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## On Democracy, Legitimacy and Accountability: Lessons for Nigeria

Ogundiya I. Sarafa

Department of Political Science,  
Usmanu Danfodiyo University, Sokoto, Nigeria

*The paper explores the theoretical underpinnings to the questions of democracy, legitimacy and accountability. It is generally assumed that democracy and legitimacy are symbiotic, and that political accountability further enhances system's legitimacy which in turn ensures survival of democracy. This paper simply assumes that political legitimacy connotes a relationship between rulers and the ruled which refers to the moral condition of individuals in modern political communities. Therefore, to say that citizens are loyal to the state implies that legal and political requirements of the state authority ought to be capable of justification. One important condition or ingredient for this justification is provided by democracy and accountability. This paper therefore explains the connection among these important social and political concepts. It then argues that the problem with Nigeria is that of democracy without accountability on one hand and democracy that has not guaranteed legitimacy on the other hand. This has been the bane of legitimacy in Nigeria.*

**Key Words:** Democracy, stability, accountability, legitimacy, corruption, governance.

### Introduction

There is a general tendency among political theorists to assume an automatic and/or inextricable nexus among democracy, political accountability and legitimacy of government (Held 1993, Johari 2001, Vernon 2001, Fjeldstad and Isaksen 2008). Also a strong causal relationship between legitimacy and stability has been identified, not only in many explanations of political conflicts in the liberal democracies of the West (Parson 1963, Gamson 1968) but also in the understanding of endemic and persistent political crises that are characteristic of the third world (Ekeh 1985, Osaghae 1994, Ogundiya 2001). By implication the survival of every system depends largely, *ceteris paribus*, on how democratic, accountable and legitimate such a system is. For instance Bwy's (1992) measure of legitimacy includes an index of the degree to which the governments in his study are democratic, on the assumption that

democratic governments enjoy greater legitimacy. This premise is not always valid because democracy is associated with a host of other factors such as institutionalization of conflict management, nature of political opposition, societal cohesion and cultural influences, so that any zero order relationship found between legitimacy and political stability is likely to be spurious (Useem 1982). However, if democracy is seen as a means to an end, the thesis may be valid to a large extent that democratic processes are likely to produce a procedurally legitimate government, which is one of the requirements for regime's legitimacy. Legitimacy like a tripod, according to Beetham (1991) rests on three legs: acknowledged source of authority under-pinning the rules of appointment to the leading offices of state; the capacity of its institutions to facilitate achievements of the ends or purposes of

government and the regular expression of consent.

Another critical issue to democracy and legitimacy is accountability. Moncrieffe (2001) persuasively argues that the legitimacy of and, perhaps the stability of the democratic system is, in part, dependent on the extent to which the electorates believe that the government and other public officials are operating in the public interest. It therefore means that the pervasive and endemic crisis of legitimacy and recurrent instabilities in the third world are not only the symptoms, but also the consequences of undemocratic and non-accountable government.

The focus of this paper is to examine the nexus among democracy, political accountability and legitimacy with a view to establish our thesis that the problem with Nigeria is that of 'democracy without accountability' on the one hand and that of 'democracy that has not guaranteed legitimacy' on the other hand. Then, what is democracy and how does it relate to the concept of accountability and legitimacy?

### **Democracy: Conceptual and Theoretical Explorations**

Democracy has received enormous attention more than any other political concept in academic discourse in the recent time and it seems the more it is discussed, the more ambiguous the concept seems to become. This is so because democracy in its current usage has become another word for political decency and civilization and has assumed more or less an 'honorific title' (Owolabi 1999:3). More importantly, the concept according to Brennan and Lowensky (1989:1) has 'passed into the catalogue of universal virtues to the extent that many authoritarian and fascist regimes now lay claim to democracy. Hence regimes with some claims to democracy and also claiming legitimacy on this ground have an important place in contemporary politics (Vernon 2001:1) Apart from being politically fashionable the concept is also ideologically loaded. Indeed Gitonga (1986:6) writes,

