

CONFERENCE ON MAKING DEMOCRACY WORK FOR NIGERIAN PEOPLE

**HELD AT CONCORDE HOTEL, OWERRI
22 – 24 FEBRUARY, 2011**



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The mission of CLEEN Foundation is to promote public safety, security and accessible justice through empirical research, legislative advocacy, demonstration programmes and publications, in partnership with government and civil society.

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Acknowledgement

CLEEN Foundation is grateful to Ford Foundation for supporting the conference on making democracy work for Nigerian people, which led to the production of this publication. The conference also formed an integral part of a battery of activities and events packaged for the celebration of the 50th anniversary of Ford Foundation's grant making on human rights and governance in Nigeria. We thank especially, Dr. Joseph Gitari, the Program Officer for Human Rights, for not only facilitating the grant to CLEEN Foundation but also finding time to take part in the conference regardless of his tight schedule.

We appreciate the effort and intensity of our resource persons in coming up with well researched, stimulating and thought provoking presentations that fully engaged the imaginations and practical skills and experiences of the participants. These are Professor Okwudiba Nnolim – Executive Director, Pan African Centre for Research on Peace and Conflict Resolution; and Professor E. Gyimah-Boadi – Executive Director, Ghana Centre for Democratic Development and Afrobarometer. We also thank the facilitators of our interactive sessions: Dr. Chidi Odinkalu – Senior Legal Officer for Africa, Open Society Justice Initiative; Mr. Festus Okoye – Executive Director, Human Rights Monitor; Dr. Smart Otu – Senior Lecturer, Ebonyi State University; Mr. Awal Musa – Executive Director, CISLAC; and last but not the least, Dr. Ukoha Ukiwo, Senior Lecturer, University of Port Harcourt who served as the rapporteur.

We thank immensely the august participants that represented security agencies, civil society, academia, media, religious organisations, students' bodies, government departments, et cetera, for enriching the discussions and deliberations with considered contributions and experience sharing, geared towards recreating democratic institutions in Nigeria and finding an effective strategy for making the gains of democracy available to all Nigerians.

Lastly, we thank the able staff of CLEEN Foundation in Abuja and Owerri offices for the various roles they played in ensuring the success of the conference.

Preface

Well over a decade down the road of democratic civilian rule, Nigeria continues to be dogged by humongous challenges of governance exemplified by pervasive poverty, chronic insecurity and abysmal public services and infrastructure. Lack of accountability, weak democratic institutions including the rule of law, and blatant corruption have all but atrophied the dividends of democracy, leaving a large majority of the citizens utterly disillusioned on the hope of realising the highly cherished promises of democracy. Little wonder then why the level of satisfaction and support for democratic means of governance among ordinary Nigerians has continued to plummet in recent years.

When democratic rules are ignored and the rule of law is not consistently upheld, the ordinary citizens, who are in most need of protection, are exposed to the severe elements and vagaries of ensuing lawlessness and bad governance. Building and consolidating the institutions of democracy including an infrastructure of laws, rights, enforcement, and adjudication is therefore crucial to making the essence of democracy relevant to the everyday lives of the weak and vulnerable of society. Effectiveness of such institutions can make the difference between vulnerability and security, desperation and dignity for millions of suffering Nigerians.

It is against this backdrop that CLEEN Foundation, with the benevolent and generous support of Ford Foundation, put up this germane and all important conference on ‘Making Democracy Work for Nigerian People’, the aim of which is to identify the reasons for the obvious imbalance between the demand and supply of democracy in the country, with a view to charting a new roadmap towards making democracy more meaningful and fruitful for the teeming population of suffering and crestfallen Nigerians. This conference could not have come at a better time than now when the country is wrapped in a rising momentum of imminent general elections coming in April, 2011. The challenges are manifold, but the hope is rife that the potentials are available for a significant improvement from the low standards of past elections. The conference

therefore offered a veritable platform for deep reflection and stakeholders' engagement towards setting new benchmarks for democratic growth in Nigeria.

This publication is a compendium and synopsis of the proceedings of the conference. It is divided into three parts. The first part consists of a draft programme of activities at the conference, and welcome remarks presented by the Executive Director of CLEEN Foundation, Mr. Innocent Chukwuma, which defined the scope and purpose of the conference by outlining its questions, objectives, structure and expected products. The second part reproduces the commissioned papers, which set the tone for the interactive sessions. The first paper is titled 'Making Democracy Work for Nigerians: Strategies for Action' presented by Professor Okwudiba Nnoli, the thrust of which was that the civil society movement has survived in Nigeria but needs to be sustained and improved at every stage in order to effectively meet the challenges of nurturing and consolidating the fledgling democracy. The second paper presented by Professor E. Gyimah-Boadi is titled 'Making Democracy work for the people: The Ghana Experience', wherein he employed the success recorded by civil society in Ghana to underscore the need for the civil society in Nigeria not to relent in continuous engagement with the government to ensure an incremental and consistent realisation of democratic gains.

The third and final part reproduces the communiqué issued at the end of the conference, and the conference report.

Happy reading.

Francis Chigozie Moneke, LL.M (London)
Head, Owerri Office

PART ONE

CONFERENCE ON MAKING DEMOCRACY WORK FOR NIGERIAN PEOPLE Imo Concorde Hotel, Owerri February 22-24, 2011

DRAFT PROGRAMME

Venue: Banquet Hall, Concorde Hotel, Owerri

Accommodation: Concorde Hotel, Owerri

Abstract:

After twelve years of elected civilian government, Nigerians across divides are still asking questions about dividends of democracy. Data from Afrobarometer and CLEEN Foundation surveys indicate that the level of peoples' satisfaction with the way democracy works in the country is plummeting by the year. Against this background, the conference seeks to bring stakeholders from state and non-state actors to brainstorm on the pertinent issue of making democracy work for ordinary people and formulate recommendations and actions plans that should inform political contestation, governance and civic action.

Additional Information

The Workshop is being organized by the CLEEN Foundation in collaboration with the Ford Foundation to mark Ford Foundation's 50th anniversary of grant making on human rights and governance in Nigeria. For general matters relating to the contents of the workshop, please contact the workshop Coordinator, Chinedu Nwagu at chinedu.nwagu@cleen.org.

DAY ONE: TUESDAY 22nd FEBRUARY

- ◆ Arrival and check in at the hotel from 3pm

- ◆ Registration of Accommodated participants
- ◆ Dinner at the hotel

DAY TWO: WEDNESDAY 23rd FEBRUARY

REGISTRATION

8.00am – 10.00am Registration of participants

FIRST SESSION OPENING CEREMONY

10:00 – 11.30am Introduction of special guests to the High table

National Anthem

Speeches and Addresses

- Welcome remarks by Mr. Innocent Chukwuma, Executive Director, CLEEN Foundation
- Welcome Address by Dr Joseph GitariA, Program officer, Human Rights, Ford Foundation West Africa Office
- Chairman’s opening remarks by Catholic Bishop of Owerri Diocese

11:30 - 120.00 noon: **Tea/Coffee break**

12:00 – 2:00pm **First Plenary Session** (to be chaired by Dr. Chidi Odinkalu)

Making Democracy Work in Nigeria: Strategies for Action by Prof. Okwudiba Nnoli, Executive Director, Pan African Centre for Research on Peace and Conflict Resolution.

Making Democracy work for the People: The Ghana Experience by Prof Gyimah-Boadi, Executive Director, Ghana Centre for Democratic Development and Director of Afrobarometer.

Questions/Answers and Comments

2:00 – 3:00pm **Group Lunch break**

3:00 - 5pm **Plenary Interactive Discussions:**

Topic One:

Strategies for ensuring that the vote counts in April 2011 general elections (Chair, Festus Okoye)

Topic two:

Strategies for engaging town unions and community development associations in ensuring accountable governance at the state and local government levels (Dr. Sam Otu, Ebonyi State University)

Topic Three: Strategies for engaging the legislature in deepening democracy in Nigeria (Chair, Awal Musa, Executive Director, CISLAC).

DAY THREE: THURSDAY 24th FEBRUARY

9. 30 - 10. 40 am	Presentation of interactive discussion reports
10.40- 11.40am	Discussion and adoption of the Communiqué
11.40 – 11.55am	Closing remarks by representatives of CLEEN Foundation, Ford Foundation, distinguished guests and the Chairman.
11.55am – 12 noon	Closing Prayers and house keeping
12.00 – 1.00pm;	Group Lunch

**WELCOME REMARKS BY INNOCENT CHUKWUMA,
EXECUTIVE DIRECTOR, CLEEN FOUNDATION AT
THE OPENING CEREMONY OF THE CONFERENCE
ON MAKING DEMOCRACY WORK FOR NIGERIAN
PEOPLE, HOLDING AT IMO CONCORDE HOTEL,
OWERRI FEBRUARY 23 – 24, 2011**

Protocol

INTRODUCTION

On behalf of the CLEEN Foundation, I warmly welcome you all to this conference on making democracy work for Nigerian People, being organized by CLEEN in collaboration with the Ford Foundation West Africa office, to mark Ford 50th anniversary of grant making on governance and human rights in Nigeria.

The conference is holding at an auspicious time in our country when we are in the thick or witnessing the peal of preparations for the fourth round of elections under the fourth republic, which began in May 1999. On your way to this venue you must have encountered numerous posters and billboards displayed by politicians who want to be elected to various government positions, either promising what they would if elected or listing what they have done while in office, on the bases of which they want to re-elected. While this frenzy is playing out in the media and public places, quite few Nigerians can also be found in popular spots and places not often patronized by elected big office holders and official media, discussing happenings in the country and raising questions that bother on the meaning and impact of democracy in their daily lives.

If democratic legitimacy is viewed as a balance between demand for democracy and perceived supply of democracy from the political system, Nigeria's democracy can be described as being very fragile at best as extant data from Afrobarometer indicate that while support for democracy in the country is high at 71% (2008), level of satisfaction with the way democracy works is very low at 32%. The satisfaction level actually dropped as low as 26% in 2005. It should also worry us that support for non-democratic means of governance is also rising from 10% in 2000 to 17%, which was the available figure in 2005. Your guess is as good as mine what the figure would be today.

The questions for this conference, which we hope our resource persons would lead us in tackling and the rest of joining in resolving, are:

1. What is the source or root cause of the perceived incongruence between demand for democracy in Nigeria and supply of it by the system?
2. What should be done by both our political leaders and communities to arrest the dramatic drop in Nigerians' level of satisfaction with the way democracy works in the country from a high of 84% in 2000, which was the highest in the continent to the current level of 32%, which is arguably one of the, if not, the lowest in Africa?
3. What should be done to arrest the rising support for non-democratic means of governance, if our democracy is to survive and advance?
4. In other words, what should be done to make democracy meaningful and fruitful for the ordinary and suffering people of this country?

OBJECTIVE OF THE CONFERENCE

The objective of this conference therefore is to provide a platform for stakeholders from state and non-state sectors of our society to brainstorm on

the pertinent issue of making democracy work for ordinary people and formulating recommendations and actions plans that should inform political contestation, governance and civic action in the forthcoming elections and beyond.

We expect to produce three sets of products at the end of the conference:

- ◆ A communiqué articulating the views of participants on strategies for making democracy work for the people.
- ◆ A policy advisory memo articulating the urgency of the issues and the need for government to show more leadership in addressing them.
- ◆ Publication and extensive dissemination of the proceedings of the conference in the monograph, which will hopefully contribute to scholarship, national discourse and action on the subject matter.

STRUCTURE OF THE CONFERENCE

The conference is divided into three sessions to provide participants ample opportunities to contribute in the discussion. In the first session after this opening, we will have the presentation of two commissioned papers on the theme of the conference. The first will be presented by Distinguished Prof. Okwudiba Nnoli, formerly of the Dep. of Political Science, University of Nigeria, Nsukka and presently director of Pan African Centre for Research on Peace and Conflict Resolution. He will speak on the theme, “Making Democracy Work in Nigeria: Strategies for Action”, which will set the tone of the conference. Prof. E. Gyimah-Boadi, Executive Director of Ghana Centre for Democracy and Development as well as the director of Afrobarometer will deliver the second paper. He will present a comparative experience from Ghana on the theme of the conference and hopefully share with us afrobarometer analysis of democratic development in other parts of Africa.

After the presentations, we will have ample time for discussions, questions and comment, which would take us to lunch.

