



The practice of Democracy and Upholding the Rule of Law; Experiences from Global North and Global South.

*Johnkennedy T. Ikyase Ph.D^{1*},**Amakoromo W. Timi², Victor**^{1*,2,3}Department of Political Science, Federal University Wukari.**Chibueze Ude-Umanta Ph.D³*

Abstract

This study comparatively assesses democracy and the rule of law in developed and developing nations. Democracy and the rule of law are two fundamental pillars of good governance and political stability. While developed nations often referred to as the Global North, have established relatively stable democratic institutions and strong adherence to the rule of law, developing nations of the Global South continue to grapple with challenges such as electoral malpractice, weak institutions, corruption, judicial interference and disregard for constitutionalism. The study adopts a qualitative and comparative research design, relying on secondary sources of data such as textbooks, journal articles, constitutions and reports from international organizations. It examines the practice of democracy and rule of law in selected developed countries like the United States and United Kingdom, and developing countries like Nigeria and India. Findings reveal that while democracy and rule of law are mutually reinforcing, their effectiveness depends largely on institutional strength, political culture, civic participation and respect for separation of powers. The study concludes that for developing nations to attain democratic consolidation, there is need for institutional reforms, judicial independence, civic education and zero tolerance for impunity.

Keywords: *Democracy, Rule of Law, Governance, Global North, Global South, Comparative Analysis.*

Copyright © 2022 The Author(s): This work is licensed under a Creative Commons Attribution-Non Commercial 4.0 (CC BY-NC 4.0) International License.

Introduction

Fundamentally, humankind has come a long way in the search for good governance and a wholesome political and socio-economic existence. Right from ancient times, tremendous efforts have been made towards fashioning governmental systems that would enhance the well-being of citizens. Proponents of autocracy, aristocracy, oligarchy and even kakistocracy would insist that they have in mind the best interests of the people (Agbaje, 2004;14). Nevertheless, it is now generally accepted that no system of government is perfect. In fact, Winston Churchill once observed that democracy was the worst

form of government apart from all the others! Accordingly, many have come to the conclusion of Alexander Pope on the futility of debate on the best form of government, preferring instead to concentrate on the practicality of governance or the personality of public office-holders. Therefore, democracy and the rule of law are fundamental institutions in any political organization. Democracy requires that political power must be held by representatives elected in free and regularly scheduled elections. While, the rule of law requires that political power be exercised through generally applicable rules, announced in advance, and

applied uniformly and impartially. These two distinct systems of political organization have become inseparable in descriptions of good governance. Academics, politicians, political commentators, and U.N. declarations all regularly join the concepts of democracy and the rule of law. Yet, democracy and the rule of law are theoretically independent, and the relation between them may be neither necessary nor simple. Reduced to its essence, democracy is concerned with the method of selecting the holders of political power, while the rule of law is concerned with the method by which political power is exercised. Thus, a non-democratic regime may operate with a robust rule of law, and a political system governed by electoral majorities may flout fundamental rule of law principles. It is apt that a law-governed society is clearly distinguishable from a colony of apes. While there could be a semblance of law and order in the animal kingdom, primates act more on instinct than the well-ordered rationality that is deemed to predominate in the human society. The notion of the rule of law, understandably, emerged at a particular point in time in the human evolution. While certain race supremacist theorists might wish to appropriate the concept of rule of law to them, the fact bears restating that subjection of human conduct to the governance of rules is a universal value of humanity and not one to be restricted to particular times or places (Christian, 1996:12).

Against this backdrop the work is set to interrogate the nexus between democracy and the rule of law. However, the work has been collapsed into sections in such a way that we undertook the introduction, followed by the concept of democracy and the rule of law, considered the nexus between democracy and the rule of law, comparatively examine the implication of the rule of law in developing and developed democracy, neat the work with conclusion and recommendation.

