

## **Good Governance and National Development: A Critical Review of the Odds and Prospects for Nigeria**

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### *Abstract*

For nearly two score and fifteen years, Nigeria has been wallowing in an endless sea in search for progress, groping for some workable ideology or ways to magically pull her out of the ocean of injustice, corruption, and underdevelopment. Such wish, condition and ideal may never realize unless the effort first of all understand the essential platform of traditional societies in Nigeria's traditional setting, re-interpret Nigeria's colonial experience, and re-assess previous but futile attempts at redressing the palpable infamies. Interests and researches in those areas abound; and such is the terse imperative of this article. The goal was to fathom some desirable and workable scheme for the possible re-direction, sailing and stirring of the Nigerian state. In the end, it was discovered that the odd or bane of Nigeria's development is corruption and lack of commitment to justice; and the prospect is contrive workable scheme to eradicate injustice and corruption. To this end, recourse to traditional oath-form was (and commitment to the ideals of the UN-MDGs) was suggested.

**Keywords: Government, governance, philosophy, state governance, oath-taking.**

## Introduction

For every nation-state, government is the standard institution for governance and administration. A certain government may be said to be good or otherwise. Therefore, the questions that become necessary to be posed directly are: What is government? And what is good governance? Given that government is “the institution conferred with the obligation to govern upon certain rules and responsibility” (Garner, 2009), could it be reasonably claimed that Nigeria has ever experienced good governance? The answer for me is “no”. Now, admitted that while the institution of government may be said to be relatively permanent, the nature and performance of governance certainly vary from one society/state to the other—even though there could be some common basic indices of such. Importantly, the ideological stance and quality of the political class of a particular society could form the strength and direction of its governance. Historically, every society desires peace, order and development and thus evolves a system or structure, which incorporates both individual freedom and a fair distribution of material goods amidst workable socio-economic and political values. In other words, civilized society understands the need for, and is always prepared to affirm, a characteristic set of principles for assigning basic rights and duties and for determining what it takes to be proper distribution of benefits and burdens of social cooperation and power. The Nigerian state, for example, has lurched over indeterminate and creepy principles of governance since independence. The apparent cause of this infamy is a notorious non-adherence by successive governments to any known civilized principles of state governance that could institute desired social order. To reasonably hold and adequately articulate this claim, there is the need to explain the meaning and province of government and good governance. Accordingly, the perceptible and veiled historical odds against (and the prospects for) achieving the ideal of good governance in Nigeria shall consequently be indicated. The present paper is committed to doing this—it puts to perspective and analyzes the relevant concepts and their interrelationships.

Whereas it could almost certainly be said that government is essential for the proper organization of the state and maintenance of social order, and whereas common principles/conditions for its recognition (territory, people, control, law, etc) are clearly set out, it is only unfortunate that the core principles of governance are various from one state to another; and clear certain fundamental principles of governance need to be set forth. For our own, we need to historicize and put to perspective the nature of Nigeria’s political trajectory and point out, accordingly, some fundamental flops and odds in her experiment of state governance. We shall argue towards the conclusion that, given an improved educated citizenry, accountability amidst performance, socio-political awareness and consciousness, there is a strong indication and prospect for improvement

on the process of and strove for governance in Nigeria. In the end, several luscious and lateral options would be suggested towards achieving this goal. This evaluative process could begin by definition of our key concepts.

*The State.* State is the “political system of a body of people who are politically organized” (Garner, 2009: 1,537). To Hegel, the state is the consequence of the immediate, moral, and natural phase of man—the family. It is an association of self-sufficient individuals in a universality and abstraction, brought together by some legal order/system (constitution) and common needs/security (of life and property) to ensure substantial universal order and public life (Hegel, 1821). Some examples of state include Ghana, Britain, France, Israel, and Nigeria.

*Nigeria, the Federal Republic.* The “one indivisible and indissoluble Sovereign State to be known by the name of the Federal Republic of Nigeria” and consisting of 36 States and a Federal Territory (The 1999 Constitution).

### **Governance: Meaning, Types and Levels**

In contemporary time, the concepts *governance* and *good governance* are being progressively more discussed in the fields/philosophy of law, ethics, politics and development; most nations and many financial bodies of the world and other major donors and international financial institutions are currently more concerned with giving of their aid and granting of loans on the condition that beneficiaries engage on reforms that ensure "good governance". But what does "governance" and "good governance" mean?

