



POS 113

**Organization of
Government**

Course Manual

Monsuru Adegboyega Kasali

Organization of Government

POS113



University of Ibadan Distance Learning Centre
Ibadan Open and Distance Learning Course Series Development
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Vice-Chancellor's Message


The Distance Learning Centre is building on a solid tradition of over two decades of service in the provision of External Studies Programme and now Distance Learning Education in Nigeria and beyond. The Distance Learning mode to which we are committed is providing access to many deserving Nigerians in having access to higher education especially those who by the nature of their engagement do not have the luxury of full time education. Recently, it is contributing in no small measure to providing places for teeming Nigerian youths who for one reason or the other could not get admission into the conventional universities.

These course materials have been written by writers specially trained in ODL course delivery. The writers have made great efforts to provide up to date information, knowledge and skills in the different disciplines and ensure that the materials are user-friendly.

In addition to provision of course materials in print and e-format, a lot of Information Technology input has also gone into the deployment of course materials. Most of them can be downloaded from the DLC website and are available in audio format which you can also download into your mobile phones, IPod, MP3 among other devices to allow you listen to the audio study sessions. Some of the study session materials have been scripted and are being broadcast on the university's Diamond Radio FM 101.1, while others have been delivered and captured in audio-visual format in a classroom environment for use by our students. Detailed information on availability and access is available on the website. We will continue in our efforts to provide and review course materials for our courses.

However, for you to take advantage of these formats, you will need to improve on your I.T. skills and develop requisite distance learning Culture. It is well known that, for efficient and effective provision of Distance learning education, availability of appropriate and relevant course materials is a *sine qua non*. So also, is the availability of multiple platform for the convenience of our students. It is in fulfilment of this, that series of course materials are being written to enable our students study at their own pace and convenience.

It is our hope that you will put these course materials to the best use.



Prof. Isaac Adewole

Vice-Chancellor

Foreword

As part of its vision of providing education for “Liberty and Development” for Nigerians and the International Community, the University of Ibadan, Distance Learning Centre has recently embarked on a vigorous repositioning agenda which aimed at embracing a holistic and all encompassing approach to the delivery of its Open Distance Learning (ODL) programmes. Thus we are committed to global best practices in distance learning provision. Apart from providing an efficient administrative and academic support for our students, we are committed to providing educational resource materials for the use of our students. We are convinced that, without an up-to-date, learner-friendly and distance learning compliant course materials, there cannot be any basis to lay claim to being a provider of distance learning education. Indeed, availability of appropriate course materials in multiple formats is the hub of any distance learning provision worldwide.

In view of the above, we are vigorously pursuing as a matter of priority, the provision of credible, learner-friendly and interactive course materials for all our courses. We commissioned the authoring of, and review of course materials to teams of experts and their outputs were subjected to rigorous peer review to ensure standard. The approach not only emphasizes cognitive knowledge, but also skills and humane values which are at the core of education, even in an ICT age.

The development of the materials which is on-going also had input from experienced editors and illustrators who have ensured that they are accurate, current and learner-friendly. They are specially written with distance learners in mind. This is very important because, distance learning involves non-residential students who can often feel isolated from the community of learners.

It is important to note that, for a distance learner to excel there is the need to source and read relevant materials apart from this course material. Therefore, adequate supplementary reading materials as well as other information sources are suggested in the course materials.

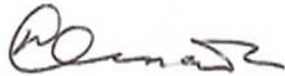
Apart from the responsibility for you to read this course material with others, you are also advised to seek assistance from your course facilitators especially academic advisors during your study even before the interactive session which is by design for revision. Your academic advisors will assist you using convenient technology including Google Hang Out, You Tube, Talk Fusion, etc. but you have to take advantage of these. It is also going to be of immense advantage if you complete assignments as at when due so as to have necessary feedbacks as a guide.

The implication of the above is that, a distance learner has a responsibility to develop requisite distance learning culture which includes diligent and disciplined self-study, seeking available administrative and academic support and acquisition of basic information technology skills. This is why you are encouraged to develop your computer skills by availing yourself the opportunity of training that the Centre’s provide and put these into use.

In conclusion, it is envisaged that the course materials would also be useful for the regular students of tertiary institutions in Nigeria who are faced with a dearth of high quality textbooks. We are therefore, delighted to present these titles to both our distance learning students and the university's regular students. We are confident that the materials will be an invaluable resource to all.

