

DEMOCRATIC TRANSITION AND CONSOLIDATION IN NIGERIA:TRENDS AND PROSPECTS SINCE 1999

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ABSTRACT

Election is the single mobility that allows for the democratic transition of power from one regime to another and also determines the degree of democratic consolidation, particularly in the emerging democratic societies of Africa. Hence, the major target of this paper is to examine the trends and prospects on democratic transition and consolidation in Nigeria's fourth republic (1999-to-date). To achieve these efforts, content method of data analysis was adopted using secondary data sources. The paper observes that Nigeria had successfully conducted four democratic transition of power from civilian to civilian regime. The last 2015 general elections marked a historic legacy in democratization process of the country where for the first time witnessed the transfer of power from ruling party to opposition party. However, the analysis further revealed that the Executive/Legislature institutions, their inter-relationships and independence, the nature and innovations in the conduct of elections by INEC and its relative independence can serve as practical evidence to conclude that Nigeria has attained appreciable degree of democratic consolidation.

Key words: Election, Democracy, Democratization, Democratic Transition, Democratic Consolidation, Fourth Republic, Nigeria.

INTRODUCTION

In every modern democratic society, the conduct of elections from time to time depends on the electoral and constitutional provisions of a country. These serve as mechanism or a major bridge for democratic transition of power from one regime to another. But as a matter of fact,

efforts for democratic transition in Nigeria particularly before 1999 had always been interrupted by military juntas. As rightly observed by Oromareghake (2013) that:

Nigeria's struggles for sustainable democracy, have been so daunting that all previous attempts at democratic transition have been futile i.e. collapse of the First (1960-1966) and Second (1979-1983) republics, and the abortion of the Third Republic through the annulment of the June 12, 1993 presidential election, are clear indicators of the failure of previous attempts at democratization process.

Gunther et al. (1995), cited in Ebenezer (2014) argued that democratization process has three phases: the fall of the authoritarian regime, consolidation, and enduring democracy which Nigeria had only so far witnessed the collapse of authoritarian military regimes with the transition of power to the democratic regime in 1999. But consolidating on that has become a serious challenge. This is because according to Ebenezer 2014;

Achieving a consolidated democracy requires good governance by democratic regimes. It also demands upholding democratic values of popular participation; respect for the rule of law, independence of Electoral body and the conduct of free and fair elections, independence of democratic institutions i.e. the legislature and the judiciary, improvement of the people's welfare, transparency and accountability in the conduct of state affairs and reducing corruption to the barest minimum. More often than not, these correlates of democracy are some of the daunting challenges facing democratic consolidation not only in Nigeria, but rather Africa as a whole.

Therefore, the aim of this paper is to examine the trends and prospects for democratic transition from 1999 to date and measure the degree of democratic consolidation through the analysis of the major democratic institutions viz-a-viz the executive/legislature relations and the conduct of elections as well as the independence of Electoral Management Body (INEC) in Nigeria. To achieve these efforts, the paper is divided into the following sub-headings after the introduction, conceptual clarifications, trends in democratic transitions in Nigeria, the degree of democratic consolidation in Nigeria, prospects and conclusion.

CONCEPTUAL CLARIFICATIONS

Democracy

It is not difficult to argue that both the concepts of democratization, democratic transition and democratic consolidation were derived from the concept of democracy itself. As a matter of fact, both concepts are interrelated and interdependent. Democracy, like many other concepts

in political science cannot be subjected to a single peculiar definition. This is because the concept means different things to different scholars depending on the perception of the individual.

But despite these difficulties and compounded intellectual and ideological differences to bring about concise and precise definition of democracy, scholars and researchers have resorted to various devices and stratagems for highlighting its often contradictory actualities. According to Ismai'l & Othman (2016: 386), democracy is constitutional rule or government where people select amongst themselves representatives to discharge responsibilities concerning their welfarism and allocation of values and resources effectively. Omolumen (2015: 63) conceptualized democracy as a form of government, in which the supreme power of a political community rests on popular sovereignty. He further provided some of the distinguished attributes of contemporary democracy to include;

“popular participation, supremacy of majority will but with respect for minority rights, constitution of government by popular choices through periodic election, competition for public office, freedom of the press and association, incorruptible judiciary, respect for the rule of law, open and accountable government, and existence of competing political parties whose programmes and candidates provide alternatives for voters”.

