

# International Journal of Arts and Humanities (IJAH)

## Bahir Dar- Ethiopia

Vol. 5(4), S/No 19, September, 2016: 173-185

ISSN: 2225-8590 (Print) ISSN 2227-5452 (Online)

DOI: <http://dx.doi.org/10.4314/ijah.v5i4.13>

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### **Civil Society and the Dynamics of Democratisation in Nigeria (1999-2007)**

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#### **Abstract**

The wave of democratisation that swept through the continent of Africa in the 1990s reintroduced the time-honoured debate of the relative significance of state and society in the process of political reforms. Democratisation builds upon the belief that civil society requires government that is committed to freedom of association, competitive elections, independent courts and media, and other civil and political rights. Therefore, a democratic state and a civil society are two sides of the same coin. While civil society organisations played active role in the pro-democracy struggles against military dictatorship, which finally climaxed with the institution of democratic rule in Nigeria in 1999, civil society's active participation in democratic consolidation has been limited by some factors such as institutional weaknesses, poor funding, weak collaboration between the state and civil society, fragmentation along ethno-religious lines, among others. This paper argues that democratisation as a continuous project requires a balanced relationship between civil society and the state and the consolidation of Nigeria's nascent democracy would require a strong civil society that is distinct, but working complementarily with the state.

**Key words:** Civil Society, Consolidation, Democratisation, Democracy, Struggles, Nigeria

### Introduction

Assuming civil society to be a key pillar of both the market economy and liberal democracy, donor agencies have sought to strengthen civil societies in Africa. Against the background of the failure of centralised states in the developmental project, civil society was gradually conceived as alternative deliverers of social services and welfare, thus providing a solution to the incapacities of the state as well as the inequalities of the capitalist development.

The characteristics of the liberal democracy, which donors are promoting, include 'open political competition, with multi-parties, civil and political rights guaranteed by law, and accountability operating through an electoral relationship between citizens and their representatives (Luckman and White, 1996, p. 2). What role does civil society have to play in building this kind of democracy? How robust is the relationship between civil society and democracy?

In Nigeria, the gross violations of human rights under successive military regimes between 1990 and 1998 inspired the emergence of radical pro-democracy movements and the revival of a once 'dormant civil society' to militant democratic struggle. The emergence of human rights and pro-democracy organisations specifically to demand political reforms, the levelling consequences of SAP, the inspiration from political struggles in other parts of the world, and support from members of the international community led to expedient and transient coalition formation.

Since the Nigerian State returned to democratic governance in 1999, the democratic project has been the subject of an intense debate in various circles (Alumona, 2007; Amucheazi & Ibeanu, 2008). Admittedly, the rising concern about the Nigerian democratic project cannot be explained outside the numerous ethno-religious, socio-economic, and political crises that have been the bane of the nation since the return to democratic governance on May 29, 1999.

Expectations about the role and capacity of Nigerian civil society to promote governance reform and foster democratic deepening were exaggerated with the establishment of democratic government in 1999. In an attempt to explain why the concept of civil society is vital for sustaining Nigeria's nascent democracy, and in seeking to forecast future democratic developments, this paper will interrogates these fundamental questions pertinent to civil society and the dynamics of democratisation in Nigeria since 1999: (i) Why is civil society crucial to democratisation; (ii) How has civil society been shaping the course of democratization since 1999, and; (iii) How strong is civil society to influence the direction of democratization in Nigeria?

The central argument of this paper is that democratisation as a continuous project requires a balanced relationship between civil society and the state and the consolidation of Nigeria's nascent democracy would require a strong civil society that is distinct from the state but working complementarily with the state.

### **Civil Society and Democratisation: A Theoretical Interrogation**

The link between civil society and democracy has its root in early liberal writings like those of de Tocqueville, but were developed in significant ways by modern theorists who identified the significant role civil society can play in a democratic order. The activism of civil society organisations facilitates better awareness and a more informed citizenry, who make better voting choices, participate in politics and hold government more accountable as a result (Essia & Yearoo, 2009, p. 370).