We would like to thank all our authors, reviewers and production staff for the high quality of work.

Best wishes.

A handwritten signature in dark ink, appearing to read 'Okunade', with a stylized flourish at the end.

Professor Bayo Okunade

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About this course manual

Organization of Government POS113 has been produced by University of Ibadan Distance Learning Centre. All Political Science course manuals produced by University of Ibadan Distance Learning Centre are structured in the same way, as outlined below.

How this course manual is structured

The course overview

The course overview gives you a general introduction to the course. Information contained in the course overview will help you determine:

- If the course is suitable for you.
- What you will already need to know.
- What you can expect from the course.
- How much time you will need to invest to complete the course.

The overview also provides guidance on:

- Study skills.
- Where to get help.
- Course assessments and assignments.
- Activity icons.
- Study sessions.

We strongly recommend that you read the overview *carefully* before starting your study.

The course content

The course is broken down into study sessions. Each study session comprises:

- An introduction to the study session content.
- Learning outcomes.
- Content of study sessions.
- A study session summary.
- Assessments and/or assignment, as applicable.
- Bibliography

Your comments

After completing this course, Organization of Government, we would appreciate it if you would take a few moments to give us your feedback on any aspect of this course. Your feedback might include comments on:

- Course content and structure.
- Course reading materials and resources.
- Course assessments.
- Course assignments.
- Course duration.
- Course support (assigned tutors, technical help, etc).
- Your general experience with the course provision as a distance learning student.

Your constructive feedback will help us to improve and enhance this course.

Course overview

Welcome to Organization of Government POS113

This Course provides a survey of the major issues of politics; who rules, in whose interests and on what basis. It explains different types of involvement in politics, the role of conflicts of interests, the relation between the government and the people. It also exposes students to different ways of studying politics.

This course manual supplements and complements POS113 UI Mobile Class Activities as an online course. The UI Mobile Class is a virtual platform that facilitates classroom interaction at a distance where you can discuss / interact with your tutor and peers while you are at home or office from your internet-enabled computer. You will also use this platform to submit your assignments, receive tutor feedback and course news with updates.

Organization of Government POS113—is this course for you?

POS113 is a *required* course for students in Political Science B.Sc. programme. The course is also suitable for other students who are interested in exploring the workings of government and the art of power distribution among various organs and levels of government in the administration of the state.

Course outcomes

Upon a successful completion of Organization of Government POS113 you will be able to:



Outcomes

- present the meaning and forms of government.
- highlight the strengths and weaknesses of systems of government.
- evaluate the working of government and the sources of its creation within the contexts of civilian and military administrations.
- point out the roles played by political organizations.

Timeframe



How long?

This is a one semester course.

45 hours of formal study time is required.

Study skills



As an adult learner your approach to learning will be different to that from your school days: you will choose what you want to study, you will have professional and/or personal motivation for doing so and you will most likely be fitting your study activities around other professional or domestic responsibilities.

Essentially you will be taking control of your learning environment. As a consequence, you will need to consider performance issues related to time management, goal setting, stress management, etc. Perhaps you will also need to reacquaint yourself in areas such as essay planning, coping with exams and using the web as a learning resource.

Your most significant considerations will be *time* and *space* i.e. the time you dedicate to your learning and the environment in which you engage in that learning.

We recommend that you take time now—before starting your self-study—to familiarize yourself with these issues. There are a number of excellent web links & resources on the Course website. Go to “Self-Study Skills” menu in course website.

Activities



Activities

This manual features “Activities”, which may present material that is NOT extensively covered in the Study Sessions. You will be provided with answers to every activity question. Therefore, your emphasis when working the activities should be on understanding your answers. It is more important that you understand why every answer is correct.

There are different forms of activities in this manual, ranging from reading activities, case studies, discussion activities. The use of activities is particularly based on learning outcomes and nature of content. Some Study Sessions comes with discussion topics. You may discuss the Study Sessions at respective discussion boards on course website.

You may see dates for active discussion with tutor on course schedule. This course schedule is available on the course website.

Assignment



Assignment

This manual also comes with tutor marked assignments (TMA). Assignments are expected to be turned-in on course website. You may also receive TMAs as part of online class activities. Feedbacks to TMAs will be provided by your tutor in not more than 2-week expected duration.