*There is no doubt however that the substance or content of what is described as democratic is a function of the ideological bent of the term. As*

*the ideological bents or political families are many and diverse, so too are the meanings attached to the term.*

In its classical sense democracy is a Greek word which means 'people's rule' or 'rule by the people'. The emphasis here is on the role and the place of the people in government. By implication democracy means the acceptance of the basic equality of men as humans and the basic responsibility of all adult men and women for their own destiny. Democracy cannot be divorced from equality (Toyo: 1994:9). It is germane to note however, that democracy in its classical sense, that is, the principle of popular participation in the maximum sense may not be realistic today because of the size of the contemporary polity which is far higher than the Athenian city-state which is the nearest to the realization of the ideal of popular participation.

Therefore, within the history of democratic theory lies a deep rooted conflict about whether democracy should mean some kind of popular power (a form of politics in which citizens are engaged in self-government and self-regulation) or an aid to decision-making (a means of conferring authority on those periodically voted into office). This conflict according to Held (1993:15) has given rise to three basic variants of democracy: Participatory democracy, Liberal or representative democracy and one party/social democracy.

Modern liberal and liberal democratic theories have constantly sought to justify sovereign power of the state while at the same time justifying limits on that power. Liberal or representative democracy is a system of rule embracing elected officials who undertake to represent the interest or views of citizens within the framework of the rule of law. To count as liberal, democratic regimes must meet a certain standard of electoral accountability, and provide some level of constitutionally protected liberty to their citizens (Vernon 2001:1). This is the limited sense in which many people have conceived of democracy today and one which has gained wider acceptance among the countries of the world.

Though liberal democracy has gained prominence in the contemporary world, it has never ceased to be in question from the

standpoint of political theory. Its justification is often doubted generally on the ground that its virtues are too minimal, or else, additionally, on the ground that its practices fall short of its claims; and even those who approve of it defend it in very different ways, so that it is hard to find a basic account of it that is shared among its supporters, let alone shared between its supporters and its critics, who are often at cross-purposes entirely (Vernon 2001:1-2). In Marxist argument, liberal democratic society fails when judged by its own promises. Among these promises are: political participation or general involvement mediated by representatives in decisions affecting the whole community; accountable government; and freedom to protest and reform (Bobbio 1987:66). Marx himself envisaged the replacement of the liberal democratic state by a commune structure (delegative democracy). In a similar vein, Toyo (1994:9) warned against the danger of reducing democracy to mere 'mechanical provision', a situation where election and liberalism are confused with democracy. To him, election and liberalism may be instruments of democracy but do not coincide with it. This means that democracy must be seen as a social condition rather than strictly a process. He argues,

*There can be no genuine democracy in a country where citizens are grossly unequal in wealth and the poor who are invariably the majority, are dependent on the wealthy. Because wealth is power, where such a cleavage and dependency exist, political power is inevitably in the hands of the wealthy. That ceases to be democracy in reality; in effect it is a plutocracy.*

Therefore, the failing of one-man-one-vote democracy is that it is concerned only with voting, thus in effect equating the right to vote not only with the right to govern, but also with political power and with democratic society (Toyo 1994:13). Here, it seems there is confusion between the outcome conception and procedural conception of democracy. On procedural conception, we are to think of the

outcomes of democracy as legitimate because they issue from a process which meet certain criteria (such as equality and fairness), while outcome based conception of democracy advances the claim that democratic processes are legitimate because they have desirable consequences (Vernon:2001). Liberal democracy therefore is a constitutional theory which serves to justify political system that rests on a certain combination of practices, namely the accountability and restraint of government.

