

DEMOCRACY, HUMAN RIGHTS AND CIVIL SOCIETY IN NIGERIA

Dr. Ejikeme Jombo Nwagwu
Department of Political Science
University of Nigeria, Nsukka

Abstract

The democratic system of governance is people-driven state affairs in a polity. As government of the people, it affords the citizenry the opportunity to participate in decision-making processes on issues affecting their interest. In developing countries, the system reduces the masses to mere electoral tools for the elites to pull their noses around to achieve their political desires. Democracy does not actually give the masses the real political power to elect candidates of their choice. It is the best alternative government, but it protects the rights of the people in theory. Perfect protection does not reflect in real life as cases of abuse of human rights abound. In third world countries, the poor do not exercise their political power to influence government policies and programmes. They are being coerced and manipulated during elections purely for the interest of the ruling class. The civil society organizations are checkmating government in its exercise of political power to ensure that the excesses of the government actions are curtailed to its constitutional limits. Non-governmental organizations are vanguard of good governance as it complements the efforts of the government to provide dividend of democracy. This article examines the character of politics and the prospects of democracy in the contemporary developing world. The objective of the study is to have an overview of the concept of democracy, practices of human rights and the role of civil society with a view to reviewing the prospects and challenges to infringements to the principles of democracy and human rights abuses in developing countries like Nigeria. The study revealed that democracy does not serve the interest of the poor masses. It is a mechanism to enrich the rich.

Introduction

Democracy has often been acclaimed to be the most challenging form of government due to its participatory nature, as input from those elected representatives of the citizens (*the electorates*) determines the nature of legislation, kinds of government policies, programmes, and the political

direction of the country in governance. Nigeria is comprised of heterogeneously constituted population with divergent interests and aspirations of conflicting history, cultural background, religious antagonism and multifarious ethnic bias, beliefs, norms, et cetera are being harmonized into aggregate to guarantee peaceful coexistence, tolerance, orderliness and obedience to law of the state. The democratic precept recognizes from the onset that the talents, interests and aspirations of citizens are not identical; hence the mass participation through indirect representation of these varied interests in a cohesive manner to maintain orderliness and respect for the rule of law.

The concept of democracy derives from the belief that men and women can rule themselves. Democratic government in a presidential system consists of three branches: the executive branch (President); legislative branch (Congress) and judicial branch (Supreme Court). These branches interdependently provide checks and balances (*at least in theory in developing countries*) to prevent waste in governance, abuses of power and corrupt practices. This is in contrast to dictatorship, oligarchies, monarchies and aristocracies in which the people have little or no contribution to make on who is selected, elected or appointed to govern them, and how the government of their own country is running the state affairs. Totalitarian regime breeds political apathy and general naivety among the populace. Although in every society, there are those who are naturally politically apathetic or otherwise inactive, and this proportion varies from country to country and can be roughly measured. Even among the active and interested citizenry in a vigorous democracy, the expression of consent goes forward by a process of representation which places important powers in the hands of those who lead the major groups in a society. One of the most delicate and least explored problems of democracy arises from the differing intensity of political interest and feelings among individual citizens. At one extreme, the relative apathy and disinterest of many can lead to a rationale for dictatorship by a purposeful, energetic and politically interested minority. At the other extreme, the apathy and callousness of a majority to a deeply felt injustice inflicted on a minority can lead to explosive tensions even where the formal rules of democracy are reasonably well observed (Rostow, 1971).

Historically, before the American Revolutionary War (April 19, 1775 – September 03, 1783), the history of the world was largely the history of the wars and struggles waged by non-democratic powers against each other. The entire direction and course of human history radically changed by the

revolution and the world witnessed thereafter the emergence of wars and struggles of democracy against any and all of the various anti-democratic powers. Etymologically, democracy is traced to the ancient Greece. The concept was used originally to connote "poor" or "many". By the 5th century BC, in the Greek City States, democracy was designed to permit all free-born male folks to participate in taking decisions that would affect the interest of all. This collective decision-making process was feasible because the Greek population was homogenously constituted and its numerical strength was small and therefore manageable. The exclusion of women and slaves added demographic value in the exercise. This unique right was exercised at the general assembly (Mbah, 2006). The Greek and Romans established the precursors to today's modern democracy. The Athenian democracy had three main branches known as the Assembly of the Demos, the Council of 500, and the People's Court. The Assembly and the Council were responsible for legislation, along with ad hoc Board of Lawmakers. The Greek democracy is akin to what is known today as "direct democracy".

Also, democracy has its roots in the "Magna Carta", England's Great Charter of 1215 that was the first legal and legitimate document used to challenge the authority of the king, which subjected him to the rule of the law and protected his subjects from feudal abuses. Democracy, as it is known today, had no definition until the "Age of Enlightenment" in the 17th and 18th centuries, during which time the United States declaration of independence was promulgated, followed by its constitution (which borrowed heavily from the Magna Carta). From Aristotle to John Locke, and from Tocqueville to Abraham Lincoln, participatory democracy has been a feature of human society since classical times. Participatory democracy creates opportunities for all members of a population to make meaningful contributions to decision-making, and seeks to broaden the range of people who have access to such opportunities. Effective increase in the range of participation makes for efficiency and effectiveness in government and by extension solidifies legitimacy (Idumange, 2012).

The concept evolved to mean a government structured with a separation of powers, provided basic civil rights, religious freedom and separation of religion from state (Zimmermann, 2012). The doctrine of democracy guarantees respect to human dignity, protection and preservation of human rights, direct (*voters registration and voting*) and indirect (*elected representatives*) participation in all democratic processes. In developing countries of the world (*Nigeria inclusive*), democracy has been grossly abused

and rudely debased. These abuses range from insincerity of purpose on the part of the political leaders, absence of free and fair elections, manipulation and mutilation of election results, undemocratic party politicking, imposition of unsalable candidates on the poor masses, intra-party suffocations, and numerous human rights abuses most often sponsored by the very government that supposed to respect, protect and preserve these divine/secular rights of human race. The destruction of dignity of man by elite powers and other variable indicators on abuse of human rights highlighted in the study makes this research germane. Majority of the population is poor and downtrodden, uneducated, unemployed, living in filthy rural areas. They are weak, haplessly helpless in the politically predatory terrain, hence the clamour by this category for good government, free and fair elections, equitable distribution of social benefits, perfect legal system and the dreams about enjoyment of good life. There is a general struggle by the populace to live by the principles of civility and harvest the proceeds of egalitarian society in a democratic world. The civil society organizations have played tremendous complementary roles in ensuring respect for human dignity, good governance, and even distribution of social benefits.

Against this backdrop, this article examines the character of politics and the prospects for democracy in the contemporary developing world. The cardinal objective of this discourse is to have an overview of the concept of democracy, practices of human rights and the role of civil society with a view to reviewing their prospects and remedies to infringements to the principles of democracy and human rights abuses in developing countries like Nigeria.

Democracy: The concept "democracy" has been conceptualized by scholars from varying ideological perspectives strictly to suit the existential experiences of one particular situation or the other. The origin of democracy emanated from two Greek words – "demo" which translates to "people", and "cratein" meaning "to rule". In the same vein, Aristotle described political leadership by using the concept "demos kratos" which laid emphasis on the importance and participatory nature in the act of leadership in politics. The Latin word "Ratio Popularis" translates to democracy, which means the accounting of the people (Ezeanya, 2011). According to Zanden (1996), democracy is a political system in which the powers of government derive from the consent of the governed and in which regular constitutional avenues exist for changing government officials. It is an arrangement that permits the population a significant voice in decision-making through the

people's right to choose among contenders for political office; allows for a broad, relatively equal citizenship among the populace; and affords the citizenry protection from arbitrary state action. The basic definition of democracy in its purest form comes from the Greek language – the term means “rule by the people”. At Gettysburg in November 19, 1863, the former President of America, Abraham Lincoln (1809-65) defined democracy as the “government of the people, by the people, and for the people”, based in a nation “conceived in liberty and dedicated to the proposition that all men are created equal”.

