

DEEPENING DEMOCRACY IN NIGERIA THROUGH THE PRACTICE OF TUPOCRACY

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ABSTRACT

There is a desperate search all over the world for, not just a good system of government, but for good and exemplary leaders. Thus, there is always an interplay of the quality of a system and the character of the human operators of the system. Democracy is rated as the most popular system of government in the world; regrettably, the media of many countries is awash with stories of leaders of different categories being indicted for misconducts bordering on corruption, abuse of office, highhandedness and other vices. An interesting, though novel system of government, which seems to address concerns about exemplary leadership is called Tupocracy. Tupocracy is a system of government, founded by Reverend (Dr.) Godwin Amaowoh, that focuses on leadership by example. The author advocates that when a leader operates with the qualities of integrity, discipline, and accountability, among other virtues, it resonates in the followership and the effectiveness of the entire system. This paper carefully examines how Tupocracy can be used to deepen democracy. While it draws examples across the globe, it focuses more on Nigeria. The paper argues strenuously that the democratic institutions in many societies have been badly disrespected, not just for want of vision or good policies, but because of bad leadership example. It further argues that if exemplary leaders with the right vision are put into leadership positions, the confidence in the leadership system can be largely restored.

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INTRODUCTION

What is the solution to the incessant complaints about the world class leaders of nations, institutions and families who are poor examples of what they say or ask others to do? What are the damning consequences of the poor examples set by leaders in the democratic structures around the world? The propounder of Tupocracy opined that: “One of the ways to checkmate corruption is to enshrine moral principles of Tupocracy in our Democratic culture.”² Another question is, can Tupocracy, being advocated as a form of government, be integrated into democratic governance to ensure credibility, effectiveness and proficiency? Are there latent challenges in practicing Tupocracy? Whereas Democracy is an age long concept, Tupocracy is a relatively new concept or form of government.³ This paper will make a brief definition and origin of Tupocracy, examine some world forms of government; before narrowing the discourse to Democracy and Tupocracy. This paper will ultimately identify the core issues at stake, provide answers to the above questions and make recommendations where appropriate.

ORIGIN AND MEANING OF TUPOCRACY

Tupocracy, being a new system of government, was invented by a Nigerian clergyman, Rev. (Dr.) Godwin Amaowoh. Tupocracy was invented by Rev. Amaowoh during his Doctoral Degree Research at the University of Nigeria, Nsukka. As noted by the inventor of the concept:

What is entirely new here is “Tupocracy”, which is entirely mine, being the brainchild of my Ph.D research....this concept finds its way into the political dictionary and encyclopedia

² Godwin Akpan Amaowoh, *Tupocracy: Leadership by Example for the Church and Civil Society* (Enugu: El- Felys Creations (Nig.), 2007) p. 211.

³ Infact, the word, though coined a few years ago, was just recently included in a dictionary. See “Tupocracy” available at <https://www.urbandictionary.com/define.php?term=TUPOCRACY>, accessed June 11, 2021.

of the world just as democracy, autocracy, aristocracy, theocracy and oligarchy, which are also of Greek origin.⁴

The inventor further states that: “Tupocracy as a socio political culture is derived from the word “Tupos” and simply means “Government or leadership by example”.⁵ To give a further understanding of the meaning of Tupocracy, the author identified nine tenets of Tupocracy as follows:

- a. Tupocracy emphasizes leadership by example based on integrity, whereby the leader says, “Do as I do.”
- b. Emphasis is on moral and ethical qualifications for leadership.
- c. It is an amalgam of character, ethic paradigm and personality Ethic Paradigm with the former superceding.
- d. Tupocracy views leaders as mentors of integrity based on the ethics, values and norms of the organization.
- e. It is founded on the golden rule.
- f. It seeks the welfare of both the organization and its people.
- g. It is predicated on the axiom that “Example is better than precept.”
- h. “Tupocracy” operates best within the framework and ideals of Democracy.
- i. Tupocracy believes in transparency, accountability, probity, justice, equity and fairplay.⁶

In appreciation of the concept by Godwin Amaowoh, a further adumbration of the concept of Tupocracy has been done by reputable scholars. According to John Ikoni:

⁴ Ibid p. iv.

⁵ Amaowoh, pp 68-69

⁶ Amaowoh, op. cit. at p.210.

Dr. Amaowoh has introduced a new terminology in governance to the world and our dictionary. If theocracy is a government in which God is recognized as the Supreme civil rule, directly or through a priestly order, and democracy is a government elected by the people and for the people, TUPOCRACY is rightly coined to mean a government in which the leaders lead by positive example.⁷

Although, the word Tupocracy may not have been directly used by scholars, leaders or good governance exponents across the globe, there seems to be a general consensus that a leader must not only churn out ideals of good governance, or sound principles of leadership; but that he or she must be an exemplification, or a mirror of such ideals or principles by his lifestyle and actions. Steven Covey puts it succinctly in the following words:

People with integrity are those whose words match their deeds and whose behaviors mirror their values. Their honesty and ethics can be trusted unconditionally. They honour commitments. They are dependable. They are known for doing the right things, for right reasons, at the right times. While numerous tales of integrity take place in public settings where others can see them, often the most powerful examples occur in quiet stillness of private moment - when no one else is looking.⁸

What leadership by example means is that, our actions influence others to behave and respond in ways that we deem valuable and appropriate for the societal and organizational outcomes.⁹ According to Jane Boyce:

⁷ Ibid at page 21 where Dr. John Ikoni made the remarks as part of his forward to Reverend Amaowoh's book on Tupocracy.

⁸ Steven Covey, *Everyday Greatness* (USA: Thomas Nelson, 2006) p.121.

⁹ Kevin Eikenberry, "What Leading by Example Really Means," available at https://www.google.com/url?sa=t&source=web&rct=j&url=https://www.iidmglobal.com/expert_talk/expert-talk-categories/leadership/leader_style_qualities/id3280-what-leading-by-example-really-means.html&ved= accessed April 3, 2021.

I believe there are three important aspects to leading by example. First, having the same or higher performance expectations for myself as I have for my team members, next, having to model and live the attitude and behaviors that I want in my team. Finally, having to be appreciative when the performance, effort and behavior are shown.¹⁰

On leadership by example, Jennifer Bridges adds: “If you want to encourage, inspire, motivate and fuel your team, leadership by example is one of the best ways to getting and building trust.”¹¹ It has also been said that “Good leadership is not something that just happens, it requires many competencies such as decisiveness, motivation and ability to lead by example.”¹² From the foregoing, it is apparent that Tupocracy, was not just coined to be on its own as a system or form of government with independent structures such as how to get elected, how power is shared in other variants as is to be seen in other systems of government; rather the emphasis is on the leader carrying out whatever he is to do in, perhaps any system, with integrity, good character and exemplariness. In other words, it is more of an ideal or a style that can be applied in or juxtaposed with any good system of government. As the author himself further observed: “Thus contemporary society needs, for leadership in particular, a moral garment whose fabric consists of sound speech, good conduct, love, purity and faith. These are the virtues of exemplary leadership, that will command credibility, confidence and respect.”¹³ Put succinctly,

¹⁰ E. Napoletano, “What Does it Mean to Lead”, Available at <https://www.google.com?url?sa=t&source=web&rct=j&url=https://www.americanexpress.com/en-us/business/trends-and-insights/articles/what-does-it-mean-to-lead-by-example/&ved=> accessed August 3, 2020.

¹¹ Jennifer Bridges, “How to Effectively Lead by Example,” available at <https://www.google.com/url?sa=t&source=web&rct=j&url=https://www.projectmanager.com/training/how-to-effectively-lead-by-example&ved=> accessed April 20, 2021.

¹² Patty Mulder, “Lead by Example”, available at <https://www.google.com/url?q=https://www.toolshero.com/leadership/lead-by-example/&usg=> accessed April 22, 2021.

