



## ACCOUNTABILITY IN NIGERIA'S DEMOCRATIC GOVERNANCE: ISSUES AND CHALLENGES

<sup>1</sup>Abdulrahman Adamu & <sup>2</sup>Salisu Ogbo Usman

<sup>1</sup>Department of Political Science, Federal University Gusau, Nigeria

<sup>2</sup>Department of Political Science, Kogi State University Anyigba, Nigeria

Email: [abduladamu6@gmail.com](mailto:abduladamu6@gmail.com), [usmansalisuogboog@gmail.com](mailto:usmansalisuogboog@gmail.com)

### ABSTRACT

This paper looks at the issues and challenges facing Nigeria's democratic governance with focus on accountability which has been regarded as the alpha and omega in a democratic setting. This is because any government that lacks accountability lacks everything as accountability provides opportunity for checks and balances between and amongst the various democratic institutions. This paper argues that there is absence of accountability in almost all the institutions of democracy in Nigeria which had led to the high rate of corruption witnessed in the country in recent time. The paper concludes that until Nigerian public officials see accountability to the citizens as an important factor in the governance of the nation, Nigeria will continue to remain underdeveloped economically, politically and will find it difficult to achieve the goal of providing dividends of democracy to the people. Theoretically, the approach taken in this research is to recognize the political institutions as organs through which political activities are carried out on behalf of the people. The approach also focused on how the relationship between citizens and these institutions provide a principal-agent related result. Methodologically, this paper adopts qualitative method through the use of secondary source of data for its analysis.

**Keywords:** Challenges, Democracy, Institutions, Governance, Accountability

### INTRODUCTION

Democracy has become widely recognized as prerequisite for sustainable development and this is so because democratic governance fosters transparency, accountability, rule of law, respect for human right, civil participation and civil inclusiveness, all which are necessary for securing economic productivity, equitable distribution and state legitimacy (Adamu 2017:1). In democracy, it is a known fact that the state as well as whatever that goes with it politically is considered to be the business of the people directly or indirectly. This is one of the reasons why defining democracy is not free from firm emphasis about the involvement of the people (Hibbing and Theiss-Morse, 2002; Shima 2004; Susan 2005). Importantly, the philosophy of decentering from the serfdom thinking that people are state's property rather than perceiving the people as being owned by the state in this context, exponents of social contract theory are of the opinion that the state or government is a product of consensual arrangement amongst people (Gaubu, 2003). Noteworthy therefore is that, it is not the classical Greek epistemological definition of democracy, but the utmost relevance being accorded to consent of the people as underlying element of the concept across times. According to Dicey (2008), it will be unwise and makes no sense in a democracy to enforce any laws not approved by the people themselves. For Bryce (1921), democracy is the rule of the people expressing their sovereign will. The domain of exegesis is not whether or not everybody within the given political entity should be given the approval to government. The fundamental issue here is that the power of the people to interrogate the polity is a cardinal rite in democracy. Meanwhile, democracy should be



seen as the mantra of social order, that is, it was supposed to contain all these interactions essentially with the view that politics should be seen as the reconciliation of conflicting interests (Akindele, 2012). This, therefore, cannot be wholly ruled out of context to define democracy in the light of Schumpeter (1976) who in his critical thought, agrees that there is competition for decision-making power which is allowed by an institutional arrangement.