After lunch, we will go into more focused discussions on three main issues, using the principles of identifying core blockages and recommending high impact solutions.

These are:

- ◆ Strategies for ensuring that the vote counts in April 2011 general elections (Chair, Festus Okoye;
- ◆ Strategies for engaging town unions and community development associations in ensuring accountable governance at the state and local government levels (Dr. Sam Out, Ebonyi State University;
- ◆ Strategies for engaging the legislature in deepening democracy in Nigeria (Chair, Awal Musa, Executive Director, CISLAC).

We have two options on formats for the discussions in this session. One is to adopt the breakout format suggested in the program or activities or have moderated plenary discussion on each of the topic.

The final session, which will take place tomorrow morning, will focus on report back to plenary, adoption of a communiqué and closing.

COMPLIMENTS

We thank Ford Foundation for its support over the past fifty years to governance and human rights work in Nigeria and for collaborating with the CLEEN Foundation to facilitate these series of national conversations. We hope their support would be complemented by a resolve on our part team work tirelessly to make democracy work for the suffering people of this country.

I will not end without informing you that we now have an Owerri Office located at Zone D, World Bank Estate, which would be formally opened tomorrow afternoon after the conference. The focus of the office is on working with government, business and civil society in improving governance and security situation in the south-east and south-south regions of Nigeria.

We count on the support of all of you in making the work of the office a huge success.

Thank you all.

Innocent Chukwuma
Executive Director

PART TWO

MAKING DEMOCRACY WORK IN NIGERIA: STRATEGIES FOR ACTION

By Prof O. Nnoli

Many Nigerians are dissatisfied with the democracy on offer in their country. They are seeking ways to improve it. Their efforts need to be assisted by a good understanding of the historical character of this democracy, particularly the forces that have shaped it, those that sustain it and others that desire its improvement. Of particular importance is the task to demystify the concept and make it as concrete as possible. In this way it may be possible to find a path to its positive transformation. This task is important. Today, democracy is a highly cherished value in politics. It is particularly appealing to the poor and oppressed peoples whose yearnings for its component values are daily being frustrated.

What is democracy? The erstwhile President of America, Abraham Lincoln defined it as government of the people, by the people for the people. Ever since then, it has been difficult to find a more popular definition, for obvious reasons. It is simple, graphic, original and seemingly to the point. It has the character of a sound bite, even a slogan. In fact, it has become a widely used cliché. It is easy to remember, is politically correct and appeals to positive political emotions.

Probably because of its popularity, many academics have not subjected it to serious theoretical and empirical assessment. They fail to elucidate its meaning in practical terms. In other words, the popularity of this definition is preventing analysts, particularly academics, from making progress in their understanding of democracy. In a way, it has become the opium of political analysts. It gives the impression that the concept “people” on which it hinges is a homogenous entity of equal, undifferentiated and unorganized individuals; each is capable

of influencing government as much as the others. However, the practical reality is quite different. Therefore, from a scientific point of view, the concept of “the people” is a myth. It needs to be demystified if democracy is to be understood.

The history of societies, especially the modern ones shows that they are highly differentiated. They are characterized by a high degree of inequality. Individuals exist side by side with groups and other collectivities. They have differential access to government, and different levels of influence on government. Political actors of importance tend, more than not, to be groups and collectivities, rather than individuals. This is so even though prominent politicians often steal the political limelight. Under the circumstance, the concept ‘the people’ is not analytically sustainable. Its opposite, “the non-people”, is an inanity. Its component parts need to see the analytical light of day. Only then can we truly comprehend the true meaning of democracy.

For Marx and Engels “the people” is a mélange of classes characterized by their relations to the means of production, their roles in the social organization of labour, the mode by which they acquire their share of social wealth, and by the size of that share. Engels went on to suggest that politics is the struggle of the various classes for the domination and use of the state. The existence of the state is proof that the struggle has been won by one or a combination of classes, which then uses the power of the state to prosecute the struggle and ensure its continued domination of the other classes.

Realizing the revolutionary implications of this conception of the people, apologists of the status quo everywhere hastily provided a less revolutionary formulation. They accepted the existence of classes but reduced the latter to a static, statistical and highly subjective formulation namely, upper class, middle class and lower class. The political sting, the relationship to the state, is cleverly removed. Class is no longer a political concept but a sociological one. Only reforms of existing states are visualized.

On the other hand, some of the followers of Marx and Engels, notably Lenin and Stalin, would not allow the people to rest in the bosom of classes. They introduced more confusion by insisting that the people are a *mélange* of peoples. Incredible! The people are peoples. Not only do we have the class struggle but also we have the struggle of peoples for self determination. The labour question lives side by side with the national question or, as the case may be, the ethnic question.

In these national/ethnic and class struggles, one side or the other uses the power of the state to impose domination, oppression, exploitation, inequality, injustice and governmental illegitimacy over the other classes and nations, as well as some members of its own class or nation. From this perspective, democracy may be defined as a political society in which social struggles are leading to decreasing domination, oppression, exploitation, inequality and injustice by the state, as well as increasing legitimacy of government. In other words, these social ills may never be completely eliminated from society. It is all a matter of more or less.

Thus, the concept of democracy is associated with the state. In general the motive force for democracy is the overwhelming power of the state, together with its possible use for social, economic and cultural progress, but also for domination, oppression, exploitation, inequality and injustice. Of all forms of power, state power alone can threaten life, wealth and freedom legally. As the repository of sovereignty, the state has ultimate power. It monopolizes the means of coercion to an extent that is unknown to sub-state or supra-state community. Democracy is about how to establish this power, as well as how to use it for good rather than evil. In fact, there is no point in the struggle for democracy if power resources do not exist, especially if the state does not monopolize them.

Hence, outside the state, the application of the concept of democracy can only be metaphorical. Only in this metaphorical sense do we speak of democracy in the church, university, political party, labour movement or international organization.

A major underlying assumption of democracy is the belief that participation by the citizens of a state in running the affairs of the state is crucial for taming state power. The rationale for this is simple. No one is likely to use state power to dominate, oppress, exploit oneself or otherwise impose injustice on oneself. In this way state power is tamed; it cannot be used for evil because no one would want to visit evil on oneself. State power would only be used for good, the good of all in the society. One of the challenges of democracy is how to devise a means for enabling the citizens to effect the necessary participation.

Although democracy is popular today, it has not always been so. Even then there are anti-democratic forces which merely pay lip service to democratic values. In the past, democracy had its supporters but it also had its opponents. For example, in ancient Greece, Pericles was an ardent supporter of Athenian democracy. On the other hand both Plato and Aristotle were unrepentant opponents of the system. They perceived it as rule by the many, and since the latter were mostly “poor and ignorant” the system was quite unenlightened and oppressive of the rich. Even Rousseau who strongly opposed the principle of representation in favour of direct participation of the citizens in governance, nevertheless, suggested that the masses should leave their government to a providential guide because they lack a will of their own.

It was left to the Levelers and the Diggers of seventeenth century England to begin to restore the favourable attitude toward democracy. The French Revolution of 1789 elevated its value and prestige. But the educated segment in Europe at the time and the ruling classes of the continent opposed the revolution and the democracy it purveyed. The attacks of Edmund Burke in England, Maistre, Bonald Vallillet and Charles X in France as well as the hostility of Pope Pius the IX underlined the struggle between the proponents and opponents of democracy for dominance in Europe.

Thus, whether or not democracy emerges or fails to emerge depends on the result of the struggle between its proponents and opponents. It has never been handed on a platter of gold or any other ornament for that matter. It is

the product of struggle. It comes into being when its proponents triumph over its opponents. Non-democratic rule prevails when the reverse is the case. In other words, democracy is a function of power. However, in most cases the result of the struggle is not decisive; it is not total victory or total defeat.

It is not as clear cut as is sometimes suggested. In fact, it is often not a matter of the presence or absence of democracy but the kind of democracy on offer. In its peculiarities and particularities, the struggle defines the status, nature and characteristics of democracy or what is left of it. In addition to the struggle between its proponents and opponents, there is also the struggle among its proponents over the correct interpretation of the concept and how best to implement it.

In Nigeria, these struggles have been taking place since the onset of colonial rule. During the early period of colonial rule, 1900-1930, the peasantry dominated the landscape of these struggles. In numerous uprisings, revolts and violent demonstrations the Nigerian peasants were the earliest to confront the British colonialists over colonial domination, oppression, exploitation, injustice, inequality and governmental illegitimacy. In other words, they struggled for democracy, even though they did not expressly wage the struggles as such. The most significant of these confrontations were the Mahdi revolt of 1905, Iseyin uprising of 1916, Egba revolt of 1918, Ekumeku Movement uprising of 1925, Dancing Women rampage of 1925, Calabar Market Toll revolt of 1925, Warri Riots of 1925 and Aba riots of 1929.

These riots and protests led the colonial government to reassess its tax policies. In April 1931, there was a general reduction of taxes amounting, in some cases, to 50 percent. The government also adopted a more lenient attitude toward tax payment. For example, in December, 1932 some 19 percent of the tax due for the year was still outstanding (Gailey, 1971:137-141).

Nevertheless, the foundations of colonial order remained as strong as ever. It was hardly dented by the resistance of the peasants. Reforms introduced by the colonialists thereafter were very marginal to that order. On the contrary, the colonial authorities had used violent primitive expeditions, intimidation

and state terrorism to crush these uprisings, emasculate peasant struggles and force the peasants to accept the norms, rules and regulations laid down by the colonialists. In the face of this determined colonial onslaught, the peasantry gradually lost its political militancy and its political mission. Its worst fears had been realized. Things had fallen apart. Democracy was in retreat.

Why did these peasants struggles for democracy fail, and what lessons may be learned from them? The colonialists were able to crush the peasant uprising essentially because of the peasants' organisational inadequacies arising principally from their low-level of political consciousness. There was no organization behind any of the uprisings, not to talk of one behind all of them. They were all spontaneous in character. Consequently, their leaderships were ad hoc in nature with limited strategies and tactics. Even then, these strategies and tactics were not the result of conscious deliberations that identified the short-term and long-term objectives of the uprisings, as well as the consequences of failure or success in their execution. Similarly, no deep thoughts were given to how best to sustain the struggle, especially the resources and alliances needed to do so.

There was no ideology to guide the struggles. Class consciousness was non-existent. Therefore, ideological consciousness could not develop. Peasant political action was guided by what Gramsci called commonsense. He referred to the masses as intellectuals without ideology. In its place they have commonsense. Whereas ideology is developed, coherent and comparable to philosophy, commonsense is fragmentary, often inconsistent, made up of bits and pieces of ideology, folklore and religion (Gramsci, 1971:341-342).

Thus, peasants were unable to see the interrelationship between their various demands and grievances on the one hand and the need to pursue their redress in a consistent, continuing and coordinated manner on the other.

Consequently, their grievances and the suggested remedies were localized, both spatially and functionally. More importantly, the peasants set a historical precedent of isolated and essentially parochial struggles with very limited

national and class consciousness or character. Inter-class cooperation with other poor and disadvantaged classes such as poor workers could not materialize. Even cooperation with peasants in other regions of the country was not envisaged. Hence, it was only a matter of time before their political militancy would dissipate.

Another class that played a significant role in the struggle for democracy during the early colonial period was the petty bourgeoisie. It comprised essentially of those in the professions, teaching, petty trading, the middle and upper echelons of the African section of the civil service, the petty contractors, other business persons, independent artisans and large-scale cash crop farmers. They had acquired, were acquiring and were encouraged to acquire vested interests in the colonial economy in the hope that they would consolidate and reproduce the colonial economic life. They waged a relentless and modern struggle against the anti-democratic colonial state.

They dug into the corpus of democratic theory and obtained values with which they challenged, in specific and concrete terms, colonial domination (actions against the House of Docemo), oppression (water rate), injustice (racial discrimination), and governmental illegitimacy (composition of the Legislative Council). They created an atmosphere of protest and agitation, which put pressure on the colonialists to reform the colonial system to accommodate some of the aspirations of the petty bourgeois.

However, the colonialists were not stampeded by this pressure. They took their time, even when the colonial office in London saw merit in some of these protests. Authoritarianism and oppression still prevailed in all facets of governmental policies and actions. The only significant reform concerned the Legislative Council. When the new 1922 Constitution came into effect in 1923 some three of the elective positions had been allocated to Lagos and one to Calabar. Elections into the Legislative Council took place in 1923, 1928, and 1933 from these cities.