Many scholars have attempted a conceptual definition of democratisation from different angles; however, there is no conventional agreed definition to the concept and features of its constitutive elements. Olukoshi (1996, p. 45) for example noted that 'democratisation is a process without a finite limit and whose content and vitality at any point in time is reflective of the balance of social forces in a given social system'. He adds further that there is no such thing as a 'full' and 'pure' democracy, since the democratic process is constantly being renewed in international and local scales. Adopting similar comprehensive approach, Nwabueze (1999, p. 8) defined democratisation, as 'not only a concept, nor is it synonymous with multi-partyism, but also concerned with certain conditions of other things such as a virile civil society, a democratic society, a free- society, a just society, equal treatment of all citizens by the state, an ordered, stable society infused with the spirit of liberty, justice and equality'. Nwabueze's stated thesis is that democratisation requires that the society, economy, politics, the constitution of the state, the electoral system and the practise of the government be democratised. However, the listing of those elements involved in democratisation does not, and is not intended to, carry the implication of 'pre-conditions' or 'pre-requisites without which democratisation cannot, and must not be embarked upon (Olayode, 2007, p. 127).

For the purpose of this study, democratisation is broadly conceived as a multi-faceted process that leads to the construction of a stable democratic system of governance, incorporating such elements as political participation, economic and social justice, free and fair elections. The process of democratisation begins with political challenges to authoritarian regimes, advances through the political struggles over liberation, and requires the installation of a freely elected government. It concludes only when democratic rules become firmly institutionalised as well as valued by political actors at large

The wave of democratisation that swept through the continent of Africa in the 1990s reintroduced the time-honoured debate of the relative significance of state and society in the process of political reforms. A democratic society rests upon an underpinning of citizen-based associations, voluntarily established to pursue their interests, relying upon a government that implements policies relatively equitably and reasonably respond to pressure from below. Democratisation builds upon the belief that civil society requires government that is committed to freedom of association, competitive elections, independent courts and media, and other civil and political rights. Therefore, a democratic state and a civil society are two sides of the same coin.

Mutfang (2003, p. 34) views civil society as a wide range of association and other organised collectives, capable of articulating the interest of their members, moulding and constraining state power. According to him, their demands provide inputs for the democratic political process, which at times are aggregated by political parties. Their approval or disapproval of what goes on in government contributes to its accountability. He further postulates that a country which is well endowed in this respect is well positioned to democratise and ensure good governance. It is in this same vein that a weak civil society is often used to explain the failure of democratisation.

In democratic theory, civil society is expected to play a major representative role in the process of the transition to democracy (Bratton & Hyden, 1992, p.14). Within established democracies, civil society also performs representative functions. A rich associational life supplements the role of political parties in stimulating political participation, and increases the political efficacy and skill of democratic citizens. Thus, the development of pluralist systems of rule is expected to entail the emergence of a multitude of groups with the capacity (based on their experience in associational life) to exert influence over government.

Since civil society was first conceived as an important factor in African politics in the early 1990s, its main role has been seen in terms of democratic consolidation. A thriving civil society can widen democracy by promoting pluralism, and it can also deepen democracy by embedding the values and institutions of liberal democracy within society at large. White (1999, p.133) suggests four main arenas of civil society involvement in the democratisation project: 'altering the balance of power between state and society; improving the accountability of both politicians and administrators; acting as an intermediary between state and society; and legitimating the political systems by promoting the values of liberal democracy.