Schedule dates for submitting assignments and engaging in course / class activities is available on the course website. Kindly visit your course website often for updates.

Assessments

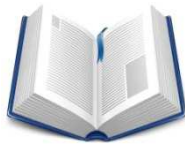


Assessments

There are two basic forms of self assessment in this course: in-text questions (ITQs) and self assessment questions (SAQs). Feedbacks to the ITQs are placed immediately after the questions, while the feedbacks to SAQs are at the back of manual. You will receive your TMAs as part of online class activities at the UI Mobile Class. Feedbacks to TMAs will be provided by your tutor in not more than 2-week expected duration.

Schedule dates for submitting assignments and engaging in course / class activities is available on the course website. Kindly visit your course website often for updates.

Bibliography



Reading





For those interested in learning more on this subject, we provide you with a list of additional resources at the end of this course manual; these may be books, articles or websites.

Getting around this course manual

Margin icons

While working through this course manual you will notice the frequent use of margin icons. These icons serve to “signpost” a particular piece of text, a new task or change in activity; they have been included to help you to find your way around this course manual.

A complete icon set is shown below. We suggest that you familiarize yourself with the icons and their meaning before starting your study.

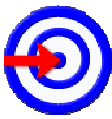
			
Activity	Assessment	Assignment	Case study
			
Discussion	Group Activity	Help	Outcomes
			
Note	Reflection	Reading	Study skills
			
Summary	Terminology	Time	Tip

Study Session 1

The Meaning of Government

Introduction

Government is an important concept in Political Science. In this Study Session, we shall discuss the concept of government, origin of government, levels of government, aspects of government and functions of government.



Learning Outcomes

When you have studied this session, you should be able to:

- i. *present* your own definition of the term government.
- ii. *point out* the various levels of government.
- iii. *show* the origin of government.
- iv. *relate* how government attempts to achieve the needs of her people.
- v. *highlight* the functions of government.

1.1 Definition of Government

Government An institutional framework of rule in a state, and it consists of the legislature, executive and judiciary.

Most Laymen often see **government** as a group of few people that direct the affairs of state. This definition may be considered as too fluid and confusing, especially giving the fact that there is variety of forms of government. Some other people describes ‘government’ as the association of people, the conceptual scope of such definition is rather narrow. Though, it is a basic truth that every member of a society is affected by the actions and activities of government in one way or the other, which instructed Aristotle’s remark about every human being as a ‘political animal’; the bottom-line is that man as a social being always, cares about his self interest and how to meet his personal goals.

Society A group of people who share a common culture- a culture that includes formal and informal social arrangements such as mores and processes of government.

Thus, every member of a **society** in his attempt to meet his goals or protect the ones already attained will feel concerned about policy, action(s) and activities of government. Consequently, he is likely to be an active participant in government because the performance of any government may be hinged largely on the political alertness of its citizens. Government is the organization that serves as the governing authority of a political unit.

According to Isumonah (1994:94):

“government strictly refers to the executive branch ... this does not mean that other branches are insignificant, the fact is that the modern executive has acquired a reputation as the principal initiator, maker and executor of decisions and/or policies. The role of the other branches in decision-making (the legislative arm and the judiciary) is mainly modificatory”.

The foregoing definition of ‘government’ is most likely to attract great criticism among the discernible students of politics and one major offence may be the way Isumonah centred his conceptual projection or definition around the executive arm of government, which is only one of the three legs of an arm-chair of governance. Though, people may see the definition as discriminatory and extraneous but it is the realist posture of the writer (Isumonah) that calls for the way he defined the term in question (government).



Reflection

Actually, A person may be tempted to agree with Isumonah because our experience of modern government shows that the executive seems to have more relevance than the other two arms of government (legislature and judiciary) particularly, due to its instrument of law enforcement and execution. This instrument allows the executive to have exclusive control over some important institutions such as law-enforcement agencies, which are very strategic in power equilibrium, especially as it relates to relationships among various arms of government.

Adler (1996:80–81) posits that government refers to the body of persons:

“with the authority to make laws, to adjudicate disputes, and to use administrative decisions, and with a monopoly of authorized force where it fails to persuade, is an indispensable means, proximately, to the peace of communal life”.