Igwe (2007:109) argued that “as popular as that definition was, it was comprehensive only in political terms, it met all the standards of electoral and legal democracy, only implied on social and racial, but said almost nothing explicitly on economic rights”. He pointed out that the citizenry of the United States have, to some extent, vindicated that definition, given the fact that every law-abiding and healthy adult is legally eligible to vote and be voted for. He further stressed that the races are yet to be entirely equal, and people still suffer enormously on the bases of rank and status, while economic standards still range between the poorest homeless street beggar and the very opulent filthy rich – all of whom are, of course, nevertheless still legally equal in the eyes of the law. Nevertheless, the definition demonstrates that democracy is a political ideology borne out of the desire for exercise of franchise of the electorates in electing those that would be entrusted with the political power on their behalf to govern and represent their collective interests. This civic duty of the electorates illustrates that power in a democratic society rightly belongs to the masses. The power and responsibility of governance reposed on government make the elected public officers accountable to the people. Igwe (2007) pointed out that for democracy to be meaningful, it must be a political process capable of justly promoting all aspects of the individual's life, politically, socially, and economically, enabling him to live well, peacefully, and more or less equally with others in a fulfilled existence. Quite clearly, democratic governments are not distinguished from totalitarian or authoritarian regimes by the absence of powerful officials. In practical term, democracy is not characterized by the rule of the people themselves. It is in relatively rare instances (such as the ancient Greece times) do we encounter direct democracy - face-to-face participation and decision-making by all the eligible citizens. Rather, most contemporary democratic nations are characterized by representative democracy where officials are held accountable to the public

through periodic elections that confirm them in power or else replace them with new officials (Zanden, 1996).

Types of Democracy – There are three types of democracy, namely the parliamentary, the liberal and the social forms. Jeffersonian and Jacksonian democracies are the circumstantial appendage to liberal democracy as briefly discussed hereunder:

Parliamentary Democracy: This is a democratic form of government in which the party or coalition of parties with the largest representation in the parliament (*legislature*), was originated in Britain. There are two styles of parliamentary government. The bicameral system consists of a lower house, which is elected, and an upper house that can be elected or appointed. In a parliamentary democracy, the leader of the leading party becomes the prime minister or chancellor and leads the country. Once the leading party falls out of favour, the party that takes control installs its leader as prime minister or chancellor.

Liberal Democracy: This type of democracy (also known as constitutional democracy) is built on the principle of free and fair elections, a competitive political process and universal suffrage. Liberal democracy can take on the form of constitution republics, such as France, India, Germany, Italy, Nigeria, and the United States, or a constitutional monarchy such as Japan, Spain and the United Kingdom.

Social Democracy: This type of democracy emerged in the late 19th century. Its main thrust was its advocacy for universal access to education, healthcare, workers' compensation, and other services such as childcare and care for the elderly. Unlike others on the left, such as Marxists, who sought to challenge the capitalist system more fundamentally, social democrats aimed to reform capitalism with state regulation.

Jeffersonian Democracy: In the 1790s to 1820s, this was one of the two philosophies of governing to dominate the United States political scene. The term "Jeffersonian Democracy" typically refers to the ideology of the Democratic-Republican party, which Thomas Jefferson formed to oppose Alexander Hamilton's federalist party, which was the first American political party. The Jeffersonian outlook believed in equality of political opportunity for all male-citizens, while federalists political platform emphasized fiscal responsibility in government.

Jacksonian Democracy: This was a political movement formed by Andrew Jackson that emphasized on the needs of the common man rather than the

elite and educated favoured by the Jeffersonian style of government. The thesis of his advocacy centred on welfarism. This period, from the mid 1830s to 1854, is also referred to as the Second Party System. The Democratic-Republican Party of the Jeffersonians became factionalized in the 1820s. Jackson's supporters formed the modern Democratic Party to protect the dignity of man. Adams and Anti-Jacksonian factions soon emerged as the Whigs. This era gave rise to partisan newspapers, political rallies and fervent party loyalty centrally to protect, preserve and sustain human rights (Zimmermann, 2012).

Human Rights: Human rights are the precious rights of all who live under the protection of a sovereign democratic government, rich or poor, young or old, black or white, man or woman, alien or citizen. Certain liberties are essential to the operation of democratic government. But these liberties are not merely means of attaining self-government; they are ends in themselves. They do not exist to protect the government; the government exists to protect them. The concept "human rights" is the modern name for what traditionally is known as natural rights. In effect, it is a recapitulation of those rights that accrue to individuals everywhere and at all times for the fact that they are human beings as differentiated from beasts. These rights are originally derived from the natural laws that emanate from the God Almighty as the architect and originator of the universe. Governments are created purposefully to protect, respect and preserve these natural rights of the individual. In spite of the role of the government to respect and protect these rights, it is also the responsibility of the individual to protect these rights and guard against people who might want to trample upon them to harm or hurt their fellow human beings. It is human rights (*divine rights*) not a mere privilege that has no security, that can be taken away without notice at someone's whim. The availability of these rights radiates orderliness, obedience to state laws, love, tolerance and understanding as well as enforcing us to get along well with one another, and enabling us to coexist peacefully as a people (Nwagwu, 2011; Ezeanya, 2011).

Human rights protection laws are international legal mechanisms domesticated by sovereign member states through constitutional enshrinement to safeguard all citizens (home and diaspora) and aliens within its jurisdiction from harsh legal, social, cultural and political abuses. These include certain civil liberties, freedoms and political rights, the most fundamental of which is the right to life and physical safety. It is obligatory for all nations and peoples as agents of civilization and responsible members

of the international community, to uphold these rights and ensure their unhindered spread to all their citizens as one yardstick of civilized conduct, the concept of fundamental human rights emerged (Igwe, 2004:11). The United Nations Universal Declaration of Human Rights (10th December, 1948) stipulates that:

we are all born free and equal; we all have our own thoughts and ideas, and should be treated in the same way; we all have the right to life, and to live in freedom and safety; nobody has the rights to make us slave neither can we make anyone our slave; nobody has the right to hurt or torture us, put us in prison without good reason or to send us away from our country; if we are put on trial this should be in public and the people (the judiciary) who try us should not let anyone tell them what to do (UN, 1948, cited in Nwagwu, 2011).

Woodrow Wilson (the late President of America) gave an insight definition of a state as "a people organized for law within a definite territory". A government organized to achieve the purposes for which the state was set up within a definite territory; guided by a system of law; and a body of men and women having a common purpose. This common purpose appears in the American Declaration of Independence in 1776, which provides inter alia:

we hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain inalienable rights, that among these are life, liberty, and the pursuit of happiness. That to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed. That whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it, and to institute a new government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to affect their safety and happiness

(Price, 1970:23; Enemu, 1999:148 quoted in Nwagwu, 2011).

