

## DEMOCRACY AND GOOD GOVERNANCE IN NIGERIA: THE IMPERATIVES OF SUPPORTING INSTITUTIONS



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### ABSTRACT

#### Article History

Received: 26 September 2016

Revised: 7 June 2017

Accepted: 10 July 2017

Published: 21 July 2017

#### Keywords

Constitution

Democracy

Court

Election

INEC institutions

Judiciary independence

Public service

Political party

Nigeria

Good governance.

Democracy thrives better where good governance is the rule not exception. Since Nigeria returned to democratic rule in 1999, the people expects more from the state. This research was conducted to appraise the role of key pillars of democracy and good governance in Nigeria. These include but not limited to political party, INEC, Judiciary and the Public Service. It was found out in this research that there is selective compliance with court pronouncements by the executive. Party primaries was seen as the litmus test for credible elections in Nigeria. INEC, PDP and former President Goodluck Jonathan were commended for conducting credible polls and relinquishing power freely. The study concluded that success of democracy in Nigeria is contingent on strong democratic institutions. It was recommended that politicians must eschew traditional greedy material accumulation which impedes democratic deliverables. An independent judiciary was urged to rise to the occasion by delivering justice to all-persons and institutions brought before it.

**Contribution/ Originality:** This study documents that strong democratic institutions such as political parties, INEC, and the Judiciary hold the key to good governance which is critically needed in Nigeria today. Politicians must eschew traditional greedy material accumulation because in an open free contest a party and her candidates will be judged on track record and concrete deliverables not on sentiment.

### 1. INTRODUCTION

Nigeria has a positive law- The Constitution. Since it came into force on the 29<sup>th</sup> May, 1999, various instruments of courts and law have alluded to and recognized its provisions. Democracy revolves around people's mandate. Legislative and executive political office holders must submit themselves to the people at regular elections to seek or renew mandate. The ideals of democracy are so fascinating to citizens around the globe, that many have stake their livelihood, even their lives, to fight for and attain it. Democratic system presupposes openness, transparency, good governance, equality, liberty, justice and the rule of law. Leading democracies such as the

United States, United Kingdom, Australia, Canada, Germany etc have decades and centuries of experiences which have led them up the rungs of democracy.

In a democracy, the people name the one who makes the law and the one who implements it; the people themselves form the jury that punishes infractions of the law. Institutions are democratic not only in their principle, but in all their developments as well; thus the people name their representatives directly and generally choose them often, in order to keep them more completely independent (Tocqueville, 2010). So, it is really the people who lead, and, although the form of the government is representative, clearly the opinions, prejudices, interests, and even the passions of the people cannot encounter any lasting obstacles that can prevent them from appearing in the daily leadership of society. Government understandably exists to serve the people. And when the citizens are positively influenced by government, confidence and legitimacy on the government increase, which is a key ingredient of democracy. Governance is more about meeting the needs of the people in an ongoing basis. Democracy and good governance require hard work and sacrifice on both the led and leadership. Institutions of the state and non-state institutions, work together to expand the reach and content of good governance. Political parties, the press, the judiciary, electoral umpire, civil society organisations and myriads of others have an ongoing stake in state affairs which must be nurtured and protected from predatory inclinations of man. But how critical is good governance to democratic success in Nigeria?

### 1.1. Good Governance

Theoretical work on governance reflects the interest of the social science community in the shifting pattern and styles of governing. The traditional use of 'governance' and its dictionary entry defines it as a synonym for government. Yet, there is a redirection in its use and import. That may suggest why Stoker (1998) sees governance as 'a change in the meaning of government, referring to a new process of governing; or a changed condition of ordered rule; or the new method by which society is governed'. Allied to this, Committee of Experts on Public Administration (2006) opines that "governance refers to the exercise of political and administrative authority at all levels to manage a country's affairs. It comprises the mechanisms, processes and institutions, through which citizens and groups articulate their interests, exercise their legal rights, meet their obligations and mediate their differences". More so, the United Nations Development Programme (2014) defines governance as "a process of creating and sustaining an environment for inclusive and responsive political processes and settlements." It is worthy to submit therefore that governance involves the dynamics of transforming societal needs into concrete programmes. Put simply, governance means the development of governing styles in which boundaries between public and private sectors have become blurred and the needs of society increasingly met.

