources and Causes of Illicit Financial Flows

Le Billon (2011) identified three main sources of illicit financial flows, especially in the extractive sectors. They include corruption, illegal exploitation, and tax evasion. These three sources, according to him are not mutually exclusive. However, Adetiloye (2012) specifically alluded to the fact that resources acquired through public corruption, trade misinvoicing and transfer pricing, tax evasion and money from illegal activities such as drug trafficking, prostitution rackets, bribery, theft among others remain the sources of IFFs in Nigeria and by extension Africa. In the same vein, Baker (2015) estimated that laundered commercial money via multinational corporations (MNCs) constitutes the biggest component of IFF, followed by proceeds from criminal activities, and lastly corruption.

However, Ardigo (2014) claimed that serious attention has not been paid to a situation whereby the source of funds may be clean or legal, but their transfer may be illegal; and/or legal obligations relating to the funds, such as the payment of tax. All these types of IFFs tend to be perpetuated disjointedly and in a covert manner in order to conceal their origin or destination.

Evidence in the existing literature suggests that the drivers or causes of IFFs include tax evasion, grand corruption, bribery by international companies, economic booms, money laundering and trade mispricing (Rao, 2013). Also, IFFs are generally conceived negatively, though some scholars claim that IFFs may have some positive effects. These effects include the contention that the circulation of IFFs may encourage increased demand for financial and legal services. This increased demand is said to be temporary (Unger, 2006; Perez, Brada & Drabek, 2012). However, majority of the scholars such as Joly and Baker (2009), Kar, (2011), Fontana and Hansen-Shino (2012), Ngwenya (2016), among others, viewed IFFs as the phenomena that need to be discouraged for they have the capacity to pull down or under-develop a country in a multidimensional way.

Major causes of IFFs in Nigeria can be categorised as endogenous and exogenous factors. Part of the endogenous factors is the uncoordinated and ineffectual anti-corruption measures. Suffice to say that till today, faltering steps have been taken by present and past governments in the area of anti-corruption measures. According to Enweremadu (2010) and Ayodeji (2014, 2016b), many anti-corruption measures via institutional model and legislations and regulations have failed to work in Nigeria because of the non-involvement of the citizenry, leadership mendacity, lack of political will, selective justice, witch-hunt of political opponents and manipulation of anti-corruption legislations and regulations including anti-corruption bodies by those public office holders. For example, despite the public call for the probe of past presidents in Nigeria, none has faced trial.

Second, the poor security prognosis and strategies resulting from governance deficits have arisen because over the years, successive Nigerian governments have failed to harness the available enormous human and material resources to break the cycle of insecurity at the macro and micro levels. At macro level, many past Nigerian local and national rulers including security chiefs such as Ibrahim Babangida, Sani Abacha, James Ibori, Diepreye Alamieyeseigha, Tafa Balogun, Ibrahim Dasuki

among others had at one time or the other illicitly diverted public funds that ought to have been utilised for security. Given this scenario, it is evident that good governance will be in deficit and procuring enough funds to secure the nation will be difficult. For instance, Nigeria police continue to experience inadequate funding, poor infrastructure and welfare and absence of logistics support as a result of poor governance disposition (*Nigerian Pilot*, November 12, 2015). It would also be recalled that the Boko Haram terrorist attacks in Nigeria exposed depletion in the Nigerian military arsenal leading to the initial desertion of Nigerian soldiers in the battle front despite the enormous funds that have been provided in the past for the procurement of weapons. As rightly pointed out by Sewall (2015 cited in Ayodeji, 2016a), corruption hindered Nigeria's efforts at ending insurgency in the North-East, preventing basic supplies such as bullets and transport vehicles from reaching the front lines of the struggle against Boko Haram despite Nigeria's \$5.8bn security budget for 2014 (roughly 201% of the government's total budget) leading to low morale and persistent desertions among soldiers in the 7th Army Division.

At the micro level, ensuring human security in terms of economic security of the individual and curbing poverty have become a daunting task and people continue to suffer in the midst of plenty. That is why the human security approach maintains that "threats and challenges to security transcend national defence, and law and order to encompass all political, economic and social issues that guarantee a life free from risk and fear" (Hussein, Gnisci & Wanjiru, 2004, p. 11).

As for the exogenous factors, the global shadow financial system has prevented the IFFs beneficiaries from outright denouncement and taking coordinated cum drastic measures against such unwholesome practices. This development was accentuated by the desperation of the western countries to facilitate the flight of capital out of newly independent and other developing countries and to facilitate the transfer of tax evading money by MNCs which were poised to quicken their expansion all over the globe (Baker, 2014) and has since come to be utilised by criminals and terrorist financiers as well. According to Baker (2014, p.1):

Our analysis shows that some \$1 trillion of illicit money passes out of developing countries into tax havens and developed countries annually. Over many years, such transfers have accumulated to trillions of dollars shifted from poorer to richer countries. And our analysis shows that these flows are growing at about 18 percent a year.

The foregoing suggests that if there is no collaboration and support from rich countries like Switzerland, United States, Britain, among others, that have facilitated movement of the IFFs through different means such as tax havens, secrecy jurisdictions, disguised corporations, anonymous trust accounts, fake foundations, false documentation, falsified pricing in international trade, money laundering technique, and above all gaps left in the laws of Western countries (Baker, 2014) to facilitate the receipt of illicit money coming out of other countries, it would not have been that easy for the Nigerian rulers such as late Sani Abacha to transfer illicitly such gargantuan funds without being initially discovered.

The Implications of Illicit Financial Flows on Security and Governance Nigeria

According to Economic Commission for Africa (ECA) (2013), the relationship between the nature of IFFs and state of governance differs from one country to the other and mostly dependent on factors such as institutional weaknesses, historical propensities, economic structures and policies, and the state of the bureaucracy. Out of these factors, the institutional weaknesses most appear to be accountable for the persistent IFFs in Nigeria leading to unstable economic structure and policies, inefficient state of its bureaucracy in spite of different reforms. The Nigerian state, which has been variously characterised to be weak and dysfunctional (Lewis, 2006; Uzonwanne, 2012; Oparaku, Nwaneri & Egbe, 2017), is financially weakened and declared to be in economic depression and constrained from providing needed security.

Till date, the country is yet to overcome the precarious security situation as fallout of the compromised positions of the kleptocratic behaviour of political leaders via their penchant for IFFs. Thus, IFFs have been damaging to Nigeria because they have also been undermining (through bribery and public theft) the various institutions that are in charge of detecting and prosecuting IFFs. For instance, the detection of corruption in the judicial ranks, the rampant criminal acts, especially kidnapping, and failure in ensuring human security within the global minimum standard are pointers to the issues at hand. These entire scenarios not only constitute serious security risks, but also damaging to the Nigerian governance architecture by encouraging mistrust between the government and the governed.

Recently, a number of court judges such as Rita Ofili-Ajumogobia, Sylvester Ngwuta, Iyang Okoro, among others, have been accused in Nigeria of soiling their hands in corrupt acts (Cale, 2016). Part of the charges brought against Justice Ngwuta in particular bothers on the seized \$800,000 (£645,200) which is part of the proceeds of illicit act while four diplomatic passports, one official and two standard Nigerian passports all in his name were recovered by the Directorate of State Security Service (DSS) officials from the judge's residence. In the case of kidnapping, a booming business for criminals in Nigeria has recently been linked to IFFs. According to the notorious billionaire kingpin of the kidnapping underworld recently captured by the Nigerian police, Chukwudumeme Onwuamadike, popularly called Evans, though claimed that his criminal act has no foreign dimension. However, part of the ransom funds collected are usually in foreign currencies, it has been suggested in some quarters that part of such money may have been illicitly transferred to Ghana (his second home), South Africa and Canada. This is because his spheres of influence crisscross South Africa and Canada. It would be recalled that on more than four occasions, Evans collected \$1 million each as ransom from his victims. Evans' shady business ranged from drug dealing to armed robbery and kidnapping of high net-worth (*Punch Editorial*, June 16, 2017). The entrenchment of insecurity and governance weakness in Nigeria also emerged in the Evans' case where he has operated freely and evaded police arrest for more than five years before he was eventually arrested. Many of such criminals still freely operate without hindrance.

The Evans' saga also brought to the fore and situates the level of inflow and outflow of IFFs which have put security and governance at risks. In Evans' case, the police confiscated a cache of weapons from the gang which was enough to wage war against a decent community. Arms smuggling is currently described as a thriving business in Nigeria. Evidently, IFFs have enhanced the import of illegal weapons into Nigeria which have fallen to wrong hands. In 2006, during the heated days of the Niger-Delta violence, it was noted that about two million small arms remained in the hands of civilians, half of the number being illegally obtained. The Amnesty Programme by the Umaru Yar'Adua administration in 2009 prompted the militants to surrender a total of 2,760 arms, 287,445 ammunition, 18 gunboats, 763 explosives, 1,090 dynamite caps, and 3,155 magazines, among others (Kujenya, Duru & Onu, 2013).

In 2012 alone, the Nigerian Customs Service (NCS) documented in a publication that between January and June, it seized a total of 2,294 arms with a duty paid value of N1.8 billion within the country. The NCS also said that 15 containers of dangerous weapons, including rocket launchers, mortars, bombs, small light arms and ammunition camouflaged as building materials, were imported into the country through Apapa Port alone (Kujenya, Duru & Onu, 2013). In 2013, it was reported that a Briton was arraigned in the United Kingdom for shipping 80,000 rifles and pistols and 32 million rounds of ammunition illegally to Nigeria. The shipment included 40,000 AK-47 assault rifles, 30,000 rifles and 10,000 9mm pistols (Kujenya, Duru & Onu, 2013).

It was reported in 2016 at the National Consultation on Physical Security and Stockpile Management (PSSM) in Abuja, that Nigeria harbours 350 million or 70 per cent of the 500 million illegal arms in West Africa (*Daily Trust Editorial*, August 11, 2016). Recently, the Nigeria Customs Service operatives seized two imported cargoes carrying 661 and 440 high-calibre rifles (*Punch Editorial*, June 16, 2017). These were just the detected ones, a lot of weapons would have entered the country illegally and undetected. Thus, the overall available disturbing statistics show that 350 million illegal arms are floating and a simple average indicates 478 illegal weapons per local government area in Nigeria (*Daily Trust Editorial*, August 11, 2016).

Concluding Remarks and Recommendations

Attempt has been made to examine the extent to which IFFs have contributed to insecurity and governance in Nigeria and it is underscored that curbing the IFFs are a vital security and governance concerns. It has been emphasised that major challenges of curbing IFFs in Nigeria are traceable to endogenous and exogenous factors. Part of the endogenous aspects have arisen from the uncoordinated and ineffectual anti-corruption measures, poor security prognosis and strategies resulting from governance deficits while exogenous ones lie within the global shadow financial system preventing the IFFs beneficiaries from taking decisive steps to curb such noxious practices. Based on the findings of this paper, those in government have encouraged and paved the way for the means of generating

illicit resources from both public and private sector through complicity, impunity and indecisiveness in governance. By extension, public officers who have illicitly accumulated resources continue to employ various tactics ranging from corruption, money laundry to illegal transfer of these funds to foreign banks, especially those in secrecy jurisdictions, to safeguard such pillage. That is why it has been observed that “weak governance spawns public corruption and encourages corporate malfeasance” (UNDP/Global Financial Integrity, 2013, p.18).

Thus, IFFs and their nexus with insecurity and governance underline a policy response that should compel the governors of the country’s resources to make better regulatory environment through enforcement of national and global standards of financial transparency and democratic accountability. Hence, curbing IFFs in Nigeria and other African countries, first of all, depends largely on the endogenous workable anti-corruption strategies, removing governance bottlenecks and deficits by allowing unhindered access of civil society groups to contribute and participate in the government policy process, proactive measures in terms of manual and e-security surveillance on financial transactions involving MNCs. What can then follow are the sustenance of unceasing measures and pressures against countries that are notorious safe havens for IFFs so as to curb their involvement in such ignoble acts.

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Multipolarity as New World Order: Interrogating the Declining Hegemonic Power of the United States of America

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Abstract

The international system has been one fraught with dynamism and competition among nations of the world in their pursuit for power, resources and dominance. These factors have led the international system to be known for anarchy. The post-Cold War era has seen the United States of America become the most dominant nation in the international system with enormous military and economic might moving from a bipolar system that hitherto characterized the Cold War to a unipolar system. The international system is not known for being static. Recent changes, events and structure of the international system have shown a move toward multipolarity with China, Russia and the European Union as key players. The purpose of this paper is to analyze the multipolar structure, dynamics and characteristics of the international system as a new world order. At the same time, this paper aims to interrogate the declining power of the United States of America. More importantly, the paper clearly highlights some of the factors responsible for the declining hegemonic power of the United States of America. It concludes that the emergence of China, European Union and reinforced Sino-Russia relations have played significant role in undermining the power of the USA in the world affairs.

Keywords: Hegemony, Polarity, Multipolarity, USA, Power, Decline

Introduction

The international system has over the centuries been characterized by dynamics and complexities in states' relations. These complexities manifested in the First World War (1914-1918) and the Second World War (1939-1945), as well as the Cold War that succeeded them. Furthermore, the post-Cold War era has not been without its own power relations among nations in the global system. One of such was the power and ideological tussle between the United States of America and The People Republic of Russia. It has long been assumed that the distribution of power internationally is likely to play an important role in world politics. The structural effect of what is known in international relations as the "polarity" of any given moment has been a central theme in mainstream theories and across other disciplines in behavioural sciences.

According to Alida (2014, p.57), efforts to understand the nature of the international system have led many scholars to using such terms as: empire, hegemony, imperial power, colossus, hegemonic power, among others. For a long

time, scholars such as Bull (1977) have been looking for a terminology that can describe and introduce historical and comparative perspective on the structure of the international order in different periods, although the terminology used has created more confusion than clarity about global system. Therefore, it is not surprising that studies on the polarity of the international system and comparative analysis of unipolar, bipolar or multi-polar systems turned to central debate in the theories of international relations. Not only the debates on the polarity of the system, but also those on hegemony or anti - hegemonic balancing coalitions reflect the fact that the role of the state is a defining paradigm in the international order.

The dissolution of the Soviet Union and the change into a unipolar were very important moments, which influenced the studies in the field of international relations and the explanations given on polarity. Most of the researchers were found unprepared in the end of the Cold War. A very small number predicted that the system could be unipolar. Since then, a lot of studies have been made on unipolarity, the peace that derives from it, and its sustainability or failure. Also, the newly formed world order led to the emergence of many scientific debates to understand the trends of dominant states, threats to such a system, a state's ability to translate its dominant powers into effective influence (Jervis, 2002, p. 7).

Based on theoretical approaches, scholars do not agree on how the structures, dynamics and the features of polar systems affect the stability of international relations system. Benjamin (2013, p.55) views the international system as a multipolar configuration and is thought to be the most common in history and is closely associated with the idea of a global balance of power. This particular distribution of power has included iconic formulations like the "concept of Europe" of the 19th century (McGowan & Rood, 1975) and the interwar years of the 20th century (Gowa, 1989). Kaufman and Wohlforth (2007) described the ancient Middle Eastern system at the beginning of the 9th century BCE as being multipolar as multiple powers operated within including Assyria, Babylonia and Elam.

Multipolarity is a distribution of power in which more than two nation-states have nearly equal amounts of military, cultural, and economic influence. In order words, Multipolarity in international politics shows a decline of a hegemonic power due to the rise of other power blocs in the international systems. Everywhere you turn, people are sounding the alarm about the decline of American power. The alarms are loudest in the U.S. itself. President Donald Trump's campaign slogan "Make America Great Again" is the idea that America is not currently great. The term "multipolar world," once a simply wishful thinking, is now being uttered by U.S. friends and foes alike. Furthermore, the emerging rise of China, the European Union and its countries such as France, Germany among others, adding to the growth and development of BRICS countries as well as the Sino-Russian relationship have sharply reduced the power of the United States of America as these nations competes with the USA, militarily, economically and globally.

The aim of this paper, is to examine the extent the influence of the United States of America, has waned in international politics as a result of the changing structure of world politics which is increasingly tilting towards multipolarity.

Conceptual Clarification

The Treaty of Westphalia effectively ended the Thirty Years' War that had ravaged the European continent. Its adoption resulted in the end of feudalism and the beginning of a new political system based on national self-determination and sovereignty. Unfortunately, these historic changes initially created a world order that was, in effect, an unmanaged, multipolar constellation (a system with more than two poles). Waltz believes that such an international system is by nature, decentralized and anarchic. "In the absence of agents with any system-wide authority, formal relations of super- and subordination fail to develop." (Waltz, 1979, p. 130). In this type of system, a small number of major powers competed for dominance in international relations. What evolved was a very fluid arrangement where skilled ambassadors negotiated to balance or rebalance the system and thereby sustain stability.

Polarity in international relations is any of the various ways in which power is distributed within the international system. It describes the nature of the international system at any given period of time which can be unipolarity, bipolarity and multi polarity for more centers of power. The type of system is completely dependent on the distribution of power and influence of states in a region or globally.

Unipolarity in international politics is a distribution of power in which one state exercises most of the cultural, economic and military influence. Bipolarity is a distribution of power in which two states have majority of economic, military and cultural influence internationally or regionally. Often, spheres of influence would develop. For example, during the Cold War, most western and capitalist states would fall under the USA, while most of the communist States would fall under the influence of USSR. Multipolarity is a distribution of power in which more than two nations have nearly equal amounts of military, cultural, and economic influence. Example, in today's world there are so many super powers like the United States of America, Russia, China, United Kingdom, France among others.

According to Ikenberry, Mastanduno, & Wohlforth (2009, p.5) polarity is a theoretical concept. According to them, polarity implies a threshold value in relation to the capacity to be reached by the power of states in order to be considered "polar actor" in the international system. But, how can one understand whether or to what extent a particular state has met the necessary requirements of distribution of capabilities, in order to turn the international system into a unipolar, bipolar or multipolar one? For this, we will need to understand that states meet this requirement when it has the capacity which unequivocally places it in a separate category compared to all other states in the system (Wohlforth, 1999, p. 36). The concept of polarity has been extensively discussed among scholars of international relations, thus creating an abundant literature on polarity, where the scholar Kenneth Waltz is worth mentioning. According to him, for states to qualify as poles, they should have the following power components: population size, territory, natural resources, economic power, military and force (Waltz, 1979: 131). Waltz writes in *The Theory of International Politics* that "polar actor" is a state that: (a) enjoys considerable level of resources or opportunities to achieve its goals; (b) exceeds other states in every

element of state capacity conventionally defined as, the size of population and territory, natural resources, economic capacity and military forces, as well as organizational-institutional “competence”.

The structure of the international system is changing with the seeming evaporation of United States of America’s unipolar moment. Jisi (2004) argued that the decline of U.S. primacy and the subsequent transition to a multipolar world are inevitable. More recently, Ikenberry (2002) stated that the United States unipolar moment will inevitably end. Multipolarity helps weaken and curb hegemonism and power politics. it also serves to bring about a just and equitable order and contributes to world peace and development.

Evolution of the United States of America’s Hegemonic Power in the International System: Areas and Dimensions

According to Wallerstein (2002, p.60), hegemonic power was exercised three times in the modern world system. The first time was by the United Provinces in the mid-17th century. The second was by Britain in the 19th century and the third was by the United States in the 20th century until the present. When the US assumed the mantle of global leadership from Great Britain, it initially acted as a dominant power rather than a hegemon. During the interwar period, the US seemed to have a clear idea of the type of international order that it wanted to create. Powerful countries have always had the capacity and the desire to influence the international system of which they are a part (see also Watson,1992).

What is remarkable about the contemporary system is that one country – the United States – is far more influential in this regard than any other. The US has a unique potential to shape both the rules and regulations that govern the increasingly interconnected international system, and the behavior of the other states and non-state actors that effectively constitute it. Consequently, in an era of ‘unipolarity’, the US foreign and domestic policies have assumed an unprecedented prominence in the affairs of other nations and regions as they seek to accommodate, and where possible benefit from, the evolution of the US hegemony.