Conceptual Overview

The Concept of Democracy

Typical of all social science concepts, democracy cannot be boxed into a unilateral definition. However, there are several attempts in that light which if aggregated may offer a window into the meaning of democracy. The concept (Democracy) is traceable to the ancient Greeks and specifically the city-state of Athens in the fifth century B.C. The word democracy is derived from the Greek words 'demos', meaning people, and 'Kratos' meaning power or rule. Directly translated, democracy therefore means 'rule by the people', although originally the Greeks used it to mean the poor or the masses. Periclean Athens, named after its most celebrated leader, has inspired generations of later political theorists, statesmen, and common people alike. In the words of Anifowose (2005:15) democracy is essentially a method of organizing society politically. He further adds that:

There are, it is suggested, five basic elements without which no community can call itself truly democratic these elements are equality, sovereignty of the people, and respect for human life the rule of law and liberty of individuals.

The author explains that democratic equality implies one man one vote irrespective of the differences in wealth, religion, intelligence etc. It also connotes the equal rights and opportunity of all citizens to hold political offices.. It is through their representative that the people express their will. In other words democratic regime should be based on the rule of law. A democratic regime should also respect certain basic freedoms from its citizens, these freedoms include among other things freedom of speech, freedom of the press, freedom of the conscience, and freedom of assembly (1999 Nigerian constitution as amended). This definition underlines the cardinal contents of liberal democracy which may however be faulted for its lack of emphasis on the role of political parties in the democratic process. This deficiency is remedied in the

definition provided by Haruna, (2010: 34) who notes that democracy entails meaningful and extensive competition among individuals and organized groups (especially political parties) either directly or indirectly for the major position of governmental power. In addition to popular participation in the electoral process and respect for the civil and political rights of the people it must be noted that the existence of numerous parties and conduct of periodic elections may not result in popular choice of leadership. Duruji, (2010;10) has provided what may be regarded as a summation of the varied definition of liberal democracy and a listing of its major elements. According to him liberal democracy in its contemporary form includes a cluster of rules and institutions permitting the selection of representative who alone can make political decisions. In more specific terms, he explains that:

The cluster includes elected government, free and fair elections in which every citizen's vote have an equal weight. A suffrage which embraces all citizens. Irrespective of distinctions of race, religion, class, sex and so on. Freedom of conscience information and expression on all public matters broadly to oppose their government and stand for office and associational autonomy. The rights to form independent associations including social movements interest groups and political parties. (Duruji, 2010;16).

Haruna, (2010: 35) identify some core democratic characteristics thus:

- ♣ Democracy is government in which power and civic responsibility are exercised by all adult citizens directly or indirectly through their freely elected representatives.
- ♣ Democracy rests upon the principle of majority rule, which means that decisions are made by majority and have to be accepted by all, but minority viewpoints are respected and protected.

♣ Democracies guard against all-powerful central governments and decentralise government to regional and local levels, understanding that all levels of government must be as accessible and responsive to the people as possible.

♣ Democracies understand that one of their prime functions is to protect such basic human rights as freedom of speech and religion; the right to equal protection under the law; and the opportunity to organize and participate fully in the political, economic, and cultural life of society.

♣ Democracies conduct regular free and fair elections open to all citizens of voting age.

♣ Citizens in a democracy have not only rights, but also the responsibility to participate in political systems that, in turn, protect their rights and freedoms.

♣ Democratic societies are committed to the values of tolerance, cooperation, and compromise.

However, the whole mark of democracy resides with the citizen's political investment, political participation, political tolerance, accountability, regular free and fair election, independence of the judiciary. It also connotes popular rule, individual's political life, equality among citizens, justice in the relations between the people and the government and the rule of law.

The Rule of Law as the Basis of Democracy

The concept of the rule of law its attributes, the possibility and conditions for its existence, and its significance as a political value has long been a subject of scholarly investigation and debate. In recent years, it has emerged from the confines of academic and philosophical discourse onto the wider stage of contemporary political events, transcending national borders, political regimes, and legal systems. So the question is: what is the rule of law? The doctrine of the rule of law is ultimately bound with the practice of democracy. A Itse