Succinctly put, and although the concept of governance is not new in political discuss, it relatively has gained more prominence in recent times. Clearly, "governance" means: the process of decision-making and the process by which decisions are implemented (or not implemented?). Governance can be used in several contexts such as corporate governance, international governance, national governance, and local governance. In this way, an analysis of governance focuses on the formal and informal actors involved in decision-making and implementing the decisions made and the formal and informal structures that have been set in place to arrive at and implement the decision. At the nation-state level, government is the major actor in governance; other actors are mainly its organs or agencies. Yet some other actors involved in governance vary depending on the level of government that is under purview. Still at the national level, in addition to the above actors, media, lobbyists, international donors, multi-national corporations, etc. may play a role in decision-making or in influencing the decision-making process. Beside

government and its organs, such as the military, all other actors are grouped together as part of the "civil society"—including lobbyists, pressure groups and propagandists.

Etymologically, the word *governance* derives from the Greek verb *κυβερνάω* [*kubernáo*] which means *to steer* and was used for the first time in a metaphorical sense by Plato and adopted by other languages (web, 2011). Ever since, governance has come to mean the act of governing and relates to decisions that define *expectations*, grant power, or verify performance; consists of either a separate process or part of management or leadership processes; involve processes and systems that are typically administered by a government. Most generally, "governance" is what a "government" does. It might be a geo-political government (nation-state), a corporate government (business entity), a socio-political government (tribe, family etc.), or any number of different kinds of government, but governance is the physical exercise of management of power and policy, while government is the instrument (usually collective) that does so. Government refers to the "structure of principles and rules determining how a state or organization is regulated...; the sovereign power in a nation or state; and an organization through which a body of people exercises political authority" (Garner: 764). Such "body of people", however, must be recognized or so empowered. The term government is also used more abstractly as a synonym for governance.

It could also be said that a government comprises a set of inter-related positions that govern and that use or exercise power, particularly coercive power. A good government, following this line of thought, could consist of a set of inter-related positions exercising coercive power that assures, on behalf of those governed, a worthwhile pattern of good results while avoiding an undesirable pattern of bad circumstances—by making decisions that define expectations, grant power, and verify performance. Commonly, especially in modern times, politics provide a means by which the governance process operates. For example, people may choose expectations by way of political activity; they may grant power through political action, and they may judge performance through political behavior at any level of government. Hence the World Bank defines governance as: "the manner in which power is exercised in the management of a country's economic and social resources for development" (World Bank, 1991: 1). The Worldwide Governance Indicators project of the World Bank defines governance as: "The traditions and institutions by which authority in a country is exercised". This considers the process by which governments are selected, monitored and replaced; the capacity of the government to effectively formulate and implement sound policies and the respect of citizens and the state of the institutions that govern economic and social interactions among them. Also, governance is: "the use of institutions, structures of authority and even collaboration to allocate resources and

coordinate or control activity in society or the economy" (Bell, 2002). According to the United Nations Development Programme's Regional Project on Local Governance for Latin America:

Governance has been defined as the rules of the political system to solve conflicts between actors and adopt decision (legality). It has also been used to describe the "proper functioning of institutions and their acceptance by the public" (legitimacy). And it has been used to invoke the efficacy of government and the achievement of consensus by democratic means (participation) (Applebaugh, 2010: 22).

Accordingly, governance involves politics (coercive or willful) and administration in terms of hierarchy, markets and networks—in monarchies and also in democracies. For instance, the tripartite governance of Nigeria consists of three levels of power (the Executive, the Legislature and the Judiciary/Supreme Court), all of which imply the making and application of rules for the participatory running of the state/organization (Rosenau, 1999; Smallwood, 2009). Hence, Participatory governance focuses on deepening democratic engagement through the participation of citizens in the processes of governance of the state. The idea is that citizens should play a more direct role in public decision-making or at least engage more deeply with political issues. Government officials should also be responsive to this kind of engagement. In practice, Participatory governance can supplement the roles of citizens as voters or as watchdogs through more direct forms of involvement (IDS, 2006). This implies that governance is hierarchical and ordered.