Democratic institutions anchored on representation and periodic elections are notably some of the features of the legislature and the executive arms of government. Nonetheless, the working of these organs is a matter of concern. As Huntington (1968) probes, the difference between countries in terms of political development depends largely on the activities of their respective institutions notably, the executive and the legislature. In Nigeria, for instance, the efficacies of political institutions are seen either as structures or procedures which are under question (Ogbeidi, 2012). The question hinges more on relationship between the citizens regarding their roles, duties and the mandates entrusted them by the people. The people see their mandate more in the hands of the legislature and what has come to be called the executive council in Nigeria. The reason is not farfetched; these two institutions are the major players in public policy formulation and implementation; they are the determinants of the state finance; their existence in a democracy is relied solely on the votes of the citizens (Ojo, 2007). However, there is observed alienation of these organs from the people which has caused a diminishing effect on the trust and support they should get from those for whom they exist. Ogbeidi (2012) opines that official wrong doings are not easily approved by citizens in Nigeria because of the high level of corruption in the system. Thus, even while citizens become dissatisfied with political activities, as principals, addressing their agents becomes a serious burden of its own. That notwithstanding, political accountability, challenging as it seems in the view of (Ogbeidi, 2012), is an important value of modern democracy. It is a method and system upon which liberal democracy works apart from others such as majority rule, government by consent, minority rights and so on. To this end, government must and should constantly remain answerable to the people who created it (Gaubá, 2003). He asserted further that, even John Locke who thought of government as a trustee of the power vested in it by the people for the protection of their natural right to life, liberty and property, nevertheless, felt that it could not be fully trusted. He wanted people to remain constantly vigilant thereby making those in positions of authority accountable (Gaubá 2003). Therefore, the need for accountability becomes imperative and cannot be overestimated. This is more so as it affects the procedural character of such important political structures as the legislature and the executive. This study will examine the procedural arrangement available in the legislature and the executive to make them practically accountable to the electorate in Nigeria.

### **Literature Review**

The concept of accountability has a long tradition in both political science and financial accounting. In political science, John Locke's theory of the superiority of representational democracy built on the notion that accountability is only possible when the governed are



separated from the governors (Grant and Keohane, 2005). It was also a major concern for the fathers of the American constitution, and few areas have been as fundamental to thinking about the political system in America as accountability. The central idea from that time still lingers: when decision-making power is transferred from a principal to an agent, there must be a mechanism in place for holding the agent to account for their decisions and if necessary for imposing sanctions, ultimately by removing the agent from power. In accounting, the concept's long tradition is more limited in scope, referring to financial prudence and accounting in accordance with regulations and instructions (Barton, 2006), but the principle of delegating some authority, evaluating performance and imposing sanctions is essentially the same. Accountability is one of the cornerstones of good governance; however, it can be difficult for scholars and practitioners alike to navigate the myriad of different types of accountability. Accountability is of global demand. It is crucial to the establishment and maintenance of the effective and legitimate governance that the present-day world vitally needs. In the absence of suitably accountable global-scale and metropolitan regulation, Scholte (2012) posits that, humanity today suffers major deficits in the provision of global public goods such as communications, infrastructure, ecological integrity, financial stability, disease control, peaceful dispute settlement and potable water. Scholte's accountability is understood principally as a means to constrain power and make it responsive to the people that it affects, especially people who tend otherwise to be marginalized and silenced. This emphasis on democratic accountability contrasts in particular with a widespread contemporary discourse of good governance, in which accountability often figures primarily as a means to promote financial responsibility and efficient performance.

According to Rick and Mitchell (2005), accountability exists when there is a relationship where an individual or body, and the performance of tasks or functions by that individual or body, are subject to another's oversight, direction or request that they provide information or justification for their actions. In the view of Rick and Mitchell (2005) therefore, the concept of accountability involves two distinct stages: answerability and enforcement. Answerability refers to the obligation of the government, its agencies and public officials to provide information about their decisions and actions and to justify them to the public and those institutions of accountability tasked with providing oversight. Enforcement suggests that the public or the institution responsible for accountability can sanction the offending party or remedy the contravening behavior. As such, different institutions of accountability might be responsible for either or both of these stages. Accountability can be understood to have four principal aspects: transparency; consultation; evaluation; and correction. These applies whether the accountable agent is a global governance institution or any other kind of actor be it a state, a corporation, a political party, a civil society association, a media organ or an individual. Other analysts have developed other fourfold conceptions of accountability on broadly similar lines, albeit with some different emphases (Coleman and Porter 2000; Blagescu *et al.* 2005; Ebrahim and Weisband 2007).