Sagay says that "there can be no democracy without the

rule of law” and by common

agreement, Albert Venn Dicey (1835-1922) in his *Law of the Constitution*, exposed the concept of the rule of law as: When we say that the supremacy or the rule of law is a characteristic of English constitution, we generally include under one expression at least three distinct though kindred conceptions. We mean, in the first place, that no man is punishable or can be made to suffer in body or goods except for a distinct breach of law every official, from the Prime Minister down to a constable or a collector of taxes, is under the same responsibility for every act done without legal justification as any other citizens (Appointed government officials and politicians, alike) and all subordinates, though carrying out the commands of their official superiors, are as responsible for any act which the law does not authorise as if any private and unofficial person. The summary of the concept of the rule of law as examined from Dicey is under three fundamental headings; firstly, no man could be punished or lawfully interfered with by the authorities except for breaches of the law. Secondly, no man is above the law and everyone, regardless of rank, is subject to the ordinary laws of the land; and thirdly, there is no need for bill of rights because the general principles of the constitution are the result of judicial decisions determining the rights of the private persons. The International Commission of Jurists held in Lagos in 1961 defined the rule of law as: Adherence to those institutions and procedures, not always identical, but broadly similar, which experience and tradition in the different countries of the world, often having themselves varying political structures and economic backgrounds, have shown to be essential to protect the individual from arbitrary government and to enable him to enjoy the dignity of man. This definition shows that the rule of law is an important aspect of democracy in the process and quest for good governance of the society. Without the rule of law, there can be no democratic society. All

members including those in authority are subject to the law. The rule of law, according to Iroegbu (1996; 17) realizes the constraint of reasonableness by treating all equally as full member of the community without discrimination. The order that the rule maintains is a greater value of interaction in community within which the communal good including the private good of the members are realisable, and without which none of these is realizable.

Generally, the rule of law has two aspects; first, the law should rule the people and the people should obey the law; second, the law must be capable of being obeyed, hence, the law must be capable of being ascertained and guiding people's behaviour. The two aspects of the rule of law mentioned here are indispensable for the good working of the society (state).

The first obviates the danger of legalism, that is, citizens becoming slaves of the law, forgetting the spirit behind the law. Legalism forgets the humane aspect of the law. The second avoids the danger of presumption that one breaks the law all the time and gets away with it, as it is the case in many African nations where those who have violated our laws and morals are celebrated and go unpunished. Here, if those who transgress the law are not punished, the entire system will collapse because those that are following the first aspect will have reason to think that these sets of people are profiting from the system and contributing commensurately to the political community (Christian, T., 1996; 22). The point being made here is that it is imperative that in any democratic society, the rule of law must be inculcated in all the members through education, good example and the consistent application. This is so because it is a *conditio sine qua non* for a good functioning of the political community in the realization of the values of communality and individuality. Here, we cannot discuss the rule of law without mentioning the issue of separation of powers and other characteristics of the rule of law.

The maintenance of the rule of law to which we attach the greatest importance requires particular care that occasion for conflicts among the judiciary, the executive and the legislative arms of government should be reduced to the minimum. Montesquieu found in the principle a guarantee of the kind of restraint on government that given the right setting could assure liberty, that is, a condition in which the laws were appropriate to a well-ordered society and also permitted a considerable degree of individual and group independence. This corresponds to Lockean separation of power into legislative, executive and “federative”.

Montesquieu advocates for separation and balancing of powers among the three arms as a means of guaranteeing the freedom of the individual (Sagay,1996;16).

It is one thing to accept the rule of law as a democratic principle; it is another thing to provide institutions for its implementation. In a democratic society, the rule of law places limitations on the power of the government in the interest of personal freedom and for this to be effective; there is the need for an independent judiciary. The most elaborate system of substantive, procedural and remedial provisions is meaningless without an independent impartial and competent judiciary for one reason, which is administration. Without jurisdiction to administer, the law is purely academic and without a proper judiciary, the jurisdiction to administer is purely oppressive.

As an idea about government and the rule of law, the whole essence is that all authority is subject to and constrained by law. It is the highest law of mankind and profound truth, which allows the most dangerous predator (man) on the planet to live together in peace and harmony, co-operating for mutual self-interest and progress as in the social contract theories of Locke, Hobbes and Rousseau to rise from the state of nature. It is also the highest intellectual achievement of man, the result of objective consideration of man's goals; nature,

environment, history and survival no one is above the law, which is after all, the creation of the people, not something imposed upon them.