This was a limited victory, confined to governmental illegitimacy. But to the colonialists these struggles were minor irritants with a limited potential for growth in the future. Lagos and Calabar were a drop in the political ocean that was Nigeria. The struggles had failed to make a dent in the colonial order. The colonialists carried on business as usual, as if the protests had not occurred.

Various reasons account for this failure of the earliest petty bourgeois struggles for democracy. First, unlike the peasant struggles, which were scattered all over the country, the petty bourgeois ones occurred significantly in Lagos only. Hence, the colonialists could not take the struggles seriously as an important challenge to their rule. Second, just as the Lagos petty bourgeois politicians failed to extend their activities in space to involve other parts of the country, they also failed to extend them to involve other classes. The peasantry and working class were not structurally involved in these activities. The working people of Lagos were only involved as anonymous and anomic participants at mass meetings. There was no programme to organize workers into unions of their own or to articulate working class demands. The situation was worse for the peasantry. Their members were not only functionally distant from the interests articulated by the petty bourgeois, they were also spatially distant. They could not even attend the mass meetings in Lagos.

Under the circumstance the petty bourgeois struggle for democracy relied essentially on demagoguery and populism. This was evident in the pungent criticism of the Nigerian Press, the use of mass meetings and the political popularity of the rabble rouser. The Lagos Weekly Record was so popular on account of its pungent and uncompromising articles that at one time foreign advertisements were withdrawn from it. In fact, one of the chief sources of Herbert Macaulay's political strength lay in his unique ability to fire the imagination of his supporters.

Third, characteristically, the Lagos petty bourgeois politicians were infected with splittism. In search of personal advantages from the system they became victims of divisiveness. For example, the failure of the Nigerian National Democratic Party (NNDP) to become a national political party was due, in

part, to Herbert Macaulay's desire and determination to keep the party under his firm control. His consequent ruthlessness in vilifying his opponents in his newspaper, Lagos Daily News, and on the platform of mass meetings did more than anything or person in Lagos politics to enthrone division and divisiveness in the politics of the time and subsequent periods.

Fourth, organizational inadequacies also militated against these struggles. The Peoples Union, National Congress of West Africa and NNDP had little or no organisational structures. They were essentially associations of politicians with no structural links with the masses and the rest of the people.

There were no party cells, branches, local organizers, offices (apart from the headquarters), logistic aids and institutions. In fact, membership was often tenuous. Emphasis was put on mobilizing attendance at public mass meetings.

Fifth, the poverty of ideology of the petty bourgeois militated against the effectiveness of its struggle for democracy. As a shifting class which plays no direct role in creative production, it lacks this world view which is informed by the role of a class in creative production. Its members are fundamentally imitative of the ideologies of the bourgeoisie and the working class.

Oftentimes, both ideologies are represented within the class with its members eclectically moving from one to the other. As a result, the struggles of the Nigerian bourgeoisie lacked focus, commitment, selflessness and loyalty which ideology brings to practical politics. This was one of the reasons for splittism and organizational impotence in these struggles.

Sixth, these struggles were dogged by personality factors. In the absence of ideological and organizational influences, personal idiosyncrasies tend to intrude into politics. For example, although Herbert Macaulay was the most popular politician of this period his desire for personal dominance together with his personality adversely affected the struggles. He showed little respect for his colleagues who were equally ambitious to lead.

Seventh, the pro-democracy struggles of this period also suffered from a lack of initiative on the part of Nigerian politicians. They tended to be reactive rather than pro-active. Whether it was the water rate, the land ordinance or the sedition bill, the colonialists took the initiative while the Nigerians reacted. The latter were constantly on the defensive, even though their agitations often gave the impression that they were putting the colonialists on the defensive. Under the circumstance the best they achieve were minor reforms of the undemocratic colonial state.

Eight, in the national struggle for democracy the petty bourgeoisie was self-centred. It did nothing to help the struggle of the peasantry. Similarly, it did not come to the aid of the working class, which was singled out for political emasculation. It carried on as if its interests were the only ones in the country, and their struggles were the only ones possible. In this respect the petty bourgeoisie reflected its character as a selfish class.

Ninth and finally, the asymmetrical power relations between the colonial state and the petty bourgeoisie limited the ability of the latter to achieve its aims. The former controlled the major power resources of the country. The army, police, bureaucracy and economy were under its control. These were sufficient to keep the country as a whole under its domination.

Therefore, they were more than enough to dominate the tiny enclave of Lagos. More importantly, the Lagos politicians were not even aware of what their potential or real power resources were. They failed to actualize the potential resources available in organization of political work and in ideological solidarity.

Thus, by the end of this period the tempo of colonial authoritarianism, oppression, exploitation, inequality, injustice and governmental illegitimacy tended to increase. The peasant uprisings were crushed. In the process peasants were intimidated against future struggles. No quarters were given to objective working class demands such as unionization and strikes. The water rate remained in force, the colonialists continued to take Lagos land, and the House of Docemo continued to suffer official harassment and oppression. For their

troubles in organizing and prosecuting protests, mass meetings and petitions the petty bourgeois were clamped with an obnoxious and oppressive sedition law. Therefore, in the march toward democracy there was much motion but very little movement.

The situation worsened during the later half of colonial rule, 1945-1960, the period of the nationalist movement for independence.

While the petty bourgeois continued to dominate the pro-democracy movement, its goal had fundamentally and significantly changed. It was no longer the elimination of domination, oppression, exploitation, inequality and governmental illegitimacy. It had become the takeover and control of the undemocratic colonial state. The petty bourgeois were seeking to inherit that state, a state of occupation. For this reason they defined the struggle for democracy solely in terms of the elimination of governmental illegitimacy. All they desired was to indigenize the personnel of colonial occupation. Emphasis was on achieving political representation through elections. Ever since then the struggle for democracy has been widely but falsely perceived as that for a credible election.

The struggle for this indigenization kicked off with attacks on the Richards Constitution which was enacted in 1946, which then became the focal point of the pro-democracy struggles. Resistance to the constitution was vigorous. First, the petty bourgeois vigorously objected to not being consulted before the enactment of the law. Second, they were disappointed by their complete exclusion from the Executive Council, which actually ran the affairs of the nation. Third, they opposed the inclusion of traditional rulers among the unofficial members in the new legislative assemblies instead of among the official members since they owed their rulership to official fiat, and had often sided with the government on most issues of policy and governance.

Fourth, Nigerian politicians resented the discriminatory representation of European economic interests instead of African economic interests. Fifth, they were fearful that reliance on the Native Authorities for selection of

representatives would exclude their members in favour of traditionalists. They were critical of the continued nomination of unofficial members by the colonialists instead of having them elected. Sixth, they decried the continued limitation of the electoral constituencies of the Legislative Council to Lagos and Calabar, as well as the property qualification for voting in these towns. Seventh and finally, they strongly objected to the power granted the Governor to veto legislation or force through legislation as he deemed fit.

In this struggle against the Richard's Constitution, the Nigerian petty bourgeois employed various means. The most significant of these was agitational politics organized and led by petty bourgeois political organizations. Branches of these organizations were set up in various parts of the country. The founders of these branches were motivated by the views of Lagos politicians as articulated in their various newspapers. These political organizations mobilized various resources against the constitution. Among these resources was the well-tested petty bourgeois one of mass meetings for which Glover Hall, Lagos had become famous.

Associated with this use of mass meeting was the effort to link up with the struggle of the other classes. Consequently, the petty bourgeois politicians successfully tied their struggle with these of the rest over the Obnoxious Ordinances, particularly the desire of the peasants to prevent the confiscation of their land by the colonialists. Similarly, they identified with and supported the working class in their struggle for better living conditions.

Hence, they supported the agitation of the workers for the COLA (cost of living allowance) award. In addition, they participated actively in the 1945 general strike by workers, so much so that Azikiwe emerged from it with enhanced reputation as the champion of workers.

Another means of the struggle was the use of political tours of the provinces as a means of pressurizing the colonialists. For example, the political tour of the country in 1946 galvanized nation-wide support against colonial racism, the Richards Constitution and the Obnoxious Ordinances. During the tour,

mass meetings glorified Africa, vilified Europeans and denounced colonial rule. By car, lorry, horseback, accompanied by brass bands, flute bands, dances, in school rooms, halls, compounds, cinemas and churches, the tour touched the lives of hundreds of communities in a way never known before.

Related to this country-wide tour was a delegation sent in 1947 by the Nigerian politicians to London as another means of fighting against the Richards Constitution. Its mission was to get the metropolitan government in Britain to repeal the constitution. The delegation presented a petition against 33 grievances. Top on this list was the repeal of the constitution. Others included the employment of European wives, the appointment of sole native authorities and refusal to grant freehold tenure in Lagos. Although the delegation returned to a very popular reception in Lagos, it failed to obtain a repeal of the constitution, the British government insisting that it should first be given a trial.

Nevertheless, the trip to Britain and back energized and empowered all the classes fighting for democracy. Furthermore, much later, in 1948, the colonialists responded positively to the demands of the delegation. They declared racial discrimination illegal, rapidly replaced indirect rule with elected councils on which the petty bourgeois ultimately displaced the traditional aristocracy, and expanded education along lines proposed by Nigerian politicians. Whereas previously it was the chiefs and elders who received official recognition, deference and courtesy, the new official colonial emphasis was upon winning the goodwill of the petty bourgeois. District officers began to invite more and more of them to tea or cocktails, official social functions, and to membership of previously exclusive foreign clubs like the Island Club Lagos and the Niger International Club in Aba; while sports events became multiracial activities (Coleman, 1958:310).

In May 1948, the Governor appointed a commission to make recommendations about the recruitment and training of Nigerians for the Senior Service of the Civil Service. This Nigerianization Commission which had several prominent Nigerian politicians on it recommended an accelerated programme of

Africanization of the civil service, and liberal offers of scholarships for training Nigerians for that service. In addition, in order to carry out the Ten-Year Plan, the government created a hierarchy of executive and advisory institutions, including central, regional, provincial and local development committees and boards to which educated Africans were appointed, frequently in the majority (Coleman, 1958:314). The colonial government had responded positively to the most important demand of the petty bourgeois.

Once the colonialists responded positively to the demands against the Richards Constitution, the petty bourgeois struggle for democracy virtually ceased. It became confined to periodic demands on military regimes for elections. Consequently, between 1951 and 2010 the essence of Nigerian politics under petty bourgeois civilian leadership has been how best to fashion a coalition of ethnic and religious factions of their class that would peacefully and justly share the resources and wealth of the country. There is no longer any interest in challenging and reforming the undemocratic state inherited from the colonialists to eliminate its domination/authoritarianism, oppression/repression, exploitation, socio-economic inequality and injustice.

They put in place an electoral system which did not eliminate governmental illegitimacy even though it enabled them to retain power among the various classes. As Claude Ake observes (1966) this system offers freedom and other rights which are patently spurious, given the widespread poverty, ignorance and disease of the masses; voting that never amounts to choosing because of the intimidation, bribery, thuggery and vote rigging that mar elections; and political equality, which disguises highly unequal power relations. He describes voting in such conditions as a metaphor for powerlessness and exploitation; election becomes bondage.

Furthermore, Nigerian politicians began to use the state to intervene in the electoral process, and to corrupt that process. For example, during the 1979-1983 civilian regime the state not only registered the various political parties, as was the case during colonial times, but went ahead to decide their internal organizations, the pattern and sources of their membership, and the distribution

of their offices. It even went as far as to decide which groupings to approve as political parties and which as mere political associations. During elections, security agents were physically present and played vital roles not only in protecting the process but also in ensuring that the “correct” verdict was given.

Under the circumstance, both party leaders, politicians and the political parties began to hearken to the voice of the state rather than that of the followers, and to spend more time during elections, not in mobilizing their supporters to turn out in massive numbers to cast their vote, but in seeking out and bribing electoral officials, other state agents and security operatives for victory at the polls, and judges of post-election tribunals for favourable judgements in the courts. What was important to them was how to get close to, and obtain endorsement and favours from, whoever controls the state, military or civilian, and not any “abstractions” such as democracy.