These days the adjective 'good' has been added to the noun 'governance' to form the concept 'good governance'. In fact, much discussion about the definition of good governance have centred on what makes institutions and rules more effective and efficient, in order to achieve equity, transparency, participation, responsiveness, accountability, and the rule of law. These aspects are crucial for human development and the eradication of abject poverty since ineffective institutions usually result in the greatest harm to those who are poor and vulnerable – children, women, the elderly and the infirm. Nigeria is rated low on the UN human development index (UNDP, 2014).

Without reference to a universal standard for governance, the notion of what is good is thus defined by the desired outcome, which varies from one situation to another. Nonetheless, two broad governance issues can be discerned. The first pertains to institutions of governance, including public administration and public services connected, in particular, with the sound management of resources, delivery of and equitable access to public services, responsiveness to the views of citizens and their participation in decisions that concern them.

The second broad governance issue is concerned with concepts of democracy and the rule of law, including with rights-based claims to equality before the law, judicial independence, participation in the conduct of public affairs, electoral integrity, political plurality, freedom of expression and media independence (General Assembly

Resolution 59/201). These claims include demands for gender equality and the inclusion of the elderly, youth and marginalized groups. Integral to effective execution is an informed and empowered citizenry engaged in transparent and accountable governance processes. Free and pluralistic media is considered essential to such ends as is the right to freely access information held by public bodies. Of course, citizens need information (data and statistics) from the government to help them advise the governing elites. No effort is to be spared in insisting on good governance in a democracy. Nigerians have paid great price for democracy. Therefore, institutions of state must be up and running in meeting the needs of the people. Some of these institutions are here under reviewed.

## 1.2. Political Party

Party politics is a key ingredient of representative government. It is the core or life line of modern politics. It is the key vehicle of popular participation in the political process and the means political elites maintain power and authority not just in democratic but also in many authoritarian or close regimes. Given the variety in its historical evolution, organization, ideology, social base, objectives and strength, having a generally acceptable definition of political party may be a challenge. Nonetheless, what a political party's role should be in a democracy is known. Political theorists and Thinkers have advanced different views on the subject. Burke as shown by [Cone \(1957\)](#) sees political party as a body of men and women who are united for the purpose of promoting, by their joint endeavours, the national interest upon some particular principles agreed jointly. In other words, a political party's existence is tied to involvement in political activities such as political socialisation, nomination and electioneering. [Abeje \(2013\)](#) identifies the major functions of political parties to include: nominating, electioneering, shaping opinion, mediating among groups (brokerage), managing government, and providing link between government and citizens. [Salih \(2001\)](#) expands these role further: they endow regimes with legitimacy by providing ideologies, leadership or opportunities for political participation; they act as a medium for political recruitment, thus creating opportunities for upward social mobility; they provide opportunities for the growing of coalitions of powerful political interests to sustain government, supervise policy implementation, and promote the political socialization of people to undertake self-help activities; they promote political stability in societies that are able to absorb increasing levels of political participation by the new social forces generated by modernization; they serve as major vehicle for agenda setting base on it's ideology.

In addition, [Sani \(2011\)](#) notes that in liberal political systems, political parties provide 'the connection between the party system and government on the one hand, and between government and society on the other.' Within a context of competitive party systems, political parties are multifunctional institutions; they "can be put to almost any political or governmental purpose" ([Blondel, 1969](#)). In a nutshell, 'the debate is no longer whether there should be political parties, but whether the party system should be pluralist or not' that is two or multi -party system ([Doorenspleet, 2003](#)).

As far back as 1922 when the electoral principle was introduced into Nigeria body polity by the Sir Clifford, there was no intention to limit expression of interest to one party system. Huge Clifford represented the Crown in the Nigeria overseas territory. On the agitation by Nigerians to be a part of the Executive and Legislative Councils, the Clifford Constitution introduced Elective Principle. It was a novelty on the African continent. Clifford expanded membership of the legislative council from 36 of the 1914 constitution to 46 in the 1922 constitution. Four Nigerians were subsequently elected directly into the legislative council on the ratio of 3:1 -three from Lagos and one from Calabar ([Okibe, 2001](#)). Arising from the introduction of elective principle in 1922, the National Congress of British West Africa (NCBWA) was transformed into and registered as Nigeria National Democratic Party (NNDP) in 1923. From small beginnings, party politics has come a long way in Nigeria. Colonialism that ended in 1960 influenced party politics in Nigeria. Since independence on October 1<sup>st</sup>, 1960, party system has made progress though with long pauses by military regimes. This interregnums have limited political space, political maturity and speed with which party system would develop in Nigeria. Three republics have come and gone, Nigeria is in the

fourth test currently in her 17<sup>th</sup> year obviously the longest single experiment in Nigerian history. One may ask, how has the party system fared?