¹³ Amaowoh at p. 186

“...Contemporary society needs the Character Ethic Emphasis against Personality Ethic Emphasis because the former is principle-centred.”¹⁴

TUPOCRACY AND SOME OTHER FORMS OF GOVERNMENT

It is critical to the understanding of any discourse of any new or acceptable form of government to know that some “forms of government” are nothing more than approaches or ideas with no structural framework and, like clothes, they need a body or existing system to be applied in. As rightly observed:

As you proceed, you’ll find terms commonly used to describe the forms of government. Some refer to economic policy, others to political structures and others to philosophical ideologies. Some concepts overlap while others have no immediate parallel. It can be a complex stuff. One thing these terms have in common is each refers to an approach to governance and points to complex, evolving and often conflicting ideas how we should live with one another and within a larger society.¹⁵

Considering the above, there are myriads of forms of governments that have been propounded in the world and many more, like Tupocracy, are emerging. Some of the forms of government are: Authoritarianism, Anarchism, Aristocracy, Bureaucracy, Colonialism, Capitalism, Communism, Democracy, Dictatorship, Federalism, Fascism, Feudalism, Kleptocracy. Marxism, Monarchy, Meritocracy, Maoism, Military Dictatorship, Oligarchy, Ochlocracy, Plutocracy, Republicanism, Socialism, Theocracy,

¹⁴ Ibid.

¹⁵The Best Schools, “20 Common Forms of Government”, available at <https://thebestschools.org/magazine/common-forms-of-government-study-starters/> accessed April 2, 2021.

Totalitarianism, Tribalism and recently Tupocracy. Some of these forms of government will be highlighted for a better appreciation of Tupocracy.¹⁶

Anarchism

Anarchism is one of the old ideologies of government. “Anarchism is a political theory, which is skeptical of the justification of authority and power, especially political power. Anarchism is usually grounded in moral claims about the importance of individual liberty. Anarchists also offer a positive theory of human flourishing, based upon an ideal of non-coercive consensus building.”¹⁷ It has been said that “Anarchism does not signify chaos. Rather, the word “anarchy” comes from the ancient Greek and means “no ruler”.¹⁸

Whereas anarchy may not necessarily be chaotic, it thrives in challenging the ills of an organized government or authority and emphasizes the liberty of individuals to take actions as they deem appropriate. As noted, “Anarchism has inspired practical efforts at establishing utopian communities, radical and revolutionary political agendas, and various forms of direct action.”¹⁹ In reality, by the nature of society, it is impracticable to operate society without some form of people being given the responsibility to coordinate the orderly conduct of others. As a critique of Anarchism, it has been observed that “[t]he inevitable side-effect of this division is that anarchist movements tend to appear disjointed and hodge-podge, a haphazard gathering of motley students and dispossessed workers, who may not always be on the

¹⁶ *ibid*

¹⁷ Andrew Fiala, “Anarchism”, available at <https://plato.stanford.edu/entries/anarchism/> accessed April 21, 2021

¹⁸ N. Tamblyn, “The Common Ground of Law and Anarchism”, available at <http://link.springer.com/article/10.1007/s10991-019-09223-1#article-info.>, accessed April 21, 2021

¹⁹ “Anarchism”, *Stanford Encyclopedia of Philosophy*, available at <https://plato.stanford.edu/entries/anarchism/> accessed April 21, 2021

same page”²⁰. Conversely, Tupocracy emphasizes the need, not just for leadership but exemplary leadership.

Authoritarianism

Authoritarianism is another form of government that is more focused on manifesting control over people of a defined territory to the exclusion of other possible authorities. It has been observed that authoritarianism “in comparative politics, refers to a regime that does not organize periodic free and fair election. Authoritarian, in political psychology refers psychological profile of people characterized by a desire for order and hierarchy and a fear of outsiders”.²¹ Authoritarians do not want their subjects to challenge their power or policies at all.

Betham notes that Authoritarian governance occurs when “rulers see public opposition as a major threat to the extent or continuation of their power and believe that they can work to undermine it with relative impunity.”²² The authoritarians are hardly accountable and they are hardly subject to the popular doctrine of checks and balances. “Authoritarian political strategies are subordination of the judiciary, suppression of independent news media and freedom of expression and restriction on the ability of civil society group to organize and participate in public life”²³. Tupocracy actually emphasizes accountability in the sense that the followers are supposed to imitate the style of the leader.

Aristocracy

²⁰ Nick Gutierrez, “A Brief Explanation of Anarchism” 2018, available at <https://philosophynow.org/issues/128/> accessed April 25, 2021.

²¹ Marlies Glasius, “What authoritarianism is and is not: a practice perspective,” available at <https://doi.org/10.1093/ia/iiy060>, accessed April 25, 2021.

²² Wayne Sandholtz, Resurgent Authoritarianism and the International Rule of Law, KFG Working Paper Series. No. 38., September 2019.

²³ Wayne Sandholtz, Resurgent Authoritarianism and the International Rule of Law, (DFG) September 2019, KFG Working Paper Series. No. 38.

Aristocracy, is a “government by a relatively small privileged class or by a minority consisting of those presumed to be the best qualified to rule.”²⁴ The greek philosopher Aristotle stated that Aristocracy means, “the rule of the few – the morally and intellectually superior – governing in the interest of all.”²⁵ An Aristocracy is generally a rule by the wealthiest and most highly regarded families and it is often hereditary.²⁶ Regrettably, Aristocracy has been criticized on many fronts; notably, it was said of the British Aristocracy as follows:

They grasped wealth, corruptly carved out their niche at the pinnacle of society and held on to it with a vice-like grip. They endlessly reinforced their own status and enforced deference on others through ostentatiously exorbitant expenditure on palaces, clothing and jewellery. *They laid down a strict set of rules for the rest of society, but lived by a different standard.*²⁷

It is comments, as italicized above, that justify the cry for Tupocracy which anticipates that leaders live by the rules they have set up for their followers.

Capitalism

Capitalism has been described as “an economic system where private entities own the factors of production. Capitalism is a system of economic organization based on private property, free enterprise and freedom of contract, utility and profit maximization as economic motives, and the coordination of decision not through

²⁴ The Editors of Encyclopaedia Britannica, “Aristocracy”, available at <https://www.britanica.com/popic/ar...>, accessed April 26, 2021

²⁵ Ibid.

²⁶ Robert T. Boyter, “What are the differences between democracy, aristocracy and Monarchy”, Available at [quora.com/what-are-the-difference-between-democracy-aristocracy-and-Monarchy](https://www.quora.com/what-are-the-difference-between-democracy-aristocracy-and-Monarchy), accessed on April 26, 2021

²⁷ Chris Bryant, “How the Aristocracy Preserved their Power”, 7 Sept. 2017, 2020, Available at <https://www.theguardian.com/news/2017/sep/07/how-the-aristocracy-preserved-their-power>, accessed on April 27, 2021.

coercive mechanism but through the market.”²⁸ As rightly observed, “Under Capitalism, all farms, factories and other means of production are the property of private individuals and firms.”²⁹ Capitalism, has been noted to be a form of economic system that creates a class distinction or polarizes the have’s against the have nots or breeding greed and materialism.³⁰ To the extent that capitalism potentially encourages exploitation of the less privileged by the more privileged ones, it falls short of being a commendable system. Tupocracy focuses on ideals of equality and respect for others and these ideals are to be exemplified by the leaders.

Communism

Another popular form of government is communism. Communism does not primarily strike at the character or style of any leader, rather it focuses on the distribution of resources in society. In expatiating the subject, Struhl stated as follows:

Communism can be understood as a form of social organization, a set of ideals, and a movement toward those ideals and the kind of social organization that would embody them. As a form of social organization, communism would abolish private property in the means of production, articles of consumption, or both. In so doing, it would try to realize such ideals as a rationally ordered and just society,

²⁸ Antonio Argandona, “Capitalism”, Available at <http://paper.ssrn.com/capitalim>, accessed on April 26, 2021

²⁹ Deepali Pal, “Capitalism: Meaning, Features, Merits and De- Merits”, available at <https://www.economicdiscussion.net/capitalism/capitalism-meaning-feature-merits-and-demerits/14124>, accessed April 26, 2021.

³⁰ Tejvan Pettinger, “Problems of Capitalism”, Available at <http://www.economicshelp.org>, accessed on April 27, 2021

a society that prioritizes communal and social welfare, a cooperative and caring community that transcends individual competition and egoism, and an egalitarian and class-less society.³¹

Communism has also been seen as a political and economic system that seeks to create a classless society in which the major means of production, such as mines and factories, are owned and controlled by the public. There is no government or private property or currency and the wealth is divided among citizens equally or according to individual needs³². It has been argued that the efficient distribution of resources in the communist society and the sense of cooperation allows for efficiency in resource distribution.³³ Conversely, it has also been argued that the economic reforms in communist countries can hardly succeed without corresponding changes in the political system in that economic reforms touch state ownership, they usually become politically sensitive.³⁴ Communism as a system is dictatorial in nature and mostly practiced in a one party state.³⁵ Tupocracy, as shown, deals more with exemplariness and integrity which are all

³¹ Karsten J. Struhl, 'Communism', available at https://www.google.com/url?sa=t&source=web&rct=j&url=https://www.researchgate.net/publication/295919410_Communistism&ved=2ahUKEwiWi93-mtjsAhXQPsAKHXRQA9YQFjABegQICBAC&usg=AOvVaw0uN7eEgbnVZgyllIPOjn4g&cshid=1603920157635, accessed on April 27, 2021.