Democratization

Democratization is a gradual process of political growth often synonymous to emerging democracies that needs to imbibe and attain genuine democratic ideals and values necessary for building enduring democratic system. In a conceptual context therefore, democratization simply means a conscious, deliberate and committed attempt at entrenching enduring democratic values and ideas in political actors and the entire citizenry with a view to ensuring the continuity and sustainability of the democratic system (Jude & Gambo, 2013: 5).

Democratization is also about movement or struggle by people to possess values of democracy, that is, to be able to work with the principles of democracy such as political parties, elections, constitutionalism, freedom, rights and so on in their system of politics or government (Isma'ila & Othman, 2016: 386). Democratization according to Samarasinghe (1994: 14) can be seen as a process of political change that moves the political system of any given society towards a system of government that ensures peaceful competitive political participation in an environment that guarantees political and civil liberties. Thus,

democratization involves bringing about the end of an undemocratic regime, the inauguration of a democratic regime, and then the consolidation of a democratic system (Arinze, 2013, 114).

Generally, democratization process can be sub-divided into three phases. First, is the liberalization phase, when the previous authoritarian regime opens up or crumbles. Second, is the transitional phase, often culminating when the first competitive elections are held, and the third is the consolidation phase, when democratic practices are expected to become more firmly established and accepted by most relevant actors (Stepan, 1999 cited in Ranker, Menocal & Fritz, 2007: 7).

Democratic Transition

Democratic transition is one of the democratization phases highlighted above. In its conceptual form it simply refers to as a process of change from one state to another along a democracy continuum (Arinze, 2013, 114). According to Osaghae (1999: 7) democratic transition “is the process of establishing, strengthening, or extending the principles, mechanisms, and institutions that define a democratic regime”.

Baba (2015: 117) argued that democratic transition is the movement from one government to another. Such transition and movement is created by tenure expiration in some cases. But in other, change of government using various methods is also a transitional development. A popularly accepted notion is the view that democratic transition implies the movement from one democratic government to another. Democratic transition therefore is a switch from one government to another.

Democratic Consolidation

The term democratic consolidation became prominent since the Third Wave of democratization and has assumed various interpretations (Saidu, 2015: 2). To Ebenezer (2014: 6) the concept means an identifiable phase in the transition from authoritarian rule to civil rule and by extension, democratic systems that are germane and fundamental to the establishment and enthronelement of a stable, institutional and enduring democracy.

On one hand, it has been argued that the term democratic consolidation was meant to describe the challenge of making new democracies secure, of extending their life expectancy beyond the short term, making them immune against the threat of authoritarian regression. To him,

this normalization requires the expansion of citizen access, development of democratic citizenship and culture, broadening of leadership recruitment and training, the functioning of a mature civil society and political institutionalization (Robert, 2010: 189).

On the other hand, Chukwudi (2015: 23) contended that democratic consolidation might as well be denoted as when democracy is being consolidated. To him:

This means when democracy is being consolidated in defence of the people centeredness of the precepts of democracy. Democracy is therefore, a system of government and a system of defence. It is a system for defending the powers of the people against usurpation by political goons. Democracy defends the hopes of a people against onslaught by sundry intruders. Hence, in the context of developing democracies, the stronger defence mechanisms of democracy, the nearer tendencies of the system towards democratic consolidation.

Another principal indicator of democratic consolidation is anchored around the percentage of voters in a country who consider democracy as an indispensable way of life and are willing to go all lengths to defend it. But nevertheless, Nigeria was not rank very high in this regard (Robert, 2010: 190).

Ebenezer (2014: 7) further argues that the probability of democratic consolidation is not high until and unless democratically elected regimes loose elections in subsequent contests and accept the verdict. Democracy is therefore consolidated when a ruling political party or class hands over power to an opposition party after losing the contest. To him, this speaks volume of the readiness of major political players and their supporters to respect the rules that govern the game of electoral contest and their readiness to sacrifice their personal and sectional interest for the good of the democratic system.

TRENDS AND HISTORICAL CONTEXTS OF DEMOCRATIC TRANSITIONS IN NIGERIA

This section of the paper examines and explores the trends and historical contexts of democratic transition from 1959 to date. However, this was done through the following sub-headings; democratic transition under colonial administration, transition to second republic under Obasanjo's military administration, the aborted third republic under Babangida's regime and Abacha's self succession, General Abubakar's transition to fourth republic (1999 to date).

Democratic Transition under Colonial Administration

To examine the trends and historical contexts of democratic transitions in Nigeria adequately, it is important to trace the root from the last democratic transition organised and supervised under the colonial administration. The colonial administration organized and conducted the Federal election in 1959 in its preparation to hand over political power to the indigenous civil democratic administration.