The classical dream of democracy is for every individual to partake directly in the process of governance. Participation of the citizens in a democratic society is all embracing, it includes all the activities they carry out in order to make the government pursue their interests both as an individual and as a group. (Owolabi 1999:8) It is precisely the freedom that an individual has under a democratic order to agitate for his interest and engage in discussions and debates with others on the appropriate path to follow in order to realize the common good. This is what Miller (1993) called 'deliberative democracy'. Participation as an ideal of democracy is often associated with the electoral process of choosing the leaders. As a process, participation permeates the entire life of a democratic community. Therefore, the demarcation between participatory democracy and liberal democracy is blurred. It is significant to say that the principle of participation and accountability are complimentary concepts (Owolabi 1999). The objective of both is to make the people sovereign and more importantly to guarantee the legitimacy of the system (Next section focuses on the interconnection of democracy, accountability and legitimacy). Any regime is therefore democratic when it manifests within its system the two principles (Owolabi 1999).

Another variant of democracy which had gained some acceptance until recently is one party democracy. Until recently, the defunct Soviet Union, East European societies and many third world countries were dominated by this conception. This will not be discussed in detail because it contradicts our own understanding of democracy. Therefore, democracy is conceived in our context from the liberal, substantive and or participatory point of view (the procedures

and the benefits that accrue to the people). At this point, it is important to reiterate that democracy is a preferred model of government not only because of the pressure from the advanced capitalist countries as some believe, but its value-ability is enhanced by its very nature in that 'it embodies equality' (Christiano, 1993) and engenders development. And according to Vernon (2001:51),

*All equality can mean is that our capacity to form judgments is respected by institutional arrangements which prejudge outcomes as little as possible and tend to provide the best available general conditions for informed decisions, for those conditions confer privilege on no one.*

This is to say that in a democracy, as distinct from Przeworski's authoritarian or tutelary regimes, public institutions are regarded as no one's private domain. They have the character of a shared resource intended for common use. In that respect, Vernon (2001: 51) concludes 'democracy is a unique solution to the problem of political legitimation and a unique candidate for the role of political morality'. How has Nigeria's democratic experience been so far? Has democracy been a unique solution to the persistent and endemic crisis of legitimacy in the country? Before this question will be addressed let us briefly look at the concept of accountability and its central position in democracy and/ or democratic theory.

### **Nexus of Political Accountability and Democracy**

From our discussion so far, it could be observed that democracy and accountability are inseparable. For instance, Chabal (1986:5) relates democracy to accountability thus: 'a political system in which mechanisms and institutions exist to promote and enforce the accountability of rulers to those whom they rule'. The essence of democracy, whether liberal, substantive or participatory, is to make the politicians responsive and accountable to the electorate. Accountability, simply put, is a two-way relationship of power. It denotes the duty to be accountable in return for the delegation of a

task, a power or a resource (Fjeldstad and Isaksen, 2008:9) Accountability has two important qualities: accountability must have the quality of answerability (the right to receive relevant information and explanations of actions), and enforceability (the right to impose sanctions if the information or rationale is deemed inappropriate). In principle, elections provide citizens with both answerability (the right to assess candidates' records) and enforceability (vote the candidate in or out). It should be noted that accountability is determined by the specific features of the political system. Three main features can be identified: the degree of competition in the political system, the existence of checks and balances mechanisms across different branches of government; and the transparency of the system. Political competition for instance has been recognized as an important factor determining the efficiency of political outcomes (Downs, 1957). In brief, the simple existence of fair elections guarantees that politicians can, to some extent, be held liable to the actions taken while in public office (Linz and Stephan, 1996, Rose Ackerman, 1999).

The second feature relates to the existence of checks and balances mechanisms across different branches of power otherwise known as "horizontal accountability" (Fjeldstad and Isaksen 2008). Generally speaking, separation of powers, together with checks and balances mechanisms and the right incentive design, help to prevent abuses of power, with different government bodies disciplining each other in favour of the citizens (Rose Ackerman 1999, Laffont and Meleu 2001). This can be true regarding the relations among different levels of the executive powers and/or organs of government. As long as it is not in the interest of one of the government organs to collude with the other organs, separation of powers creates mechanisms to police and punish government officials that misbehave, thus reducing the equilibrium level of corruption.