³² Terence Ball, "Communism Ideology", available at <http://www.britannica.com>, accessed April 28, 2020.

³³ International Business Services, "The Benefit of Communism", Available at <https://courses.lumenlearning.com/suny-internationalbusiness/chapter/reading-the-benefits-of-communism/> accessed on April 28, 2021

³⁴ Yizi Chen, "Problems of Communism and changes in China", *Journal of Contemporary China*, Volume 2, 1993 – issue 2, 2 April, 2007, Available at <http://www.tandfonline.com/doi/abs/10.1080/00098655.1961.11477628?src=recsys>, accessed April 28, 2021

³⁵ Ibid/

essential attributes that can give greater legitimacy to a communist government.

Theocracy

In practice, theocracy refers to a government operated by religious authorities who claim power in the name of God or supernatural forces.³⁶ A country with a theocratic form of government only believes that God, or a supreme being, should be the centre of government and is represented by a religious, or spiritual, individual or a small group of spiritual leaders.³⁷ Accordingly, theocracy tends towards leadership that is based on religious or highly moral principles.³⁸ However, theocracy has been criticized as having the possibility to promote religious fanaticism which may be inappropriate in political settings.³⁹ Theocracy, being a form of political arrangement operated with ecclesiastical principles, is a fertile ground for Tupocracy to thrive on since the core ideals of integrity, accountability, fairness, justice and prudence expected of a tupocrat are indeed divine attributes.

Democracy

The focus of this work is on how to deepen Democracy through Tupocracy. Thus, greater attention will be given to the subject of democracy. There are several definitions of Democracy and scholars do not have any unanimity on the subject. Commenting on the subject Osabu-Kle said:

Democracy has been defined in various ways by different people including government of the

³⁶ Tom Head, "The Definition of Theocracy", Available at www.thoughtco.com/definition-of-theocracy-721626, Accessed on April 29, 2021

³⁷ Crystal Lombardo, "Pros and Cons of Theocracy", Available at <https://visionlaunch.com/pros-and-cons-of-theocracy/> accessed on April 29, 2021

³⁸ See the definition by B. A. Garner, *Blacks Law Dictionary*, (7th Edition, United States of America: West Group, 1999)1487 where the author emphasizes that the government is exercised by ecclesiastics.

³⁹ John A. Rees, "Why 'theocracy' is a Failed Concept in IR", Available at www.e-ir.info/2015/12/21/why-theocracy-is-a-failed-concept-in-ir/ accessed on April 29, 2021

people, by the people and for the people, government with the consent of the governed, and a form of regime that derives from popular sovereignty in which ordinary citizens are endowed with the right and ability to govern themselves.⁴⁰

Larry Diamond, describes democracy as a system of government with four key elements:

- I. A system for choosing and replacing the government through free and fair elections;
- II. Active participation of the people, as citizens, in politics and civic life;
- III. Protection of the human rights of all citizens; and
- IV. A rule of law in which the laws and procedures apply equally to all citizens.⁴¹

Democracy has also been seen as a system which “places emphasis on the availability of opportunities for the people to control their leaders and to change them without recourse to a revolution.”⁴²

⁴⁰ Daniel Tetteh Osabu-Kle, “Democracy and its Practice: A General Theory of Democratic Relativity”, available at https://www.google.com/url?sa=t&source=web&rct=j&url=https://carleton.ca/africanstudies/wp-content/uploads/Democracy-and-its-practice-A-general-theory-of-democratic-relativity.pdf&ved=2ahUKEwi8luSbjNjsAhXQilwKHdY1CdMQFjAKegQIBxAB&usg=AOvVaw25dlMjuXc3i_sxzAWTnGWF&cshid=1603915971135, accessed April 29, 2021

⁴¹ Larry Diamond, “What is Democracy”, available at <https://diamond-democracy.stanford.edu/speaking/lectures/what-democracy>, accessed April 29, 2021.

⁴² G.A.I. Nwogu, "Democracy: Its Meaning and Dissenting Opinions of the Political", Available at accessed on April 29, 2021

Another conception of Democracy is that which describes it as “a system of government in which laws, policies, leadership and major undertakings of a state or other polities are directly or indirectly decided by the “people”, a group historically constituted by only a minority of the population”.⁴³ Democracy, though a system that encourages some sort of consensual decision making processes, as against dictatorial approaches; could also slow down decisions as the required majority consent quota may not be readily attainable. Democracy is primarily a system of government that allows for greater accountability from leaders in a lot of ways.⁴⁴ Commenting on the nature of democracy Justice Musdapher said:

Democracy’s world is rich and multifaceted. Democracy should not be viewed from a one-dimensional vantage point. Democracy is multidimensional. It is based both on the centrality of laws and democratic values, and, at their center, human rights. Indeed, democracy is based on every individual’s enjoyment of rights of which even the majority cannot deny him simply because the power of the majority is in it hands.⁴⁵

Tupocracy, being a system that calls for exemplary leadership, is largely compatible with democracy. As the main founder and protagonist of the term tupocracy said himself: “Tupocracy” operates best within the framework and on the ideals of Democracy.”⁴⁶

⁴³ Robert A. Dahl, “Democracy” Available at <http://www.britannica.com>, accessed on April 29, 2021

⁴⁴ See for example section 4 (8) of the *Constitution of the Federal Republic of Nigeria, 1999* which forbids the legislature from making any law that stops the courts from reviewing actions.

⁴⁵ Nigerian Supreme Court case of *Amaechi v. INEC & ORS* (2008) LPELR446 (SC)

⁴⁶ A. Amaowoh, op.cit. at page 210.

DEMOCRACY IN NIGERIA: JOURNEY AND EXPERIENCES

Democracy, is one concept that has taken deep roots in the Nigerian political discourse; because from year to year there are scores of criticisms of the practice of the concept in Nigeria.⁴⁷ Several portions of the Constitution of the Federal Republic of Nigeria, 1999 allude to the practice of democracy. For example, Section 7 of the Constitution clearly states that the system of a democratically elected local government is guaranteed. Note that the main clause that entrenches democracy for all strata of governance is buried in section 14 under the unenforceable provisions of chapter 2 of the Constitution.⁴⁸ Section 14 of chapter 2 the Constitution of Nigeria Provides as follows:

1. The Federal Republic of Nigeria shall be a State based on the principles of democracy and social justice.
2. It is hereby, accordingly, declared that:
 - a. Sovereignty belongs to the people of Nigeria from whom government through this Constitution derives all its powers and authority.
 - b. The security and welfare of the people shall be the primary purpose of government.
 - c. The participation by the people in their government shall be ensured in accordance with the provisions of this Constitution.

⁴⁷Andrella Tersoo, “Most Interesting Moments from Nigerian History of Democracy,” available at <https://www.legit.ng/1144313-history-democracy-nigeria-1960.html> accessed on 24th April, 2021. Here the author argues that no nation is perfect and that Nigeria is still developing and should allowed to develop as against the myriads of criticisms, accessed on April 30, 2021.

⁴⁸ By the Provisions of Section 6(6) (C) of the Constitution, the Courts are not allowed to exercise jurisdiction to compel compliance with all the principles and policies listed in chapter 2 of the constitution. See the Supreme Court case of *AG Ondo State v. AG of Federation & Ors* (2002) LPELR-623(SC). Chapter 2 of the Constitution spans from section 13-24 of the Constitution.

Notwithstanding the above, some other provisions of the Constitution suggest that democracy, at least in principle and law, is recognized in Nigeria.⁴⁹

A lot of scholars or writers are divided on the origin of Democracy in Nigeria since Nigeria has a Colonial history.⁵⁰ It is difficult to speak of democracy under Colonialism. Colonialism presupposes that the people do not rule themselves, but are ruled by external forces; or under the influence or directives of such forces. However, it is safe to say that some democratic principles filtered into the geographical entity now called Nigeria during the colonial era. As an author rightly observed: “Admittedly, each of the colonial constitutions introduced more democratic elements into the governing process.”⁵¹ First with the introduction of the elective principle in the Constitution generally called Clifford’s Constitution of 1922.⁵² The Constitution of 1922 allowed for the election of 4 representatives into the Legislative Council. Pursuant to the above, elections were held on 20th September 1923 for the Legislative Council. Subsequent Constitutions during the colonial era expanded the number of elective positions and greater participation of the governed people in their government.⁵³ Eventually, Nigeria attained independence and the independence constitution was passed in

⁴⁹ For provisions dealing with presidential and governorship elections and elections in general.