As observed by Oromareghake (2013), the last election held in Nigeria under British colonial rule was in December 1959. The elections ushered in Nigeria's independence on October 1, 1960. The political scene leading up to independence, however, was dominated by three regionally based parties: the conservative Northern People's Congress (NPC) in the North, the National Council for Nigeria and the Cameroons (NCNC) in the East and the Action Group (AG) in the West. The political class of each region used its authority to harass opponents and to pursue its own interests. But notwithstanding, during this period, the NPC went into coalition with the NCNC, with Abubakar Tafawa Balewa as Prime Minister and Dr Nmandi Azikiwe as Head of State, while the AG became the opposition with its leader, Chief Obafemi Awolowo, (Ehimika, 2002: 116). The regional premiers were Ahmadu Bello (Northern Region, NPC), Samuel Akintola (Western Region, AG), Michael Okpara (Eastern Region, NCNC), and Dennis Osadebey (Midwestern Region, NCNC).

Consequently, Nigeria attained the status of a republic in 1963. But six years after independence, the civilian government of Alhaji Abubakar Tafawa Balewa had collapsed following the January 15, 1966 bloody coup, led by Major Chukwuma Kaduna Nzeogwu. The popularity of the coup and the coupists waned drastically when it became obvious that only Northern and western leaders were killed leaving out the Eastern leaders. This led to the ethnicization of politics both within and outside the military. Subsequent coups or military interventions therefore were spearheaded by officers from particular geographical or ethnic region (Adebisi, 1998: 141).

Prior to January 1966 coup, the Federal election and the Western regional election were conducted in 1964 and 1965 respectively. Olumide & Ekanade (2011: 7) noted that by the time of the 1964 Federal elections a new bipolar alignment had emerged in reaction to the census results. The two major Southern parties, AG and NCNC formed the United Progressive Grand Alliance (UPGA) in opposition to the NPC which went into alliance with

the NNDP, the party founded in the South by Chief Ladoke Akintola, forming Nigerian National Alliance (NNA) which emerged victorious after the election, though with a lot of election malpractices and irregularities. In same manner, the 1965 Western regional legislative election proved to be the last straw that broke the back of the First Republic. The fragile peace could no longer continue and the violent end of the election only made it sure that the demise of the republic was only a matter of time (Babatunde, 2014: 60).

However, the failure of the “Unitary System” of General Aguiyi Ironsi in ensuring political stability led to the July 1966 counter coup characterized by rebellions in several military establishments, especially in Lagos, brought Lt. Colonel Yakubu Gowon into power as head of state and commander-in-chief of the Army Forces. On his assumption of duty on 1st August, 1966, promised to return to democratic rule as soon as it can be arranged. More often than not, the inability of his administration to fulfil the promise led to the overthrow of his government after nine years of military regime (Dudley, 1973 cited in Adebisi, 1998: 144).

Transition to Second Republic under Obasanjo’s Military Administration

General Murtala Mohammed succeeded Gowon on 29 of July 1975, but he was assassinated on 13 February 1976 in an aborted coup and his Chief of Staff, General Olusegun Obasanjo was installed as the new Head of State. General Olusegun Obasanjo successfully handed over power to the civilian government of Alhaji Shehu Shagari on 1 October 1979 (George, Shadare & Owoyemi, 2012: 194). Obi (undated) noted that the respect that the Murtala-Obasanjo military regime earned when it announced a transition programme and successfully handed over power to an elected government on schedule in 1979 was enormous.

Under the General Obasanjo’s transitional programme, Federal Electoral Commission (FEDECO) registered five political parties to contest for the 1979 general elections in Nigeria. These political parties were; National Party of Nigeria (NPN), Unity Party of Nigeria (UPN), Nigerian People’s Party (NPP), Great Nigeria People’s Party (GNPP) and Peoples Redemption Party (PRP). At the end of the election on August 16, 1979, Alhaji Shehu Shagari was declared elected president of the Federal Republic of Nigeria, who contested on the platform of the National Party of Nigeria (NPN). However the FEDECO declaration was followed by a strong challenge from the four opposition parties especially on the ground that he did not win 2/3 of the 19 states as stipulated in the constitution and they interpreted it to mean 2/3 of 13 states of the federation. Meanwhile, Shehu Shagari, the president-elect, won

2/3 of 12 states of federation which FEDECO interpreted to mean 2/3 of 19 states as stipulated in the constitution. The case was taken to election Petition Tribunal and Supreme Court of Nigeria by the leader of the Unity Party of Nigeria (UPN) Chief Obafemi Awolowo. However, both the Electoral tribunal and the Supreme Court of Nigeria judged the case in favour of the President-elect Alhaji Shehu Shagari.