The third feature is transparency. Transparency depends crucially on the freedom of the press and expression, and on the degree of centralization in the system. The freedom of the press enhances accountability in that it creates the opportunity to publish the right and wrong

doings on the part of government. This has helped to reduce the informational gap between principals (citizens) and agents (government) thus curbing the excesses of government. Decentralization also facilitates accountability. In democracy, it is generally believed that smaller constituencies facilitate the monitoring of the performances of the elected representatives and public officials, and additionally reduce the collective action problems related to political participation (see Fackler and Linz 1995, Ackerman 1999). Thus, a decentralized system tends to have stronger accountability mechanisms, *ceteris paribus*, and lower corruption (Nas *et al* 1996, Ackerman 1999).

The central argument, therefore, is that accountability allows for the punishment of politicians that adopt 'bad policies' thus aligning politicians' preferences with those of the electorates. Therefore, accountability as a concept emerges to complement the idea of participation (Gana, 1996). If all men cannot participate in governance, then the few who are privileged to represent the others must be answerable to them. Chabal (1986:12) provides a broad notion of accountability. To him, it is more than the constitutional and institutional devices which formally hold rulers to account for their deeds, rather it is also part of the social fabric of society in relations between patrons and clients, ethnic leaders and their kin, party bosses and party members, bureaucrats and citizens, employers and employees, *mullahs* and believers, military and civilians.

Politically, the notion of accountability has been discussed within the context of power relations (Londsdale 1986:128). Londsdale asserts that the scarcity of power and the privilege that it gives to those who possess it demand that the powerful should justify and give reasons for the way they use it such that power will not be misused. In essence, the demand that state power should not be used for egoistic interest but for common interest; and the need for it to be used morally and legitimately is the essence of political accountability (Owolabi 1999:9). Londsdale (1986:28) concludes that political accountability is "part of the moral calculus of power" and "the chief political freedom". In the final analysis, it

can be asserted unequivocally that accountability is the standard of testing the legitimacy of any government, particularly a democratic regime because the more accountable a regime is, the more legitimate and the more acceptable it becomes.

The point here is precisely that the sustainability of a democratic culture depends on the desire to ensure genuine participation and accountability. To do otherwise is to erode the moral pillars or foundation upon which democracy is built. In view of this fact, people talk of democracy as having the intrinsic resistance (Owolabi, 1999). Buttressing this point, Sklar (1986) argues:

*Democracy dies hard. Its rival force is the accountability of rulers to subjects. Democracy stirs and wakens from the deepest slumber wherever the principle of accountability is asserted by members of a community or conceded by those who rule.*

In a related perspective, Callaghy (cited from Owolabi, 1999:11) sees democracy as,

*...a fragile creature dependent on the slow consolidation of legitimacy and the development of political culture, which supports the rule of the game. It can easily be killed not just by tradition or economic actors but by the conscious action of political agents.*

By implication, democracy as a claim to legitimacy can easily be called to question if its operators do not live up to its ideal. It is easily susceptible to crisis and instability when the principles which serve as the moral foundation of it are not adhered to (Owolabi, 1999). Therefore, a democratic regime which pays lip-service to accountability is bound to crumble because the people needed for its survival will work against it, knowing full well that the real power ought to be with them. This is where the concepts of democracy, accountability and legitimacy coincide. In order to further establish this marriage, we need to look at, though in brevity, the concept of legitimacy.

### **Legitimacy: A Conceptual Analysis**

The essence of democracy is to lay a solid moral foundation for the authority of the state, the incumbent political head and other state institutions. Democracy therefore, not only prescribes how political power should be acquired but also what to do with it and how it must be exercised. No wonder, Held (1993:13) asserts that “democracy bestows an aura of legitimacy on modern political life: laws, rules and policies appear justified when they are democratic”. Power when acquired contrary to democratic principles or exercised contrary to democratic norms or ideal, more especially in a society that claims to be democratic, is said to be illegitimate. Then, what is legitimacy and what is the nexus of democracy, accountability and legitimacy?