⁵⁰ While a lot trace it to 1960 when Nigeria gained independence, some others trace it to 1923 when Nigeria had her first elections pursuant to the elective principle introduced by the Clifford Constitution of 1922. For these polemics see Media Nigeria, “History of Nigeria Elections”, available at <https://www.medianigeria.com/history-of-nigeria-election/> accessed April 30, 2021.

⁵¹ M. Seng, “Democracy in Nigeria”, available at <https://eScholarship.org>. accessed April 30, 2021.

⁵² See Nigeria (Legislative Council) Order- In- Council, 1922 dated 21st November, 1922.

⁵³ The establishment of regions, increase in number of legislative members, federalism and other structures on set the tone for democratic governance. See generally, Media Nigeria, “Nigeria Colonial Constitution”, Available at <https://www.medianigeria.com/nigeria-colonial-constitution/> accessed April 30, 2021.

1960, the day Nigeria became independent of colonial domination⁵⁴ Notably, the constitution made room for a lot of features that laid a solid foundation for the development of democracy. Some core features observed were as follows: “The 1960 independence constitution provided a democratic parliamentary system of government whereby the office of the Head of State is different from the office of the head of government.... The fundamental rights of the citizens were entrenched in the constitution.”⁵⁵

Regrettably, even though the 1960 constitution had a lot of democratic principles and structures it was assented to by the Queen of England.⁵⁶ The 1963 Constitution also brought fresh democratic structures into Nigeria. Notably, the Constitution was enacted, this time around, by the Federal Parliament of Nigeria. It made provision for an elected President as the Head of State and Commander in Chief of the Armed Forces of Nigeria and the decision-making processes was anchored by Nigerians. However, the President was only elected by the Legislators. The Supreme Court of Nigeria became the final Court and Appeals were no longer made to the British Privy Council.⁵⁷

Democracy suffered a serious stroke immediately after the 1963 Constitution as a result of series of political and social dissensions. On January 15, 1966 the Nigerian Military seized the political power of the nation through a bloody coup d’etat. The Military introduced the Constitution (Suspension and Modification) Decree No.1 of 1966. By this Decree, the Constitution largely ceased to be in force; except for such provisions that were revived, modified, or adopted by the military.

⁵⁴ Emmanuel Osewe Akubor, “Independence without freedom: Lessons of history on state and civil relations in Nigeria since 1960” available at https://www.researchgate.net/publication/327845635_INDEPENDENCE_WITHOUT_FREEDOM_LESSONS_OF_HISTORY_ON_STATE_AND_CIVIL_RELATIONS_IN_NIGERIA_SINCE_1960 accessed May 2, 2021

⁵⁵ T. Omipidan, “The 1960 Independence Constitution of Nigeria – Features, Merits & Demerits” Available at <https://oldnaija.com/2021/01/27/the-1960-independence-constitution-of-nigeria/#:~:text=Here are the main features of the Nigerian, government. A federal system of government was retained,> accessed May 2, 2021.

⁵⁶ See *Nigeria Independence Act, of 29th July 1960*,

⁵⁷ See generally, Chestor Morton, “The Major Features of the 1963 Republican Constitution of Nigeria,” available at <https://www.virtualkollage.com/2018/05/the-major-features-of-1963-Republican-constitution-of-Nigeria.html?#1>, accessed May 3, 2021.

Law making and execution became the work of, and at the instance, of the Nigerians who were in the Military.⁵⁸

The period from 1966 to the brief return to civilian rule in 1979 was a unique period in the development of democracy. The period witnessed the Nigerian civil war which claimed so many lives. The war itself was largely caused by allegations of nepotism, corruption and ethnic marginalization which were also variants or byproducts of bad leadership.⁵⁹ After the civil war, there were efforts to reconstruct Nigeria by setting up a Constitution Drafting Committee which ultimately led to the promulgation of the Constitution of the Federal Republic of Nigeria, 1979.⁶⁰

The Constitution of 1979 brought unique features that developed democracy in Nigeria. Notable among the features were the following: Notably, it provided for an executive president, a bi-cameral legislature for the centre, uni-cameral legislature for states and a system of revenue allocation was entrenched, The constitution reflected the 19 states that were previously created in the Country. The Local government as a third tier of government was also introduced. It specified the functions of the local government; a Code of Conduct

⁵⁸ B. O. Nwabueze, *A Constitutional History of Nigeria* (London: Longman Press, 1982) pp 5-30. Here the author makes an extensive elaboration of the subject. The Supreme Court of Nigeria had course to carefully examine the effect of the Military takeover on the Constitution in the case of *Lakanmi v A. G. West* (1971) UILR 201. 2. There in the case the Supreme Court declared a regional Edict illegal for violating rights guaranteed in the 1963 Constitution and went further to declare that the Constitution was Supreme, unless expressly amended or repealed. However, immediately after the decision of the Supreme Court the Military Government passed a Decree to specifically show that Military Decrees are Supreme. See Federal Government (Supremacy and Enforcement of Powers Decree) Decree, 1970. Thus, Democracy was at the whims of the few Military Class at that time.

⁵⁹ C. Ikenwa, "History of Nigerian Civil War (1967-1970) Available <https://nigerianinfopedia.com.ng/history-of-nigerian-civil-war/>, accessed May 3, 2021.

⁶⁰ B. Ogunmupe, "Minority Report and Draft Constitution of the Federal Republic of Nigeria, 1976", available at <https://guardian.ng/art/interrogating-minority-report-draft-constitution-of-1976/#:~:text=As%20part%20of%20its%20transitional%20measures%20towards%20civil,was%20expected%20to%20commence%20on%20October%201%2C%201979>, accessed May 3, 2021.

Bureau was established and it provided for fundamental objectives and directive principles of state policy.⁶¹

The elections were conducted in the country and the military handed over power to the democratic regime.⁶² Regrettably, the democratic regime was greeted with a litany of legal tussles, allegations of corruption and widespread hardship in the country. With effect from January 1984, the Military again forcefully overthrew the democratically elected government, just shortly after the elections of 1983. In addressing the nation on the cause of the overthrow of the democratically elected government, the new military leader, Major General Muhammadu Buhari said as follows:

However, little did the military realise that the political leadership of the second republic will circumvent most of the checks and balances in the constitution and bring the present state of general insecurity. The premium on political power became so exceedingly high that political contestants regarded victory at elections as a matter of life and death struggle and were determined to capture or retain power by all means. It is true that there is a worldwide economic recession. However, in the case of Nigeria, its impact was aggravated by mismanagement. We believe the appropriate government agencies have good advice but the leadership disregarded their advice. The situation could have been avoided if the legislators were alive to their constitutional responsibilities; Instead, the legislators were preoccupied with determining their salary scales, fringe benefit and unnecessary foreign travels, et al, which took no account of the state of the

⁶¹ Nigerian Scholar, “The Nigerian Republican Constitution of 1979”, available at <https://nigerianscholars.com/tutorials/west-african-constitutional-development/nigerian-1979-republican-constitution/>, accessed May 3, 2021.

⁶² B. J. Dudley, “The Nigerian elections of 1979: The voting decision.” Available at <https://www.tandfonline.com/doi/abs/10.1080/14662048108447389>, accessed May 4 , 2021.

economy and the welfare of the people they represented.⁶³

To fast forward this conversation, the military in Nigeria continued in power from 1984 to 1999 when they handed over power to a civilian administration and the Constitution of the Federal Republic of Nigeria, 1999 was brought into effect.⁶⁴ However, a Post Mortem examination of the era between 1984 and 1999 reveals that there were attempts to introduce some democratic structures and there were democratically elected governments especially at the local government levels.⁶⁵

It is pertinent to comment on a few notable issues during the aforesaid period. As usual in previous military regimes, part of the Constitution of 1979 continued to remain suspended and the jurisdiction of the Courts was ousted in respect of any question or challenge to actions taken in pursuance of a military decree or edict or actions by the military.⁶⁶ Interestingly, the Military regime led by General Ibrahim Babangida created two political parties, the Social Democratic Party (SDP) and the National Republican Convention (NRC) for the country and they gave guidelines for political participation and eligibility to hold offices. Notably, certain politicians who were branded as corrupt were banned from participating in the democratic leadership process.⁶⁷

A striking observation is that in a typical democracy, it is the people themselves that come together to form the political parties as against a dictatorial imposition. Another critical event is that the mega presidential election that was conducted on June 12, 1993 which was surprisingly annulled by the regime of General Ibrahim Babangida. The

⁶³ Address by Major General Mohammadu Buhari to the Nigerian Nation available at <http://omokuwa.com/2012/06/history-buharis-first-speech-after-the-military-coup-of-31st-december-1983/>

⁶⁴ Alex Duval Smith, "Nigeria Ends 15 Years of Military Rule", Available at <https://www.independent.co.uk/news/nigeria-ends-15-years-of-military-rule-1077682.html>, accessed on May 3rd 2021.