At the birth of the fourth republic, Peoples Democratic Party (PDP), All Nigeria Peoples Party (APP) and Alliance for Democracy (AD) were the dominant national parties. Alignment and re-alignment mostly in preparation for general elections have led Nigeria to now have two national political parties- All Progressives Congress (APC) and Peoples Democratic Party (PDP). A review of the manifestos of both political parties show semblance in nearly every front. The PDP has 32 items while APC has 28 items. The single most visible variation of the APC manifesto from the PDP's is the inclusion of fight against corruption as an objective of the party. One is unable to place any of the political parties to the left. Both are centre right conservatives. PDP led Nigeria for 16 years at the centre and lost the presidency in 2015 to the APC. It is on this basis that the question comes, are the political parties in Nigeria playing the role expected of them? That is to say, are the parties supreme in Nigeria? Have political parties with commitment articulated and established a sustained faith in their ideologies presented in their manifestos? Political parties are widely seen as vehicles for contemporary democracies. The influence of political parties on the work of the legislature, executive and the conduct of its members is critical. It has largely been sanctioned by law, be it at the level of the constitution or laws or the parliamentary standing orders. But the real influence of the parties go far beyond what is stated in the letters of the law. In general, it derives from the leading position of a political party to the country's political life. A government is expected to be driven by the manifesto of the party in power, be it left or right (Kędzia and Hauser, 2011).

At times, parliamentarians vote against party position. This contradiction between disciplined voting in parliament or other forms of party discipline and the free mandate is no new phenomenon. The domestic constitutional orders often sanction this tension by setting forth the free mandate while situating political parties as the main actors of the parliamentary process. Heidar and Koole (2000) point to the fact that most parliaments constitutionally reflect the traditional, strong legitimacy of the individual MP (as the representative of the people) at the same time as they in practice give him/her a subordinate position to the effective power vested in the Party Parliamentary Groups (the caucus). In Nigeria, there exist now the PDP and APC caucus in the assemblies both national and states. Such groupings make for party unity. In cases where a legislator makes known that he or she will for some reasons defy the official party line, there is a strategy to promote party unity-both carrots and sticks. Party supremacy in Nigeria though threatened, can be redeemed if:

- Party leadership is separated from government.
- Party officials restraint themselves from greed;
- Funding of party comes from direct percentage deductions from elected members of the party and contract awards;
- Disciplinary measures are explicit and enforced on members without fear or favour and;
- Election of party executives is open and competitive.

Party leadership has a bearing on the performance and perception of the party other things being equal. Composition and the nature of party structure are important. As all of this makes clear, parties have adopted a wide range of approaches to their internal organization, and they are constantly experimenting with new structures and new procedures to cope with internal and external pressures (Udeh, 2016). So it is hard to generalize about how democratizing membership will affect a party's overall structure. However, using the ideas of inclusiveness, centralization, and institutionalization one can distinguish five common organizational models: (1) the "leader-dominated" party; (2) the "party of notables," sometimes called the "cadre" party; (3) the party of "individual representation"; (4) the "corporatist" party; and (5) the party built on "basis of democracy" (Scarrow, 2013). These models help clarify some of the different challenges and internal stresses caused by democratizing reforms. Some of these models have been more characteristic of certain historical eras than others, but none of them are entirely obsolescent: Elements of all the models can be found in contemporary parties in new as well as established

democracies. While no individual party perfectly corresponds to any of these types, recognizing a party's general organizational starting point can give one some clues about the likely effects of organizational democratization: Which groups are likely to benefit, and what types of structure may need to be strengthened or changed to make internal democratization work?