It was left to the underprivileged classes and their allies to lead the struggle for democracy, against domination/authoritarianism, oppression/repression, exploitation, inequality, injustice and governmental illegitimacy under petty bourgeois rule. In 1963 the workers led the struggle against an all-party government which would abolish the opposition in parliament, and against a government proposal to enact a Preventive Detention Act. Its agitation for non-exploitative living wage for the Nigerian worker culminated in the general strike of 1964. In 1964 and 1965 all sections of the under privileged classes fought, unfortunately violently in some cases, for their votes in the federal election and Western House of Assembly election respectively to count. In Tiv land, they revolted against state victimization in 1960 and 1964 for not voting for the ruling party. In the North they struggled with their ally, the Northern Elements Progressive Union (NEPU) against state oppression, exploitation, inequality, injustice and governmental illegitimacy. Similarly, they struggled with Adegoke Adelabu and the Mobolaji Grand Alliance in the West for the same objectives.

During the period 1960-1966, the Socialist Workers and Farmers Party claimed to articulate, defend and promote the interest of the underprivileged classes.

But, like the Zikist National Vanguard of colonial times, it forged no structural links with the masses in their daily struggles against poverty, ignorance, and governmental authoritarianism, repression and exploitation. It was theoretically barren and strategically petty bourgeois preferring to meet the masses only during elections. Otherwise, it concerned itself solely with seminars, workshops and other public meetings at which it harangued the ruling classes, predicting their immediate doom and downfall. It was clearly ineffectual.

The Shagari regime followed in the footsteps of the Balewa regime in riding the crest of the inherited undemocratic state. The Bakalori uprising of the peasantry; the illegal expulsion of the citizen, Alhaji Shugaba; the rampant corruption; the unilateral imposition of hardship on Nigerian workers through the Economic Stabilization Act, otherwise known as “austerity measures” which were not canvassed during the 1979 elections are illustrative. Apart from the Bakalori peasants who rose up against the expropriation of their land in 1981 both the workers and the various progressive wings of the pettybourgeois failed to effectively challenge these undemocratic state actions. The isolated nature of the Bakalori revolt shows that the peasants had not learnt the necessary lessons from their revolts of the 1920s. They still acted in isolation from the other underprivileged groups and even the progressive elements within the pettybourgeoisie, and had no organization.

However, the tempo of the struggle for democracy quickened under military rule and the struggle intensified. It took the form of the same struggle during colonial times. But it showed significant improvements over the way it was waged in the past. For example the Agbekoya (farmers are suffering) revolt of 1968/69 was far superior organizationally than the Aba riots of 1929 and the Bakalori uprising of 1981. It also achieved more. Nevertheless, the Agbekoya uprising did not live up to its long-term potential. It still suffered from a lack of coordination of its actions with other democratic forces.

By far the most significant struggles of the period were waged by the workers and petty bourgeois. They also recorded the most significant failures. Between 1970 and 1975, the issues in the struggle of workers expanded from inequality

to include authoritarianism and corruption. This expansion was motivated by the arbitrary detention of union leaders, especially in the left-leaning Nigerian Trades Union Congress (NTUC) at the end of the civil war. The widespread corruption of the Gowon regime drew the poor, including workers, into street demonstrations. They were joined by students, academics, professionals and members of the press. This struggle severely weakened the Gowon regime and created an environment which was exploited by the Murtala coup.

This informal alliance of workers with other pro-democracy forces of the petty bourgeois again mounted a vigorous resistance against the Structural Adjustment Programme (SAP) of the Babangida regime. The SAP-orchestrated increase in the prices of petroleum products on April 10, 1988 was greeted with wild cat strikes by workers throughout the country. This was followed later by anti-SAP riots of Jos University students. In May 1989 rioting over the SAP became widespread. NEPA workers blacked out the whole country for days in protest.

Not only has the workers' struggle for democracy thus involved coordination with non-working class forces, it has also gone beyond specific economic grievances to more political ones. The NLC has been constructively involved in the political programmes of a return to civilian rule.

It articulated workers views before the Political Bureau in 1986 on such issues as human rights, the best type of government for Nigeria, the party system and rural development. In May 1989 it formed the unregistered Labour Party which later dissolved into the government-sponsored Social Democratic Party, one of the two political parties arbitrarily created by the Babangida dictatorship.

Following the June 12, 1993 annulment of the presidential election, the NLC joined forces with other progressive groups to protest the cancellation, and demand the acceptance of the result, as well as the swearing-in of the winner, Moshood Abiola. Although the regime did not heed the workers' demands, the protests contributed to the demise of Babangida's military rulership. The NLC continued its political action even after the ouster of Babangida. In fact,

the most determined and significant struggle of labour against the Sani Abacha junta was waged by the oil workers unions, the National Union of Petroleum and Natural Gas Workers (NUPENG) and the Petroleum and Natural Gas Senior Staff Association of Nigeria (PENGASSAN) in the form of successful strikes in 1994.

Unfortunately, the pro-democracy struggle of the workers during the period of military rule did not lead to significant improvements in the democratic content of Nigerian society. Authoritarianism and coercive unilateralism continued to prevail. Repression and oppression have continued as if no struggle had been waged against them. Exploitation is still running riot in the society, with corruption reaching exponential heights. The laws, courts and prisons continue to discriminate against the poor. The 1999 election that ushered in the civilian regime of Olusegun Obasanjo and those that came after it saw hardly any change from the 1964, 1965 and 1979 elections. Only a very minor dent was made in the armour of military rule by the struggle of workers. Although it helped to discredit and, therefore, weaken military rule, it failed to force the Abacha regime to relinquish power. The working class was still struggling to find its historic mission in order to fulfill it.

The left wing of the petty bourgeoisie also vigorously resisted the military. While the right wing of that class was busy devising ways and means of cashing in on the various military dispensations, the left wing spent a lot of time, energy and resources organizing, mobilizing and opposing military dictatorship. This period saw the emergence of a plethora of civil rights groups such as the Civil Liberties Organization (CLO), Campaign for Democracy (CD) Constitutional Rights Project (CRP) and many others. Professional associations such as the National Association of Nigerian Students (NANS), the Academic Staff Union of Universities (ASUU), the Nigerian Bar Association (NBA), and the Nigerian Medical Association (NMA) took political stands against military rule.

These petty bourgeois organizations were joined in the struggle by progressive petty bourgeois individuals such as Beko Ransome-Kuti, Femi Falana and

Wole Soyinka. Together they recreated the type of atmosphere for struggle which characterized the period of struggle against the Richards Constitution. Similar strategies were also used: mass demonstrations, mass meetings, support of workers' strikes and the use of novels and music to fight the military. However, unlike the relevant colonial period the Press was too intimidated to engage in pungent criticism of military regimes. The attempt to compensate for this led to the "pirate" radio, Kudirat, which was dedicated to the struggle. Lawyers also used the legal instruments, especially the courts to fight obnoxious laws in a way unknown to colonial times.

A very important new development in the struggle at this time was the very close coordination between the workers and the petty bourgeois. This time, unlike the later colonial period, the workers operated through their own organizations and set their own agenda. They were not swallowed up by the petty bourgeois. At times, as in the case of NUPENG and PENGASSAN strikes of 1994, they even dominated the struggle. There was nothing spontaneous or adventuristic about the objectives of the struggle and means of confronting the regimes. They were guided by clearly thought-out strategies and tactics, even though the workers and their petty bourgeois allies were still not guided by any ideology. This lack of ideology together with the superior coercive power of the state made it difficult for the pro-democracy forces to achieve their objectives.

For success, it was necessary for workers to assert their leadership of the progressive forces, and be guided by working class ideology. This did not happen. The petty bourgeois, under the guidance of bourgeois ideology, continued to set the pace and direction of the struggle. Hence, their vision did not extend beyond holding an election to usher in a civilian government. The underprivileged classes were left in the dark about any alternative to petty bourgeois political and socio-economic order. Under the circumstance, there was nothing for the underprivileged classes to work for as their own, or even to compare petty bourgeois political and economic activities with.

Both workers and the activist petty bourgeois paid no heed whatever to the struggle of the peasantry during the Agbekoya uprising. Similarly, they ignored the struggle of the Ogoni people for democracy and justice, the very critical struggle of the peoples of the Niger Delta for political, economic and environmental justice and the hardships of the Bachama and Mambilla people arising from the state takeover of their land for use by Agro-multinational companies. They organized no protest demonstrations, strikes or threat of strikes, and mass meetings or tour of the country in support of them. More importantly, they did not see it fit to provide logistical and organizational support to their fellow fighters for justice. They did not seem to see the relevance of these struggles against injustice to their struggle for democracy. They were single-minded in their focus on elections. Hence Ken Saro Wiwa found it more useful to forge international alliances than alliances with pro-democracy forces within the country.

These pro-democracy forces failed woefully to establish structural relations with the poor masses, particularly the farmers and lumpen proletariat. They saw politics from petty bourgeois prisms as concerned solely with elections and reactions to government policy. They were not there and said and did nothing when peasants lost their land through pledging or government confiscation. They were not there and said and did nothing when government paid farmers less than the world market prices for their export cash crops. They were not there and said and did nothing when petty government officials, acting as levy collectors, seized the property of petty traders, artisans and craft persons for non-payment of often illegal levies. They were not there and said and did nothing when women were subjected to humiliating sexist practices and suffered brutal sexual and other assaults. In short, they said and did nothing to identify with, if not ameliorate the hardships and sufferings of poor people arising from domination/authoritarianism/coercive unilateralism, oppression/repression, exploitation, inequality, and injustice.

Nevertheless, intense pro-democracy struggles spanning many decades have created a rich and contradictory democratic tradition embedded in Nigerian society. This tradition is often greatly threatened by the non-creative commerce-

based neocolonial economy which marginalizes the vast majority of Nigerians and is incapable of providing jobs for the teeming millions of increasingly educated and skilled youth of the country, the authoritarian tendencies inherited from colonialism as well as from paternalistic and patriarchic traditional rule, and exploitative tendencies inherent in the inherited capitalist economy and the corrupt nature of the dominant petty bourgeois class. But this tradition has survived. It is organized around a vibrant and resilient press, a fairly developed judicial system, a strong culture of trade union struggle, a militant student movement, articulate and vigilant professional associations, a volatile peasantry and a federal political system based on disparate centres of power, which check one another, and consequently delay the rise of tyrannical regimes at the national level. This tradition needs to be sustained and improved at every stage in order to be better able to confront the challenges of establishing and consolidating a democratic society, especially those other than the ones that relate to elections. It needs a political party of the underprivileged classes to articulate and aggregate the interests of the poor before, during and after elections.

Making Democracy Work for the People: The Ghana Experience

A paper presented at the conference on the theme: “Making Democracy Work for Nigerians” organized by CLEEN Foundation and Ford Foundation (Owerri, Nigeria, February, 22-24, 2011)

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Introduction:

It is appropriate to begin my remarks with a caveat. No country, and no leader, has found a way to make democracy work perfectly for the people.

Ghana has taken important strides in its march towards democracy over the last 19 years in relative terms to its political checkered past of military and civilian authoritarian rule and perhaps in comparison to some other countries on the African continent and the West African sub-region that are doing worse. In reality, Ghana is very far away from making democracy work even adequately for the people.

I speak therefore about the Ghanaian experience with democratization since the early 1990s not to present Ghana as a model, but in the spirit of knowledge and experience-sharing, and in an effort to stimulate reflection. It will be clear from my submissions below that the achievements of the Ghanaian democratic project represent, in fact, a “low hanging fruit” that is easy to pick regardless of its quality.

The topic I have been asked to speak on calls attention to Abraham Lincoln's definition of democracy as "***government of the people, by the people, for the people***". All three components of the Lincolnian definition of democracy are interlinked in many ways, and the achievement of, or at least progress on the first two components is highly relevant to the achievement of the goals implicit in the third component.

In the technical language of political science, the first two components deal largely with the procedural aspects of democracy and the third component deals largely with the substantive aspects of democracy.

For purposes of analytical order, I begin my remarks with a broad summary of the Ghanaian democratic rebirth since the early 1990s, before I launch into an assessment of the degree to which Ghana's democratic project is meeting the aspirations contained in Abraham Lincoln's ideal democracy.

Ghana's democratic rebirth since the 1990s

Typical of other African countries, there had been extremely high hopes at independence in 1957 for freedom and prosperity. But like most African countries, early political and economic progress could not be sustained and Ghana became a bi-word for a decayed state, decayed government and decayed society.

