

# Reforming The Democratic Space in Nigeria: A Philosophical Discourse On John Locke's Social Contract Theory

BY

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**ABSTRACT** This study attempts to employ the socio-political theory of John Locke as a panacea for driving electoral reform and reinventing a new Nigeria. It gave a brief historical and critical exposition of the current state of Nigerian Democracy from the colonial masters to date. The study discovered that Consent is a key element in a democratic process that gives legitimacy to any democratically elected government. It argues that practices such as manipulation of election results, using security agents in the pretext of ensuring security of lives and property and/or securing court judgements in favor of any candidate (s) against the expressed or tacit consent of the people is nothing short of subversion of their collective will. The paper suggests that reforms are urgently needed in the Nigerian democratic space as this will guarantee quality representation and conducts in the overall interest of the masses. And lastly to show that Lockean social contract theory (consent to be specific) can be employed to reform the democratic space in Nigeria as well as reinvent the Nigerian state.

**Key words:** Panacea, Electoral Reforms, Consent, Democratic space

## INTRODUCTION:

The foundation for which political societies should and must exist is the consent of the citizenry of those countries under those territorial sovereignties they reside, in conjunction with the recognition of the international community. However, this isn't the case with many people around the globe. The implication is that some people do not consent to those who govern them due to a lot of reasons ranging from different political affiliations, ethnic, religious, or cultural affinity. Consent is generally presumed to be voluntary and deliberate experience though has not shown that only consent plays this role, because if it were so, then many people would have been in different countries governed by different authorities other than the incumbent ones in their respective territories. The predicament is who determines when consent is expressed? What are the elements of the expression of consent? Once given, is one at liberty to take back the consent? At what time should one be justified for taking back his consent?

Nigeria as a country was amalgamated in 1914, without the consent of the Nigerian people because it happened under the forceful rule of the British colonial powers (McCaslin, 2018). The founding fathers that fought for her freedom surely did not have a vision and mission of building a failed state; they wanted a Nigeria that would grow and prosper.

However, like any other country on the globe, Nigeria is facing challenges at the moment; challenges that are occasioned by bad leadership produced by the democratic process. So this calls to question the process by which these leaders emerge. Some people think that the problem is with

the constitution and so agitate for a new constitution. They argue that the constitution was amended, crafted and skewed by the military and foisted on them. This skewed document clearly shows that many do not consent to the present status quo in the Nigerian project and so a lot of people are losing hope in the direction the country is taking. Kukah articulated the sentiments of millions of Nigerians recently during the burial of a victim of kidnapers in Kaduna when he says:

Our nation is like a ship stranded on the high seas, rudderless and with broken navigational aids. Nigeria is at the point where we must call for a verdict. There must be something that a man, nay, a nation should be ready to die for. Sadly, or even tragically, today Nigeria does not possess that set of goals or values for which any sane citizen is prepared to die for (Kukah, 2020).

One then ask whether or not this is what the people bargained for when they go to the polls? Nigeria is no longer under military dictatorship, however, and sadly so, the process through which those who pilot the affairs of Nigeria come to power does not show that it is the general consent of the people as usually expressed during times of elections. There is more to the expression of people's consent than going to vote; do their votes count? Can it be said that they are expressing their consent on who is it that they have freely given their mandate? This article will examine what accounts for the expression of consent, when should consent be withdrawn, whether consent must be expressed or tacit in legitimizing governments.

Furthermore, the process where the people give their consent to whoever governs them in Nigeria is normally

marred by a lot of irregularities such as rigging, ballot box snatching, and intimidation of voters, violence, and financial inducement; sadly, a winner emerges from this kind of fraudulent process.

There are more than enough reasons that lay credence to the assertion that the constitution has been thrown to the wind: the executive arm of government is wielding a lot of powers to the extent that the judiciary is gagged, the legislature has become like a rubber stamp of the executive and so there is no proper checks and balances that would curtail the excesses of the executive. A gamut of examples abounds where the executive disobeyed lawful court orders by detaining their political opponents without bail as long as they want. The President believes that national security is over and above the rule of law; at first value, one would think that this statement is valid but on second thought, it is nothing but an invitation to dictatorship and anarchy. The question then arises, who determines what national security is if not the law? The dailies capture a lot of incidences of rights and violations of the law that ought to be the foundation of democracy. The Sultan of Sokoto had to intervene at a point in time as captured by this day newspaper:

The Sultan of Sokoto and President-General of the Nigerian Supreme Council for Islamic Affairs (NSCIA) Alhaji Sa'ad Abubakar, Thursday joined the campaign for respect for the rule of law in the polity, warning that disobedience to any court order is a recipe for lawlessness and chaos" (Deji and Enumeh, 2019). In like manner, the immediate past Chief judge of Cross River state, justice Michael Edem has charged the executive arm of government right from the federal to the local level on obedience to the rule of law. The ex- CJ, who addressed newsmen in Calabar, also reiterated the call for the financial independence of the judiciary as "money answereth everything (Akpan, 2019).