Legitimacy is the foundation of political power inasmuch as it is exercised both with a consciousness on the part of the government that it has a right to govern and with the recognition by the governed of that right (Sternberger, 1968). It is indeed the moral basis of the authority of the state. In order to make the meaning of the term clear, Sternberger seeks to distinguish it with usurpation. The concept of usurpation as the opposite of legitimacy has accompanied the concept of legitimate government since early medieval times and has helped to clarify it. Usurpers seizing power have often tried to strengthen their positions by giving their government a legitimate form and their attempts to clothe a usurping power with legitimacy, whether successful or not, have often revealed what the standards of legitimacy are there for a given society. In essence, legitimacy connotes a relationship between rulers and the ruled which refers to the moral condition of individuals in modern political community. Apter (1965: 236) has provided a particularly interesting notion of what legitimacy is. He maintains that legitimacy is related to a set of conceptions held by significant members of the polity about the rightness of political pattern which in turn provides the patterns with a set of properties. Legitimacy is thus a behavioural term referring to a set of limits on governmental action. It is with reference to legitimacy that right conduct in office is defined (Johari, 2001).

Following his teacher, Aristotle discovered the sanction of political legitimacy in a system wherein people may lead ‘a life of virtue’. That is, the idea of political legitimacy is necessarily connected with the end of the state which lies in the realization of good life. Razi (1987:461) submits that legitimacy could be applied in two ways. The first meaning refers to a set of basic norms or moral standards which relate to politics and are by and large commonly shared. These norms make it possible to govern and be governed by covering such areas as: the primary purposes of the government and the rights and obligation of the governed; the characteristics, methods of selection and change, and spheres of competence of the political rulers; and the structure of accountability of the rulers in terms of the preceding values. The second meaning of legitimacy refers to the extent to which a regime engages in legitimate behaviour, or, more precisely, the extent to which the relevant portion of the population perceives that the regime is behaving accordingly. This has to do with the procedural and the outcome conceptions of democracy earlier discussed.

In the final analysis, legitimacy is a question of belief depending strictly on the ideologies of and myths prevalent in a society. Indeed, every ideology seeks to depict the image of an ideal government. Governments which resemble this image are considered as legitimate and those which do not are regarded as illegitimate (Duverger 1972:101). It follows that the canon of legitimacy is applicable to any form of political system whether democratic or not (Lipset, 1959:77), though it has a particular application in the case of democratic system where power vested in the people is exercised by their representatives chosen in free and fair periodic elections. In the words of Ball (cited in Johari, 2001: 129-130):

*Elections are primarily a means of legitimizing the right of the rulers to govern. Only conservative traditional autocracies can afford to dispense with this form of legitimization, and are usually one of the first acts of revolutionary regimes is to justify their newly acquired power with the authority of the people’s consent.*

It could be seen from our discussion that democracy is a political ideal which tends to provide a legitimate aura for political regimes and that one of the basic ingredients to sustain this aura is political accountability.

### Lessons for Nigeria

Literatures abound on the successes and failures of democracy in Nigeria, more especially the electoral type (Dudley, 1968; Oyediran, 1981; Dudley, 1982; Adamolekun, 1985; Tamuno, 1991; Ibeanu 2007; Jega 2007; Jega and Ibeanu 2007; Ogundiya and Baba 2007; Human Right Watch, 2007). With the benefit of hindsight one can say that elections from 1954 to date have failed to give Nigerians a procedurally legitimate government (as election results are juggled, inflated or annulled) and democratic norms and values have not been truly established. Therefore, in term of processes and outcome, democratic practices in Nigeria, have been fraught with errors and failures. These failures have promoted a serious debate in the recent time on whether there had been or there is democracy in Nigeria. Thus, one critical analytical problem that one is likely to confront in discussing the question of democracy in Nigeria is whether, in the true sense of the word, there had been or there is democracy in the country. Toyo (1994:8-9), more than a decade ago, critically pointed out that Nigeria never experienced democracy. He argues:

