





DEMOCRACY IS FREED, BUT HAS POPULAR SOVEREIGNTY SERVED ITS JAIL TERM IN NIGERIA?



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ABSTRACT

Article History

Received: 2 August 2018

Revised: 11 September 2018

Accepted: 15 October 2018

Published: 9 November 2018

Keywords

Democracy

Nigeria

Free and fair election

Sovereignty

Rule of law

Option A4.

Democracy is understandably the most popular form of government in modern times. This work was therefore an attempt to review democratic practices in Nigeria in the current dispensation. The work became necessary in view of the perceived influence electoral violence and electoral frauds have on declining democratic values in Nigeria. The work was largely descriptive and historical in nature. It drew data from mainly secondary sources. It was found out in the work that tenets of democracy such as credible polls, judiciary independence and rule of law have been a mirage in Nigeria. Election results at times do not reflect the wishes of the electorate thus sapping confidence in our democracy. In view of the need to entrench popular sovereignty in Nigeria, it was recommended among others that the Electoral Act 2010 be amended to accommodate option A4 to replace the Secret Balloting practiced today in Nigeria University of Uyo, P.M.B. 1017, Uyo, Nigeria.

Contribution/ Originality: The paper's primary contribution is finding that proving electoral fraud is very difficult in Nigeria.

1. INTRODUCTION

Students offering "Political Ideas" are usually asked, "What is democracy?" One student will very often volunteer a response, "democracy is government of the people by the people, for the people". Many in the class will easily agree with that response and the lecturer will nod in agreement. What those neophytes hardly realize is the full weight and implications of the Abraham Lincoln's Gettysburg address notion of democracy just presented. By saying "government of the people", it suggests political leadership in a democracy should be a collective choice. By saying "government by the people", it suggests no one should get to political office but through votes of the electorate. By saying "government for the people", it suggests that priority of the populace should be the engagement of government. Since the state belongs to the people and the people give life to it, it becomes an obligation for the state to serve the people primarily. Democracy has thus become a household name and doorpost for all sorts of practices and nearly all states including close regimes such as DPRK want to be seen as or at least wear a democratic tag. That is because democracy is associated with civilization, modernity, development besides conveying legitimacy on government. Nations have it at a cost or a platter of gold so to speak.

Nigeria's present democracy got served at a price. But at the country's inception in 1960, democracy came at a gold platter. Six years after flag independence on January 1st 1966, the first military coup crushed our democracy. That blanket on our democracy lasted with punctuation in 1979-1983 but continued till 1999.

Nigeria's fourth republic democracy came at a cost. Recall that civil rights activists such as Ken Saro Wiwa and the Ogoni nine, Wole Soyinka, Gani Fawehinmi, Femi Falana, Dele Giwa, Moshood Abiola etc were detained, jailed or killed for struggling for democracy and human rights with military regimes of General Ibrahim Babangida and Sani Abacha in the 1980s and 1990s. Eventually, on May 29th 1999 the military vacated Aso Rock. Those who sacrificed for democracy were very well aware of its gains- fundamental human rights, reign of justice, popular sovereignty, rule of law etc. The question begging answer is "have Nigeria's democratic gains worth the trouble?" To answer the question, available data and statistics as well as realities on lives of Nigerians will be placed against key democratic tenets. But before that, let's look at the problem of the work.

1.1. Statement of the Research Problem

From time to time, enlightened minds wonder, is Nigeria a democratic nation? Without hesitation, we answer yes! For one thing, the country is led by an "elected" president. And the election has been periodic (every four years) 1999, 2003, 2007, 2011, 2015 since 1999. An incumbent president -Goodluck Ebele Jonathan- has even lost an election during 2015 general elections. Also, different political parties have contested and won "elections" at all levels (federal, state and local of government) in Nigeria. For instance, during the 2015 general elections, Peoples Democratic Party (PDP) lost the presidency to All Progressives Congress (APC). At the state level, APC won in 19 out of the 32 State Governorship election held on April 11th, 2015. So, one can see Nigeria based on regular elections as a democracy. But then, have the tenets of democracy other than periodic election such as free, fair and credible polls, rule of law, independence of the judiciary, public transparency and accountability etc been a commonplace reality or in decline?