First-order governance is the level at which problems are identified and solutions enacted through interaction between the governing organization and its citizens (Kooiman & Jentoft, 2009) which helps to identify what the problem is, who is experiencing it and what an appropriate solution may be. Second-order governance implies the level at which the "institutional arrangements" are provided "within which first order governing takes place" (Kooiman, 2003: 158). Again, there is a distinct "two-way role" at this level with both those being governed and those governing having input into the process to provide an effective and legitimate institutional setting. This approach enables a more comprehensive analysis of governing interactions, as actors can often "be influenced by institutions (and the way) these help or hinder them" in the pursuit of their goals (Kooiman, 2000). "Meta-governance" is widely conceived of as the "governing of governing" (Kooiman, 2003: 170). It represents the established ethical principles, or 'norms' that shape and steer the entire governing process. Measuring governance is inherently a political, ethical, and sometimes a controversial exercise—through external assessments, peer assessments and self-assessments (Empter, Stefan & Janning, 2009). However, every state has its seat of

government—defined as "the building, complex of buildings or city from which a government exercises its authority" (Comfort, 1993). The seat of government is usually located in the state capital.

### **Modern Indices of Good Governance: A Summary**

Since the time of Athenian democracy, good governance has been associated with several major characteristics. Good governance is articulate, participatory, consensus oriented, accountable, transparent, responsive, effective, efficient, equitable and inclusive and follows the rule of law. It assures that corruption is minimized, that the views of minorities are taken into account, and that the voices or condition of the most vulnerable in society are heard in decision-making. It is also responsive to the present and future needs of society. From the above discussion, it should be noted that good governance is an ideal which is difficult to achieve in its totality. Very few countries and societies have come close to achieving good governance in its totality. However, to ensure sustainable human development, actions must be taken to work towards this ideal with the aim of making it a reality everywhere. Hence, from Plato, several theoretical alternatives have been proffered.

Drawing extensively from Socrates and his execution in 399, Plato holds that the ruler must govern in virtue of knowledge; he is who has achieved the knowledge of the truth; the man that has the knowledge of the truth is the genuine philosopher (Cople, 1985: 231) because he has an acquaintance with the world of forms. Plato, like Socrates, considered the "democratic" practice of choosing Magistrates, Generals, etc., by lot or according to their rhetorical ability. One who has come to understand the difference between the visible world and the intelligible world, between the realm of opinion and the realm of knowledge, between appearance and reality; one who has knowledge of the Good—that synoptic vision of the interrelation of all truths to each other. The ruler would have had the training in censored literature, music, and elementary mathematics, and for the next few years, he goes through extensive physical and military training; and at age twenty, a few of them would be selected to advance a course in mathematics. At age thirty, a five year course in dialectics and moral philosophy would begin. The next fifteen years will be spent gathering practical experience through public service (Stumpf, 1993: 138). In the end, at the age of fifty, the ablest men would then be ready for the task of governing the state, making philosophy their chief pursuit and, at any rate, blessed and divine. But Aristotle expects the legislator to possess reasonable practical wisdom and moral virtue founded in the law (Popkin, 1999: 95). Machiavelli and Hobbes do not simply expect the ruler to be absolute and ruthless, but Bentham and Austin add that he is who commands obedience and pronounces the law. Following Locke's 'social contract', a newer approach based on

popular participation and consent was canvassed and emerged. Ever since, other approaches to governance are rooted in democratic, socialist/communist (Marxist), anarchist, monarchist, and military traditions—though with varying degrees of popular acceptability and patronage. However, there are certain general features of governance: 1. The presence of organs of government—commonly legitimate only to democratic governance—where, as Mchristenson (Ndubuisi, 2002: 187) points out, “conformity to a higher law and governance by consent are the classical criteria... for determining political legitimacy and the obligation of citizens to loyalty and obedience”. 2. The presence of law and other rather more coercive schemes. 3. Ruler-ship and control (*de facto* or *de jure*). Nevertheless, any government must be so recognized by the international community with whom it enters into some legal and other levels of relationships. In this way, Nigeria is a clear example of a state and with a government. Now, let us put to perspective Nigerian historical socio-politics.