In Nigeria or even Africa in general, democratic transition from civil to civil regime has always been very difficult. This is particularly due to the incumbent power of the Presidents and most of the ruling parties in Africa are always desperate to maintain their selves in power at whatever cost. Therefore, it was not surprising when the 1983 general election of Nigeria's second republic was conducted under the then incumbent President Shehu Shagari, which was marked by many election irregularities and malpractices that led to the riots, arsons and killing of several politicians that worsened the political atmosphere of the country.

This was captured by Sunny et al (2014) when argued that apart from the irregularities and malpractices manifested in the conduct of 1983 general elections, the election suffered logistic problems. Personnel and voting materials were not available on time in some areas or even not available at all. These led to the widespread of electoral violence, riots, arsons and killing of the prominent politicians especially in the western and Mid-western regions of the country, (Sunny, Aghemalo, & Ezekwesiri, 2014: 171). The result was another military intervention in 1984 which brought Major General Muhammadu Bahari into power three months after Shagari began his second term in office. Generals Muharnmadu Buhari the head of state, and his deputy, Tunde Idiagbon, promised no transition (Obi, 2000: 74). Thus, On 27 of August 1985, there was a palace coup which toppled the Buhari regime and brought in General Babangida's regime (George, Shadare & Owoyemi, 2012: 194).

The Aborted Third Republic under Babangida's Regime and Abacha's Self Succession

In his bid to return to civil rule, General Babangida embarked on the series and unrealistic democratic transition programmes. As noted by Alchukwuma & Philip (2014: 24) that the Third Republic witnessed a prolonged military rule with an unending transition programme which never came to fruition. The military democratic transition necessitated the establishment of the National Electoral Commission (NECON) and a two party structure; the Social Democratic Party (SDP) and National Republican Convention (NRC) based on the recommendations of the Political Bureau of 1986. Until its dissolution in 1993, NECON

conducted 1990 Local Government elections, 1991 Gubernatorial and National Assembly elections and 1993 presidential elections. The 1993 election was adjudged by transition monitoring groups as the freest and fairest elections Nigeria has ever conducted in her chequered political history. Sadly, however, the IBB regime annulled the election, which was presumed to have been won by Moshood Abiola of the SDP.

After the annulment of the most peaceful elections in the political history of the country, Gen. Babangida was unable to control the wave of national tensions. Thus, he stepped aside and handed over power to the Interim National Government of Chief Ernest Shonekan who was later overthrown by General Abacha on 17 November 1993 (George, Shadare & Owoyemi, 2012: 194).

Immediately on his assumption martial law was imposed, while scrapping the already completed democratic institutions like the legislatures and the state governments. Chief MKO Abiola, the presumed winner of the June presidential elections, was arrested and detained without charges. Opposition parties responded with massive demonstrations and strike actions throughout the country. In the turbulent months ahead, Abacha's security agents hunted down all opposition leaders in the country. In October 1994, the Abacha regime announced yet another fraudulent program of transition to democracy which was merely greeted with widespread scepticism. In order to douse the demands for a national sovereign conference, the new military regime announced plans for a constitutional drafting committee to recommend a new constitution for Nigeria (Edah, 1999).

The second phase of his transition consisted of the establishment of political parties and the holding of elections. After several months of manipulations, five political parties were registered and all were headed by Abacha's cronies. The five parties were; the United Nigeria Congress Party (UNCP), Congress for National Consensus (CNC), Democratic Party of Nigeria (DPN), Grassroots Democratic Movement (GDM) and the National Centre Party of Nigeria (NCPN). The secret agenda was for Abacha to transit from military dictator to a civilian one, but with legitimate authority as having been elected. In the following national conventions of the various parties to pick their presidential candidates for elections, all five parties adopted General Abacha as a so-called consensus candidate. On June 8, 1998, General Abacha suddenly died under mysterious circumstances.