That USA was ‘hegemony’ became clear in the aftermath of World War II, when, the formidable presence of the former Soviet Union notwithstanding, the US was revealed to be the most powerful country on the planet. This was mainly in the economic, military and cultural spheres. Nothing has happened in the interim to change this basic position, despite widespread concerns in the 1980s about the supposed decline in the US hegemonic position (Keohane 1984; Kennedy 1987). Indeed, the end of the Cold War and the US’s apparent economic renaissance during the late 1990s consolidated its pre-eminent position and appeared to lock-in its dominance for the foreseeable future (Sardar & Davies, 2002).

During the period of Cold War (1945-1989), international politics was characterized by the bipolar world order with two power blocs namely the United States and the Soviet Union balancing each other as well as providing relative stability in international system. However, the disintegration of Soviet Union and the victory of capitalism over communism left the US as the only remaining superpower

dominating the international system and shaping the future of global politics. In terms of its military and air force capabilities, the US can target any country in the world as well as can deal with a conflict without deploying ground forces. Also, the progress in global finance and marketing, the achievement of international institutions envisioned by the US for peace-making and world democracy, advancement in science and technology makes it unparalleled all around the world.

The post-war Second World War order created under the auspices of US hegemony had a number of distinctive features. Significantly, some of the institutional structures, ideas and practices that are synonymous with the early phase of US dominance generally, and the establishment of the Bretton Woods regime in particular, have either already evolved into something quite different from what their original architects intended, or are likely to be transformed by recent policy initiatives. To make sense of recent policy innovations under Bush II, it is necessary to disentangle the broadly economic and strategic aspects of American policy. The Bretton Woods institutions – the World Bank, the International Monetary Fund and the General Agreement on Tariffs and Trade (GATT) – are the most important expressions of USA post Second World War dominance and the US's desire to create an institutionalized international order that embodied its norms and values, and which was explicitly designed to avoid the 'mistakes' of the inter-war period when the world economies collapsed into Depression and autarky (Latham 1997; Löffler 190). Even if the US has arguably been the principal beneficiary of the liberal economic order it helped to create, there is no doubt that others benefited, too. Indeed, the period in which the US provided the aid and investment that facilitated post Second World War reconstruction in Western Europe and Japan is rightly regarded as the high water mark of enlightened USA diplomacy.

The US has played a vital role in the formation of UN and it is often claimed as its main founder. After the end of Second World War, the US wielded a great deal of influence at the United Nations and also felt the responsibility to defend the nation-states. The basic purpose of US strategy to establish the UN was to improve upon the League of Nations in two fundamental ways. One was to do everything possible in order to attain the collaboration among the great powers as the cornerstone of the peacekeeping system. The other was to strengthen the organization's social and economic programs as the best long range means of preventing the occurrence of future wars (Haviland, 1965). It further molded other nations according to its own image as well as conducted diplomacy across the globe without hindrance from any extreme minority or undeserving majority. In addition, the US in greater terms was able to actualize most of its UN initiatives and establish its world legitimacy at the UN General Assembly. Thus, the relationship of the US to the United Nations has come under special scrutiny for reasons that it has been utilized in the past, or can be used in the future, as an instrument of US foreign policy.

In the aftermath of World War II, the US started to play a role of the hegemon in the international system. It played a leading role in establishing global institutions such as the United Nations, the International Monetary Fund, the Bretton Woods system and host of other international institutions. The US dominated the

functioning of these institutions and thereby fitting its hegemonic role of upholding the rules. Also, the United States has played a consistent role as the ultimate mediator and arbiter of international conflicts since the end of Second World War (Szayna et al 2001). In addition, the US has dominated the international system in material terms as it has the strongest economy on a global scale vis-à-vis other states of the world and have the only military with truly global reach. But on the other hand, scholars like Mearsheimer (2001) argued that we are already living in a multipolar world and the US is just only one pole among many. They are of the view that mainly the BRIC States including Brazil, Russia, India and China account for powers that need to be counted in. Moreover, the EU as a whole is as stronger as the US in economic terms. It is the only match to the United States in economic terms at the global level. Thus, it leads one to say that we are already living in a multipolar world where no state solely dominates (Beyer 2012).

Today, Russia and China have the conventional capabilities to give the US a good fight in a major war and they both possess the great capabilities of nuclear arsenals. It would not be easy to conquer either of the two countries in a conventional warfare and as such both qualify as great powers. This implies that we are already living in a multipolar world where no state solely dominates. Globally, it can match the United States in economic terms. Similarly, Nye (2015) claims that the US is not a true hegemon. He argues that if hegemony means being able to dominate or dictate on the rules and arrangements by which international relations are conducted, then the US is hardly a hegemon today. For instance, the US does have a predominant voice and vote in the International Monetary Fund (IMF), but does not have a free hand in choosing the director. In the World Trade Organization (WTO), it has not been able to prevail over Japan and Europe.

According to Addison (2017, p. 78), the US hegemony has been viewed as declining at several times since its rise to preeminence in the postwar world including the perceived missile gap in the 1960s and the controversial outcome of the Vietnam War in the 1970s. During the 1980s, rapid growth in the Japanese economy again raised speculation that the United States was in decline. However, all of these predictions proved to be largely exaggerated. The most recent claim of US decline stems from the 2007-2009 financial crisis. A combination of slow economic recovery, a resurgent and aggressive Russia, the rise of global instability, and an increasingly assertive China, led the decliners to claim that the global balance of power has shifted away from the American centered model.

Multipolarity and the Decline of United States Hegemony in the International System: Reasons, Challenges and the Emerging Changes

By the end of the Cold War, bipolar international system disintegrated. The United States has become the only superpower and the international system has become unipolar (Waltz, 1999: pp. 693-700) as reflected in the global defense industrial order. Collapse of the Soviet Union led to the relative absence of balance of power competition (Beinart, 2008, p. 83). However, according to Alexander & Amanda;

How China and India rise, how Russia reemerge, how Europe consolidates its experiment in shared sovereignty, how Japan chooses to define its international identity- and how the United States reacts to these developments- will shape the International system and the nature of international relations in the coming years (Alexander & Amanda, 2008, p. viii).

Furthermore, Ikenberry (2009) has described some of the central questions animating scholars and practitioners alike today in the following terms: 'What is the shape of the coming system?' There is a very strong sense that we are at a turning point that the old order is giving way for something new. While, Fareed Zakaria asserts that, 'the fact that new powers are more strongly asserting their interest is the reality of the Post-American world (Zakaria, 2008, p.37). China, Russia, Japan, the European Union, and India have potential to change the international system. China's capabilities have been increasing continuously last twenty-five years in magnitudes that fundamentally restructure the international order. Chinese economy grew 9.7% on average between 1979 and 2005.

Development of large quantity of electronics, computers, and advanced communications technologies indicate the transformation and modernization process of the Chinese economy (Blasko, 2006, p. 13). Chinese economy is becoming more effective in the global economy. In recent time, the U.S. administration threatened China to suspend normal tariff treatment because of human rights issues, but had to make a U-turn as the ultimatum was to expire due to China's increasing influence in the world economy (Lampton, 2007, p. 115). China's economic development goes hand in hand with scientific and technological development. Chinese patent applications increased around 50 percent in 2008 (World Intellectual Property Organization [WIPO], 2008). According to military experts, China's economic, scientific and technological developments, especially in the information technologies sector, do diffuse to its military development (Lampton, 2007). Its civil-military integration makes progress each year. It is developing advanced weapon systems that are more capable in comparison with the most advanced weapon systems of developed countries. Extraordinary performance of the Chinese economy let the Chinese leaders to increase defense expenditures more than ten-fold since 1989, which greatly enhanced China's military development process (Singh, 2005, p. 688). All these economic, scientific, technological and military developments fundamentally change the balance of power in the international system.

Future of the E.U. is also one of the most important variables. Whether Europe will be able to agree so that it can constitute a united political, military and economic power will affect the international system. Japan's increasing military expenditures and its military and civilian R&D expenditures can fundamentally affect the balance of power especially in Asia since Japan has a very strong scientific, technological and economic infrastructure. Russia has lost power since the end of the Cold War. Nonetheless recovery has begun especially in the military arena (Barany, 2008, p. 50). Politically stable and economically strong Russia, with its rich energy

resources and advanced defense industry, can change equilibriums in many regions including East Europe, Caspian Region, Central Asia and East Asia. Actually, Russia has already changed equilibrium in Central Asia and the Caspian Region via the Shanghai Cooperation Organization (SCO) (Nickeson, 2007, pp. 6-9). There have been certain emerging changes in the international system towards the decline of the United States hegemonic power towards multipolarity of the international system. The obvious changes transverse areas of military/defense, economics/trade, technological advancement, among others. Some of such changes that have occurred in the international system in recent century are:

The Emerging Dominance of China in the international system.

Yan Xuetong of the Tsinghua Center for Global Policy believes the US status as the strongest superpower has been eroding since the end of the Cold War. He argues that the international superpower dynamic is in transition from a US primary unipolar system to a bipolar system with China holding the other pole. He observed on this point that the superpower disparity between China and the United States is narrowing. China's GDP in 2011 was 45 per cent of the US GDP. If China's GDP continues to grow at 8.5 per cent per year and the US GDP grows at less than 3.8 per cent, the current GDP disparity between the two powers will level out within the decade. Meanwhile, in the next ten years, the economic disparity between both powers and the rest of the world will continue to widen. In the next five years, only the United States and China will be able to spend more than \$100 billion (USD) on defense, increasing the gap (Nickeson, 2007). The key question pertains: how long will the US quasi "unipolar moment" last? Only time will tell. Clearly, US post-Cold War primacy as the sole remaining superpower has stabilized into a much more complex global system where the US is merely without peer. However, reports of the demise of the United States have been greatly exaggerated. These trends foreshadow the future possibility of a world organized around multiple power centers which include major and minor "power players". Since the fall of the Berlin Wall nearly a quarter of a century ago, the emergence of new centers of power and influence, especially the rise of the European Union, China and India as major regional actors, will test the international system in coming decades. A transitional period of unbalanced bipolarity seems to me to be the likely next phase, with China as the principal counterpoise to the USA.

The Advancement of the European Union

The EU's identity is rather distinct from that of China. It is often perceived to be a normative actor, founding its policies on values, institutions and cooperation rather than power politics. As such, the EU constitutes an effort to reshape the power paradigm to reflect a new kind of power in global politics. As stated in its 2003 Security Strategy, the EU aims at the 'development of a stronger international society, well-functioning international institutions and a rule based international order'. European Union enhances its economic integration; nonetheless it is not successful in political and military dimensions. However, it can be argued that the

advancement of the European Union is due to the advancement of the countries within the European Union that formed it. The political, economic as well as military advancement of France, Germany and other European countries that have successfully grown has effectively shifted the global power from being centered in the USA.

Also, within the European Union, France and Germany, one being a member of the United Nations Security Council, and both part of the G8 economically developed countries also play significant roles in the global international system as they also decide the outcomes of global politics as they possess the power to make security decisions with their ability. In addition, France can counter unilateral decisions of USA as well exert significant influence on the USA in order to retrace some of their decisions that is against the views of other members of the Security Council. One of such example is in 1999 Gulf War and the invasion of Iraq by the United States of America. Consequently, the role the European Union through its member countries such as France and Germany play in international politics has significantly reduced the hegemonic power of the USA in the international system as well as ensured power balancing in the international system.

The impact of the Sino-Russian relationship in the international system

Nearly two decades ago, Charles Krauthammer hypothesized that “multipolarity will come in time...another generation or so there will be great powers coequal with the United States, and the world will, in structure, resemble the pre-World War I era.” Since the beginning of the 21st century, and especially within the past couple of years, the seeming actualization of Krauthammer’s prediction has caused many to believe that the world now stands on the precipice of a multipolar order. China and Russia have long been in the forefront of nations advocating for this order and have included multipolarity as a joint cause in many of their agreements achieved its declarations and treaties. Despite their frequent use of the term, however, China and Russia have failed to elaborate upon how they believe multipolarity is best achieved. The 1997 Joint Russian-Chinese Declaration about a multipolar world and the formation of a New World Order, albeit more diplomatically, were first among strings of statements emphasizing multipolarity and denouncing U.S. hegemony. China and Russia cooperation over the past decade and their joint opposition to U.S. unipolarity has caused some westerners to predict an impending clash between a Sino-Russian alliance and the United States. Others, however, discern several discrepancies between Chinese and Russian motives in the propagation of multipolarity, and thus question the durability of such an “alliance.” This growing relationship between China and Russia in ensuring that the Post World War II strength of the United States of America is reduced. For instance, in September 2002, the United States proposed a resolution in the UN Security Council (UNSC) accusing Iraq of illegally concealing Weapons of Mass Destruction (WMD) and threatening military action if the weapons were not surrendered. Russia, France, and China agreed that this was a rash decision and proposed that the United States await the

conclusions of UN weapons inspectors in Iraq. Consequently, an amended resolution was proposed and passed by the UNSC in November 2002.

The Military aggression of North Korea.

One significant way in which the USA hegemonic power has been on the decline is the military development of North Korea in the area of Nuclear Weapon, despite the sanctions placed on them by the international community. The inability of the USA to ensure compliance rather aggression and more military threats from the supreme leader of North Korea shows a decline. Furthermore, this shows that the USA is not in control of or possesses the ability to ensure total arms control and disarmament in the Asian region. Also, the military advancement of North Korea and their diplomatic rift between South Korea display a further dynamism in the 21st century global politics. The USA which is an ally of South Korea is usually balanced out with the interest North Korea in the region. This decline in the USA hegemonic power is further accentuated by the role and diplomatic ties between the Peoples Republic of China and North Korea. This has further reduced the power of the USA in achieving its foreign policy goals in the region despite its alliance with South Korea.

Conclusion

The progress of the international system over the century with its characteristic dynamism and power acquisition and tussle which led to the world wars have shaped the system enormously. Also, the Cold War played a significant role in shaping the world into a unipolar direction from its bipolar international order characterized by the United States of America and the Russia playing roles of the super power in the international system. With the end of the Cold War, the USA emerged as a global hegemonic power in world politics and affairs. Furthermore, recent changes in the present day international system show a significant waning of US power and continuous decline in the power domination of the USA.

The appearance of many centres of power in the international system shows a decline of the hegemony of the USA, due to the rise of other power blocs in the international systems. In the recent times as the paper shows the declining hegemonic power of the United States of America after its rise as a global hegemony after the collapse of the Cold War in which Soviet Union which facilitated a system of bipolarity failed and created a unipolar order, shows that the USA can no longer sneeze and expect the whole world to catch cold. Furthermore, the emerging rise of China, the Military aggression of North Korea, the European Union and its countries such as France, Germany among others adding to the growth and development of BRICS countries as well as the Sino-Russian relationship have sharply whittled down the power of the United States of America as these nations competes with the USA, militarily, economically and globally.

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Opposition Parties' Pre-Election Alliance Failure in Nigeria's Fourth Republic

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Abstract

In Nigeria's Fourth Republic, five successive general elections have been held. Four were contested by opposition parties. One underlying feature of these elections is the persistent attempts by opposition parties to form pre-election alliance. For example, in the general elections of 2003, 2007, 2011 and 2015 opposition parties had expressed intentions to form pre-election alliances but did not materialise. It is in this context that this paper examines the failure of opposition parties in Nigeria to form pre-election alliance from 2003 to 2015. The question that this paper therefore, seeks to answer is what are the factors responsible for the failure of these alliances to materialise? The paper utilises the office-driven model of the rational choice theory as its explanatory framework. The study relied on both primary and secondary sources of data. The primary data was derived through the instrumentality of the In-depth Interview technique. The secondary data were sourced from party constitutions, party minutes of meetings, Electoral Act, 1999 Nigerian Constitution and other archival materials. The data generated from the interviews was analysed qualitatively, using the simple technique of discovery model of field research. This model entails careful reading of interviews and discerning common patterns and themes based on which the research questions were analysed. The major findings of the study are; lack of trust among opposition politicians, inability of party leaders to compromise on office related side payments and legal regulatory impediments combine to militate against opposition parties' electoral alliance formation.

Keywords: Pre-Election, Alliance, Failure, Opposition, Parties

Introduction

In Nigeria's Fourth Republic, electoral competition has been defined, largely, by the dominant party type system. In this kind of political constellation, opposition parties' fragmentation occurs (Ikotun, 2010, p.190). As Kiiza (2009) notes, the opposition parties in Nigeria faces two important challenges: party atomization and overbearing dominance of the ruling parties. Hence, these challenges combine to question the viability of opposition parties to serve as vehicle for promoting meaningful electoral competition. To alleviate these challenges, the formation of alliances has been broadly advocated. Alliances can therefore, serve as a strategy by which opposition parties can increase their stake in electoral competition and thereby increase the competitiveness of the electoral process. In Kenya, the Rainbow Coalition served this purpose. In Nigeria since 2003 opposition parties have attempted to form pre-election alliance but failed to go beyond expression of

intention. It is in light of the forgoing that this paper examines the failures of opposition parties to form pre-election alliance in the fourth republic.

The objective of the paper is to investigate the factors hindering opposition parties from forming a pre-election alliance in Nigeria's Fourth Republic. The study used both primary and secondary sources of data. The primary data was derived through the instrumentality of the In-depth Interview technique. The secondary data were sourced from party constitutions, party minutes of meetings, Electoral Act, 1999 Nigerian Constitution and other archival materials. Key respondents were purposively selected from opposition parties with history of alliances attempt. The data generated from the interviews as well as the secondary materials were analysed qualitatively, using the simple technique of discovery model of field research. This model entails careful reading of interviews and discerning common patterns and themes based on which the research objective was analysed. The paper is divided into five sections. This introduction is immediately followed with conceptual and theoretical interrogation. The third section is a review of general coalition politics in Nigeria. The fourth section examines the factors responsible for opposition party pre-election alliance failure. Section five concludes the paper.

Conceptual and Theoretical Interrogation

In order to avoid intellectual convolution, we begin by conceptualising our key concepts of 'opposition' and 'pre-election alliance'. The concept of opposition, in form of riots and civil unrest, predates the attainment of democratic freedom, which characterised contemporary democratic systems. Horne Took (cited in Ostrogoski, 1902), argues that in history, all political associations started as opposition. The concept of opposition parties therefore, whether responsible or irresponsible, as classified by Sartori (1966 p.152), refers to those groups oriented towards governing and may or may not possess the requisite character to takeover power. According to the European Conference of Presidents of Parliament, opposition parties can be defined "as all the political parties or movements that do not belong to the parliamentary majority or the government coalition and voice their disagreements and critical views concerning government action and are competing for legal accession to and the peaceful exercise of power" (ECPP, 2014, p. 2). Similarly, the aim of opposition party, Schapiro (1967) notes, is to oust the party in power and to replace it by one of its own choosing. Contemporary literature on political opposition, place more premium on the level of toleration of the system for the opposition. Dahl (1971) observes that the right to participate in and to oppose the government is the hallmark of democratic societies. This, he argues, requires the state to tolerate and even protect autonomy both for individuals and for organized oppositions. On the basis of this, it can be argued that a country with universal suffrage and a completely repressive government would provide fewer opportunities for opposition, than a country with narrower suffrage but a highly tolerant government. By this assertion, we accept that universal suffrage is not as important for the survival of opposition parties as the extent of toleration by the government of opposition.

In Africa because of the nature of dominant party system, which comes with high level of intolerance, opposition is seen as dissident and treated with guarded indifference. In his selected speeches, Obasanjo (cited in Mohammed, 2006, p.14) observes: “In most African languages, the word opposition has the same meaning and connotation as the word enemy”. Impliedly, as an enemy, they must be crushed. However, there is no evident to support this claim. As Dudley (1973) argues that this view portraying Africa’s opposition party as dissidents emanates from the praetorian rule, with its consequential ‘indirect socialization’ that has created a social and psychological abhorrence towards dissent. Therefore, the root of this perception can be traced to colonial experiences of the African societies. Nevertheless, this perception of the opposition has done much to constraint its cohesion and ability to mobilise. Therefore, we define opposition party as all those parties that do not constitute the government and are recognised by law to compete in an election.