The citizens of a democratic society submit to the rule of law because they recognize that, however indirectly, they are submitting to themselves as makers of the law. When laws are established by the people who then have to obey them, both the rule of law and democracy are being served. Supremacy of law according to Cooray (2005;11) is a fundamental concept in the western democratic order. The rule of law requires both citizens and governments to be subject to known and standing laws. This must include a distinction between law and executive administration, and prerogative decrees. A failure to maintain the formal differences between these must lead to a conception of law as nothing more than authorization for power, rather than the guarantee of liberty, equally to all. The doctrine of judicial precedent is at the heart of the common law system of rights and duties. The adherence to precedent helps to achieve two objects of legal order in the first place; it contributes to the maintenance of a regime of stable laws. This stability gives predictability to the law and affords a degree of security for the people's human rights. Second, it ensures that law develops only in accordance with the changing perceptions of the society and therefore, more accurately reflects the morals and expectations of the society. A political system based on precedent will be adaptable to varied and changing circumstances, highly practical and will be composed by the finest minds of many generations as they have in the English laws; and thus, this gradual development of the system will avoid the pitfalls of hasty and counterproductive reforms.

An important part of the rule of law is that it should be applied prospectively and not retroactively. What this means is that someone should not be punished for sin(s) or crime(s) that is not against a particular law when

being committed in a retro-active manner. Considering the prospective nature of legislation in a democratic regime, what we are dealing with is the rule that is just and which protects and promotes the societal good. Hence, it must be consistent in treating similar cases similarly not minding the status of individual being involved (Mason, 1996;11).

At this juncture, it should be known that law is based on morality. An important question should be raised here that: if law is not based on morality, on what can it be based? The rule of law must rest on the morality and ethos of the community; meaning that the law evolves from the community of men as in the social contract theories where all combined to have a common voice. This is to safeguard the whole community against selfish interests of individual persons. There are other rules, which are unwritten like honesty, integrity, and respect for democratic procedures. All these and others call for moral standards and good behavior's from all the people in the state. The point in discussion is that people's character determines the moral standard on how the rule of law will be based. If people were not well brought up, the rule of law of such community would be shaky.

Theoretical Framework

This study is anchored on two major theories namely Liberal Democratic Theory and Structural-Functionalism Theory. The Liberal democratic theory posits that democracy thrives where there is constitutionalism, separation of powers, free and fair elections, protection of fundamental human rights and rule of law. Notable among the proponent of the theory is Robert Dahl . The theory explains why developed nations (Global North) with liberal democratic structures enjoy political stability, while developing nations (Global South) suffer democratic deficits due to weak liberal institutions. The theory is relevance in the sense that, It provides the benchmark for measuring democratic practice and adherence to rule of law in both

developed and developing nations. Structural-Functionalism Theory This theory sees the society as a system made up of structures (Executive, Legislature, Judiciary, Political Parties, Electoral Bodies) that must perform their functions effectively for the system to survive. Where these structures fail to perform, as seen in many developing nations, democracy and rule of law are undermined. Proponents of the theory include Gabriel Almond and Talcott Parsons Relevance to the study: It helps to analyze how institutional failure, corruption and lack of judicial independence affect democracy and rule of law in developing countries compared to developed countries where institutions are strong and functional.

Democracy and the Rule of Law: Establishing the Nexus:

Democracy is a limited government in which the people's power is the central overriding variable in the election and recall of leaders, in the intent and purposes of government, and in the protection and safeguard of the interests of all and sundry; whether in the majority or minority political divide. In other words, democracy involves a process of electing leaders who would form a government of the people with a view to representing the interest of the generality of members of the society. It is aimed at realizing "the organization of people themselves, to attain the collectively self-defined, and ever improving, higher levels of civilization" (Asobie, 2007:4). This conception of democracy suggests that it is a representational government and is based on the consent and will of the people: a responsive and responsible government in which the majority upholds power without suppressing the interest of the minority.