⁶⁵ See Britannica, "Military Regimes 1983- 1999", Available at <https://www.britannica.com/place/Nigeria/Military-regimes-1983-99>, accessed May 4, 2021.

⁶⁶ Michael P. Sen, "Democracy in Nigeria" available at <https://escholarship.org/content/qt3qk5d1h9/qt3qk5d1h9.pdf?t=nrwqv3>, accessed May 5, 2021

⁶⁷ Yigal Mersel, "The Dissolution of political parties: the problem of internal democracy" available at <https://academic.oup.com/icon/article/4/1/84/728375> accessed May 5, 2021.

Military ruler, after annulling the election decide to “step aside” and he transferred political power to an Interim National Government headed by a Civilian, Chief Ernest Shonekan.⁶⁸ Sadly, after a wobbling start of the interim government another coup was carried out and Late General Sani Abacha became the Commander – in - Chief.⁶⁹

The military regime of late General Abacha was noted for a lot of human rights abuses and serious disrespect for human rights. General Abacha spent a lot of resources to have a Constitution Review Committee and the Committee produced the draft Constitution for the Country in 1995, regrettably the Constitution was left in the cooler as it was never enacted into law by the regime of General Abacha. In the final days of the regime, there were strong indications that the military ruler was trying to succeed himself forcefully as a Civilian President; unfortunately, he died in office in 1998.⁷⁰ Despite all the aggression which General Abacha presented to the world in the fight against corruption during his tenure, there were series of allegations that he and his cronies actually looted the funds of the Nigerian nation and kept them away in foreign banks and the subsequent governments have recovered the monies and assets for Nigeria.⁷¹

Sequel to the death of General Abacha, General Abdusalam Abubakar assumed the position of the Military Head of State for Nigeria in 1998.⁷² General Abubakar’s regime was focused on handing over power to the a democratically elected government. Thus, he set up a Constitution Debate Coordinating Committee (CDCC) with a clear mandate to examine the draft constitution earlier produced in the General Abacha’s

⁶⁸ Out Duke, “From Military Dictatorships to Civilian Governments: power transition in Nigeria’s political History”, June, 2020, Available at https://www.researchgate.net/publication/342600514_FROM_MILITARY_DICTATORSHIPS_TO_CIVILIAN_GOVERNMENTS_POWER_TRANSITION_IN_NIGERIA’S_POLITICAL_HISTORY accessed May 3, 2021.

⁶⁹ IBID 65

⁷⁰ James Rupert, “Gen. Sani Abacha Dies” June 9, 1998, Available at <https://www.washingtonpost.com/archive/local/1998/06/09/gen-sani-abacha-dies/525d7c85-020d-4327-a342-e904104daf1d> accessed May 5, 2021.

⁷¹ David Smith, “Switzerland to return Sani Abacha ‘loot’ money to Nigeria” March 18, 2015 Available at <https://www.bbc.com/news/world-afric-42237752> accessed May 5, 2021.

⁷² Norimitsu Onishi , “Nigeria’s Military turns over power to elected leader” May 30, 1999, Available at <https://www.nytimes.com/1999/05/30/world/nigeria-s-military-turns-over-power-to-elected-leader.html> accessed May 6, 2021.

regime in 1995.⁷³ The Draft Constitution of 1995 formed the raw material which the CDCC used to produce the Constitution of 1999.⁷⁴ The regime of General Abubakar conducted elections in the Country which brought back the civilian rule. Thus, President Olusegun Obasanjo came into office with effect from May 29, 2021 which was eventually taken as democracy day in the Country for many years.⁷⁵

The longest and uninterrupted period of democratic and non - military governance in Nigeria has been from 1999 until date. It would therefore literally form a better test case for measuring or evaluating democratic governance in Nigeria. The 1999 Constitution was largely a replication of the 1979 Constitution.

The Constitution contained novel provisions, some of which sprang from the recommendations of the 1988 and 1994 constitutional committees. Among such new provisions is the right to own immovable property anywhere in Nigeria. This is now a fundamental right in section 43 of the 1999 Constitution. The Constitution made provisions for duties of citizens under section 24 of the 1999 Constitution.

The Constitution further brings some innovations in the area of public revenue. Unlike the 1979 Constitution, which merely gave the National Assembly the power to prescribe the terms of distributing revenue among the levels of government,⁷⁶ the 1999 Constitution now prescribes a minimum percentage due to the states. The constitution went further to insert the principle of derivation as the basis for distribution of funds arising from natural resources.⁷⁷ A new body was created and recognized by the 1999 Constitution known as the Revenue Mobilization Allocation and Fiscal Commission. The Commission is to among others, advice the President on issues of revenue allocation after

⁷³ John Boye Ejobowah, "Constitutional Design and Conflict Management in Nigeria" Available at <https://www.jstor.org/stable/45193912> accessed May 6, 2021

⁷⁴.Ibid

⁷⁵ Jessica Stahi, "Obasanjo Reflects on His Time in Office", available at <https://www.voanews.com/africa/obasanjo-reflects-his-time-office> accessed May 6, 2021.

⁷⁶ See Section 149 (2) of 1979 Constitution

⁷⁷ Section 162(9)

which the President will place proposals on revenue allocation before the National Assembly.⁷⁸

The innovations in respect of public revenue have extended to the judiciary. A new subsection was introduced to section 162, which caters for funds accruing to the judiciary of the Federation. It provides:

*“Any amount standing to the credit of the judiciary in the Federation Account shall be paid directly to the National Judicial Council for disbursement to the heads of courts established for the federation and states under section 6 of this constitution”.*⁷⁹

The above provision has been justified in the sense that it serves to correct the problem of manipulation of state judiciaries by State Governors.⁸⁰ It is also pertinent to note that the above named National Judicial Council is a novel body which was not in previous constitution.⁸¹ The size of the House of Representatives has been seriously reduced in the 1999 Constitution. Under the 1979 Constitution, the House consisted of 450 members,⁸² but under the 1999 arrangement the house consists of 360 members.⁸³ Under the 1999. 3 Senators represent each State of the federation⁸⁴ whereas in 1970, 5 Senators had to represent each state.

The 1999 Constitution does not contain any restriction on the number of political parties. This means that the 1999 Constitution is in favour of a multiparty system. Unlike the 1989 Constitution, which imposed the restriction of formation of political parties⁸⁵ the 1999 Constitution merely lays down procedure for formation of political parties and the criteria for such formation.⁸⁶

⁷⁸ *ibid*

⁷⁹ Section 162

⁸⁰ Akanda *op. cit.* at page 271

⁸¹ Now in Section 153 (1)(1)

⁸² Section 45 of 1979 Constitution

⁸³ Section 49 of 1999 Constitution

⁸⁴ Section 45 of 1979 Constitution

⁸⁵ Section 220(1) of 1989 Constitution

⁸⁶ Section 222

The question is how did the nation and her leaders handle democracy? The period under review was marked with series of contradictory actions and drama that raised a lot of concerns about the integrity of democracy and some of those occupying leadership positions in Nigeria. A few of the instances are worth mentioning. In the first place there were series of rapacious disrespect of the Constitution. Immediately the administration of President Obasanjo came into power there were lots of calls for the rejection of the 1999 Constitution, being the foundation of the new democratic regime; because some people felt that it was a military imposition on the people of Nigeria; thus, a Constitution Review Committee had to be set up at the embryonic stage of the administration.⁸⁷ As Christian Ita wrote:

Even before the present administration of President Olusegun Obasanjo came to be, Nigerians had variously and at different fora condemned the 1999 constitution which was produced during the regime of the late Head of State, General Sani Abacha. Apart from the fact that Nigerians made little or no input in its drafting, Nigerians felt that, by its provisions, the constitution was not tailored for the practice of true federalism. It was also argued in some quarters that it was made to suit the late head of state's self-succession bid. Some even alleged that no less than three versions of the same document had existed prior to the promulgation of one of them into law by the General Abdulsalami Abubakar regime.⁸⁸