Pre-election alliance has been defined purely as vote maximizing mechanism. In his seminal work on coalition politics in Africa, Kadima (2014, p.2) defines it as “the coming together of at least two political parties prior to an election for the maximization of votes”. In the same vein, Amrita (2003, p.4) argues that “those who treats parties as coalition of group of individual candidates motivated by electoral consideration” are referring to pre-electoral alliance. In his study of ethnic coalitions in Africa, Arriola (2013, p.36) introduced the ethnic factor as an essential alliance variable. He specifically, defines pre-election alliance as “an election alliance in which politicians from different ethnic or regional groups endorse a single candidate for executive office” for the maximization of their votes. Similarly, Karume (2003) describes pre-election alliance as made up of separate organizational parties that function as a unity in the context of competitive multi-party elections. Such an alliance, according to him, aim to gain an electoral majority and it does so by organizing the exchange of votes across ethnic lines among constituents. Conceptually, alliance has been used interchangeably with coalitions and mergers. This has the potential of creating conceptual in-exactitude (Aliyu, 2016). It is theoretically appealing therefore, to address this seeming conceptual confusion about these three related but different concepts.

The concepts of alliance, coalition and merger have been approached from two different dimensions: the extent of the cooperation taking place and the timing of the alliance. Viewed from the extent of the cooperation that takes place between the coalescing parties, both party alliance and party coalition are generally regarded as a loose, temporary union of two or more parties for the purpose of gaining more influence or power than the individual parties can hope to achieve on their own (O’Day, 2004). As Kadima, (2014) puts it, party alliance and party coalition are party cooperation modalities in which parties work together but maintain their individual party identities. This similarity is important especially in the conceptualization of party merger in contradistinction to the other two concepts. Party merger on the other hand, expresses coalition dynamics through a process of fusion or synthesis; in this case, each partner, forfeit its official identity and coalesce to build a new identity. Party merger hence, signifies parties that band together under a set of identical/single

structures (Karume, 2003). Secondly, the three concepts have also been addressed from the prism of early vs. late combination (Goodin, Guth & Sausgraber, 2007). According to Goodin, Guth and Sausgraber (2007), alliance and merger are early combinations – which take place before the election and coalition represents late combination – which takes place after the election. Impliedly, alliance is the same as pre-election alliance while coalition refers to post-election coalitions or government coalition. Therefore, we define pre-election alliance as a vote maximizing strategy by two or more opposition parties desirous of winning an election.

Empirically, not so much have been written on party alliances in Nigeria (Akinola, 2014, Jinadu, 2011, Ibrahim & Hassan, 2014). The work by Dudley (1968), interrogates party and politics in Northern Nigeria, and dealt extensively with party coalition of the First Republic. The work essentially, analysed government coalition and the pre-election alliances of UPGA and NNA. Dudley's concern was on trying to explain the choice of government coalition partner by NPC despite the various possible political combinations that were likely to form beside the NPC/NCNC coalition. On the pre-election alliances of UPGA and NNA, Dudley's analysis was on the competitiveness engendered by the alliance and its impact on the longevity of the republic. Junaidu (2011) addresses the issue of general inter-party cooperation mechanism in the fourth republic. However, he was more concerned with the issue of inter-party cooperation that ensures greater understanding between and among political parties in the country, such that, the kind of tension peculiar with politicking in Nigeria is ameliorated. The intervention by Akinola (2014) examines party formation and alliances in Nigeria from independence to the formation of All Progressives Congress (APC) through merger of political parties in 2013. His analysis was caught in the web of conceptual confusion and failed to interrogate the causes and reasons opposition parties failed to form alliances in 2003, 2007 and 2011 general elections. Similarly, Maduaguna's (2013) article is not focused on an empirical interrogation of the causes and reasons alliances fail to crystalize into election. Rather, his major thesis is that in all the republics, the tendency towards a two party combination has always been attempted. He cited the formation of the NNA and UPGA in the First Republic, the formation of the Progressives Peoples Party and the Progressives Party Alliances and the formation of the NRC and SDP in the Third Republic. He therefore, concludes that the fusion of opposition parties to form the APC was not new. Maduaguna's analysis can be questioned from empirical and theoretical positions. Empirically, on the one hand, the PPP and PPA alliances never really formed. On the other, SDP and NRC were not an alliance of registered parties; they were agglomeration of political associations. Therefore, equating them with the UPGA and NNA alliance could be misleading. Theoretically, he failed to distinguish between merger of opposition parties like that of APC and pre-election alliances attempts such as the PPP, PPA.

At theoretical level political combinations have been explained, to a large extent, on the experiences and expositions derived from studies of western European countries and have mainly focus on predicting and explaining models of government coalition formation. The emphasis of these Eurocentric literature is based on the

analyses of the motivational factors for the building of coalition and or alliance that eventually formed. Therefore, the preoccupation with 'size and ideology' principle explains coalition that forms only in terms of office motivations (Riker, 1962) or ideological motivations (Axelrod, 1970). Towards this end, theories such as the Minimal Winning Coalition (Riker, 1962), the Minimum Connected Winning Coalition, the Ideologically Compact Winning Coalition, etc. were developed and used in the analyses of coalition formation and collapse. Evidence from the literature on coalition politics has arrived at three different conclusions. Firstly, Studies of developed democracies tend to weigh in favour of ideological based theories (Sridhana, 1999; Sened, 1996; Kumar, 2004). Secondly, where the 'size principle' is applicable, the minimal winning theory was made ineffectual by the maximal winning coalitions that form. In emerging democracies, especially in Africa, policy-seeking theories are sound, but they do not appear to be a solid basis for adequately explaining alliance, coalition and merger building and collapse in these countries. This is because the differentiation between political parties from an ideological or policy standpoint is very fuzzy.

In light of the foregoing, this study, adopts the office-driven model of the rational choice theory as our explanatory model. The theory emerged in the area of economics and was adapted to government formation by Gamson (1961) and later popularized by William Riker (1962). The office-driven theory is built on the assumptions that the main goal of political parties is to access power through government formation and that executive positions being the pay-offs would be monopolized by majority party or parties, as such, parties would form coalitions so as to form government and take the spoils of office for itself (Riker, 1962; Leiserson, 1968). Politicians are therefore considered as office seekers. In this context 'office' refers to the related payoffs in form of executive positions or any position that is capable of conferring private goods on the recipient of governmental or sub-governmental appointments. In this respect alliances are formed with the aim of attaining political power and influence by occupying executive positions in government. The price for alliance formation according to this theory is equal to the cost of compromise that alliance partners are willing to accept. Therefore, compromise is an important aspect of alliance negotiation. The wider the degree of compromise that partners are open to entertain, the more likelihood the alliance will form. The narrower the space for compromise the more difficult alliance is form. The seeming disagreements on alliance candidates and party platforms, which often ensue between opposition parties desirous of forming alliances in Nigeria underscore the importance of this theory.

The Dynamics of Opposition Pre-Election Alliances in Nigeria's Fourth Republic

In the Fourth Republic, the first pre-election alliance was formed in 1999 between the All Peoples Party (APP) and Alliance for Democracy (AD). However, the first opposition parties' attempt at electoral alliance happened preparatory to the 2003 Presidential Elections. The parties involved in the alliance discussion include - Movement for Democracy and Justice (MDJ), the National Conscience Party (NCP);

the Nigerian People's Congress (NPC), Community Party of Nigeria (CPN) and Peoples Redemption Party (PRP). The aim was to present to Nigerians, the 'Civilian' option as opposed to the 'military' options presented by ANPP and PDP, in the personalities of Olusegun Obasanjo and Muhammadu Buhari. The alliance failed to stand. The second attempt was made before the 2007 general elections between the Action Congress (AC) and the All Nigerian Peoples Party (ANPP). The AC was formed from the merger between splits-off from PDP led by Atiku Abubakar and party-split from AD led by Asiwaju Bola Ahmed Tinubu. The alliance failed to materialise. Further attempts by major opposition parties to form a mega political party, in 2009, through the National Democratic Movement (NDM) also failed. The ACN, ANPP and CPC initiated the third alliance attempt for the 2011 presidential elections. This attempt was received by Nigerians with great expectations. The alliance talks were on two fronts, one involving ACN and ANPP and the other between the CPC and ACN. The CPC refused to engage ANPP on any alliance discussion. The question of who fly the flag of the alliance at the presidential election in 2011 could not be resolved between ACN and CPC as such the alliance talk collapsed.

While major opposition parties were determined on forming a new political party through party merger, sixteen minor political parties, who have little or no elected representatives, were also meeting to forge an electoral alliance (*Premium Times*, 11 April, 2013). The opposition parties led by Dr. Tunji Braithwaite and Alh. Abdulkadir Balarabe Musa announced the formation of the Patriotic Alliance of Nigeria (PAN) and aimed to work towards presenting common candidates for the 2015 general elections (*Daily Times*, 20 February, 2013). Whereas the alliance was announced, no candidate was fielded under the PAN in the 2015 general election. Rather, members of the alliance individually or severally adopted candidate of either PDP or APC. Once more, an electoral alliance failed to materialise.

Factors Responsible for Opposition Parties Pre-Election Alliance Failures in Nigeria

In this section we identify and analyse the factors responsible for opposition parties' pre-election alliance failure in the fourth republic. Issues pertaining to the processes of party decision making, failure to compromise on office side-payments, legal regulatory impediments, trust and confidence building deficit, formed the major themes that emerged from the various interviews conducted and form the basis upon which the following analysis was anchored.

Centralised decision-making process

The general consensus from interviews conducted is that in Nigeria decision to enter into alliance and the choice of the alliance partner is centrally made by party leaders. Often the Caucus of the party, one respondent observes, takes important decisions which are later thrown down the throat of party supporters through the National Executive Committees of the parties (Personal Communication, November 15, 2016). Structurally, the constitutions of most of the Nigerian political parties

provide decentralised structures – national, state and local government branches. In each of the branches there are such organs as working committee, executive committee trustees'/elders committee and the congress/convention. However, despite this elaborate structural composition, decision about alliance still remains an elite decision. As one respondent from ACN notes, “the decision for ACN to enter into alliance including the merger was a caucus decision. The caucus will take decision and that decision is brought to NWC and NEC for ratification” (Personal Communication, March 4, 2017). Corroborating this point of view, a respondent from CPC concedes that “at the leadership level we knew, without an alliance with the ACN, we might not get the required majority to win the election” (Personal Communication, January 16, 2017). The reference to “leadership” presupposes an elite, clique or caucus decision.

Whereas, the proponents of the iron law of oligarchy (Mosca, 1939; Pareto, 1935, Michel, 1962) have theorised on the way tiny minorities, out-organize and out-wit large majorities, their major thesis was built on the futility of attaining democracy. Secondly, they perceived elite circulation taking place only in a relatively stable political system; hence they described the elites as united or consensual elite. In our analysis of the decision making structure of the opposition parties in Nigeria, we conceive the elite as desirous of democracy but also as purely disunited. Disunited elite are pre-occupied with self, rather than group interest; as such consensus building is difficult to attain. If we consider the observation by Balarabe Musa that Nigerian politicians are more interested in promoting ‘self-first’ other than the collective interest, then it will be difficult to place the interest of the party above self-interest. Besides, the party’s interest is mostly confused with the interest of the powerful party leaders. The case with CPC is particularly interesting. It was the only opposition party whose constitution unambiguously created and filled the position of the Chairman of the BOT in person of General Muhammadu Buhari. The Chairman was conferred with supreme powers to unknot the decision of the working or executive committee. In ANPP the Governors formed the bedrock of the party’s decision making caucus. Any decision reached without their consent was frustrated. The governors undermined the 2007 alliance discussion between the ANPP and AC. For example, Suleiman (2011) narrated how in preparation for the 2007 general election, one of the ANPP governors, Alhaji Ahmed Sani Yarima mobilised other ANPP governors to pledge support for the PDP presidential candidate.

Personal or self-interest can make opposition party leaders compromise on the party’s collective interest. For example, Lawal Shuaibu (Personal Communication, November 15, 2016) recounted how, the National Chairman of ANPP, Chief Edwin Ume-Ezeoke and Alhaji Ahmed Sani Yarima (then governor of Zamfara) sabotaged their party’s 2007 presidential campaign and they were compensated - the son of Ume Ezeoke and the wife of Ahmed Sani Yarima were given executive positions by the Yar’adua administration. Also in the 2011 alliance negotiation between the ACN and CPC, there were accusations of leaders placing self-interest above collective interest. For example, Ibrahim and Hassan (2014) reported the accusation and counter-accusation by CPC and ACN. While the leaders

of CPC were accused of failing to compromise on office related side payments, the leaders of the ACN were alleged to have collected huge amount of money from the PDP government to sabotage the alliance talk. Both the CPC and ACN denied the accusation.

Reiterating the powerful role of leaders in the alliance failures of 2011 another respondent from ACN (Personal Communication, November 16, 2016), attributed the failure of the ACN/ANPP alliance to “lack of sufficient interest by the ACN leadership”. He accused the ACN leadership of paying more attention to the alliance with CPC and neglected the prospect of an alliance with ANPP. On his part, Alhaji Attahiru Bafarawa, former governor of Sokoto state and one-time member of the ACN accused Bola Ahmed Tinubu of being responsible for the stalled alliance negotiation between CPC and ACN due to his vice presidential ambition (*The Punch*, Tuesday, March 1, 2011, p.17). In an interview granted *The Nation*, Tinubu explained:

We conceded several things to them up to the last minute. They came with a rough and untidy mind... It is unfortunate that we made all the sacrifices; our presidential candidate was ready to step down. But what do you concede? It cannot be one-sided... this is coupled with the fact that our party was stronger than his... and yet we conceded the presidential ticket, who is more ambitious? (*The Nation*, Wednesday, 27 July, 2011, p.17).

Tinubu was a leading figure in the ACN. He was generally seen as the single, most powerful individual in the party. This accusation and his response showed the tremendous role of party leaders in determining what alliance should be formed. The point arrived at is that leaders of the party hatched the alliance, negotiated and aborted it.

Failure to Compromise on Office Side Payments

As Riviere (1999) observes, the cost of forming a party is equal to the cost of compromise. This implies that compromise is a salient ingredient in the formation and success of a political party. It is even more so in alliance formation, where parties would abandon their candidates or parties to support another party's candidate. As the office-driven motivation assumes, parties and politicians that cannot compromise on office related side payments are not likely to succeed in pre-election alliance formation. Evidence from this study shows that at the heart of alliances failure in the fourth republic is the inability of opposition politicians to compromise on office related pay-off.

Alliance negotiation requires compromise on three things – the platform, candidate and political appointment. But due to the unpredictable nature of politics especially in developing societies, political actors, invest more attention on party and platform. These are the only issues that the alliance can exercise absolute control over. Political appointments can only be at the discretion of the incumbent. At best it can determine the longevity of the alliance. If the alliance agreements are fully

implemented, alliance survives longer; but if it is not honoured, then alliance collapses. In determining these two important issues of party and candidate, alliance partners can consider size of the party, elective offices controlled by the party and the candidate personality.

Speaking on the 2003 alliance negotiations two of my respondents from two different parties - PRP and NCP (Personal Communication, October 28, 2016) note the need to present a 'civilian option' for the 2003 presidential election as generally agreeable by all alliance partners, but the contentious issue was "who will be that civilian option" among leaders of the parties. As such, lack of consensus on who flies the flag of the alliance, prematurely, aborted the attempt to 'present the 'civilian option'. Furthermore, the failure to compromise on office related pay-offs is even more vivid in the 2007 and 2011 alliance attempts. In a letter he wrote to the National Chairman of CPC in 2011 announcing the collapse of alliance talk between their two parties, Bisi Akande notes that "...effort to merge our two parties as far back as 2005 is a proof of our willingness and sincerity. We even decided to adopt his party's name and logo. This was when he was in ANPP. This dream never materialised" (*Daily Trust*, Thursday, February 3, 2011, p. 5). However, a respondent from CPC (Personal Communication, January 16, 2017) dismisses this argument as inaccurate, he explained that the TBO pulled out of the negotiation because it could not get the leadership of the ANPP to accept the negotiations and it would be dangerous for Buhari to join an alliance without a party.

Preparatory to the 2011 general elections, Ibrahim and Hassan (2014) observe that Nigerians invested high hope on the ability of an opposition alliance to come to fruition. Despite this goodwill, the alliance attempt between the ACN and CPC in 2011 failed twice - before and after the National Assembly elections. Before the National Assembly elections, two issues were central to negotiations, the 'platform' and the 'candidate'. In terms of size of the platform and elected representatives the ACN could easily be the favourite party; because by 2011, the ACN had become the major opposition party in Nigeria. CPC was only registered in 2009 and had barely contested any election. In terms of candidate personality, the CPC's Buhari had higher reputation, having served in several capacities including being former military head of state and seen by large section of the ordinary citizens, especially in the northern part of the country, as fearless, honest, and incorruptible. He therefore had a more affectionate personality than the ACN's candidate, Nuhu Ribadu. Regrettably, the two parties could not agree on the alliance platform and candidate and the discussions collapsed.

Announcing the collapse of the alliance discussions, the National Publicity Secretary of ACN, Lai Muhammed, attributed the main reason the alliance failed to "the recalcitrance and unbending attitude of the CPC" leaders. Providing insight into the alliance discussion he stated that the ACN:

...invited Buhari to run for the Presidency on the platform of our party. That means we were willing to even sacrifice our own candidate for the good of all, but the CPC insisted that not only must the alliance field Buhari, he must run on the platform of CPC... We

thought this demand was quite unreasonable considering the pedigree of the ACN” (*Punch*, Thursday, February 3, 2011, p.11)

He further explained:

To even assure Buhari, who is apparently smarting from the backstabbing he suffered from his former party ANPP, we said if and when he wins the presidency, we can go to congress and change the name, logo and other identities of the ACN to reflect the new reality brought forth by the alliance (*Daily Trust*, Thursday, February 3, 2011, pp.1&5).

The implication of this is that the ACN with more numbers of elected representatives would have nothing to show its members as the gains from the alliance. This point was also reiterated by Lai Muhammed when he states “the CPC leaders wanted the ACN to concede the presidency and loose its identity under the alliance” (*Punch*, Thursday, February 3, 2011, pp11). The National Chairman of ACN, Bisi Akande blames the reason for the failed alliance on CPC’s lack of “sufficient seriousness and political will to forge a workable electoral cooperation” and as such declared that the “ACN therefore, considered electoral alliance no longer feasible” (*Daily Trust*, Friday, February 4, 2011, pp.1&5).

The CPC denied all the accusations by the ACN and accused it of being responsible for the failed alliance. In a statement, the National Publicity Secretary of CPC, Rotimi Fashakin (*Daily Trust*, Thursday, February 3, 2011, pp.1&5), accused the ACN of violating the agreement which was supposed to materialise by the end of 2010. He further said that “despite the fact that talks between the two were still going, ACN went ahead to conduct its convention and chose a presidential flag bearer in violation of the terms of the alliance”. Reiterating the position of his party, General Muhammadu Buhari the presidential candidate of the CPC did not think differently. In an interview with *Sunday Trust*, he explained thus:

It is the prerogative of the presidential candidate. I have been ratified by the convention of my party and I can choose my running mate. I ask Bakare to fill the forms. Now we can negotiate outside the vice-president and presidential candidates there are questions of appointment if we win the election and form government (*Sunday Trust*, February 6, 2011, pp.5-7).