*Instead of return to civil rule, we in Nigeria found ourselves talking of return to democracy thus falling into presumption that a democracy had existed in Nigeria. The press, for instance, is incessantly drumming, into our ears that "we are a democratic country" and bellowing that "in a democratic country like Nigeria", this or that should not happen. It thus seems completely unaware of the cardinal fact that neither during colonial rule nor since independence has Nigeria been a democratic country. In the far years of the Balewa and Shagari civilian interludes,*

*Nigeria strove to be a democracy but was never.*

This assertion is still plausible today. The reason for Toyo's conclusion is not far fetched. In terms of outcome, Nigerians have not significantly reaped the dividends of democracy; secondly, Nigeria's democracy has been violence ridden characterized with wanton destruction of lives and property (Ogundiya and Baba, 2007). More importantly, people's vote seems not to count in determining who governs as elections are 'rigged' or its outcome determined before the poll. For instance, a onetime First Republic politician was quoted during a campaign rally as saying "we use what we have to get what we want; politics is not like going to church". Another politician in the Eastern region told another rally: "whether you vote for us or not, we will remain in power" (Osaghae 1994). In 2007 a prominent politician was also quoted as saying (HRW, 2007);

*If my colleague in [name of district withheld] Senatorial District is having problems, I will send some boys to help him out. That's the way it works here...If anyone tries to attack me, my boys will unleash terror.*

Assertions like this, according to Osaghae (1994:1), "tell a lot about the amorality of politics, particularly, of the civilian (democratic) kind". He (Osaghae Ibid) then draws some implications from the assertions which are significant to our analysis;

- (1) *The political arena is amoral, and behaviours which would normally be considered morally reprehensible in other contexts are permissible within it;*
- (2) *Government, even a supposedly democratic one, does not have to be representative of the people, or to have their (voluntary) consent or support to hold or retain power;*
- (3) *Government is perceived in terms of personal rule; and*
- (4) *Politics and government are approached in extractive or instrumentalist terms, meaning that few people become*

*politicians or seek political office for altruistic reasons.*

The situation has not changed, rather it has gone worse. Political hooliganism, maiming, assassination and contract killings, “terrorism”, vandalism and all sorts of negativities still characterize electoral politics in Nigeria. These have produced and are still producing terrible consequences for democratic sustainability. The problem manifests principally, but not only in three debilitating ways: “the negative perception of politics and politicians including the popular notion that politics “is a dirty game”, (Osaghae, 1994) non-accountability of political leaders and political office holders, and the resultant effect: “legitimacy crisis”. These are the basic enigma of democratic transformation and stability in Nigeria. The 1999, 2003 and 2007 general elections like the previous ones were fraud ridden.

In its post-election report the Carter Foundation, one of the 1999 election monitors, observed a number of serious malpractices which include, inflated vote returns, ballot box stuffing, altered results and disenfranchisement of voters. The 2003 and 2007 general elections were even worse. This has been responsible for democratic instability in the country since independence because election, one of the basic ingredients of democracy, has failed to produce a procedurally legitimate government. Therefore, the impression among electorates is that their votes do not count. And because of the amoral milieu within which politics takes place, the political leaders have paid less attention to people’s need and more to the need of their political god-fathers, what Richard Joseph aptly described as “prebendalism”. Not only that these tendencies have encouraged corruption and lack of transparency in governance, it has also made nonsense of democracy.