Aside from the process of producing the constitution, there were strong allegations that the Federal Government of Nigeria was not complying with the Revenue Allocation formula enshrined in the Constitution. This generated a lot of controversies and strain in the relationship between the Federal and State governments and the

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⁸⁸ Christian Ita, "Nigeria: Intrigues And The Constitution Review Committee", Available at <https://allafrica.com/stories/200012130120.html>, accessed May 7, 2021.

matter landed in the Supreme Court of Nigeria.⁸⁹ An important aspect was that of the alleged usurpation of powers of the some arms of government. A critical canon for successful democratic governance is separation of powers backed up with checks and balances. There were also allegations that the President, who headed the Executive arm of government was usurping the powers of the Legislature by making certain laws which should have been the exclusive right of the Legislature being the National Assembly. This issue was also resolved by the Supreme Court.⁹⁰

One other heated controversy was on the tenure of the reckless removal of elected Local Government Council Chairmen at the whims and caprices of Governors and setting up of Caretaker committees. In the Case of *Eze & Ors v. Governor of Abia State & Ors*⁹¹ the Supreme Court said:

Section 7(1) of the Constitution states that: “7(1) The system of Local Government by democratically elected Local Government Councils is under this Constitution guaranteed; and accordingly the Government of every State shall, subject to Section 8 of this Constitution

⁸⁹ See the case of *AG Federation v. AG of Abia State & Ors (2001) LPELR-24862(SC)* where the Supreme Court interpreted the provisions of Section 162 of the Constitution of Nigeria and directed compliance with all the constitutional provisions on Revenue Allocation in Nigeria.

⁹⁰ *AG Abia State & Ors v. AG Federation (2003) LPELR-610(SC)*. In the case, the Supreme Court said:
“Thus the President has wide power when modifying any existing law to bring it in conformity with the Constitution. It is true that "separation of powers" is essential to a healthy democracy, the power given the President and also to State Governors in existing law of the State by the Constitution is not an abuse of the principle or doctrine of separation of powers, it is essential to giving meaning to an existing law so that the Constitution itself is not abused. I therefore hold that the exercise of the power to modify the allocation formula in the existing Allocation of Revenue (Federation Account Etc.) Act (Cap. 16, Laws of the Federation of Nigeria, 1990) as amended by Allocation of Revenue (Federation Account Etc) (Amendment) Decree (No. 106 of 1992) is constitutional and within the scope of his right under the Constitution.” Per Ogundare JSC.

⁹¹ (2014) LPELR-23276(SC)

ensure their existence under a law which provides for the establishment structure, composition, finance and functions of such councils." On a careful reading, of the above it becomes clear that it is the duty of the Governor to ensure that the system of Local Government continues unhindered.

Dissolving Local Government Councils and replacing them with Caretaker Committee amounts to the Governor acting on his whims and fancies, unknown to our laws, clearly illegal. It is the duty of the Governor to ensure their existence rather than being responsible for destroying them. It amounts to executive recklessness for the 1st respondent to remove from office democratically elected Chairmen, and Councillors and replace them with unelected Chairmen and Councillors under whatever guise."⁹²

A shameful page in the democratic history was on the integrity of the leaders. There were series of allegations of abuse of office, forgeries and corruption that, if all are to be chronicled can, by itself form an encyclopedia. A few will be mentioned as examples. The then President of the country, Chief Olusegun Obasanjo, unjustly ordered the withholding of the funds accruing to Lagos State Government. The action culminated in the Supreme Court whereupon the President was ordered to release the funds, but the President did not honour the Orders of the Court and it took a lot of public pressure before he complied.⁹³ The Senate President, Senator Evan Enwerem, was exposed as having concealed his previous criminal conviction record. He was eventually impeached as the Senate President after series of objections to his continued stay in office. Honourable Salisu Buhari who served at the Speaker of the House of Representatives of Nigeria was engulfed in a certificate forgery scandal. Reporting the issue it was stated that:

⁹² *Ibid*, Per Olabode Rhodes-Vivour, JSC (As he then was).

⁹³ Wole Olanipekun, Kola Awodein. Rickey Tafa and Taiwo Osipitan, "Lagos Council Funds - The Facts, Truth and Law", available at <https://www.proshareng.com/news/general/lagos-council-funds---the-facts,-truth-and-law/189>, Accessed May 7, 2021.

The speaker of Nigeria's house of representatives, Salisu Buhari, broke down in tears as he formally resigned following press allegations of forgery and perjury. His decision comes after days of mounting pressure during which he has consistently denied the accusations made against him. In an emotional speech to assembly members, Mr Buhari said: "I apologise to you. I apologise to the nation. I apologise to my family and friends for all the distress I have caused them. "I was misled in error by zeal to serve the nation," Mr Buhari said. "I hope the nation will forgive me and give me the opportunity to serve again."

Several persons who served as Governors were involved in corrupt practices and some were convicted and jailed. Some of these were James Ibori of Delta State, Diepreye Alamieyeseigha of Bayelsa State, Bala Ngilari of Adamawa State and Joshua Dariye of Plateau state among others.⁹⁴ Ministers, senators, house members and heads of parastatals all had their fair share dirty scandals bordering on corruption.⁹⁵

Regrettably, Law enforcement officers, who ought to be responsible for arresting and prosecuting offenders, have shown great propensities towards corruption. The Inspector- General of Police, Mr. Tafa Balogun, while serving in office, was arrested and ultimately convicted and jailed for converting public funds to acquire series of properties to himself.⁹⁶

Another variant of corruption and indecent practices is in terms of the electoral processes. The issue of unjust substitution of candidates, impulsive demand for bribery before nomination, rigging at intra party level, rigging during general elections, disenfranchisement of voters, violence during elections, kidnapping of candidates, violence during elections and allegations of bribery of Independent National Election Commission (INEC) officials and many other issues have

⁹⁴ Abdulaziz Abdulaziz, "22 Key Events that Defined the Last 20 Years", *Premium Times*, (Special) Issue June 1, 2019, pp 62-67.

⁹⁵ Ibid.

⁹⁶ Ise-Oluwa Ige & Rotimi Ajayi, "Nigeria: Tafa Balogun Jailed", available at <https://allafrica.com/stories/200511230102.html>, accessed May 7, 2021.

marred the democratic process in Nigeria.⁹⁷ Unfortunately a large number of those that engage in electoral fraud and irregularities get away with it and literarily create distrust of the democratic system of Nigeria.⁹⁸

It is quite unfortunate that with all the expectations that Nigerians had that with the ascension of the President Buhari led administration in 2015 that the issue of corruption would be seriously and eternally stamped out. It was on record that in his military days he launched the ‘War Against Indiscipline’ and arrested and detained the Politicians who were allegedly involved in looting public funds.⁹⁹ This is primarily, not just because, President Buhari was highly rated for having zero tolerance for corruption; but that he himself was highly respect by many for having personal self-discipline and integrity.

Regrettably, the regime of President Buhari has not been spared of the cancer of corruption. There were stunning flip flops about the issue of the first school leaving certificate of the President himself and it led to series of law suits and public denigration of the President.¹⁰⁰ President Buhari has also been accused of outright discrimination and marginalization of certain parts of the Country in his federal appointments. Another aspect which raises the challenge on the integrity of the present democratic administration is on the response to issues of insurgency and killings, especially in certain parts of the country.¹⁰¹

Day in day out, key officers of the administration have been fingered in one corruption scandal or another. For instance, A serving minister, KEMI..... was disgracefully removed on grounds of false information about completion of the mandatory National

⁹⁷ Charles Alfred and Ganiyu L. Ejalonibu, “Current Challenges of Nigeria’s Electoral System”, available at https://www.academia.edu/39698569/current_challenges_of_nigerias_electoral_system, accessed may 7, 2021.

⁹⁸ Hakeem Onapajo and Ufo Okeke Uzodike , “Rigging through the course: the judiciary and electoral fraud in Nigeria,” Available at https://www.google.com/url?sa=t&source=web&rct=j&url=https://www.researchgate.net/publication/272433000_thecourts_the_judiciary_and_electoral_fraud_in_Nigeria&VED= accessed May 8, 2021.