Following the outcome of the National Assembly elections, discussions resumed, this time with the support of prominent northern leaders, such as Alhaji Adamu Ciroma, General Ibrahim Babangida, Alhaji Atiku Abubakar and host of others. During this discussions, the question of platform and presidential candidate remained an issue but not contentious. The ACN conceded the platform and the presidential ticket to CPC. As a recompense for its compromise, the ACN requested for the vice-presidential slot. Therefore, the contentious issue, this time around, was the side-payment for ACN. At this stage, the constraint confronting the alliance team

is on how to achieve the request by ACN. What it means is that the vice-presidential candidate of CPC has to be substituted with someone acceptable to ACN.

The condition under which substitution of candidate can be achieved is contained in section 33 of the Nigerian Electoral Act (as amended) 2010. The section stipulates that a candidate duly nominated by his party can be substituted only by the death of the candidate or by the candidate personally withdrawing from the contest. The first condition does not apply in this instance. Therefore, the personal withdrawal of the CPC's vice presidential candidate would have been the option. In withdrawing, section 35 of the Electoral Act 2010 (as amended) defines the process to be followed. It says *inter alia*:

A candidate may withdraw his candidature by notice in writing signed by him and delivered by himself to the political party that nominated him for the election and the political party shall convey such withdrawal to the Commission not later than 45 days to the election. (Section 35, Electoral Act [as amended] 2010).

Deducible from this provision are two things: first, it is possible for the candidate to be substituted; second it has to be within certain period of time. At the time the alliance talks were taking place, it was a week to election; it is therefore, outside the time frame allowed by law (45 days before election). This means that legally it wasn't possible for the CPC to accede to the demand by ACN.

But the alliance is too much an important exercise to the parties to be sacrificed on the altar of legalities. Therefore, the ACN felt as senior partner in the alliance and to assure its members and supporters that their compromises have been duly appreciated, they proposed what can be described as political solution. Hence, a respondent recounts that the "ACN recognised the limitation set by legal provision for substitution at that particular time and therefore, opted for political solution". On what the political solution was, he states that "the ACN requested the vice presidential candidate of CPC, Pastor Tunde Bakare, to write a letter on his personal letter head and addressed to the President elect, notifying him of his resignation from the position of vice president and given to the ACN to serve as surety". In an interview with Pastor Tunde Bakare (Ahmed, 2013) he confirmed such political solution was on the table. In that interview, Bakare said:

Those who know the truth know what happened. There was no merger between CPC and ACN; there was talk about alliance. And it was not stepping down that was the issue; it was resigning on paper with my signature, to sign as vice president of Nigeria" (Ahmed, 2013).

The question now is why the CPC refuse to accept this political solution. The answer to this question was supplied by Pastor Bakare in the interview referred above. In his own words he said,

I said, I can't do that, I can resign as Tunde Bakare, a candidate, but I can't resign as vice president, an office, I never occupied. It was illegal. I was not ready to commit perjury (Ahmed, 2013).

The questions that arise from these statements are: Are the reasons advanced by Pastor Tunde Bakare strong enough? If not, why was it difficult for the CPC after gaining the advantage of being the platform on which the election was to be contested, refused to concede to the political solution. As corollary to these questions, we can go on to ask; were the parties actually serious about forming an electoral alliance in the first place? The following analysis will attempt to answer these questions.

This explanation by Bakare in defence of his action is to say the least, moralistic. Viewed from the perspective of a theologian, it is understandable. To sign a resignation letter for an office not officially occupied may be seen as the height of deceit and untruthfulness. However, in politics there is little room for morality. In any case, every candidate contesting an election, expects to be victorious. And if that is the case, since the CPC is certain about its place in the alliance, it is only logical for ACN to hold on to something more concrete than just a gentleman agreement. Once sworn into office, the CPC can renege on its promise.

Besides, the accusation of perjury is not tenable, because every agreement and decision reached, in the process of negotiations, are in anticipation of an outcome – winning an election. It is on the basis of this that much of the election promises are made. Could it then be possible for a presidential candidate to be accused of perjury for making promises during campaigns on what he will do if elected president? Would that equate to declaring himself president. I think the signing of resignation is built on a probable cause of fifty percent (%). In the game of political contest there are equal chances of winning or losing. Therefore, viewed from this context, signing a resignation letter in an anticipation of winning an election cannot be equated to arrogating to self an office not legally occupied.

We can also analyse the refusal to accept ACN demand by looking at the experiences of the CPC with similar collaboration in the past. The CPC came about due to the experiences of its nucleus, the TBO, in the hands of the ANPP leadership. According to Suleiman (2011), the TBO felt highly betrayed by the leadership of the ANPP especially in the manner General Muhammadu Buhari was abandoned mid-way into the litigation of his electoral petition. This may account for the apparent fear and or lacklustre approach by the CPC towards an alliance. Nonetheless, the experiences of the party leaders with ANPP were borne completely by different circumstances. In the previous encounter with ANPP, the TBO is only a pressure group within the ANPP. The leadership of the ANPP was controlled by people whose interest is completely different from that of the TBO. But in the instance case, the discussion is between two equal partners – recognised political parties – brought together by the desire to take over power. This, no doubt, isn't a plausible conclusion. If it were so serious an issue, the CPC would not have contemplated alliance in the first place. Doing so, they ought to know, will warrant give and take. For every reasonable negotiation there is a fallout. Political parties are in the game of politics for control and exercise of political power. ACN being the leading opposition party at that time would not easily relinquish total control to CPC. That is the implication of allowing the CPC to field presidential and vice-presidential candidates.

Secondly, CPC's refusal could be for strategic reason. Counting on its popularity in the northern part of Nigeria, especially, Kano, Katsina, and others, incidentally these states are among the states with the highest number of registered voters. The CPC could be counting on its ability to stop the PDP from getting the constitutional requirement of winning at least 25% of votes cast in at least 2/3 of the states and FCT (section 134:2-3 of the 1999 Nigerian Constitution). Once no party is able to meet this requirement, the INEC would then call for second balloting. At the second ballot the CPC would be in a position of strength to negotiate with the ACN. This analysis is deduced from the enthusiasm expressed by leaders of the CPC for future electoral engagement. Apparently, this is a very fluid assumption for a very important election. Besides, elections in Nigeria have been characterised by irregularities which in itself account for why the parties contemplate alliance in the first place. It is very clear at that time the CPC does not control any state machinery and its call for "*akasa atsare*" (citizen vote protection) did not yield any significant electoral votes. This cannot therefore, provide a plausible explanation either.

Therefore, the most conceivable explanation is the fact that the leaders of CPC and ACN failed to appreciate the important role of compromise in any alliance formation. This in itself is the product of the pursuit for 'self-interest' rather than 'collective interest' as pointed out by Balarabe Musa.

Legal Regulatory Impediments

The 1999 Nigerian Constitution stipulates certain threshold that a party will have to obtain in order to be declared winner of an election. Specifically, sections 134 [2] and [3] of the 1999 Nigerian Constitution stipulate that besides obtaining majority of votes, the winning party is expected to win at least 25% of the votes cast in two-thirds of the 36 states and Federal Capital Territory. This electoral threshold, as demonstrated in this work, is a factor that motivated most of the alliances initiated by opposition parties in Nigeria. Unfortunately, neither the 1999 Nigerian Constitution nor the Electoral Act (as amended) 2010 made provisions, defining the processes of pre-election alliance. Therefore, despite its provision for electoral threshold, the instant legal regulatory frameworks failed to describe the processes for embarking on pre-election alliance. As such, alliances have no status beyond that of gentlemen agreements.

The problem of platform (identity), timing of alliance and distribution of side-payments would have been adequately described. We say this because in 2003, beside the challenge of who should fly the flag of the alliance, the question about the platform and how the alliance should be known and called, constituted a great challenge (Personal Communication, October 28, 2016). For any political contest, identity is very important, once there is no clear identity, a party cannot pose any significant electoral results. Balarabe Musa observes that the PDP and the ANPP in 2003 were already in existence and therefore, have establish their identities. He asserts that

If we must challenge them, then we must come up with a name that will not only be acceptable but can equally serve as a rallying point

for mass mobilization of the electorate. But the problem is that we can't do that within this current constitution (Personal Communication, October 28, 2016).

The issue of platform and timing were also contentious in the 2011 alliance talk between ACN and CPC. As shown in this work, one of the reasons alluded to by the CPC for refusing to concede to the demand for vice-presidential candidate was the issue of timing (Personal Communication, January 16, 2017). If there was clear provision regulating how alliances should be conducted it could have ameliorated some of the challenges encountered. For example, in the 2013 party merger, parties involved were fully aware of all the constitutional requirements and, therefore, religiously followed them to the latter.

Trust and confidence building framework

In building partnership or alliance, trust must be cultivated and sustained. Trust is therefore, an important determinant of not only whether the alliance will form in the first place but also define the longevity of the alliance. Political party is a group of people objectified by certain common political interest. This interest is pursued based, not only on principles but on the trust built by long time camaraderie. Therefore, without trust the basis for mutual understanding would have been absent. Hence, meaningful alliance cannot be formed. In Nigeria the issue of trust has been central to the various political alignments that have come to define the country's political history.

One of the reasons Dudley (1968) adduced to the inability of NCNC and AG to form a minimal winning coalition in the first republic was the issue of lack of trust between Dr. Nnamdi Azikiwe and Chief Obafemi Awolowo. In the second republic, Ojo (2014) attributed the failure of the four party alliance of PPA and PPP to the long-standing distrust between the leading protagonists of the alliance – Azikiwe and Awolowo. While this submission by Ojo has been contradicted by Balarabe Musa (Personal Communication, October 28, 2016), the issue of intra-party mistrust was raised by him. According to him, in all the opposition parties (GNPP, NPP, PRP and UPN), younger elements were scheming to take over leadership positions from their party leaders. In the UPN, Bola Ige was scheming against Awolowo; in PRP, Abubakar Rimi was working against Aminu Kano; in GNPP the leadership of Waziri Ibrahim was also challenged by younger elements. It was this internal scheming that bred the mistrust that eventually contributed to the failure of the parties to form alliance.

In the Fourth Republic, the issue of trust played a role in determining alliance partners. For example, in 2011 alliance negotiation, the CPC refused to discuss with the ANPP because of its experiences with the leadership of the party in the past. Understandably, the CPC, which is a faction from the ANPP, could not trust the leadership of the ANPP because of their experience in working together under one party. As one respondent recalls, the Governors and the leaders of the ANPP had been the greatest obstacle to Muhammadu Buahri's elections in 2003 and 2007. He

cited the decision by the party to withdraw its support for the party's presidential candidate in the 2007 presidential election and joined the government of national unity and partook in the spoil of office. Therefore, this trust deficit was responsible for the failure to carry out a tripartite alliance discussion in 2011 because the CPC and its leadership were against any alliance talk that includes the ANPP.

Summary of Findings and Conclusion

This paper titled "opposition parties and pre-election alliance failures in Nigeria" examined the factors responsible for opposition parties' pre-election alliance failures. Evidence from this study shows that several factors account for why opposition parties were unable to form pre-election alliance. One of these factors is the opportunistic nature of the Nigerian politicians. The attitude of self rather than collective interest proves pervasive in all the pre-election alliance negotiations. Secondly, lack of clear legal provision in respect to alliances makes the timing and identity of alliance a challenging task. Opposition parties are not legally guided on the route towards alliance. Also the INEC is equally not guided on how to treat the alliance partners. For example, alliance partners may simply want to combine their names and logo during elections but INEC would rather they contest on the platform of either of the partners. This factor impacted more in the 2003 alliance discussion. It is therefore the contention of this work that if there were clear legal requirements for pre-election alliance formation, alliance partners would have, with the benefit of hindsight, envisaged the challenges beforehand and devised means of resolving them before attempting the alliance. Thirdly, the gulf of trust between leaders of the opposition parties desiring alliance played significant role in thwarting alliance attempt. This factor featured more prominently in the tripartite alliance attempt by ACN/ANPP/CPC in 2011. It has been shown in this study that the ACN/CPC alliance, started as a three party alliance, but due to lack of trust between the ANPP and CPC leaderships it didn't materialise. Lastly, evidence from the study showed that the inability of leaders of opposition parties to imbibe the culture of compromise was responsible, to a significant degree in the failures of all the alliance attempt. The spirit of give and take is absence in the political calculations of alliance partners. Each party want to monopolise the platform and candidate. As demonstrated in this work, the 2011 alliance between CPC and ACN failed, largely due to the inability of CPC's leadership to compromise on office side-payments. In 2007 alliance between AC and ANPP, it was established, did not form because parties could not agree on common platform. As also evidenced, the 2003 alliance of the newly minor political parties could not form due to issues around presidential candidate and party platform. In conclusion, the findings of this research underscore the need for greater understanding of the intricacies of alliance dynamics and its place in democratic sustainability. Greater insight is therefore gained by identifying factors militating against alliance formation in Nigeria; as it is likely to serve as a basis for future opposition parties' engagement towards democratic consolidation.

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The Future of Europe and African Relations Towards a Sustainable Economic and Social Development

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Abstract

This paper examines the relations between Africa and Europe and what the future holds for the socio-economic development of the two continents with more emphasis on the African development, having suffered many decades of colonialism and conflicts. The world today has tremendously changed after the process of decolonization. The defeat of communism and the subsequent increase in transnational inter-dependence have provided awareness in the need for deep connectedness that offers opportunities of benefit and the risks they posed. Population is increasing and poverty multiplying. World market has increased in the last five decades while technology has reduced the problem of transportation. Europe in all its innovations has expanded its technology, politics and culture to Africa. Many of Africa's young population are dying crossing the desert to Europe that has closed its doors to these poor migrants seeking the benefits of global economy. Europe's regional interest has been strengthened to protect its common market. In the milieu of Europe's technology driven market, Africa's regional blocks are expanding to gain from the relations extended and markets created. How this market driven relations and the global inter-dependence help in the economic and social development of Africa is the concern of this paper. Using documentary and descriptive methods, the paper argues that a strengthened bilateral relation corresponds to the development interests and promotes stability. Complex Interdependence theory is employed here to explore the benefits inherent in the relations and the risks therein in the Europe and African relations.

Keywords: economic, development, relations, future, globalization, regionalism.

Introduction

The world today has tremendously changed after the process of decolonization. The defeat of communism and the subsequent increase in transnational inter-dependence have provided awareness in the need for deep connectedness that offers opportunities of benefit and the risks they posed. Population is increasing and poverty multiplying. World market has increased in the last five decades while technology has reduced the problem of transportation. Europe in all its innovations has expanded its technology, politics and culture to Africa. Many of Africa's young population are dying crossing the desert to Europe that has closed its doors to these poor migrants seeking the benefits of global economy. Europe's regional interest has been strengthened to protect its common market. In the milieu of

Europe's technology driven market, Africa's regional blocks are expanding to gain from the relations extended and markets created.

It was in March 1957 that six European countries, France, Belgium, Germany, Italy, Luxembourg and Netherlands came together in Rome to sign a Treaty establishing the European Economic Community (EEC). It was at the time many African countries were beginning to have their independence from these European countries. Ghana for instance, became an independent country in 1957. The basic features of the Treaty were the economic interest of EEC, and future relations after African's independence. It created also a framework for multilateral relations between Europe and Africa while enshrining the principles of trade and aid to Africa. It is the treaty that outlined the blueprint and laid the foundation for Europe's development agenda in Africa today and other regional bodies.

In May 1963, some of the independent African countries came together to form the Organization for African Unity (OAU) in Addis Ababa, Ethiopia. It was formed by the initial 23 countries and was later joined by 21 others. The OAU was later dissolved and replaced by African Union (AU) in July 2002. It became operative in September same year through the signing of its Charter. The Charter outlined its objective to consolidate the freedom won through independence by promoting unity and African solidarity; the restoration of the dignity of Africans through cooperation for a better life of the people; defense of the sovereignty and territorial integrity and independence; to eradicate all forms of colonialism from Africa and promote international cooperation.

The OAU/AU further promoted the development of regional economic communities such as Economic Community of West Africa (ECOWAS), South African Development Coordinating Commission (SADCC), the Central African-Economic Community of the Great Lakes Countries and the North African Greater Area Free Trade Area. Later the Organization of African Trade Union was established on the continental level. These efforts were made to enhance free trade within and promote relations with outside continent.

The post-independent Africa with their emerging economies coupled with the devastating economic downturn of European post World War II pushed for a strong European unity and cooperation. After many years of this push, the Treaty of Maastricht in 1993 established the present European Union (EU). The EU has been a progressive partner to Africa with respect to the establishment of the Joint Africa-EU Strategy (John Kotsopoulos, 2017).

The Joint Africa-European Union Strategy was launched in Lisbon in 2007 aimed at boosting the relations of Africa and Europe by going beyond a donor/recipient partners to long term cooperation on jointly identified, mutual and complementary interest

The collapse of communism brought to an end the cold war. It brought to an end also the bipolar world characterized by security and military power. A new dawn came into the world where every region exercised different kinds of power in safeguarding their interests, cooperating in order to prevent or temper conflicts and manage the increasing economic, social and technological interdependencies. While

North America remains the super power in terms of security and military power, the enlarged European Union remains the economic and financial power of the world. China and India are becoming formidable demographic poles with considerable military and economic potentials. Other Asian countries are also becoming powerful economically and militarily. African continent is not left out. The global market trends with their technological strings are impacting and broadening.

A new concept of security emerged after the collapse of the cold war in the new risks of non-military nature. The fight against global warming, pollution and environmental depletion are in the front burner. The emergence of terror groups are of global concerns. The increasing role of public opinion makes it difficult for governments to impose unilateral policies on their own people and or other countries and get away with it. These make multi-polarity less hegemonic and less hierarchical. The concept of multi-polarity affects leadership styles. Leadership has to be based on soft power mechanism convincing enough to attract international support.

The emerging system of international relations is best suited in the concept of multi-polar rather than bipolar concepts. The avoidance of, and or control of potential conflicts are affected by the interaction of different regions in their interdependences. The disturbance in a region has economic effect in another. If there is a serious disruption in oil flow in the Niger Delta, Nigeria, the global oil market will immediately respond negatively. This tells that in global arena no single country is able to exercise power and influence on its own without its consequences affecting others. There is indeed today an increasing international coalition of cooperating nations seeking to assume specific collective responsibilities and this should be sustained. We therefore in this paper interrogate how this market driven relations and the global inter-dependence help in the economic and social development of Africa. What does this relationship holds for Europe and Africa? Will the economic and social development if any be sustained?

Theoretical Framework

Our tool of analysis in this study is predicated on the complex interdependence theory. Complex interdependence theory is preferred because of its usefulness in explaining the prevailing global phenomena. It is evident that the world is consistently growing interdependent propelled by globalisation. Keohane and Nye (1977) developed this theory. They argued that during the period of interdependence that the very nature of international relations is changing. Hence, the world has become more interdependent in economics, communication and human aspirations. By implication, complex interdependence according to them refers to the various complex transnational connections (interdependencies) between states and societies. No country is perpetually dependent on another, rather all shares in a complex web of interconnectedness and interdependence.

In summary, Keohane and Nye (2001) using three features, defined complex interdependence thus:

1. The actors are states and non state actors with multiple channels of communication, interstate, trans-governmental and trans-national.

2. The agenda of interstate relationships comprises of multiple issues that are not arranged in a clear or consistent hierarchy. Meaning that, there are multiple issues with no hierarchy; military security does not consistently dominate the agenda.
3. Military force plays a relatively minor role in international relations mainly because “it is not used by government towards other governments within the region, or on the issue when complex interdependence prevails”.

Consequent upon the above characteristics, different political processes stir up that which translates power resources into power as control of the outcome of the linkage strategies, agenda setting, trans-national and trans governmental relation. The theory is not only apt to our analysis but promotes understanding of cooperative actions among states and enhances consolidated appreciation of world pattern of interrelationship. It observes the possibilities of exploitation and lopsided benefits and therefore places emphasis on global regimes as effective mechanisms of redressing such situations.