According to Jeremy (2014), accountability is used in two main ways in political theory, only one of which has the fundamental importance for democracy. The first meaning is Forensic-accountability. On this conception, “accountability” denotes the liability of a person to have his actions assessed by a tribunal on the basis of some established norm, such liability being predicated on the availability of a process, formal or informal, to assess his actions in that way. The classic case is that of a person who may be brought before a court: a tyrant or a kleptocrat may be brought before a tribunal to answer for some offenses against the people subject to his rule. The second meaning is Agent-accountability. On this conception, “accountability” denotes the duty owed by an agent to his principal, whereby the principal may demand from the agent an account of the work that the agent has been doing in the principal’s name or on the principal’s behalf, enabling the principal by will to sanction or replace the agent or terminate the agency relationship. It is pertinent to note, first, that ranking the various types of accountability in defined order poses a challenge. The differences amongst them are nominal and it makes no sense to use qualitative or quantitative techniques designed for scale or ordinal variables in analyzing outcomes comparatively across sub-types. Second, each type of accountability has its designated functions and is compatible with certain situations only; no one is a panacea for all kind of problems of restraining power.

### **Theoretical and Analytical Approach**

The approach taken in this study is to recognize the political institutions as organs through which political activities are carried out on behalf of the people. The approach is also to focus on how the relationship between citizens and these institutions provide a principal-agent related result. It sees institutions as aggregations of rules that shape individual behavior. The individuals are actors within the institutions, who are capable of reacting rationally to incentives and constraints established by those rules. Thus, most of these individuals are expected to respond in the same way to the incentives (Etzioni, 1963); that is, they are bound by the same rules and common goal. By implication therefore, an institution is a metaphor of its component actors as well as the principles of their operations. Interactions among institutions, and between individuals and institutions, can be considered from the perspective of principal-agent models (Heclo and Wildavsky, 1974). The principal-agent model is also widely used for certain groups of public institutions or organizations. It was close to becoming the standard means of analyzing regulatory policy, especially in the case of the United States (Peters, 1999). In most of these rational institutionalism approaches to political agency, the policy makers are assumed to be the principals. The basic purpose of the rules in the principal-agent model of institutions is about how to make fair and binding deals between those two sets of actors – the principal and the agent. According to Peters (1999), once those deals are made then there must be some means of enforcing the arrangements.

Essentially, this piece takes a turn and considers the legislature as well as the executive as agents and the citizens, principal. To this end, accountability denotes the duty owed by an agent to his principal, whereby the principal may demand from the agent an account of the work that the agent has been doing in the principal’s name or on the principal’s behalf,



enabling the principal to sanction or replace the agent or terminate the agency relationship (Jeremy, 2014). The elementary accountability of an agent to his principal on the ground of this study goes as follows. The people, who are unable or unwilling to do something themselves that they want done, empower the institution (comprising actors representing them but bound by the rules) to do that thing on their behalf. The people are the principal and the institution is their agent, and when the agent's task is complete (or perhaps at regular periods while the task is being performed), the agent is required to give the principal an account of what has been done or what is being done and the principal is empowered to modify or terminate the agency relation in the light of this account (Peters, 1999; Jeremy, 2014). So, in this blend of rational institutionalism and agency accountability model, the citizens actively demands an account from the institutions, as they are entitled to do, because it is their business that is being transacted by the actors within the institutions. Their tax is being spent, their affairs are being negotiated or litigated, and their obligations are being fulfilled. What is being done by the institutions is being done for them. Therefore, the people, voters, tax payers, or citizens – should play the ownership role: ability to interrogate, sanction, replace, terminate, reward or renew the relationship.

