

POLITICAL TRANSITION AND THE CHALLENGES TO DEMOCRATIC GOVERNANCE IN NIGERIA

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Abstract

There is no doubt that the greatest challenges and thus impediments to national development have been systemic dysfunction and instability. Attempts at political transition and thus stability in the democratization process in Nigeria seemed to have failed over the years. The democratic system seems to have been put to the test due to threat from politicians most notably in the abuse of the constitution and disrespect for democratic tenets, two important structures for democratic stability and governance. This paper is an attempt to examine the nature and character of political transition of the fourth republic and the consequent constitutional abuse by politicians during years of democratic practice and their seeming implications on the survival of democracy in Nigeria today. The study adopts the Liberal Democratic Theory upon which the tenets of democratic system and principles are founded, and data was gathered from documents and other relevant secondary sources. The paper recommends, among others, that internal democracy must be respected at party level in the choice of candidates and that both the legislative and executive organs of the government must respect rule of law and obey constitutional provisions.

Key Words: Political Transition, Democratic Government, Constitutionalism

Introduction:

Political transition from despotic military rule to a free political competition between rival parties under a democratic set up has always been a momentous event. In Nigeria the story is not in any way different given the chaos and confusion associated with politics and political power struggle under civilian rule. The greatest challenge to democratic transition in Nigeria's fourth dispensation can be found in the non-democratic leadership that is bereft of the qualities of good governance. These set of politicians are different from the set of

politicians who struggled for the independence of this country which was secured in 1960 and established the First Republic in 1963.

Lamentably, in the twenty-three years of return to democracy and the inauguration of the fourth republic in Nigeria, the political leadership at the levels of the executive, the legislature and their political appointees and members of their cabinet are found wanting in unprecedented and massive corruption, embezzlement, and looting of public funds meant for developmental projects and employment opportunities. The consequences have been mass unemployment, poverty, deplorable living conditions, and increasing crime waves in the country that are almost bringing Nigeria down to its knees.

However, this has not discouraged the public penchant for democratic governance in Nigeria despite the most common character of instability associated with it. The attempts at democratic governance in Nigeria over the years had been characterized by failures. Perhaps one could rightly attribute the failure to the inherent character of Nigeria politicians and the general misconception of what democratic governance means in the first place. That the abuse of the constitution and disregard for democratic tenets by those in the corridors of power and political power brokers in Nigeria contributed to democratic instability is, to say the least, incontestable. Laws are violated leading to corruption, and the culprits are not brought to justice. Poverty is on the rise leading to insecurity and general political instability in the country over the years.

Explanations on Nigeria democratic governance and constitutional problematique center partly on the excessive manipulation of the judiciary and judicial process, disregard to accountability and the legalization of corruption especially by selfish government officials.

There is no doubt that Nigeria's experience at democratization and national development since independence has been the

problems of discontinuity, changes and challenges, frustrations, failure and crises characterizing a general political instability. The collapse of the civilian regimes of the First, Second and Third Republics and their substitution with military dictatorships clearly explains the above scenario. There is no doubt that Nigeria is in a serious democratic recession.

The twenty three years of return to democracy in 1999, with the People's Democratic Party's sixteen years and the All Progressives Congress' seven years, has been far from the tenets of accountability, transparency and good governance. Most of the members of the Cabinets, Ministers, political advisers, and related office holders were not picked on the basis of merit. They were rather picked on the formula of 'political imperatives' and were then hastily 'cleared' by the National Assembly (Musa, 2013).

By implication, therefore, the same class of politician 'locusts' that transformed Nigeria into 'drought republic' continued to manipulate the leadership with unprecedented cases of corruption, fraud, and general economic misappropriation and squander mania which was truly sad, bad and mad. This has brought about mass poverty, dilapidating health and educational structures, hardship, insecurity and general political instability in the country.

The general objectives this paper, therefore, is to trace the process of political transition from military rule to democratic system in Nigeria with particular reference to the fourth republic and the challenges the country faces in the process. Some of these challenges relate to disregard for the constitution by the ruling elite, massive corruption and embezzlement of public funds which have led mass poverty, deplorable living conditions, crimes and general insecurity as people struggle to survive under the harsh conditions of poverty.

Literature Review:

The role of the military in the search for sustainable democratic governance in Nigeria is subject to enduring debate. However, and theoretically the military is the least qualified to champion the cause of democracy giving its organizational values and manifest dispositions. The quest for democracy in Nigeria throws up a paradox of an essentially non-democratic

institution being burdened with the task of not only establishing but also remaining manifestly committed to the sustenance of a vine and enduring social and political order (Musa, 2013).

An observation of the character of the hasty political transition especially by the military in Nigeria would probably render suspicions of the efforts of the military regimes for true democratization. This perception of insincerity looms large nonetheless which also explains the seeming skeptical, sometimes cynical, reactions to programmes of transition in Nigeria. The perception of insincerity could be grounded in the reasoning that it would be unrealistic for those who wield political power to sincerely embark on programmes that will ensure their self-liquidation (Onuoha, 1994).

Theoretically, transition encompasses a fundamental or qualitative change in the state of being of the relevant entity, the revolutionary overturning of the prevailing structures and relationships in a society and replacement of same with significantly new, usually qualitative, higher network of ideas and symbols (IDEA, 2001).

Political transition involves a change of leadership elements with or without meaningful socio-political and economic reconstruction. It entails either a grafting of new values on an extant social system or worse still an aversion for new values and a defense of the old, even if despised, inappropriate practice and patterns of political behaviours (Onuoha, 1994).

Political transition in Nigerian context was more of an aversion for new values and a defense of the old giving the fact that the same set of leaders continue to dominate the Nigerian political scene. This apparently informs the character of political transition to democracy in Nigeria in 1999 by the Abdussalami military regime. Consequently, therefore, constitutional abuse and disregard for Rule of Law by the newly constituted civilian, cum democratic, leaders as headed by a former military General in the person of Obasanjo became apparent, leading to serious socio-political impasse and imbroglio in the polity manifesting in economic problems and insecurity in Nigeria today.