Theoretical Utility

One of the key factors in any international relations is the economic benefit that may accrue from it. The nature of African economy begs for foreign assistance and Europe, generally is a very key allies. In a fast changing world, international economic systems are passing through many phases of policies: there are the free trade policies, economic bloc buildings, strategic trade policies, etc. It is the reason why the West has evolved deliberate political policies to protect their firms. The EU, while very eager to pursuing the open market policy, market integration and liberalization, its first interest is the protection of its firms and multinationals operating anywhere in the world.

The strategic and evolutionary ways these policies are being pursued by the Western nations gave rise to many philosophical theories. We shall examine some of them here to clarify our point of argument.

One of the earliest economic theorists, Adam Smith (1776) advocated for a free trade market system. For him, this liberal trade market policy is the key for national development and growth. The liberal theory of trade advocates that nations are at liberty to specialize by the process of division of labour in what they are by ability best fitted (Aja AKpuru Aja, 2002, 17). For them, *labour* is the measurement of ability. Where the nation is not restricted in its trading and has the advantage of labour over others, and where the economic policies of the government are that of an umpire, the nation will experience economic growth. Liberal theorists, argue that it is advantageous to specialize in the production of those items the country has the labour, the skill, and can produce cheap but earns more. They don't encourage nations to go on to produce those things they have no advantage over other nations. One of the criticisms of this theory is that it did not take account of the cost of transportation for instance and means of production. It assumed too that all nations have similar ability in labour competitiveness.

In modification of the liberal theory, David Ricardo (1817), in his book, *The Principles of Political Economy and Taxation*, opined for comparative advantage. He argues that there is a basis for trade as long as a country has a comparative advantage in one commodity than in other.

A country should export a commodity for which it has a comparative advantage, that is, where its cost of production is lowest and then import goods it has a comparative disadvantage. Post Ricardo scholars have made influential contributions in international trade. Heckscher-Ohlin (1933), argues that comparative advantage arises from the different relations. Writing after the World Wars, both men (Eli Heckschener and Bertil Ohlin) state that a country will export goods that use its abundant factors intensively, and import goods that use its scarce factors intensively. It is a two-factor case in which a capital-abundant country will export the capital-intensive good, while the labour-abundant country will export the labour intensive good.

When you place the two theorems at the foot of the African European relations, you would wonder where to place Africa in terms of export or import. Adam Smith's liberal trade would have been a benefit to Africa if not for the reasons of colonial mentality. Free trade policy works into economic growth outside the governments and regional interventions with the intention to protect their produce and their firms. The Comparative advantage theory on the other hand advocates a general benefit of specialization in international trade. Is this benefit enjoyed by the Africans in their trade relations with Europe? In as much as many African countries have made efforts at raising its standard of living through specialized trade with other nations, African local content is still controlled by Europeans. This has greatly affected its trade relations with Europe.

This concern over trade imbalance between Europe and Africa led a meeting of United Nations Conference on trade and development in 1969, which produced a new theory outlined in a "New Trade Policy for Development". The policy affirmed that trade has not been an engine of growth for most of the less developed countries (LDCs) in the 21st century despite the quest for specialization as enunciated by the comparative advantage. It might have been so before. Nurkse (1973) accepts this but gave exception for the countries exporting oil. He accepts that the little economic growth experienced by the oil countries is due to their oil exports. Some issues can be raised here. The oil trade in Africa is dominated by Europe and America. They control the exploration, drilling and marketing for the product. Second issue is the question of "Dutch disease" affecting oil exporting countries like Nigeria.

The Dutch disease according to Financial Times is the negative impact on an economy of anything that gives rise to a sharp foreign currency (www.lexicon.ft.com/Term?term=dutch-disease). Oil and gas in Nigeria were and still are the major sources of income. Oil in the late 1970s, and in the 1980s attracted sharp foreign currency, which in effect killed the spirit of competitiveness in the country's other export products. Cheap imports have led to de-industrialization in Nigeria while old industries have folded creating massive unemployment in the land. Today, Nigeria and some other African countries that found themselves affected by this

disease are struggling to go back to the traditional domestic goods that will not only meet up with domestic needs but for export purposes too. African economy will fare better if African resources (capital and labour) are geared towards building economic fortunes of the future. <http://www.imf.org/external/pubs/ft/fandd/basics/dutch.htm>.

In the recent times, free trade has not been really free. A lot of constraints are placed to regulate its free flow, which in effect has affected development for the exporting countries. The Neo-Marxists have alluded to the theory of exploitation in the trade exchange between the poor and rich countries associated with the historical experience of colonization carried out now by the multinational corporations of the world powers. Many African countries export oil, cocoa, coffee, textiles and bananas. Evidences on the ground prove that it is multinational corporations that are generally in control of the export chain. They decide the bargaining power. Characteristically, the theories stress trade dependency of the less developed countries (LDCs) on the developed countries (DCs) and again, the exploitative nature of this trade relationship as the 'surplus' is transferred from poor to rich countries (Wilson, 1986). Here lies the conflict. There is a widening trade gap between developed and developing countries. Whereas balance of trade is potential for development, the technological inferiority of the less developed countries and their inability to sufficiently have the purchasing power to compete with the developed countries make it difficult for them to achieve expected development. We are not oblivious of the fact that this inequity is eminent given the fact that nations and countries are gifted differently which naturally place them high and above others.

Global Democracy and Global Market

Global technology has aided the rise of, and quest for democratic governments with the rule of law and free market movement. This is not only in Europe but in Africa after the fall of communism. African countries generally have come to accept free market economy not minding their ideological differences. After much intervention by the military dictatorship in Africa in the early years of independence, Africans have seen it as unfashionable and very retrogressive for any military intervention in today's democratic African nations.

Apart from factors such as increased in opposition against inefficiency, corruption and repressive governments, the most important impetus to change towards more democratic rule has been the globalization and vibrant global communication system. The use of modern means of communication has brought the world closer and accelerated the establishment of relations.

Another point of controversy is the question of government stability. According to Powell (1982), government stability strengthens democracy. It offers the citizens the assurance of continuity. This view is liable to some criticisms as minorities in such stable governments are neglected and marginalized.

No one doubts that economic interest is a major basis of democratic rule and political cleavage. Citizens cast their votes to political parties that advocate and propagate democratic principles. In the era of consumerism, the use of WhatsApp, video pictures, mobile phones, twitter, internet, etc, influence many African countries

to opt for foreign made goods rather than promote local made goods. All these have made the world a 'global village'. Their effects have had adverse influence in the political and economic planning of African countries. At least, the flow of the images have strong tendency towards the homogeneity of our culture and thinking.

Global consequences are in the double digit. Okwudibia Nnoli (2011) argues that in Nigeria in particular and Africa in general, global managerial-technocratic elite have increasingly centralized and trans-nationalized the world economy, running it from some advanced capitalist countries, which is hostile to any deviation from the strict capitalist logic anywhere in the global world.

This capitalist global economy does not allow for any local flexibility and marginal production outside the advanced country economic viewpoint. Indeed, the global economic decision making is centered on the advanced capitalist countries of Europe, North America and Japan. China has recently joined the global competition. The African economy cannot grow on this basis.

African Development

Development has different nuances and difficult to define. According to Encarta Concise Dictionary (2001) definition it is a process of growth, or change or elaborates of sustained economic development. The Oxford English Reference Dictionary defines it as a stage of growth, or maturation or advancement. In a generalized sense, development can mean change, especially fundamental/structural, and qualitative change. Here change (which is always constant) can be interpreted as either the process of change or the outcome.

In our usage here, development can be equated with economic growth. Economic growth is measured by the country's gross domestic product (GDP). Des Gasper (2004:28) argues that GDP is a measure of the value of goods and services produced by a national economy over a year. He went on to argue that gross national product (GNP) adds to GDP the income that accrues to domestic residents from investment abroad, and deducts the income earned in the domestic economy which is owned by people abroad. For Bannock, et al. (1992), GNP per capital is therefore the better measure of development as welfare, while GDP per capital is a better measure of productive forces. This is only an aspect of presenting and understanding development economically.

There are other variants of looking at development. It could be contracted in terms of modernization. This is seen as the major structural changes required or implied by long-term economic growth, including industrialization, urbanization, globalization, and the transformation or relations of production (Des Gasper, 2004:29). In the midst of many understanding of development, the question arises, has Africa developed? What is the development index of Africa in the last decade? The Africa Infrastructure Development Index (AIDI) produced by the African Development Bank gave a report in 2016 of the infrastructural development of Africa. The report indicated that development was recorded in many African countries in the areas of ICT, transport and energy. The top ten ranking countries include Egypt, Libya, South Africa, Morocco, Algeria, Mauritius, Cape Verde and

Botswana. On the other hand, ten others were low in ranking. They include Mozambique, Sierra Leone, South Sudan, Democratic Republic of Congo, Eritrea and Madagascar.

These three areas, ICT, transport and power, are responsible primarily for the wide differentiation between the most advanced countries versus the less developed countries of Africa according to the 2016 report of AIDI. There is marginal improvement in some other areas like health and sanitation, education, welfare and food security.

Thinking in these areas of development, we notice that their development came from those areas Africans are dependent on European markets. Africa depended very much on Europe on technology, machinery for transportations and power technology. In the last ten years, Africa has imported very much of these technology from Europe, hence, the general infrastructural improvement.

Europe is African mother countries, the core manufacturing and commercial centers that saw the colonies as the suppliers of food and minerals. They built the railways and airports to connect the centers of commerce. The transport system that has not so much changed and the unfavourable manufacturing competition against the colonies have prevented the economic development of Africa. We think that economic development should be broad-based and people oriented. It should be an economy that will be African-centered. It should be an economy that will bridge the gap of inequality, poverty alleviation and employment generation. This is a type of economy that not only is adopted but also sustained for the development of Africa.

Sustainable Development

The World Commission on Environment and Development in 1987 presented a report on *Our Common Future*. In that report, sustainable development is defined as development which meets the needs of the present without compromising the ability of future generations to meet their own needs. The definition is all embracing. The authors of the report captured other aspects of sustainable development as in economy, environment and social.

Accordingly, the document envisaged that any economically sustained system must be able to produce goods and services on a continuous basis. The government in every level and at any stage should be in good position to manage its economy. By this, it is expected that the agricultural and its industrial production sectors are balance. In the environmental sector, it must be healthy, devoid of pollution, degradation and exploitation. This includes maintenance of biodiversity, atmospheric stability, and other ecosystem functions not ordinarily classed as economic resources.

On social condition, the report suggests that any socially sustainable system must achieve distributional equity, adequate provision of social services include health services, education, accountability, political participation and gender equity. The goals expressed are multidimensional, raising the issue of how balance objectives and how to judge success or failure. Some of these are indicators of the viability of sustainable development in any country. Indicators imply measurement of the

definition of the concepts to measure. https://www.afdb.org/fileadmin/uploads/afdb/Documents/Publications/Africa_Infrastructure_Development_May_2016.pdf

The United Nations Development Programme, Human Development Report (1990-1998) offered a different measure. Just as we have pointed out earlier, its measurement stems from the per capita GNP or GDP. The statistical difference between GNP and GDP concerns the inclusion of foreign earnings, which may be significant in an analysis of financial flows but makes little difference to a broad measure of development. Each year, the United Nations Development report focuses on a different aspect of social and economic development of a nation or continent. In 1999 for instance, it focused on poverty. In 2016, it focused on gender inequality in Africa, which in effect, is costing huge sums of money and jeopardizing the continent's human development. The report analyses the political, economic and social drivers that hamper African women's advancement and proposes policies and actions to bridge the gap like breaking down harmful social norms that discriminate against women.

The UNDP's report for 2017 was on sustainable development. The edition tracks the agenda 2063 and 2030 agenda and the Sustainable Development Goals and uses the latest data to harmonize and assess the continent's performance with regard to implementing the Agendas, identifying opportunities and challenges and recommend actions to hasten progress. The report allied with six Sustainable Development Goals, which include Goal 1, 2,3,5,9 and 14. The report also challenged African countries to work towards implementing and achieving the Goals for Africa's sustainable development. <https://www.uneca.org/publications/2017-africa-sustainable-development-report>

The Future of Sustainable Development

The question arises as to what is the future of sustainable development in Africa? What does Africa needs to sustain its development? What kind of development does it need? According to Des Gasper (2004, 132) the term 'need', is normatively stronger than 'want'. Normative analysis of needs is a prioritizing notion. Len Doyal and Ian Gough (1991), give a workable universal framework for normative needs analysis, with a set of levels from functionings down to commodities and social preconditions that provides great scope for cultural and contextual variations. Before we continue, we wish to state that this paper is limited in scope to undertake the theoretical explanations of needs, levels and modes. We are concerned here with what are the minimal requirements for a fuller human flourishing and a negotiating political feasible set of welfare minima. Minimal welfare goes beyond survival and minimal decency to cover liberation and human fulfillment.

Such needs as security in all its forms, shelter, and liberation from external economic and political impositions, poverty, education and technology are some of the needs Africa require for development. Economic growth is a mean towards development. It may improve the quality of life of citizens. Emphasis should also be laid on human capital development in the long run. Human capital development will not only contribute to a more effective human development, which in effect make for

a better parents, a better employees and entrepreneurs and also discipline power-holders. The UNDP report of 1996 remarked that “human development can be expressed as a process of enlarging people’s choices’. The report stressed valued options and people’s capabilities to lead the lives they value. That is the liberating position, which trusts people’s own priorities. This is a way to sustainable development in Africa. This is what is required for Africans in their relation with Europe or any economic or political partners.

Conclusion/Suggestions

We have tried to x-ray the relations of Europe and Africa in terms of development. We have not exhausted all levels of development but we feel more concerned about economic growth and human capital development. We noted that given the nature and character of the African states and the trend in global economy, the interrelationship with Europe will continually be imbalance. We however, believe that by developing human capital and sustaining it will assist in the development of all other areas of development. Sustainable development is required by all nations and regions of the world since it is integral of human life. It goes however beyond economic growth to the growth of human person. The development of human person has to be integral and sustained in all its aspects (Francis Njoku, 2004:77). Julius S. Prince, et al (1996:105) argue that sustainability is realized when people’s abilities are projected beyond external assistance, when leadership from within is enhanced and adopted to impact on desired goals. It is also sustained when capacity from within grows with confidence from knowledge and experience to function independently and effectively in the ongoing process of technology, institutional innovation and change. Based on these facts, sustainable development should be monitored from community levels, regional to international levels. The partnership between Europe and Africa on all levels of development should ensure the realities of people on the margin and who are on the receiving end of the effects of underdevelopment to mitigate their inequalities. Education is therefore much needed both for sustaining viable relations between Europe and Africa and also for the liberation from all forms of external constraints, call it economic, political, cultural and social.

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Elections, Democracy and the Liberal Peace

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Abstract

Since the 1990s, following the sudden end of the cold war, the world has tendentiously aspired towards the actualization of the liberal peace in keeping with Immanuel Kant's 1795 prediction postulations. This has manifested in the unbridled drive towards democratization of polities and liberalization of economies, which both of which have swept through most of the inhabited earth, and which has been summed up in the buzz word globalization. Consequently, enormous amount of energy and resources have been devoted to the conduct of elections and the consolidation of the new democracies that have sprung up across the globe. The liberal peace proposition holds that pairs of democratic states more peaceful than other pairs of states. It is further argued that democratic states are also more peaceful internally than other regime types. But while this proposition appears to have strong empirical support, it has contra wise been argued that the liberal peace preferment is merely a model for the unification of the world under a hegemonic liberal order. This paper tests the empirical validity of the liberal peace thesis in newer democracies using Nigeria as its unit of analysis. Deriving from the theoretical prism of the developmental state, the paper argues that development may be a precondition for peace and that such development may not necessarily be achieved through the part of liberal democracy. The paper employs the analytic induction technique. It found that nearly two decades of democratic governance in Nigeria, accompanied by successive elections, has not yielded the much-vaunted liberal peace in Nigeria but appears to have instead exacerbated the country's conflict fault lines. It therefore recommends the privileging of development over democracy and deliberative developmental elite over legislative elite.

Key words: Democracy; liberal peace; elections; development; developmental state

Introduction

Among the many ills that plagued Nigeria during the long years of military rule was the problem of insecurity, including the insecurity of the human person. While the situation persisted under various military regimes in the country, things came to a head during the Abacha junta when a descent into the Hobessian state of nature no longer seemed too remote a possibility. Concerns over security issues, coupled with grinding poverty occasioned by excessive profligacy and mindless plunder of public resources by the military gatekeepers and their civilian cohorts, intersected with the 'Third wave of democratization' that was sweeping across the

developing world to instigate sustained demands for an end to military rule and a return to democratic form of government. The agitations eventually bore fruits, albeit fortuitously, following the sudden death of Abacha in 1998. The nation was thus by default set on an irreversible path to the much-anticipated democratic rule.

With the return to civil rule in 1999 therefore, expectations were naturally rife that a new lease of life, especially increased security of lives and property was in the offing. Neither were such expectations far-fetched. That much had been promised by the purveyors of liberal democracy with the full compliments of the liberal peace theory. Meanwhile, the major planks of the liberal peace proposition are that pairs of democratic states and pairs of states with extensive trade ties are more peaceful than other pairs of states, and that democratic states are also more peaceful internally than other regime types.

Since the return to democratic rule, Nigeria seems to have made giant strides towards the consolidation of liberal democracy with the conduct of five successive general elections, including the hitherto unthinkable opposition defeat of an incumbent in a presidential election and the peaceful handover of power that followed thereafter. But that perhaps is as far as the accolades go in respect of the uninterrupted years of democratic rule in Nigeria. During those selfsame years, the lot of the citizenry has remained utterly indistinguishable from what it was during the draconian military rules. The ophelimities of life have retained their illusory characteristics, the looting of the nation's treasury has continued unabated, and life has, more than ever before, become nasty, brutish, and indeed short in the mist of heightened insecurity across the length and breadth of the country and grinding poverty in the midst of plenty, both of which have made life for the man in the street largely meaningless. In other words, "despite the progress in electoral democracy and impressive growth rates, Nigeria continues to be buffeted by human security challenges" (Egwu, 2016, p.1).

A plausible explanation for the bewildering paradox of insecurity in a liberalizing polity like Nigeria is that the form of democracy practiced in this clime is not the liberal brand. Implied in this is that our illiberal credit cards are not enabled to draw from the vault of liberal peace. As with the natural resource curse which holds that the only escape for the cursed is a diversification away from resource-dependent development (which negates the core principle of the curse), the liberal disciples argue that the only way to reap the many fruits of liberal democracy is for the illiberal polities to forsake their illiberalism and become more and more liberal. As with the natural resource paradox therefore, Nigeria has yet again been caught up in a neoliberal cul-de-sac.

This paper therefore provides an alternative explanation for the failure of liberal democracy to bear the much touted liberal peace and also proffers an alternative exit from our current security and development dilemma. The rest of the paper is devoted to: clearing some conceptual under growths; establishing the nexus among elections, democracy, and the liberal peace; outlining the paper's theoretical orientation, and sharing some concluding thoughts on Nigeria.

Conceptual Issues

Elections

An **election** is a formal decision-making process by which a population chooses an individual to hold public office. Elections have been the usual mechanism by which modern representative democracy has operated since the 17th century (Encyclopedia Britannica Online cited in <https://en.wikipedia.org/wiki/Election> Retrieved 3 may, 2016). The centrality of elections to the practice of representative democracy was poignantly captured by the Spanish liberal philosopher, Jose Ortega y Gasset, thus:

The health of democracies, of whatever type and range, depends on a wretched technical detail- electoral procedure. All the rest is secondary. If the regime of the elections is successful, if it is in accordance with reality, all goes well; if not, though the rest progresses beautifully, all goes wrong (Gasset, 1930, p.114 cited in Ngwu 2012, p. 1)

Pomper (1967) however observed that popular elections are generally assumed to be the crucial element of democratic governments, but that the significance of elections is so widely assumed that it is rarely examined. According to him, although studies of voting behavior abound, there are relatively few theoretical or empirical investigations of the effects of voting on the total political system.