For Przeworski (1991), a common feature of dictatorship is that they cannot tolerate independent organisations. They feel threatened not by 'the breakdown of legitimacy, but by the organisation of counter hegemony: collective projects for an alternative future' (Przeworski, 1991, p.44-48). Thus, authoritarian regimes either incorporate organisations under central control or repress them by force. Przeworski

further argued that once repression lessens, the reaction is a flourishing of autonomy organisations of civil society. This was certainly the case in Nigeria's democratisation experience following the death of the military dictator, Sani Abacha in 1998. For example, the political openings and relaxation of repression that accompanied the installation of a democratic government have encouraged the rise of primordialism, producing instability, tension, violence, and human rights abuses. Previously repressed communities and constituencies, those marginalized from power and those who felt cheated in the current dispensation have retreated to regional bases to organise narrow opposition to the state

The relationship of civil society and the state in the course of democratic consolidation is also relevant to this study. Civil society groups that emerged following a democratic transition, continue to exist independently of the new political structures with its own aspirations and expectations from the new government. Cohen and Arato (1994, p. 56) emphasises that civil society is based in non-class form of collective action, oriented towards and linked to the legal, associational, and public institutions of society. Its action is self-limiting in that it does not seek to usurp state power, but rather to open it up to outside influences. This may imply that the aftermath of political transition would involve the 'domestication, demobilisation, and atomisation' of the forces that were active in the struggle for democracy (Cohen and Arato 1994, pp. 58-65). It may also involve further attempt at democratisation or democratic institution building within civil society, the state, and political and economic society. Civil society forces should play a role in encouraging debates, promoting values of tolerance and pluralism, and contributing to the sense of civility and shared citizenship (Joseph, 1999, p.120).

Once formal democracy has been established, civil society forces should seek to reshape the relations of individuals to the public and the political spheres of society and state. Successful democratisation does not imply that the state should retain exclusively control over the public-political sphere. Rather, it means that members and organisation would continue to debate issues of common concern, assert new rights, and influence political and economic policy. Policy intervention on the part of civil society can be accomplished through the implementation of decentralised and autonomous programmes to supplement the role of the welfare state and through the design of non-bureaucratic forms of regulations to prevent the private sector from subordinating the economy to its interests.

The institutions of civil society have been found to perform less well in the early stages of democratic consolidation than they do during democratic struggle (Bratton and van de Nicolas, 1997). This is due to the deflation of popular political energy in the aftermath of regime's transition. Within civil society, political factions that united around the common goal of ejecting an autocratic leader from office may later rediscover differences of interest that can divide and incapacitate them. Even

among citizens, the intense levels of political engagements that were whipped up during transition struggles cannot be sustained once the transition is completed. Likewise, elected new leaders deliberately seek to reduce the ebullience of their followers and dampen their often unrealistic anticipation of immediate 'democracy dividends'. Thus, political parties are likely to dominate political life once a transition is completed rather than civil society organisations.

### **Civil Society and Democratic Struggles in Nigeria (1990-1999)**

Popular struggle for democracy, accountability, social justice and human rights in Nigeria had been a continuing phenomenon through independence to post-independent years. This struggle however became a mass movement after the collapse of communism in what has often been referred to as 'the third wave of democratisation'.

Initially, popular struggles in Nigeria between 1986 and 1993 have had little to do with political demands but concerned with securing relieves from the social contradictions and hardships created by SAP. The opposition was based on the constitutive interests of various organisations -higher salaries and better working conditions for labour union and workers, better campus conditions and lower fees for students, lower rents for market stalls for market woman, and so on. However, the emergence of human rights and pro-democracy organisations specifically to demand political reforms, the levelling consequences of SAP, the inspiration from political struggles in other parts of the world, and support from members of the international community led to expedient and transient coalition formation.

By the late 1980s, a new generation of radical human rights organisations and pro-democracy movements had become established in Nigeria. These included the Civil Liberties Organisation (CLO); Committee for the Defence of Human Rights (CDHR); Movement for National Liberation (MNL); Constitutional Rights Project (CRP); National Association of Democratic Lawyers (NADL); African Democratic League (ADL); National Association of Democratic Journalists (NADJ); Gani Fawehinmi Solidarity Association (GFSA); Movement for the Survival of Ogoni People (MOSOP); Movement for the Advancement of Democracy (MAD); Campaign for Democracy (CD); among others. These new human rights movements along with the existing loci of popular struggles such as Academic Staff Union of Nigerian Universities (ASUU), Women in Nigeria (WIN), National Association of Nigerian Students (NANS), Nigeria Bar Association (NBA), and the Nigeria Medical Council (NMA), provided the much needed platform for popular education, for defence of human rights and for generalised struggle to end military dictatorship in Nigeria. It would be recalled that between 1993 and 1999, in collaboration with the Nigeria Labor Congress (NLC), these groups fought the Nigerian military to a standstill. They mobilised students and workers for civil disobedience, strikes and protest marches