Scholars are generally divided on the central role that consent plays in the social and political philosophy of Locke, because Locke presents the state of nature as a natural state of freedom and independence, not subject to any government. Consent became the tool through which political societies are formed; the basis for special rights and obligations for the members who consented to be part of that political society. The only thing that confers legitimacy to be a member of any giving political society is the expression of consent.

(Simmons, 1993) argues against Locke's position on consent, he opines that only few people have consented to their governments, in that case, one can hardly find a government that is legitimately taking the expression of consent as social contract. Consequently, others hold the

view that Locke's doctrine on tacit consent addressed the concerns of those who think that explicit expression of consent is one angle to the argument. They argue that agreeing to walk the streets made by government is an expression of tacit consent.

The issue of expressed or tacit consent as interpreted by scholars to resolve the problem of how necessary consent is in legitimizing government persists. This has great significance in granting legitimacy, accountability in governance, and quality leadership as those who occupy public offices would have been scrutinized by the people and chosen based on an informed consent. An informed consent, therefore, whether expressed or tacit will be able to fill the gap or eliminate presumed, induced, simulated, or misinformed consent.

Though scholars are with discordant opinions about the sufficiency of consent and the nature of expressing it in legitimizing government, the hypothesis in this study is that consent as postulated by John Locke remains a key element in reforming the democratic space in Nigeria. Once the people give an "informed consent" they will see the government as legitimate; must carry out their obligations towards the government in power and this include demanding accountability from their government and the power to withdraw their consent through a process of recall or voting out during an election year.

## **CURRENT STATE OF NIGERIAN DEMOCRACY**

Nigeria has a very rich history with a beautiful natural environment that is comparatively less prone to natural disasters such as earthquakes, landslides, typhoons, and the likes. It is home to over 200 million people with rich cultural diversity and an abundance of natural resources (Nigeria population, 2021). The weather is clement for agricultural activities to support the huge population. No wonder then that the British colonizers found it attractive and habitable.

The "second coming" of Chief Olusegun Obasanjo in civilian garb marks the beginning of a fresh journey in a democratic dispensation in Nigerian politics. Nigerians welcomed this new bride with enthusiasm; He claimed to have been re-elected for another four-year term which came to an end in 2007 after he failed to amend the constitution which would have allowed him to run for the presidency for the third term (Mohammed, 2010).

On 29 May 2007, Umaru Musa Yar'Adua became president of Nigeria with Goodluck Jonathan from a minority tribe in Bayelsa as his vice. As governance was taking shape with some electoral reforms that were meant to strengthen democracy, the promising purposeful leadership of Yar'Adua was cut short in 2010 by the cold hands of death. This development was not palatable to the northern elites who wanted a northerner to take over and complete the term of Yar'Adua as it was obvious that power was going to slip out of their hands. Finally, reason prevailed and Goodluck Jonathan succeeded his boss.

Jonathan later stood for elections and ascended the presidency on 29th May 2011. At the expiration of his first term of four years, he came out to seek re-election but lost to a former military head of state that scuttled democracy through the coup that toppled Shagari in 1983. So power shifted to the opposition party for the first time since the return to democracy in 1999 in the elections of 2015.

From the tone of the inaugural speech of President Buhari in 2015, people thought that a messiah had come:

Having just a few minutes ago sworn by the Holy Book, I intend to keep my oath and serve as president to all Nigerians. I belong to everybody and I belong to nobody. A few people have privately pose fears that on coming back to the office I shall go after them, these fears are groundless. There will be no paying off old scores, the past is prologue. Our neighbors in the sub-Saharan region and our African brethren should rest assured that Nigeria under our administration, would be ready to play any leadership role that Africa expects of it. Here I would like to thank the government and people of Cameroun, Chad, and Niger for committing their arm forces to fight Boko Haram in Nigeria (Channels TV 2015).