### **The Concept of National Development: A Clarification**

Development implies “advancement, improvement and progress in all facets of human endeavours” (Anyaebe, Abdulkadir and Alabi, 2020, 53). Hence national development refers to a “state of change in conditions or situations within a particular nation to better ones. It denotes positive changes or improvements in some or all aspects of the national life of a country”. National development comprises a combination of policies, programmes and actions aimed at solving problems of national challenges, so as to ensure effective performance of governmental agencies, the private sector and the entire citizenry. The Nigeria’s nationalist’s agitation for self-rule was directed towards achieving national development. Even after the attainment of independence, such agitation has not waned, but it has been redirected to the agitation for decentralization of the country into smaller units; such as the states and local governments. Other products of such agitation is observed in the agitation for resource control by some segments of the country, and the demand for restructuring of the country. Other agitators, though uncivil in approach are the Niger Delta militants and Boko Haran insurgents who are bent on making the country ungovernable (Anyaebe et al, 2020). The case of the Niger Delta militants have subsided in recent times owing to an appeasement programme launched by the Federal Government, which involves granting amnesty to ex-agitators, a programme that encompasses bogus social welfare and socio-economic development packages, such as local and foreign scholarship to universities and vocational training institutes, as well as other related human empowerment and socio-economic development programmes.

### **Governance and National Development in Nigeria: The History and the Odds**

As indicated earlier, in Nigeria, the Constitution is supreme and it forms the foundation and standard for governance. It, *inter alia*, provides for three-tier levels of governance— federal, states, and local governance; it recognizes tripartite main organs of executive, a bi-cameral legislature, and the judiciary; it affirms a 36 state structure as constituent Nigeria; and it prescribes a democratic ideology for the Nigerian socio-economic and political governance. However, other versions of these provisions existed in previous Nigerian Constitutions, and are, therefore, historical (The Constitution, Part 2: SS 13/14).

Before the end of the 19<sup>th</sup> century, modern Nigeria existed as communities under Chiefs, Kings, and other traditional societies where certain individuals wielded political power and ensured security; and was galvanized into a colonial entity where there was “the imposition of alien culture... produced a situation in which there developed a symbiosis in which aspects of the traditional culture and the imposed foreign culture through the medium of language, Christianity and western education were merged to produce a new culture” (Adefuye, 1992: v). To be specific, by the Amalgamation (1914) and colonial system of ‘Indirect Rule’ in Nigeria, the few emergent/favored educated elites were already pitched against traditional elites/authority; the Clifford Constitution (1922) introduced legislative council for the South only while it ruled the North via proclamation and encouraged political parties in the South; the 1946 Richard’s Constitution created three territorially and populously un-equal Regions; and, while denying bi-cameral legislation to the Eastern and Western Regions, encouraged same in the North. Macpherson’s 1951 Constitution exacerbated this condition in the allocation of un-equal representation in the new Legislative House; he thereby deepened the seed of ethnicity for post-independent governance of Nigeria.

Post independence life and emergent culture aided by the traditional culture had its effects on the building of the new nation and attempts at governance made by the new leaders of the newly independent Nigerian state. And given the artificiality of the political structures and regional boundaries of inherited amalgamated territories, the inviolability of which was confirmed by the Independent and various post-independent Constitutions, attempts to build and govern a united country out of the myriad peoples and cultures produced leaders with primordial (rather than civic) sentiments, weird policies, disenchanted citizens, apathy, irredentism and leading to inevitable failure. This would mean that the very fabric of the Nigerian state was built on sinking sands. And this fact reflects in the subsequent developments in Nigeria’s political history. The ugly state of affairs was worsened by the fact that the new leaders seemed to have expended, dissipated and exhausted their energies in their fight against colonial rule, liberation movements and their



lack of clear-cut united post-independence ideology; they were bewildered, sunk in and simply satisfied with power (Amin, 1998: 22). All these culminated in the bloody civil war that lasted three years but which could have been averted had there not been crises in the AG, the 'rigged' 1964 federal elections, the falsified figures in the 1962/63 census, the January 15<sup>th</sup> coup and subsequent mass killing of the Ibos up north amidst breached political promises. Ever since, the major ethnicities deal suspiciously with one another. All these developments had adverse implication for governance.