In fact, you may agree with me that the above definition of ‘government’ is broader in scope than the one presented by Isumonah (1994). It explains various mandates that the three arms of government should carry out independently without undermining their harmonious functionalism (due to separation of power) in the actualization of system-maintenance. The point here is that there must be collaboration among the various arms of government through mutual respect and understanding. It is through such collaborations that the overall functions of government can be effectively articulated or advanced or attained.

In addition, government can also be defined as a body of persons in a given state, charged with ultimate responsibilities to make laws, and enforce these laws as well as adjudicate any areas of conflict relating to the law and among various dispute parties for the smooth running of the state, and to foster peaceful co-existence among the people. Hence, considering the impact of government in the maintenance of peaceful co-existence among the people, you may agree with me that the importance of government is phenomenal, especially as it relates to the regulation of human conduct and activities.

How will life be
in a place where
there is no
government?
...Nasty &
brutish?

See *State of Nature*
according to John
Locke



1.2 Levels of Government

Towards the end of the preceding section of this Study Session, we had a reading activity on Hobbesian state of nature or perhaps, a society, which has no government. Here, the term government is not limited to modern State government. Small societies also have their customary authorities like council of elders as we had in the traditional Igbo society; centralized traditional political authority as experienced in kingdoms like the old Oyo Empire where the Alafin was the head of the executive arm of the traditional government; and sometimes heads of families may serve as government in societies like the nomads.

Moreover, it is through peace that man can achieve any (sustainable) development. The importance of government cannot be over-emphasized considering the lawlessness and bestiality that may pervade human activities and development in a situation where there is absence of government. It is therefore, against this backdrop that governments in various States have made attempts to make sure that government is present in every nook and cranny of the state. This explains why we have various levels of government. The nature of power devolution or sharing among the various units of the state also determines the number and roles to be played by various levels of government. For instance, when Nigeria was running a parliamentary system of government prior to the first military-take over, the power was basically shared between the central and regional governments. But now, the constitution provides for three levels of government: central or federal government; state government and local government.

Perhaps in some States / countries, there are two levels of government namely central and regional levels of government while other states may have three levels of government, which include central (federal), state (regional) and local governments. In the power equilibrium among various levels of government the central (federal) government takes the lion share followed by state (regional) government and finally the local government (where applicable).

The constitution of each State provides responsibilities to be undertaken by each of these levels and where there is any conflict in the pendulum of power, central government is often favoured except interpreted otherwise by the court of competent jurisdiction.

1.3 Origin of Government

There are no available theories on the origin of government. We wholly (or partly) rely on theories of state to explain the origin of government. May be, this is because government is the fundamental framework upon which the State operates. We are not derailing, of course, if we argue that government can exist without the state, while the state cannot function (well) in the absence of government.

Direct democracy direct participation of citizens or a majority of them in government. The closest approximation to direct democracy is Greek city state of Athens in 4th century B.C

Considering the foregoing argument, it will not be prejudicial if we conclude that government had been in existence before emergence of state. This is evident in some societies with their unique systems of government. The experiences of the ancient Greek-city states showed how people gathered together to deliberate and resolve on various issues that were of great interest to the community through **direct democracy**. Stateless societies, in history, have shown the presence of political authority, similar to one (government) that directs the affairs of modern state. Therefore, it is right to say that government is older than the state.

However, several thousands of years ago, people were living in an agrarian society, which was small in size and “relatively non-hierarchical”, and the social interaction among men (people) cause developmental process in their quest to improve their skills in farming (Christian, 2004: 146–147). The increasing agricultural outputs created opportunity for growing population:

“as farming populations gathered in larger and denser communities, interactions between different groups increased and the social pressure rose until, in a striking parallel with star formation, new structures suddenly appeared, together with a new level complexity. Like stars, cities and states reorganize and energize the smaller objects within their gravitational field (Christian opcit, p. 245)”.

Population growth was instrumental to evolution of agrarian societies into ones that are more politically organized. People were endowed with increased information exchange, which produced innovation and skills to invent, increasing resources, as societies began to live beyond agriculture. Therefore, there emerged the need to have a government to regulate the activities of various individual actors to reconcile any clash of interests that may crop-up in the evocation of social intercourse and inter-relationship among people.