#### Nigeria's Culture and Religions

Nigeria is blessed with a lot of diverse cultures and is highly religions, the culture and religion of the people are intimately connected. The two dominant religions are Christianity and Islam have always been in constant conflict since the time of the British colonial masters. This is one of the major factors that is retarding the growth and development of Nigeria.

The coming of Islam in Nigeria was characterized by Jihad through Uthman Dan Fodio (BBC,2009). The colonialists who saw in the northern elites a willing tool in establishing their indirect rule could not allow Christian missionaries to preach in the north, hence, the north today is predominantly Muslim and the south is predominantly Christian. So in other to pay the north for their loyalty, the country was structured in such a way that the north has the power to decide who rules the country. At independence, power was handed over to northern Muslim as the first prime minister of Nigeria (Hallouch, 2018).

The judiciary generally must not be regarded, perceived, and believed to be pervasively in corruption. The judiciary must be a temple of justice, a beacon of credibility, and a repository of integrity. No matter how well structured, properly staffed, and adequately funded the judiciary, and

no matter how good the rules governing its operation and practice are, once the actors are not regarded as credible men and women of integrity, the judiciary can hardly act as guardian of democracy, let alone operate creditably as an honest enforcer of the rights and a just redresser of wrongs. The independence of the judiciary is universally acknowledged as one of the defining and definitive features of a functional democracy (Theophilus, 2014).

The atmosphere before, during, and after the elections are usually charged and characterized by hate speeches, inducement of electoral officers, tactical delay of election materials, manipulation of election figures, violence, voter apathy, security agents and armed groups intimidation, votes buying, ballot snatching and a gamut of other activities that do not allow for free, fair, transparent elections. So if people cannot freely give their consent to which they want that would govern them, their equality, rights, and consents are affected in the process.

#### Nigerian Women and Politics:

Nigerian women haven't taken their place in the political affairs and decision-making that affect, women, children, and in some cases their husbands. In a male-dominated culture, the meaning and valuable contributions of women in the politics of Nigeria leave a lot to be desired. This concern is well known and documented hence, you hear of agitations by women as "affirmative action for women". On these issue UN perception of Nigerian women in politics maintains:

The issue is that we are not given the opportunity...[Men] feel women are meant to be seen not heard. Since 2006, Nigeria's National Gender Policy highlights women's right to equality in economic, social, and political life, with provisions to increase women in elected and appointed positions to 35 percent- but that hasn't happened (UN women,2019).

This goes to show a lack of level playing field for the women folks to participate fully in nation-building. The social stigma that exists which sees the women who venture into politics as "women of easy virtue" has deterred so many women from this because often political meetings are done in the nights and most men who are or may not be into politics themselves will not allow their wives to stay late at nights for these meetings.

#### Federal Character and National Cohesion

One may wonder what the issue of federal character and national cohesion has to do with democracy in Nigeria. The argument is not far-fetched; it is the idea that appointments into government ministries and parastatals should equally be distributed to reflect the six geo-political zones. While some see this as a welcome development, others argue that it sacrifices meritocracy on the altar of regions, ethnicity and religion. The politics of this is very clear, when it is in the favor of the northern region; the emphasis is laid on the federal character, when it is to their disadvantage the emphasis shift to merit. These reasons are the basis for the cry of marginalization and secessionist agitation from the

Eastern part of Nigeria by the Biafra also known as Independent People of Biafra (IPOB) MEND that is movement for the emancipation of the Niger Delta region, The Middle Belt region which is found in the present Northern part of Nigeria but predominantly Christians and the ODUDUWA republic in the west predominantly the Yoruba race (Ayoade, 2021).

Politics has always taken this direction and that is why power is grabbed by the crooked and corruption-laden ruling elites using what seemingly appears as elections with the help of government security forces and the cooperation of few from other regions. The clamor these days is not about the competency and moral character of the persons intending to rule but from which region and of what ethnic group; this call is louder now as we approach another election year in 2023 by the people from the East, they talk about Igbo presidency thus:

An apex Igbo socio-cultural organization, Ohanaeze Ndigbo, has planned to lead religious and traditional rulers and over 80 several organizations in Igboland and Diaspora to the national dialogue in Enugu next month on the quest for a Nigerian president of South-East extraction in 2023. The Guardian learned that the event, being put together by a socio-political advocacy group, South-East for President 2023 movement (SEFORP, 2023) is expected to make a strong statement on why the Igbo should be allowed to produce President Muhammadu Buhari's successor in line with the existing principle of rotation of political offices (Njoku, 2020).