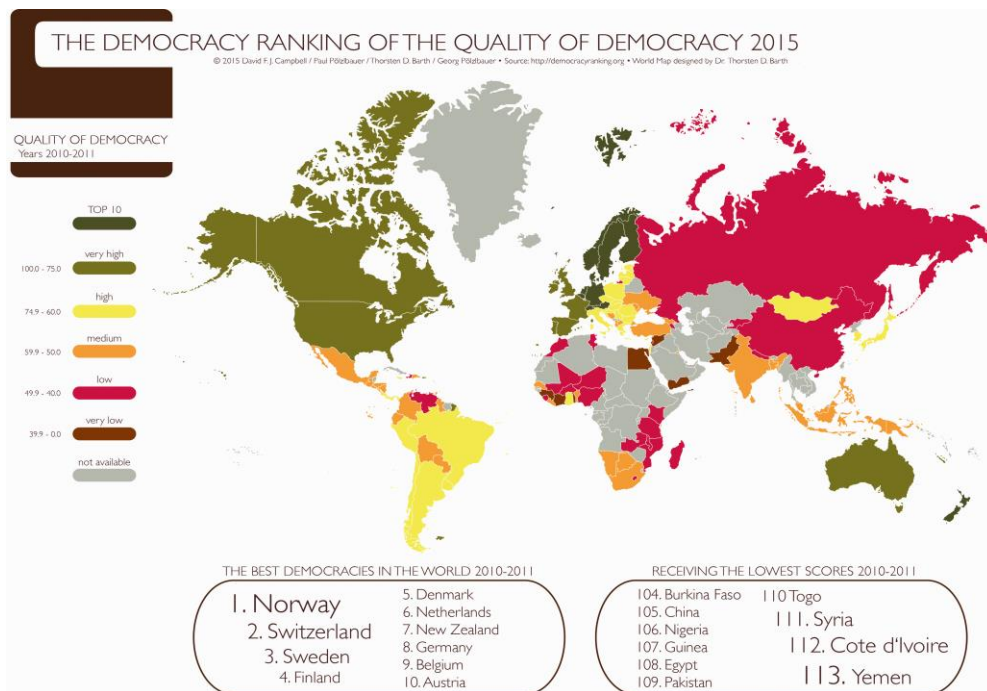
Democracy

The definition of Democracy as per Merriam-Webster is a form of government in which the people choose leaders by voting; especially the rule of the majority. Democracy stands in opposition to dictatorships, monarchies, theocracies, aristocracies, and oligarchies, though the lines between the various forms of government are often blurred and forms are combined. Most governments claim to be democratic, but as democracy is often considered the most challenging form of government, there are difficulties in the large-scale application of the government. The theory of a true democracy is difficult to put into practice, and many democratic governments end up being ruled by an elite class.

There are many requirements for a government to be considered a democracy, including legal equality (votes are counted equally), freedom (protected rights and liberties), and the rule of law. The two main divisions of democracy are direct democracy and representative democracy (or democratic republic). In a direct democracy, all citizens have direct participation in the government decisions, while in a representative democracy, all citizens elect representatives who act on behalf of the voters. In this vein, *Freedom House* distinguishes between electoral democracies and liberal democracies, with the standards for electoral democracy indicating “the minimal criteria a state needs to meet to be considered democratic”. These criteria are: “(1) A competitive, multiparty political system; (2) Universal adult suffrage for all citizens (with exceptions for restrictions that states may legitimately place on citizens as sanctions for criminal offenses); (3) Regularly contested elections conducted in conditions of ballot secrecy, reasonable ballot security, and in the

absence of massive voter fraud, and that yield results that are representative of the public will; (4) Significant public access of major political parties to the electorate through the media and through generally open political campaigning” (van Ham, 2010, p.1). Liberal democracies meet the same criteria as electoral democracies in terms of political rights, however in liberal democracies a wider array of civil liberties is present as well.

The Economist Intelligence Unit, on its part, tracked the status of democracy around the world, ranking them from full democracy to flawed democracy, hybrid governments, and authoritarian governments. There are a total of 25 full democracies according to this standard, which is based on several categories, including civil liberties, and free and fair elections. A somewhat startling finding contained in the report is that contrary to popular expectations, democracy has been on recession globally. In other words, the highly recommended and much sought after liberal baggage enjoys much less popularity currently than would have been expected. Below is a graphic representation of the state of democracy in the world.



Source: <http://democracyranking.org/wordpress/rank/democracy-ranking-2015>

The Liberal Peace

Democracy contributes to safety and prosperity – both in national life and in international life – it's that simple.

– Strobe Talbott, U.S. Deputy Secretary of State, 1997.

These ideas are the summation of the democratic or liberal peace thesis. In its bare essentials, the theory holds that liberal democracies seldom or never go to war against each other. By extension, the only way of achieving global peace and solving the problem of war both between and within states is through the spread of liberal democracies (Pugh, 2005). The idea that liberalization is a remedy for violent conflict is not new. This proposition has such illustrious advocates as Emmanuel Kant, Thomas Paine, Alexis de Tocqueville, Dean Babst, Melvin Small and J. David Singer (1976: 50–69), Michael W. Doyle (1983), Rudolph J. Rummel, among others. It was also one of the central principles of U.S. President Woodrow Wilson's foreign policy at the end of World War I. Wilson viewed the American model of market democracy as the apogee of political development, and believed that the spread of this model would promote peace in both domestic and international affairs. "Democracy," he proclaimed, "is unquestionably the most wholesome and livable form of government the world has yet tried. Jack Levy asserted that the democratic peace thesis is "the closest thing we have to an empirical law in the study of international relations" (cited in Pugh, 2005 p.2).

There has, however, been a spirited debate between proponents of democratic or liberal peace theory and critics who level a number of counterattacks. Among others, these include charges that:

the theory is a statistical artifact, that the terms of its definition ('democratic' or 'liberal', 'war', etc.) are defined in a tautological and self-serving manner, and that insufficient historical evidence is available to make accurate, generalizable conclusions since both war between states and the existence of democracy is historically relatively rare (Pugh 2005, p. 2).

Democratic peace is rooted theoretically in the writings of Immanuel Kant and in particular his work, "Perpetual Peace". In it, Kant (cited in Pugh, 2005) claims that peace is a reasonable outcome of the interaction of states with a republican form of government. He believes that the republican constitution gives a favorable prospect for the desired consequence, i.e., perpetual peace. The reason, according to him, being that if the consent of the citizens is required in order to decide that war should be declared (and in this constitution it cannot but be the case), nothing is more natural than that they should be very cautious in commencing such a poor game, decreeing for themselves all the calamities of war (Pugh, 2005).

Contrasting republicanism with other forms of governments, Kant argues:

On the other hand, in a constitution which is not republican, and under which the subjects are not citizens, a declaration of war is the easiest thing in the world to decide upon, because war does not require of the ruler, who is the proprietor and not a member of the state, the least sacrifice of the pleasure of his table, the chase, his

country houses, his court functions, and the like (quoted in Pugh, 2005, p.3).

And because peace under Kant's paradigm is a function of the form of government of the two potential parties to a conflict, the logical implication is that liberal republicanism must be diffused and made universal in order to achieve perpetual peace among states. Until states share a common liberal perspective, war will be necessary to prevent autocratic and despotic governments from oppressing their own people and from threatening the freedom of citizens in the liberal states themselves (Pugh 2005, p.2).

Liberal states in Kant's paradigm are characterized by certain criteria that distinguish them from authoritarian and other autocratic, non-democratic forms of government. These include a republican form of government based on the rule of law that is governed in a representative manner through a separation of powers; respect for human rights; and interdependent social and economic relations. An important part of democratic peace, therefore, is that liberal, democratic states share a common normative dedication to liberal ideals, and they frequently employ liberal justifications for going to war. Michael Doyle argues that quite often, the violent interventions that liberal states engage in "are publicly justified in the first instance as attempts to preserve a 'way of life': to defend freedom and private enterprise" (Doyle, 1983: 335). When the potential adversary shares a commitment to the protection of basic freedoms and human rights, and its government truly represents the wishes of the population (as evidenced by free and fair, competitive elections), it is much more difficult for democratic governments to justify war to their own citizens (Pugh, 2005).

The liberal peace's main components- democratisation, the rule of law, human rights, free and globalised markets, and neo-liberal development- are increasingly being critiqued from several different perspectives. These critiques have focused upon the incompatibility of certain stages of democratisation and economic reform, the ownership of development projects and thick and thin versions of the neoliberal agenda, the possible incompatibility of post-conflict justice with the stabilisation of society, and the problem of crime and corruption in economic and political reform and the establishment of the rule of law (Richmond, 2005). In point of fact, Richmond (2011, p.1) defines the liberal peace as 'a model through which Western led agency, epistemology, and institutions, have attempted to unite the world under a hegemonic system that replicates liberal institutions, norms, and political, social, and economic systems'.

The Nexus between Elections, Democracy and the Liberal Peace

Elections have become an important aspect of the process of peace-building favoured by the international policy community in countries emerging from civil wars and armed conflicts in the so-called global south (Wai, 2011). Wai explained that these elections are part of complex processes informed by contemporary liberal attitudes towards social and political life, and which have now become the dominant ideology in the current era of neoliberal globalization. Incidents of armed conflicts

and civil wars in the so-called post-“cold war” era, and the redefinition of development as a global private sector led enterprise in line with neoliberal ideas of market mechanisms, have led to the incorporation of armed conflicts into development discourses through the reformulation of aid policy to incorporate conflict management and societal reconstruction (Duffield, 2001).

Whereas during the so-called cold war, the major Western governments instigated and promoted conflicts and propped up repressive and authoritarian regimes in the developing world, the ascendancy of neoliberalism as the dominant ideological formation of contemporary globalisation, coupled with the upsurge of armed conflicts in the post-cold war era has led to a redefinition of armed conflicts, revolutions, wars etc. as dangerous scourge that should be controlled (Wai, 2011). Discursively, underdevelopment is thought to be dangerous not only because it causes conflict, but also because it is locked with conflict in a vicious circle of self-perpetrating and mutually reinforcing violence and impoverishment. This has led to the privileging of economic factors such as underdevelopment, poverty, and greed of actors as causal explanations for wars in the developing world (Collier, 2000, 2002; Collier and Hoeffler, 2001; Keen 1998, 2005, Reno 1995, 1998, 2000). The resulting wars are believed to create “zones of lawlessness open to exploitation by criminals and terrorists” (DFID, 2004: iii; Kaplan, 1994; United Nations, 2004 and 2005; World Bank, 2001). To prevent this, conflict resolution regimes have to aim for societal transformation and reconstruction. However, that transformation can only be achieved within a specific understanding of political and social purpose: the contemporary neoliberal idea which seeks to subject all aspects of political and social life to the logic of the market economy. It is this neoliberal order that seeks to impose a “liberal peace” on the world for the uninhibited flow of capital (Wai, 2011).

It is for this that critics of liberal peace describe it as nothing but “an ideological posture built on Western triumphalism and its problematic assumption that global peace can only be realised through the spread of liberal democracy and free market capitalism” (Wai, 2011: 230). According to this position, liberal peace “combines and conflates ‘liberal’ (as in contemporary neoliberal economic and political tenets) with ‘peace’ (the present policy predilection towards conflict resolution and societal reconstruction)” (Duffield, 2001, p.11). It is therefore a political project born out of Western triumphalist attitudes which emerged with the triumph of Western capitalism over opposing alternatives (the Third World non-aligned movement, and international socialism), that, in the cold war years, had challenged the legitimacy of Western capitalism (Wai, 2011) with the best expression of this pervasive Western triumphalist mood being, of course, Francis Fukuyama’s (1989, 1991) proclamation of the ‘end of history’.

It is for this reason that it has been argued that:

Liberal peace is therefore not a neutral or apolitical concept; and in spite of the language of humanitarianism built into it, it is not entirely altruistic; on the contrary, it is a political posture supported by, and impelled by impressive ideological formations that include notions that

certain territories and people require and beseech domination (Said, 1993 p.9; Wai, 2011, p.231).

From this perspective, it has further been argued that liberal peace is to be understood as a neo-imperialist posture that seeks to recolonise the imagination of the post-colonial world through discourses of democracy, good governance and free market capitalism. Its aim being:

to radically restructure societies and cultures and reorder spaces in ways similar to colonial times, with the difference being, in large parts, the absence of direct territorial occupation. Partially born out of the need to deal with what the West regards as “zones of lawlessness” in the global south in order to enable the uninhibited flow of global market capitalism, it espouses a minimalist version of liberal democracy (read polyarchy) as its operative ethos and conceptual language, while seeking to subject all forms of political, social and economic life, relations and processes to the logic of the market as dictated by the ideological diktats of neoliberalism (sic) (Wai, 2011, p.232).

The principal instrument for achieving this elusive peace is through the adoption and deepening of liberal democracy, and as a functioning tool of democracy, elections have become important in the transition processes. They have come to be seen as central to transforming the conflict situations, implementing peace agreements, establishing democratic regimes and achieving peace, and by extension, the signal for the termination of peacekeeping missions (Reilly, 2004) in countries already embroiled in conflict. Moreover, these elections have become, in the eyes of the Western world, the legitimating instruments of political authority in the non-Western world. These elections are thus seen not only as the building blocks for the end of the transition periods, but also the vehicle for the institution of ‘democratic’ politics and with it, liberal governance institutions and market mechanisms (Wai 2011, p. 233).

However, as has been pointed out, the elections that such peace-processes demand are themselves not only very divisive and conflictive, but could in fact end up placing unnecessary strains on a fragile peace, especially in a delicate conflict or post conflict situation (or in transition societies such as Nigeria). As Kumar (1998 p.7) points out, most societies affected by and emerging from conflict might “lack the political climate, social and economic stability, institutional infrastructure, and even political will to mount successful elections.” Under such conditions, it will be extremely difficult to conduct elections that reflect the genuine will of the people. Elections might therefore end up undermining both the broader goals of conflict transformation and democratisation, paving the way for insurgents to choose conflict as a strategy for contesting power (Wai, 2011, p.232).

In fact, excessive focus on elections may divert attention from the most immediate societal needs in war affected or transition societies. Similarly, democracy itself is neither an uncontested concept, nor is it neutral or apolitical. Just as every

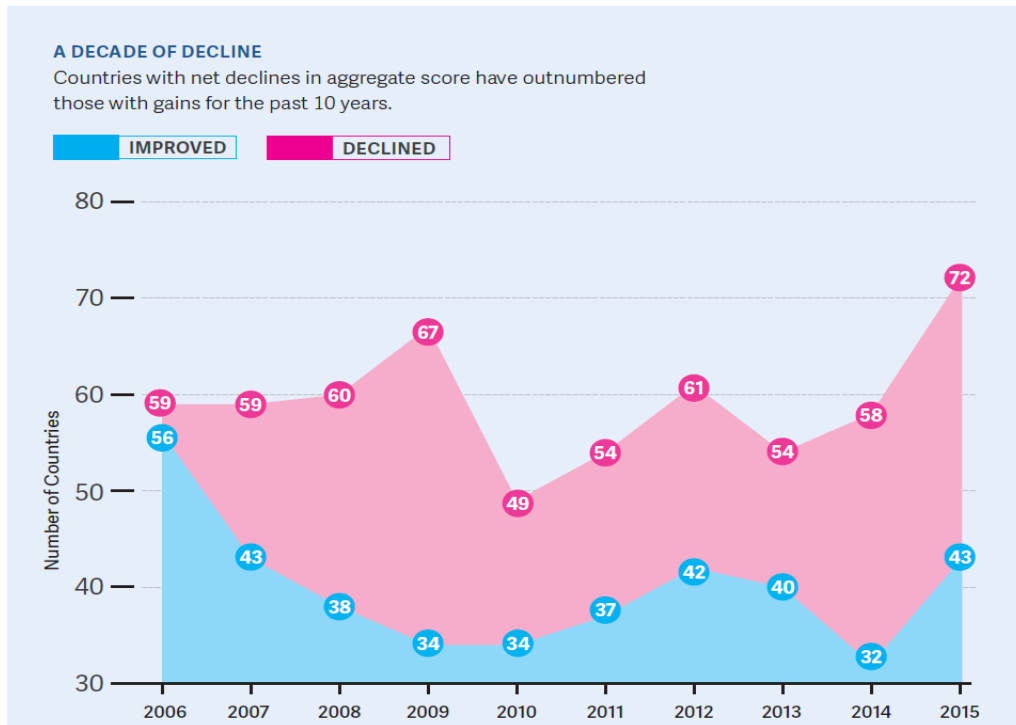
aspect of the globalisation project and the liberal peace agenda are contested, so also are their claims to democracy. Western, especially US impulse for democracy promotion has been seen by some scholars as nothing more than an instrumental strategy for the recreation of the world in their image through the promotion and imposition of Western liberal values (Robinson, 1996, p.6). It is aimed at suppressing “popular and mass aspirations for a thorough going democratisation of social life” both domestically and globally. In the end, the democracy instituted becomes only procedural, avoiding questions of both domestic and global inequality and injustice (Wai 2011, p.232).

Obi (2007) similarly contends that in spite of the nature of elections as ‘good in themselves’, they also are instruments of a global agenda for a post-Cold War order hinged upon certain values. The effort of building peace in war-ravaged contexts is therefore not a neutral process, but is an attempt to promote a particular kind or model of peace. The questions that arise, according to him, relate to the sustainability of such a peace often imposed by regional and global powers and, more importantly, how post-conflict elections fit into the new liberal peace agenda and its consequences for societies emerging from war (Obi 2007, p. 3).

Ironically, the failure of liberal democracy to deliver on its promise of a liberal peace is ingeniously explained in terms of the illiberal character of such democracies, and the solution is wickedly prescribed as lying in further liberalization of such polities, which in itself is nigh impossible given the intendment of the founding of those polities.

To drive home the point about the pattern of democracy promotion, Kagan (2015) stated that politics has always followed geopolitics for much of history. For instance, when the Athenian democracy’s empire rose in the fifth century B.C.E., the number of Greek city-states ruled by democrats proliferated; Sparta’s power was reflected in the spread of Spartan-style oligarchies. When the Soviet Union’s power rose in the early Cold War years, communism spread. In the later Cold War years, when the United States and Western Europe gained the advantage and ultimately triumphed, democracies proliferated and communism collapsed. Was this all just the outcome of the battle of ideas, as Francis Fukuyama and others argue, with the better idea of liberal capitalism triumphing over the worse ideas of communism and fascism? Or did liberal ideas triumph in part because of real battles and shifts that occurred less in the realm of thought than in the realm of power?

By way of an answer, Kagan pointed out that these have become relevant questions again given that we live in a time when democratic nations are in retreat in the realm of geopolitics, and when democracy itself is also in retreat. The latter phenomenon has been well documented by Freedom House, which has recorded ‘declines in freedom in the world for ten straight years’ as shown in the figure below.



Source: Freedom House (2016). *Freedom in the World 2016*. London: Freedom House.

At the level of geopolitics, Kagan observed that “the shifting tectonic plates have yet to produce a seismic rearrangement of power, but rumblings are audible” (Kagan, 2015, P.21). For instance, he said, the United States has been in a state of retrenchment since President Barack Obama took office in 2009. The democratic nations of Europe, which some might have expected to pick up the slack, have instead turned inward and all but abandoned earlier dreams of reshaping the international system in their image. As for such rising democracies as Brazil, India, Turkey, and South Africa, they are neither rising as fast as once anticipated. Consequently, the bulk of the energy in the international system currently comes from the so-called ‘great-power autocracies’ of China and Russia, and from would-be theocrats pursuing their dream of a new caliphate in the Middle East (Kagan 2015, p. 22).