Igwe (2007:165) defines fundamental human rights as “the basic socio-economic, political and moral principles of just and fair treatment of the individual person or groups, generally arrived at by experience, commonsense and some consensus, and confirmable either by municipal law and/or international treaties and conventions, all of which are influenced by the stage of human development, diverse interests and ideologies”. Government is created to uphold human rights, maintain peace and order, safeguard lives and properties in the society. Agencies of government serve as vanguard of social justice. One of the fundamental functions of an organized society is to ensure that the society gives individuals and groups fair treatment and equitable share of the benefits of society. In this context, social justice is based on the concepts of human rights and equity, the fair distribution of advantages, punishment, assets and liabilities among citizens of a society (Nwagwu, 2010). The question now is “is the society being ruled with the precepts of democracy?”

Civil Society: The term ‘civil society’ goes back to Aristotle’s phrase *koinōnia politikē*, where it refers to a ‘community’, commensurate with the Greek City State characterized by a shared set of norms and ethos, in which free citizens on an equal footing lived under the rule of law. The end of civil society, thus defined, was common wellbeing in as man was defined as a “political (social) animal”. Though the concept was mentioned in Roman writers, such as Cicero, it entered into Western political discourse following the translation of Aristotle’s works into Latin by late medieval and early Renaissance writers such as William of Moerbeke and Leonardo Bruni, where it often referred to the ancient notion of a republic. The concept of *societas civilis* is Roman and was introduced by Cicero. The political discourse in the classical period, places importance on the idea of a “good society” in ensuring peace and order among the people. The philosophers in the classical period did not make any distinction between the state and society. Rather, they held the view that the state represented the civil form of society and ‘civility’ represented the requirement of good citizenship. Moreover, they held that human beings are inherently rational so that they can collectively shape the nature of the society they belong to. In addition, human beings have the

capacity to voluntarily gather for the common cause and maintain peace in society. By holding this view, it may be right to say that classical political thinkers endorsed the genesis of civil society in its original sense. With the rise of a distinction between monarchical autonomy and public law, the term then gained currency to denote the corporate estates of a feudal elite of land-holders as opposed to the powers exercised by the prince. It had a long history in state theory, and was revived with particular force in recent times, in Eastern Europe, where dissidents such as Vaclav Havel employed it to denote the sphere of civic associations threatened by the intrusive holistic state-dominated regimes of Communist Eastern Europe (http://en.wikipedia.org/wiki/civil_society).

The term "civil society" has been defined as the aggregate of non-governmental organizations and institutions that manifest interests and will of citizens; or individuals and organizations in a society which are independent of the government. Sometimes the term is used in the more general sense of the elements such as freedom of speech, an independent judiciary, etc, that make up a democratic society. Volunteering is often considered a defining characteristic of the organizations that constitute civil society, which in turn are often called non-governmental organizations (NGOs) or non-political organizations (NPOs). Pace (2003) defined civil society as the collective name for all kinds of organizations and associations that are not part of government but that represent professions, interest groups or sections of society. It includes trade unions, employer associations, environmental lobbies and groups (often referred to as non-governmental organizations) representing women, farmers, people with disabilities, etc. Some of these organizations have lots of expertise in one particular area or the other, and are involved in implementing and monitoring state-people-driven policies, projects, monitoring election processes, and other people-driven programmes. Larry Diamond's definition of civil society (cited in Kukah, 1999:44) is more explicit, as he stated that the concept is:

the realm of organized social life that is voluntary, self generating, self supporting, autonomous from the state, and bound by the legal order or set of shared rules ... it involves citizens acting collectively in a public sphere to express their interests, passions, and ideas, exchange ideas, exchange information, achieve

mutual goals, make demands on the state, and hold state officials accountable. It is an intermediary entity, standing between the private sphere and the state.

In the international arena, the European Union regularly consults civil society and wants it to become more involved in European policy-making. The importance of involving the social partners (e.g. trade unions and employers organizations) and the social dialogue process is fundamental to the development of European Union policy on employment and industrial relations. However, other interest groups at the national level may also provide input to policy-making in the area of rural development through a civil dialogue. The role of non-governmental organizations in sectors such as human rights abuses, tackling discrimination issues, poverty, social exclusion and unemployment is increasingly acknowledged by the community institutions. The employment strategy and the open method of coordination on social inclusion encourage the community based organizations' participation. The literature on relations between civil society and democratic political society have their roots in early classical liberal writings like those of Alexis de Tocqueville. Although they were developed in more significant ways by 20th century theorists like Gabriel Almond and Sidney Verba, who identified the role of political culture in a democratic order as vital. These theorists argued that the political element of political organizations facilitates better awareness and a more informed citizenry, who make better voting choices, participate in politics, and hold government more accountable as a result. The statutes of these organizations have often been considered micro-constitutions because they accustom participants to the formalities of democratic decision-making. Besides, Robert D. Putnam argued that even non-political organizations in civil society are vital for democracy. This is because they build social capital, trust and shared values, which are transferred into the political sphere and help to hold society together, facilitating an understanding of the interconnectedness of society and interests within it (http://en.wikipedia.org/wiki/civil_society).

Civil Society as a third sector of society, distinct from government and business, refers essentially to the intermediary institutions such as professional associations, voluntary agencies, religious groups, labour unions, citizen advocacy organizations, that give voice to various sectors of the society and enrich public participation in democracies. The concept implies

other related values like commitment to democracy and equal treatment of all citizens before the law. The influence and legitimacy civil society wields in its struggle for good governance and respect for human dignity has given some scholars the impetus to question how democratic civil society actually operates. It is noted that the civil society actors have assumed a remarkable degree of political power without anyone directly electing or appointing them to render such spectacular service to mankind in protecting their rights against the excessive government political hegemony. Civil society, as an appendage of good governance, creates a platform for democracy to support and encourage healthy and rewarding political competitions for state power. As civil society has been widely recognized as an essential 'third' sector, its strength can have a positive influence on the state and the market. It is therefore seen as an increasingly important agent for promoting good governance with emphasis on transparency, effectiveness, openness, responsiveness and accountability.

Democracy As a Political System of Competition for State Power

Democracy is a means for the common masses to choose their leaders and hold these leaders accountable for their policies and conduct in office. It is a system that empowers the electorates to decide who will represent them in parliament, and who will head the government at the centre, state and local levels (*at least in theory*). This is executed by choosing between competing contenders from different political parties in regular, free and fair elections. In a democracy, the people are sovereign. They are the highest form of political authority. Power belongs to the people and flows from them to the leaders of government, who hold it only temporarily. Government is based on the consent of the people. Democracy guarantees that for the passage of laws and policies in governance, it must need majority support in congress, but the rights of minorities are protected because their views must be heard and deliberated upon. In observing how government business is being conducted, the people are free to criticize their elected representatives and political leaders for their actions and inactions as it affects their (*electorates'*) interests. As rightly observed by Rostow (1971):

Virtually all systems of government claim the consent of the governed, but some count on raising the cost of dissent to such a high level, by repression or other sanctions, that consent consists merely in submission – the absence of

open revolt or massive public disorder. Democracy lowers the cost of dissent to the minimum and creates lawful procedures for the active and explicit registering of consent, so that opposition will always know that its views and interests can be heard and can be given effect within the constitution, if it achieves majority status. Democracy is a method which forces government to seek and reflect the active majority will rather than the passive consent of the governed.