The immediate result of the foregoing is corruption—whether endemic, planned, or developmental, the political leaders of the First Republic became corrupt. This attitude was worsened by their ill-implementation of the already exploitative capitalist ideology purportedly adopted by successive governments; by the demands of and commitment to extended family (which expect public officials to 'steal from the civic for the benefit of the primordial society'); by low wage, poverty and economic crunch. In fact, corruption of the political class was what led to the return of the military in 1983—even though the new rulers themselves wallowed in it. The dance between successive civilian and military governments produced no consistent ideology and philosophy for the Nigerian 'project democracy' (while the republics purportedly radiated capitalist tendency, the military juntas clearly had no ideology whatsoever). After all, what is federalism in the face of military dictatorship—no matter its disguise? However, the politicians' and military's affluence ignited the lure and lust for money among every Nigerian youth; and this desire has eaten deep into fabric of the Nigerian society.

The nearly obvious laxity discussed earlier on ignites the question whether the union called Nigeria is truly unitary or truly federal; the unclearly defined union breeds a lacuna, and remains a bane of governance in post-independent Nigeria. And ethnic nationalism, religious plurality, non-performance by successive governments, high costs of governmental spending amidst deficits and poor fiscal discipline, less visionary leaders, and other defects filled-in the missing gap. The odds with the Nigerian experience with governance also include bribery, political violence, gender discrimination and insensitivity—as Maurice Iwu states them (OITD, 2008: 20); the devolution of wrong/unworkable (or lack of) fiscal policies leading to untold hardship, hunger, want, degradation, criminalities/immoralities amongst religio-political intolerance and violence, insecurity, high poverty rate, lack of enlightened/educated leaders/followership (because there is scarce awareness of political participation besides 'doctored elections'; no public awareness of the need of government observance of the rule of law; no awareness of their role in promoting human rights, equal justice, and of demanding transparency and accountability). These defects are coupled with the eroding or loss of our traditional

spiritual power and its application (Awolowo, 1981), and political unawareness, necessitating a degeneracy into the Hobbesian “state of nature”—where peoples’ lives remain not only short, but also importantly, “solitary” (i.e., not even weakly social), “poor” (i.e., not commodious) uncertain, nasty, brutish and short (i.e., uncultured, uncivilized and unfitting for a human being) (Lloyd, 2009: 120).

Another major problem with governance in Nigeria is the issue of (true) federalism. The relationship between the constituent States and the federal government of Nigeria is defined by Parts I and II of the Second Schedule of the 1999 Constitution—specifying the “exclusive” and “concurrent” lists respectively. The statement clearly puts the federal far ahead the federating states; it requires federal sourcing of natural resources and to allocate (quarterly or monthly), a portion to the states and local governments—while it (federal) retains a greater substantial amount. By this practice, Nigeria has since abjured the (1946) Sydney Phillipson Commission’s, (1951) Hicks Phillipson’s, and (1954) Louis Chick’s recommended principle of ‘derivation’; (1958) Jeremy Raisman’s principle of ‘need’; (1964) Binn’s principle of ‘population’; (1968) Dina’s principle of ‘development’; and presently adopted the (1980) Okigbo Commission’s multiple principles’ of derivation, equality, population, and need—which thrives in percentages—as principles/bases of revenue allocation. Yet true federalism expects that states/federating units exploit and pay tax/royalties to the federal. The present practice ignites ethnic nationalism, imbalance/excessive dependence on the federal government and so governance at the state level is at the mercy of the federal government. The formula invites falsification of census figures and further agitations—while the processes and struggles constitute formidable impediments to governance in Nigeria.

Thus, the question could be asked: Is the dysfunctional governance in Nigeria a result of the system of government adopted? The answer, for me, is no. Any system is workable, depending on the zeal of the political actors and the will of the governed. Enahoro (1986) puts it aptly when he says that the bane of governance in Nigeria is not

...the operation of the parliamentary... or the presidential system of government...Nigeria has been subject to strains and stresses caused by the peculiarities of the Nigerian situation... our sheer inexperience, the unwillingness of (some) political leaders to make the personal sacrifices necessary to unify the highest levels of government, the functionaries unfamiliar with the give-and-take of liberal democratic politics.