### **Institutions and the working of Democracy in Nigeria**

The history of democracy in Nigeria can be traced to the episodes of 1960 to 1963, 1979 to 1983 and 1999 to date; its democratization project cannot be unconnected with the emergence of political parties in the 1920s. The 1922 Clifford constitution lifted the ban on political activities and paved the way for NNPP, NYM, NPC and other political parties to ferry the country with government and leadership agenda, Coleman cited in Adamu (2017:45). Meanwhile representation was only exclusive to Lagos and Calabar in the legislative council of which the focus was less on popular participation of the citizens; neither was the council accountable to people nor were the people involved in the making of important socio-economic and political decisions. The interest of the colonialist vested in an administrative structure or bureaucratic institutions that would enhance economic gains for the so-called mother-nation. Thus, even while political parties came up to play their role of aggregation of mass interest and to recruit leaders for the polity, and later: media houses which were to facilitate public awareness, all that could be attained were a form of vestibule of political training in colonial norms and values at the expense of the interest of Nigerian citizens (Adamu, 2017:45). The presence of democratic institutions such as political parties as indicated earlier and media outlets like the *West African Pilot* etc. did not ensure optimum participation and freedom of expression, or even consent of the people in state affairs, so the state was alienated from the people. More so, the political parties themselves as well as their media counterpart, rather than performing their traditional functions on the verge of the country's monolithic aspiration, transformed into instruments of divisive ethno-regional pursuit of interest. This legacy was the inheritance bequeathed Nigeria by the divide-and-rule policy of the British Council as enshrined in the subsequent federalizing constitutions that broke the country into four un-affective regions up to independence (Iyare, 2004). Thus, at independence, the colonial



institution and the constitution it left for Nigeria ushered in a civil kind of rule that was to be dictatorial and self-serving.

Of course, the coalition government of 1960 still harbored the regional biases indoctrinated in it by the parties that formed it. Torkaa (2004) argues that the NPC controlled the federal government soon after the independence and internal uprising greeted the system, especially from the regions. Then the ruling party took a mistaken advantage of events. For example, the then executive, instead of adopting democratic means, used the armed forces during the Western region crisis of 1962 in support of the NPC-favoured faction of the AGP. Similar situations were recorded in 1963, over census; and in 1964 over elections. These gave the military, particularly an impetus that it was the best institution needed to save the nation from collapsing as a result of the emerging outrage of conflicts. Torkaa (2004) further argued that the saviour status accorded the military by the democratic state immediately after independence accounted for overthrow of the latter by the former. And to him, further democratic history of Nigeria always counted on the principles and institutions crafted by the military regimes. The 1979 and 1999 episodes of democracy were staged on the political landscapes designed by the military. Both constitutions were of the military making, thus the institutions – legislature, judiciary, executive, electoral umpires etc. – were arguably more of military orientation than representing popular entitlement for all citizens in the polity. Nevertheless, the role played by the military in the democratic project of Nigeria is negative. The about twenty-nine years rule (Elaiwu, 1979; Adejumbi and Abubakar 1999) distanced the people from democratic norms and values; most significantly, the 1993 annulment of an elections adjudged freest and fairest till date not only implied to electorate that their votes did not count, but also indicated that the electoral institutions are no deciding factors in who takes the polls. It also relayed to Nigerians that the national unification and cohesion displayed in that election was entirely irrelevant. Adejumbi and Abubakar (1999) clearly stated that the military mentality which has to do with the use of force instead of resulting to dialogue and consultation, forcing of choice on civilians as well as abuse of freedom were inherited from the colonial administration whereby the Governor Generals were retired military officers who have been offered the conqueror's assignment to the colonies. This, in his view, has been going down across Nigeria's history to date.

Apart from the colonial and the military institutions, the electoral process is also an element to be reckoned with in the democratization bid of Nigeria. Electoral bodies, since independence, have considerable roles in the democratic project of the country. Ibrahim and Garuba (2008) have traced the democratic direction of electoral management body to the post-independence federal Electoral Commission of Nigeria (ECN) of which case the appointments and removal of its chief executive was made by the president on the advice of the Prime Minister. The membership was said to be drawn from the then four regions of the country. The commission was mandated to delimitate federal constituencies, compile voters' register, construct polling booths, print ballot papers, recruit staff, register political parties and candidates, and to conduct elections. Soon in 1964, the commission



conducted a general election that was greeted by criticisms and rejection of results from several quotas. The opportunity for the functioning of the electoral commission, which lies in continual practice and re-strategizing was foreclosed by the military rule between 1966 and 1979. In 1976 though, the military regime established the Federal Electoral Commission (FEDECO) and backed it by Decree 41 1977, of which section 4 empowered the commission to become an autonomous body in the discharge of its statutory duties (Ibrahim and Garuba, 2008).