To begin, electoral violence has increased in Nigeria in number and spread with each round of election. Transitional general election conducted by the outgoing regime of General Abdulsami Abubakar in 1999 was in the opinion of The Carter Centre and the National Democratic Institute conducted without major violence ([Onwudiwe and Berwind-Dart, 2010](#)). Initial apprehension about military transition had waned by 2003, thus increasing the number of actors in party politics. That increase frightened incumbents and charged the new entrants to prepare conventional and unconventional "win at all cost" strategies breaking into sporadic violence along party, religious and ethnic lines before and after the polls in places like Ekiti, Kaduna and Aba. Character of electoral violence has consolidated. The 2011 general elections violence almost knew no boundary. Peace heavens such as Uyo, Abakaliki, Asaba, Benin as well as gun-powder cakes like Ekiti, Kaduna, Jos, Kano and Ondo erupted spontaneously following the announcement of presidential election result.

Electoral violence is understandably sponsored by interest afraid of loosing election. But an independent court can always redress injustice that result from electoral fraud. Between 1999 and 2010, the courts upturned many unjust electoral victories. For instance, seating Governors in Rivers, Edo, Ekiti, Oyo State etc were removed. These days however, removing a Governor is a tall dream. The Department of State Service (DSS) and Economic and Financial Crimes Commission (EFCC) have arrested and tried alleged compromised judicial officers. In Ekiti on September 25th, 2014 elements allegedly, sponsored by Ayodele Fayose invaded high court in Ado-Ekiti beating and maiming judicial officers who were trying the Governor elect's victory.

Public accountability has declined in Nigeria. But elected and appointed officials at all levels of state have involved in traditional material accumulation. Worried by spate of public looting, the Obasanjo Administration in 2002 established two anti graft agencies. The Independent Corrupt Practices and Other Related Offences Commission (ICPC) and Economic and Financial Crimes Commission (EFCC) charged with the responsibility of stemming corruption tide in Nigeria. High profile Nigerians such as Governors, Senators, Ministers, Captain of

firms, Chief Executives of banks etc have entangled themselves in corruption web. A few have been served justice, but the bulk are sprawling in ill-gotten wealth. One wonders when justice will catch up with these.

Particularly troubling is that at the inception of democracy in 1999, a level of respect of public heritage prevailed. Democratic gains have declined giving rise to conflict over resource management, terrorism, boundary violence, religious struggles, secession struggle and more importantly a sapping of confidence in democracy itself. Socrates noted that an unexamined life is not worth living. Hence, Nigeria needs an examination, a re-examination and in fact a close examination. This effort therefore aims at examining to identify the causes, processes and implications of democratic decline in Nigeria. That is, how perceived declining democratic values affect Nigerians, Nigeria and democracy in Nigeria. Generally this work aims at:

- Appraising the perceived influence of electoral violence and fraud on democratic decline in Nigeria.
- Assessing the perceived influence of independence of courts on the decline of democracy in Nigeria.
- Assessing how violation of court independence contribute to the perceived declined of democracy in Nigeria.

2. CONCEPTUAL REVIEW

We are unable to deceive ourselves on what democracy is in its letters and principles; how democracy is practiced in Nigeria and what we perceive democracy to be. In the letters, democracy is that form of government that vests state power on members of the community who periodically elect people to represent them (Appadorai, 1987). In other words, state instrument in the hands of the governing elites is a trust of the people transferred to them for a tenure. This practice is different from the original practice of the ancient Athenians. In ancient Athens every mature man participated in discussing and voting in support or otherwise of matters brought before the council. Today, large states and vast population understandably cripples direct democracy. Alonge (2010) sees democracy as the “form of government in which power flows from the citizens to the governors; that is, a government based on the consent of the electorate”.

Democracy is very popular, yet it is not really a given. In Nnoli (2010) words, “it is a product of the sweat, toil, creativity, blood and sacrifice of millions of people across space and time in the human struggles for a better life”. Historical figures such as Plato, Aristotle and Edmund Burke and governments past and present have been opposed to democracy and it’s ideals. Struggles of the masses through time have endeared nations and their elites grudgingly but slowly to democratic values. No wonder Abraham Lincoln’s notion of democracy as government of the people by the people for the people have hardly had a rival. Its simplicity, clarity and trueness have even made critics and opponents to kiss the concept.