Unfortunately, this constraint could be traceable to lack of faith in the project Nigerian by her successive leaders. Perhaps what Enahoro should realize is that some systems are more readily adaptive than other. Also, Nigeria has a history of monarchical societies: traditional and colonial; it could, perhaps, fair better under democratic monarchism. Hence, zealous to bring about effective and people oriented governance, Awolowo had proposed 'socialism'; Azikiwe developed 'neo-welfarism' ("adopting the best principles of capitalism and socialism and welfarism to our own indigeneous way of life") (Oniororo, 1979: 61); Zik further proposed 'diarchy' where the leadership and heads of the military/armed force are adopted as members of the government to act as vigilante only set in and change corrupt/inept governance (Oniororo, 84); but Waziri preferred an 'English strand of socialism'; Aminu Kano canvassed change and rule by "the people's revolution"; and Shagari would adopt 'African socialism'—even though he himself and members of his administration of the 2<sup>nd</sup> republic were in-deep in capitalist corruption; and others could not have a taste of governance beyond their regions.

A serious bane of governance, apart from poverty and corruption which have dire implication for the practice of democracy in Nigeria, is the peculiar nature of our state institutions which makes them unreceptive to western style democracy. Successive Nigerian rulers have vacillated between the traditional authoritarianism, the mode inherited from the erstwhile colonial rulers', the intermittent command structure and authoritarianism of the military with which they have affinity, contact and exchanges since independence (Offor, 2006); there, has been no ideological consistency. Expectedly, such heavy doses of authoritarianism (a perversion of the tenets of liberal democracy), many believe, significantly contribute to the present stagnancy of democratic governance (and much of Africa). Besides, the Nigerian attempt at liberal democracy has been counterproductive—perhaps partly because what obtains in Nigeria (Africa) is not what obtains in the West: "the generalization of commodity production and exchange (and hence a market economy), the social atomization and organic (mechanical?) solidarity and ...a developed system of capitalist production (Ake, 1992: 3-4) is absent in African (Nigerian) historical experience; therefore, any attempt to apply or portray any African state on the tarmac of liberal democracy could fail.

### **Governance and National Development in Nigeria: The Prospects**

However, the superfluity of problems with Nigerian experience of governance is not desirable and several futile attempts/measures had been adopted to tackle them. And the Criminal Code of Nigeria classifies offences incriminating activities. It expects that proven corruption ought to be prosecuted. Hence Nzeogu and his cohorts meant to eliminate the "swindlers and profiteers" in government in the January 1966 coup; though this goal was

not entirely achieved, however, the 'corrupt' government was changed. Muhammed, Buhari, Babangida, and Abacha (as military rulers) variously constituted harsh laws against corrupt practices and indiscipline—even though most of them were infested by the virus and got sunk in the menace. Towards resolving this melancholy, Obasanjo (1999/2000) established the Economic and Financial Crimes Commission (EFCC), the Independent Corrupt Practices Commission (ICPC), and the Freedom of Information Act (FoIA), 2011 was put in place. Experience has shown that these measures have since become deceptive frivolities and toothless bulldogs, and have failed in their natures and workings. Hence individuals, several national and foreign 'Rights' groups and religious bodies have challenged and fought against corrupt leadership in Nigeria—though with little but sensitizing successes.

However, there are strong prospects for improvements on governance in Nigeria. In addition to the indices of good governance (mentioned above), any government in Nigeria could fair better on the grounds of performance (Rawls' eternal life plan, security and welfare/needs), and transparency/accountability. The foundation for this is education of the citizens/rulers—that is revivifying Plato's *Philosopher King*. From experiences, the terms of the deals with international financial institutions are burdensome and seem imperialist. There need to be resistance to imperialist tendencies and foreign control of the dynamics of Nigeria's internal governance; such resistance and zeal is the hallmark of sovereignty; it would mark a commitment to 'taking the bull by the horns' in view of our domestic social, political, religious, and other traditional peculiarities.

Traditional Africa has its indices and rhythm of good governance. Rather than the mimic of foreign models, "which is in-authentic and a veritable expression of mimetic philosophy" (Mogobe, 1992: 8); we must recognize the dwindling and un-steady nature of our (Nigerian) GNP/GDP since independence. Liberal democracy is too individualistic and expensive; it is worse when it is perverted. Social politics in traditional Nigerian societies involve participation and tolerance, consensus and cooperation, compromise and accountability. As John Ekei (2004: 454) says, "Accountability marked traditional governance. It was a duty done on behalf of the ancestors and human community." Another major cause of poor governance in Nigeria (and Africa in general) is the absence or tolerance of criticality (by the self and by others) of opinions on government policies and practices. Constructive criticism is productive. Tolerance of criticism is a bridge against a slip into a false sense of security/illusion; it marks a mark of acceptability and a test for progress. Critical ability and tolerance among the citizens and government needs to be encouraged.