Political transition, theoretically and indeed empirically understood, refers to the transformation of totality of Nigeria's socio-cultural, economic and political values,

experiences and processes under social change from the very day of colonial contact to the present day. It is more than a simple military handover of political power to an elected government, no matter how rigorous, prolonged and far-reaching the political transition programme may be. The nature of political transition in Nigeria today is more of a class struggle of a transitional society.

There is the need to understand the class character of political elite in Nigeria today. The self-serving character of the ruling elite pushes those in power to ignore the fundamental issues bedeviling the educational system with university lecturers on strike for six months, collapsing national power grid, rising poverty and increasing crime waves in the country. If Nigeria's problems are to be solved, they have to be addressed in their proper perspectives. To achieve this, checking the character of the ruling elite by the electorates is indispensable.

Historically, political transition in Nigeria could best be understood with reference to the Babangida's transition programme. The regime used various strategies to stay in power without actually starting the process of genuine democratization through a sound transition agenda. For five years, the regime maintained total ban of political activities which was lifted in 1989 leading to the emergence of over forty political associations, thirteen of which sought for registration with the National Electoral Commission. However, the Commission recommended only six which, according to the guidelines, were able to meet some of the stipulated requirements for registration. The regime surprisingly dissolved these six registered political associations after accusing them of political activities capable of breeding disunity in the country (Musa, 2013).

The government went ahead and created, registered and even funded two political parties which were more of an imposition on Nigerians. This is clearly very much contrary to genuine transition program. These political parties, the National Republican Convention (NRC) and the Social Democratic Party (SDP) were bereft of sound ideological foundation. This was a serious problem to political transition and a challenge to democratization. Even the parties' manifestoes were those manufactured by the government and were very much similar.

The annulment of the June 12, 1993 Presidential Election which was contested by MKO Abiola of the SDP and Bashir Tofa of the NRC clearly depicted the outright bankruptcy of political transition in Nigeria politics and this has been a growing quagmire to democratic governance in the country and a veritable source for political instability (Musa, 2013).

The uproar, chaos, and insecurity caused by the annulment of the 1993 Presidential elections popularly known as the June 12 crisis and the seeming tension in the country forced Babangida to reluctantly step aside and hastily inaugurate an Interim National Government (ING) with Chief Ernest Shonekan, a Yoruba as the Head of Government in order to appease the Yorubas. The Interim Government was short lived giving way to another military regime under Abacha. The new regime terminated all previous transition programmes and hastily inaugurated a Constitutional Conference with representatives to debate the political future of the country.

Later in 1996, the Abacha regime conducted Local Government Elections on 'Zero' party basis in response to the Conference's debate for multi-party system for Nigeria. Five political parties were registered which became an essential arm of Abacha's ruling Provisional Ruling Council. More so, the parties became a pawn in the chess game of vicious and complex military manipulations aimed at allowing Abacha to succeed himself without necessarily going through the rigors of election. This became popularly known as 'Tazarce'. The whole scandalous process came to a halt with the sudden death of Abacha on 8th June 1998, and the selection of Abdussalami Abubakar by the Provisional Ruling Council to succeed him thereby setting another political transition in motion (Musa, 2013).

In what appeared to be the shortest political transition in the history of Nigeria, Abubakar inaugurated an Independent National Electoral Commission (INEC), which formed guidelines for registration of political parties, conducted local government elections in December, 1998 and General Elections in 1999 in just under nine months, leading to the coming of the Fourth Republic under Retired Military General Obasanjo of the Peoples' Democratic Party.

The implications of this haphazard political transition by Abubakar's military regime are: First, political parties were created without clear ideology and without clear mandate by the people. Secondly, the emergency situation could not give room for genuine and sincere Nigerians to join in the parties' membership, after all people were skeptical of the military's commitment to the transition programme. Thirdly, opportunists and ill-experienced democrats took over the mantle of power and caucus of the parties, and fourthly it led to the massive upsurge of corruption in the leadership of the Fourth Republic. Also, lack of internal democracy within these ideologically-absent political parties became apparent, candidates for sensitive elected positions were not democratically chosen but rather imposed on the people. Electoral malpractices became rampant, election violence became prevalent and a general disregard to the constitution and constitutionalism became a symbol in the regime.

Apparently, therefore, Nigeria's democratic journey in the 21st century is faltering if not stalling, largely on account of deviation from the basic tenets and principles of representative, liberal, democracy. This deviation is manifest in the role of political parties, especially the ways and manners in which they recruit candidates for elective positions and also the ways and manners by which they and their selected candidates engage with the electoral process, as well as engage in governance, once they get 'elected' (Jega, 2021).

Theoretical Framework:

The study adopts the Liberal Democratic Theory giving the fact that the organic linkage between democracy and constitutionalism is indispensable in the paradigm of politics and democratic practice. In other words, the modern concept of the constitution is found within the democratic political system of western liberalism.

The doctrine or concepts of liberalism, libertarianism and or civil liberties are the cardinal principles upon which the Liberal Democratic Theory is built. Each of the concepts attempts to explain a situation of individual freedom within the context of a democratic setting and with constitutional

paraphernalia as checks on the despotic leadership. This forms the bedrock of democratic governance within which constitutionalism is grafted (Musa, 2013).

However, and according to Fairchild (1970, p.76) "Liberal democracy is a combination of various concepts each explaining an aspect of the freedom of the individual within the constitutional provision in the society. Freedom of the individual in relation to those in leadership; and above all freedom of the individual against the undemocratic ruler".

In another vein, liberalism is regarded as a doctrine of intellectual tolerance that rules out selfish considerations and other evidences of unfairness and bills in the formulation of economic, political and social policies and thus giving a special regard to the constitution and constitutionalism in the society (Nnoli, 2003).