across the country. Many in their ranks were killed and maimed, while some lucky few were able to make good their escape into exile. In recent times in Nigeria, CSOs executed diverse programs such as voter education, election observation, campaign finance monitoring, election tribunal monitoring, electoral reform advocacy, conflict mitigation, access to justice, public interest litigation, budget tracking, constituency outreaches as well as research and documentation in thematic areas of democracy and governance.

After many changes and banning of prominent politicians from contesting elections, the government finally fixed June 12, 1993 for the presidential election in which Chief MKO Abiola, the SDP presidential aspirant was declared the winner of the election. The election was adjudged to be free and fair by national and international election observers. However, after it became obvious that the SDP candidate was winning the election from the preliminary results released, the government withheld further release of election results and announced later the cancellation of the entire election.

The cancellation of the election and the refusal to swear in the acclaimed winner led to the formation of many civil society coalitions to campaign for the immediate disengagement of the military from the political space and the restoration of democracy in Nigeria. Campaign for Democracy (CD) - made up of WIN, CDHR, CLO, CRP etc; United Action for Democracy (UAD); National Democratic Coalition (NADECO); Joint Action Committee of Nigeria (JACON); Democratic Alternatives (DA); among others were the new civil society coalitions formed in the wake of the annulment of the 1993 presidential election. After the annulment of the presidential election of June 12<sup>th</sup>, 1993, the then 'military president', General Ibrahim Babangida was determined to stay in power. Ultimately, it was mass civil actions and sustained street protests spearheaded by coalitions of pro-democracy movements under the aegis of Campaign for Democracy (CD) that forced President Babangida to relinquish power, thereby completely shattering the aura of invincibility of the self-acclaimed evil genius. The campaign of pro-democracy organisations and other socio-cultural and professional organisations locally and internationally, forced Gen. Ibrahim Babangida to 'step aside' in 1993 to put in place the Interim National Government (ING) (Fayemi, 2005, p. 120).

After the 'stepping aside' of Babangida, and the institution of an ING, the acclaimed winner of June 12 1993 presidential election briefly fled abroad. In a case filed against the ING in at a Lagos High Court, the court, on the 17 November, 1993 declared the ING illegal. Based on the above ruling, Gen. Sani Abacha staged a coup d'état, dissolved all the existing democratic structures retained by ING and once again returned the country to a full blown military dictatorship. Unfortunately, he died while in office and his Chief of Defence Staff, Gen. Abdusalam took over from him and successfully handed over to a democratically elected government in 1999. It should

be noted also that the acclaimed winner of the June 12 1993 presidential election had also died in detention where he was clamped after declaring himself as the president upon his return to Nigeria from exile abroad.

### **The Challenges of Democratisation in Nigeria (1999-2007)**

The restoration of democracy on May 29, 1999 after devastating military rule that spanned over three decades, came to many Nigerians as a monumental event. Prior to that 'turning point', despondency, despair and outright fear had been the lots of many Nigerians. Through the years of military domination of the national political space, virtually all the national institutions were desecrated. The economy was laid prostrate by mismanagement, looting and corruption. Nigeria, once a respected country in the committee of state was stigmatised as a 'pariah', with various sanctions imposed on her by the international community. Taking over the mantle of leadership with such a troubled background, former President Obasanjo found it most essential to reassure the citizens that the future still holds bright prospects. He promised to make positive impact on the lives of the people within a short period.