One ancient saying holds that every good gift comes with responsibilities. Democracy in this sense is not an exception. What are its responsibilities? Writing on the theme, “Who Killed Democracy in Africa? Clues of the Past, Concerns of the Future”, Mazrui (2002) identifies some tenets and goals of democracy to include accountable leadership, popular sovereignty, open society and economy and rule of law and justice. How does Nigeria measure on public accountability? What is the country’s stand on popular sovereignty i.e. free, fair and credible polls. Do Nigerians and residents of Nigeria have faith in the nation’s justice system? Simply put, are Nigerian courts independent? Let’s see what the facts show which will help reveal how democracy is practiced in this republic.

1.2. Facts Sheet on Nigeria’s Democracy

1.2.1. Popular Sovereignty

It is worthy to acknowledge that nations are at different stages of development on all conceivable parameters. Having said that, the beginning point of democracy is ability to vote and be voted for and votes to count. Since the

return to democracy in 1999, Nigeria has conducted 5 general elections 1999, 2003, 2007, 2011 and 2015. The 1999 election was transitional election supervised by the military. That election did not attract much interest because many were not sure the military will transfer power to civil government having aborted previous transition efforts. Besides, there is a general morbid fear about the military in Nigeria because of her brutality history, hence many voters avoided or were very cautious during the elections. Even at that, the elections were adjudged peaceful by some but questioned by others. As noted by Clarke *et al.* (1999) ascertaining the accuracy of election result was a big challenge. The big challenge of 1999, has lingered till now. Note the remark by Amnesty International (2011):

The elections in 1999, 2003 and 2007 show a pattern of political violence. They were marred by widespread political violence, including killings of candidates, intimidation and harassment of political opponents. In 2007 alone more than 200 people were killed in election related violence.

Ballot stuffing, multiple voting, vote buying, switched mandate, harassment of perceived alternative voters at polling booths were common place during the 2007 elections. In many parts of Nigeria results were announced before closure of polls. Violation of election processes was so widespread that the “elected” president, President Umaru Musa Yara’dua noted in his inauguration address thus:

We acknowledge that our elections had some short comings. Thankfully, we have well-established legal avenues of redress, and I urge anyone aggrieved to pursue them. I also believe that our experiences represent an opportunity to learn from our mistakes. Accordingly, I will set up a panel to examine the entire electoral process with a view to ensuring that we raise the quality and standard of our general elections and thereby deepen our democracy.

The 2007 general elections was one of the lowest ebbs of Nigeria’s democratic decline notwithstanding the fact that few reverses were made in courts. In 2011, the situation did not change much. In view of the above, if a question is asked, “did Goodluck Jonathan of PDP really win the 2011 presidential election? Our sincere answer will be, we hope he did! And if the same question is posed about the governorship election in many states, some may doubt some results. Of course, popular opinion may sometimes not hold true. We just had a situation in the United States where Hillary Clinton tipped to win the 2016 US presidential elections based on opinion polls lost to Donald Trump of the Republican Party. In this wise, many persons who lived in Akwa Ibom State during the governorship electioneering between the PDP and ACN in 2011 general elections could doubt the outcome. Why? February 22, 2011 was regarded as black Tuesday in Uyo, the Akwa Ibom State capital. Supporters of the two leading Governorship candidates – Godwill Akpabio (PDP) and James Akpan Udoedehe (ANC) – clashed which led to the destruction of lives and property in a scale that has never been witnessed in a rather traditional peaceful state. To date, one of the buildings that was razed that day still stands opposite the Akwa Ibom State Secretariat Complex along Olusegun Obasanjo Way in Uyo. Many were surprised that the election result did not reflect the fierce struggle by the two titans. It appears, when the chips were down, most electorate preferred continuity to fantastic promises. But this does not mean that the elections were without issues. Of course, there were some issues. For instance, recounting a personal experience on the 2011 general elections, Hon. Dr. Asuquo Udo in his book Udo (2015) writes:

During the 2011 elections, I had three children who just reached the age of voting and they were excited to have their first experience in casting their votes for candidates of their choice. We registered for the elections in our village. Early in the morning on the election day, my wife, the children and I journeyed to the village to take part in the election. To our greatest surprise, there were no election officials on sight anywhere in our unit. On asking questions, about other locations, we learnt that the election materials were late to arrive and the machines were not at optimum performance. I

could swallow the defect but my children were very shocked and started to ask questions about our democracy. When they could not vote as anticipated, yet election results were announced, the children swore never to go out for elections until election processes were perfected.

