
State, Civil Society and Democratization in Nigeria

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Abstract

The paper discusses the Symbiotic and dielectical relationship between the State and Civil Society and how they have affected democratization efforts and good governance in Nigeria; especially the impact they have on electoral outcomes, the use of state power to accumulate ill-gotten wealth by political elite, manipulation of the activities of civil societies and slow pace of democratic consolidation. Having rooted the emerging problem from the relationship between the state and civil societies in colonial and post-independence experiences, the paper explains the impact of the anti – democratic nature and character of the Nigerian state on democratic rule in Nigeria.

Democratization is the process of democratizing a society or an institution. This process has often been midwived by people and groups seeking to participate in decision making process that affect their lives. Yet the process of democratization has often not been easy as different types of obstacles are placed on peoples' path by the state and its officials in Africa. Historically, the Nigerian people have always had to struggle against repressive authorities so as to be involved in governance and these struggles date back to the period of colonialism which eventually resulted into nationalist struggles for independence. Those in the fore front for the emancipation of the people were individuals and groups notably, the civil societies of that period.

However, few years after independence, the democratic system collapsed in Nigeria and in most of the countries in Africa. The collapse of civil government was hastened by determined opposition of the out-lawed opposition parties and hounded civil society groups. Thus, the stage was set for military rule which was not markedly different from the former short lived civil regime of Tafawa Balewa. There was no difference because the structures of the state were left intact and only its form was changed. But after the end of the cold war in the late 1980s, and early 1990s when the wind of democratization started blowing across the African continent, new emphasis was placed on the civil society as the agent of democratization and democratic sustenance in Africa (Bayart, 1986; Osita, 2006). This was against the background that the post colonial African state has failed to properly disseminate the gospel of democratization and that its officials have bastardized the democratic processes through violence, election rigging and non adherence to the rule of law (Time Magazine, 2007; The Economist, 2007).

In view of the above explanation, coupled with the importance placed on the role of civil societies in democratization process in the Third World, as well as, the undeniable role of the state as custodian of political power, this paper explores and analyzes the symbiotic and dialectical relationship between the State and the Civil Society and how these have affected democratization and good governance in Nigeria. This is necessary given the State penetration of the society manifesting in weakened institutional structures and incessant military rule and its 'unending transition to civil rule programmes in Nigeria and most parts of Africa' (Afolabi, 2006). Thus, the paper also seeks to investigate the connection between the state and civil society with the implication of their mutual interaction on the sustenance of democracy in Nigeria.

Issues in State and Civil Society: Democracy in Focus

Democracy means different things to different people. Globalization of ideas and the need to justify totally different regime types as being democratic has created confusion about the meaning of democracy (Held, 1996; Ake, 2000; Dunn, 1996; Afolabi 2006). Yet, democracy as a set of ideas and a system of rule refers to the rule by people or individuals who exercise the power of ruler-ship by the consent of people (Ake, 2000). Depending on one's ideological persuasion, positions have emerged to define who the people are and the limits of their participation in the affairs of the state (Schumpeter, 1976; Dahl, 1989; Shapiro, 2005). It is also instructive to note that positions have emerged to define what constitutes the meaning of government by and for the people (Lijphart, 1996; Joseph, 1987; Lewis, 1965).

However, no matter the position adopted and endorsed, critical factors such as the State and Civil Society have been identified as being of paramount importance to the establishment of a democratic system and its continued sustenance for good governance (Diamond, 1994; Diamond, 1996; Linz & Stepan, 1997). This identification, of course, is crucial to any study of democratic rule in Africa where the State controls virtually all levels of economic and political life. Also, given the

colonial heritage of the State in Nigeria and the rest of Africa and its perception as a brute force/ oppressor, questions are being asked about the character, nature and structure of the State in relation to democratization aspirations. These questions are pertinent in view of the democratization wind that blew and is still blowing across the African continent and the perception that democratization processes and rule have not yielded the promised dividends (Olaitan, 2004). In fact, there is the growing perception that the democratization process has been bastardized with blatant election rigging and the personification of the state by individuals especially the President, resulting in civilian dictatorship across the African continent.