Another important prospect for advancing governance in Nigeria is the development of appropriate technology. This would enhance performances in the power, agricultural, educational, communication, transportation, and other sectors of our body politic. The impact of this is that it will bring about comfort and convenience to the lives of citizens.

Importantly, no nation develops with just improved infrastructure but no corresponding development/encouragement of effective decent moral values and practices. In contemporary times, it appears that individualism, egoism, selfishness and overriding exploitative tendencies have taken the place of the much esteemed, cherished, and effective African values of good neighborliness, communalism, hospitality, respect, decency, responsibility and trust. These traditional values should be exhumed, revived, taught, and applied in our dealings beyond our homes in public affairs; they do not falter, they plaster. For example, it has become a norm to be faithless to oath of allegiance; revivifying and applying traditional oath-practice is required for public officials to be grafted to conformity by compliance in the fear of the wrath of efficacious oath. This would be a unique tackle of the immense Nigerian peculiarity of massive corruption in private and public life. Doing this would amount to a blend of traditional/informal measures with modern complex societies as formal agents of social control. Moreover, this would lead to public trust, developmental performance; this would be reflective of and as base for a new legal system that would be a complement to public morality—beginning with knowledge of good and evil (though with a preference for the former) (Ojior, 1996: 155). Hence some prominent African philosophers (Wiredu, 1993; Oladipo, 1995/2006; Gyekye, 1997) have canvassed the need for such enculturation without compromising basic our identity—even though they do not tell us what aspects of traditional African culture apply vis-à-vis modernity.

Moreover and essentially, the problem of budget delays and non-compliance with its implementation is a virus that must be eliminated for the nation to operate a sound fiscal system. Government must lead and encourage the citizens by its example. Laws of efficient corporate governance and corporate social responsibility especially for government corporations must be established. Government agencies, establishments and systems should be required to perform; appointments should be based on performance-contract. Towards achieving the ideal, Nigeria needs to institute harsher laws to deter corruption in public governance. Accordingly, we believe that firm laws can deter corrupt minds from actualizing their immoral potentialities; with Okonjo (2000: 5) that

...no nation in the world today has been able to accumulate material wealth and improve the quality of life of its citizens and become an

industrial and advanced nation without giving its citizens...years of schooling and skill training.... Countries pump in money to enable the universities and research institutions have answers to the problems of their societies.

The Press and other Mass media need and should herald this and government agencies should be committed to exposing corruption in government circles. The immorality and irrationality of corrupt practices need to be taught to our students from early stages. In fact, courses in ethics and morality should be included in our secondary (high) and higher education curricula. This means that there should be moral education in our schools (and the mass media to citizens) on the evils of corruption (even though the pains and pangs are everywhere felt). There is need to re-orientate the older and inject new breed into government who are prepared to dedicate their services to the course and goal of governance; this would prepare the youth for future governance and leadership.

On the moral and political plain, there should be a modification of political ideology in the governance of African states which must reflect some basic African traditional realities and values of truth, faith and duty.

On the economic and financial sphere, adequate schemes for Fiscal Transparency and effective guidelines for dept management and principles of corporate governance, measuring up with International Accounting/Auditing standards, should be developed urgently; good and core principles for effective banking and supervision, stiff anti-money laundering laws and stern principles for Securities and Insurance (which are the hallmark of Accountability) should be developed and applied; this is because prudent financial management is also a hallmark for good governance.

Finally, irrespective of their excuses, justifications, rationalizations, apologies and other forms of account-giving behavior by individuals and corporations, culprits must be seen or made to be responsible for their misdemeanor. To this end, global/regional specialized bodies should be formed to ensure members live up their national/international responsibilities. Thus the international system (the UN) should ensure global justice since the member-states have distributional desire and regard for the consequences of injustice. On a final note, one must acknowledge that accountability is becoming an increasingly important issue for the non-profit world—as emphasized in the 2005 "accountability charter". In the Humanitarian field, initiatives such as the HAPI (Humanitarian Accountability Partnership International) which have emerged should be encouraged; individual NGOs (for example, the ALPS: Accountability, Learning and Planning System

of Action Aid) have also set their own accountability systems; these and similar strategies should be encouraged in governance. And we should reignite the fact that the social conscience is a shared conscience which, embodied in all of us, is the collective of all individuals seeking to do “what is right”.