Democracy, Poverty, and Illiteracy

The quality of politics being played out in Nigeria is largely determined by these two variables- poverty and illiteracy. This is so because voter education is lacking, by voter education here we do not just limit it to people knowing the logo of the party they would like to vote for but the character of the people that should be allowed to run for political offices. Some of these politicians appear only after a four-year electoral circle who capitalize on the people's ignorance and poverty to share cups of rice, sugar, and other foodstuffs to canvass for votes and once they are "selected", they go and never to be accessed again.

One may not completely blame the people because they've been deceived for so long to the extent that they hardly can distinguish who is out to serve their interest. And since they are hungry, their first instinct is to survive. As if Plato saw it coming, he rejected democracy as the government of the mob and advocated for the philosopher-king to rule. Literacy brings out the beauty of democracy.

## JOHN LOCKE'S SOCIO-POLITICAL PHILOSOPHY

Social Contract Theory

Locke began by postulating the natural state of the human person in the state of nature. Man in the state of nature is good and lived in peace with the attitude of one man willing to help the other (Locke, 2003: 102). He deviated

from Hobbes by stating that in the state of nature, the natural law is derived from reason alone. All people are born equal; as such have some inalienable rights to life, liberty, and personal property (2003:136). He posits that natural law can be formulated; every person in this state of nature is obligated to preserve himself and all of humanity. He insisted on the fact of equality and freedom of individuals to drive home his point that based on these inalienable rights, people are free to consent to political government (Ian, 1999: 312). That the people agreed to surrender some of their rights to government is for their betterment as such they could be justified for rejecting, resisting, and replacement of any government that fails in its responsibility (Locke, 2003: 154).

Furthermore, the major point of Locke for which the formation of the civil society was anchored on is consent (Locke, 2003: 11), occasioned by their dissatisfaction with their condition in the state of nature which he called a natural state of freedom and independence. He opines that in the first society, parents begot children, and with time master-servant relationship emanated while parents rule over their children and masters over their servants. But this does not amount to political society, the conjugal society is constituted by the consent of man and woman and each has a right to another's body and as they procreate, the children have the right to be nourished while parents have rights over their children until they attain adults.

Every member of the community in the state of nature through consent incorporates himself to the government authorizing the legislature to promulgate laws for the smooth running of the society. It is very important to note that Locke does not necessarily by the social contract mean democratic government (Forster, 2011: 17). The people may decide to vest their power in few people which is an oligarchy, it could also be a monarchy, hereditary monarchy, elective monarchy, or mixed form of government. One thing that is crystal clear by Locke's statement is that any form of government that the people want should be by their consent and the people reserve the right to remove the sovereign if he deviates from the purpose for which they entrusted him with their powers to govern them (2011:219).

Locke doesn't intend that the majority should enslave the minority, his intent is that of justice, equity, and the common good for all members of the community (Riley, 1982: 68). Aside from that, people should have a stake in the selection of the person who rules them. Since everyone is equal and based on their equality and liberty to exercise their rights, the minority would have their say while the majority will have their way.

Discourse and Analysis

If the freedom and equality of every member of the society are safeguarded and the formation of government is through consent as advocated in Locke's social contract theory, it would help in reforming the people's psyche or Machiavellian mentality to the extent that tolerance is not



given to people who would want to adulterate the electoral process. (Yayock,2020) opines:

There is no gainsaying that political leadership has failed Nigeria in the area of security. This is what happens when political leaders distance themselves from the people irrespective of their creed and color. In Nigeria, the only time when people get to know their leaders are during the campaign for elections. They litter everywhere with posters, jingles on radio and TV will be pulsating the airwaves and some will recruit an army of youths to go house to house convincing people to vote for them. As soon as elections are done and they get into power sometimes forcefully, they become demigods and cannot just be reached until another season of elections"

It is worthy of note that the foundation of growth, prosperity, and reinventing Nigeria's democratic space lies largely with the masses, the political class is only powerful when they people allow them to arrogate too much power to themselves. Once we get it right at the political level, the rest is easier to achieve. This can be viewed in a tripartite way:

If the process would be adequately equipped as not to allow people of questionable character to rise to power and influence.

The way political power is perceived, acquired, managed, and maintained would change.

The positive impact of the aforementioned (1 and 2) in the society would bring about the paradigm shift in reinventing the Nigerian democratic space.

It would amount to an intellectual exercise in futility for anybody to argue that what happens in the political space has little impact in all facets of both public and private lives. We must note that politics or political decisions have a great effect on religion, economic, security, foreign policies, education, sports, health, progress, prosperity, and in fact, all aspects of national life.