Udo's family experience is not unique. Perhaps it only reinforces the truth -namely that democracy has been freed in Nigeria since 1999 but popular sovereignty (credible polls) has not yet served out its jail term. If caution is thrown to the winds in general elections that attract so much attention locally and internationally, how much more in local government elections? Little wonder the Leadership Newspaper of November 14th 2017 reported that the November 4th 2017 local government election in Enugu State was not credible, free and fair. To be sure, announcement of election result preceded conclusion of collation of results. But the character of election without electorate is not new in Nigeria. It has hunted us for far too long. One way of noticing this is that the ruling party in each state traditionally wins landslide in local government polls. Winning election without the people is a rape on democracy and human sensibility. It means, the authorities predict how the people would have voted and magically release results accordingly. No one should accept this in Nigeria.

1.3. The Courts

Chapter two of the 1999 Constitution (as amended) under the Fundamental Objectives and Directive Principles of State Policy, notes that Nigeria shall be a state based on the principles of democracy and justice. Temple of justice is independent court. Nigeria's courts range from the Customary Court to the Supreme Court. The idea of an independent judiciary is rooted in the philosophy of separation of powers elucidated by Jean Bodin and Baron Montesquieu who felt that "The Prince ought not to administer justice in person, but should leave such matters to independent judges" (Appadorai, 1987). When the three arms of government are separate but coordinate, checks and balances will prevail. A situation where the Chief Justice of the federation or the Chief Judge of the state has to wait a whole day to see the President or the Governor to approve impress to run courts is unfair. This is the sad reality in Nigeria today. The judiciary must be financially independent in order to further the course of separation of powers and thus a regime of justice. The judiciary is held captive by the executive through appointment of judicial officers, control of judicial financial approvals and releases as well as grading of judicial officers. Judges and the entire judiciary structure have got to serve out justice to all who come before it without fear or favour. But how could that be achieved when the executive seats on appointment and budget of the judiciary? True, the judiciary has just been granted autonomy in Nigeria. But it may be too early to blow trumpets. Let's wait and see how this new found independence is going to translate into concrete realities of speedy dispensation of justice. It is very surprising that the Nigerian Bar Association is quiet on the matter. Judicial activism has crumbled these days. No wonder history has painted an undulated pattern of justice in Nigeria. Enthusiasm for the courts has waned. The December 2nd, 2017 local government election in Akwa Ibom State has made a statement. APC rejected the result as announced by Akwa Ibom State Independent Electoral Commission (AKISEC) yet said it will not challenge the result in court. The then Chairman of the party, Dr. Amadu Atai in a press release in Uyo, observed that the party lacks faith in the court system in Nigeria. The point is, proving electoral fraud is very difficult in Nigeria. A plaintiff is expected to prove beyond all reasonable doubt that irregularities prevailed in majority of polling units which affected the outcome. Since the electoral umpire is usually joined in election suits, the umpire always sees it as a challenge of its competency. Often, the umpire may be reluctant to grant the plaintiff access to materials used for the election to tender in court as exhibit. Meanwhile, the law should have required the umpire to prove that it conducted election according to the law. But it is the other way which thwarts efforts of plaintiff to seek redress often. Recall that in 2009, many Nigerians were surprised how all Nigerian courts freed former Governor of Delta State who was charged on 170 charges of corruption by Economic and Financial Crimes Commission (EFCC). He was arraigned for alleged stealing of \$140 million belonging to Delta State. He was discharged and acquitted by