By 1987, the military regime established the National Electoral Commission (NEC) to replace FEDECO with similar functions and additional task of implementing the government's ban on erstwhile political and public office holders from partisan politics. There were other socio-political roles which included collaboration with other institutions at revamping the political culture of the people. The electoral body enjoyed little autonomy and the situation gave rise to a tenuous relationship between its leadership and that of the military government, hence the chief executive officer was removed (Aderemi, 2005). The new NEC did not however, get anything less. The thirteen political parties it recommended for transition election was rejected, and it was forced to make do with only two. Nonetheless, the NEC refused to postpone the June 12, 1993 presidential election and also declared the results of fourteen of the thirty states against all military odds before the government deployed its coercive machineries to stop it (Ibrahim and Gauba, 2008). Essentially, the military manipulation of NEC resulted in series of structural and functional inconsistencies for the electoral authority. Whatever was the case, the election was popularly commended and its eventual cancellation was considered as theft of mandate by Nigerians. The displeasure was carried over by Nigerians till November 1993 when the military regime of Abacha dissolved NEC and replaced it with the National Electoral Commission of Nigeria (NECON). The new body went apparently under the grand manipulation of the government, with all the elections it conducted into councils, states and federal legislatures described as highly ineffective and inefficient (Ibrahim and Gauba 2008). The regime of Abdulsalami Abubakar restructured the electoral body and named it Independent National Electoral Commission (INEC) which conducted elections from 1999 to 2015. Although the first election conducted by INEC in 1999 was excused by many writers. For instance, Olarinmoye, (2008), Aderemi (2005) argues that INEC turned out to be highly susceptible to grand manipulation by the government and seemed to have facilitate electoral fraud in favour of the then ruling party, PDP during elections. This sad development according to (Olarinmoye, 2008), continued up to the April 2007 general elections, largely adjudged by Nigerians as the worst in the history of electioneering in the country. In 2011 general elections, the Independent National Electoral Commission was not anointed either; its autonomy was apparently questioned especially when it got the government granting all the huge episodic financial requests without much ado. More so, the 2011 general elections were considered the costliest election so far in Nigeria. Although it was commended for procedural quality, the election has been said to be marred by massive rigging, reckless use of money as inducement which influenced the decisions of voters, unnecessary deployment of the military personnel to intimidate voters and their perceived opponents alike, in favour of the then ruling party –



the Peoples Democratic Party (PDP) (Akindele, 2012). Basically, electoral authorities in Nigeria have never enjoyed any form of autonomy that could enable them serve their real purposes. What obtains across the Nigerian time and space are situations of instrumental use of electoral institutions by governments. This has been largely associated with the military control system, since it was the military that played the role of establishing the country's electoral institutions from post-ECN days to date. The absence of independence of electoral bodies is enhanced by laws that set them under the heads of states in terms of powers and finances.

### **Issues and Challenges of Accountability in Nigeria's Democratic Institutions**

Many democracies since the dawn of the twenty-first century operate under a minimalist understanding of the term. On this account, democracy requires only a stable, competitive electoral system with broad suffrage, institutionalized political parties and alternations in power (Schumpeter, Przeworski cited in Adamu 2017:50). In contrast though, Susan (2005) challenges this definition and argues that full democracy cannot be attained unless the policy-making process is accountable to citizens through transparent procedures that seek to incorporate public input. In a democracy, individuals and institutions must justify the exercise of power over others, and success in an election is, she argues, insufficient to make this claim. However, little emphasis is often given to broader issues of popular control and government accountability outside the electoral process. This relative neglect has been costly for countries: Susan (2005) made an illustration of Poland and Hungary. The costs are not primarily economic. There is also an increased risk of popular disengagement from political life based on disillusionment and distrust of the state and its officials. Political apathy most times, reduces the efficacy of elections in bringing representation to account by way of replacement or termination of its tenure. This is because low voter's turnout would suggest low competition and possible absence of proper contestation.