⁹⁹ John Campbell. Nigeria’s War against Indiscipline” October 4, 2016, Available at <https://www.cfr.org/blog/nigerias-war-against-indiscipline>, accessed May 8, 2021

¹⁰⁰ Kennedy Emetulu, “Campaign Hit and Miss: The Mess That is The Buhari Certificate Saga”, Available at <http://saharareporters.com/2015/01/24/campaign-hit-and-miss-mess-buhari-certificate-saga> accessed May 8, 2021

¹⁰¹ Allswell Osini Muzan, “Insurgency in Nigeria: Addressing the causes as part of the solution”, Available at <http://www.saflii.org/za/journals/AHRLJ/2014/13.html> accessed May 10, 2021

Youth Service Corps Scheme, after series of denials and investigations, there were revelations that led to her leaving office. The Senate was seriously accused of corruptly inflating the budget as shown on the budget padding scandal.¹⁰² On the Other hand some senators have been fingered as being involved in bribery scandals in the performance of their oversight functions.¹⁰³ Unfortunately, the issue of corruption has also had a deep stain on the Judiciary as a Chief Justice of Nigeria and several judges in Nigeria have had to stand trial and have been disciplined or removed from office on corruption related allegations.¹⁰⁴

In another development, the Chairman of the Economic and Financial Crimes Commission (EFCC), Mr. Ibrahim Magu had to be removed from office due to serious allegations of corruption.¹⁰⁵ Last of all is the fact the administration of President Buhari has been seriously accused of being selective in who to prosecute, or remove on issues of corruption; because he is accused of courting sacred cows in the administration.¹⁰⁶

HOW CAN DEMOCRACY IN NIGERIA BE DEEPENED THROUGH TUPOCRACY?

With the above illustrations, it becomes very apparent that the major or root cause of the problems of democracy is largely lack of exemplary leadership on the part of those who should give direction to the nation in all ramifications. This is where the issue of tupocracy, as discussed above, comes in. The question is, can democracy as presently experienced in Nigeria be made better by the integration of the ideology or doctrine of tupocracy? Although democracy may not be strange to an overwhelming percentage of Nigerians, what is yet to be experienced is the brand of democracy that the leaders match integrity and accountability with comprehensive and

¹⁰² Adeleke Adegbam, “Nigeria’s Federalism, the fourth Republic and the Parasites in Governance” December, 2017, Available at http://www.researchgate.net/publication/337943391_Nigeria's_Federalism_the_fourth_republic_and_the_parasites_in_governance accessed May 12, 2021

¹⁰⁴ Lawal Ogienagbon, “The Onneghen Challenge” Available at <http://thenationonline.net>, accessed May 12, 2021.

¹⁰⁵ Wale Odunsi, “EFCC: Why Magu is under probe – Presidency”, available at <https://dailypost.ng/2020/07/11/breaking-efcc-why-magu-is-under-probe-presidency/>, accessed May 12, 2021.

¹⁰⁶ Ebere Ndukwu, “How Buhari’s 10 Sacred Cows make the anti-corruption war unbelievable” <https://www.ripplesnigeria.com/buharis-10-sacred-cows-make-anti-c0rruption-war-unbelievable/> April 10, 2021, accessed May 14, 2021.

equitable development. A leader's reputation is based on more than performance. A good reputation also stems from being perceived as honest, responsible, reliable and respectful¹⁰⁷ Regrettably, but it has been rightly observed that many people who condemn corruption also practice it secretly.¹⁰⁸

Looking at the core tenets of tupocracy, which primarily focuses on exemplary leadership, it is strongly possible that tupocracy can be of immense importance in deepening the practice of democracy if the following issues are carefully addressed:

a. Amending The Constitution of Nigeria to Make Some Core Fundamental Objectives and Directive Principles of State Policy Enforceable.

As earlier observed the core ideals relating to democracy, participation of citizens in government, balanced development, equitable spread of political appointments and accountability are all shrouded in the Non-Justiciable provisions of the Constitution. Thus, unless a law is made by the National Assembly to secure the enforcement of such provisions it may be difficult to enjoy some of those benefits or to hold some leaders accountable for them. Urgent steps must be taken to make most of those provisions mentioned above enforceable.

b. The People Need to be Trained to see Leadership as Servanthood

¹⁰⁷ Dwight D. Eisenhower, "Great Leaders Have Integrity" Available at <https://www.sigmaassessmentsystems.com/integrity-in-leaders/> accessed May 14, 2021.

¹⁰⁸ I O. Babatunde, I. O. "Stamping Corruption Out of our System: The Impact of National and International Legislations on Corruption Control in Nigeria", *Journal of Law Policy and Globalization*, (2013) Vol 23 p 101.

Public leadership is primarily servanthood.¹⁰⁹ As Tony Blair rightly rightly said to his campaign team after he first won the UK national elections, “*the people are the masters, we are the servants to the people, we will never forget that*” (Emphasis added).¹¹⁰ There is need to prepare leaders from primary education and the core principles of servant leadership and transformational leadership must be taught to all so that everyone can recognize it and demand for it. Instead of settling for crumbs or peanuts and singing the praises of people who have robbed the nation of her commonwealth.

c. There is Need to Conduct Proper Background Checks and Screening of Candidates for all Types of Leadership Positions.

Beyond the political screening of candidates, law enforcement agencies should be more thorough in screening of candidates the criminal records of candidates to ensure that unregenerated persons do not hold core leadership positions.

d. Adequate Keeping of Records in The Country.

It is sad that a person may be convicted of a crime and such records are not in any uniform electronic data base. In fact, a crime file may never be found to raise objections to a candidature until a person has

¹⁰⁹ Muel Kaptein, “The servant of the people: On the power of integrity in politics and government” Available at [https:// www.research gate.net/publication/266394787](https://www.researchgate.net/publication/266394787) accessed May 16, 2021.

¹¹⁰ Cited in J. Monasch (2002) *De strijd om de macht: politeke campagnes, idealen en intriges* (the battle for power: Political campaigns, ideals and intrigues), Amsterdam: Prometheus, Page 343.

completed his or her tenure in office. There is a deep need to develop uniform electronic data base where the background history of persons can easily be pulled up by appropriate authorities when requests are made. This will make aspirants to public offices to be more conscious of their reputations.

e. Functional Systemic Structures for Discipline

Tupocracy portends that leaders must be self- disciplined and the system must have functional structures for ensuring that people remain integrity savvy. The law enforcement agencies must be made of people of high integrity and they should be prepared to enforce the law equitably.

f. Rewarding Integrity

It has been observed that for decades, anti-corruption strategies have been more focused on the corrupt than appreciating the incorrupt. There is need to objectively and honourably give deserving and transparent awards to those who have good names to their services.¹¹¹ The practice of allowing corrupt people to buy awards with money should be checked.

g. Proper Whistle Blowing Structures

¹¹¹ Roberto Martines B. Kukutschka , “Anti corruption and integrity awards “available at <https://www.google.com/publications/anti-corruption-and -integrity-awards&ved>, accessed May 16, 2021.

Whistle blowers are those who raise an alarm about any wrong doing in systems and organizations. ¹¹² There must be proper channels in place for whistle blowing and for the protection and reward of the whistle blower.¹¹³ When potential wrong doers know that alarms may be raised from multiple angles they will be less incentivized by the evil promptings.

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h. Encouraging Public Interest Litigation

There is need for lawyers to take up, and to be sponsored also to take up, public interest litigation. This is basically the initiation of law suits to correct certain ills, especially for the disadvantaged, ignorant or misinformed members of the public. It can be an effective way of using the law to effect change in society. ¹¹⁵

i. Constituents Should Make Good Use of the Power to Recall

¹¹² Delia Ferreira Rubio Chiat, “Transparency World whistleblowing day: in 2020. There can be no excuse for leaving whistleblowers unprotected”, Available at <https://www.google.com/url?q=https://www.transparency.org/en/news/world-whistleblowing-day-in-2020-there-can-be-no-excuses-for-leaving-whistleblowers-unprotected&usq=> accessed May 17, 2021.

¹¹³ Ana Garrido Ramos, “Whistleblowing”, Available at <https://www.google.com/url?sa=t&source=web&rct=j&url=https://www.transparency.org/en/our-priorities/whistleblowing&ved=> accessed May 18, 2021

¹¹⁴ Habeeb Adulrauf Salihu, “Whistleblowing policy and anti-corruption struggle in Nigeria:an overview”, Department of criminology and security studies

¹¹⁵ Tolulope Anthony Adekola, “Public Interest litigation in Nigeria-A veritable Tool for Good Governance, Available at https://www.google.com/url?sa=t&source=web&rct=j&url=https://www.researchgate.net/publication/307558509_public_interest_litigation_in_nigeria_a_veritable_tool_for_good_governance&ved= May 18, 2021.