Therefore, it appeared pertinent to bring a political authority or government into force because of the danger that conflicting interests could pose to mankind. Thus, a body of people, to regular the behaviour and activities of people, was set up, in whom the people would surrender their individual power. And as a sovereign power, the government in turn would provide them with public order and security, and make binding decisions on the people. Examples of the earliest governments could be traced to the Ancient Egypt dated back to 3000 BC; Summer in 3200 BC among others (Ibid, p. 294). You should therefore be right if you say that government predates the state in the study of human political civilization and evolution.

1.4 Aspects of Government

In the preceding segments of this Study Session, we have spoken on a number of issues relating to the concept and practice of government, and these include definition, levels and origin of government. Now, we are going to explain the two major aspects of government. These aspects include the institutions and processes.

1.4.1 Institutions

The rationale behind establishment of any government is to actualize the needs of the people on behalf of whom it's created in the first instance. One of the basic needs of the people is the provision of security of life and property without which no meaningful development can take place. People often give their mandate to a set of people to lead them within a framework of social contract. Here, the government is charged with responsibility of providing essential services, peace and security to the people while the people are also obliged to perform some civic duties to the government such as respecting the constituted authority, obey the laws and order, regular payment of tax (es) among others.

In order to set in motion, actualization of provision of the basic needs of the people and maintain compliance of laws and order in the state, government divides its responsibilities among various agencies or institutions for efficacy and realization of the overall goals of the political system. Institutions are prerequisite mechanisms or corporate entities put in place to enable a system (state) achieve its aims and objectives. The system-type determines the kind of organizational structures that we will have. For instance, a system that is controlled by the military will be patterned along the autocratic agenda of the junta. In this case, the checks and balance element of civilian administration will be missing because military rule is the product of 'might makes right'.



Central Bank of Nigeria This special bank is responsible for the overall control and administration of the monetary and financial sector policies of the Federal Government.

By and large, for effective running of state and optimal operation of government, various institutions must be put in place and these include the executive, the legislature, the judiciary and the bureaucracy. The executive has the major function of executing and carrying out the policies, and laws of the government. It is the hallmark of political administration of any state. The legislature is concerned primarily in the making of laws and policies for government and check any excesses of the executive. The judiciary on its part, is mandated to adjudicate and interpret the conflicts of law and play a role of final arbiter in the dispute between parties. Bureaucracy is public service or corporation like civil service, police, the armed forces, Central Bank, and other government parastatals. These parastatals are the engine-room of implementation of government policies. Hence, bureaucracy is that essential institution through which government fulfils its obligations, and meets the yearnings of the peoples.

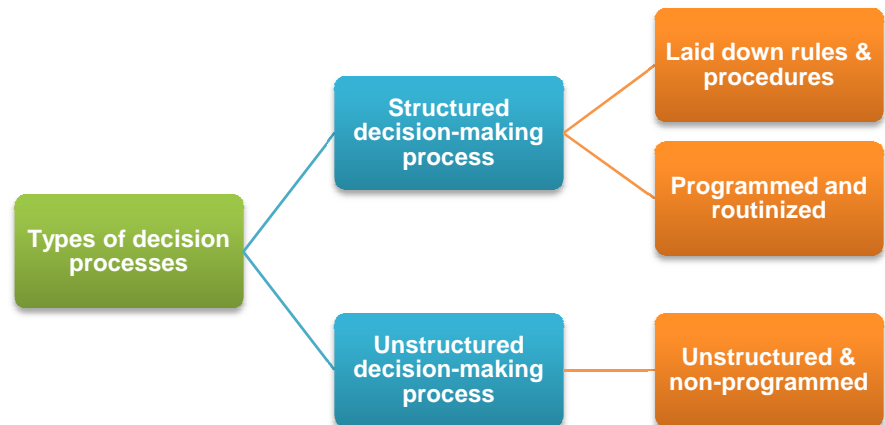
1.4.2 Processes

These are the methods of operation through which government policies are carried out. Processes are also the vehicles through which the

decisions of government are made. There are two types of processes in decision-making:

- i. structured decision-making process, and
- ii. unstructured decision-making process.

Fig 1.1A chart showing types of decision making processes



The first type of processes is structured or programmed decision-making process. This process involves a situation whereby decision is made in accordance with the laid down rules and procedures. This process is usually programmed, repetitive and routinized such that the rules of decision-making are automated and not easily amenable. Structured process is less technical as it can be delegated to the lower stratum of the organization. The secret is to strictly comply with the established or laid down rules and procedures.