### **Conclusion**

To sum up, we hold that every society is governed by certain rules, laws, norms and values; and these are intricately crucial to the maintenance of peaceable order, good governance and public morality—which provides the cement of the human society; and the law, especially the criminal law, must regard it as a primary function to reflect and maintain this public morality. African contemporary society, the law does not capture enough of but has prevailed over what count as moral values or public morality; this, therefore, is the laxity and bane of modern African states. Specifically, the enduring question is: Should the law determine public morality or should public morality determine the law? This article adumbrated this claim and concluded that the law, at least, in traditional Africa (as expressed in the experience of the Etsako of Nigeria), is an arm of public norms and morality; in other words, that public morality is a meta-law. Hence, for centenary history of Africa before the embarrassing intrusion of the West into it, Africa maintained a steady social, economic and political social order vivified by high moral standards and responsibility. Regrettably, ever since the colonial era (and beyond), much of Africa has been wallowing in the deepest sea of legal pluralism and uncertainty. Many have attributed this infamy to the total embracement of a distorted version of western legal system or order which represent some rebarbative legal fictions and largely neglect certain basic African norms, values and public moral order. The situation has led to several adverse social-political and constitutional infamies. The tradition that led to this condition needs to be reevaluated. Useful moral ethos traditional values must be integrated with law, but with the first logically prior in the formulae for a desired African legal system. Again, this would ensure public morality and good governance. And, admitted that while the institution of government is relatively permanent, the nature and performance of governance vary from one society/state to the other—even though there could be some common basic indices. Yet, importantly, the epistemological pedestal of a particular people forms the strength and direction of its governance. The most African states have lurched over indeterminate and creepy principles of governance since their independence. However, there is need to explain the meaning and province of government and good governance. Accordingly, the perceptible and veiled historical odds against (and the prospects for) achieving the ideal of good governance in Africa were here indicated. It was also argued (towards the conclusion) that, given an improved educated citizenry, accountability amidst performance, socio-political awareness and consciousness, backed

by law as complement to public morality, by revivifying and incorporating the African institution of efficacious indigenous oath-practice, there is a strong indication and prospect for improvement on the process of and strove for good governance in Africa; and several luscious and lateral options were suggested towards achieving this desired goal—the goal and our suggested channels of achieving/sustaining it could form a formidable for an alternative African legal structure pursuant to the lofty Millennium Development goals of the United Nations.

Invariably, the strength to move an economy or political system forward is built not on the quantum of electoral promises but that turn out to be mere declarations of intents and wishes, by studying the errors and mistakes of the past and making changes that avoid recrudescence. In this way, progressive societies and institutions build systems and processes that minimize caprices of those in power and preserve the interest and objectives of the wider society through the thick and thin of good governance. Many countries and financial institutions around the world have done this. Just as it is in monetary and financial governance, so it is in political leadership. Leaders ought to make their inputs in improving the system and structures of delivering service to the people. This process begins by electing or appointing pragmatic and reflective president/leaders able to take the right decisions; the system delivers value down and across the lines.

The problem with governance and functional system of government in Nigeria's "present peculiar difficulties arise because we seem to have abandoned our traditional ways of doing things..." (Izibili and Eribo, 2008). Today, Nigeria and Nigerians need fair governance. Such fair governance implies that the Nigerian mechanisms function in a way that allows the executives (the *agents of governance*) to respect the rights and interests of the stakeholders (the *principals*) in a spirit of adaptive democracy. For Nigeria, the internal characteristics and dastard socio-political environment have been an open invitation to the military that comes handy and alters or worsen the course of governance. Considering the facts and fiction altogether, our basically corrupt society/body politic requires a radically efficacious/spiritual redress; of course, history has taught us that that efficacious is traditional oath-practice. Consequently, if accountability and efficacious oath-taking are evolved and taken seriously and applied aptly, amidst human-faced ideology and moral values, bad governance and the evil of injustice, corruption and underdevelopment in Nigeria (Africa) would be matter if history; perhaps harnessing strategies of their devolvement and practical application ought to be the focus of contemporary academics.



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