The organization of western democracy is certainly based on the formulation, respect and implementation of the provisions of the constitution. It is un-doubtful, therefore, this is why in any political system where the constitution is abused, there can hardly exist democracy of the western ideals. Civil liberties can be seen as a phrase associated chiefly with the practice of democracy stemming from English institutions in which civil power is dominant over military power and in which judicial review of all confinements is guaranteed by 'habeas corpus' (i.e. 'the rights of man', 'civil rights',) as in English and American law.

The philosophical rationale for the liberal democratic theory of representation, the perceived basis of modern constitutional democracy as one sees it today, can be from the view point that man, as a creature of reason, can identify his own interests and his own opinions and is also aware of the wider claims of the community and which can be threatening to democratic governance and national development. By and large, and from the above, man will, therefore, use his vote in an intelligent fashion and is consequently entitled to share in the selection of representatives (Hoult, 1969).

The first requirement of democratic governance is constitutionalism which is found within a legal state frame-work in which the constitution is a supreme law, a requirement abused in Nigerian political system.

The conceptualization of constitutionalism, though vast, may add to the understanding of its linkage with, and importance to democratic governance. Constitutionalism comprises a set of political ideas, legal principles and institutional devices from the idea of checking the natural inclination of man to misuse political power and, or, the tendency of power to corrupt man. However, when one looks at the concept, constitutionalism, through its liberal notion and contemporary usage, has a power restricting function (Henkey, 1998).

“Constitutionalism, a concept in constitutional democracy, is much more than just co-opting draft constitutional documents. As a principle, constitutionalism requires that the elected government be responsive to the needs of the people, their rights, wellbeing and safety. In fact constitutionalism evolves in a democratic context as a way of life much more than just a process” (IDEA, 2001, p.21).

Findings:

a. Disregard for Constitutional Provisions:

The civilian government of the Fourth Republic clearly operates ignoring the concepts upon which democratic governance and national development could be built. This has been one of the serious challenges to democratic governance since the collapse of the First Republic.

For instance, the decision of Council of State, an executive arm of Obasanjo government and of which the President was the Chairman, to undertake local government reforms on the 18th of June 2003 (Weekly Trust, 6-12 September, 2003) was as most unconstitutional and a violation of the principles of Rule of Law and Separation of Powers. This is because local government reforms is purely a constitutional matter and, therefore, beyond the capacity of the executive. Only the National Assembly, the Legislative organ of the government, has the constitutional mandate and capacity to do so (Musa, 2013).

In another development, the President was reported to have minute separately to the National Assembly on a document on new revenue sharing formula forwarded to him by the Revenue Mobilization and Fiscal Allocation Commission (RMFACT) (Daily Trust, Friday, 17th October, 2003). This actually contravened

section 162 sub-section 2 of the 1999 Constitution that requires the President to write a full memo not just to minute to the two houses. This showed his level of disrespect for the two chambers of the National Assembly.

At the level of the National Assembly, the fixing of allowances and wages is the constitutional responsibility of the Revenue Mobilization and Fiscal Allocation Commission (RMFAC). However, this Constitutional provision was abused when the Honourable law makers kicked aside their role of law-making in favour of the infamous debate on their furniture allowances and other self-serving sundry issues. This immediately led to loss of confidence and credibility on the members of the National Assembly from Nigerians.

The monumental scandal of the attempts to smuggle a clause into an already assessed electoral bill by the President and some members of the National Assembly in December, 2011 was most lamenting. The President was bent on enacting a law, a function exclusively in the hands of the members of the National Assembly and which was in no way delegated to Mr. President (Musa, 2013).

President Olusegun Obasanjo attempted to insert Section 80(1) as an amendment to the Electoral Act, 2011 which had already been passed by the Assembly as Electoral Bill, 2011. The President erroneously wrote a note to the Speaker of the House of Representatives, Ghali Umar Na’Abba, with some amendments on the Bill (Newswatch, January 14th 2002).

To examine the scandal further President Obasanjo requested the amendments to the original Clause 80 (1) of the Electoral Bill which read that at the close of nominations for general elections only serious and credible political parties should participate in elections which should be determined by the acceptability of political parties by Nigerians, subject to initial electoral contest at grassroots, which should be determined by the acceptability of political parties by Nigerians, subject to initial electoral contest at grassroots, which should be determined by: Political parties winning certain percentage at Local Government Elections (parties must win 15%) spread among 2/3 of the States and the Federal Capital Territory, (Musa, 2013).

However, Na’abba reasonably told Mr. President that it was improper and

unconstitutional to make any amendments to a Bill that had already been passed as law, but he suggested that the President could write to the House indicating his interests, and even promised to see the Senate President, Anyim Pius Anyim, on the matter.

The Senate President was of the opinion that smuggling amendments onto the Bill was possible, and unknown to Na'abba, swiftly went into action by contacting some trusted staff of the legal department of the House together with the Clerk of the House, Ibrahim Salim, to doctor the Bill, thus inserting all the relevant amendments as presented by President Obasanjo, (Musa, 2013).

In the haste to please their master, Anyim's trusted staff immediately took the amended bill to Obasanjo, thereby making another serious constitutional breach. The Bill should have normally be sent through the Clerk of the House who would then send same to the President with a covering letter through the Special Adviser (National Assembly) to Mr. President.

When the normal constitutional procedure was violated the fraud naturally leaked and became a national scandal and a House Committee was set to investigate the matter. Salim claimed innocence before the Committee. Amidst nationwide public condemnation and uproar, President Obasanjo accused Na'Abba who denied and even recalled what the President said, when he was persuading him (Na'Abba) to effect the amendments to make it look like the printer's devil, (Musa, 2013).

Instances of constitutional breach by the Presidency were too numerous for this presentation. However, we could discuss some more instances that had direct implication on national security and development. For example, the abduction and detention of Dr. Ngige, the Anambra State Governor, by his political god father Chief Chris Uba, on the orders of Obasanjo on July, 10th 2003 (Newswatch, 4th August, 2003), was a clear violation and a threat to national security.

The attempt to introduce House Rule (2) which barred newly elected members from aspiring for any principal office in the House due to their apparent lack of 'cognate legislative experience', was a serious constitutional breach

because the House Rule (2) had no legal basis in the 1999 constitution.