The principle of the rule of law stems from the view that a democratic government, normatively and empirically, should be able to meet certain universally accepted values and norms which govern democracy. The promotion of human rights and its corollary principle of the rule of law is "nonetheless the foundation for the

realization of all other elements of a functional democracy” (Kura, 2009:264). The term prescribes the limit of government and reinforces the importance of the supremacy of law. As one of its architecture, Dicey, (1959:202) aptly pointed out, the rule of law is against arbitrary power but in support of the supremacy of law; it means equality before the law and restraint on the state from absolutism and ensuring accountability by officials in the business of government. In short, the rule of law is the nerve centre of democracy because of its strict adherence to constitutionalism, the principles of the separation of powers, and human rights. It also presupposes that “the laws are public knowledge, are clear in meaning, and apply equally to everyone” (Carothers, 1998:96). The following principles can be identified as the linchpin of the rule of law in modern democracy:

- Laws are made democratically and effectively exercised freely without let or hindrance.
- That the independence of each arm of government under the doctrine of the separation of powers is preserved, respected and utilized as the major guiding principle of the public policy.
- There is not only the independence of, but also the existence of an impartial judiciary.
- Social justice governs state-society relations; arbitrariness or excessive use of power is restrained by law and practiced by the state.
- Equality before the law and equal protection by it. This can be translated to mean non-discrimination and guarantee of the dignity and worth of the human persons.

Another key dimension of the rule of law-democracy nexus is the recognition that building democracy and the rule of law may be convergent and mutually reinforcing processes. whenever the rule of law is defined in broad, ends-based terms rather than in narrow, formal and exclusively procedural terms. The nexus is strong

whenever the rule of law is conceived in its relationship with substantive outcomes, like justice and democratic governance. This distinction is often characterized by resorting to the opposition between "thin" and "thick" conceptions of the rule of law.

The Rule of Law in Developed Democratic Societies

The rule of law consists of the respect for legal rules that are applied fairly, consistently, and predictably across equivalent cases, irrespective of the class, status, or power of those subject to the rules (Diamond.1999:10) In this respect developed democratic societies have been adhering to the principles of rule of law and by that their democratic journey have been well enhanced and pragmatic compared to developing democratic societies. For instance, most European and American regimes have a long tradition of abiding on the principle of the rule of law in their democratic societies. (O'Donnell.2007: 119). In particular, United States of America has a record of unbiased approach where the state and its agencies tend to be arbitrary, corrupt and patrimonial (Philip.1999:75) and therefore apply the law appropriately, without favoring anybody. In Britain, the state apparatus and the law have been used according to the principle of equity, fairness and justice. Leaders in the develop democracy respect the rules of the game. No one is above the law as far as democracy is concern in the developed societies. In developed democracy, building democracy and the rule of law is ultimately a political process which requires a sustained involvement of civil society in the creation of basic political institutions. In developed societies, the political ability to protect democracy among its members is more or less untested. Hence every individual understand the law and what the law prohibit.

The Rule of Law and its Implication in Developing Nations

The evidence of problem in developing societies, which is in the non-implementation of a functional rule of law could be seen in the disregard and manipulation of the national constitution; election and electioneering fraud; abuse of political power; legal and judicial perversions; low regard for the electorates among others. All these emanate from less respect for the rule of law in the society! Busia in his paper *Democracy and One Party System* says that every democratic community must have effective checks on its rulers. Democracy rejects the view that the leader and the group around who lead the single party always infallibly seek the interests of the people, or embody the will of all. Every human being who is mortal is equally fallible; therefore, it implies the right of the people to oppose and their right to choose and to change their leaders. The political institutions must provide democratic outlets for the exercise of those rights (Eboh,2003;16) But this is a mirage in many developing democratic societies especially in Africa where the electorates are left with nothing but to succumb to the whims and caprices of the “selected” few because there is arbitrary disobedience to the proceedings of the judiciary by the executives. Here, the judiciary is not independent and autonomous; in practice, it is subject to the whims and caprices of those in power. Irremovability at will is a cardinal principle of the rule of law, which must guarantee security of the tenure till retirement at an age, fixed by statutes or death. There must be safeguards against the arbitrary removal of judicial persons and such should take place under exceptional circumstances and then, only after the matter has been lawfully considered by a body of judicial commission.