Table-1.1. Selected Models of Party Organization and Organizational Tendencies

Type	Centralization	Inclusiveness	Institutionalization
<i>Dominant Leader</i>	High	Low	Generally low
<i>Party of Notables</i>	Medium (often stratarchical)	Low	Low to medium
<i>Individual Representation</i>	Medium to high	Medium to high	Medium to high
<i>Corporatist Representation</i>	Medium to high	Medium	Medium to high
<i>Basis Democracy</i>	Low to medium	High	Medium to high

Source: Scarrow (2013).

Political party leadership may equally influence membership. That's why is vital for a party to carefully review members who offer themselves for party offices. Functional democracies rely on the party as an eye on good governance, guide adherence to its ideology and manifesto, ensure internal party democracy, uphold party discipline and take responsibility for poor party performance. Participatory democracy is about the people. So the party should sale itself well with respect to its ideology, programmes, structure and leadership since they contribute to party success at the polls and performance in government.

### 1.3. Election Umpire

The origin of election commission in Nigeria goes back to the period before independence when the Electoral Commission of Nigeria was established to conduct 1959 general elections ([Independent National Electoral Commission \(INEC\), 2000](#)). Following independence in 1960, Federal Electoral Commission (FEC) was established to conduct the immediate post-independence federal and regional elections of 1964 and 1965 under the chairmanship of Chief Eyo Esua. Military coup of 1966 saw the demise of FEC. Preparatory to the second republic, the regime of General Olusegun Obasanjo set up FEDECO under the chairmanship of Chief Michael Ani to organize the 1979 general elections. FEDECO also conducted the 1983 general elections. In 1987, the military government of General Ibrahim Babangida established National Electoral Commission (NEC) with Prof. Eme Awa 1987-1989 and Prof. Nwosu H. 1989-1993. Under General Sanni Abacha, NECON was established to conduct elections in 1997 with Prof. Okon Uya and Chief Dagogo-Jack. NECON was dissolved by General Abubakar who replaced Sanni Abacha and established Independent National Electoral Commission in 1998. To her credit, INEC has conducted more elections than any other electoral commission in Nigeria. Justice Ephraim Akpata conducted the transitional elections 1998/1999. Dr. Abel Guobadia organized the 2003 general elections which observers say were "marred by widespread violence and other irregularities" ([Human Rights Watch, 2003](#)) Prof. Maurice Iwu chaired INEC during the 2007 general elections in Nigeria which witnessed unprecedented irregularities ([Bassey, 2010](#)). Prof. Attahiru Muhammadu Jega chaired INEC which conducted the 2011 and 2015 general elections in Nigeria having been appointed by the Jonathan administration on June 8<sup>th</sup>, 2010. Prof. Mahmud Yakubu is INEC incumbent Chairman. INEC is a creation of the constitution. Section 153 of the [Constitution of Federal Republic of Nigeria \(1999\)](#) (as amended constitution, 2010) recognises INEC as the electoral umpire for Nigeria.

### 1.4. Organizational Structure and Functional Responsibilities of INEC

Organisational structure is important as a tool of understanding communication channels and power relations. It is the structures that specify flow of authority and obedience. At the apex of the commission is the "chairperson who is appointed by the president subject to the approval of the senate" ([CFRN, 1999](#)). Directly below the

chairperson are the 12 National Commissioners. Next in authority are the 37 Resident Electoral Commissioners (RECs) representing the 36 states of the federation and the Federal Capital Territory – Abuja. Each of the 774 local government councils is headed by an Electoral Officer (EO). This structure puts INEC in a right frame to deliver her responsibilities as spelt out in the CFRN (1999) and Electoral Act (2010) as follows:

1. Organize, undertake and supervise all elections in Nigeria to the offices of the President and Vice President, the Governor and Deputy Governor of a state, and to the membership of the Senate, the House of Representatives and House of assembly of each state of the Federation;
2. Register political parties in accordance with the provisions of the 1999 Constitution and the Electoral Act 2010.
3. Monitor the organisation and operation of political parties in Nigeria, including their finances;
4. Arrange for the annual examination and auditing of the funds and accounts of political parties and publish a report of the audit for public information;
5. Arrange and conduct the registration of persons qualified to vote and prepare, maintain and revise the register of voters for the purpose of any election under the Nigeria 1999 constitution;
6. Ensures that Electoral Commissioners, Electoral and Returning Officers take and subscribe to the oath of office prescribe by law;
7. Delegate any of its assigned powers to any Resident Electoral Commissioner; and
8. Carry out other duties in the 2010 Electoral Act (Electoral Act, 2010).