Of course, elections provides avenue for substitution of unwanted representation, this is more so where it fulfils maximum attributes of credibility. Aside that, and especially in less developed democracies, elections serve mainly as platforms where politicians propose for representation and the citizen use their votes to assign them the mandate. Accountability deserves greater emphasis than how the transition ensues (Przeworski et al, 2000). It is the mandate paradigm held by the citizens that makes accountability a continuous process rather than periodic as elections make it seem. Fundamentally, voters are skeptical, most policy implementers have pegged terms of office. Thus, putting on stay their stewardship till the end of tenure may have no use. As politicians pursue the mandate, therefore, voters want to be sure that:

1. Their interests and those of the representation are in agreement.
2. Representation pursues the interests in best interest of voters, (Adamu 2017:50).

Impliedly, there is the need for some trappings of accountability outside of electoral arena (Przeworski et al, 2000).

Susan (2005) holds that in a democracy, the government's need for popular legitimacy is much more salient. Contesting elections are not sufficient but should be combined with





procedures that promote accountability on a policy-by-policy basis. The state must take into account the interests and views of citizens – both broad-based attitudes and those directed toward particular policy choices.

However, the minimal state is not one that retrenches the unjustified exercise of power. If the roles of the state are not sufficient, then constitutional and administrative systems need to require the state to justify its actions and ought to enhance its competence. Elections limit the power of individual politicians and political parties, and map citizens' preferences and goals into public policies. But that is only one step toward the construction of an accountable and competent democracy. Under the simple, parliamentary model, the track for citizen influence is only through political parties in the legislature. However, in practice, the cabinet and the ministries make policy under statutory mandates and hence, organized groups and citizens are likely to want to influence these decisions. Major issue of institutional design is how to channel and manage that participation in a way that enhances policy-making accountability without undermining government effectiveness. The options sketched above do this in different ways. The first two use international pressure and independent government bodies, respectively, to limit the role of private groups, reduce bias and provide internal checks. In the third, political parties are important but only through their state and local branches (Kisilowski, 2004). The participatory options seek to incorporate organized groups and citizens directly into the national policy-making process. The social dialogue model does this through officially recognized groups that are members of a statutorily mandated council. The state specifies which groups are allowed to sit at the table but then delegates some decision-making authority to the council. Under the public participation model, the state organizes a more open-ended process to gather public input, interest group views, and expert opinions. Public officials, however, have ultimate decision-making authority. In between is a model of "civil dialogue" that combines the creation of a permanent body of stakeholders with a public agency that has decision-making power (Adamu 2017:52).

## CONCLUSION

Just as democratic support assumes many different forms, so does political representation. Although most representation studies focus on the idea of substantive representation, or the correspondence between the outcomes citizens want and those produced by the government, an equally important component of representation is its procedural dimension. Citizens expect governmental procedures and the processes by which government works to be fair. Procedural fairness is concerned less with outcomes and more with the processes by which governmental policies are made and administered (Tyler 1989; Dahl 1989). According to Tyler (1989:103), irrespective of the policies and the outcomes generated by the government, citizens' evaluations of procedural fairness are based on assessments of whether authorities are motivated to be fair, are honest, and follow ethical principles of conduct, whether opportunities for representation were provided and whether authorities behaved in a biased fashion. Importantly, judgments of procedural fairness or unfairness have heady consequences for citizens' behaviour beyond mere expressions of dissatisfaction with elected officials. Widespread perceptions of



procedural unfairness undermine citizens' willingness to obey laws and authorities, as well as their fundamental perceptions of governmental legitimacy. Finally, until Nigerian political and administrative office holders regard accountability to the citizens as an important factor in the governance of the nation, Nigeria will continue to remain undeveloped economically, politically and will find it very difficult to achieve the goal of democracy through the provision of democratic dividends.

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