The House Rule (2) categorically barred newly elected members from aspiring for any principal office in the House due to their apparent lack of cognate legislative experience and that only 'old members were apparently more experienced in legislative matters'. The endless crisis and uproar generated by Rule (2) in the house made Aminu Masari, the consensus PDP candidate, to contest for the post of the Speaker.

b. Unprecedented and massive corruption:

The political elite had little commitment to democracy as an end as they only saw democracy in instrumental terms without any value to fight for. Invariably, therefore, the politicians were democracy's worst enemy. With enormous credibility deficit, the political elite engaged in massive and unprecedented corruption that led to spiraling effects and consequences in poverty and proliferation of insecurity across the country.

When money meant for developmental projects and employment are siphoned from public treasury the inevitable consequences are poverty, crime, insecurity and general instability in the country.

Action Aid Nigeria (2015) in a report on corruption and poverty in Nigeria, identified certain manifestations of corruption in Nigeria to include inflation of public expenditure, bribery and corruption fraud, and office of the First Lady of President and State Governors which became conduit pipes for siphoning public funds. The report further identified the actors involved in corruption to include the officials in the Executive, the Legislature, the Judiciary, Law Enforcement Agencies, Civil Servants and Public Officers, Politicians and Political Parties.

However, what was even more dangerous threat to the Nigerian democracy was the unprecedented level of Executive corruption engaged by the ruling elite and their close associates over the years. Corruption became endemic within the executive with impunity for example the Bauchi State executive refuse to account about #1,013 billion meant for the Ecological Fund of the State while the balance of the #95 million meant for the Sakwa Village

erosion went down the drain (Analysis, March, 2003).

Executive corruption became pervasive in the system depicting in diversion of public funds, and unaccounted money. In another development the Bauchi State government through the Ministry for Local Government was said to have extorted about #250 million meant for water supply from the twenty local governments in 2001, while only boreholes sunk by the National Water Scheme were available for the people (Analysis March, 2003).

Other allegations on the Bauchi State Government relate to #80 million collected from the local Governments for the purchase of fertilizer but only #40 million worth of fertilizer was given despite the presence of a fertilizer company in the State. Further allegation was on the importation of seven hundred second hand tractors at the cost of #200 million which were believed to be unsuitable for the terrain in the state and which the National Economic Intelligence report of 2002 said the contract was a waste of resources and that the money should have been invested in the Steyr Motor Company for meaningful results. Furthermore, the State Executive was alleged to have diverted the sum of #200 million Federal Government relief assistance to victims of June 12, 2001 Tafawa Balewa/Bogoro communal conflict, to payment of impress for the Compensation Committee and Security (Analysis, March 2003).

The menace of corruption has become pervasive within the Executive thereby clearly bringing in to focus the “settlement” syndrome which is a form of Executive corruption whereby contracts are awarded to political cohorts who help in election victory and the contract money paid without doing the job as a form of settlement.

For example during the Obasanjo government, contract worth about 400million dollars for the Turn-Around Maintenance of the Nigerian refineries was awarded to political cohorts who helped in Obasanjo’s re-election. After fully paying the contractors none of the refineries was humming and the government deliberately refused to prosecute the contractors. With grounded refineries and a 400million dollar contract down the drain, it was business as usual as the government went ahead and deregulated the down-stream sector (Newswatch, October 27, 2003). This

compounded the already distressful situation of petroleum scarcity in the country.

It is also interesting to know that the hotel bills for Jackson Gaius Obaseki, the Group Managing Director of NNPC at NICON Noga Hotel in Abuja for four years ran to a whopping #240million (Newswatch, October 27, 2003) and this was never questioned by President Obasanjo whose people had to swallow the bitter pills of deregulation and hiking fuel prices. Under the same Obasanjo government in ten Ministries alone, Ministers were alleged to have stolen more than #236billion in 2001 through over-invoicing, embezzlement, payments for jobs not done, double-debiting, contract inflation, and release of money without authorization (Newswatch, October 27, 2003). All these corrupt practices were done right under the nose of the President.

Several road contracts awarded to political cohorts contractors by the Executive, and who refused to execute the contracts after full payment and authorities had no audacity to question, were numerous, though the President himself could not account for the over #30billion recovered from the Abacha family (Newswatch, October 27, 2003).

Executive corruption was also prevalent even at the Local Government level where for example about thirty one local government chairmen came under investigation in the Obasanjo government. The Chairman of Sanga Local Government of Kaduna State Mr. Frank Bala Baba was suspended by the State House of Assembly for embezzlement of #100,145,025.03 out of which he spent #3million for the purchase of twenty six wheeled vehicles, #1.5million for fencing his house, #16million for extra budgetary spending, #9million for consultancy, #3.1million for rehabilitation and reconstruction of his office as against the #906,044 approved estimate by the Works Department of the Local Government (Newswatch, June 25, 2001).

In another development relating to ‘ongoing cases’ with the Economic and Financial Crimes Commission (EFCC) as reported by Bolaji Aluko, April 28, 2010 and the National Bureau of Statistics, 2012, nine public officers from various States became indicted for misusing and or converting billions of Naira. The officers include Ayo Fayose (Ekiti State, #1.2billion), Joshua Dariye (Plateau State,

#700million), Michael Botmang (Plateau State, #1.5billion), Saminu Turaki (Jigawa State, #36billion), Orji Uzo Kalu (Abia State, #5billion), James Ibori (Delta State, #9.2billion), Lucky Igbenedion (Edo State, #4.3billion), Jolly Nyame (Taraba State, #180million), and Chimaroke Nnamani (Enugu State, #5.3billion) (Action Aid Nigeria, 2015). Since the return of Nigeria to democratic rule in 1999, cases of corruption also relate to the Legislature in the administration under the Peoples' Democratic Party and the current ruling All Progressives' Congress. For example in a Special Report by Premium Times Newspaper (2019), the National Assembly engaged in various scandals of contract awards, fraud and sleazes amounting to billions of Naira and Dollars over the National Assembly's two decades of law making from 1999-2019. The article was published to mark twenty years of Nigeria's return to democracy.

