

WEAK INSTITUTIONS, DEMOCRACY AND THE NIGERIAN STATE

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Abstract

Weak institutions have contributed to the weakening of the Nigerian state and its democracy. Thus, institutions are perceived as the bulwark for ensuring sustainability of democracy and, therefore, should be understood as a theorising premise for explaining democracy. Ironically, institutions have become an instrument of manipulation by elites against the poor. Institutions in Nigeria are often creatures of the rich and the powerful with consequent breeding of institutional challenges, which include the economic (creation of social groups that deny citizens factors of production) and the political (the creation of “extractive” institutions that deny citizens innovative and creative rights. Also created are the democratic processes that deny Nigerians a political voice and the formation of exploitative patron-client relations which has made the Nigerians a chessboard rather than players. In order for Nigeria to have institutions that could provide economic stability and security for individuals and their property, rational choice theory is adopted. This is achievable since the main goal of rational choice is to foster collaboration among actors in the Nigerian state. This paper uses secondary data to analyse implications of the failure of institutions in Nigeria that has caused the Nigerian state the capability to cater for its citizens. It recommends the provision of “inclusive”, rather than “extractive” institutions, that can provide for the socio economic and political demands of Nigerians.

Keywords: *Democracy, Nigerian State, Institutions, State Failure,*

Introduction

In the contemporary world, strong and nuclear capable states even with their nuclear plants seem to not be sources of global threat - at least they have not unleashed their weapons of mass destruction on states. Stohl and Stohl (2001) argue that the weak and failed states have also become sources of both domestic and international threats. Record (2000:7-8), postulating the preponderance of the weak state to procreate act of terror, opines that “failed states have become the primary sources of instability in the international political system, not just because war within the advanced industrial world has drastically receded, but also because failed states invite intervention by stronger states.” Intervention of stronger states have continued to change the nature of such states both in economic and political spheres as have been witnessed in Iraq and Afghanistan with the invasion of the United States, an event that has led to further weakening of such states. Ironically, the stronger states with their overwhelming arsenals have tended to protect the world through self-restraint as have been witnessed between United States and Russia during the Cold War era, where the super powers have made the weak states suffer for the acrimony between the powers.

In the Nigerian state, institutions which could serve as self-restraint mechanism with a view to protecting the rulers from suppressing the rights of the ruled and guaranteeing both the economic opportunities and security are conspicuously absent. The implications for this on the Nigerian state is that the state is put on a precarious circumstance where, on one hand, it is unable to provide the desiderata of democracy to its citizens and, on the other hand, the rulers behave autocratically. These undemocratic attitudes by the rulers such as the disregard for the rule of law, a symbolic pillar of democracy, has wider implications for the country. For example, it is not an overstatement to say that the incapability of the Nigerian state to give economic opportunities to the youths has contributed to the increasing criminality among the youths. Thus, it can be hypothetically stated that weak institutions have incapacitated the Nigerian state and has put it on the verge of a failed state. Rotberg (2003) states that because of internal conflict and their inability to provide their people with constructive political benefits, nation-states fail. It is no doubt that the country has been overwhelmed by terrorism and other associated activities such as armed robbery, kidnapping, human trafficking, drug peddling and terrorism, among others.

Theoretical underpinning

The discussion in this paper is guided by the theory of rational choice. The rational choice theory seeks to solve the dearth of institutions capable of ensuring economic security and stability for both people and their property. Yet, the two important democratic deliverables can only be achieved with the collaboration of the state's political actors; this is possible because the major objective of rational choice is to promote cooperation among state actors. The process of free exchange between autonomous agents is the theory's central principle, and it acknowledges the Hobbesian, or self-interested, nature of humans. The theory investigates potential solutions to the problem of collective action by self-interested individuals. In the course of relationships, it frequently takes into account how people might manage the hazards brought on by their Hobbesian nature. The Rational Choice Theory emphasizes cooperation as the solution to these problems; this is the theory's most distinctive feature. The fundamental question, according to Moe (2005:216), is how egotistical and opportunistic people could overcome the collective action issue and cooperate for mutual gain. Yet, North (1990:12) asserts that because of self-interest, people frequently find it difficult to cooperate. However, lack of information between the rulers and the ruled in a polity, limited repeated interactions among human beings and the presence of numerous players such as in the case of Nigeria with its various cleavages which include religion, ethnicity and social make cooperation between people difficult.