General Abubakar's Transition to Fourth Republic (1999 to Date)

The succeeding military regime of General Abdulsalami Abubakar fulfilled its promise by arranging and implementing a short democratic transition time table from June 1998 to May 1999. This was captured by Obi (2000) that Abubakar's transition largely followed the pattern of past transitions to liberal democracy in Nigeria, except that there was no time for a constituent assembly, just a committee that studied the 1979 constitution and the 1995 draft constitution and made recommendations, and another committee that collated the views of Nigerians in the draft before submitting it to the Provisional Ruling Council (PRC) which approved a draft, that was eventually promulgated Decree No. 24, 1999 known as the 1999 Constitution in May 1999. Again, the new electoral body; the Independent National Electoral Commission (INEC) registered three political parties out of the twenty six that applied. Those that scaled the registration hurdle were the People's Democratic Party (PDP), the All People's Party (APP), and the Alliance for Democracy (AD) (Nyewusira & Nweke, 2012: 4; Obi, 2000: 79).

However, during the transition period, Nigeria had four rounds of elections. These were the local government council elections of 5 December 1998, state House of Assembly and gubernatorial elections of 9 January 1999, National Assembly elections of 20 February 1999, and the presidential election of 27 February 1999. At the end of the presidential election, the candidate of PDP Olusegun Obasanjo was declared the winner and the duly elected President of Nigeria.

As a matter of fact, there was no difference from other past elections in the history of the democratic transition in Nigeria. Alchukwuma & Philip (2014: 25) observed this trend, when they argued that elections that ushered in the democratic transition of the Fourth Republic in 1999 were never different from the previous ones conducted. Political parties were allegedly involved in massive rigging, as well as use of thugs to harass opponents through active connivance with security agents. However, the 1999 elections did not engender much violence, chiefly because the Nigerian public was tired of military dictatorship and thus was desperate to see a form of democratic transition materialize. With this Obi, (2000) concluded that the Fourth Republic was the beginning of another beginning of Nigeria's attempt at building democracy.

In the fourth republic, the incumbent President Obasanjo emerged as unchallenged candidate of his ruling party (PDP) for a second term bid in the 2003 general elections, which was also the first election conducted by civilian regime in the fourth republic. The 2003 election was marked by the proliferation of political parties after a Supreme Court ruling removing the cap on the requirements for party registration (Babatunde, 2014: 61). Therefore, the INEC registration from three political parties in 1999 to thirty in 2003 and a review of the voters' register were noted as alarm signals amid palpable fears and tension across the country. Everyone knew that the stakes were higher than in 1999 (Oromareghake, 2013: 25).

After the elections, the Independent National Electoral Commission (INEC) headed by Prof Mourice Iwu declared that Obasanjo won 61.9% of the votes, while his nearest rival, General Muhammadu Buhari of ANPP, won 32.1% of the votes (Dange, 2006: 5). However, the election was characterised by different types of electoral frauds which range from ballot stuffing, intimidation, killing, and assassination among others. Both internal and external observers were unanimous on the unfairness of the competition in the electoral process which was said to have been manipulated by the so-called ruling party (PDP) (Samson & Abimbola, 2014: 144). The Presidential Election Petition Tribunal confirmed that the 2003 presidential elections were marred by irregularities, and that all sorts of malfeasance and criminality were deployed to return President Obasanjo for a second term (Nyewusira & Nweke, 2012: 7). To that extent a total of 570 petitions were received by the court of Appeal after the elections. Later in March 2004, elections for Local Government Council were held in thirty of the thirty six states, which also suffered from the same irregularities and manipulations. And towards the end of the regime in April 2006, the Nigerian Senate began to debate a bill that aims to amend the constitution. One of the contentious proposals was a third term presidency, which was strongly opposed by Civil Society Groups (CSGs), opposition political parties, members of the senate and house of representatives, and even Obasanjo's vice president, Atiku Abubakar. In May 16, 2006, the Nigerian Senate effectively rejected its legislation (Dange, 2006: 5; Falode, 2013: 7).

The April 2007 election marked the second phase of democratic transfer of power in Nigeria's history of the Fourth Republic. President Obasanjo successfully handed over power to Alhaji Musa Yar'Adua, the former governor of Katsina State in May 29, 2007, who was from the same political party (PDP). But nevertheless, the electoral process that led to his

emergence as president was highly condemned and criticized both within and outside the country.