Therefore, elected representatives at all levels of governance should listen to the people and respond to their varying needs and aspirations. In a healthy political competition, all elections have to occur at regular intervals (as prescribed by subsisting electoral law). Public office holders cannot, at their whims, elongate their terms in office without appealing for the consent of the electorates through all electoral processes (including election proper) as provided in the 1999 Constitution of the Federation. To this extent, for elections to be free and fair, the exercises have to be administered by a neutral, fair and competent professional body that must treat all parties and candidates equally. The political parties and candidates must exercise the right to campaign freely and present their manifestoes directly to the electorates at rallies or through mass media, text messages, social media, electronic prints, posters, radio programmes and jingles without molestation, intimidation and harassment. Secret ballots devoid of violence must be guaranteed to protect the voters. Civil society organizations and other independent observers must be allowed to monitor the processes and witness the voting and vote counting to ensure that the process is free of corruption and electoral frauds. For the aggrieved contestants or parties, there must be impartial and independent election tribunal to address any dispute/s arising from the exercise.

The above tenets of democracy notwithstanding, in developing countries of the world and Nigeria in particular, the media is monopolized by the ruling party at all levels. In crude politics, the issue is that whether or not a candidate gets elected in a fierce competition usually depends upon party affiliation, political patronage and the degree of sponsoring the election expenditure not the salability and competence of the candidates. In some

cases it also depends on antisocial practices. The poor hungry masses do not compete for elective offices, rather they are mere tools being used by wealthy politicians to climb into prestigious elective public offices. Throughout the world, in political arena, money plays a dominant role in the electoral processes, and nearly in all cases, only those rich and powerful elements can hope to secure elective offices. In those countries like Nigeria, where voting is not compulsory, most often only a small proportion of the population participates in the electoral process. The prerequisites for the success of democracy in the contemporary society are morality, education, socio-economic and political consciousness. In this sense, political leaders must be people of high moral character not mediocres, social misfits and criminals. If not, the interests of the people will be jeopardized. In contemporary democracies of developing countries, elements of dubious character and people with vested interests are fraudulently elected to power, even bandits, drug barons, murderers and ritualists stand for election and subsequently form the government. The poor masses lack political consciousness in almost all the countries of the world. Crude politicians take advantage of this lapse to confuse the hapless society and capture the power. This is achieved through immoral practices like bribery, manipulation of voters register, vote rigging, purchase of votes, booth seizure, killing and maiming of strong opponents or at worst the unpopular contender would eventually emerged as "unopposed candidate" through intimidation and harassment of other political parties and rivalries. This precarious situation gave Varma (1975) the impetus to observe that:

The greatest defect of democracy is the character of the masses, their naivety, stupidity, and helplessness. The majority of human beings are politically apathetic, indolent, slavish and are permanently incapable of self-government. They are susceptible to flattery, and obsequious in the presence of strength. Leaders easily take advantage of these qualities to perpetuate themselves in power. They employ all kinds of methods – oratory, persuasion, playing upon sentiments in order to fool them. The panacea is to make an effort to raise education level of the masses and devise some control over the oligarchical tendencies within their ranks.

The unfortunate prevalence is that the honest, competent and dedicated contenders are relegated to the background. This is the experience of Nigerians and other African countries, hence the sharp decline of moral standard in these countries. The people are denied the right to choose their leaders and to make input on how government should run the affairs of the state on their behalf (<http://evolutionnews.co.nz/political-democracy>).

Democracy survives only if society provides effective government. The successful working of democracy appears to require a relatively broad majority agreement within the society on the main directions of policy towards security, growth and welfare, that is, on the substance of the basic tasks of government. The ability of a society, through its representative leaders, to find effective majority agreement on the great issues, while permitting factional competition and compromise to settle lesser issues, is perhaps the most fundamental condition for stable democracy; constitutional limits of power of the majority is a second condition for effective democracy. This will guarantee the minority that their basic rights will be protected as well as their ability to continue to express freely and effectively their dissident views, within the provisions of the law, as part of a living political process.

Human Rights and Rule of Law in a Democracy

Democracy is the only system of government that ensures constitutional provisions for the rights of citizens. Under the precepts of human rights, every individual is entitled to respect for the dignity of his person, and accordingly, no person shall be subjected to torture or to inhuman or degrading treatment; no person shall be held in slavery or servitude; and no person shall be required to perform forced or compulsory labour. This assertion draws its relevance from Section 34(1)(a)-(c) 1999 Constitution of the Federal Republic of Nigeria, which stipulates that:

every individual is entitled to respect for the dignity of his person inherent in a human being and to the recognition of his legal status, and accordingly, no person shall be subjected to torture or to inhuman or degrading treatment; no person shall be held in slavery or servitude; and no person shall be required to perform forced or compulsory labour (FRN, 1999).

Similarly, Article 5, African Charter on Human and Peoples' Rights stipulates that:

Every State Party shall take effective legislative, administrative, judicial or other measures to prevent acts of torture in any territory under its jurisdiction. No exceptional circumstance whatsoever, whether a state of war or a threat of war, internal political stability or any other public emergency, may be invoked as a justification of torture. An order from a superior officer or a public authority may not be invoked as a justification of torture (NHRC, 2006).

It is a government where every citizen has certain basic rights that the state cannot take away from them. These rights are guaranteed under international law and every member state domesticates the law by enshrining the provisions into the national constitution. Every individual has the right to one's own beliefs, and the right of expression of self-thoughts. Nobody can tell you what you must think, believe, say or not say. The system guarantees freedom of religion, association and assembly. Citizens have the right to enjoy their own culture with other members of their group, even where their group is a minority. There is freedom and pluralism in the mass media. One can choose between different sources of news and opinion to read in the newspapers, to hear on the radio, and to watch on television. Citizens have the right to associate with other people of their choice, and to form and join organizations of their own choice, including trade unions. One is free to move about the country, and if he so desire, to leave the country at will. Citizens have the right to protest against the actions or inactions and policies of government that adversely affect their interests (e.g. Nigerians protested against the removal of fuel subsidy policy in January 2012 and compelled the government to review its policy). Thus, government exists to assist individuals to achieve their own fulfillment; to protect individual human beings from the harm they might do one another; and to protect organized societies against the aggression of other societies. However, everyone has an obligation to exercise these rights peacefully, with respect for the law and for the rights of others.

Democracy is a system of rule by laws, not by individuals. In a democratic government, the rule of law protects the rights of citizens, maintains order, and limits the power of government. In theory, all citizens

are equal under the law. No one may be discriminated against on the basis of their race, colour, religion, ethnic group, or gender. No one may be arrested, tortured, imprisoned, or exiled arbitrarily without allowing justice to take its due course. If a suspect is detained, he has the right to know the charges against him, and to be presumed innocent until proven guilty according to the subsisting law. Anyone charged with a crime has the right to a fair, speedy, and public trial by an impartial court. No one may be taxed or prosecuted except by a law established in advance through application of writ of habeas corpus (*A writ of habeas corpus is a court order requiring government authorities either to release a person held in custody or to demonstrate that the person is held in accordance with law. Habeas corpus, then, ensures that the police or military may not simply arrest individuals and hold them without filing charges against them or trying them in a court of law*). In theory, no one is above the law, not even the elected president nor the monarch in the developing nations. On assumption, the law is fairly, impartially, and consistently enforced by courts that are 'independent' of the other branches of government. Therefore, torture, cruel and inhumane treatment against a mere suspect are forbidden by law and it is against the rights of citizens. The rule of law places limits on the power of government. In democracy, no government official has the power to violate these limits. No ruler, governor, minister or political party has the right to tell a judge or influence him in any form on how to decide a case within his jurisdiction. The tenets of democracy ensures that free hands is given to independent courts and/or judicial commissions to adjudicate and punish public office holder found guilty of enriching himself or herself corruptly. These principles are not obtainable in Nigeria and other developing countries. Abuse of human rights abound in the country, such as unlawful detention, extreme torture, denial of fair hearing, aiding and abetting of crimes and "soft landing" syndrome in favour of convicted or indicted politicians and top government officials (e.g. the case of the Chairman, House Committee on Fuel Subsidy; Director's involvement in pension fund scam; Minister of Aviation's involvement in N255 million scandal; etc). The law is designed for the commoners, they suffer in the hands of government security agencies without trial.