Conceptualizing the State

It is proper to say that the concept and definition of the state is very versatile and does not lend itself to easy explanation. The perception of different people and scholars on what the state means or might mean have given room to numerous explanations. For some, the state is an ideal, an abstract while sometimes it is seen as a “regime, at other times as a socio-economic class, or a set of values” (Rousseau 1989; Lentner 1984; Higgins, 1997). Yet conceptually for some, the state might be seen as a concatenation of four frames: leader, regime, administration and commonwealth. These frames may or may not overlap (Giddens, 1985, Grindle, 1996). Thus, specifically, Krasner (1984:224) believed that the state can be conceptualised in four different ways:

- a) The state as government or regime which means the personnel who are in positions of authority of the state;
- b) The state as a ruling class;
- c) The state as a coherent administrative apparatus or body with rules and regulations;
- d) The state as a normative order

The state may also be seen from three angles: normative, descriptive and methodological (Stepan, 1978). Therefore a state can be defined in terms of its essence, organization, or functions (Barry, 1981:47). But irrespective of the way a state is defined or seen, the basic understanding is that the state possesses, at least, the power to regulate the conduct of people in the public arena and much more in the pursuit of power for public office especially in electoral matters. Indeed, the concept of the state is mired in definitional and conceptual difficulties and confusion. For instance, when a state possesses and is accorded the right as a sovereign political entity in international public arena and law, that state is seen as a sovereign state. In another sense, the state could also be seen as a polity especially in Sociology and Political Science while, a nation state would suggest a state which coincides with a nation. Another view of the state is to see it as political units or component state (s) of a federal state like it obtains in Nigeria and USA just to mention a few, while a state in law would refer to a well defined entity possessing its own laws and courts with legal and competent jurisdiction (Nettl, 1968; Abrams, 1988).

According to Max Weber's influential view on the state, he defined the state as that organization that possesses "monopoly on the legitimate use of physical force within a given territory" (Weber, 1994). Therefore, the state is an entity that has sovereign over its members in a well defined territory with rules and regulations to guide its conduct with corresponding duties and responsibilities. Hence the state is the continuous administrative, legal, bureaucratic and coercive system that attempts to and actually structure relationships between the people and public authority and within the society as well (Stepan, 1978). Therefore, the state has and do play a lot of roles in the society especially in the democratization process. These roles and the pervasive influence of the state on virtually all matters as noted by Miliband (1969:1) who urged that: It is possible not to be interested in what the state does but it is not possible to be unaffected by it.

This position has also been supported by Higgins (1997:267) who went beyond Miliband to elaborate on the crucial and almost all encompassing role of the state in the daily and political life of its citizens. Hence for him:

The state has become a consistent presence that affects our daily lives almost constantly. We have our births recorded and certified by the state, and our marriages authorised and enacted by the state; our education is often funded and almost certainly state assessed.....Our lives are governed by the Extensive laws of the state which tell us how long we can work for, at what age we can engage in certain types of behaviour and, in some cases, whom we can marry, how many children we may have and what type of food we can eat

Yet it should be noted that the state is not an island in itself nor does it stand in isolation from other groups within its defined territory. It interacts with, and influences individuals and other groups within the same environment, and shapes and conditions their behaviour and is in turn influenced by these individuals and groups (Midgal, 1985; Midgal, 1987; Skocpol, 1985, Grindle, 1996:3). Thus, whatever position adopted on the issue of the state, either from the Liberal or Marxist perspectives or any other view point for that matter, the influence and power of the state in modern societies cannot be wished away (Skinner, 1989; Miliband, 1969, Poulantzas, 1972, Skocpol, 1985; Mitchell, 1991;)