For INEC to successfully carryout these functions, her independence is critical. Proactively, the 1999 constitution provides for her independence by stating interlia... “and the Independent National Electoral Commission shall not be subject to the direction or control of any other authority or person” (1999; 188 (1)). So far, INEC has conclusively conducted five general elections in Nigeria. The score card is not perfect. For instance, the conduct of the 1999 and 2003 elections as reviewed by Ogbeyi (2003) shows that some staffers of the umpire connived with unruly politicians to rob would be winners of the elections. To be fair, INEC has made progress. A report by the USA Institute of Peace vetted by Bekoe (2011) on the 2011 general elections observes:

Nigeria’s 2011 general elections—in particular the presidential election—were seen widely as being fair. This was especially important given the poor conduct of the 2007 elections”. A number of factors contributed to ensuring that Nigeria’s 2011 elections were successfully administered. They include the fact that the voters’ register was the most accurate, and there was also adequate training and fielding of election observers. The chair of the Independent Nigerian Electoral Commission (INEC), Prof. Attahiru Jega, was well regarded and judged independent from the government. And, the parallel vote tabulation used by domestic observers allowed poll monitors to concurrently record the results of the election along with INEC as a means to provide a check on the official results. Additionally, ordinary Nigerians were encouraged to report, via calls or texts, any incidents of fraud or violence that they witnessed or experienced.

Violence that was noticed following the declaration of the result was at best ethnic and is understood in Nigeria context where elections are often a “do or die” affair. The 2015 general election was even more plausible. For the first time in Nigeria history, a seating president lost election, congratulated the winner and conducted peaceful transition. Credit goes to INEC for the courage to conduct in the opinion of majority of Nigerians and the international community a credible election. The PDP and Dr. Goodluck Jonathan also deserve commendation for relinquishing power freely.

### 1.5. Judiciary Independence

Government power showcases itself in three forms: legislation, administration and judicial decision. It is important to the theory of the organisation of government to determine whether, and to what extent, these powers should be combined in the same persons or body of persons, or should be entrusted to three separate agencies, co-ordinate and mutually independent (Appadorai, 1975). Early in the modern era, Jean Bodin in the book “The Republic” published in 1576 pointed out that some separation was essential. The Prince (Head of Government) he reasoned, should not administer justice in person, but should leave such matters to independent judges. From that early conception, judiciary independence has grown to be widely accepted especially in free democratic societies. Simply put, judicial independence can be defined as the ability of a judge to decide a matter free from pressures or inducements. The Judiciary as an institution, judicial independence means the ability of the Judiciary to be independent by being separate from government and other concentrations of power (Daudu, 2014). The principal role of an independent Judiciary is to protect the rule of law and to ensure supremacy of the law. So, regarding appointment, promotion, remuneration, retirement or dismissal, the judiciary should operate independent of the executive or legislative influence. In close regimes like the military, the judiciary is hardly allowed to function independently as articulated. The degree of state influence at the time of the appointment and security of office may decrease the autonomy of justice which is key variable used by Feld and Voigt (2003) to measure the *de facto* independence of the judiciary. Has the judiciary enjoyed independence in Nigeria? The situation is mixed.

For instance, General Yakubu Gowon compulsorily retired Chief Justice Elias in 1970 for alleged fear of “disloyalty” (Sani, 2011). Also, court pronouncements are routinely disregarded. That’s why Justice Oputa’s condemnation of executive lawlessness as captured by Sani (2011) is apt:

I can safely say that here in Nigeria even under a Military Government, the law is no respecter of persons, principalities government, or powers and that the courts stand between citizens and the state alert to see that the state or government is bound by the law and respects the law...The court system cannot be maintained without the willingness of parties to abide by the findings and orders of a competent court until reversed on appeal. This means that no party and no court of subordinate or even co-ordinate jurisdiction can say: “I do not like the order made and I will not obey it. And that is exactly what the Lagos State Government is doing in this case. And that posture has to be condemned in the strongest of terms if we are not to say goodbye to the rule of law.