Human Rights Violations

The National Human Rights Commission was established by the National Human Rights Commission Act, 1995, in line with the United Nations General Assembly Resolution No. 48/134 of 20th December, 1993, which enjoins all

member states to establish National Human Rights Institutions relative to their environment. The Act empowers the Commission to deal with all human rights issues taking into consideration the provisions of the Constitution of the Federal Republic of Nigeria; Africa Charter on Human and Peoples' Rights; United Nations Charter; Universal Declaration on Human Rights and all other International Human Rights Instruments, to which Nigeria is a party. The Commission is not a substitute or rival to law courts. Its complaint treatment mechanism is to complement the work of the courts, whose constitutional duty it is to enforce fundamental human rights. It targets the poor and vulnerable as well as the rich, by offering services, which are free, non-technical, less time consuming, and more accessible to the public.

Institutionalization of the international laws and charters by the member states, and the constitutional provisions to guard against abuse of human rights have not debarred the law enforcement agencies in Nigeria in committing unbridled extra-judicial killings against haplessly helpless law abiding citizens with no justifications as shown below.

Table 1: Incidence of Human Rights Abuses on Extra-Judicial Killings

Date	Incident	Government Action
02/03/2005	Police Constable (PC) Vincent Achuku stopped a commercial bus driver with registration number XA344, and without searching the bus, he demanded for bribe from the driver, Godwin Anuka. The driver pleaded to pay on his return trip. The infuriated PC Achuku cocked his service rifle, shot and killed the driver on the spot.	Police Constable Vincent Achuku was dismissed from the police and handed over to law enforcement agents for prosecution on culpable homicide.
29/03/2006	Zainabu Buba, 80 years old widow was accused of bewitching and initiating Augustina (15 years) and Deborah (8 years) into cultism; two daughters of Inspector Ayuba Tumba of Jalingo Mobile Police Command. Inspector Ayuba tortured and tormented Mrs Buba in a church premises where he dragged her to. Inspector Tumba	The suspects were dismissed from the police force and charged to court for offence of culpable homicide punishable by death penalty.

	was arrested and subsequently granted bail. While on bail, he conspired with Corporal Francis James, PC Usman Mohammed and David Joshua and abducted and hacked Mrs Buba to death with a matchet on 19/04/2006.	
08/04/2006	Seun Adepoju (23 year old student of Moshood Abiola Polytechnic, Abeokuta, Ogun State was killed at Shasha Akowonjo, Lagos by policemen attached to Odebunmi Afonka Police Station on the allegation that they received anonymous distress call that armed robbers were operating around the area. The boy was seen at the scene of the purported robbery and they shot him and later tortured him to death.	Panel was set up by the Police authority to investigate the matter.
11/08/2006	Police arrested 12 suspected armed robbers and killed them the following day after parading them at the Central Police Station in Umuhia, Abia State. 4 other suspects were killed under exchange of fire with the police.	The dead bodies of the suspects were deposited at the Federal Medical Centre, Umuhia.
03/06/2006	Lugard Monday Ogubochi, a 36 years old farmer of Ukpeliède Community in Ahoada West LGA of Rivers State was shot dead by soldiers, while Chimezie Uwe and many others were injured. Chief Sunday Alele and some elders of the community were beaten-up and seriously injured by the soldiers who were on reprisal mission for a missing ID card of a soldier who was molested and manhandled by the village youths.	No action was taken against the soldiers but the incident was reported to the Local Government Headquarters.
07/02/2006	A 28 years old Adewuyi Daniel	No action was taken by

	<p>Tella of Flat 12, Block 1, No. 22 Road, G Close, Festac Town, Lagos was arrested by Policemen attached to the Festac Police Division, on his way to visit a sick brother at 22 Road, J Close, Festac Town. On arrest, he was not told the reason for his arrest. The following day, his family was asked to come to the police station and identify his corpse. No criminal charge was made against the deceased.</p>	<p>the government authority against the policemen that killed the boy.</p>
<p>28/07/2006</p>	<p>Special Anti-Robbery squad from the Federal Capital Territory, Abuja went to the compound of Abdulkadir Azeez, 70 years old man, where he was living with his extended family in the village of Garun Kurama, Lere LGA, Kaduna State. The sound of a gunshot woke him up and he went out to find out the cause. As he stepped out of the house, he was shot dead. The police went to his son's house (Ibrahim Abdulkadir), forced open the door and shot him dead too. Shehu Abdulkadir, the second son of the old man, heard the gunshots, opened his door and saw his father lying dead on the ground. He tried to know what happened and he was also shot dead on the spot by the police. Their mission for such act was not disclosed before their departure.</p>	<p>No investigation was carried out, and no action was taken against the police officers by the government.</p>
<p>15/09/2006</p>	<p>A team of over 200 policemen in eight trucks from Delta State Police Command drove to Afiesere Community in Ughelli North LGA.</p>	<p>Government did not take any investigative action on the matter.</p>

	<p>On arrival, they started shooting sporadically and killed 22 people, injured many while others luckily escaped. Police looted the community, and set 60 houses ablaze, burnt 15 vehicles, burnt two corpses. 5 aged people died out of shock over the incident. The police action was a reprisal attack on the community for killing two policemen (Nnamdi Ngwakor, a Divisional Police Officer and Elias Allison, an Inspector) who were on peacekeeping mission in Afiesere community. The youths of Afiesere were alleged to have taken the arms and ammunitions of the deceased officers.</p>	
16/05/2006	<p>Patrick Onogburudo, a 38-year-old surveyor of No 2 Owhori Close, Eketé Inland Residence, Asaba, Delta State was arrested, detained, tortured to death by a police patrol team from Enerhen Police Station, Asaba, Delta State. His crime, he left home with a colleague, Elvis Effurun, to see a client, Margaret Agie. On their way back police patrol team accosted them and accused them of being armed robbers. Their explanation was not sufficient. Elvis escaped to call their client who lived near the scene. Patrick was taken to the station and Elvis followed them to the station with Mrs Agie. He was clamped into detention. In the cell, Elvis found Patrick badly battered, groaning in pains. The rest is history.</p>	<p>Soon after Patrick's death, a senior police officer informed the Divisional Police Officer (DPO), Mr F. Jamale that a robbery suspect who was arrested for trying to disarm a police officer, had died while being taken to the hospital. The claim was later disproved by the DPO after investigation. On the order of the Commissioner of Police, Ekpoudom, the perpetrators were arrested and detained in Asaba.</p>

Source: National Human Rights Commission, UNDP and NORAD, 2005-2006

In spite of the provisions of the cited human rights instruments prohibiting torture, cruel, inhuman or degrading treatment or punishment, all the law enforcement agencies in Nigeria commit the act of torture with impunity. There have been several reported and unrecorded cases of torture and illegal detention committed by law enforcement agents, in the bid to either effect arrest or extract confessional statements from the accused. Some of such cases are illustrated below.