A classic case is the Dubai story, which started growing in 1966 when they discovered oil; before then it wasn't an interesting place that could attract the attention of the world. It took political will by Sheikh Rashid bin Saeed Al Maktoum who transformed the city to an enviable height that every Nigerian politician who probably stole money wants to go for a business trip or do shopping in Dubai (Smith, 2019).

## **REFORMING AND REINVENTING NIGERIAN DEMOCRATIC SPACE:**

Lessons from Lockean Social Contract Theory:

A lot of lessons could be drawn from this theory which can be beneficial to Nigeria. First and foremost, Locke offers us a framework on which to have easy access to democratic tenets. The Nigerian foundation of democracy was laid by the British who were the direct beneficiaries of the social and political philosophy of Locke. He stated a fundamental

principle that none can contradict without far-reaching consequence that implies subjecting oneself to be the position of a slave, tampering with the dignity of the human person which is not conferred by anybody but God or nature. That Locke spoke about power belonging to the people shows that only with their consent should anyone have the opportunity to govern (Riley,1982: 68).

Lessons from the Current Democratic Space

Although a gloomy picture of the Nigerian state and its democratic space has been painted, some elements or successes could be built or improve upon. Taking us down memory lane, we would discover that since 1999 up to date, Nigeria has witnessed a transfer of power from one democratically elected government to another. It shows that Nigerians are ready and willing to learn and improve the system to near perfect if not perfect, hence the call for electoral reforms, amendments in the constitution, judicial reforms, and other key areas of national life that would enhance and showcase Nigeria as a civilized people.

Reforming and Reinventing Nigerian Democratic Space

All over and around the globe, societies that made progress aren't ones that necessarily have abundant natural or human resources. Progress or otherwise largely depends on the kind of values that those societies imbibed. Hence, the

way forward for the Nigerian state is to review the curriculum that takes into cognizance the value system that would help her become a great nation. Government, educationists, curriculum developers, and all stakeholders in the Nigerian project must come together to chart the way forward in this regard. The following values should be considered: integrity, nurturing, faith in the nation, listening skills, understanding, emotional intelligence, navigational skills, communication skills, exemplary life. The aforementioned values would prepare nursing any ambition for leadership to take notice of the following: see the goals, understand the obstacles, create a positive mental picture, clear their minds of self-doubts, embrace challenges as they come, sacrifice leisure and focus on the goal, show to all that it is possible, feed their focus with ideas about the goal, utilize all opportunities and learn from failure or unsuccessful attempts without giving up or discouragement.

A reformed and reinvented Nigeria is not a utopian state that this article sought to create but a Nigeria with the kind of leadership that pilots the affairs of the state by creating conditions for sustainable growth, development, and equal opportunity for the Nigerian citizens to fully realize their potentials and aspirations. This is not rocket science; it is a noble goal that is achievable once the will is there. The right leadership through its influence can change the narrative.

Through the philosophy of "influence and success", a positive political philosophy, the result would be reformed and reinvented Nigerian democratic space, and this will begin but not limited to the sovereign. The sovereign has to take the lead by pulling talents and resources together and directed towards the pursuit of the common good. This

sort of influence is not primarily about the people themselves but about the quality of the sovereign that has their mandate. "Influence" here is that "positive political philosophy" that this article is proposing would reform and reinvent Nigeria's democratic space.

## SUMMARY, CONCLUSION, AND RECOMMENDATIONS

The study focused on consent as an aspect of the social and political philosophy of John Locke to offer a positive political philosophy of influence and success that would help in feeling in the gab and bringing solutions to the myriads of challenges facing Nigeria.

To do away with an epileptic democracy and offer a pathway to a system that promotes human equality, freedom and creating an environment for people to realize their potentials without hindrances; to convince Nigerian citizens to see the need to embracing the positive political philosophy of influence and success as a sure way to go in reforming the democratic space and reinventing a new Nigeria of our dream; to continue in the vision and mission of our founding fathers for a sovereign state that can be a model for all democratic nations on the globe and to expunge Machiavellian principles in Nigeria's democratic process.

In conclusion, the saying that knowledge is power is only to the extent that it is applied. This is one of the reasons that this study was embarked on as a noble contribution to empowering the people. If the people do not rise to demand reforms and insist on the right thing to be done, our vision of reforming and reinventing the Nigerian democratic space will remain a mirage.

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