For instance, the first woman Speaker of the House of Representatives Patricia Olubunmi from Osun State and her Deputy Babangida Nguroje from Taraba State lost their seats on 30th October, 2007 over allegation of #628million contract though the Speaker was cleared four years later. Further cases of corruption relate to #1.9billion contract award scandal by Mr. Okadibo and other principal officers of the House, Mr. Ewerem's #54million criminal record scandal, the #2.3billion car scandal in the House of Representatives involving Oladimeji Bankole, the #55million in favour of budget allocation under Wabara, the \$620,000 bribery allegation against member of the House Farouk Lawan made by Femi Odetola, the #10million bribery scandal by the Commissioner of Health over budget favour, the #100million power probe in the Assembly, the petroleum Sector bills scandal, and the #5.8billion rural electrification scandal (Premium Times, 2019).

The Special Report further goes on to say that in the twenty three years of Nigeria's return to democracy, #1.8trillion was spent to maintain the National Assembly. A breakdown of the budget allocation of the National Assembly reveals a disturbing story of mass embezzlement. For example, the budget allocations of 2000 stood at staggering #23billion, and that of 2007 was #66billion, while that of 2008 was #130billion;

#154.2billion for 2010 and #150billion for 2011, 2012, 2013, and 2014 respectively and #115billion in 2015 and 2016. In 2017 the figure rose to #125billion, #139.5billion in 2018, and #125billion in 2019. Lamentably none of these budgetary allocations was accounted for and no details were provided (Premium Times, 2019). In 2008 the Law Makers got 800% pay rise by the Revenue Mobilization and Fiscal Commission. The basic salary of the Senate President was a whooping #2.48million while his allowances stood at #13.9million and that of his Deputy stood at #2.30million plus #12.9million as allowances. The Speaker of House of Representatives' basic salary was #2.47million plus #9.78million as allowances while his Deputy's basic salary was #2.28million plus #8million as allowances. In 2018 Senator Shehu Sani of Kaduna Central revealed that Senators' running cost stood at #13.5million monthly despite allegations that Senators paid themselves additional allowances without approval by the Revenue Mobilization and Fiscal Commission. At the State Houses of Assembly, members received #6billion per annum (Premium Times, 2019). From this astonishing revelation therefore no wonder politicians and political parties fight to the tooth to win elections and control State power at all costs.

In another development involving the screened shortlisted candidates for Ministerial appointment, El-Rufa'i, the candidate for Minister of Federal Capital Territory exposed that the Senate screening committee demanded a bribe of #54million before he could be cleared. Senators Jonathan Zwingina and Ibrahim Mantu had to face the eleven-man Senate Committee on Ethics and Code of Conduct and Public Petitions as a result of what Nasir El-Rufa'i exposed. However the Committee had to exonerate Mantu and Zwingina for lack of evidence. Mantu and Zwingina were believed to run a sophisticated corruption network where about #500million was extorted from shortlisted candidates for ministerial appointments. Even Atiku was believed to have offered #150million to the Senate on behalf of his candidates (Newswatch, 2003).

Finally, as part of anti-corruption campaign, the Independent Corrupt Practices (And other Related Offences) Commission was reported to have recovered #900billion

Constituency Projects Funds from twelve states. Law Makers connived with contractors and supervising agencies to loot the money according to Mr. Zayyanu Danmusa, Kano State ICPC Commissioner, (Leadership, 2019).

Corruption became pervasive even within party politics in the sense that monumental theft of party funds which became prevalent amongst party officials. For example about thirteen executives of Peoples' Democratic Party in Anambra State were swept as a cleanup for theft of party funds. Furthermore in another development the National Treasurer of the Peoples' Democratic Party Umar K. Lawan and members of the National Working Committee of the Party were alleged to have defrauded the Party of billions of Naira.

For instance the National Organizing Secretary of the party was said to have remitted only #678million out of the estimated #2billion realized from the sale of 2002/2003 nomination forms while only #.5billion was handed over to the Treasurer as remittances for the sale of the same forms. On the 17th of December, 2002 the Organizing Secretary applied and was given #45million for meeting of the National Working Committee without reference to the Committee despite the #17million he applied for the same meeting of the Committee on November 13th 2002. Another fraud of #101.185million at the former Habib Bank involving the National Treasurer and the National Working Committee was believed to have shared #10million donated to the Party (Newswatch, 2005).

That corruption is an endemic cancer within the civil service in Nigeria is incontestable. In fact the systemic decay in the civil service of this country today can be attributable to corruption most notably bribery to solicit for undeserved favour or to get access to rights. The issue of corruption in the civil service is so enormous to be covered or discussed in this paper; however, the paper will attempt to cite some cases in order to provide a factual analogy on how corruption in the civil service contributed to the present challenges being faced in the twenty three years of Nigeria's return to democracy.

On 29th of August, 2019 the Economic and Financial Crimes Commission conducted a probe of \$16billion power scandal involving Head of Finance Marvel Emefiele and Head of

Compensation to Communities Eze M.C. Odigbo of the Niger Delta Power Holding Company for supervising the failed \$16billion power project. The two officials were further accused of not accounting for #850million paid for compensation to communities where components of the power projects were sited. Others under the probe include the Managing Director of Chris Ejik Nigeria Ltd Mr. Christian Ejik Emoka and the managing Director of Pivot Engineering Mr. Richard Ayibiowu while eighteen others were being trailed including two former governors, a former Manager of a Bank and a former Chairman of an Airline (The Nation, 29th August, 2019).