The rule of law is an effective valuable in democracy because it promotes the following: responsibility, reciprocity and trust because these values basically embody what good governance and democracy stand for. Hayek (1960;11) in his book, *The Constitution*

of Liberty writes that the belief in individual responsibility has always been strong when people firmly believed in individual freedom. The issue of individual is a cause that affects personal responsibility. It is not enough to have democracy unless it guarantees individual freedom and collective fraternity. When it is accepted that liberty is an essential feature of democracy, this does not guarantee the citizenry the absolute rights in all its forms. Responsibility ought to be an effect of such liberty accorded the people. People have to be responsible for whatever form of liberty given to them. Responsibility will not be complete until those in authority are accountable to the electorates. Agbaje(2004;13) writes that accountability connotes managerial responsibility, efficiency and economy of operation as well as managerial responsibility for effectiveness. It is only when the leaders are accountable and transparent that responsibility as a value in democratic system could be ascertained. Reciprocity is a value that the rule of the law promotes in democracies in the quest for good governance. This (reciprocity) will allow individuals in the society to perform their duties to the state in the intendance of law and order like the paying of necessary taxes and dues to the coffers of the state; abide by the rules and regulations guiding the state among others. In response to this, reciprocity comes in, as those at the helms of affairs ought to provide necessary amenities and resources for the progress, growth and development of the state. For the singular reason that the people have consented to the leadership of those at the top, the rule of law here promotes that value of reciprocity in the leaders to the masses (electorates) and vice versa in their own realms. Respect for the norms, rules, laws and regulations (shared values) are a matter of reciprocity in the society. For instance In Peru, the closing of the Congress in 1992 and the impeachment of certain judges that opposed Fujimori’s re-election proposal in 1996 are both evidence of the violation to the rule of law. In turn, Menem’s

subordination of the military to the government by forcefully putting down mutinies and by pardoning military leaders still in prison (Diamond.1999:101) is evidence too of the discretionary application of the law. These examples, along the negatively biased treatment towards black people in Brazil (Fry.1999:187) and the abuse of deadly force against peasant protests in Mexico (Chevigny.1999:53) amongst other examples, show that in Latin America the law is not equal for everyone. In the region, the rule of law at best has only intermittent and partial existence (O'Donnell. 1999: 320).

The rule of law incapacitates all and even the leaders to respect the laws of the land because no man is above the law and everyone regardless of rank is a subject to the norms, rules regulations and laws of the land. Reciprocity as a value promoted by rule of law is an order of greater value in which social interaction is realisable in two ways, namely: obligation and norms (shared beliefs). The obligations (duties) are vice versa, that is, from the electorates to the state and from the leaders to the masses.

It is not enough to itemize the essential features of democracy when there is no trust in those who govern the state. It is the rule of law when it is properly implemented and a functional one that puts trust in the minds of the ruled. Trust could only come when the leaders are being guided by a functional rule of law in the spirit of ensuring good governance for the state. The characteristics of the rule of law: separation of powers, judicial precedent, and prospective legislation among others will never guarantee trust in the people except as it is stated, that it must be functional (Olatunji, 2005:12). For instance, the Nigerian case is an aberration because the electorates have no trust in those who rule even when there is a constitution to follow, then, jeopardizing the quest for good governance in the society. From the situation as examined on the importance of trust from the citizens to their leaders, it is

observed that the leaders have no moral probity to allege and or accuse any member of the society just because they are also not trusted, and even when they do, they are just camouflaging and exercising their authority when they are also vulnerable of the actions. And in a democratic society like ours, it is only a functional rule of law that will promote trust as a value in the leaders from the governed.

Conclusion/Recommendations

This piece has been able to examine and argue on the basis that the rule of law stands out and it is the most fundamental essential in democracy of which without its functional implementation, democracy and democratic praxis become meaningless. Here, African and other developing nations' democratic practice will contribute to the growth and development of both the state and society when and only if functional rule of law is implemented. It is on its hinge that democracy and good governance could be preserved and sustained. The benefits of the rule of law are innumerable; it proposes that government should have restraints, not possessing discretionary powers. There should be legal controls over government activities and no one including those at the helm of affairs should be above the law. These principles if successfully implemented within the state will result in national stability of which will guarantee good governance and security of individuals. The application of the rule of law is a situation in which everyone, both in authority as well as those whom they govern, respects the law and the rights of others under the law. The question arises; why is observance to the rule of law so important? It is the most fundamental requirement for a stable democratic society (civil society). The importance of the rule of law lies partly in the power it limits those in the society and in the discipline to which it subjects all authority. The power and discipline are conditions, which in a democratic society, come from the community. The emphasis on the