For democracy to enjoy legitimacy, it must “make sense” to the generality of people without which the people will find it difficult to imbibe democratic culture and values. By democratic culture, we mean a commitment to democracy as a set of three basic ideas (Nzogola Ntalaja 1997/1998:10-15, 2002: 6):

- Democracy as a moral imperative, or a permanent aspiration of human beings for freedom, for a better social and political order, one that is more human and egalitarian.
- Democracy as social process, or a continuous process of promoting equal access to fundamental human rights and civil liberties for all; and
- Democracy as political practice, or a mode of governance based on the principles of popular sovereignty, the rule of law, accountability, participation and periodic alternation of rulers.

Then, what has been the experience of Nigeria since the return of the country to democratic rule in 1999. It is important to note from the outset that the experience has not been totally different. Indeed no serious lesson has been learned.

Unrestrained by any real accountability to the electorate, many of those elected officials who came to power in fraudulent elections have committed abuses against their constituents and engaged in the large-scale looting of public resources (HRW, 2007). The consequences of unaccountable governance in Nigeria have been severe. As documented by Human Rights Watch and other organizations, human rights abuses remain pervasive in Nigeria (HRW, 2002; 2003; 2006) Corruption is rampant at all levels of government, crippling basic health and education services and other social infrastructure in spite of rising oil revenues in recent years. Nigeria’s security forces have exacted bloody reprisals on civilian communities on numerous occasions with complete impunity (HRW 2007).

Despite President Obasanjo’s vociferous campaign against corruption and corrupt practices, Nigeria still rates as one of the most corrupt nations in the globe. In Nigeria, corruption stifles economic growth; reduces economic efficiency and development despite the enormous resources in the country. It exacerbates inequality, desecrates the rule of law and undermines the legitimacy and stability of the country’s nascent democracy (Obayelu, 2007). It is difficult to dispute the judgment of the Transparency International, the global

watchdog, which condemns Nigeria as a corrupt nation.

Evidence of corruption and unaccountability among political leaders and public office holders abounds in the country, more especially at the highest level of governance as well as at the state and Local Government levels. For instance, three Senate Presidents (Senators Enwerem, Chuba Okadibgo and Nwabara) of the Nigerian highest law making chamber had been removed on account of corruption, embezzlement of public fund or over inflation of contracts. Patricia Ette, the first female speaker of the National House of Representatives, also lost her position following her indictment over allegation of misappropriation of public funds in multiple contracts of N628m (US\$5 million) for the renovation of her official residence and the purchase of 12 official cars. None of these was prosecuted. The executive is not spared. Issues which demonstrated the gross insincerity on the part of the executive is the appointment of discredited politicians into public office. Ibrahim (2003:8) observed that, "The retention of numerous personalities reputed to be highly corrupt has indeed eroded the credibility of the executive and its resolve to fight corruption".

Few examples will suffice. The 2001 "NEPA gate" incident in which two of the Ministers, Late Chief Bola Ige (Justice), and Dr. Segun Agagu (Power and Steel), were accused of "imprudent" management of (N2.3 billion) funds specifically allocated to reduce power outages, though widely reported in the media, was left uninvestigated. The president (Olusegun Obasanjo) was also mute on the allegation that members of the House of Representatives were bribed by the executive, through the Governor of Rivers state to the tune of N4million to impeach its second speaker. Alhaji Umar Ghali Na'Abu (Jibo and Okoosi-Simbine 2001:183-195). These among others, prompted the insinuations that the Independent Corrupt Practices Commission (ICPC) and the Economic and Financial Crimes Commission (EFCC) were probably established to hunt both real and perceived political enemies of the president, rather than bodies truly established to fight corruption and ensure accountability in government business.

At the state level, the situation is even worse as states interpreted their automatic allocation as blank cheque that they could use at their own discretion without due consideration for the need of the electorates. The freewheeling activities of state governors who felt the need to respond to pressures for patronage have led to uncontrolled spending, widespread mismanagement, misappropriation of public fund and what is probably the most critical failing of all-lack of accountability. To cover up, state media have been established to sing praises of the governors, portraying them as messiahs, liberators and saviors of their people. In such media, only appraisals that eulogize the government of the day are considered newsworthy.