Consequently, the players must come up with a plan for their continued existence and mutual gain. As a result, they require fundamental institutions that will govern their relationships in order to conduct their affairs. According to the theory's summary, institutions serve as a form of internal mechanism to control how people behave. With this, the state would be capable of carrying out its fundamental duties. Strangely, Nigerian institutions are disconnected (Tijani, 2016).

Terrorism as a source of threat to the contemporary world

Making distinctions between the threat in the ancient days and the threat in the contemporary world, Ampatuan (2008) categorize this in two distinct ways. First and foremost, the tremendous brutality that characterizes the "new threat" and does not distinguish between military and civilian targets is its most important aspect; terrorism symbolizes this threat. The new terrorists have not followed the self-restraints of the past, in contrast to previous terrorists who had a comparable need for recognition. Traditional groups had a fundamentally different strategy than

Al-Qaeda, wanting to draw attention while minimizing deaths. The other leg of this distinction is that the new threats are created around loosely connected cells that do not rely on a single leader or state sponsor, in contrast to classic terrorist organisations that have hierarchical structures and are heavily dependent on state sponsorship. Osama Bin Laden's Al-Qaeda has come to represent this organization. Al-Qaeda's leadership is therefore not involved in the finer points of targeting, despite the fact that the organization was behind the deadliest terrorist strike in history and had the highest lethality-per-attack ratio. The Pentagon and Twin Towers were successfully attacked by Al-Qaeda on September 11, 2001, underscoring the vulnerability of the US defense system and maybe its misguided institutional structures (Ampatuan, 2008).

Despite the United States' vast military and national security capabilities, the expensive and complicated system was unable to respond to the attack quickly and effectively. The military apparatus of the United States is primarily built to either engage in expansionist excursions or at the very least to be prepared to deal with ever-possible military incursions of other states, so it is not equipped to deal with non-state actors, an enemy with no strategic depth with which one can identify boundaries, battlefronts, and strategic leadership (Ampatuan, 2008). Typically, in a weak state, what we have is the promotion of non-state actors at the expense of the sovereign state that ought to exercise its authority of the use of force on the state with a view to securing the state and consequently, as a result of the provision of security for the teeming populace, citizens' economic opportunities can then be guaranteed. Thus, supporting Ampatuan's argument, Nigeria may be categorized as a failed state. This is because of his stand on the sources of threat and the ability of states to use instrument of force to suppress it. He argues that a functioning government under the Westphalian system, which exercises complete sovereign powers over a territory and population, monopolizes legal violence, provides public goods, and has the authority to create and uphold international obligations. Non-state actors rule over the population and the resources in failed nations, and the government is unable to manage legitimate violence or provide for the needs of the public.

Is Nigeria a failed State?

A state can be said to be a failed one when it is being confronted by conflicts especially those from within the state thereby threatening the delivery of the desiderata to citizens. As defined by Rotberg (2003:1), a state may be a failed one when it is enveloped by internal violence:

Nation-states fail because they are convulsed by internal violence and can no longer deliver positive political goods to their inhabitants. Their governments lose legitimacy, and the very nature of the particular nation-state itself becomes illegitimate in the eyes and in the hearts of a growing plurality of its citizens Rotberg (2003:1).

Furthermore, Kinnan, Gordon, DeLong, Jaquish and McAllum (2011:9) paraphrase an analogy of a failed state that a state is considered to have failed if it loses physical control over its territory, loses its exclusive right to use force for legitimate purposes, sees the legitimacy of its power to make decisions for the whole nation eroded, is unable to deliver adequate public services, and is unable to engage in full-fledged international relations with other nations. Supporting this argument, Tijani (2022:2) condenses the failure of a state in two salient responsibilities: when a state fails to provide economic opportunities and when it does not provide security for the teeming population. He argues that Nigeria has failed in these basic responsibilities. Premising his arguments on two indicators of Ibrahim Index of Governance - sustainable economic opportunity and safety and rule of law that span between 2010 and 2019, which Nigeria never scored half of the total mark of 100 (See Table 1).