The African State and Democratization

The state, as earlier noted, performs important roles in shaping and influencing the behaviour of its citizens. As the one with legal backing for the use of force, it has abundance of resources to get its will done irrespective of the strength of the opposition to it or its actions or inactions. Thus, the place of the African state in electoral matters cannot be over-emphasised. The three critical areas of essence, organization, or functions of a state have to be applied to the issues and definition of the African state for a proper understanding. According to Alavi, (1998) the African state or more appropriately, the post colonial state is much more developed beyond the control of a dominant class or group. The import of Alavi's argument is that though the African

state is a product of colonialism, it is not in its entirety hostage to a dominant group within the society. But that does not remove the fact that the African state could be and is captive to more than one group in the society. However, in spite of this fact, the African state is very powerful. In other words, the African state has a very large organizational structure that makes it very powerful. Hence, Olaitan (2005) believed that the African state is 'remarkable for its enormous and untrammelled power over the people' while Callaghy (1988) sees the African state as a 'leviatan state.

But several scholars have disputed that conclusion. For them, there is a contradiction between the powerful organizational structure of the generality of the African state and its inability to command obedience to its laws, rules and regulations and therefore engender democratization. Therefore, the African state, though very powerful, is very weak and unable to enforce its laws and get people to obey its orders (Olaitan, 2004; Bayart, et al 1999, Clapham, 1996). That is why Bratton (1989) has argued that "the African state is weak by any conventional measure of institutional capacity'. This position has been supported by Ake (1996) who believed that the state in the proper sense does not exist in Africa. Expounding this argument further, Ake contended that

There is hardly any rule of law, no plausible system of justice, no transparency. The coercive institutions of the state are above the law, civil society is below it, and ordinary people are out of sight, far beyond its protection. The judiciary is dissociated from justice, and the bureaucracy is oppressive and arbitrary. The state, like the colonial state before it turns on the calculus of strength (Ake, 1996:6-7).

Thus, the state in Africa gives the image of a powerful but chronically weak figure that does not have the respect, authority or the will power to compel obedience to its rules. It is important to note that the reality of the African state is that even the power it possesses are often used in the negative sense where state officials are the ones mostly engaged in illegal activities like corruption and other social vices including, but not limited to election malpractices. And because they get away with almost all, if not all of their illegal activities, such pattern of behaviour is often repeated and replicated in the society. Hence,

Because the political terrain is so repressive, hostile uncertain, unstable and undemocratic; the state, its custodians, and agencies have been unable to contain or mediate the forces of economic, social and political decay and disintegration. Elites loot the treasury because they can get away with it. The dominant classes privatize the state and its resources because civil society is weak and highly factionalized (Ihonvbere, 1995:146).

So in terms of organization and power, the African state is powerful, at least in terms of the large presence of its institutions and officials, but weak in getting its orders obeyed. As respect of the essence and functions of a state, the African state is weak. But its weakness is just a symptom of a deeper malaise. The African state is a non

functional institution which cannot meet its simplest obligation of gate keeping function, that is, law and order (Zartman, 1995). The African state does not function in any traditional sense of how a state should function due to its limited or non-autonomous nature. The centre of power within the state structure is highly fragmented as the case is with the ruling elite also. This has made the state not only weak but seen as a toothless bulldog as well as an arena or space where funds could be easily accumulated (Samatar and Samatar, 2002). This perception and reality has made the African state to be attractive to all comers, especially the political class, to do anything, either through violence or electoral fraud or both to get state power and the wealth that comes with it. For Ake (2005)

In the absence of autonomizing mechanisms in the Post-colonial state, the resources of physical coercion, becomes the tools of particular groups, especially the Hegemonic factions of the ruling class, and the affinity between the coercive institutions and these hegemonic has inevitably become particularly visible

This has often led to the states being plundered, pillaged and collapsing (Rotberg, 2004). Thus, most African states have been labeled failed or collapsed states.

But it should be noted that the states in Africa have not always been collapsed or failed states inspite of their colonial origins. The critical junction at which this failure starts could be located at attempts at conducting elections into governmental or state offices. Elections from the beginning, have been problematic and this has caused untold problems for proper functioning of the state. These problems or what Tetzler called state failure has two dimensions. One is the loss of legitimacy, that is, the gradual attenuation of the authority of the state due to refusal of dissatisfied citizens to obey the state on the grounds of their perception that the state is incapable or repressive or both; and the other is loss of efficiency, that is, the increasing malfunctioning of the state-which may be due to lack of resources or debt or moral burden- in many areas which makes the state irrelevant to the citizens (Tetzlar, 199:34-47).