Similarly, in the *Obeya Memorial Hospital V. Attorney General of the Federation* another instance of executive lawlessness, the Supreme Court was *ad idem* in tutoring the executive on propriety in relation to extant judicial decisions (Oyebode, 2005). However, history cannot forget easily judges who have not exhibited any signs of timidity in the interpretations of the law. The forthright stance adopted by the Supreme Court was poignantly captured in the celebrated case of *Governor of Lagos State V. Ojukwu* where Eso JSC in his lead judgment had observed:

It is a serious matter for anyone to flout a positive order of a court and proceed to taunt the court further by seeking a remedy in higher court while still in contempt of the lower court. It is very serious when the act of flouting the order of the court... is by the Executive... Executive lawlessness is tantamount to a deliberate violation of the constitution... the essence of the rule of law is that it should never operate under the rule of force or fear. To use force to effect an act and while under the marshal of that force, seek the court's equity is an attempt to infuse fear into court and operate a sabotage of the cherished rule of law. It must never be.

Flouting of court pronouncements was prevalent under the military regimes. The return to democracy has recorded partial observance of judiciary pronouncements. Courts have removed many who illegally got to power. Professor Osonbo, Dr. Chris Ngige, etc were removed as elected Governors of Edo and Anambra States respectively. Not to be forgotten is the fact that the Court of Appeal President Justice Isa Ayo Salami was removed

by President Goodluck Ebele Jonathan for alleged impropriety. Though Justice Uwais' panel set up by the Chief Justice of the Federation found Justice Salami not guilty and criticized Justice Katsina-Alu in his capacity as CJN for not defending his colleague, President Jonathan refused to re-instate Salami. This was a major infringement on judiciary independence by the executive.

For Nigeria's democracy to be at par with those of the liberal states of the West, judiciary independence must be respected. No one is saying that the judiciary cannot err. No. But until a present decision is set aside, it should be respected. Recall that recently the Supreme Court of Nigeria had to set aside the decision of the Court of Appeal which sacked three elected governors- Udom Emmanuel, Nyesom Wike and Okezie U. Ikpeazu of Akwa Ibom, Rivers and Abia States respectively. Room for appeal which these Governors enjoyed should be utilised by others any time they feel wronged by a courts' pronouncement. The temple of justice *must not* be reviled by anyone, big or small.

No judge should allow himself or herself to be influenced to deliver face serving judgment. Testing of hypothesis and filing of frivolous objections to delay cases have become common place in Nigeria. The judiciary eyes must be open to this rhetoric.

### 1.6. The Public Service

The public service constitutes the machinery for the delivery of public goods and development to the people. The delivery processes include habitual and efficient performance of duties by public employees. At the primary level, the public service is set up to execute policies of government, furnish government with data and statistics (inputs) needed for decision-making, regulate activities of individuals and organisations and ensures continuity of public administration (Udeh, 2015). Since the political component of government (political office holders) come and go, the public service is the permanent administrative structure which outlasts any government in power. Essentially, the functions of the public service include:

- (i) Contribute to translating the dreams and plans of the political/ruling class into concrete reality through the formulation of far-sighted policies and programmes and executing same loyally, conscientiously and effectively;
- (ii) Provide continuity between administrations;
- (iii) Serve as unifying force by bringing together people from all sections of the federation and providing effective and adequate social services;
- (iv) Advise the government on the full implications of various policy options open to it;
- (v) Execute governmental policy loyally;
- (vi) Protects public interest, as custodian of public conscience;
- (vii) Manage government data (information) system optimally so as to facilitate availability of data for government decision-making;
- (viii) Operate an open, humane and sensitive system which upholds the rule of law;
- (ix) Operate a personnel management system which ensures high professionalism, significant specialization, excellent motivation and high morale;
- (x) Ensure prompt, effective and satisfying service delivery.

Whatever decision government makes, it is the personnel of government that will translate it to concrete programmes. In fact, what the people see is programme which helps them make meaning of what the politicians say. The public service therefore is vital to the attainment of goals and objectives of any government in power.