Table 1: Nigeria's Governance Performance Scores, 2010-2019

Indicator	2010	2011	2012	2013	2015	2016	2018	2019
Sustainable Economic opportunity	41	41	41.0	43.3	37	42.3	43.5	47.8
Participation and Human Rights	37	38	48.5	46.9	48.8	52.5	53.2	43.6
Safety and Rule of Law	46	41	39.1	38.1	41.8	46.4	46.4	44.3
Human Development	48	48	52.9	53.0	35	51.1	48.7	46.5

Source: Tijani, 2022: 233.

Additionally, Tijani states that these basic necessities are important for a state to bring good governance and development. It is therefore not surprising that Nigeria can be tagged a failed state because of its failure in taking its people out of poverty:

Ironically, the Nigerian state has failed in these two basic responsibilities. These expectations of citizens cum responsibilities of the state are not tradeoffs; they are to be delivered by the Nigerian state as they serve as a condition for good governance and development. Intuitively, therefore, if a state fails in its responsibilities, what follows thereof is that the gap between citizens and the state becomes wider. This has implication for the Nigerian state as such could readily provide marketability for terrorism, banditry and other associated crimes (Tijani, 2022:2).

In order to further establish the fact that the present Nigeria has become a failed state, Rotberg and Cambell (2021) posit that Buhari's Nigeria has meant that state failure is associated with the Nigerian state, lamenting that Nigeria has consistently teetered on the brink of ruin. Nigeria has now completely failed as a state and is a major geopolitical issue since it is unable to guarantee its citizens' safety and security. Its failure is significant because a more powerful Nigeria is necessary for maintaining the stability and economic growth of Africa as well as for halting the global spread of unrest and militancy. He argues further that typically with state failure, Nigeria can no longer sustain its vocation of promoting African peace and security. Its security challenges are already destabilizing the West African region in the face of resurgent jihadism. And spill over from Nigeria's failures ultimately affect the security of Europe and the United States (Rotberg and Cambell, 2021).

Economically, several years ago, Kinnan et al (2011), explaining the possibility of Nigeria becoming a failed state, lament that oil and other petroleum products account for 90–95% of Nigeria's export revenue. About 80 percent of the government's income comes from oil exports. Due to the collapse of the northern textile and manufacturing industries, oil has almost entirely replaced all other export commodities. They conclude that these sectors collapsed when investors diverted their funds to the oil industry and other parts of Africa and Southeast Asia. Similar to the south, the economy of the north continues to be centered on agriculture and is underdeveloped. Nigeria's oil business generates the majority of its money, although it only employs 35,000 people,

or less than 6% of the total workforce. However, from 2015 to 2022, there have been significant improvement in the contribution of the non-oil sector to Nigeria's revenue base.

Moreover, hierarchizing the primary responsibilities of the state, Rotberg (2003:3) is concerned that the primary role of the state is to provide that political good of security, which includes preventing territorial loss and cross-border invasions and infiltrations, as well as any domestic threats or assaults on the national order and social structure. For example, the ceding of a portion of Nigeria to the raging religious extremists seems to be a defeating reason for the religious fanaticism in Nigeria. This is demonstrated by the Nigerian army leaving Nigerian territory so that Boko Haram terrorists could seize control and plan attacks on Nigerians. Such a move was viewed as a poor military tactic and a serious threat to Nigeria's national security. According to Dionne Searcey's (2019) coverage on Nigeria's military forces the military said in August of that year that it was moving personnel from isolated outposts in the rural to secure neighbourhoods known as "mega camps." The Nigerian military had secured tens of thousands of civilian populations in regiment towns where the super camps were situated. In the same vein, some Nigerian territories were taken over by Boko Haram terrorist group in 2017. A Nigerian daily, *The Guardian* (21 September, 2017), quoting a source, reports that as at 2017, in Bornu State, there were numerous local government councils, the newspaper claimed, at least seven of them were under the authority of Boko Haram. The daily continued by stating that all of the emirs resided in Maiduguri rather than in their respective emirates. Again, food was dropped from helicopters for the military at several local government buildings, according to the source.