Huntington, meanwhile, appeared to have aligned with this position when he observed that “The pervasiveness of democratic norms rested in large part on the commitment to those norms of the most powerful country in the world” (Huntington, 1991 p.47). Diamond and others similarly noted how important it was that these “global democratic norms” came to be “reflected in regional and international institutions and agreements as never before” (Diamond, 2008, p.10). But then, even “norms” are transient as well. After all, in the 1930s, for instance, the trendsetting

nations were fascist dictatorships while in the 1950s and 1960s, variants of socialism were in vogue. But from the 1970s until recently, the United States and a handful of other democratic powers set the fashion trend. There is therefore nothing inevitable about democracy. Indeed, it is autocracy, not democracy, that has been the norm in human history—only in recent decades have the democracies, led by the United States, had the power to shape the world (Kagan, 2015, p.29).

Concerning the Great Democracy Meltdown, Kurlantzick (2011, p.1) noted: the number of anecdotal examples is overwhelming. From Russia to Venezuela to Thailand to the Philippines, countries that once appeared to be developing into democracies today seem headed in the other direction. So many countries now remain stuck somewhere between authoritarianism and democracy, report Marc Plattner and Larry Diamond, co-editors of the *Journal of Democracy*, that “it no longer seems plausible to regard [this condition] simply as a temporary stage in the process of democratic transition.

Twenty or even ten years ago, the possibility of a global democratic recession seemed impossible. It was widely assumed that, as states grew wealthier, they would develop larger middle classes. And these middle classes, according to democracy theorists like Samuel Huntington, would push for ever-greater social, political, and economic freedoms. Human progress, which constantly marched forward, would spread democracy everywhere.

For a time, this rosy line of thinking seemed warranted. In 1990, dictators still ruled most of Africa, Eastern Europe, and Asia; by 2005, democracies had emerged across these continents, and some of the most powerful developing nations, including South Africa and Brazil, had become solid democracies. In 2005, for the first time in history, more than half the world’s people lived under democratic systems. Unexpectedly, some of the leaders who had emerged in these countries seemed to morph into elected autocrats once they got into office. Yet, it wasn’t just leaders who were driving these changes. In some cases, the people themselves seemed to acquiesce in their countries’ slide away from free and open government. In a study by the Program on International Policy Attitudes, only 16 percent of Russians said it was “very important” that their nation be governed democratically. Similarly, Mattes and Bratton (2016) found declining levels of support for democracy in many key countries. And in Guatemala, Paraguay, Colombia, Peru, Honduras, and Nicaragua, either a minority or only a small majority of people think democracy is preferable to any other type of government. Even in East Asia, one of the most democratic regions of the world, polls show rising dissatisfaction with democracy. In fact, several countries in the region have developed what Chang, Zhu and Park (2007), who studied data from the regular Asian Barometer surveys, termed “authoritarian nostalgia” in the sense that “few of the region’s former authoritarian regimes have been thoroughly discredited” (cited in Kurlantzick 2011, p.2).

A Theoretical Perspective and some concluding thoughts on Nigeria

In the preceding sections, we have examined the concepts of election, democracy and the liberal peace and have, to a large degree, demonstrated the theoretical and empirical linkages among them. We have been able to establish that the debate in literature between those who hold that a causal link exists among these concepts with the causality said to run from elections to democracy and then to the liberal peace resulting ultimately to the 'perpetual peace' as envisioned by Emanuel Kant several centuries ago on the one hand, and those who view the concepts and the presumed relationship among them as no more than the ideological fig wig used for the concealment of reality and for the dismantling of vestiges of resistance or opposition to the unhindered movement of global capital as dictated by the elementary tenets of globalization.

For a country like Nigeria that have spent the past sixteen or so years in futile search for the peace liberal democracy promises, hope has since transformed into disillusionment and may soon metamorphose into despair as democracy has so far failed to deliver peace even in its barest dimensions. Rather than prosperity, the citizens have reaped penury, rather than freedom, they have reaped economic serfdom, and rather than safety, life has become worse than nasty, brutish and short. What with the various militia groups contesting the right of the Nigerian state to the monopoly of use of legitimate force? And what with the sundry criminal gangs that unleash mayhem on the populace routinely, with the security apparatus seemingly unable to protect the citizens? In the face of the appalling disappointments, should Nigeria continue to make huge financial, material, and human investments in the prosecution of the democracy project and the pursuit of an elusive peace, or should it return to the primary task of doing development, which, as Ake had rightly argued, was never on the agenda?

Our contention here is that the time for Africa to prioritize development is now. But the question is, how is this illusive development could be achieved? Must it necessarily be through a 'democratic' path? In answer to similar question in the past, Leftwich (1994) had explained that the few cases of rapid economic growth experienced in Third World countries from 1970s to 1990s were recorded in democratic, semi-democratic and non-democratic states alike. As such, those transformations could not have been attributable to their common regime types. Instead, Leftwich explained their common development experience in terms of the special character of their states, which he described as developmental. Leftwich (1994) further explained that the forms and features of those states were not simply a function of their administrative structures or principles of governance, but of their politics. Leftwich therefore advocated the reintroduction of political discourse in both development theory and policy, from where he said it had been excluded for too long.

Meanwhile, the idea of the Developmental State (DS) is most closely associated with Chalmers Johnson and his seminal analysis of Japan's very rapid, highly successful post-war reconstruction and (re)industrialisation. Johnson (1982) contended that Japan's quite remarkable and historically unparalleled industrial renaissance was neither a fluke nor inevitable, but a consequence of the efforts of a

'plan rational' state. A plan rational or developmental state, according to him, was one that was determined to influence the direction and pace of economic development by directly intervening in the development process, rather than relying on the uncoordinated influence of market forces to allocate economic resources. According to Johnson (1982, p.23), "the developmental state took it upon itself the task of establishing substantive social and economic goals with which to guide the processes of development and social mobilization".

The most important of these goals in Japan's case, of course, was the reconstruction of its industrial capacity; a process made easier by a widespread social consensus about the importance of economic development. At the centre of the Japanese DS - and of its most successful imitators in Taiwan and South Korea - was a highly competent bureaucracy dedicated to devising and implementing a planned process of economic development. One of the key elements of a DS - and an essential prerequisite for managing the developmental process - is the existence of a 'pilot agency', like Japan's celebrated Ministry of International Trade and Industry (MITI), which was the main focus of Johnson's original analysis. The pilot agency is charged with task of directing the course of development itself, and employs and devises a range of policy tools to ensure that indigenous business is both nurtured and managed in the overall 'national interest' (Beeson n.d., p. 2).

In those countries that have had the greatest 'state capacity', or the ability to devise and implement various industry policies – primarily the aforementioned Northeast Asian states and Singapore – they have also had extensive, relatively efficient bureaucracies, staffed by the nation's brightest and best. Not only did such pilot agencies generally enjoy a degree of prestige and legitimacy that actually allowed them to recruit outstanding personnel, but they were able to utilise policy tools that gave them additional authority over the indigenous business class their actions helped create. In Japan, for example, MITI and the Ministry of Finance were able to use their control of domestic savings to provide cheap credit for particular industries. In this way, Japanese planners were able to guide a continuing process of initial industrialisation and subsequent industrial upgrading as new, more valuable industries were encouraged and older ones like textiles were encouraged to move off-shore. This pattern of state-led intervention has been emulated across the region with varying degrees of success and to differing extents: Japan's Northeast Asian acolytes Taiwan and Korea copied the Japanese experience earliest and most successfully, while the countries of Southeast Asian followed later and with more mixed results. But before considering the present, rather discredited state of the DS in both Japan and across the region, it is important to emphasize one thing: whatever difficulties Japan and some of its imitators may currently be experiencing, both Japan's and the rest of East Asia's transformation over the last forty or fifty years is a quite staggering and substantial achievement (Beeson, n.d.).

In considering the possible continuing utility of the DS, therefore, we need to be conscious of the following: the DS has been central to East Asia's unique transformative experience; East Asia has experienced substantial, sustained and real increases in per capita incomes as a consequence; different levels of development and

different state capacities mean that the DS may still remain an appropriate – perhaps an inescapable – element of economic development (Beeson, n.d.).

The claim that DSs may still be an essential component of successful development is contentious, but strongly supported by the historical record. Ha-Joon Chang is the most prominent of a number of scholars that have drawn attention to the absolutely central role played by states in all those countries that have experienced successful economic development. Significantly, Chang points out that both the UK and US – seeming paragons of market, rather than state-led development, and latter day champions of the free market or neoliberal model – enjoyed significant state assistance in their initial industrialising phase. Indeed, not only is infant industry protection of a sort enjoyed by nineteenth century Britain and America, and twentieth century Japan, still a prerequisite of successful indigenous industrialisation, but attempting to outlaw such practices through the currently dominant neoliberal agenda championed by the international financial institutions (IFIs), amounts to ‘kicking away the ladder’ to development (Chang quoted in Beeson n.d., p. 3).

Within the literature, developmental states have been mainly associated with economic growth (Mkandawire, 2001). Often however it was growth that was seen to have other social benefits and the concept of a developmental state is often used to denote not only states which have achieved significant growth rates but rather growth rates alongside with a perception of reasonably wide spread legitimacy (Leftwich 2000, pp.166-167). Scholars have highlighted that there has generally been significant increases in the standard of living for a large number of the population in developmental states (Johnson 1987, p.143 and Leftwich 2008, p16). The legitimacy of developmental states rested on these significant improvements in standards of living for a broad cross section of society (Wade 1990, p.7; Fritz and Menocal 2007, p.534; Lin & Monga 2011, p.278). So the central elements of the developmental outcomes for much of the developmental states literature was growth, with widespread increases in the standard of living (thorough increased employment and industrialisation in the case of East Asia and Mauritius) and broad based legitimacy.

The point needs be made however that the legitimacy enjoyed by the developmental state is not a function of its devotion to tenets of liberal democracy. On the contrary, in some senses the developmental state was a strategy of growth that worked, in part, to quell internal unrest. In other words, these progressive elements have frequently been accompanied by politically repressive regimes and the exclusion of certain groups (Leftwich 1995, pp.418-419). So that although developmental states have often had comparatively good (or at least not extremely bad) human rights records (Leftwich 1995, pp418-419), developmental states would not fully fulfill the classical conceptualisation of inclusive development. And even though some argue for democratic developmental states (White, 1998; Edigheji, 2005; 2011), democracy is hardly the operative term in the analysis of development under this framework.

The research on developmental states has come to be seen by some as a refreshing move away from such value laden arguments to examine historically and empirically ‘what has worked’ (Fritz & Menocal 2007, p.531). And the potential utility of the DS has been undermined as much by a shift in the dominant discourse

about optimal or appropriate modes of development as it has by any inherent failings. In other words, the continuing utility or feasibility of the DS may depend as much on external geopolitical factors as it does on any specifically domestic ones.

Concluding Thoughts

This paper explored the linkages among elections, democracy and the liberal peace. This it did against the backdrop of the neoliberal orthodoxy that liberal democracy is a desideratum, indeed a *sine qua non*, for peace at national and international levels, and that elections are the inevitable path to that democracy. The study argued that the linkages among these three variables are not necessarily inevitable nor does the causality necessarily flow in the presumed direction. The study posits that the only inevitable path to peace, if there be any, is development, and that such development is not necessarily a function of democracy, particularly of the neoliberal genre. Drawing from the examples of the developmental states of Asia, the study demonstrated that development is a function of the presence of a plan rational state driven by developmental elite. In spite of the many arguments against the developmental state model its utility as a developmental paradigm remains undiminished.

By way of conclusion therefore, we shall draw from the eternal words of the renowned British political scientist, Bernard Crick in respect of democracy. Said he:

Democracy, if we give the word the fairest meaning we may want to give it – if we value liberty, free choice, discussion, opposition, popular government, all of these things together – is still one form of politics, not something to be hoped for at every stage of a country's development or in every circumstance (Crick 1992, p.72).

Democracy, Crick insists, is but one element in politics, if it seeks to be everything, it destroys politics, turning harmony into mere unison, reducing a theme into a single beat (p.73). This appears to be the unfortunate summation of sixteen years of experimentation with neoliberal democracy in Nigeria during which both peace and development have been clearly relegated. To redress the current developmental atrophy and the peace deficit in Nigeria, and to launch Nigeria on the path of sustainable development should be the preoccupation of every single political scientist of Nigerian extraction.

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Corruption, Poverty and Underdevelopment in Africa: A Comparative Analysis of Nigeria and Rwanda

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Abstract

Africa is widely considered among the world's most corrupt places, a factor seen as contributing to the stunted development and impoverishment of many African states. This paper did a comparative analysis of corruption, poverty and underdevelopment in Nigeria and Rwanda. It adopts the theory of prebendalism to explain the nature and character of corruption on the continent. Using the Transparency International Index, the paper observes that, the level of corruption in Rwanda is lower than in Nigeria. The lower level of corruption in Rwanda is attributed to the strong political will and strict enforcement of anti-graft laws. The level of corruption in both countries has a lot of implication on poverty and development. For instance, the economic success recorded in Rwanda is attributed to the low level of corruption in the country. On the other hand, the high level of corruption in Nigeria has accentuated poverty and underdevelopment. The paper suggested that deriving from the Rwanda experience: anti-corruption laws and policies in Nigeria should be vigorously enforced and punishments meted against those found culpable irrespective of the socio-economic, political and religious affiliations. The paper also suggest that state should develop productive forces that will create a good life for the citizenry hence this will reduce poverty and the tendency of corruption.

Keywords: Corruption, poverty, underdevelopment

Introduction

Corruption has become a major impediment to socio-economic development especially in the developing world. It is known to respect no geographical boundaries, creed, race or ethnicity. The devastating effects of corruption in the nation have manifested in lopsided distribution of wealth, mal-functioning or decayed infrastructure and degrading living conditions among a great proportion of the citizenry. These have impacted negatively on all aspects of the developmental agenda. The country cannot but respond to both domestic and international pressures to confront corruption with all possible strategies available.

Corruption perpetuates poverty. It skews decisions and diverts scarce funds, denying poor people access to basic social services and resources to improve their livelihoods. Where better-off people can find private solutions to public failures water filtration, generators, private schools and hospitals disadvantaged groups have no alternative (Aluko, 2002). For them, corruption creates a vicious cycle (Wolfowitz, 2006). The role of corruption in fuelling poverty was among the reasons Transparency International (TI) was founded. Despite increased global investment in recent years, corruption remains a key reason for the failure to combat poverty. Through coalitions with the public and private sectors and across civil society, TI

promotes the fight against corruption as an integral part of the global development agenda.

No region is more severely affected than Sub-Saharan Africa. Africa is widely considered among the world's most corrupt places, a factor seen as contributing to the stunted development and impoverishment of many African states. Of the ten countries considered most corrupt in the world, six are in sub-Saharan Africa, according to Transparency International, a leading global watchdog on corruption. A 2017 African Union study estimated that corruption cost the continent roughly \$150 billion a year. To compare, developed countries gave \$22.5 billion in aid to sub-Saharan Africa in 2018, according to the Organization for Economic Cooperation and Development (Transparency, 2018).

Rwanda made international headlines in 1994 when the genocide, one of the worst tragedies since the end of World War II, claimed an appalling number of victims, left the country shattered and exposed the international community's indifference. In spite of the sober image associated with such a calamity, Rwanda has been able to change its reputation in recent years due to sustained high growth rates, has increasingly been seen as a development model. Improved governance and political stability are often quoted as key reasons for the country's economic success. The country is largely praised for its commitment to fight against graft and for the success that such a fight has reaped: indeed, the majority of analysts, international organizations and business people now consider Rwanda as one of the least corrupt countries in Africa as well as a success story in the fight against corruption (Bozzini, 2014).

On the other hand, Nigeria, Corruption in Nigeria was made public by activities of Transparency International (T.I), a Berlin based, non-profit and non-governmental organization established for the main purpose of combating corruption primarily in international business but also national levels. This organization followed and studied corruption closely for five or more years. In the 1996 and 1997 survey ranking countries in terms of perceived corruption by a cross section of business people across several countries of the 54 countries surveyed in 1997 and 52 countries in 1998, Nigeria was perceived as the most corrupt in two successive years (Zorbas, 2011). Since then Nigeria has continued to occupy top spot on corruption index in spite of efforts by successive government to curtail it.

The main thrust of this paper is to do a comparative analysis of corruption, poverty and underdevelopment in Nigeria and Rwanda.

Conceptualising Corruption

Corruption is not an easily definable concept. This is because; most discussions on corruption generate emotions rather than shading light on the subject matter itself (Andrig and Fjeldstad 2001). Another reason that makes it difficult to understand corruption is the difficulty in gathering accurate and adequate data on the subject.

Nye (1967) defines corruption as:

a behavior which deviates from the formal duties of public roles because of private pecuniary or status gain. These include such behaviours as bribery (use of reward to prevent judgment of a person in a position of trust), nepotism, (bestowal of patronage by reasons of ascriptive relationship rather than merit) and misappropriation (illegal appropriation of public resource for private uses); and wilful failure to enforce laws or invoke sanction that are appropriation to a situation.

The above definitions, according to Aluko (2009) which prejudge the result of corruption, are imprecise, (as the meaning of public interest is open to different interpretations), and may preclude recognition of corruption until after the event only when public interest can be clarified and judged. Sorkaa (1999) contends that corruption exist when an individual illegally or illicitly put personal interest above those of the people and his ideals he or she pledges to serve.

For the purpose of this paper, corruption can be described as the conscious attempt or deliberate diversion of resources from the satisfaction of the general interest to that of self (personal) interest. The disdain for corruption is clearly felt mainly on ground of morality. There is no doubt that it inflicts some sorts of adverse effects on any society where it exists and persists until such society is purged of its immorality.

The Concept of Poverty

Poverty has no precise definition due to its multi-dimensional nature. According to Akintola and Yusuf (2001) poverty can be defined as a social condition characterized by inadequate access to basic human needs to the sustenance of socially acceptable minimum standard of living in a given society.

Poverty to Ajakaiye (2000, p. 55) is defined as “a living condition in which an entity is faced with economic, social, political, cultural, and environmental deprivations”. In the same view Amuguo (2003, p.1) sees poverty as the deprivation of elements necessary for human survival”. These include clean water, food, shelter, health, and self-dignity. Deprivation of self-dignity is simply the denial of individual liberty and property, natural rights, political liberty, civil liberty and property. In situations where these elements are far-fetched, the society is left with nothing but poverty and underdevelopment.

Kankwenda, Gregoire, Legros and Ouedraogo (2000, p.3) poverty is problematised thus:

While situations vary from country to country, poverty is recognised as a multidimensional phenomenon, influenced by a wide range of factors. These include poor people’s lack of access to income-earning and productive activities and to essential social services (health, education, safe water). Their low level of participation in political

processes and their lack of influence on the political life of their countries are major obstacles. Compounding this are the direct and indirect consequences of external economic and financial factors, over which governments have no control.

However, the notion of poverty as conceptualised above only views the political process as one of the causal elements of poverty and not its manifestation.

The third phase in the conception of poverty is that which views poverty from a political economy perspective encompassing economic, social and political dimensions. It reflects the logic of human deprivation, which limits human capacity to function adequately including his/her freedom. Poverty is characterised by the unavailability of income and non-income resources and a denial of voice and power in the political process. More generally, poverty means the inability to meet basic needs, including food, shelter, clothing, water and sanitation, education and healthcare.

Theoretical Framework

The paper adopts the theory of prebendalism as framework of analysis. Richard A. Joseph, director of the programme of African studies at Northwestern University is usually credited with being first to coin the term prebendalism to describe patron-clientism or neo-patrimonialism in Nigeria. Since then the term has commonly been used in scholarly literature. According to catholic encyclopaedia, "Prebends" is defines as the right of member of "chapter" to his share in the revenue of a cathedral. Joseph (1996) used the term to describe the sense of the Nigerian state. Elected officials, government workers, and member of the ethnic and religious groups to which they belong feel they have a right to a share of government revenues.