Other factors that have affected the accountability of governance in Nigeria are the undeveloped democratic institutions and inadequate check and balances and/or collusion among the three arms of government. The legislative arm at the Federal and state levels have been ineffective in their oversight functions to curb the excesses of the executive, therefore, occasionally leading to what has been described as executive lawlessness (example is the destruction of Odi village by the military on the order of the executive, extra-budgetary spending and disrespect for the rule of law). The media, which would have been the official watchdog of the government, has been enmeshed in ethnic politics and regional divides (Jibo and Okoosi-Simbine, 2001). This is greatly undermining the role of the media in ensuring transparency and accountability as stipulated in section 22 of the 1999 constitution.

The argument so far is that, "electoral democracy" has failed to install responsive and accountable government in Nigeria. Hence, Nigeria's case is that of triple jeopardy-weak source of authority under-pinning the rules of appointment to the leading offices of state, incapacitation of its institution to facilitate the achievements of the end purposes of government and lack of accountability and 'absence' of regular expression of consent.

Despite all these, it is not politically disingenuous to say that there has been or there is democracy in Nigeria. It should be noted that the concept of democracy is an ideal and a

reality. As an ideal, that is, the consciousness we have of it, it implies that no system of government is perfect, and that a constant effort must be made to strengthen democratic structures and move closer to democratic practices (within this context democracy had existed in Nigeria). But as a reality, it calls for the enactment and respect for principles inherent in the concept. In this sense, the practice of democracy should include all or parts of the following processes: free choice of leaders, free political participation and competition, fair election in the sense of adherence to the general idea of one-person-one-vote without fear of punishment, accountability, and respect for minority rights, greater social justice, and equitable distribution of a country's wealth. Undoubtedly, there is no absolute democracy in the world.

### Conclusion

We have discussed the symbiotic relationship among democracy, accountability and legitimacy and have concluded that electoral processes have failed to enthrone a legitimate and morally and politically accountable government in Nigeria. It appears that Nigeria and Nigerian political elites have not learnt the lessons of its previous failures. The transition to civilian rule has not delivered democratically accountable government for Nigerians. Nigeria has not held a free and fair general election since the end of military rule; polls in 1999, 2003 and 2007 were characterized by widespread violence, intimidation, bribery, vote rigging and corruption. The officials who came to office through that process have generally not realized the hopes of Nigerians for socio-economic advancement and better governance. Instead, Nigeria's population remains mired in poverty, and despite limited advances, government at all levels is riddled with corruption and abuse of human rights (HRW, 2007)

This is truly the bane of legitimacy and democratic stability in which the country has been enmeshed since the return to "democracy" in 1999. Nonetheless, other factors, that could explain legitimacy deficit in Nigeria includes: Colonial historical experiences; ethnic politics, as Nigerians preferred to be ruled poorly by

their ethnic brethren than well by other ethnic group or groups; religious bigotry; poor performance capacity of the state etc (for detail, see Ogundiya 2001).

Generally, for democratic consolidation, the country's electoral body must be truly independent to be able to organize a credible election. In addition, the politician must imbibe the spirit of sportsmanship in politics. Equally importantly, the principles of accountability must be religiously observed and the three arms of government must be alive to their constitutional responsibilities of checks and balances. Furthermore, the media must be free from ethnic and regional politics to remain a reliable partner in the struggle for transparency and accountability in governance in Nigeria. All these will not only change the negative attitudes of citizens toward the system but will also enhance the belief that democracy is the most ideal system of government.

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**Bibliographical Note**

Ilufoye Sarafa Ogundiya received his PhD in Political Science from University of Ibadan, Nigeria. He is currently a Senior Lecturer at the Department of Political Science, Usmanu Danfodiyo University, Sokoto, Nigeria. He has published in national and international journals. His research interests include political theory, politics of development, democracy and Nigerian government and politics.