Nigeria's disconnected institutions and democracy

World Bank (1998:11) defines institutions as "formal and informal rules and their enforcement mechanisms that shape the behaviour of individuals and organisations in society". These institutions are presented by Olsen (2002) as instruments for putting policies and ideals of a better society into action. According to Tijani (2016), in order to achieve people-centered governance, institutions have developed into a practical tool for processing data in order to identify the policies required for successful government. Policies are only goals and expected results; the rules, including actor behavior norms, are what maintain these policies in place. World Development Report (2002:6) states that institutions are the rules, including behavioral standards by which agents interact, and the organizations that apply rules and codes of conduct to accomplish desired outcomes. This is in contrast to policies, which are aims and intended outcomes. Institutions influence which policies are chosen, but policies also influence which institutions develop. Organizational structure has an impact on behaviour. However, behaviour inside already-existing institutions may also alter. In Nigeria, effective and robust institutions are essential for the success of democracy, which is the acknowledged system in practice. Tijani (2016) goes further that:

In other words, institutions nurture governance, the absence of functional institutions in a state is responsible for the preponderance of government over governance. Therefore, in the absence of quality institutions, it is possible to talk about more of the impossibilities of government than to talk about less of the possibilities of governance in a state (Tijani, 2016:24).

The Nigerian state is bedevilled with weak institutions, which has further impoverished the delivery of service to citizens on one hand and the state as it hinders operation of viable policies and programmes on the other hand. Thus, Nigerian state has become disconnected, a disconnected state is a state whose institutions have become so detached that rules, norms, values and practices that keep the state together have continued to tear the state apart. Of course, institutions are the fabrics that hold a state together, it is the string that holds the parts

of the system to the whole we called state. These institutions are important for the state to maintain good governance, which is necessary for the advancement of a state especially a democratic state. It is, therefore, not surprising that Nigeria's democracy has summersaulted.

The starting point in addressing myriad of problems that has bedeviled democracy is to brush off the web of fantasy that has been woven around it and – although not jeopardizing its teleological underpinning - take a concrete step at understanding it. The popular Abraham Lincoln's thesis explains democracy in a relationally human conjecture as: government of the people, by the people, and for the people. As definitionally sophisticated as this may sound, it forecloses the errorful and sometimes terrorful propensity of human individuals in the developing world especially those who democracy has placed in 'ruling' in such countries and, typically, Nigeria. Fundamentally, a preponderant understanding of democracy needs to be established, which is that human individuals – although they still remain the unit of analysis in the discourse of democracy, cannot sustain democracy. Even when positivists would put their feet on democracy, some democratic fault lines in Nigeria such as rigging, vote buying and inconsistency in internal party democracy among political parties have really put the scientism on epistemological frontlines. It is, therefore, imperative that democracy needs to be understood in a reductionistic way. In a reductionist manner, democracy can be broken down into its component pieces.

Understanding these more granular elements will help us to comprehend the whole that is democracy. But, trying to reduce a concept to its simplest form through reductionism is a derisive use of the term. On the contrary, reductionism would help us to explain the system via its components that are made of – institutions – and its various forms: economic, judicial, religious, social and, of course, political institutions. This way, the emergentism of democracy would be analytically understood too as pockets of emergentists typified by the separatist movements such as the Indigenous People of Biafra's (IPOB) in South East, Yoruba Nation agitation in the South West and religiously irridentist El Zakzaky's Islamic Movement of Nigeria in the North would be explained via their caustic goals. Understanding these institutions would avail us an opportunity of explaining how their weakness has led to the failure of the Nigerian state. A challenge that failure to understand democracy from the purview of institutions may throw up two fallacies. First, democracy that is understood through a window of human individuals would bring our understanding of the system on a fallacy of wrong unit of analysis at the expense of the fundamental parts that nurture the system – institutions. Second, an understanding of what sustains democracy would become blurred.