Cases of corruption became prevalent in the Civil Service in the period of transition to democracy since 1999. For example in an exclusive report by Premium Times (2019), the ICPC was reported to have demanded the suspension of National Broadcasting Corporation boss Modibbo Kawu and thirty-two other public officers that were facing trial on cases ranging from bribery, certificate forgery, false statements and conspiracy to outright stealing and misappropriation of public funds. In another related report some public servants became convicted for various offences; Sa'ad Alanamu, Board Member National Population Commission and two others were sentenced to five years and seven years respectively with #25million fine for receiving #5million as gratification while Patrick Pillah and Lugard Edegbe of the Federal Capital Territory administration were sentenced to thirty days in prison for diversion of plots allocations to their private company while a former member of House of Representatives Ndanusa Sanda and a staff of Water Resources got six months in prison for false statement, impersonation, and conspiracy (Premium Times, 2019).

Charles Adedeji of the Department of Protocol and Passages of University of Ibadan was sentenced to six months in prison without option of fine for conferring corrupt advantages to himself (Premium Times, 2019).

In the Private sector corrupt practices were also detected during which the Economic and Financial Crimes Commission arrested two-hundred Internet fraudsters and recovered #14million from wire transfers, according to Magu (The Nation, 2019) and also recovered #92million and \$169.850 from Yahoo boys in

thirty days (The Nation, 11/9/2019). In another development the Chairman Ad-hoc Committee, National Economic Council on Crude Oil Theft, Prevention and Control, Governor Godwin Obaseki reported loss of 22million barrels worth \$1.43billion from January to June in 2019 (New Telegraph, 30/8/2019).

c. Poverty and Deplorable Living Conditions:

Monumental corruption which became pervasive within the twenty-three years of transition to democracy in Nigeria has unleashed unprecedented level of poverty, hardship, deplorable conditions and harshness of life for the ordinary and already poverty stricken Nigerians. When trillions of public funds meant for developmental projects and provision of employment are siphoned from the public treasury the inescapable consequences are poverty, insecurity and crimes. This is the stark reality of Nigeria after more than twenty years journey into democracy.

The social and economic living conditions of Nigerians especially those at the base of the social pyramid have deteriorated over the years of the transition to democracy. Endemic and pervasive corruption permeating the Executive, Legislative, Judicial arms of the government down to the civil service and the private sector has been instrumental in the proliferating decay of most important and needed infrastructures necessary for employing teeming Nigerian youths. The textile factories in Kaduna and Kano and other related industrial structures that used to accommodate the population and engage them in terms of employment have been destroyed over the years thus leaving the population unemployed and vulnerable (Musa, 2013).

Poverty has been identified from different dimensions which include lack of food (hunger), lack of money, lack of shelter, indebtedness, unhygienic insecure environment, limited access to medical facilities, electricity, water and other basic services (Action Aid, Nigeria, 2015), and underlying these dimensions is unemployment. According to Peter,(2012,p.152).“Poverty, unemployment and inequality have diametrical relationship; they are self-reinforcing and constitute the real challenge to development”.

According to the National Bureau of Statistics, (NBS, 2007, in Action Aid Nigeria,

2015), rural areas record higher incidence, depth and severity of poverty than the urban areas where more than half of the rural households were absolutely poor without food, clothing, healthcare and shelter and which could reach 73.2% by 2010.

The linkage between corruption, poverty and crimes in any social system is always strong and incontestable. In a questionnaire report of respondents carried out by Action Aid Nigeria, 82.2% of the respondents agreed that corruption was the major cause of poverty in Nigeria while 82% of the respondents agreed that corruption had been the major cause of crime, violence and insecurity (Action Aid Nigeria, 2015, pp48-49). Corruption seems to affect the poor more in the sense that when corruption is rampant in society the poor often do not get access to needed services from public agencies. This may be attributable to diversion and embezzlement of resources meant for public services like education and health, only limited resources are left over after looting, and lack of oversight and accountability engenders extortion for services by public officials which then leaves the poor with even smaller disposable incomes. “The poor are sometimes excluded from some vital services because they do not have money to bribe officials and this further worsens their poverty situation” (Action Aid Nigeria, 2015, p.49).

Services ranging from admissions, employment, recruitments, utilities and medical attention are supposed to be rendered for free by a government which must be obliged to do so. But when the people have to always pay for these and hence are excluded from accessing them because they do not have money to bribe officials, the people are further pushed to perpetual poverty which could further push them to resort to crimes in order to survive.

According Action Aid Nigeria (2015, p.52), “In countries where corruption is high, unemployment rates are usually high. This is because resources generated from high growth rates which are meant for employment-generating investments are misused or converted to personal use”.

In a questionnaire response carried out by Action Aid Nigeria (2015, p.52) “On embezzlement of funds meant for job creation, 75% of the respondents said the handling of job creation by both the State and Federal

governments in the country hadn't been successful despite the attempt made by the Federal Government. Government officials, through embezzlement of public funds, diverted public investment away from major public needs into capital projects that offer huge opportunities for corruption but are of little value to citizens".

Summarily therefore the twenty-three years of transition to democracy in Nigeria has seen State governors, Ministers, Legislators, Local government Chairmen and others who control the machinery of government and are responsible for the deployment of resources for welfare and development mismanaged public funds, and the private sector that carries out projects on a per contract basis at national, state and local government levels has also been involved in corruption either in the form of kick-backs and non-performance, and through massive corruption, diverted funds from wealth and employment generation sector has made poverty reduction almost impossible.

Furthermore, lack of political will at the highest level of governance to reduce corruption in the sense that those responsible are never prosecuted to the extent of deterring others from engaging in corrupt practices compounds the problem. This has made corrupt behaviors to erode the institutional capacity of government at states and level of the ministries to deliver quality public services in education, health, infrastructures and even in security. This has led to worsening and stagnating living conditions and which has pushed the poor in to the orbit of crime, violence, robbery, banditry and kidnapping in order to survive.