Against the background of years of misrule, and the resultant hardship and deprivation, the tendency of people to have high expectations from democratic dispensation is understandable. Thus, Nigerians rightfully and impatiently expected 'democracy to bring instant relief'. Consequently, the term 'democracy dividends' entered into Nigeria's economic lexicon, meaning the benefits that were expected to accrue from a democratic system: foreign investment, material and financial assistance, programme of job creation for alleviating poverty and youth unemployment, farewell to gross violations of rights, improved standard of living among other expectations. However, as most Nigerians remained untouched by vaunted developments under democratic government, people have started grumbling and asking: whither the democracy dividends?

While it was too early in 1997 to make a valid assessment of the democratic project in Nigeria taking into consideration the long period of military dictatorship, however; the picture on the ground and the mood among ordinary Nigerians, appeared gloomy. The economy did not witness substantial improvement as evident in the declining value of the local currency, high interest rates, hyper-inflation, and worsening unemployment. Though, the government took positive steps to increase the wages of workers, escalating prices of goods and services had whittled away the impact of the increment on people's living. Also, in spite of the numerous 'foreign trips' of the president 'to attract investors', the infrastructural decadent, insecurity and the astronomical cost of doing business in Nigeria scared many potential investors away.

The economic undertone of the perennial ethno-religious conflicts in Nigeria has negative implications for democratic consolidation. The appalling level of economic frustration has made many Nigerians handy instruments for ethnic, religious

and even political disturbances. Also, the disillusionment and disaffection of many youths with the economic hardship have increased not only the wave of violent crimes like armed robbery and assassination, but also the proliferation of ethnic militias, particularly in the Niger/Delta region.

In addressing the challenge to the survival of democracy in Nigeria, it is pertinent to consider security issues and problems that have affected or capable of affecting the attitude, confidence and cooperation of all groups and segments that makes up the Nigerian federation. Some of the major security problems currently confronting the nation have been identified to include: political and electioneering conflicts, socio-economic agitations, ethno-religious crises, ethnic militias, boundary disputes, cultism, criminality and organized crimes. These problems individually and collectively constitute threats to the peace, security and development of the country. Invariably, they have implications for the continuity and survival of the nation's nascent democracy.

Another area the government still needs to address is electoral fraud which poses a major challenge to democracy in Nigeria and by extension, threat to Nigeria's security. Successive elections between 1999 and 2007 were marred by massive frauds, thuggery, inducement of voters, god-fatherism and violence. Many of the party primaries were conducted in non-transparent processes. The political environment was characterised by events that were geared toward derailing the democratic process. The failed third term agenda of President Obasanjo and the assassination of prominent aspirants for top political posts were among the outstanding aspect of these events. It was thus a welcome development that the administration of late President Musa Yar'adua promised to implement political reforms having recognised that electoral fraud desecrates the sanctity of democracy and weakens its capacity as an instrument for the mobilisation of national resources for economic growth and political development.

#### **Civil Society and Democratisation in Nigeria (1999-2007)**

As democratic government was established in 1999, there were high expectations about the role and capacity of Nigerian civil society to promote governance reform and democratic consolidation. Like in other developing countries, the rise of vocal civil society movement in the governance sector had elicited varied responses from governments. Earlier governments tended to treat CSOs as enemies and so could readily clamp down on them through various emasculating regulatory frameworks and registration processes that are designed to discourage rather than encourage their establishments. Since 1999 however, government (at all levels) has cultivated partnership with CSOs in the implementation of their development programmes. This has deepened the democratisation processes and reduced public resentments.

It has been argued that civil society is very crucial for democratic consolidation because CSOs monitor elections to ensure their credibility and by so doing, enhance the legitimacy of the emerging government (Gyima-Boadi, 2004, p.31). Nigeria's CSOs have been playing crucial role in election monitoring. Under the aegis of Transition Monitoring Group (TMG), formed by a coalition of 170 CSOs in 1998, the TMG has been observing elections in Nigeria. For example, in 2003, the TMG deployed 1000 election observers to monitor the election in about 200,000 polling stations across Nigeria (Tar, 2009:14). However, the TMG and its members have been confronted with antagonistic state institutions. In its operations, TMG has had to deal with suspicion from the electoral commission and some political parties. In some cases, TMG members were denied accreditation by state institutions to observe local elections.