In order to understand what sustains a country's democracy. Institutions readily becomes our response because no matter how altruistic an individual is, he is limited by subjectivity. The subjectivity needs to be tamed so as to make him realize his aspirations – and what tames the subjectivity is the presence of superlative organ that will regulate activities of individuals. Therefore, ascribing – instead of synonymizing - democracy in the hands of human individuals may be the greatest error. Democracy cannot be ascribed to individuals because of their handiworks, which are also cancerous to democracy and may have accounted for terrorful demonstrations that have come out of it. Such handiworks that are inimical to the sustenance of democracy include misgovernance, patrimonialism, prebendalism, corruption, among others. A concern over this limitation is amplified by Abraham Lincoln¹ himself as he subconsciously acknowledges and exasperatedly states that: *as I would not be a slave, so I would not be a master. This expresses my idea of democracy. Whatever differs from this, to the extent of the difference, is no democracy.*

¹ Abraham Lincoln, Definition of Democracy, August 1, 1858, in Roy P. Basler, ed., *The Collected Works of Abraham Lincoln* (8 vols., New Brunswick, NJ: Rutgers University Press, 1953), 2: 533, <http://quod.lib.umich.edu/l/lincoln/>.

As a result of limitation of people as a regulatory checkboard for democracy, institutions therefore become a key analytical lens to explain the failure of a democratic state. In other words, what the people have failed in neither promoting democracy nor sustaining it, institutions can do. Connecting weak institutions to the failure of a state, Tijani (2022) states that a state is considered capable if its capacity is dictated by its laws, norms, values, constitution, and effective mechanism for enforcing these factors. This will improve its economic performance because it ensures the security of investors. Investors require confidence in order to establish their businesses in a nation; the absence of these standards, laws, customs, and regulations undermines investor confidence. The strict adherence to the rules of the regulatory institutions is necessary to monitor governance and is reflected in the rule of law, participation, responsiveness, accountability, etc.

It is worthwhile to anthropomorphize democracy so as to know what can really sustain or destroy it. Human being depends solely on oxygen to survive – the absence of which makes a person deoxygenated and ceases to live. So, one reasonable answer to the question of what is necessary for democracy to endure is institutions. In a state, institutions ensure security and stability. Characteristics of a capable state should immediately describe a failed one in order to comprehend what a failed state comprises. Amoako (2004) defines a capable state as one where long-term stability and security are ensured. Long-term growth is not feasible without peace. Moreover, effective governance is frequently required for peace. The capable state encourages the equitable distribution of the growth advantages and establishes a political and legal framework that is conducive to economic progress.

To tackle poverty and strengthen social safety nets in the areas of health, education, and the environment, growth must be paired with these initiatives. Strong macroeconomic management, institutional transformation, and monetary aid for the improvement of human resources are all required for this. Long-term poverty reduction results from unequal growth. And having strong democratic government at all levels is the most efficient way to do it. Amoako continues by highlighting the fact that the capable state takes on corruption head-on, which impedes development and lessens governments' ability to end poverty. According to Rotberg (2003:4), strong states are characterized by the capability, what can be termed the desiderata of good governance. Rotberg characterizes the quality of a strong states:

Strong states unquestionably control their territories and deliver a full range and a high quality of political goods to their citizens. They perform well according to indicators like GDP per capita, the UNDP Human Development Index, Transparency International's Corruption Perception Index, and Freedom House's *Freedom of the World Report*. Strong states offer high levels of security from political and criminal violence, ensure political freedom and civil liberties, and create environments conducive to the growth of economic opportunity. The rule of law prevails. Judges are independent. Road networks are well maintained. Telephones work. Snail mail and e-mail both arrive quickly. Schools, universities, and students flourish. Hospitals and clinics serve patients effectively. Overall, strong states are places of enviable peace and order (Rotberg, 2003:4).

In contrast to the characteristics above and typical of the Nigerian state, Rotberg propounds the attributes of a weak state:

Weak states typically harbour ethnic, religious, linguistic, or other intercommunal tensions that have not yet, or not yet thoroughly, become overtly violent. Urban crime rates tend to be higher and increasing. In weak states, the ability to provide adequate measures of other political goods is diminished or diminishing. Physical

infrastructural networks have deteriorated. Schools and hospitals show signs of neglect, particularly outside the main cities. GDP per capita and other critical economic indicators have fallen or are falling, sometimes dramatically; levels of venal corruption are embarrassingly high and escalating. Weak states usually honour rule of law precepts in the breach. They harass civil society. Weak states are often ruled by despots, elected or not (Rotberg, 2003:4).