### 1.7. Code of Ethics

Ethics here means a sound culture, based on principles. A public servant should ensure compliance with the principles of law and the implementation of judicial decisions. He should perform his duties properly, efficiently,



display professional discipline, integrity, equity, fairness, public spiritedness and courtesy. He should ensure at all times that public property under his responsibility is managed in the most appropriate and official manner. His conduct shall be deemed to be appropriate only when he behaves in a manner that enhances public confidence and promotes the image of the service. In addition, public officers are to observe the following as noted by [Ekaidem \(2007\)](#).

i) Political neutrality and confidentiality: A civil servant should not use his post, functions or responsibility for political or partisan gains, which may be detrimental to the interests of the civil service. He should respect the confidentiality of official information to which he is puny (subordinate) by reason of his professional activities, even after leaving office, except where the law, the legitimate authority or the interest of justice requires otherwise. He should not, on the basis of his political affiliation or ideological beliefs, seek to influence or change the policies, decisions or actions that the administration has decided to define, adopt or implement.

ii) Integrity and Moral Rectitude: A civil servant should refrain from any activity that is inimical with ethics and morality, such as misappropriation of public funds, favouritism, nepotism, discrimination, influence-peddling or administrative indiscretion. He should not accept, solicit or receive, directly or indirectly, any payment, gift or other advantages in kind, in return for performing or refraining from performing functions or obligations. It shall be reprehensible for a civil servant to give gifts or other advantages that might influence in his favour or in the favour of his family members and friends, the judgment or decisions of another person. A civil servant shall, under no circumstance, misuse public property or prevail upon subordinates to perform activities other than those falling within the scope of their functions or mandate.

iii) Conflict of Interest: A civil servant should not take up function or position, engage in transactions or have any financial, commercial or material interest that might be incompatible with his functions, responsibilities or duties. Without prejudice, to the incompatible activities already established in the laws or regulations, He should, to the extent required by his office, declare any financial and commercial interests he might have or through family members, if such interests or activities are likely to trigger conflicts of interests. In the event of any potential or actual conflict of interest between his professional status and private interest, a civil servant shall terminate activities likely to give rise to such a conflict (source).

(iv) Professionalism and Discipline: A civil servant must be well disciplined. Regulations should be adhered to and the interests of the service should be paramount. Senior officers should prescribe code of conduct which they themselves can and should comply with. Those who wish to lead others should always remember that effective leadership involves exemplary character, hard work and integrity. Good conduct is one of the criteria for promotion. Junior officers must be familiar with Government Regulations and Rules regarding good conduct. They must learn to comply with lawful orders and constituted authorities.

Participatory democracy as practiced in Nigeria today is people oriented. When good governance is mentioned, it is based largely on the manifestations of the programme of government as delivered by the civil service. In plain language, the success or otherwise of government is seen in the bureaucracy. When one sees for instance, the orderly movement of traffic in Uyo Capital City, the timely construction of roads in Akwa Ibom, arrest and trial of treasury looters in Nigeria, it tells of a working public service. Also, tales of an ineffective public service equally abounds which is why the nation as a whole has refused to move.

## 2. CONCLUSION/RECOMMENDATIONS

Democracy and good governance are vital ingredients of modern civilisation. The Bill of Rights domesticated in Nigeria's constitution is to guarantee and expand the reach of liberty, justice, transparency and the rule of law for all. Citizen's view of the government is based largely on what they see and less of what is heard. Since government come and go, the public service must be effectively mobilised to deliver government programme to the people. This work has also shown that institutions such as the political party, the judiciary, INEC and security services are

pivotal in the deepening and sustaining democracy in Nigeria. The independence of the judiciary becomes an essential democratic ingredient, but perhaps of greater import is the integrity of the judges. Also, government must respect positive pronouncements of courts even if it involves a member of the opposition political party.

Nigerians love democracy and have sacrificed for it. Politicians must eschew traditional greedy material accumulation of needless wealth. Remember that in an open free contest such as Nigeria is beginning to have, party will be judged on concrete deliverables not on sentiment. The ground must be hit running with people oriented programmes geared towards eradication of poverty in Africa's most populous democracy. With corruption and stolen mandate addressed, only candidates with track record of success will win the peoples' mandate moving forward.

**Funding:** This study received no specific financial support.

**Competing Interests:** The author declares that there are no conflicts of interests regarding the publication of this paper.