The society relates to the state in three basic ways. The first is through resistance of state influence and power. When individuals and people see the state penetrate into their lives, or their private domain invaded overtly or covertly, they put up resistance. This has happened time and time again especially in the Niger Delta area of Nigeria. The second way is through disengagement or withdrawal of individuals and groups from the operations of and positions in the state. And the third way is through incorporation. This happens when significant proportion of the population feel that it pays them to associate with the operations and activities of the state in order to derive certain benefits (Midgal, 1985; Azarya, 1988). It should be said that the incorporation of state and people in form of patrimonialism have destroyed the autonomy of state (Callaghy, 1988; Grindle and Thomas, 1991).

Even though the three ways are present in African states, the most prominent of these is incorporation because the African state, due to its weakness and because it is

not autonomous in its actions, is seen as an easy avenue for wealth accumulation by the generality of the people. These perception and reality, has therefore made the issue of elections and the right it confers on winners of elections, a do or die affair. Indeed, the African state including the Nigerian state, is the prime place for private accumulation of wealth (Olaitan, 1995) and all means, including undermining the electoral process, are often adopted to get or retain power by the political class and their supporters such that the legitimacy and authority base of the state is weakened and ultimately, destroyed. This scenario is what has made some scholars to label many of the African states as failing or failed states which involves a 'situation whereby the structure, authority, laws and political order have fallen apart, and must be reconstituted in some form (Rotberg, 2004).

In conclusion, the historical antecedents of the African state, its weakness and non autonomous nature as well as its undemocratic character, not to mention the state perception as an avenue for private accumulation of wealth, has made the issue of elections and democratization problematic. Where there had been attempts at electioneering, its success has been little, if not zero, because of the afore-mentioned militating factors. The failing or failed state of the African states has also not helped matters, especially on democratizing the public space for more participation by the mass of the people.

The Nigerian State and Civil Society: An Over View

It will be useful to begin the discussion on this section with a brief account of the evolution and nature of the Nigerian State. This is because the composition and structure of the Nigerian State, like that of any African State, is fragmented and not homogenous. The fragmentation and divisive nature of Nigerian society and politics have impacted heavily on the sustenance democracy in Nigeria. The Nigerian state, as is the case with many African States, is largely a creation of the colonial powers. The Nigerian state developed from a cluster of trading posts founded by the British merchants in their quest for raw materials to supply their industries and factories abroad. The Berlin Conference of 1884 to 1885 partitioned Africa into colonies for the European powers and Britain was recognized as the colonial power in charge of the territory today known as Nigeria.

The Administrative control of Nigeria began in 1900 after the resistance of several communities and chiefs had been quashed. As noted earlier, the main interest of the colonial powers was economic. The administrative style used to achieve this was the indirect rule system. This system involves the use of traditional rulers or chiefs appointed or created by the British rulers to govern the people. These traditional rulers were expected to be loyal to the British administrators. Thus, for Michael Crowder (1978:189), the British neither "deliberately nor unconsciously attempted to alter the Nigerian society except in so far as customs which hindered trade or where practices such as human sacrifice existed which were openly repugnant to them"

A by-product of the colonial rule, which had great impact on the politics of post-independence Nigeria and especially on the democratic system, was the alienation of the people from their government and rulers who were maintained in power through the threat or actual use of force-to subjugate the people to continued domination. A chief, as long as he remained loyal to the colonial masters was sure of his throne even against the expressed wishes of his people. The alienation of the people from government ensured their political demobilization and exclusion from participation in the political process and governance. The people were not consulted when most of the decisions that affected them were taken. This was often done without taking into consideration the peoples' preferences.