Excessive materialism, poverty, illiteracy, absence of welfare scheme and unemployment have been identified as some of the causes of corruption, however the major cause of concern is the security challenges unleashed by corruption on Nigeria over the years in the manner and nature of armed robbery, political assassinations, kidnapping, cross-border crimes, proliferation of small arms and light weapons (Bello, 2021). The proliferation of small arms and light weapons has exacerbated the menace of armed banditry and other crimes in the country over the years.

d. Increasing Crime Waves, Banditry and General Insecurity:

Twenty three years of democratic transition has produced government that has woefully failed to deliver the much needed dividends of democracy. This is as a result of monumental corruption which led to poverty and increasing crime waves and general insecurity in the country. From religious crises, that have connotation of poverty giving the participants in the crises, to post election violence the story is a lamenting wave of insecurity, and the developed, more sophisticated and organized Boko-Haram insurgency and terrorism whose activities became evident in 2011 after the organization claimed responsibility of the deaths of 450 people, and the killings of 520 people in 2012. Since its emergence Boko-Haram continued to gain territories in the Northeastern parts of Nigeria most notably Borno State and the neighboring states (Musa, 2013).

However with the coming to power of the All Progressives Congress of Muhammadu Buhari, Boko-Haram organization began losing territories as a result of the success of the Federal Government, but alas giving ground to a more threatening armed banditry in the Northwestern parts of the country.

There is no doubt that armed banditry and kidnapping for ransom has been one of the serious threats to lives and properties in Nigeria over the years. Even though other forms of crimes like armed robbery are on the rise, however armed banditry seems to have overshadowed all forms of criminal activities with devastating traumatic and socio-economic consequences. Brief analysis of the operations and effects of armed banditry will be made in order to understand the gravity of the situation.

Armed attacks and kidnapping became prevalent in 2011 in Zamfara State from where it spread to Katsina, Kaduna, Sokoto, Kebbi and Niger States between 2011 and 2021 leading to deaths and destruction of village settlements and properties of innocent Nigerians. From what began as a simple farmer-herder conflict in Zamfara State the problem of banditry spread to neighboring states with devastating consequences (Siddique, 2019).

With the proliferation of illegal arms across Nigeria's borders, the growth of bandits' camps in the Northwestern parts of Nigeria became astonishing. The proliferation of SALW's has exacerbated the escalating spate of

crimes in West Africa (Peter and Asogwa, 2009). For example between 2011-2019, the bandits had over 105 major camps with affiliates operating across Zamfara and its neighboring states with their leaders dully identified (Vanguard, 2021). The bandits continue to operate with impunity, carrying dangerous weapons, causing destructions, loss of lives and properties, at times wiping entire villages.

The bandits were organized in various camps across the six Northwestern States with Turji Kachalla controlling Zamfara and Sokoto axis, Dogo Gide controlling Birnin Gwari, Kaduna and Niger State axis while Katina State axis was under Auwalun Daudawa with more than 500 estimated AK47, RPGS, rifles and other dangerous weapons in their possession (Rufa'i, 2021).

About 1,497 illegal routes are known to be used to smuggle Small Arms and Light Weapons (SALWs) across Nigeria (Onuoha, 2013), with herdsmen of Nigerian origin and their Malian, Chadian, and Nigerien counterparts known to be using the same routes to circulate these arms (Rufa'i, 2021, in Musa, 2022). Weapons smuggled to these bandits include hundreds of thousands of heavy machine guns, 100mm mortars, portable anti-aircraft systems, automatic and semi-automatic weapons like AK47, AK49, self-loading pistols, revolvers, carbines, rifles, and machine guns. At some instances the bandits were believed to be using drones to track security surveillance.

The bandits were known to have carried attacks on military bases in Kaduna and Sokoto, and to have kidnapped school children in Kaduna, Niger, Katsina, and Kebbi States. Thousands of innocent victims became displaced leading to sprawling of Internally Displaced Camps across Zamfara, Katsina and Kebbi States. Katsina State became prominent in the emergence of several IDP camps.

Reports of bandits' attacks across the Northwestern States continued to be part of daily life as hardly a day passes without reports of bandits' attacks on communities. Some communities like Gwazar-Kura, Mara, and Dunya in Katsina State were made to pay tax to the bandits in order to be allowed to go to their farms and those who defied the order were shot. However and in spite of the recent attempts to deal with banditry by the Governments of Zamfara and Kaduna states through internet

shutdown and military attacks the bandits continued to operate across the states with impunity. The armed bandits continued to operate with audacity in Sokoto State killing over 40 people in a local market (This day, 2021). The Abuja rail attack of May 2021 (Solacebase, 2021) was a clear indication that the bandits were still posing serious threats to lives and property and hence the democratic system.

The attack of Kaduna International Airport on Saturday 26th March 2022 where armed bandits reportedly killed a local guard and disrupted local flights and causing Air Peace and Azman Air companies to suspend operations to Kaduna (Intel Region, 29th March 2022) might come as a surprise, however the gruesome and devastating bombing of Kaduna-Abuja rail road on Monday 28th March 2022 (Daily Trust, Tuesday, 29th March, 2022) might help to explain the gravity of the threats by these armed bandits who are believed to be affiliated to Boko-Haram and ISWAP that have allegedly relocated to Kaduna and Niger States.

The dastardly attack with horrifying consequences occurred when the bandits used explosives to derail the train and thereafter opened fire killing at least eight people and injuring scores of others. Unknown numbers of passengers were abducted and several others missing. The army had to engage in a two hour gun battle to rescue the situation. Among the missing was the train operator. A female medical doctor was shot dead while the ex-deputy Governor of Zamfara State escaped with serious injuries.

Apparently, there exists a linkage between absence of integrity, unaccountability, and transparency in governance, massive corruption and the attendant consequences of abject poverty and insecurity that plagued Nigeria in the twenty-three years of transition to democracy. These are challenges that must be addressed if Nigeria is to enjoy democratic stability in the future.

Conclusion:

The haphazard and hasty formation of political parties devoid of people oriented ideology by the Military regime of Abdussalami Abubakar and the selection of undemocratic party candidates with selfish interests and who consider politics as a profitable investment

enterprise has plunged Nigeria in to a serious democratic chaos.