On the other hand, the second type of process is non-programmed or unstructured decision-making process. This process is unique, novel, complex with little regard for laid-down procedure. This process is easier, quicker but more technical than the structured processes.

1.5 Functions of Government

There is no doubt that government performs a lot of functions; these functions include the following:

1.5.1 Law Making and Enforcement

Government makes law and enforces those laws through its legislative and executive organs respectively. After a law has been made, it is also the duty of government to enforce it. Disobedience to a law usually attracts sanction or penalty that is commensurate with offence. The penalty ranges from mere reprimand, payment of fine by offender, imprisonment to capital punishment. It is important to note that laws made by government must be people's friendly or supported by the majority of the people. If contrary, people have the right to protect and preserve their fundamental human rights i.e. freedom of association, freedom of movement, freedom of speech as contained in the Articles of the Universal Declaration of Human Rights.

1.5.2 Arrest Offenders of the Laws



Officers of the Nigerian Police Force in a surveillance operation

It is incumbent on the government to establish machineries or instrumentalities, which will carry out the laws of government and ensure strict compliance by the people. In Nigeria, there are several law enforcement agencies established by the government to fight various crimes. These agencies have specific duties they perform in the maintenance of law and order. Let us look at the major function(s) of some of these law enforcement agencies.

Economic and Financial Crimes Commission (EFCC) mandated to combat financial and economic crimes. The Commission is empowered to prevent, investigate, prosecute and penalise economic and financial crimes and is charged with the responsibility of enforcing the provisions of other laws and regulations relating to economic and financial crimes. You cannot see the EFCC as a law enforcement organization, having its operatives to go out and arrest armed robbers or social miscreants (Area Boys) because that is not part of her statutory responsibility. This on the other hand, is the responsibility of the Nigerian Police Force.

National Agency for Food, Drug Administration and Control (NAFDAC) is charged with responsibility to arrest on behalf of government, and prosecute offenders of foods and drugs laws e.g. fake drug dealers and counterfeiters, sellers and makers of unregistered drugs among others. The agency cannot ask its operatives to arrest and prosecute cocaine dealers or hard drug barons, because such function falls within the official responsibility of the National Drug Law Enforcement Agency (NDLEA).

Meanwhile other security agencies in Nigeria include the National Agency for the Prohibition and Trafficking in Persons and other Related Matters (NAPTIP) responsible for arrest and prosecution of human trafficking offenders; the Independent Corrupt Practices and other Related Offences Commission (ICPC) responsible for arrest and prosecution of offenders of bribery and corruption among other related offences, etc.

1.5.3 Administration of Justice

Government is also obliged to provide effective administration of justice. In state(s), government establishes courts with varying hierarchy. In Nigeria, the available courts include, Customary Court, Magistrate Court,

Sharia Court, National Industrial Court, High Court, Court of Appeal and Supreme Court. The highest court of the land is Supreme Court, followed by the Court of Appeal.

Courts perform the function to interpret the law, and also to adjudicate in the conflict(s) that may arise in the course of interactions, between two or more parties. For instance, if there is a dispute between two persons over the issue of who owns a land, the disputants are not expected to take law into their hands. The law demands such dispute must be taken before the court (of competence) to decide who between the two parties is the rightful owner of the land (object of dispute). If any of the parties is not satisfied with judgment of a lower court, he can then appeal wholly or partly against the (earlier) judgment. Thus, appeal can move from court to court in hierarchy, and the decision of the Supreme Court is the final, which can never be a subject of appeal.

1.5.4 Maintenance of Law and Order



The military force keeping peace in northern Nigeria

It is also a governmental function to create an atmosphere of peace and tranquillity. This is necessary because it is only in the atmosphere of peace that meaningful development can take place in any given state. It is in the light of this, government always tries to set machineries in motion to maintain public order. Apart from having some security apparatus like police to protect the state from internal aggression, the armed forces are also established to protest not only against external hostility but also internal aggression where the police and other paramilitary agencies fail to arrest a security-threat as evident in the Niger Delta crisis.

1.5.5 Conflict Resolution



Col Ojukwu At the end of the Biafran war 1970, the authorities made it clear that there was No Victor No Vanquished but a war between brothers who had disagreed but settled their differences.