## REFERENCES

- Abeje, A., 2013. Party system institutionalization and the prospect of democratic consolidation in Ethiopia. *European Scientific Journal*, 9(23): 315-328. *View at Google Scholar*
- Appadorai, A., 1975. *The substance of politics*. Oxford: Oxford University Press.
- Bassey, E., 2010. *Electoral administration in Nigeria, A diagnostic and prescriptive analysis 1999-2008*. Unpublished M. Sc. Dissertation, University of Uyo, Nigeria.
- Bekoe, A., 2011. *Nigeria's 2011 elections: Best run, but most violent*. Washington, D.C: United States Institute of Peace.
- Blondel, J., 1969. *Comparative government: A reader*. Manchester: Palgrave Macmillan.
- Committee of Experts on Public Administration, 2006. *The nature of public administration*. Lagos: Concepts Publication. pp: 37.
- Cone, C.B., 1957. *Burke and the nature of politics*. London: Prentice Hall.
- Constitution of Federal Republic of Nigeria, 1999. Third schedule par(14) as amended. Lagos: Federal Government Press.
- Daudu, J.B., 2014. *The independence of the Nigeria Judiciary in the light of Emerging Socio-Political: 1*. Retrieved from <http://www.nba.org.ng/web/theindependenceofthenigerianjudiciary> [Accessed 5/7/2014].
- Doorenspleet, R., 2003. Political parties, party systems and democracy in Sub-Saharan Africa. In Salih, M. A. (Ed), *African political parties: Evolution, institutionalisation and governance*. London: Pluto Press. pp: 169-187.
- Ekaidem, M., 2007. *Performance of the public sector in Akwa Ibom State: An appraisal of the first eight years of democracy in the Fourth Republic*. Eket: Grace Point Publications. pp: 19-21.
- Electoral Act, 2010. *Electoral act 2010 as Amended*. Lagos: Government Press. pp: 7.
- Feld, M. and F. Voigt, 2003. *The Independence of the Nigeria Judiciary in the light of Emerging Socio-Political and Security Challenges: 1*. Retrieved from <http://www.nba.org.ng/web/theindependenceofthenigerianjudiciary> [Accessed 5/7/2014].
- Heidar, K. and R. Koole, 2000. *Parliamentary party groups compared*. In: Heidar, K. and Koole, R. (Ed.). *Parliamentary Party Groups in European Democracies: Political Parties behind Closed Doors*. London: Routledge.
- Human Rights Watch, 2003. *Nigeria: Political violence increasing before election* [N1]. [Accessed October 25, 2012].
- Independent National Electoral Commission (INEC), 2000. *Independent national electoral commission (INEC) act*. Lagos: Government Press. pp: 3.
- Kędzia, Z. and A. Hauser, 2011. *The impact of political party control over the exercise of the parliamentary mandate*. Geneva: Inter-Parliamentary Union.
- Ogbeidi, M.M., 2003. *A culture of failed elections: Revisiting democratic elections in Nigeria, 1959-2003*. *Historia Journal*, 21(1): 43-56. *View at Google Scholar*
- Okibe, H.O., 2001. *Political evolution and constitutional development in Nigeria: 1861-1999*. Enugu: Marydan Publishers.
- Oyebode, A., 2005. *Law and nation-building in Nigeria: Selected essays*. Enugu: The African Press. pp: 17.

- Salih, M., 2001. African democracies and African politics. London: Pluto Press.
- Sani, R., 2011. Has the judiciary failed Nigerians? Ibadan: Alpha Press. pp: 23,24.
- Scarrow, S., 2013. Political parties and democracy in theoretical and practical perspectives: Implementing intra-party democracy. Washington DC: NDI.
- Stoker, G., 1998. Governance as theory: Five propositions. Massachusetts: UNESCO.
- Tocqueville, A., 2010. Democracy in America: Historical and critical edition. (Trans.)Eduardo, N. Indianapolis: Allison Pointe Trail Print.
- Udeh, G.N., 2015. Job satisfaction and attitude to work: Implications for Akwa Ibom State Civil Service. Global Journal of Political Science and Administration, 3(4): 10-24. [View at Google Scholar](#)
- Udeh, G.N., 2016. Political architecture, Electoral dynamics and public delivery of Nigeria's Fourth republic: An assessment. International Journal of Asian Social Science, 7(2): 41-51. [View at Google Scholar](#)
- United Nations Development Programme, 2014. Human Development Report 2014. (New York, 2014).

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