To Joseph (1996), the theory of prebendalism is based on the following assumptions:

- i. States that offices are regarded as prebends that can be appropriated by office holders, who use them to generate material benefits for themselves and their constituents and kin groups.
- ii. Working on the assumption that power is central to politics, the sharing point of Joseph prebendal theory is that, the Nigerian political life is entirely characterized and dominated by corruption.
- iii. Central to prebendal analysis are the concepts of clientilism and perbendalism. He sees clientilism as patron-client ties. Clientilism, he further argues, is the very channel through which one joins the dominant class and a practice which is then seen as fundamental to the continued enjoyment of the perquisites of that class. He defined prebendalism as the procurement of the state either through examination or as a reward for loyal services to the leader.

A critical assessment of post-colonial African states reveals that leaders at both federal, state and local government is to be in charge of the treasury and use the

wealth that belongs to the people to illegitimately enrich party faithful, investors in election, friends, clients, godfathers and allies to sustain a corrupt life style. This predendal networks encourages corruption that produces wealth for this group and poverty for the vast majority of Africans who do not have any link to this network.

Corruption, Poverty and Underdevelopment in Africa: The Nexus

Since the post-colonial Africa, corruption has been a cause for concern because it diverts already limited funds, undermines economic progress and impedes policy changes required for development. Africa presents a typical case of the countries in the world whose development has been undermined and retarded by the menace of corrupt practices. A series of reforms have been carried out in all the African countries so as to make the system (African states) efficient and result oriented. However, the anticipated gains of such efforts or reforms have not been visible due to series of factors which include that of corruption (Audu, 2009). Without doubt, corruption has permeated the African society and anyone who can say that corruption in Africa has not yet become alarming is either a fool, a crook or else does not live in this continent. The situation has gone so bad to the extent that whichever way one views corruption, it involves a violation of public duty or deviation from high moral standards in exchange for (or in anticipation of) personal pecuniary gains. It is connected with moral and dishonest acts (Mo Ibrahim Foundation, 2012).

The effects of corruption are felt in the political and social, as well as the economic, spheres. Although the direct costs of corruption may be high in terms of lost revenue or funds diverted from their intended use, the indirect costs in terms of the economic distortions; inefficiencies and waste resulting from corrupt practices are more problematic over the long-term and thus make it more difficult to address.

Corruption increases the costs of doing business, wastes resources, hence radically reduce revenues accruing to the state. It also results in poor service delivery, “moonlighting” or multiple concurrent sources of employment and refusal to perform normal functions without additional payment (Anger & Tsuwa, 2011). Moreover, corruption deepen poverty and make it difficult for ordinary people to get ahead as the result of their own efforts. There is increasing evidence that the social and economic cost of corruption disproportionately affects the poor, who not only suffer from the lack of services and efficient government, but who are also powerless to resist the demands of corrupt officials. Different arguments have been put forward to explain the pervasiveness of corruption in Africa these include poverty, the personalization of public office, the political culture and the inability of leaders to overcome their colonial mentality in respect of their perception of public office. To these end the fortunes of some African heads of state were published by French weekly (May, 1997) as presented by (Ayittey, 2012) are as follows:

- a) General Sani Abacha of Nigeria -- \$20billion.
- b) President Houphouet-Boigny of Ivory Coast -- \$6 billion.
- c) General Ibrahim Babangida of Nigeria --\$5billion.
- d) President Mobutu of Zaire -- \$4billion.

- e) President Mouza Traore of Mali -- \$2billion.
- f) President Henri Bedie of Ivory Coast - \$300million.
- g) President Denis N'gnesso of Congo -- \$200million
- h) President Omar Bongo of Gabon -- \$80million.
- i) President Paul Biya of Cameroon -- \$70million.
- j) President Haite Mariam of Ethiopia -- \$30million.
- k) President Hissene Habre of Chad --\$3million.

If corruption is relatively confined, growth will not be unduly affected. In other words, growth would be higher and more evenly distributed without corruption. Also, if the 'profits' from corrupt practices are re-invested into the economy, the negative effects of corruption may be somewhat mitigated. According to a United Nations estimate in 1991 alone, more than \$200billion in capital was siphoned out of Africa by the ruling elites. This amount was more than half of Africa's foreign debt of \$300 billion (Ayttey, 2011). This wealth resulting from corruption also forms part of capital flight and on an annual basis, exceeds what comes into Africa as foreign aid. Ayttey (2015) therefore argued that "the inviolate ethnic of the ruling elite in Africa is self-aggrandizement and self-perpetuation in power. To achieve those objectives, they take over and subvert every key institution of government to serve their needs and not that of the people.

The effects of corruption in Africa can be analysed from three main perspectives - The political, economic and socio-cultural. From the political view point, corruption has the capacity of engendering political instability, breakdown of law and order, brain drain, inefficiency of the public service among others. Viewed from the economic perspective, corruption is no doubt an enemy of economic development in the international scene, as it gives the continent a poor image in the international scene and it gives the continent poor image in interpersonal and business relationships (Audu, 2009). Moreso, a nation that condones corruption is often besieged with a lot of economic and social vices. Economic and social infrastructural facilities are vandalized to create room for unnecessary replacement and purchases or conversion to personal use. Trade and commerce cannot thrive, as investors will be unwilling to invest much trade or business in this part of the world, the overall resulting effects of all these malpractices will be increase in the rate of inflation, unemployment and decline in output, foreign reserves and deterioration in the standard of living of the people. In the socio-cultural context, corruption apart from engendering poverty has the capacity of changing the social values of a good and progressive society dramatically to nothing else than the crazy pursuit of wealth affluences, power and society recognition (Anger & Tsuwa, 2011). People no longer appreciate the virtues of good morale, conduct and practices. Without doubt corruption has eaten deep into the fabric of the African people and the African society and it continues with the people almost permanently. Africa presents a typical case whose development and the desired change have been undermined and retarded by the menace of corrupt practices.

Corruption, Poverty and Underdevelopment in Nigeria

Viewing the pattern of governance of the Nigerian State since the attainment of independence in 1960, one can rightly say that corruption has been the bane of Nigerian public administration. A recurring decimal in the exposition of Nigeria's development dilemma is the recognition of corruption as the most imposing albatross. Almost all facets of the Nigerian economy are haunted by the specter of corruption. Corruption is the single most potent impediment to Nigeria's development. There is discernible trajectory in the mutation of corruption. The intensity of corruption in Nigeria is proportionally correlated to the epochal transmutation of its productive forces: from a bouquet of cash crops to oil economy. The fact that the new nationalist leadership had to rely on political power as the means of creating their economic base is a fact of immense significance (Anger and Tsuwa, 2011). It unfortunately created a tendency to make political power the means of accumulation (Ake, 1991).

Successive governments in Nigeria embarked on various anti-corruption programmes consistently to educate the society at large on the adverse effect of corruption on the economy of the nation and the image of the country in the international scene. In highlighting efforts of past regimes in the war against corruption, this study takes a cue from the General Murtala war against corruption in 1976, which resulted in the major purge in public and private sectors; the Jaji declaration in 1977 by Obasanjo, sign-posting the commencement of the second-phased battle against the creeping culture of corruption, bribery and indiscipline; the ethical revolution of Shagari from 1981 to 1983; War Against Indiscipline by Buhari Idiagbon in 1984; the National orientation Movement in 1986, and the Mass Mobilization for Social Justice by Bangida in 1987; to the War against indiscipline and corruption by Abacha in 1996 (Audu, 2009). The country is more corrupt than the imagination of the outside world. Corruption transcends to our unemployed youths who have metamorphosed to security risks to the society, cases of advanced fee fraud (419), kick-back, up-front payment of ten percent of contracts value to government functionaries for contracts awarded, gratifications to public office holders for executing their legitimate functions in their respective offices etc, are common occurrences in Nigeria (Ayittey, 2015).

According to Audu (2009, p. 207), "each political regime comes to power promising to eliminate the practice and punish offenders, only to fall into the same pattern". According to Bello-Imam (2011, p.108), "corruption has the potentiality to produce cynicism, lack of faith, and disregard for the rule of law". This can also contribute to broader political instability. One will recall that Nigeria armed forces ousted the democratic and military governments alike over charges of corruption, and it was largely because of the high level of corruption of the governments that the military takeover of governance each time was widely applauded. What corruption does to the country, more generally, is the high cost of government services, poor service delivery and inflated cost of government programmes. Corruption reduces economic growth and the benefits the society receives from governmental services (Elekwa, 2009). In spite of these seemingly noble efforts of government to combat corruption, it is sad to note that most top government functionaries are deeply

involved in corrupt practices. Corruption inhabits development because resources meant for public services are being diverted to individual purses. The same developmental projects enunciated by the government are often abandoned or left uncompleted after collecting mobilization fees (and possibly paying up-front of the percent of the total value of the contract to the government functionaries that awarded the contract). In his observation on the status of corruption in Nigeria, Obasanjo in Audu (2009, p. 257) states that:

Corruption was identified as number one enemy of development and progress. Combating corruption was easily the number one priority action for our administration...Corruption is a canker-worm that has eaten into the fabric of our society that every level. It has caused decay and dereliction within the infrastructure of government and the society in physical, social and human terms. Corruption has been responsible for the instability of successive government since the first republic. Every coup then has been in the name of stamping out the disease called corruption.

Unfortunately, the cure often turned out to be worse than the disease of Nigeria's external image took a serious bashing, as our beloved country began to feature on top of every corruption index. Although corruption is an issue under governance, it deserves a separate treatment in the case of Nigeria. Since independence, Nigeria has earned a reputation for corruption on a grand scale (Enweremadu, 2009). One of the reasons advanced for the military coups in the January 1966 was alleged corruption by the elected civilian leaders. Allegation of corruption also featured in virtually all the other military coups. In spite of the promise by the coupists to eradicate corruption, most of them became more corrupt than those they replaced. In fact, it is alleged that the regimes of General Babaginda and General Abacha escalated corruption to an astounding level. Nigeria was ranked the most corrupt country in the world by Transparency International in 1999, the very year President Obasanjo was elected to office. During his first term in office, Obasanjo made some commendable efforts to curb corruption by establishing the Independent Corrupt Practices and other related Crimes Commission (ICPC) and Economic and Financial Crimes Commission (EFCC). As a result of these efforts, Nigeria's ranking improved slightly (Nwoye, 2000).

Corruption, Poverty and Underdevelopment in Rwanda

Rwanda is a small landlocked country located in central-Eastern Africa. A former Belgian colony, its population, according to the 2012 census, is estimated at around 11 million spread over 26,338 square km, making it Africa's most densely populated country. Its GDP is estimated at \$15.74 billion while its GDP per capita is estimated at USD 1,500 (CIA World Factbook 2012). Despite progress, 44.9% of the population still lives in poverty and 24% in extreme poverty (National Institute of

Statistics, 2012), while the UNDP Human Development Index 2012 ranks Rwanda 167th out of 187 countries.

Since the 1994 Genocide, which was the culmination of a civil war and saw the killing of at least 800,000 ethnic Tutsi and moderate Hutu, Rwanda has made remarkable progress in many fields. Even though many indicators of progress are based on surveys carried out within the country, which raises doubts on the reliability of the findings given the perceived “high degree of self-censorship among the Rwandan peasant population” (Ingelaere 2012, p. 53) and the fact that often researchers “are guarded” (Stys 2012, p.720), it is still undeniable that Rwanda has registered positive developments in many fields. The country is at peace and is often considered “among the most stable on the continent” (World Bank’s 2012 Country Assistance Strategy). Its GDP has registered an average annual growth rate of 7-8% since 2003, hitting 8% in 2012, making it the world’s 10th fastest-growing economy in the 2000-2010 decade. Extreme poverty is reported to have decreased dramatically. The World Bank Doing Business reports indicate that Rwanda improved its world ranking by almost 100 positions from 150th in 2008 to 52 in 2013. A number of socio-economic indicators, including school enrolment, life expectancy, child mortality and prevalence of HIV, have significantly improved (World Bank’s 2009) and the Human Development Index has reflected such improvements.

An important contribution to these achievements has been made by foreign aid, which has been injected in large quantities by donors since the aftermath of the genocide making Rwanda a so-called “aid darling”; while a discussion on why donors invest so much on Rwanda is well beyond the scope of this paper, the reasons are likely to include guilt for the international community’s inaction during the genocide, genuine appreciation of the country’s efficiency at managing aid and achieving poverty-reduction results, the Government’s ability to use “donor-friendly language and positioning” and donors’ “desire for African success stories” (Zorbas 2011, p.34). What is important to stress here is that overall, thanks to its performance of recent years in economic growth and socio-economic fields, many observers now consider Rwanda a clear success story and even a development model for other countries.

One of the key reasons behind Rwanda’s improvements of the last few years, as well as one of the elements which explain donors’ willingness to provide high aid volumes, is considered to be governance. This is usually understood in a way that focuses more on the authority and decision-making, rather than accountability, side of the concept of governance: the Government of Rwanda is commended for its high degree of organization, its capacity to manage resources efficiently and its focus on delivering results (Ingelaere 2010). Within Rwanda’s governance agenda, perhaps the most celebrated feature is the control of corruption and the country is largely praised for its commitment to fight against graft and for the success that such a fight has reaped: indeed, the majority of analysts, international organizations and business people now consider Rwanda as one of the least corrupt countries in Africa as well as a success story in the fight against corruption (Transparency International, 2012).

Most observers would say that a key reason perhaps the main one behind Rwanda’s progress in this field is what is commonly referred to as the government’s

“political will” to fight corruption that is a commitment from the country’s top leadership to pursue this fight as one of the national priorities (Stys, 2012). This has been translated into the establishment of a number of new laws and institutions. On the legal side, the key document is the law on prevention and repression of corruption and related offences but a number of other laws include commitments to the fight against corruption, particularly the penal code in articles 220-227, while Rwanda has also signed and ratified most international anti-corruption conventions (Zorbas 2011). On the institutional side, the Government established several bodies including the Office of the Ombudsman, the Rwanda Public Procurement Authority, the Office of the Auditor General, the Anti-Corruption Unit in the Rwanda Revenue Authority and the Public Procurement Appeals Commission. Moreover, a number of high authorities of the country must disclose their assets, in 2011 the Public Accounts Committee was established within the Parliament and on 13th June 2012 the Government approved the National Policy to fight against corruption, which formalizes the so-called “zero tolerance” approach. More recently, a Whistleblower Protection Law was approved in September 2012, while many public institutions have codes of conduct (Zorbas 2011). Furthermore, both politicians and civil servants have been prosecuted when allegations of corruption were brought against them, including several cases of high-ranking officials being forced to resign, dismissed or prosecuted when accused of involvement in corruption cases. Government institutions, particularly the Office of the Ombudsman, have also launched sensitization campaigns and initiatives to raise the population’s awareness of the negative consequences of corruption, including an annual “anti-corruption week” (Wolfowitz, 2006, p.23).

A Comparative Analysis of Corruption, Poverty and Underdevelopment in Nigeria and Rwanda

From the foregoing analysis it is glaring that, corruption creates poverty and underdevelopment. According to Corruption Perceptions Index from International Transparency from 2012 to 2018 shows that Nigeria is more corrupt than Rwanda. Below is the rating by Transparency International from 2002 to 2018.

Table 1: Corruption Index of Nigeria and Rwanda from 2002-2018

NIGERIA			RWANDA		
Year	Position	Scores	Year	Position	Scores
2018	144	27	2018	48	56
2017	148	27	2017	46	55
2016		28	2016		54
2015	148	28	2015		54
2014	136	26	2014		49
2013		27	2013		53
2012		25	2012		53

Source: International Transparency, 2018

The statistics on the table above leads to three sets of conclusions. First of all, overall the incidence of corruption in Rwanda is undoubtedly lower than in Nigeria. The government's political will to fight against corruption so often mentioned in the country and abroad, seems to be mostly a will to fight monetary forms at low to middle levels. Consequently, there have indeed been achievements but mostly in controlling bribery, mismanagement and embezzlement, particularly at lower levels. While bribery is still present and petty corruption at the local level is far from eradicated, non-monetary forms of corruption are the main issue. However, above all, the key corruption problem that remains in both Rwanda and Nigeria, is favoritism, including at high levels, due to the overwhelming and largely unchallenged power of the ruling party in all aspects of life, which poses a constant risk of preferential treatment and undue influence. In other words, authorities are keen and determined to curb administrative corruption but are much less eager to tackle political corruption.

The level of corruption in both countries has a lot of implication on poverty and development. For instance, the economic success recorded in Rwanda is attributed to the low level of corruption in the country. This position is collaborated by poverty statistics given by World Bank (2018, p. 34) thus:

There has been a significant decrease in the proportion of the population living in poverty since 2012, most noticeably since 2015. Between 2015 and 2018 there was a decline of 2.2% in poverty but between 2005 and 2010 the decline accelerated to 11.8%. The overall decline in poverty over the 7-year period was 23.8% (2.7% between 2012 and 2015 and 20.8% between 2015 and 2018).

The above statistics shows that if the economy continues to grow and inequalities do not increase, the prospects for future poverty reduction are positive.

On the contrary, a new report by The World Poverty Clock (2018) shows Nigeria has overtaken India as the country with the most extreme poor people in the world. India has a population seven times larger than Nigeria's. The report further indicates that:

The 86.9 million Nigerians now living in extreme poverty represent nearly 50% of its estimated 180 million population. As Nigeria faces a major population boom it will become the world's third largest country by 2050 it's a problem will likely worsen. But having large swathes of people still living in extreme poverty is an Africa-wide problem (The World Poverty Clock, 2018, p.23).

The struggle to lift more citizens out of extreme poverty is an indictment on successive Nigerian governments which have mismanaged the country's vast oil riches through incompetence and corruption.

In terms of other human development indices like health care, the result also shows that Rwanda has performed better than Nigeria. For instance, the total expenditure on health as a % GDP in both countries are below the African regional

average of 5.5 %. However, it has increased from 4.2 % to 10.9 % (2018) in Rwanda but decreased in Nigeria from 5.0 % to 3.8 % (2018) (World Health Organisation, 2018). The general government expenditure on health as a % of total government expenditure are below average in both countries but that of Rwanda has been increasing while that of Nigeria decreasing.

Furthermore, the net primary school enrolment ratio is also better than that of Nigeria for both male and female. Education in Rwanda is virtually compulsory and the good policy monitoring and implementation (UNESCO, 2018). However, the system of education is promotional in nature whereby student cannot fail an examination. This may be responsible for the slightly low standard of education when compared to Nigeria.

Lessons for Nigeria

From the foregoing analysis, we have illustrated how Rwanda has reduced substantially the level of poverty as result of low level of corruption. The following lessons are drawn for Nigeria to learn:

- a) Accountability, transparency and citizen participation is key to success of the fight against corruption in Rwanda; Nigeria needs to incorporate the citizens in the fight against corruption. The anti-graft agencies alone cannot do it Nigerians need to be involved in order to provide necessary information to the anti-graft agencies.
- b) Another key actor to hold a government accountable is civil society. The situation in Rwanda is similar to what was just presented about media. The Nigeria civil societies need to be more committed towards exposing corrupt practices in the country.
- c) In Rwanda, anti-corruption laws and policies are vigorously enforced and punishments. Nigeria, the opposite is the case, the country needs to religiously enforced and punish perpetrators of corrupt acts to serve as deterrent to others.
- d) Indeed, the widely cited “political will” of the Rwandan Government to fight against corruption is mostly visible in this field. Overall, services such as health, education, water or issue of documents are provided evenly and impartially. Nigerian leaders should be more committed toward providing basic needs of the people.

Conclusion

Nigeria and Rwanda virtually got their independence about the same time. But the total fertility, annual population growth rates of Rwanda are higher than that of Nigeria that could be as a result of the 1994 genocide whereby some families were wiped out. Poverty is an important factor which affects healthcare in any nation. However, despite the huge natural resources in Nigeria, the poverty rate is still high.

From the foregoing therefore, the paper has established that there is a relationship between corruption, poverty and underdevelopment. The analysis clearly

illustrates that Rwanda has been able to reduce the level of poverty and underdevelopment than Nigeria because of the low level of corruption in the country.

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