Ghana did take leadership in Africa in initiating neo-liberal economic reforms in the 1980s under the quasi-military Provisional National Defence Council (PNDC) administration led by Flt Lt Jerry John Rawlings. The reforms brought the achievement of a modest degree of success in macro-economic improvement and infrastructural rehabilitation. But all of this was done under a fairly severe authoritarian brand of government. The era was aptly described as the period of a "culture of silence" in Ghana.

Ghana joined other African countries in political liberalization in the early 1990s. The decade plus old quasi-military government conceded to internal

and external demands to return the country to democratic rule in 1991 and 1992. The process featured the promulgation of a liberal democratic Constitution in 1992 followed by multi-party elections in late 1992, culminating in the return to constitutional rule with an elected administration on January 7, 1993.

Ghana's early nineties transition was initially dismissed by skeptics as "transition without change." Some provisions of the 1992 Constitution appeared to have been tailored to enable the departing military ruler to retain some of the autocratic powers he wielded under military rule; "permanent transitional" provisions had been inserted in the 1992 Constitution giving blanket immunity to Flt Lt Rawlings and his AFRC and PNDC governments; the same Chairman Rawlings of the erstwhile quasi-military PNDC had become the elected president of Ghana, with many of the ministers from his previous government retained as ministers in the new Rawlings-led National Democratic Congress (NDC) administration. The boycott of the transition parliamentary elections by the main opposition parties (*in protest against perceived rigging of the presidential elections*) created two major political problems: the first parliament of the Fourth Republic became a de-facto one-party legislature (*with 198 of the 200 seats in the legislature controlled by the ruling party and minor parties formally aligned with it, leaving only 2 independents*); and the new parliament (*whose Speaker had been Deputy Chairman of the erstwhile PNDC*) appeared to behave largely as a rubber-stamp parliament.

Nonetheless, the early 1990s political transition ushered Ghana into an era of sustained political, economic and social progress. The new 1992 Constitution has increasingly become a major normative point of reference for popular expectations of democratic governance. In addition, many of the institutions and processes established under that Constitution have come to enjoy widespread public support and legitimacy. The Electoral Commission, the Commission on Human Rights and Administrative Justice (CHRAJ), and the National Media Commission do enjoy considerable popular support reflecting the widespread perception that they are largely independent and have performed creditably.

Most notably, successive multi-party elections in Ghana's 4th Republic have been highly competitive, at the same time, but reasonably clean and peaceful. The generally competitive and clean nature of polls has made it possible for the country's two main political parties (the National Democratic Congress – NDC and New Patriotic Party – NPP) to take turns serving in government and in opposition – something that never happened in Ghana's previous democratic experiments, and something that remains rare on the African continent. The successful general elections of the December 2008 polls also confirmed not only the strength of multiparty democracy in Ghana, but also the resilience of the country's democratic institutions. In the meantime, the country has remained fairly united despite significant religious and ethnic diversity (and contrary to the dire predictions of a long line of doomsayers since the 1960s), and the economy has grown together with some amount of income distribution.

Achieving the Lincolnian Democratic Ideal in Ghana's Fourth Republic: Progress, and Challenges

“Government of the people” (government of the people's representatives) in Ghana?

One of the notable successes of Ghana's democratization in the last two decades has been the exponential growth in opportunities for Ghanaian citizens and citizen groups to be involved in choosing their political leaders through competitive multi-party elections whose outcomes are generally credible and peaceful. The outcomes of elections in the 4th Republic broadly reflect the will of the people. Thus, Ghanaian governments and political leaders can boast, with some amount of credibility, that they carry a mandate from the people.

However, shortcomings prevail even in the area of popular selection of political leaders. Women are very poorly represented in the institutions of democratic politics (the executive, legislature, the media, civil society etc) and, in general, in the public life of the country. For example, currently there are only 19 women in the 230-member Ghanaian Parliament (a drop from 25

in the previous House). Second, a sense of ethnic exclusion or inadequate inclusion, with the potential to trigger an uncontrollable political backlash, has persisted in Ghana, arguably, for the Twi/Ashanti group under NDC administrations and for the Ewe group under the previous NPP administration.

Third, the electoral laws of Ghana systematically exclude Diaspora Ghanaians and Ghanaians in prison from voting and holding numerous important public offices. Fourth, gross abuse of incumbency for electoral gain persists, leaves opposition parties structurally disadvantaged in multi-party contests and possibly inadequately represented in the chambers of national decision making. In addition, the president's party and ruling officials and activists are over-represented in the winner-takes-all tendencies prevailing in multi-party politics in Ghana. Ruling party officials and supporters as well as the president's kinsmen and cronies are typically favored in recruitments to leadership positions (chief executives, management boards, directorships) in state and parastatal institutions at the national levels. In the context of a multi-ethnic, multi-national, and heterogeneous country such as Ghana, the above inclusion gaps add to a significant representation gap with dire implications for the equitable sharing of the dividends of democracy.

“Government by the People” in Ghana?

On the face of it, Ghanaians are very active participants in government and public affairs. Large percentages of Ghanaians report having interest in public affairs and in discussing public affairs with friends and neighbors. This is reflected in the lively, if not particularly edifying political and policy discussions that pervade the country's airwaves. And, voter turnout in most general elections has been consistently high.

However, popular participation in government and public affairs hardly go beyond these passive forms. Ghanaians show very low inclination to engage in more active forms of participation, such as getting together with others, or even writing to newspapers and public officials to raise or seek redress of an issue of public concern. Civic activism is weak in between general elections. According to data from the 2008 Afrobarometer report, only a minority of the

Ghanaian population engages in active forms of secular community and civic activities: 43 percent report never having attended a community meeting; 46 percent have never come together with others to raise an issue; and fewer than one in ten Ghanaians have ever attended a demonstration or protest march. Popular attitudes also betray an extremely weak sense of civic responsibility and, by implication, weak demand for political accountability. The Afrobarometer survey also found that only a quarter of the population believes that voters have a responsibility to ensure that MPs do their jobs; and only 28 percent think it is the responsibility of citizens to ensure that the president performs his duties. Afrobarometer data also indicate a popular tendency to see government and government officials as patrons and lords dispensing patronage to the people, which connotes weak development of democratic citizenship.

Moreover, opportunities for women, persons with disability, the poor, rural dwellers and those with little or no formal education to be involved in government and public affairs in the country is generally poor confirming a huge participation gap. In addition, the expanding opportunities to police the democratic process and government, and demand accountability and responsiveness are poorly used and sometimes abused by the media, civil society and society at large.

Additionally, crude political partisanship as well as the prevailing cross party practice of “party in government/party government system” over-privileges ruling party officials and activists when it comes to involvement and participation in government and public affairs. Thus, despite the thin margin of its victory in both the 2008 presidential and parliamentary elections (less than half a percentage votes more than his opponent in the presidential polls and barely more than half of the 230 seats in parliament), the Mills-NDC administration has adopted a highly partisan approach to government in the country. Though the previous government was also guilty of this, the scale of partisanship has clearly increased. Thus, presidential appointments to state/parastatal boards/councils and trusts (ranging from the National AIDS Commission to the Ghana Investment Promotion Council and National

Disaster Management Organization, as well as District/Municipal/Metropolitan governors and mayors) are strictly partisan affairs.

Ghanaian politics and public administration since January 2009 has been convulsed by NDC activists (so called party foot soldiers) forcibly confiscating public facilities (toilets and taxi ranks, toll booths, etc), taking control of some local councils as some form of political booty/spoils and locking public officials out of their offices to press home demands for special favors. Ruling party bigwigs as well as an assortment of “spiritualists”, “prophets” and “mallams” appear to exercise undue behind-the-scene influence and hold “hidden veto” over public policy in democratic Ghana.

Moreover, there appears to be renewed emphasis on the national security apparatus as an instrument of domestic political governance in the Mills-NDC administration, a development that holds dire implications for democratic control of the armed forces/security sector as well as civil-military relations. Inadequate participation of key groups in governmental affairs in Ghana together with the privileged participation enjoyed by activists of the president’s party/ruling party amounts to a significant participation gap in Ghana’s 4th Republic. The persistent abuse of the opportunities for participation by sections of the media, civil society and political party activists (churning out unfounded rumors and engaging in brinksmanship) combined with the above deficits in political culture represents a major threat to Ghanaian democratic project.

Government “for the People” in Ghana?

This part of the Lincolnian ideal of democracy deals with governmental responsiveness and effectiveness: the dividends of democracy. It makes the delivery of political, economic and social goods (such as human rights, good governance and a focus on the public interest and absence of corruption) a duty and an obligation for elected governments and leaders and not a choice or an act of charity. By contrast, for governments and rulers whose mandates are not dependent on some degree of popular approval, the protection and promotion of the public interest as well as the production of public goods is ultimately a voluntary act of charity.

However, this is the most difficult of the three democratic aspirations to achieve in practice, not only because it is largely tied to the quantity and quality of the preceding two elements of democracy (the “of” and the “by” the people) but also factors that may well lie outside of the first two components of the democratic ideal and the political process altogether. For instance, fulfilling the ideal of electing leaders does not guarantee that those leaders would make wise policies. Popular participation in decision making and implementation does not automatically lead to good decisions or effective implementation. “Good democratic leaders” may have been popularly elected and even well-intentioned. But they may, at the same time, lack the financial and technocratic resources necessary for successful policy making and implementation. Successful execution of decisions, good or bad, depends largely on the availability of requisite financial and technocratic resources as well as good quality institutions.

Ghana’s record of making democracy work for the people is mixed at best. To be sure, there has been some progress in making democratic government work for Ghanaians. The quantity, if not the quality, of political freedoms enjoyed by Ghanaians has increased several times fold. Opportunities for voice and accountability have expanded; civil society has flourished; and the media has proliferated, though significant deficiencies remain on all those fronts. More so public officials feel obliged to appear on TV, radio, press conference and other media to explain policies and account for their actions.

Orderly political succession in Ghana’s democratic era has brought about a fair amount of continuity in public policy across different administrations. Public works projects initiated under one administration have not been abandoned by the next administration as much as was experienced in the years of change of government by coup d’état.

Broadly speaking, democratic politics in Ghana has gone hand in hand with steady economic progress. Growth rates have averaged over 5 percent since 2001 and poverty rates have dropped from more than 50 percent of the population in the early 1990s to 28.5 percent in 2006. (Ghana now ranks

eleventh out of 45 sub-Saharan African countries on the Human Development Index.). The democratic era has witnessed important social development initiatives. The Mills-NDC administration is continuing with the implementation and, in some cases, has been expanding the social protection programs introduced by the Kufuor-NPP, including the National Health Insurance Scheme, Capitation Grant Scheme, National School Feeding Program, National Youth Employment, and free maternal health care. The Mills government has introduced new programs such as free school uniforms for primary school children.

But the gross figures hide some important ugly realities. The per capita GDP of approximately US\$1600 is far below popular expectations of Ghanaians as citizens of a middle-income-country; and the level of unemployment remains high. North-south, rural-urban inequality and gender inequalities prevail, though a broad inter-party consensus appears to have emerged over the need to bridge north-south income and arguably gender inequalities. (The Mills-NDC administration has initiated the Savannah Accelerated Development Authority (SADA) to promote the development of the three northern regions of Ghana. The NPP-Kufuor administration had inaugurated a similar agency as well as a hydroelectric dam project to promote the development of the area).

However, sustainability of these lofty social programs remain doubtful in the face chronic shortcomings in domestic revenue mobilization (the failure to collect taxes from the self-employed, an overreliance on export duties on primary commodities, and the tendency to under-price and misuse government-controlled assets and resources such as forests, lands, minerals, and state enterprises) as well as heavy reliance on external donors (roughly 40 percent of the annual budget).

Moreover, delayed public-sector reforms and persistent distortions in the structure of public service wages continue to undermine the effectiveness of the public service. It is not surprising therefore that access to public services such as water, health and sanitation facilities remain extremely weak (the

latter deficiency is reflected in the large percentage of the Ghanaian population that resort to open field defecation). Access to justice and the rule of law is certainly not part of the reality for ordinary people, who every so often resort to mob-lynching and other forms of vigilante justice or even the middle class that live in fortified homes with private security guards.