local courts. Meanwhile, in April, 2012 Chief James Onanefe Ibori was sentenced by a Southward Crown Court in London having admitted to the same offences he denied in Nigeria. The question begging answer is, “how could just one court in UK convict a man who had been acquitted on the same crimes by three courts in Nigeria?” Were the courts in Nigeria influenced? If so, how much were the learned Justices paid? Who mediated? Yes, a long list of proven cases exist to suggest that courts in Nigeria are hardly independent. Such evidences withers the trust citizens have on the temple of justice. Miscarriage of justice may not always be a function of threat or material gain. It could go into ethnic, religious and primordial considerations. Nigerians love justice, Nigerians know justice, Nigerians deserve justice. How often justice is served will boost confidence on the judiciary and halt the speedy decline of faith on the temple of justice and democracy.

1.4. Public Accountability

Public accountability is rooted in the Ibibio saying “Eyeowong asana ubok adia udia ye ikpowo”. You see, the society sees and knows those whose hands are clean. One shares Jeremy Bentham and John Stuart Mill’s notion that the primary purpose of government is to pursue the greatest happiness for the greatest number. That cannot be achieved if public scarce resources are not put to its best and optimum use. We have just reminded us how former Governor James Ibori wrongly enriched himself and cronies. At least he has been served justice, though abroad. The EFCC is battling to recover alleged loots from Patience Jonathan, the former First Lady of Nigeria. Some properties have been recovered from Mrs. Alison Madueke, former Minister of Petroleum Resources. Former Secretary to Government to Buhari, Babachir Lawal, has just been fired for alleged corruption. He awarded contract to his company under the Presidential Initiative on the North-East for grass-cutting to the tune of N240 million. Meanwhile, there is no indication that he has been arraigned. Political position in Nigeria is synonymous with sudden wealth. This wealth comes from the common pause entrusted by the masses but abused by the few. Nigerians have a descriptive name for public pause – national cake. What a name!

The money so stolen would have done much. Nigeria is still very backward. There are roads to be constructed, electricity lines to light homes and power businesses, rail lines to connect industrial hubs and kiss major cities. Our public hospitals and schools lack basic facilities let alone state of the art ones. Each budget passed is a sanctioned loot. Loots are being looted. No wonder Chinua Achebe said that the problem with Nigeria is the failure of leadership. We agree no less with his conclusion because leadership should set agenda and drive vision of the masses. But visionless leaders of Nigeria only dream of partying in Dubai and Paris, driving exotic German cars, buying private estate in Atlanta and Picnicking in the Caribbean Islands. Do they remember that Dubai is built on a desert? That the French have thousand of inventions and patterns? That Germany had resurrected from two world wars defeat to build the largest economy in Europe? And that America like Nigeria was a British Colony but is today leading the entire planet in economy, science, technology and military might? Less we forget, there is consequence for action good or bad, today or tomorrow.

Are there more cases to show plunder of treasury in Nigeria? Sure. Under Obasanjo, Chief Diepraye Alamiyeigha, Governor of Bayelsa State was accused of misappropriation of Bayelsa State funds . He was accused by the EFCC. He ran to London and was arrested by INTERPOL. He jumped bail and ran to Nigeria before being impeached. But ask Bayelsa people if all the alleged misappropriated funds ever got back to the state treasury? They will tell you, “for where”? Today, not all local government areas of Bayelsa is accessible by road yet so much have been wasted by its leaders. Another big well reported corruption case involved former Inspector-General of Police Mr. Tafa Balogun. He was exposed and arrested for embezzling ₦ 128 million police fund in 2005. All the cases cited here mean so much to us. But the one that has left deep cut in our hearts is “Mainagate”. Worried by the quantum of complaints on pension administration, President Jonathan set up a Presidential Taskforce on Pension Reforms in 2010 headed by Mr. Abdulrasheed Maina. The taskforce was to among others identify and bloc pension fraud, clean up the mess in pension administration. Two years on, the EFCC accused Mr. Maina, the taskforce

Chairman himself, of leading a massive pension fund fraud amounting to more than ₦100 billion. He escaped from the country but was sacked in absence, and placed on wanted list of INTERPOL by the EFCC since 2015. Surprisingly, Mr. Maina was smuggled back into the federal civil service with promotion under Present Buhari Watch. Thankfully it was quickly exposed by concerned Nigerians prompting his escape once again in 2017. Very sad! Someone appointed to tackle corruption got into unspeakable corruption scam. You can understand why many Nigerians have negative attitude towards government institutions, personnel and programmes.