Constitutional abuse normally has serious repercussions most notably in the areas of political stability, security and economic development. Though the challenges to democratic governance in the history of Nigeria's attempts at democratization could not be reduced to constitutional breach alone, the violation of due process of the law compounded and exacerbated the problem.

When the President and other top ranking politicians refused to obey the constitution, and engage in massive corruption, most people down the social ladder would follow suit. This has generated violent upsurge in various fraudulent activities that almost crippled the banking sector, brought insecurity of life and property and general economic squander mania from both the public and politicians leading to general insecurity in the gruesome forms of Boko-Haram, banditry, kidnappings and abductions across the country.

Recommendations:

The paper recommends that:

- a. The Government must have the political will to use modern security strategies in dealing with the menace of insecurity in the country and funds meant for security must be given to the Military and other security agencies for purchase of modern equipment, training and welfare.
- b. The Government must ensure that effective poverty reduction strategies are put in place.
- c. The Government must provide right and quality education to the citizens.
- d. There must be effective fight against corruption and those caught must prosecuted and brought to justice regardless of position, class or tribe.
- e. Local Governments must be allowed to function independently without control by State Governors in order to provide meaningful service delivery and much needed employment opportunities to the citizens.
- f. Nigerians must ensure democracy in the choice of candidates for elections and reject any unsuitable candidates in their local constituencies to ensure probity and genuine representation.

g. The Legislative and Executive organs of the government must, as a matter of urgency, respect the Rule of Law and obey the constitutional provisions in order to entrench and safeguard stability in governance in Nigeria.

References:

- Action Aid, Nigeria (2015). *Corruption and Poverty in Nigeria: A Report*. Action Aid, Abuja Nigeria. p15.
- Analysis Magazine, March, 2003, 1 (3) pp. 33-36.
- Bello, I. (2021). *Corruption in Nigeria: A Reflection of the Politicization of Security Challenges in Northern Nigeria*. A paper presented at the annual general meeting of IJMB CASS Kano, Aminu Kano Center for Democratic Research and Training Mambayya House, Kano, 2nd January, 2021.
- Daily Trust, Tuesday, 29th March, 2022.
- Fairchild, H. P. (Ed) (1970). *Dictionary of sociology and related sciences*: Little Field, New Jersey, Adams & Co.
- Henkey, L. (1998). Elements of constitutionalism, *The Review Journal*, 60, June, 1998.
- Hoult, T. F. (1969). *Dictionary of Modern Sociology*. Littlefield, USA: Adam & Co.
- International Institute for Democracy and Electoral Assistance (IDEA). (2001). *Democracy in Nigeria: Continuing Dialogues for Nation Building*. Capacity Building Series 10 Stockholm, Sweden.
- Intel Region, (29th March, 2022).
- Jega, A. (2021). "Politics, Governance and Leadership Recruitment in 21st Century Democracy: A Review of the Nigerian Situation." A Presentation of the Maiden Lecture of Kwara Visioners Network for Rural Development,

- University of Ilorin, Saturday, 9th October, 2021.
- Leadership, (7th October, 2019).
- Musa, Y. (2013). *Democratization and Governance in Nigeria: The Fourth Republic*. Quick Publishing Company, Kaduna.
- Musa, Y. (2022). "Proliferation of Arms and Banditry: Security Implications for Nigeria's Fragile Democracy". *Journal of Political Inquiry*, 6 (11). A publication of Department of Political Science, Nigeria Police Academy, Wudil-Kano State, ISSN:2449-1039.
- Newswatch, (14th January 2022) 35 (2), pp20-29.
- Newswatch,(4th August, 2003) 38 (5).
- Newswatch, (27th October 2003) 38, (17), pp.16-23.
- Newswatch, (27th June 2001) 33 (25) p.54.
- Newswatch, (20th October, 2003), 38,(16).
- Newswatch, (21st July, 2003) 38 (3).
- Newswatch, (27th June, 2005), 41 (22), pp. 20-23.
- New Telegraph, (30th, August, 2019).
- Nnoli, O. (2003). *Introduction to Politics*, Revised 2nd Edition. Enugu: PACREP.
- Onuoha, B. (1994). "Transition and Democracy in Nigeria" in Omoruyi et al (eds). *Democratization in Africa: Nigeria n Perspectives*, Vol.one Centre for Democratic Studies, Abuja – Nigeria.
- Peter, M.A. (2012). *Democratization and national development: A comparative analysis of Nigeria and South Korea 1991-2009*, unpublished PhD thesis, Department of Political Science, University of Nigeria, Nsuka.
- Peter, M.A. and Asogwa, M.N.O. (2009). Exploring the implications of trans-border crimes for regional integration in West Africa. *Journal of Intra-African Studies*, (3).
- Premium Times Newspapers, (9th October, 2019), Special Report: "Inside National Assembly's Two Decades of Law Making, Scandals and Looting".
- Premium Times Newspapers, 24th September, 2019.
- Premium Times, 16th November, 2019.
- Rufa'I, M.A. (2021). "I am a Bandit": A Decade of Research on Armed Banditry in Zamfara State". A paper presented at the 15th Usmanu Danfodio University Seminars, Sokoto, on 9th September, 2021.
- Siddique, M.A. (2016). "Research on Banditry, Kidnapping, and Killing in Zamfara and Katsina States, by Dr. Abubakar Siddique Mohammed, Director Center for Democratic Research and Training, Ahmadu Bello University Zaria.
- Solacebase, (2021). "NRC Confirms Detonation of explosives on Abuja-Kaduna rail tracks <https://www.solacabase.com/2021/05/30>
- The Nation, 2nd November, 2019.
- The Nation, 11th September, 2019.
- The Nation, 29th August, 2019.
- This Day, 2021, "When Armed Robbers Raid Villages: [http://www.thisdaylive.com/arti-
cles/when-armed robbers-raid-
villages/1679974](http://www.thisdaylive.com/articles/when-armed-robbers-raid-villages/1679974).
- Vanguard, Sunday, 26th September, 2021: "Banditry on the Loose: Inside the Zamfara Chilling, Damning Report". Vol.24. No15980.