Although it is hardly used, the constitutional provision for recalling erring or non-performing legislators should be effectively utilized to ensure that elected legislative representatives remain disciplined and accountable.

j. Proper Practice of Checks and Balances

The respective arms of government should be up and doing in using all the machinery of the law at their disposal to check the excesses from other arms of government. For example, the legislature should not play party politics with impeachment. Once an elected President, Governor or Chairman and such officers commit impeachable offences, they should be removed immediately.

k. Proper Media Reporting

The role of the media is critical in a tupocratic leadership. Accurate reporting of the exemplary strides and appropriate reporting of damnable activities. The media must update the people with the demands per time and help them to evaluate the qualities of democratic culture as demonstrated in all facets of national life.

l. Periodic Briefing by Leaders

For democracy to thrive, constant interface with the people who are indeed the masters of the leaders is critical. There must be statutory timelines for all categories of people to interface with the populace and obtain periodic reviews.

m. Integration Of Good Religious Principles in Governance

The whole concept of tupocracy as framed by the proponent has a biblical template and the core values of stewardship, accountability, loyalty, self- discipline and fairness are also rooted in good religious practices. Nigeria is a country that is largely united by religious practices among those who belief and it is also divided by religious practices where the principles are divisive. Thus, where there are useful universally acceptable principles like love, discipline, respect and justice they could be supported used to bind the consciences of men to gravitate towards the common good of all.

n. Religious And Traditional Rulers Should Counsel Their Subjects to Abide by Good Principles of Leadership.

Religious and traditional rulers should use the natural influence that they have to challenge the leaders to be good models that reflect the good ideals of their religion or tradition. Religious and traditional rulers must not sell their birthrights and succumb to politicians and other categories of leaders because of temporary gains.

CHALLENGES TO ADOPTING TUPOCRACY IN NIGERIA

As lofty and beneficial as tupocracy may be, there are few challenges or limitations that are worth watching out for in order to have a balanced perspective.

a. Religious Prejudices may Adversely Affect its Reception

Although tupocracy has tenets that can be adaptable to other religions, it is founded by a Christian minister of the gospel and some religious fanatics may not be so open to embrace it on the face value due to some long-standing prejudices in Nigeria which is deeply polarized by religion. However, with proper orientation of the populace and the production of positive results from gradual practice, it may stand the test of time.

b. Some Religious Leaders have not Demonstrated Good Examples

Whereas there are sterling historical and contemporary examples of some religious leaders who have epitomized good leadership, the bad character of some religious leaders could create a hiccup in the minds of people when and make it look like it is impracticable to attain the required ideals. Sceptics generally feel that if the Ministers of religion cannot be faithful, then, secular leaders would never be. ¹¹⁶

d. Leadership by Example Could be Relative

Tupocracy seems to be most suitable in a Country where there is a uniform value system, such that, the ideals are already identified and agreed upon on the basis of culture, tradition or religion. Thus, like in a Christian or Islamic state, the people measure the ideals by the teachings of the Bible or Koran. In a multi- ethnic, multi- religious and multi- cultural place like Nigeria, where the value systems are still not agreed upon, it may be difficult to accept the example shown by one school of thought over another. ¹¹⁷ For instance, when President Trump of America ordered the crowd on January 6, 2021 to move to Capitol Hill to protest with strength to compel the law makers not to uphold the election of Mr. Joe Biden his opponent, it was seen by many as an unjust behaviour while others highly praised his courage for ordering the crowd. ¹¹⁸

¹¹⁶ Peter Thacter, “Leading by example” Available at <https://www.google.com/url?sa=t&source=web&rct=j&url=https://bookboon.com/en/leading-by-example-ebook&ved> accessed on May 18, 2020

¹¹⁷ W.C.H Prentice, “Understanding Leadership”, January 2004, Available at <https://www.google.com/url?sa=sa=t&source=web&source=web&rct=j&url=https://hbr.org/amp/2004/01/understanding-leadership&ved=accessed> May 18, 2021.

¹¹⁸ Captain Cassidy, “The Capitol Attack and Evangelical Leaders’ Reactions to It”, <https://www.patheos.com/blogs/rolltodisbelieve/2021/01/06/the-capitol-attack-and-evangelical-leaders-reactions-to-it/>, accessed May 18, 2021.

e. Tupocracy Appears to Create Too Much Dependence on Leaders Without Equipping Followers

Tupocracy, if not well managed could make followers have the “we-they” mentality, where they see rendering services as the leaders problem.¹¹⁹ While emphasizing exemplary leadership, it is important to know that visions and styles developed with a team spirit creates corporate accountability and a lot of people would rather want to know the right and do the right without waiting for someone to model it.¹²⁰ Sometimes in normal life it may be impracticable to find ideal leaders, but perfection is a virtue to be pursued and a lot of seemingly imperfect leaders learn from their blunders and bounce back better.¹²¹ An author rightly observed as follows:

Nobody is perfect, you can't create the ideal leader. We all want leaders who engage us in a compelling vision, have integrity, are authentic, transparent and are kind and fair. The list (of desirable traits) is endless. But at the end of the day, leaders are human beings.¹²²

In the light of the above, tupocracy will best thrive in environments where the people are already trained to imbibe the great character traits; possibly, before assuming the seat of power.¹²³

¹¹⁹ It was John F. Kennedy who said: “Ask not what your country can do for you- ask what you can do for your country.” See John F. Kennedy Presidential Library and Museum,” Ask not what your country can do for you...”, Available <https://www.jfklibrary.org/learn/education/teachers/curricular-resources/elementary-school-curricular-resources/ask-not-what-your-country-can-do-for-you>, accessed May 20, 2021.

¹²⁰ Derek Pangelianan, “The problem with leadership by example,” August 20, 2017 Available at <https://www.google.com/url?sa=t&source=web&ect=j&url=https://magazine.vunela.com/the-problem-with-leading-by-example> accessed May 20, 2021

¹²¹ Mitch Mccrimmon, “The Ideal Leader”, Available at <https://www.google.com/url?sa=t&source=web&rct=https://iveybusinessjournal.com/publication/the-ideal-leader/&ved=>, accessed May 22, 2021

¹²² Jennifer V. Miller, “There is no such thing as an ideal leader” Available at <https://www.google.com/url?sa=t&source=web&rct=j&URL=HTTPS:people-equation.com/there-is-no-such-thing-as-an-ideal-leader/&ved=> accessed on May 24, 2021.

¹²³ See for Example, *Berean Study Bible*, in dealing with qualifications for the office of a Bishop in 1 Timothy 3 verse 6:

“He must not be a recent convert, or he may become conceited and fall under the same condemnation as the devil.”, Available at https://biblehub.com/bsb/1_timothy/3.htm, accessed May 26, 2021.

CONCLUSION

This work directly examines how the novel concept of tupocracy can be used to deepen the democratic experience of Nigeria. It has traced the origin of the concept and juxtaposed it with some basic systems of government. The work found that tupocracy does not necessarily have structures like some types of government discussed in the work; rather it is a governmental ideal to be applied within the milieu of a governmental framework. Tupocracy is a call for leadership by example and it insists on leaders walking the talk as an exemplar for the followers.¹²⁴

The work proceeded to make an exegesis of democracy in Nigeria through the period that Nigeria has existed as a political entity to the present administration. In examining the democracy in Nigeria, the work has shown that a teething and recurrent issue has been that of corruption and questionable traits by the most of the leaders in the respective arms of government. The work has shown that the nation has deeply lost internal and external respect due to the reputation of the country.

The question of how tupocracy can be used to deepen democracy in Nigeria has been addressed and the work abundantly showed ways of doing so. To balance the work, the writer has shown that there are challenges that may make it difficult to practice tupocracy in Nigeria due, among others, to the complicated religious differences in Nigeria and the fact that Nigeria has not yet raised leaders that can fit into that ideal mould.

A clinical examination of this study would reveal that the prospects far outweigh the challenges; but for effectiveness there is need for the country to come together, at least, to have a workable constitution where the ideals can be properly agreed upon and how to raise such brand of leaders so that the recommendations highlighted in the work can be properly implemented.¹²⁵

¹²⁴ Ibid.

¹²⁵ Vijay Sharma, “ Introduction of Leadership with Examples”, Available at <https://www.google.com/url?sa=t&source=web&url=https://www.klientsolutech.com/introduction-of-leadership-with-examples/&ved>, accessed May 30, 2021.