1.5. When Will Popular Sovereignty be Freed in Nigeria?

Any child born in Nigeria years ago knew the family and community moral codes very well. Stealing was wrong both in the family and the community. Any person who steals when caught was exposed and punished. It was important to protect the family and community name because bad behaviour affected ones chances of marrying his or her favourite friend in the community. And that was very serious since there was going to be cross investigation of both families into the third and fourth generations. Besides stealing, lying, covetousness, indecisiveness and sexual immorality were condemned and had consequences. It was important to honour ones word even when such turned bad. These values were expected to be carried into business, religion, politics and social engagements.

Lets share a test of virtues experience that came during the 1992 local government elections. At that time Nigeria practiced option A4 and only two political parties -National Republican Convention (NRC) and Social Democratic Party (SDP) were registered. It happened that both candidates for ward 3 in Ibiono Ibom Local Government Area were from one community. The SDP candidate was rich and proud whereas the NRC candidate was a humble community man. He didn't have money to throw around. Many wanted him but some had collected money from the SDP candidate. The election was open ballot. Electorate were required to queue behind their preferred candidate. Overwhelming majority did not collect money hence voted their consciences which propelled the NRC candidate to victory. There were some who collected money but thought the election will be secret ballot as usual which would have allowed them vote for money. When they realized it was open ballot they escaped after accreditation. News came that the SDP candidate went from house to house with thugs, beat them and collected his money or seize any item of value from the house. Make no mistake, every society has a conscience and values. Societal values according to Udo (2015) are principles, standards or qualities considered worthwhile or desirable. The traditional value of honesty, uprightness and integrity hold anywhere.

Rules of engagement have changed today. To begin, the traditional fathers who are supposed to be the custodians of societal values have compromised big time. They decorate questionable characters with chieftaincy titles and allocate choice parcels of community land to them. The church hold special thanks giving service for them and smile to their tithe paid in seven digits. Some universities lavish honorary degrees on them in exchange for cash donation or projects. Socio-cultural organizations, corporate bodies and mushroom centres honour them. So there is general erosion of moral code today. All the sub-systems that make up Nigeria, political, economic, religious and social sub-systems have declined. There seems to be a general breakdown of law and order because moral bankruptcy has fetched Nigeria insurgency, militancy, succession effort, herdsmen rampage, ballot stuffing and orchestrated looting. This is the hard truth today. And every stakeholder has a part to play –electorate, election umpire, government and security services.

Of the four sub-systems of the society, politics is the most critical. This is because government sets agenda and makes rules that govern or regulate the rest. Government also has instrument of coercion. But government is made up of men. To reform government is to reform men. Popular sovereignty therefore will be freed when Nigerians change their minds and focus on building sound moral character. A viable democratic process and condition takes place when the minds of the citizens are properly developed. Internal resolve is essential to focusing the mind on virtues than vices. We agree with Emerson (1965) that the heart of politics and political development cannot be the

framework written in books but people. It must not be forgotten that the foremost input in the successful application of political institutions and processes is the citizens political state of mind. How could one stoop low enough to snatch ballot box? The art and science of election rigging cannot be a man's task. Men spend time to plan and execute the plan. Such precious time could have been spent meeting folks who are to vote in elections. Rather, we rig square pegs into round holes and the result has been maladministration and frustration.

Sense of frustration is everywhere in Nigeria today. No one is safe anywhere in the country not even trained armed men. Jobs are in gross short supply to the most educated and the laymen. Hunger and diseases are the lot of many. On the lips of Nigerians is the question, where military regimes like this? You cannot blame them because campaign promises are not kept by many political public office holders. Hopes are dashed. Kids go to bed hungry. Democracy they preached is here. Their votes don't count and are not counted. Election results are not based on votes but are decided by the top political brass.