In furtherance of this alienation was the establishment and use of the Native Police- an organ of the Native Authority- that was used to threaten, maim and kill the mass of the people with open consent of both local and British rulers. These rulers, it must be noted, represented the emerging Nigerian state. The brutality and alienation as pointed out above marked the beginning of a suspicious relationship between the state and the people in Nigeria (Dudley, 1982: 42-43).

The end product of the alienation of the people was the fierce agitation for increased participation in the governance of the country. Since the colonial experience in Nigeria was similar to that of other British West African countries, the elite joined forces together to protest the colonial policy of exclusion and in the process, formed the National Congress of British West Africa to fight for greater incorporation into the Colonial Administration apparatus like the civil service and election into the legislative council (Dudley, 1982: 43-44). Most of the groups that pushed for most of these reforms and fought for independence were civil societies of that period.

Therefore, the role played by the civil society resulted in the formation of political parties and several socio-cultural groups that pushed for the emancipation of the people from the internal slavery. Of particular interest were the efforts of these socio cultural groups and the mass media of that period including the Pilot Newspaper towards mass protest and resistance that eventually transformed into nationalist struggles for independence. However, the independence secured in Nigeria, like that of other African states did not last resulting prematurely in coup de tat and prolonged military rule (Afolabi; 2006; Awofeso, 2003). The period of the military marked the rebirth of the civil society to start the fight for second independence of Nigerian people from internal colonial masters. As earlier said, the collapse of the democratic experiment so soon after independence and the 'unending military rule', provided the platform for the quick development of the civil society in Nigeria. By the time when the military reluctantly relinquished power in 1979, the features and character of the civil society in Nigeria was already formed.

From the mid 1980s, the character, confidence and boldness of the civil society increased considerably. A lot of influential Nigerians and some members of the elite

came together and various shades of the civil society emerged. Not only was the emergence basically devoted to the establishment of democratic system from the early 1990s, its operation and focus was also directed at alleviating the suffering of the people by focusing on health, education, good governance among others. These civil societies include the Mass Media, Campaign for Democracy (CD), Committee for the Defence of Human Rights (CDHR), Nigerian Bar Association (MBA), Nigerian Medical Association (NMA), Nigeria Labour Congress (NLC), and others. Later, the National Democratic Coalition (NADECO), a coalition of civil societies in the late 1990s battled the Babangida and particularly the Abacha's regimes to a standstill in pursuit of the establishment of democratic rule.

However, the constant battle between the Nigerian State and civil societies has created a lot of problems within the civil society movement in Nigeria. There are now many kinds of civil societies that are 'uncivil' in their conduct and operation. Some are even agents or apologists of the state or whoever is in government. The creation of 'civil' societies by the state to champion its cause as well as the creation of 'civil' societies by foreign power to pursue certain vested interest has served to limit the effectiveness of the body of civil societies in Nigeria. The by product of the political and economic manipulations of civil society by the state in Nigeria created a civil society that is structurally deficient, politically polarized and unstable; and economically tied majorly to the apron strings of state and western donors, thus affecting negatively the democratization drive.

Conclusion

This paper has examined the issue of state, civil society and democratization in Nigeria. It has noted that the state in Nigeria, like many African states, is very weak though powerful. Because of the sheer amount of power and wealth at its disposal coupled with its flawed origin, the Nigerian state is and has been the centre of attraction for all comers, even for those with anti democratic credentials. This, of course, explains the anti democratic nature and character of the Nigerian state.

However, civil society emerged in Nigeria basically to challenge the myriad of problems created by the colonial and post colonial state in Nigeria. It was initially tentative, then matured and confident but later became polarized and without any clear cut direction or even ideology! Part of the problems of the civil society was the emergence of state sponsored 'uncivil' civil societies as well as others financed by Western agencies. The public knowledge of these facts created doubts in the public mind and consequently reduced their ability to mobilize the mass of the people and their effectiveness. Therefore, the combination of all these factors has slowed down the democratization process in Nigeria. It has also affected the democratic rule as the civil societies that should be in the forefront for the fight for dividends of democracy to get to the people are in a state of comatose and nowhere to be seen.

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