It is also the function of government to set in motion mechanisms for the alternative dispute resolution (ADR) outside the 'customary or traditional' (modern) institution i.e. court. Resolving conflicts in the court of law may not bring about a genuine reconciliation between the disputing parties because of the winner-loser syndrome of the court system.

Therefore, the party that lost his case through the decision of the court may likely continue to nurse ill feelings against the other party (winner). It is through mutual understanding and respect of each other's interests and needs by the parties that genuine peace can be fostered between them. Healing of wounds (of conflict) is also very important for restoration of hope between the parties. All these may not be achieved through the court systems.

1.5.6 Social Security and Welfare Services

Government is also responsible in the provision of social amenities like good roads, medical care, education, pipe borne or portable water, housing and cheap accommodation among others. Apart from those services mentioned, governments in some countries also provide social security to their citizens. This function is performed by government(s)

mostly in developed countries like the United States of America. Acknowledging the fact that the welfare of the people is sacrosanct, government provides opportunities for people socio-economically, so that they (people) can function well as members of the society.

Perhaps, government is also expected to provide job security for the people by creating a conducive atmosphere for the business climate to be favourable, capable of attracting greater investments especially Foreign Direct Investment (FDI). A conducive atmosphere for local and foreign investments enables investors and other major players of economy to put their money into the economy, broadening economic frontiers, creating more wealth for the nation and above all generating more job opportunities.

Meanwhile, the government is also supposed to cater for the adult citizens who are out of job through provision of grants and social security. Thus, social security provides soft-landing for the citizens who may lose their jobs or those that have become physically incapacitated through accident or ailment. Government must not be concerned only with working population but also the retirees.

Government legislations and laws on pension scheme enable the retirees to still have access to some stipends at the end of every month for their upkeep. In developed countries and recently in Nigeria, the concept of contributory pension helps workers and their employers to plan for better future for the staff whereby both contributing certain amount of money as pension funds. Thus, before retirement, every worker will know that he has enough money to cater for his needs (relatively) when he finally retires.



Ogoni-land two major oil spills disrupted the lives of the 69,000 people living in Ogoniland

1.5.7 Security of Environment

Government also has a great role to play in the protection of the nation's environment. Legislations or laws are made to prevent environmental pollution and the damage of the atmosphere. Recently, in Nigeria, due to the problem of ozone layer and other environmental abuse or damage, federal government of Nigeria made a law banning importation of unserviceable computer and other electronics into the country. This law is going to be implemented by introducing high tariffs, so that it will make no economic sense for traders to import such goods into the country.

1.5.7 Foreign Policy

It is also the function of government to enter into bilateral or multilateral relations with other friendly nations. External relations are very vital in promoting international cooperation and economic development. For instance, Nigeria is a member of the Economic Community of West Africa (ECOWAS) and this regional integration has really provided great opportunities for member-states. The free movement of goods and services among the member-states has contributed to economic growth of the member – states including Nigeria. Due to the absence of trade barriers among the member – states some Nigerian manufacturers export their goods to some of these neighbouring countries including Sierra

Leone, Liberia and Ghana. External relations also help government to bring in foreign investors to do business in its state through establishment of foreign missions: embassies and high commissions. Chambers of commerce is also a veritable instrument of economic development and means to promote economic integration between two or more states e.g. Franco-Nigerian Chamber of Commerce and Industry, Nigerian-Belgium Chamber of Commerce and Industry, Nigerian-British Chamber of Commerce and Industry among others.

Study Session Summary



Summary

In this Study Session, we discussed various issues about the meaning, levels, origin, aspects and functions of government. We noted that government can be described as a body of people charged with the responsibilities to make, implement and interpret the laws and policies in the administration of State. There are different levels of government which vary from country to country. History and research findings revealed that government predates State. To achieve its functions, there are two basic aspects of government: institutions and processes.

It is difficult to exhaust our discourse on the meaning of government in this Study Session. We will therefore continue in the next Study Session by looking at a related concept to government: power.

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Study Session 2

Power and Government

Introduction

Power is a very essential instrument, which enhances effectiveness in government. It is when government enjoys substantial power that it can fulfil its aspirations as the issue of decision-making is concerned. This Study Session shall therefore expose you to the relationship between government and power.