Over-centralized government with weak political administrative and fiscal decentralization means that government by the people is true in Ghana mainly for those active in national level politics and not in local level politics. The constitutionally mandated devolution of administrative power to the local authorities (district assemblies) and their substructures has stalled and thereby undermined the prospects for meaningful decentralization and local authority responsiveness and accountability to the citizenry. That most Ghanaian villages, towns and divisions in the municipal and metropolitan areas lack street names and house numbers speaks eloquently to the ineffectiveness of local government administration in Ghana's 4th Republic.

Ghana may have successfully transitioned from quasi-military authoritarian rule to pluralistic democracy under the Fourth Republic, but it is still struggling to make a clean break from neo-patrimonialism. Power remains overly concentrated in the hands of the executive branch, particularly the presidency at the expense of the other branches of government – parliament, judiciary and others. Weak institutional checks and balances and inter-branch accountability is one of main negative effect of these flaws in constitutional and institutional design. For instance, poorly and/un-regulated use of presidential discretionary authority allows presidents to make temporary appointments, evade parliamentary scrutiny of their favorite nominees, and undermine the security of tenure of those responsible for policing the executive (such as the Economic & Organized Crime Office and the Auditor-General) by keeping them perpetually in “acting” positions. By virtue of the same constitutional laxness, presidents are free to appoint an outrageously large number of ministers (nearly ninety in the Kufuor administration) and other executive-branch staff, which comes, of course, at the expense of the professional public service. Excessive constitutional powers in the hands of

the Ghanaian president mean that he/she is able to unilaterally create and restructure ministries, departments, and agencies.

A hegemonic presidency presents other perils, as well. First, it tends to encourage reliance on political patronage and corruption. The president and the ruling party can abuse incumbency for personal as well as partisan electoral gain. Thus, there is persistent lack of transparency in the dispensation of public assets such as forests, mines, and state enterprises as well as official tolerance of nonperforming boards of state and parastatal organizations. Indeed, executive dominance has made it possible for successive administrations to resist the introduction of transparency-promoting instruments such as access to information about legislation and public-officeholder asset-disclosure laws.

Ghana's democracy is increasingly "clientelized" under a succession of elected presidents and ruling parties. Government effectiveness is severely hampered by the tendency to award service-delivery and construction contracts to ruling party executives insiders; the president's appointment of party insiders rather than technically competent individuals to positions in the national and local level bureaucracy undermines the prospects for effective national or local government.

Conclusions

Making democracy work for the people depends largely on a number of interlinked factors, including: free, fair and credible elections, whose outcomes broadly affirm the will of the people regarding who should rule them, under what rules and for what purpose; an engaged and civic-minded citizenry ready to safeguard the democratic process and institutions, and protect them from being captured by elected and other leaders, parties or any private or sectarian interests; good quality democratic processes and state institutions (including the bureaucracy), especially those responsible for promoting vertical and horizontal accountability; and arguably, good quality leaders, at least, those who would not put themselves and their interests above those of the public.

Some of the above ingredients have been in place in the Ghanaian democratic project begun in the early 1990s. However, significant shortcomings prevail – gaps in representation and participation as well as weak governance. At any rate, two important tests await Ghanaian democratization in the short to medium terms.

The first is the successful management of what is bound to be an intensely competitive 2012 presidential and parliamentary polls. Developments in North Africa have forcefully demonstrated the importance of the military and security establishment of a country dedicating itself to the protection of the broader national interest and not narrow regime interest. The Akufo-Addo-led New Patriotic Party opposition has signaled a keen determination to reclaim the seat of government it had lost narrowly in 2008 under circumstances it perceives, rightly or wrongly, to have been dubious; and the Mills-NDC government is equally keen to retain power by any means necessary. The candidate's recent statement at a party gathering – "*all die be die*" - has been widely interpreted as the sound of war drums for the 2012 elections. It does not give much comfort that the military and security sector has become ascendant under the NDC ruling party whose antecedents are rooted in quasi-military rule. This only heightens concerns about whether Ghana's military and security sector institutions, particularly the leadership, could be counted upon to stay committed to the democratic process and/or take a stand in favor of the public interest as opposed to the interest of the regime in the event of an attempt by the ruling party to rig the 2012 polls.

The second and perhaps more difficult challenge to the Ghanaian democratic project would come from the nascent oil and gas industry, and how to manage its revenues prudently, accountably and equitably. Evidence that Ghana's democratic institutions as well as legal and constitutional arrangements can credibly guarantee transparent, accountable and responsible use of such centrally/state controlled resources is mixed at best. General awareness of the perils of oil and gas resource wealth is high, reflecting popular knowledge of negative economic, social and political consequences of its management in other African countries. Moreover, the regulation of the oil and gas sector

and management of revenues derived from the sector has been subjected to extensive deliberations by state actors as well as the private sector and civil society. However, public expectations of the benefits that oil and gas wealth can bring to the nation are unrealistically high. It is also worrying that an oil sector regulatory and revenue management legislation is yet to be passed although oil revenues have been flowing in since late 2010. In addition, the current draft legislation permits the government to collateralize up to 70% of the revenues from oil.

PART THREE

Communiqué

Conference on Making Democracy Work for Nigerians Organized by CLEEN Foundation in collaboration with Ford Foundation West Africa Office at Imo Concorde Hotel, Owerri on 23-24 February 2011

Preamble

Different surveys have found that after twelve years of civilian government, Nigerians across divides are still asking questions about the dividends of democracy even as the level of satisfaction with the way democracy works in the country continues to drop every year. Against this background, CLEEN Foundation in collaboration with the Ford Foundation West Africa office organized a two day national conference on Making Democracy Work for Nigerians. The conference which held at Imo Concorde hotel, Owerri, on 23-24 February 2011 was also the fourth and last of a series, organized to celebrate Ford Foundation's 50th anniversary of grant making on human rights and governance in Nigeria.

The conference drew participants from representatives of government, security agencies, political parties, civil society groups, student bodies, academia and the media. The conference was structured to provide a forum for these state and non state actors to brainstorm on pertinent issues of making democracy work for ordinary people and formulating recommendations and action plans that would inform political contestation, governance and civic action. In particular, the conference was aimed at identifying core blockages for deepening democracy and delivery of democracy dividends and recommending high impact solutions for making democracy meaningful, worthwhile and rewarding for the Nigerian people by focusing on three issue areas. These are: strategies for ensuring that the vote counts in the April 2011 general elections;

strategies for engaging town unions and community development associations in ensuring accountable governance at the state and local government levels; and strategies for engaging the legislature in deepening democracy in Nigeria.

Core Blockages

Strategies for ensuring that the votes count in April 2011 general elections

- ◆ Poor economic growth and mass youth unemployment that predisposes youths to being hired to manipulate the electoral process.
- ◆ The lack of ideology among political parties and the transformation of parties into mere platforms for contesting elections.
- ◆ Very hazy constitutional and legal framework that allows room for manipulation of the electoral process by political interest groups.
- ◆ Poor early warning systems and inability of the police to prevent electoral and political violence.
- ◆ Poor delineation of constituencies and polling units that affects access to polling units especially in localities with challenging environment.
- ◆ Inability of both domestic and international observers to deploy monitors to a significant number of polling stations. Currently observer teams cover less than 10 per cent of polling units across the country.
- ◆ Slow pace of resolution of election disputes and growing loss of confidence in the election dispute resolution mechanism.
- ◆ Failure of election management bodies to make adequate arrangements for the welfare of electoral officers and security agents during elections, thereby exposing them to manipulation by politicians interested in compromising their integrity.

Strategies for engaging town unions and community development associations in ensuring accountable governance at the state and local government levels

- ◆ General alienation of the citizenry and civic associations from the political process and the political system.
- ◆ Lack of autonomy of Town Unions at local and state levels of association due to dependence on government and vested interests.
- ◆ Incessant conflicts and lack of community cohesion.

- ◆ Collapse of traditional community governance institutions especially those that promote accountability and checks and balances
- ◆ Entrenchment of electoral malpractices that make popular votes irrelevant in determination of leaders of town unions.

Strategies for engaging the legislature in deepening democracy in Nigeria

- ◆ Poor engagement between civil society and the legislature and a general disconnection of the people from the legislative process.
- ◆ Overbearing influence of the governors and political parties on legislators
- ◆ Capacity deficits in the legislature in performing both law making and oversight functions. Many legislators are not well equipped for the tasks of legislation.
- ◆ Lack of effective legal framework for institutions for vertical and horizontal accountability.
- ◆ Absence of effective constituency liaison due to lack of functional constituency offices.

High Impact Solutions

Government

Government at all levels should:

- ◆ Open up the political space for participation by civil society and Nigerian citizens and include them in policy making processes.
- ◆ Adopt and implement programmes aimed at generating rapid economic growth and providing employment for the mass of unemployed youths.
- ◆ Streamline electoral laws to avoid confusion as a result of conflicting regulations during elections.
- ◆ Ensure timely release of funds appropriated for all stages of the electoral process.
- ◆ Allow independence and effective function of governmental institutions responsible for receiving feedback from the citizens.
- ◆ Take measures to protect the autonomy and financial integrity of town unions and community development associations.
- ◆ Collaborate with town unions and community development associations in social mobilisation, planning and execution of development projects.

- ◆ Develop effective early warning systems for conflict prevention in communities.

INEC should:

- ◆ Provide effective training for all electoral staff before elections.
- ◆ Collate and publicise names of all electoral officers in 774 local government areas and 8,000 wards in the country weeks before the election to enable political parties and members of the public ascertain their independence and non-partisanship.
- ◆ Make special arrangements for polling units located in challenging environments and provide supplementary voting units in polling units where the number of registered voters exceeds 500 voters.
- ◆ Embark on extensive voter education of the public on the procedures of the modified open ballot system to guide voters on what to expect and what to do.
- ◆ Effectively make use of information technology to address communications and logistic challenges.
- ◆ Insulate its staff at all levels from influences of political parties and politicians and effectively monitor their activities.
- ◆ Ensure that political parties comply with electoral laws and send in names and photographs of their agents one week before the elections for proper accreditation.
- ◆ Provide an enabling environment and full cooperation with independent election observers and monitors.

The Nigeria Police should:

- ◆ Provide effective training for officers to be deployed for elections.
- ◆ Ensure that police officers get provisions for food, transport and stipends before deployment for elections.
- ◆ Develop rapid response mechanism and ensure rapid response to early warning signals on election related matters.
- ◆ Instruct police officers deployed for elections not to shy from invoking the Police Act to carry out their duties to prevent breaches especially when electoral officers decline to ask for police intervention.

- ♦ Work with relevant authorities to grant police the power to accompany electoral officers and party agents from polling units to collation centres.

The Political Parties should:

- ♦ Adopt ideologies and prepare manifestoes that provide real policy choices for the electorate.
- ♦ Build up their organizational capacity for effective long-term engagement with the people and ensure the rule of law and practice of internal democracy.
- ♦ Embark on effective voter education for the public to guide voters during elections.
- ♦ Ensure that party agents are duly accredited by INEC and deployed with all necessary provisions to polling units during elections.
- ♦ Perform oversight functions on all public officers elected on their platforms
- ♦ Build capacity for mobilization of membership and collection of dues and contributions from members to reduce the overwhelming influence of some moneybags and office- holding party members.
- ♦ Work with relevant authorities and the civil society to monitor activities of INEC and security agencies before, during and after elections.

Civil society should:

- ♦ Take measures to put the citizens at the driver's seat of advocacy and activism by embarking on capacity building activities aimed at enabling and empowering citizens to defend their democratic rights.
- ♦ Collaborate with INEC and police authorities to build capacity of electoral officers and police officers to conduct free and fair elections.
- ♦ Embark on innovative use of information technology to enhance election observation and early warning of possible breaches of elections.
- ♦ Liaise with the media to promote issue based campaigning by setting agendas and providing platforms for political debates by aspirants and political parties.
- ♦ Provide effective monitoring of party campaign, finance and deployment of agents during elections.

- ♦ Study and understand the legislative process to enhance effective programming to promote law making, representation and oversight functions of the legislature.
- ♦ Embark on aggressive enlightenment of the public on the role of citizens and community based associations in demanding transparency and accountability in government.