Table 2: Incidence of Human Rights Abuses on Torture

Date	Incident	Government Action
05/05/2005	Buduka Nelson, a motor vehicle mechanic, was arrested at Olodi-Apapa, Lagos by policemen in connection with an alleged theft of a car parked at a car-wash near his workshop. He was detained for 4 days at Trinity Police Station, Olodi-Apapa, Lagos. He was later transferred to Special Crime Investigation Department (SCID), Panti, Lagos where he was detained for another 3 days. He was brutally tortured by being hung upside down and beaten for several hours by the investigating Police Officer (IPO) while in detention. With swollen wrists and bruises, body pains, Buduka was limping when he was released on bail on 12/05/2005 on the intervention of the National Human Rights Commission.	He was neither charged nor arraigned for any offence, despite the incarceration and torture. Although the Deputy Commissioner of Police, SCID Panti, Olayinka Balogun and the Assistant Inspector General of Police, Zone 2 Command were informed of the incident, they did not make any comment on the matter.
17/06/2005	Tersoo John Buter was arrested by the police following the report of a case of breaking and entry which was reported by one Obiobo at "D" Division Police Station, Ankpa Road, Makurdi. Tersoo admitted the allegation and mentioned the names	No action was taken by the Government officials.

	<p>of Moses Dav, Jime Demekaa, Sesugh Ahura and Denen Iber, as accomplices. He disclosed that the stolen items were kept in Moses Dav's house. Moses Dav was later arrested along with others and taken to "D" Division. Moses Dav denied the allegation. A search was conducted and nothing incriminating was found in his house. Corporal Godwin Ameh, the IPO tortured the suspects to elicit the facts from them. Others admitted being guilty, Dav maintained his innocence. He was inflicted severe head injuries with the butt of a gun and bruises all over his body. Moses Dav died in Police detention as a result of police torture.</p>	
23/05/2006	<p>Rev. Oliver Asomba of St. Peter's Anglican Church, Amaruru, in Orsu LGA of Imo State, was coming back from a meeting with his wife, his one-year-old son and a colleague. His Volvo 240 Salon car with registration number (Lagos) DW 783 AAA broke down near Aswaju Police Post in Amaruru Autonomous Community. The car had bold inscription on it "Anglican Church, Amaruru". Daily Sun Newspaper of 7th June, 2006 reported that one Police Constable called Ikechukwu slapped Rev. Asomba for parking in front of the Police Post despite Rev. Asomba's explanation that the car broke down. Other policemen joined in beating Rev. Asomba. His cleric clothes were torn</p>	<p>No action has been taken on the matter by the Police Commissioner to address the issue</p>

	<p>and he was thrown into detention until 11.30 p.m. of the same day. Rev. Asomba made a formal report to the Orlu Area Police Command while the Diocese petitioned the State Commissioner of Police, Mr Hezekiah Dimka over the incident.</p>	
<p>06/04/2006</p>	<p>A 67 years old man, Chief Clifford Nmegbu of Omulele, Igwuruta, Rivers State was abducted at a market square by Tuesday Emmanuel Owhunda, Innocent Nmegbu and Isaac Nchelem Emmanuel. He was incarcerated and subjected to severe torture which resulted in unconsciousness. He was taken to Igwuruta Police Station under the condition. On regaining consciousness, he was taken to Dominion Mandate Hospital, Omunobo at Igwuruta by Sergeant Christian and Corporal Williams, later relocated to Pamax Hospital, Isiokpo. Another attempt to abduct him while on hospital bed on 25/04/2006. Mr Nmegbu was secretly moved to Onitsha, Anambra State for treatment and protection. His younger brother, Bernard Nmegbu, was killed by unknown persons on 12/05/2006, while Wilfred, another brother of Clifford Nmegbu was stabbed on 16/06/2006. Chief Clifford Nmegbu went to consult a human rights lawyer, while with the lawyer, five armed policemen from Olu Obasanjo Police Station, PH with Emmanuel</p>	<p>On 01/06/2006, Clifford Nmegbu's solicitor, Ken Aswete, petitioned to Rivers State Police Commissioner on the incidents. The Police Commissioner directed the DPO of Igwuruta to investigate the murder but no investigation was carried out. Rather the DPO accused Princewill Azubike (15 yrs), Evans Azubike (16 yrs), and Rex Azunda (20 yrs) children of Clifford Nmegbu of destroying the property of Emmanuel Owhunda, Innocent Nmegbu and Isaac Nchelem Emmanuel, in</p>

	Owhunda arrested Clifford along with his personal assistant	retaliation for the death of their father.
2005	Last year, Moses Akatugba was sentenced to death for armed robbery, a crime he says he didn't commit. He was just 16 years when he was arrested in 2005, and says he was beaten repeatedly by police officers with machetes and batons. He told Amnesty International that they tied him and hung him up for several hours, and then used pliers to pull out his toe and finger nails. He was then forced to sign two pre-written confessions. Moses was just a boy when he was arrested. What's more, under international law, he should not have been sentenced to death, as he was a child at the time of the crime. He is waiting for execution.	On 01/10/2014, the Governor of the Niger Delta responded to pressure from Amnesty supporters and said he is looking into this case. As it is, Amnesty is one step closer to justice for Moses – so let the supporters of Amnesty push hardest on the Governor to honour his commitment today and save the life of Akatugba.
14/07/2006	Friday Omakoji Abu, legal practitioner based in Abuja, went to the Corporate Affairs Commission (CAC) located at Zone 5 Abuja to transact business. While making payment at Zenith Bank within the premises of CAC, he noticed three persons at the lobby of the bank arguing. On inquiry, Abu was informed by one of the three persons that operatives of the Economic and Financial Crimes Commission (EFCC) were in the bank to arrest an employee of the CAC. The employee pleaded for them to wait for his	When contacted on 7 & 8/09/2006, EFCC staff declined to make any comment on the incident. But an anonymous staff claimed that lawyers were fond of obstructing the work of EFCC officials.

	<p>superior officer. Abu intervened and asked them to wait for the superior officer as requested. This advice seemed to infuriate one of the operatives who demanded to know Abu's identity. Upon identifying himself as a practicing lawyer, Abu was ordered to sit on the floor. He was pushed to the ground, beaten up, handcuffed and taken to EFCC office at Asokoro, Abuja.</p>	
<p>20/01/2006</p>	<p>Ben Williams, in his mid 20s, resides at No. 56 Gwarri Road, Sabo Tasha, Kaduna. Two soldiers and a lady came to his barbing saloon, and the lady accused him of stealing her handset. They searched his shop and found nothing incriminating, he was bundled into an army vehicle and took him to the Strike Force Base at Sabo Tasha, Kaduna. At the base, 5 soldiers beat him with horsewhips and a chain for hours. He was hit on his knee with a rifle butt and forced him to admit the crime. After some hours torture, soaked in his blood, he was taken to their office where he was detained till the next day. He was forced to sign an undertaking to replace the handset and threatened that if he refused, he would be put into an armored tank where he would suffocate. He was eventually released to replace the handset.</p>	<p>On release, he filed an action at the Federal High Court, Kaduna against Mrs C. Yero who made the complaint to the army authority against him. The case is still pending in court.</p>

Source: National Human Rights Commission, UNDP and NORAD, 2005-2006

Besides, in 1961, Peter Benenson founded Amnesty International in England

to expose flagrant global violations of human rights – government-sanctioned killing, torture, and imprisonment of citizens. The organization now has over 41 chapters around the world. The 1993 Amnesty International Report revealed that appalling human rights catastrophes shocked the world in 1992. In the former Yugoslavia and in Somalia, the carnage was on a terrifying scale, with thousands of men, women and children tortured, killed or unaccounted for. In countries such as Nigeria, Libya, Chad, China, Iraq, Liberia, Peru, Sri Lanka, and other developing countries of the world, human rights violations and abuses continued at horrifying levels. The scale of these crises, and others that barely made the news, was almost beyond comprehension and seemingly beyond control.