According to Samson & Abimbola (2014: 144), the 2007 election turned out to be the worst election conducted in the post colonial Nigeria, to which even the elected president in his inaugural speech acknowledge the frauds and irregularities during the electoral process, but yet, he never rejected the result, nor refused to be sworn in as President of the Federal Republic of Nigeria (Omoweh, 2015: 2). Babatunde (2014: 62) further stressed that the 2007 elections will go into history as the most criticized election ever held in Nigeria. This is because of the obvious flaws and frauds that characterized the elections. The non-partisanship of INEC which is supposed to be an independent and credible body was doubted more than ever. To him, every aspect of the election was far from fair. According to Justice Umaru Abdullahi, former president of the court of Appeal, a total of 1,475 petitions were received as against the 570 received in 2003. Hence, this circumstance alone has explained the role of the electoral body (INEC) in the conduct of 2007 elections. The electoral institution demonstrated its weakness, incapacity and lack of readiness in overseeing the elections. Sadly too, the electoral institution and its officials have been accused as accomplices in various malpractices and fraudulent acts that have been recorded in the Fourth Republic (Ebenezer, 2014: 15). Unfortunately, President Yar'Adua could not govern the country effectively due to illness. Thus, after travels to Saudi Arabia to be treated, his extended absence initiated a constitutional loophole and led to calls for his step down. Therefore, Vice President Jonathan continued to administer the affairs of the country and after his death, succeeded him as the President till end of the tenure.

However, after so many contestations within the PDP particularly regards to the issue of zoning formula that almost tear apart the party or the country in general, the incumbent President Goodluck Jonathan emerged as PDP's (ruling party) consensus presidential candidate, while General Muhammadu Buhari emerged as a flag bearer of Congress for progressive Change (CPC), the two major aspirants contested for the 2011 general election. Babatunde (2014: 6) noted that the election was one of the few elections postponed due to poor logistic planning, but it was the best election since 1999. Thus, the 2011 general elections were generally acceptable by both local and foreign observers to be partially fair when compared with the 2003 and 2007 general elections conducted under fourth republic.

But, however, the announcement of the 2011 Presidential election result by INEC chairman Prof Attahiru Jega in which President Goodluck Jonathan of the PDP was declared the winner led to a serious post electoral violence especially in many states of the Northern Nigeria, such as Bauchi, Yobe, Maiduguri, Gombe, Taraba, Kaduna, Katsina, Kano, Sokoto, among others. Within just a four days Human Rights Watch, recorded about 800 people were killed and over 65,000 people were found to be temporarily internally displaced apart from burning of places of religious worship, public buildings and the houses of politicians (HRW, 2011). According to Orji & Uzodi (2011: 8) “these post electoral violence robbed the shine off the entire transitional and electoral process in 2011, although violence has been part and parcel of electoral contest in Nigeria’s democratization process for long.

The 2015 general elections marked another transitional period in the fourth republic, which was surrounded by a lot of tense and hostility across the country, particularly the Boko Haram insurgency in Northeast that led to the postponement of the elections from earlier scheduled. But despite the critical atmosphere before and during the election, the 2015 democratic transition was successful and peaceful. As matter of fact, the elections appeared to be one of the smoothest and least violent in the history of Nigeria’s democratic transitions, where the former incumbent President Dr. Goodluck Ebele Jonathan conceded defeat to the president elect from opposition party even before the official announcement of the final results of the election.

Therefore, after the 2015 general elections, Nigerians were happy because they believed that their votes counted. Hence the elections were adjudged to be free and fair, and acceptable to the majority of Nigerians and the international observers, though there were some limitations such as logistic challenges, but the elections were considered as an improvement over the 2011 general elections and no petition was filed by the election petition tribunal particularly against the 2015 Presidential election result compared with the previous elections in the country.

EXAMININIG THE DEGREE OF DEMOCRATIC CONSOLIDATION IN NIGERIA

The Executive-Legislature Relations

The Executive-Legislature relations in the fourth republic particularly from 1999 to 2007 were seen as controversial one, characterized by the aggressive dominance of the executive arm over the Legislative Assembly. This can be understood from the instability in the

leadership of both the Upper and Lower Chamber of the National Assembly which were characterized as premature and largely inexperienced during this period. It was observed that this helped and supported the meddlesomeness of the executive branch of government under the President Olusegun Obasanjo in the affairs of the two arms of the National Assembly in Nigeria (the Senate and the House of Representatives) (Chukwudi, 2015: 24).