Furthermore, some political parties regard the TMG with suspicion of nursing political ambitions or latently campaigning for other parties. Some leading members of the TMG have either joined political parties or accepted government's political appointments. This severely undermined the credibility and neutrality of the CSOs. Also, besides competition among members for resources, internal wrangling and leadership squabbles among TMG and other CSOs have promoted associational fractionalisation rather than social solidarity (Le Van, 2011, p. 137; Tar, 2009, p. 10).

Civil society also functions to sensitise citizens to democratic norms and democratic culture, particularly, in promoting popular participation and civic culture. For examples, the Social and Economic Rights Action Centre (SERAC), the TMG, the Electoral Reform Network and the Civil Rights Congress have been working in this direction in Nigeria since the return of the country to democratic rule in 1999.

Civil society organisations are also contributing to Nigeria's democratic consolidation through building the capacity of state institutions to meet their obligations. They have designed training programmes and seminars targeting key state institutions and providing them with technical capacity and information. For example, CLEEN Foundation has been working over the years to improve the police capacity to discharge their official duties including policing elections (CLEEN, 2010). Also, the Women Advocate Research and Documentation Centre (WARDC) have been working on gender budgeting, legislative reforms to ensure gender equity and elimination of violence against women. However, state institutions in Nigeria sometime view CSOs with suspicions of being sponsored by external donor agencies to undermine their credibility and antagonize them. This may explain the unwillingness of state institutions to partner with CSOs in policy formulation and reforms.

However, divisions among the Nigerian civil society along the ethnic and regional lines have not helped its democracy advocacy; this has led to disunity and

disagreement among the Nigerian NGO practitioners in term of decision taking and unity of purpose. Aside the ethnically minded and regionally-driven CSOs, the more pro-democracy CSOs seem unable to escape from the ingrained regional, religious and ethnic orientations. The expanding focus of foreign donors on democratic governance in Nigeria has also impacted negatively on CSOs capacity to positively influence democratic process in the country. Most Nigerian pro-democracy NGOs are donor dependent and the focus of foreign donors on democracy in Nigeria have expanded from supporting pro democracy organisations to include the support for democratic institutions like the legislature, judiciary and other democratic institutions. This fiscal factor has also reduced the activities and impacts of some pro-democracy CSOs in contemporary Nigeria.

### Conclusion

While civil society organisations played active role in the pro-democracy struggles against military dictatorship, which finally climaxed with the institution of democratic rule in Nigeria in 1999, civil society's active participation in democratic consolidation has been limited by some factors. Foremost is the apparent absence and inability to work out an appropriate framework for engagement with state institutions in a democracy. This weakness has resulted in some pro-democracy activists being co-opted into government and others becoming unofficial mouthpiece for propagating government activities. Other weaknesses of CSOs in Nigeria are lack of internal democracy; ethnic and political affiliations, competition and excess reliance on foreign funding, and weak capacity for meaningful engagements with the state (Aiyede, 2003, pp. 177-178; Ibeanu, 2006, p.21). However, notwithstanding these weaknesses, in tandem with the global governance agenda of the 21st Century, CSOs have become active players and a strong force in the dynamics of democratisation in Nigeria.

Admittedly, the rising concern about the Nigerian democratic project cannot be explained outside the numerous ethno-religious, socio-economic, and political crises that have been the bane of the nation since it returned to democratic governance on May 29, 1999. However, the challenge of transition from the role of a reactionary protester to a proactive policy maker is currently a limiting factor on the part of the contemporary Nigerian civil society; this problem has negatively affected its contribution to democratisation process; most importantly the specialised human rights and democracy advocacy groups (the most active group during the military regimes).

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