Town Unions and Community Development Associations should:

- ♦ Embark on sensitization and education of their members on the rights and duties of citizens in a democratic society.
- ♦ Create platforms for engaging aspirants and political parties with a view to developing a social contract between the community and political actors.
- ♦ Rebuild their traditional governance structure to ensure accountability amongst themselves and to also demand accountability from the government and those elected to public office from their communities.

Innocent Chukwuma
Executive Director, CLEEN Foundation

REPORT OF THE CONFERENCE PROCEEDINGS

Introduction

CLEEN Foundation in collaboration with the Ford Foundation organized a Conference on Making Democracy Work for Nigerians on 22-24 February 2011 at Concorde Hotel, Owerri. The rationale for the conference is the perceived dissatisfaction of Nigerians with state of democracy as the country approaches the fourth successive general elections since the country returned to civilian rule in May 1999. The Conference sought to understand and explore ways of bridging the wide gap between the great demand for democracy among Nigerians and the little supply of democracy from the Nigerian political system, which is at the roots of the plummeting of favourable attitudes of Nigerians towards democracy.

The Conference was convened to address a number of burning questions, namely:

- ◆ What is the source of the perceived incongruence between demand for democracy and its supply in Nigeria?
- ◆ What needs to be done to address the falling support for democracy among Nigerians and conversely to arrest the perceptible rise in support for non-democratic forms of government?
- ◆ What should be done to make democracy meaningful and fruitful for the ordinary and suffering people of this country?

Opening Session:

The conference commenced at 10:30 am with introduction of members of the High table by Chinedu Nwagwu of CLEEN Foundation. The following were invited to grace the high table, Mr. Innocent Chukwuma the Executive Director of CLEEN Foundation, Mr. Festus Chukwuma of Human Rights Monitor, Dr. Joseph Gitari of Ford Foundation, COP Frank Oditia (rtd.) - a

Board member of CLEEN, ASP Paulinus Asogwa representing Commissioner of Police Imo State Command, Rev. Fr. Dr. Nze representing the Archbishop of Owerri Catholic Archdiocese.

The opening session was chaired by Mr. Festus Okoye. Mr. Innocent Chukwuma was invited by the Chairman to give the opening speech. In his address, Mr. Chukwuma pointed out that the conference was being organised to commemorate Ford's 50th anniversary of grant making on governance and human rights in Nigeria.

He noted that the conference was apposite and germane in view of the imminent general elections in the country coming up in April, hence there could be no better time to reflect on and address the disconnect between what elected office holders think they have achieved and what the masses think about their performance. Four questions were expected to be answered by the conference, namely:

- ◆ What is the source or root cause of the perceived incongruence between demand for democracy in Nigeria and supply of it by the system?
- ◆ What should be done by both our political leaders and communities to arrest the dramatic drop in Nigerians' level of satisfaction with the way democracy works in the country from a high of 84% in 2000, which was the highest in the continent to the current level of 32%, which is arguably one of the, if not, the lowest in Africa?
- ◆ What should be done to arrest the rising support for nondemocratic means of governance, if our democracy is to survive and advance?
- ◆ In other words, what should be done to make democracy meaningful and fruitful for the ordinary and suffering people of this country?

The key objective of which was to provide platform for stakeholders from state and non-state actors to rub minds and chart a course on how democracy can become relevant to ordinary people.

Three key products emanated from the conference, namely;

- ◆ A communiqué articulating the views of participants on how democracy can work for Nigerians;

- ◆ A policy memo to be an advisory document to government on the urgency of the issues raised and how to address them;
- ◆ Publication and wide dissemination of the proceedings of the conference.

Dr. Joseph Gitari in his remark thanked CLEEN Foundation for organising the conference. He noted that Nigeria continues to exhibit great promise but there are challenges, which are however not insurmountable. Ford Foundation considers the wind of change blowing in Africa as the great potential of democracy. 2011 he said is an important year because for the first time Nigeria is creating the foundations for free and fair elections. According to him, corruption, impunity, unemployment, inflation, etc are the enemies of democracy and until they are addressed democracy will remain a mirage. Finally, he observed that the state of the judiciary in Nigeria should merit some careful deliberations in this conference – the judiciary should be made to play their rightful role in the democratic process.

The Chairman noted that the speeches by Mr. Chukwuma and Dr. Gitari had set the tone for the conference – the issues raised therein being at the heart of democratic challenges in Nigeria. He opined that Nigerians are optimistic about the outcome of the 2011 elections given the reputation of the new INEC Chairman, Prof. Attahiru Jega, the existence of a vibrant civil society and the ever ready international monitoring bodies, new legal framework for elections, and a promising judiciary. All these indicate that it may not be business as usual.

However, the Chairman regretted that the constitutional and legal frameworks for the elections were still hazy in that people were yet to become familiar with them, especially given the continues amendments on the Electoral Act. The December amendments to the 2010 Electoral Act, he said, has reversed some of the gains made in the original Act passed in August, 2010. For instance, section 87 of the original Act provided for that presidential primaries should be held at state levels and then collated and adopted at a national convention – this was reversed in the December amendment. Also Section 37 was amended to say that INEC cannot reject list of candidates submitted to it

by political parties for any reason whatsoever. These, he noted, had occasioned a multiplicity of court actions, some eliciting conflicting orders from the courts. In his view, underlying this topsy-turvy situation was a partisan politics without principles or ideologies - our politicians are only interested in platforms and not any definite political persuasions.

The chairman concluded his opening remark with a note of warning that our optimism for a free, fair and credible elections must be tempered with the realities on ground so that we avoid a feeling of disappointment if things fail to turn out according to expectations after the elections.

Rev. Fr. Dr. Nze, representing the catholic Archbishop of Owerri, Rt. Rev. Dr. AJV Obinna, in his own goodwill message thanked the organisers of the conference for such a beautiful initiative. The programme, according to him, was needed at a time like this when Nigerians are worried about dividends of democracy after 12 years of democratic experimentation, more so as the frenzy of April elections builds to a crescendo.

The reverend gentleman informed the organisers and participants that the catholic archdiocese of Owerri through its Justice, Development, Peace & other Committees (JDPCC) has created some awareness on the elections and the need for people to participate. The church has petitioned INEC on behalf of many registered voters whose names did not appear in the voter register recently displayed. Also the church is planning to organise a forum for the governorship candidates in Imo state to speak to the people on the 10th of March, 2010 on their mission and manifesto.

He concluded by observing that the principles of representation, checks and balances, due process, accountability and transparency were the benchmarks for democracy.

The culture of constituency cultivation must be imbibed as a route to strengthening democracy at the grassroots.

Asp Paulinus Asogwa, on behalf of the Commissioner of Police, Imo state command noted in his own speech that democracy must be predicated on the following foundations, namely, rule of law, free and fair elections, good leadership, strong socio-economic and political institutions, and the existence of a people-oriented Constitution. On the role of the Police in democracy, he pointed out that the Police is always there for the people, but unfortunately, there is a negative impression against the police in Nigeria – a problem that the NPF is working so hard to address. He affirmed that police is subject to the rule of law in a democracy, and must not be subservient to those in government. The police must therefore refrain from being partisan or showing bias against opponents of the party in power.

He noted that the use of force and the paraphernalia of force present serious temptation for abuse of power by police officers, but there is need to balance the use of force for law enforcement purposes with the need to respect human rights.

He concluded by reassuring participants that the police remains a friend of the people, and that the NPF is totally committed to the success of the 2011 April polls.

First Plenary Session – Paper Presentations

The session was chaired by Dr. Chidi Odinkalu, the African Director of Open Society Justice Initiative. He introduced the resource persons: Professor Okwudiba Nnoli, Executive Director of Pan African Centre for Research on Peace & Conflict Resolution, and Professor E. Gyimah-Boadi, Executive Director, Ghana Centre for Democratic Development, and a Director of Afro-Barometer.

In his paper titled ‘Making Democracy work in Nigeria: Strategies for Action’ Professor. Nnoli challenged the assumption of a homogeneous, undifferentiated and unorganised ‘people’ in the Lincoln’s definition of democracy. He opined that the concept of ‘people’ is highly differentiated and unequal with varying degrees of influence over government. He argued

that one key underlying assumption of democracy is the belief that participation of the people is necessary for controlling state power; but at the same time the major challenge of democracy is how to find a way of enabling that popular participation. He traced the history of popular participation in Nigeria's government from the colonial era that saw the emergence of petty bourgeoisie that sought to oppose the use of state power to impose domination, exploitation, oppression, inequality, injustice and governmental illegitimacy. He identified the failings and gains of the pro-democracy movements of the petty bourgeoisie through the military junta to the present day fledgling civilian democracy and concluded that the movement has survived and needs to be sustained and improved at every stage in order to effectively meet the challenges of nurturing and consolidating democracy in Nigeria.

The second paper was presented by Professor E. Gyimah-Boadi. In the paper titled 'Making Democracy work for the people: The Ghana Experience', Professor Gyimah-Boadi again employed the Lincoln's definition to appraise democratic development in Ghana. He concluded that there has been significant progress in making democracy work for the people of Ghana. Ghanaians now enjoy some appreciable level of political freedoms, with tremendous expansion of opportunities for participation and accountability.

The media and civil society are flourishing, but then there remain significant bottlenecks in all fronts. Indeed, he warned that no government has found a way of making democracy work absolutely for its people. Consequently, the civil society in Nigeria must not relent in continuous engagement with the government to ensure an incremental and consistent realisation of democratic gains.

Reactions from Participants:

- ◆ Given the historic background of democracy and the gaps between democracy groups and others, how can they work together to have a common fight to make democracy work.

- ◆ How did Ghana achieve government responsiveness to public issues

- ◆ The procedural component of Lincoln's definition is crucial but necessarily does not lead to dividends – but it is still crucial – what do we do to make the police and other law enforcement agencies people-oriented? And how can we make people believe that the State belongs to them?
- ◆ There is a problem with our conceptual vocabulary of democracy in Lincoln's definition. Extrapolating that definition out of its proper American context may defeat its purpose. We need to fashion a democratic definition that is suitable and relevant to our own peculiar circumstances.
- ◆ The strugglers and activists are tired – everybody is going for personal advantage from the system. How then can we inculcate the spirit of activism; how can we co-opt ordinary people into the struggle to make democracy work for them?
- ◆ The strategies adopted by petty bourgeoisie in failing to achieve their goals had to do with their failure to connect with the people and not with their structures.
- ◆ Even with credible elections it will not yet be eureka. The civil society has been vocal in exposing the problems but government would always introduce palliative measures that demoralize them.
- ◆ If we can make 2011 elections better than that of 2007, we can make progress. Civil society must learn to give the people a voice rather than remaining the sole voice.
- ◆ How can we make democracy work in the absence of accountability?
- ◆ Ghana depends on external support to the tune of over 40%, has there been any reduction on this statistics? Has the pro-democracy movement anything to learn from the traditional civil society groups especially in the south east of Nigeria?

- ♦ Why is it that Arab countries are able to succeed in what they are doing politically, but we have failed to muster a national movement out of what is available to us.
- ♦ If we don't have a country what is the promise of democracy taking root. Security trumps democracy – if you ask for demonstrations in Nigeria, somebody may ask you is it because the person in power is not from your ethnic or religious group.

Response from Professor Boadi

On the point as to democracy without a nation, it is a matter of history and accident; there are no principles that can nurture a democracy where a nation does not exist. Indeed in every society there are facilities to embrace nations with variegated ethnic and religious compositions.

Sustaining democracy and ensuring that the dividends are not commandeered by few individuals in power requires that citizens must engage and have civilized minds. The military and security personnel in Ghana became civilized by accident of UN peace keeping mission.

Response from Professor Nnoli

On point as to end of history, it is a matter of wishful thinking. History is about change and movement, once there is life history will continue. We realise for instance that America is now panicky because it may not continue to retain it world power. The collapse of the Soviet Union does not entail the collapse of the Left – to be on the left is to use the language of change.

On the point as to whether we have a nation or not, in 1945 nobody would have asked that question.

Historically these things developed over time because the petty bourgeoisie derailed as from 1951 – once they dislodged the colonists they were no more interested in what happened to the people. How do you return to economy that is based on creative production – this quest was abandoned by the petty bourgeoisie who started thinking of how to get into government. Ethnic issues

are existing in Nigeria because of the political history. There is hardly any country where you don't have ethnic divides, the crucial issue is the political development and management of the divides.