For instance, the House of Representatives had two speakers in the first term namely; Salisu Buhari (1999-2000) and Ghali Umar Naabba (2000-2003), while the Senate changed its leadership five times between 1999 and 2007, these includes; Evan Enwerem (1999), Dr. Chuba Okadigbo (1999-2000), Anyim Pius Anyim (2000-2003), Adolphus Wabara (2003-2005) and Ken Nnamani (2005-2007). According to Okechukwu & Andrew (2014: 9) noted that in nearly all cases of such legislative upheavals, with loss of office, alleged personal misconduct was what was cited. But, as matter of fact, the overbearing of the executive over Legislative Assembly during this period was the major force behind leadership removals in both Houses. This attitude of the former President Obasanjo could be traced to his antecedent as a former Military Head of State between 1976 and 1979. This point was further elaborated by Ebenezer (2014: 18) when he pointed out that;

President Obasanjo was a former military head of state and under the military regime the legislative and executive responsibilities are usually coalesced and discharged by the executive branch of government. This act has undoubtedly institutionalized a system and culture of government that is extremely executive centred looking at the long period of time Nigeria and Nigerians spend under the military dictatorship.

To put it more clearer, the president that emerged after 1999 general elections was coming from a military background where the idea of a legislature was totally unknown. This is because, under the military regimes, the Military Ruling Council (MRC) always combined the executive and the legislative powers. Government policies and programmes were carried out with immediate effect. The military had no patience for too much grammar and debates often associated with parliamentary democracy. Thus, for a former military leader who was used to issuing out orders and getting things done, it was inconceivable for former President Obasanjo to be sharing powers with civilians who constituted the Legislative Assembly. Therefore, the tendency to assert total control was ever present. Hence, the military hangover was primarily responsible for the adversarial relationship that existed between the Executive and the Legislature, between 1999 and 2007 in Nigeria (cited in Chukwudi, 2015: 24).

However, after the first democratic transition from civilian to civilian regime in 2007, though within the same ruling party (PDP), both the Senate and the House of Representative had freely elected their leaders and successfully led them to the end of the tenure of Nigeria's seventh National Assembly. In the case of the Senate President David Mark, who had served for an unprecedented two terms (2007-2015) as Senate President, maintained a reciprocally cordial relationship with the executive branch of government till end of the tenures. While, in the House of Representatives both Bankole and Aminu Tambuwal, had also completed a single term of four years each as Speakers (2007 to 2011 & 2011 to 2015) respectively.

Despite the fact that the later (Animu Tambuwal) actually emerged as a Speaker against the wishes of the executive, but throughout the tenure, he retained a strong support of the majority members in the House. Even when he decamped from the Peoples Democratic Party (PDP), under which platform he became Speaker and moved to the opposition All Progressives Congress (APC) he still remained the Speaker, but with the evident support of his colleagues in the House. These developments in the National Assembly signify a relative element of democratic consolidation, because it shows the maturity and independence of the legislature in practice.

Furthermore, democracy has said to be consolidated when a ruling party hands over power to an opposition party after losing the contest. In the 2015 general elections, the ruling party (PDP) not only handed over power to the opposition party (APC), but also, the then incumbent president accepted defeat and congratulated the president elect even before the announcement of the result by the electoral body (INEC). With this certainly one can argue that Nigeria has attained a high degree of democratic consolidation in her democratization process. But we quickly observe that the current incumbent President, Muhammadu Bahari was also a former military dictator, therefore, the fear is that what happened in terms of aggressive dominance and overbearing of the executive over the legislative arm under the former president Obasanjo might also affect the executive-legislative relation under the President Buhari's regime. This can be judge from the current trial of the Senate President Bakola Saraki who emerged as a Senate Leader without the interest of his party (APC), but rather with a strong support particularly from members of the opposition party (PDP). Moreover, this further indicated the maturity and independence of the Legislative Assembly, which also determine the degree of democratic consolidation of any democratic society.

However, the controversy witnessed over the 2016 budget between the Executive and the Legislative arms, was another signal that each arm is ready to exercise and carry out its responsibility independently. The House of Representatives under the current Speaker, honourable Yakubu Dogara who was successfully elected by honourable members of the House are having a cordial relation with the executive arm for now. The beauty of it is that both Chambers of the National Assembly (Senate and House of Representatives) are now strong and mature enough to reject any unnecessary influence from any other institution of government, largely due to the enormous experiences attained by most of the members in the Houses. This will further strengthen and consolidate democratic process in Nigeria.

Independence of the Electoral Body (INEC) and Conduct of the Elections

The independence, professionalism and administrative capacity of an Electoral Management Body (EMB) are critical to the credibility of the electoral process in particular and the overall assessment of democratic consolidation in a specific polity. The primary responsibility of any Electoral Management Body is to administer, organize and conduct elections whenever it is due. Hence, the way and manner in which these elections are organized and conducted will go a long way to further determine the level of democratic consolidation in a democratic society. In Nigeria, the current Independent National Electoral Commission (INEC) was established in 1998 to conduct general elections that ushered in the Fourth Republic (1999-to-date). As noted before, however, the elections were not different from the previous elections in the country in terms of organizations and irregularities.