The report exposed scores of governments that let their police and soldiers get away with beating, inflicting electric shocks or raping prisoners just to humiliate them or force them to sign false confessions. There are descriptions of gruesome torture sometimes leading to death. There are stories of some of the thousands of people who have “disappeared” or were brutally murdered at the hand of security forces or government-linked “death-squads”. This report also showed that armed political and opposition groups commit sickening abuses, including torture, mutilation, deliberate and arbitrary killing and hostage-taking. The disturbing question is how have governments around the world responded to such atrocities? Most are quick to proclaim that human rights abuses must be ended, despite this, politically motivated selectivity has continued to be the norm for governments when dealing with human rights issues, and international treaty obligations have been cynically ignore when convenient (Baldwin et al, 1882).

Obligation of Citizens in a Democracy

As democracy is a system of government that guarantees human rights, citizens have certain obligations to perform for democracy to work. As good and patriotic citizens, people must pay their taxes and support government programmes that serve the interest of the masses. Not only will they participate and exercise their rights in governance, citizens must also observe certain principles and rules of democratic conduct. Every citizen must respect the law and reject any act capable of jeopardizing government efforts to render services to the people. Avoid violence, economic sabotage, and unnecessary confrontations against government authority. In law, nothing ever justifies the usage of violence against whatever reason. Bloody conflicts against your political rivalries or any other person for that matter,

simply because you disagree with him or her, do not solve any problem to conclusive ends. Everyone must respect the rights of his or her fellow citizens, and their dignity as human beings. It is against the law for one to denounce a political opponent as evil and illegitimate because he or she is sharing different views. As citizens, you have the right to question the decisions of the government that are not favourable, peaceful protest against adverse and obnoxious policies, even taking the government to court for justice, but one cannot reject the government's authority. Every group has the right to practice its culture and to have some control over its own peculiar affairs, but each group must recognize that it is a part of a democratic state. When we express our opinions, we must also listen to the views of other people, even people we disagree with on burning issues. Every citizen has the right to be heard; even where you presume to be right, it is wrong to be convinced of the rightness of your views which would make you to refuse to see any reason in another's position. Taking laws into one's hands is unlawful. It is right to consider different interests and points of view because when you make demands, particularly in a democratic setting, it is impossible for every bargainer to achieve everything on demand. Democracy extols compromise, the spirit of give and take in bargaining situations. Therefore, groups with different interests and opinions must be willing to sit down with one another and negotiate because one group does not always win everything it wants. The danger is that if one group is always excluded and denied to be heard, the aggrieved group may turn against democracy in anger and frustration (<http://evolutionnews.co.nz/political-democracy>).

Politics and Democracy in a Developing Country

Liberal democracy and socialist democracy are known forms of political democracy because the two systems are based on economic and political centralization. In all countries of the world where democracy is being practiced, the poor are always being brainwashed and deceived into believing that there is no better system of governance than political democracy. It is true that liberal democracy guarantees voting rights and participatory role of the people, but the system has systematically denied the same people the right to economic equality under the nose of democracy. As a result, gross economic disparity exists between the rich and the poor, unprecedented inequality in people's purchasing capacity, increased rate of unemployment, poverty, chronic food shortages and insecurity in society. Political democracy is a unique system of exploitation prevalent in developing countries like

Nigeria. The constitution of "sovereign" Nigeria was originally created by three groups of exploiters, namely the British imperialists, the Nigerian (*indigenous*) imperialists and the ruling party of a given era representing the Nigerian capitalists. The constitution is logically framed to further the interests of these opportunists. In its deliberate effort to hoodwink the naïve masses, the constitution guarantees the right of universal suffrage. Majority of Nigerians is groaning in abject poverty, inequality, lopsided structure of the society and absolute denial of social benefits as the dominating character of the state. The hapless illiterate masses, politically apathetical groups of the society are further mesmerized by these exploiters through political false promises, intimidation, gross abuse of power, vote rigging, political hooliganism and divide and rule among the electorates. Once political power is captured and consolidated, the exploiters resort to total looting of state treasury, championing unbridled corrupt practices and political tyranny is extolled for four years in the first instance and the same absurdity is repeated at an interval of approved timeframe (since it is an approved political norm and a "birth right" for whoever wins the presidential election or governorship of a state must automatically occupy the government house for eight years or more). This is the farce of democracy in Nigeria and other developing countries.

Political opportunism has persisted in Nigeria since independence. The extant practice of political democracy since 1999 illustrates its rotten nature. It ranges from executive corruption - flagrant looting, lawlessness, fiscal indiscipline and anti-people policies (e.g. removal of fuel subsidy, privatization of Nigeria Power Holding, incapacitation of Nigeria Railway Corporation, coal mines and the oil refineries, etc); legislative corruption - abuse of oversight functions, usurpation of judicial functions, bribery and corruption amongst the legislature; judicial corruption - perversion of justice, soft landing strategy for indicted and/or convicted politicians (e.g. ex-governors, legislators and other top government functionaries indicted or convicted in courts of law or judicial inquiries, are moving freely without remorse), delay of justice and gratification syndrome. The slogan of attaining economic parity with industrialized countries helps to sustain these mediocres in power. Each time the electorates are being persuaded to vote for the incumbent office holders a second time or new candidates of their party. The masses are being promised of elusive dividends of democracy of a "developed economy" or often coerced or intimidated to vote for candidates of a particular political party. Consequent upon the incomprehensible nature

of political promises, millions of Nigerians are being deprived of the minimum requirements of good life, unequal distribution of socio-economic benefits, etc. Hence the fierce struggle of an average family for "two square meals" per day, clothing, basic and human shelter and affordable healthcare delivery services, functional and accessible education and protection of human rights. In contrast, a minute proportion of the population is stinkily rich, living luxurious lives in designated municipal areas at the expense of the poor masses in society where democracy guarantees right to life. Political democracy has become a great hoax for the people of developing countries of the world. It promises the advent of an era of peace, prosperity and socio-economic equality, but in reality it creates criminals, encourages exploitation and throws the common people in majority into an abyss of sorrow and suffering. As Burns, Peltason and Cronin (1981) succinctly noted,

Public officials have great power. Under certain conditions, they can seize our property, throw us into jail, and in extreme circumstances, even take our lives. It is necessary to give great power to those who govern; it is also dangerous because absolute power corrupts absolutely. It is so dangerous that to keep officials from becoming tyrants, we are unwilling to depend on the ballot box alone. For we know that political controls mean little when a majority uses that power to deprive unpopular minorities of their rights. Because public power can be dangerous, we parcel it out in small chunks and surround it with restraints. No single official can decide to take our life, liberty or property. And officials must act according to the rules. If they act outside the scope of their authority or contrary to the law, they have no claim to our obedience.

To make democracy a successful venture, economic power must be vested in the hands of the common people and the minimum requirements of good life must be guaranteed to all. This is the only way to ensure the economic liberation of the people whose domain the political power is located. Civil society organizations have done tremendously well in checking

and balancing the activities of the government to ensure equity (<http://evolutionnews.co.nz/political-democracy/>).