1.6. Which Way Nigeria?

Democracy is a cherished form of government. It is not static and must not be static. Rather than conform to any prescribed model say the American, British or French model, democracy is a mirror of politics of a society. Like a typical mirror, it showcases politics as practiced, with a chance to adjust. We agree with [Obasanjo \(2018\)](#) that democracy is sustained and measured not by leaders doing extra-ordinary things, but by citizens rising up to do ordinary things extra-ordinarily well. So, what ordinary thing should ordinary Nigerians do extra-ordinarily well? Firstly, votes should count and be counted. You see, the ordinary Nigerian is still local and traditional. He has not gotten the mastery and discipline of science and technology. Using science products like card-reader, electronic voting is alien and expensive to him. But if he is asked to queue behind or raise hand for candidate of his choice, that's easy and straight forward. By queuing or raising hand for candidate of his choice, he can share in counting and result evident before formal declaration at the polling unit. Ballot snatching is removed since the electorate are the ballots themselves. You do not need the retinue of security details to escort the so called "sensitive" and "non sensitive" materials to election centres. There is the understandable fear of "they will know who I voted for". So what is wrong with that? If I did not collect rice, wrapper or money from a candidate, no one will have the audacity to harass me for not voting for him. It will even reinforce the traditional moral values of honesty and integrity. It will check the "carry go" syndrome prevalent in society today. It will reduce cost of organizing elections. In 1992/93 general elections, the Humphrey Nwosu led electoral umpire midwife option A4 and it worked across board from local elections to presidential election of June 12, 1993. That indigenous system should be revisited especially now that June 12th has been declares a national holiday. This of course, requires that Electoral Act 2010 be amended to accommodate option A4 as a replacement of the extant secret balloting.

Secondly, my yes should be yes, my no no. It is easy. Foundation of moral character is from home. No lie is big or small. A lie is lie. [Dode \(2014\)](#) has told us that actions are products of thoughts. In other words, the human mind is a sponge of his gaze. He is enticed and drawn out to act what he imagines. Theft, dishonesty, dubious business transactions, wealth without known sources of income considered taboos in the traditional Nigeria must be rejected immediately as one would of a pornographic image that pops up while surfing the net. Any romance with such thought will make an otherwise appalling thought a screen Saver.

So, personal discipline chaperon by reinforced social and family values promoted by family, village, clubs, schools, the media have the potential of dwarfing stealing spree in government.

Thirdly, our own milieu dictates that financial autonomy will help independent of court. We have interacted with members of the Bench and the Bar on the component and feature of independence of courts in Nigeria. It has become apparent that at times courts don't hold because the executive has not released promptly recurrent fund for courts operation. Consumables like diesel, papers etc may not be available when needed. Such constraints have tend to affect judiciary activism because of possible victimization. Besides, weakness of societal moral fiber has permeated

the judiciary. Justice is now given to the highest bidder. Recall that former President Olusegun Obasanjo in his 2018 press release to the Buhari Government pointedly noted that the Ahmed Makarfi faction of the PDP procured judgment from the Supreme Court of Nigeria. That is crisis because the temple of justice especially the apex court ought to be fair in judgment. As Martin Luther King Jr. had noted, we cannot on the one hand proudly profess the principles of democracy, and on the other hand sadly practice the very antithesis of these principles (King *et al.*, 2008). Court independence is a key component of democracy. A judge ought to know a case and applicable laws well before giving judgment. Any judge whose judgments are overturned in a superior court 5 times should never be promoted but proceed on retirement. He is not a sound judge. Now that judiciary independence has been granted, the next task is to see how soon the judiciary is going to adjust to this newfound freedom in terms of timely dispensation of justice. The NBA should rise. A review unit of NBA should read, all cases decided and promptly appeal any perceived infraction of the law. Equally, the NBA Congress should have a voting right on who becomes a judge in Nigeria. This is because through years of practice, the NBA members will get to know who among them is a good lawyer (i.e. person with integrity) who would likely make an impartial judge. Such an arrangement may check part of the racketeering in legal practice commonplace today.

Funding: This study received no specific financial support.

Competing Interests: The authors declare that they have no competing interests.

Contributors/Acknowledgement: Both authors contributed equally to the conception and design of the study.

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