rule of law as part of developmental initiatives stems from the widespread belief that the rule of law is a precondition for economic development. Therefore, a functional rule of law is considered an important characteristic and a pre-requisite for democracy to work in developing societies. To promote democracy and the rule of law in developed democracies the following measures though not exhaustive should be taken: • Provision of quality and functional education to improve the literacy level of the citizenry. • To promote regular,

free, fair and credible elections in Nigeria in order to elect credible and patriotic citizens into national government, as well as encourage participatory democracy. • Restructuring of the judicial systems in order to improve the checks and balances of the organs of government. • Embark on electoral and bureaucratic reforms for improved service delivery. • Mass mobilization, value orientation and ethical rebirth of the citizenry.

References

1. Agbaje, E. (2004) "Corruption, Accountability and Good Governance" in *International Review of Politics and Development*, Vol. 2, (2)
2. Bello,I. B(1983) "Democracy in Nigeria: A Myth or Reality" in Atanda, J. &Aliyu, A. (Eds.) *Proceedings of the National Conference on Nigeria since Independence*. Zaria, Vol.
3. Busia, K. A.(1975) "Democracy and One Party System" in Mutiso, M. &Rohio, S. (Eds.) *Readings in African Political Thought*, London; Heinemann Educational Books, England,
4. Busia,K.A (1975) "The Ingredients of Democracy" in Mutiso, M. &Rohio, S. (Eds.) *Readings in African Political Thought*, London; Heinemann Educational Books, England.
5. Carothers, T. (2002,)"The End of the Transition Paradigm". *Journal of Democracy* Vol 13/(1)
6. Christian, T., (1996), *The Rule of Many: Fundamental Issues in Democratic Theory*,Boulder, CO: Westview.
7. Cooray, M. (2005) "The Rule of Law" in <http://www.ourcivilisation.com/cooray/btof/chap189>
8. Cincotta Howard, (2015)*What is Democracy?* U.S. Department of State: Office ofInternational Information Programs.New York Press.
9. Dahl, R. (1956),*A Preface to Democratic Theory*, Chicago.
10. Diamond, L.(2002,)"Thinking about hybrid regimes" *Journal of Democracy*. Vol 13 (2),
11. Dicey, A. V. (1950), *Introduction to the Law of the Constitution*, London: Macmillan, 9th edition, United Kingdom,
12. Eboh,S. O. (2003) "Democratic Culture, The Church and Democratisation in (West) Africa" in Nwaigbo, F. et al (Eds.) *Church and Democracy in West Africa*. Port-Harcourt: CIWA Publications, Nigeria.
13. Graham, K.(1986)*The Battle of Democracy*, Sussex: Wheatsheaf Books Ltd, United Kingdom.
14. Harveys,J.M (1974)*Government and People*, London: Macmillan Press, England.
15. Hayek, F. (1960) *The Constitution of Liberty*, Chicago: University of Chicago Press, USA.
16. Iroegbu, P.(1996)*The Kind of Politics: Communalism Towards Justice in Africa*, Owerri: International Universities Press Ltd, Nigeria.
17. Khan, R. F. &"J.S Mill; (1994) Ethics and Politics" in *Routledge History of Philosophy*, Vol. vii, The19th Century, London: Routledge, United Kingdom.

18. Mason, K.(1995)“The Rule of Law” in Finn, P. *Essays on Law and Government*, Vol. 1, 1995,
19. Mill, J. S(1999)*Liberty*, Chapter 1 in Hyper Text Markup Language Copyright.
20. Olatunji,F. O.(2005)*A Philosophical Idea of Democracy as Good Governance*, Ibadan: A dissertation submitted to the Department of Philosophy, University of Ibadan, Ibadan, Nigeria, 2005, pp. 73 – 74 (unpublished).
21. Donnell, G. (1994) “Delegative Democracy”. *Journal of Democracy*. Vol. 5 (1)
22. Rawls,J. (1972)*A Theory of Justice*, London: Oxford University Press, United Kingdom,
23. Sagay, I. (1996) “The Travails ofDemocracy and the Rule of Law” in *Democracy and the Rule of Law*, Ibadan: Spectrum Books Ltd, Nigeria.