The Nigerian State and the Weak Institutions

Weak institutions have been implicated in the weakening of the Nigerian state. This is because institutions have become the instrument of manipulation by the elites against the poor including the youth. Institutions in Nigeria are often creatures of the rich and powerful with consequent breeding of institutional challenges, which include economic – creation of social group that deny the youth factors of production. The political challenges include the creation of “extractive” institutions that deny the youth innovative and creative rights, democratic processes that deny the youth a political voice and creation of exploitative patron-client relations which has made the Nigerian youth a chessboard rather than the players.

The judicial institution is no different as it is sometimes tilted towards satisfying the elites and denying the poor including the youth justice. This is evident in the lopsided provisions that sometimes are witnessed in Nigeria’s judicial system. For example, Chiedozie (2013) gives a shocking story of Nigeria’s judiciary. He discusses the case of a director of the Police Pension Office that was given a laughing sentence after stealing N27.2 billion:

When Mr. John Yusuf, director of the Police Pension Office, was sentenced to merely two years in prison on Monday for conspiring with others to defraud the office and pensioners of N27.2 billion, shock filled the Federal Capital Territory High Court in Abuja. Yusuf acknowledged stealing N2 billion of the funds. He was given the option of paying a fine of N750 000 for the three offenses to which he admitted guilt, but he chose not to serve the two years in prison. The punishment for each of the three offenses is two years in prison. Concurrent sentences are used. Yusuf, who by his sentencing becomes the first defendant in the current trial of those charged with the N38.8 billion Police pension fraud to be imprisoned, will forfeit his right to appeal (Chiedozie, 2013).

Dishearteningly, death penalty was passed on a 26-year-old for robbing someone at gunpoint of N1,705 and two rolls of sachet milk, each worth N400 (Okpi and Baiyewu, 2012). A state is a capable one when its capability is determined by the laws, norms, values constitution and timely enforcement system of these variables. This would aid its economic performance as the security of the investors is guaranteed by this. Investors need confidence in bringing their business into a country. The absence of these norms, laws, practices and rules erodes the confidence of the investors. It is this that can further enhance good governance. Good governance, manifested in rule of law, participation, government responsiveness, accountability, etc, is contingent upon the strict adherence to the dictates of the regulatory institutions in order to monitor governance. In Nigeria, it is evident that the creation of political and economic agencies such as the Economic and Financial Crimes Commission of Nigeria, Human Rights Commission and some other agencies established to promote good governance have been incapacitated by lack of effective institutions.

According to Kifordu (2011:16) the recycling of political elites creates human rights infringement of the others. He adds that there is a connection between historically ingrained values and interests that guide the core political executive elite's political behaviour and the rejection of

possibilities for new groupings. More pressure may be placed on other people's rights, the openness of the political system, inclusivity, and the rule of law the more powerful a small number of people or organizations become in society. As a result, political elites are reproduced rather than circulated. Reproduction is the result of common behaviours among specific groups of people who have similar social networks and a background. This reproduction results in a mixed-style of government. In this context, hybridism refers to uneven liberalization, consistently reduced inclusiveness, and utterly incompetent administration.

The elites would want to perpetuate themselves in the act of governance and maintain status quo. This they do by the introduction and perpetuation of extractive institutions. An extractive institution is the institution that denies the other people including the youths the economic opportunities and political rights as well. The power is concentrated among the powerful elites at the expense of other members of the society. In response to the action of the elites in the protection of the status quo, the youths who are the most energetic group in the society seek to upturn the actions of the elites and make their institutions inclusive. They tend to oppose the concentration of power in the hands of the few powerful groups.

Conclusion

This paper concludes that in order to ensure that the Nigerian state becomes a strong one, it is imperative for its institutions to be inclusive rather than being extractive. This would provide for the socio-economic and political demands of the Nigerian population including youths. The present institutions in Nigeria have incapacitated Nigerians and would, therefore, continue to create problems for its democratic system, human individuals and the sustainability of the country. The paper, using the two basic responsibilities that a state is meant to perform, concludes that Nigeria is moving towards being a failed state.

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