Civil Society in a Democracy

The tyrannical nature of African leaders under the guise of democracy generated much debate as to the essence of government with unbridled hegemony and excessive brutality and abuse of human rights. The need to checkmate government adverse activities became quite imperative and the overwhelming desire borne out of concerted effort for organized group independent of the state to serve as vanguard against human rights abuses. Kukah (1999:35) observed that the democratic winds failed to dislodge the dictatorships of Arap Moi of Kenya, Idi Amin of Uganda, Mugabe in Zimbabwe and Mobutu in Zaire. In Zambia and Benin, the people successfully forced out the dictatorships of Kenneth Kaunda and Mathieu Kerekou and install elected democratic governments under a multi-party political system. In Algeria and Nigeria, democracy was stifled as the organized elections were annulled by ruling elites which showed recalcitrant tendencies in letting go the entrenched privileges of the elite class. The fortunes of this elite in Algeria were threatened by the prospects of the electoral victories of the fundamentalist and seemingly intolerant Islamic Salvation Front. The prospects of the loss of power by fractions of the military in Nigeria, coupled with the influence of the bureaucratic and economic elite which led the military to annul the 1993 presidential election widely acclaimed to be free and fair since Nigeria's independence. The populist military dictators in Ghana and Burkina Faso transformed themselves into democrats and precariously hung on to their respective thrones. The failure to dislodge these dictators in Nigeria, Kenya and Zaire was due to poorly weak coordination and the selfishness and lust for power on the part of the opposition leaders which accounted mostly for the apparent failure to enthrone democracy.

The civil society is holding fort the political frontier to shield the society against repression, inhuman treatment and fortification of the citizenry for sustenance of democracy. In the contemporary society, no problem is more compelling than that of ensuring citizens basic civil rights without discrimination because of ethnic nationality,

religion, sex, political leaning, etc. The way and manner any country conducts its national affairs has significance beyond the national borders. Civil society organizations, groups of people, and other nations everywhere follow the treatment meted against the minorities with more than casual interest, especially in the light of general call for human rights throughout the world. Based on this clarion call for good governance that Kukah (1999) noted that with all its institutional weaknesses, democracy offers the best platform for the attainment of development, peace and progress. To this end, attempt is made to look at the relationship between the state and civil society generally. What obtains in the civil society and the impact of what obtains in the civil society on the relations between the state and civil society (as opposed to the relations between the state and the citizen) are absolutely essential. Its importance enables us to understand democracy better and exercise it effectively. Thus, the state should be democratically organized; that the exercise of political power by the state, state organs and state officials (whether elected or appointed) should be transparent and challengeable when it runs contrary to the interests of the people. In the organization of modern political societies, the state monopolizes the instruments of power (violence) and this monopoly can be, and is often, used and continues to be used against the people over whom the state rules. This is the state that arises from society, behaves and acts against the interests of society. More so, certain powerful groups in the society can, and do make use of the power of the state in their own interest against the interests of other groups in society. Therefore, when one talks about democracy, one is really concerned to ensure that the organization of the state is such that the oppression of the people and the abuse of power inherent in the state are minimized, and that there are in-built processes for protest, exposure and censure of such abuses when they take place. The exercise of state power should be open and accountable, not behind the backs of the people on whose behalf it is legitimized in the first place (Shivji, 2006:43).

Civil society comprises institutions like religious organizations, labour unions, charity organizations, community groups, non-profit organizations and the media. In advanced and virile democratic systems, these institutions supplement formal processes such as voting, and they help citizens shape the culture, politics and

economics of their nations. As part of its roles in democratic governance, civil society organizations can further and improve good governance through the procedures under-listed hereunder:

- By policy analysis and advocacy for people-oriented policies and programmes.
- By regulation and monitoring of state performance, action and behaviour of public officials. Civil society organizations help in monitoring the electoral processes, including the conduct of elections as observers to ensure free and fair democratic practice. It enthrones probity, transparency, accountability, justice and equity.
- By building social capital and enabling citizens to identify and articulate their values, beliefs, civic norms and democratic practices. Synergizes with government agencies to sustain good governance and accelerate provision of dividends of democracy to all and sundry.
- By mobilizing particular constituencies, particularly the vulnerable and marginalized sections of masses, to participate fully in politics and public affairs. For example, the body can sensitize the public to participate fully in voters registration; participate physically in voting during elections and creation of political consciousness amongst the illiterate groups.
- By executing development projects to improve the wellbeing of their own and other communities. Example are creation of small scale industries in rural communities, skill acquisition centres for the unemployed, digging of boreholes to provide good water for the downtrodden; executing health projects like immunization of children against polio, measles, meningitis and other children-killer diseases, creating awareness on hygiene and sanitation within environments.
- By complementing the efforts of government in driving dividends of democracy down to the door steps of people living in rural areas and urban ghettos; giving relief materials to orphanage/motherless babies/old-people's homes (Idumange, 2012).

The purpose of constructing a proposal of certain structure of the state as opposed to another, and the processes of reaching at those desirable structures is to guard against the abuse of power. Theoretically, society can have ideal state structures and the constitution to ensure that power is not abused. In practice, those structures are unlawfully

used, manipulated, brazenly abused in the interest of the few, who are powerful in the civil society. Notwithstanding, constitution is, indeed, the major ingredient and the alpha and omega of democracy. Larry Diamond (cited in Kukah, 1999) outlined the characteristics and benefits of an organized civil society in the crusade for virile society to include the following:

- (i) An organized civil society serves as a check against the excesses of government, human rights violation, abuse of the rule of law, monitoring of the application of constitutional provisions, and ensuring credible elections.
- (ii) Increases the participation and the skills of all the various segments of society and instills a sense of tolerance, spirit of coexistence, thrift, hard work, moderation, and compromise among the various competing parties in the society.
- (iii) It serves as an alternative to political parties, it can dislodge political discriminatory barriers and offer a refuge for those who are shut out from their rights due to non-membership of given political parties.
- (iv) It serves to enhance the bargaining power of interest groups and provides inclusive mechanisms for them to participate actively in government activities.
- (v) It has a role in mitigating the excesses of fundamentalist extremists and maximalists who tend to have a very narrow view of life in the context of contemporary democracy. It thus provides other alternatives for negotiation within a multi-faceted society.
- (vi) It can serve as recruiting ground for and the training of prospective members of the political or economic classes to enhance the quality of participants in government. In effect, it is a leadership recruitment field.

Conclusion

Democracy is the best system of government that enthrones human rights as one of its guiding principles. Some of the cardinal objectives of democracy are application of rule of law and massive participation of the people in governance. Most often, government tilt towards tyrannical or autocratic pattern of government and subsequently deny the citizens their basic civil rights. Civil society organizations, as vital ingredients of democratic government, monitor against the

excesses of the government and its agencies in executing state affairs. Civil society groups work to ensure that human dignity and worth are respected, protected and preserved constitutionally. By the impetus of democracy, civil society organizations have severally check-mate the excessive and massive powers of government. The civil society organizations have many times protected and defended defenseless commoners legally and socially. Although the political elites use the doctrine of democracy to exploit the poor masses through impoverishing the naïve electorates, political rigging, and other electoral malpractices which work against the interest of the masses, with all its institutional weaknesses, democracy remains the most viable alternative and it offers the best platform for the attainment of even development, peace, progress and unity in diversity. If the people are not politically and socio-economically empowered to be self-reliant and relevant to the society, development has not been achieved, peace and progress are not guaranteed. Insecurity and violence would emerge to compete favourably with other vices of the society such as corruption, poverty, unemployment, et cetera.

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