Civil society is peripheral to pro-democracy organising all they can do is to provide ideas. Organising must be for those who are struggling and suffering. NGOs here lack membership base and that is why there is lack of accountability of NGOs to the people.

Second Plenary Session – Interactive Discussions

A. Strategies for ensuring that the votes count in April 2011 general elections:

This first interactive discussion was chaired by Mr. Festus Okoye. According to the chairman, there are huge challenges to elections in Nigeria, which informed the constitution of the Electoral Reform Committee whose deliberations and recommendations led to the Amendment of the 1999 Constitution and the Electoral Act. Question now is whether the constitutional and statutory amendments will help to make the votes count during the April, 2011 elections. How do we deal with the challenges? We must identify the blockages to the 2007 elections so that we can then proffer solutions thereto.

Challenges:

- ♦ The tendency of Nigerian politicians to see elections only as a means of gaining power for personal ends rather than an instrument for ensuring democratic participation of the people.
- ♦ The inability and unwillingness of the political class to mobilize and engage the people in the long-term for deepening of democratic participation.
- ♦ Poor economic growth and mass youth unemployment that predispose youths to being hired to manipulate the electoral process.
- ♦ The entrenchment of a clientelist political system and a political culture characterised by 'politics of the belly'.

- ◆ The lack of ideology among political parties and the transformation of parties into mere platforms for contesting elections.
- ◆ Very hazy constitutional and legal framework that allows room for manipulation of the electoral process by political interest groups.
- ◆ Absence of the rule of law and lack of autonomy for state institutions such as election management bodies and security agencies
- ◆ Poor level of civic and political education among the population.
- ◆ The entrenchment of winner takes all philosophy and politics of exclusion, which increases the stakes for winning and makes elections do or die affairs.
- ◆ Inadequate training of electoral officers that often lead to avoidable mistakes during elections.
- ◆ Poor early warning systems and inability of the police to prevent electoral and political violence.
- ◆ Poor delineation of constituencies and polling units that affects access to polling units especially in localities with challenging environment.
- ◆ Inability of both domestic and international observers to deploy monitors to a significant number of polling stations. Currently observer teams cover less than 10 per cent of polling units across the country.
- ◆ Perennial transportation and logistic challenges faced by INEC and security agencies designated for elections
- ◆ Slow pace of resolution of election disputes and growing loss of confidence in the election dispute resolution mechanism.
- ◆ Inability and unwillingness of political parties to deploy agents to all polling units.
- ◆ Failure of election management bodies to make adequate arrangements for the welfare of electoral officers and security agents during elections, thereby exposing them to manipulation by politicians interested in compromising their integrity.
- ◆ Current electoral regulations that undermine effective policing of polling units and movement of election materials and results to collation centres.

Solutions:

Government at all levels should:

- ◆ Work assiduously to revive favourable attitude of the citizenry in democracy and trust in democratic institutions.
- ◆ Open up the political space for participation by civil society and Nigerian citizens and include them in policy making processes.
- ◆ Adopt and implement programmes aimed at generating rapid economic growth and providing employment for the mass of unemployed youths.
- ◆ Create an enabling environment for the rule of law and protect governmental institutions for horizontal and vertical accountability.
- ◆ Ensure timely release of funds appropriated for all stages of the electoral process.

The National Assembly should:

- ◆ Streamline electoral laws to avoid confusion as a result of conflicting regulations during elections.
- ◆ Use legislative instruments to guarantee independence of government's anti-corruption agencies, the legislative arm of government and election management bodies.
- ◆ Provide effective oversight of INEC and government agencies charged with elections to ensure that monies appropriated for elections are duly disbursed for the designated purposes.

INEC should:

- ◆ Take remedial steps to publish voters' registers in areas where citizens did not have opportunity to inspect them.
- ◆ Provide effective training for all electoral staff before elections.
- ◆ Provide allowances for feeding and transportation as well as stipends for election officers and ad hoc staff on a timely basis.
- ◆ INEC should collaborate with the Police to ensure timely release of all allowances due to officers on electoral duty.
- ◆ Harmonize and publish the laws guiding the elections.
- ◆ Collate and publicise names of all electoral officers in 774 local governments and 8,000 wards in the country weeks before the election

to enable political parties and members of the public ascertain their independence and non-partisanship.

- ◆ Make special arrangements for polling units located in challenging environments and provide supplementary voting units in polling units where the number of registered voters exceeds 500 voters.
- ◆ Embark on extensive voter education of the public on the procedures of the modified open ballot system to guide voters on what to expect and what to do.
- ◆ Effectively make use of information technology to address communications and logistic challenges.
- ◆ Insulate its staff at all levels from influences of political parties and politicians and effectively monitor their activities.
- ◆ Ensure that political parties comply with electoral laws and send in names and photographs of their agents one week before the elections for proper accreditation.
- ◆ Provide an enabling environment and full cooperation with independent election observers and monitors.
- ◆ Engage civil society and the media on voter education and information dissemination on the elections.
- ◆ Comply with electoral laws in all aspects of the elections.

The Police should:

- ◆ Provide effective training for officers to be deployed for elections.
- ◆ Ensure that police officers get provisions for food, transport and stipends before deployment for elections.
- ◆ Provide information to the general public on the role of the police during elections.
- ◆ Improve on public and community relations to inspire a favourable public attitude towards the police which is necessary for effective policing during elections.
- ◆ Develop rapid response mechanism and ensure rapid response to early warning signals on election related matters.
- ◆ Provide general security and public order necessary for the conduct of free and fair elections.

- ◆ Instruct police officers deployed for elections not to shy from invoking the Police Act to carry out their duties to prevent breaches especially when electoral officers decline to ask for police intervention.
- ◆ Work with relevant authorities to grant police the power to accompany electoral officers and party agents from polling units to collation centres.
- ◆ Equip police officers deployed to polling units with effective communication equipment to enable them to alert well armed patrol teams during elections on security breaches at polling units for rapid response.

The Political Parties should:

- ◆ Adopt ideologies and prepare manifestoes that provide real policy choices for the electorate.
- ◆ Build up their organizational capacity for effective long-term engagement with the people.
- ◆ Ensure rule of law and practice of internal democracy.
- ◆ Embark on effective voter education for the public to guide voters during elections.
- ◆ Ensure that party agents are duly accredited by INEC and deployed with all necessary provisions to polling units during elections.
- ◆ Perform oversight functions on all public officers elected on their platforms.
- ◆ Liaise with civil society and the media for effective voter education and information dissemination.
- ◆ Work with appropriate authorities to insulate the party officials from extreme and overbearing influence of executives.
- ◆ Build capacity for mobilization of membership and collection of dues and contributions from members to reduce the overwhelming influence of some moneybags and office-holding party members.
- ◆ Work with relevant authorities and the civil society to monitor activities of INEC and security agencies before, during and after elections.
- ◆ Develop capacity for scrutinizing aspirants to ensure that only candidates committed to the party's ideology and manifesto are allowed to fly the party's flag at the elections to prevent indiscriminate decamping of members.

Civil society should:

- ◆ Take measures to put the citizens at the driver's seat of advocacy and activism.
- ◆ Embark on capacity building activities aimed at enabling and empowering citizens to defend their democratic rights.
- ◆ Embark on aggressive and comprehensive civic and voter education and information dissemination to enlighten the electorate on the legal framework and election procedures, especially the modified open ballot system.
- ◆ Collaborate with INEC and police authorities to build capacity of electoral officers and police officers to conduct free and fair elections.
- ◆ Liaise with INEC to map out polling units in challenging terrains for effective deployment of personnel and equipment
- ◆ Embark on innovative use of information technology to enhance election observation and early warning of possible breaches of elections.
- ◆ Design simple, cost effective and efficient ways of involving ordinary citizens in election observation.
- ◆ Embark on simulation exercises of accreditation and voting to advice INEC on average timing of the elections in order to ensure that voters are not disenfranchised due to lack of time.
- ◆ Liaise with the media to promote issue based campaigning by setting agendas and providing platforms for political debates by aspirants and political parties.
- ◆ Work with other relevant agencies to ensure that the integrity of the electoral process is secured by monitoring transmission of election results from polling units to collation centres.
- ◆ Provide effective monitoring of party campaign, finance, deployment of agents during elections.

B. Strategies for engaging town unions and community development associations in ensuring accountable governance at the state and local government levels

This discussion was chaired by Dr. Smart Otu, a senior lecturer at Ebonyi State University. He identified some of the possible strategies for engaging Town unions and CDAs, namely:

Challenges:

- ◆ General alienation of the citizenry and civic associations from the political process and the political system.
- ◆ Lack of autonomy of Town unions at local and state levels of association due to dependence on government and vested interests.
- ◆ Poor engagement of town unions and community development associations by government and political parties
- ◆ Declining culture of participation in non-religious civic associations and activities
- ◆ Mass poverty and unemployment that constrain effective membership in town unions and community development associations
- ◆ Incessant conflicts and lack of community cohesion.
- ◆ Collapse of traditional community governance institutions especially those that promote accountability and checks and balances
- ◆ Entrenchment of electoral malpractices that make popular votes irrelevant in determination of leaders of town unions.

Solutions:

The Government should:

- ◆ Provide an enabling environment for citizen participation in the political process.
- ◆ Allow independence and effective function of governmental institutions responsible for receiving feedback from the citizens.
- ◆ Support immediate passage of the freedom of information bill.
- ◆ Take measures to protect the autonomy and financial integrity of town unions and community development associations.

- ◆ Collaborate with town unions and community development associations in planning and execution of development projects
- ◆ Develop effective early warning systems for conflict prevention in communities.
- ◆ Engaging town unions on advocacy and social mobilization.
- ◆ Engaging town unions on budgeting process of government.

The political parties should:

- ◆ Engage community development associations on their campaign activities as well as long term political mobilization programmes
- ◆ Provide broad-based platforms for participation of community development associations in development of party ideologies and manifestoes

Civil society should:

- ◆ Embark on aggressive enlightenment of the public on the role of citizens and community based associations in demanding transparency and accountability in government.
- ◆ Seek sustained engagement of community based associations in all programmes aimed at deepening democracy.
- ◆ Produce a directory of community based associations in different parts of the country to facilitate engagement and networking with civil society, government and development partners.
- ◆ Liaise with other stakeholders to develop early warning systems for conflict prevention in communities.

Town Unions and Community development associations should:

- ◆ Embark on sensitization and education of their community members on the rights and duties of citizens in a democratic society.
- ◆ Create platforms for engaging aspirants and political parties with a view to developing a social contract between the community and political actors.
- ◆ Getting involved in process of screening of prospective candidates for various elective positions.

C. Strategies for engaging the legislature in deepening democracy in Nigeria:

This last topic was led by Mr. Awal Musa. He regretted that since 1999 there has been a gap between the civil society and the legislature. Civil society must engage the legislature to do their work. The media must also be up and doing especially in the area of investigatory reporting on the activities of the Legislature.

Challenges:

- ◆ Poor engagement between civil society and the legislature
- ◆ Overbearing influence of the governors and political parties on legislators
- ◆ Capacity deficits in the legislature in performing both law making and oversight functions. Many legislators are not well equipped for the tasks of legislation.
- ◆ Poor knowledge among civil society and the general public on the workings and roles of the legislature
- ◆ Disconnection of the people from the legislative process and poor consultation of public during law making processes.
- ◆ Lack of effective legal framework for institutions for vertical and horizontal accountability.
- ◆ Unrealistic and undue public expectation from the legislators which pressurize legislators to make unfounded electoral promises.
- ◆ Absence of effective constituency liaison due to lack of functional constituency offices.

Solutions:

Government should:

- ◆ Eschew interference in functioning of the legislative arm of government.

The Legislature should:

- ◆ Enact legislations that make it mandatory for public hearings to be conducted for all legislations at all tiers of government.

- ◆ Develop effective strategies for strengthening constituency outreach of legislators
- ◆ Take measures to guarantee independence of the legislature at all tiers of government

Civil society should:

- ◆ Provide technical support to legislators and legislative staff on law making, representation and oversight functions.
- ◆ Studying and understanding of the legislative process to enhance effective programming to promote law making, representation and oversight functions of the legislature.
- ◆ Mainstream transparency in their operations to facilitate maximum cooperation from legislators and legislative staff in programme design and implementation
- ◆ Build and sustain networks and coalitions for promoting independence of the legislature especially at state and local government levels.

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