INEC's capability has been severely constrained in many ways more especially between 1999 and 2010. Two primary indicators are vital in analysing these constrains, that is the intellectual competence and professional capacity of INEC's leadership and secondly, the election management itself. For instance, after the death of Justice Ephraim Akpata in 2000, who conducted the elections that ushered in fourth republic as first INEC chairman, the subsequent INEC's chairmen (Sir Abel Guobadia and Professor Maurice Iwu) in particular, who conducted the 2003 and 2007 general elections respectively, were perceived to be deficient in professional and administrative competencies. It was actually these deficiencies, which manifested as INEC-induced irregularities in the elections conducted by INEC, under the leaderships of these Chairmen (Chukwudi, 2015: 26).

It was obvious that the administration of the 2003 and 2007 elections were generally poor. This was largely because of the INEC's organizational weakness and lack of autonomy from political forces, which affected and hampered its effectiveness in the conduct of elections during these periods. The massive irregularities that accompanied the elections were identified through the following measures. First, the results of the elections were bitterly disputed and protested in an unprecedented manner. Secondly, from the conduct of the elections, 560 and 1250 election petitions arose in 2003 and 2007 respectively.

Subsequently, the conduct of 2011 and 2015 general elections under the INEC's chairmanship of Professor Attahiru Jega were viewed as an improvement in both credibility of the leadership, professionalism, relative independence and non-partisanship of the commission as well as the entire electoral management. It can be observed that the 2011 and 2015 elections were more transparent compared to the previous elections, as it generally reflected the votes cast, counted and recorded in the various Polling Units (PUs) across the country, which were the reflections of many changes and innovations introduced in the administration and conduct of the elections. The overall verdict was that the 2011 and 2015 elections, particularly with the introduction of biometric measures have moved positively forward in quest for electoral excellence which is one of the major yard stick of measuring the level of democratic consolidation in any democratic society like ours.

PROSPECTS

The four uninterrupted democratic transitions of power from civilian to civilian regime in the Nigeria's fourth republic (1999-to-date) was a success in the history of democratic journey of the country that has never been recorded before. This development strengthened the democratic institutions of the country and inculcates democratic values in the heart of both politicians and electorates which by near future will make Nigeria to be a role model within her African sisters' democratic societies.

The independence of the Legislative Assembly witnessed particularly in terms of the emergence of the Senate and House of Representatives leadership, was a signal that our democratic institutions are becoming more independent to each other unlike what was obtained before. This will further strengthen and consolidate democratic rule in Nigeria.

However, comparing the 2011 and 2015 general elections with the previous elections (2003 and 2007) in the Fourth Republic, the conduct of the former can be said to be an

improvement over the later. In fact, even the conduct of 2015 general elections was an improvement over the conduct of 2011 general elections. Therefore, looking at these stages, there is a belief that the future general elections can be an improvement over the conduct of 2015 general elections which will further consolidate the Nigeria's democratic process.

Furthermore, unlike the previous elections in Nigeria, the 2015 general elections particularly the presidential election marked a historic legacy with four major issues. First, the introduction of biometric measures (card reader) in the election process by INEC for the first time. Secondly, for the first time power was transferred from ruling party to opposition party. Thirdly, for the first time the incumbent President Goodluck Jonathan conceded defeat by congratulating his opponent President Muhammadu Buhari before the official announcement of the election results by the INEC, and lastly, it is the only election conducted under the fourth republic without any post election violence. These issues would remain in the democratic history of not only Nigeria or Africa, but rather the World as a whole.

CONCLUSION

Nigeria has undergone through several democratic transitional programmes under different military and civilian regimes. The Fourth Republic (1999-to-date) is the longest democratic period ever witnessed in the democratic history of Nigeria covering over one and half decade of democratic dispensation which accounted for the four different transitions from civilian to civilian regimes. Thus, drawing from the above analysis, we can safely conclude that in terms of democratic institutions i.e. the Executive and Legislature institutions (Executive/Legislature relationship) and the conduct of elections by INEC as well as the independence of the commission, Nigeria have attained appreciable degree of democratic consolidation which is an indication that in the near future to come, it will radiate to all sectors and political institutions across the country.

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