Learning Outcomes

When you have studied this session, you should be able to:

- i. *demonstrate* the concept of power. (SAQ 2.1)
- ii. *analyze* the relationship between government and power. (SAQ 2.2)

2.1 The Concept of Power

Power can be defined as the capability of an actor or institution to carry out its will despite opposition. It can also be described as the ability of an actor or institution, to compel another actor or institution to do something, which s(he) would not have ordinarily done without the use of sanction.

From the foregoing, it becomes clear that power is defined in terms of social relationships and interactions between two or more parties in which a party has commanding control over the actions of other party, resulting from her strategic possession of instrument of force. Here, what I am trying to say is that party A enjoys power to control party B not because party B wants to comply ordinarily but it is the fear of sanction from party A that makes party B to comply, or rather, due to the instrument of coercion possessed by party A.

Let us quickly highlight some sources of power. These include 'naked force', which involves the application of 'might' to achieve compliance. The principle of 'might makes right' denotes that in the relationship between two contending parties or gladiators, their position(s) in the power equilibrium determines who have control over the other. It is the victor that will have control over the vanquished, master over the servant and lords over the serfs. Other sources of power may include wealth, position, and information among others.

2.2 The Relationship between Government and Power

Thomas Hobbes in his Leviathan portrayed the state of nature as that which had people living in chaos, strife and perpetual violence. At a stage, the hostility and violence that dominated human affairs became unbearable to the people and thus the search for a public order began.

Consequently, people came together to establish a political society on the basis of social contract. They, therefore, agreed to restrict their freedom and empowered a sovereign power (government) to enforce morality, law and order.

Considering the foregoing, you will agree that there is bound to be lawlessness if there is no government; and no government can accomplish its goals and objectives, particularly as they relate to security of life and property, without being entrusted with some measure of power.



Reflection

Which is better: to have a despot or autocratic leader who can provide security of life and property of the people or a true democrat who cannot provide public order?

The impact of power on governmental operations is so enormous, as also evident in the divine origin of state theory. In this theoretical proposition, people were said to have cried on to God for assistance when the world was in a state of nature. They said: “we are perishing, give us a chief whom we shall worship in concert and who will protect us.” In this case, obedience of one’s government appears to be religious and civil duty of every citizen.

Undoubtedly, people give their consent to government for specific reasons. In democracy people often give their mandates to their various representatives in whom they entrust the power, and who have responsibilities and functions to perform in the actualization of electoral promises, which form the basis of the social contract between them and the citizenry. If these representatives fail to use power entrusted in them judiciously for the benefit of their benefactors, the people, so, the people have the right to withdraw their mandate or power from the erring or failed representatives.

Under the military regime, people have very little or no right to withdraw their mandate from the military rulers because they never sought the people’s mandate in the first instance, in their quest for acquisition of political power. It’s the government that was set up through the barrels of gun.

In democracy, power belongs to the people as they determine to whom to entrust the power in the representation of their interest. People also possess the right to withdraw their power from the representatives (politician) when they feel, the representatives are not performing.

It is quite imperative for government to avoid civil disobedience by carefully applying its power of coercion. The power of government dwells in the consent of the people. State was established in the first instance by people’s consent, and if the agent of the state (government) deviates to provide the desirous needs of the people, which formed the basis of the setting-up of the government, the people have right(s) to withdraw their loyalty and individual sovereign power. The civil unrest that marked post-election annulment period in Nigeria in 1993, forced the then Military President, General Ibrahim Babangida to - step aside - drop his elongation plan to stay in power beyond August, 1993. *Through civil disobedience and strife, history has shown, many powerful regimes were*

brought to their knees. So, it is not misleading to say that the ultimate power belongs to the people.

Authority the ability to influence the action of another party without the use of sanction or force.

Nonetheless, power plays fundamental role in the life of any government. Government should always endeavour to operate beyond absolute application of naked force because such situation tends build culture of violence. Government will need to build a system that promote a true sense of belonging among the people through provision of essential services like security of life and property, social infrastructure, justice, equity, fairness among others. It is no gainsaying, if the government (either democracy or military) provides such essential services mentioned, it will afford the government an ample opportunity to move beyond exercise of power to actualize the compliance of the people to its laws and order. Then, the government will begin to exercise its **authority** rather than power over the people.

Study Session Summary



Summary

In this Study Session, we focused on the relationship between government and power. Do you found this Study Session thought-provoking? If you have any difficulty to understand any section of this Study Session, please feel free to contact your tutor.

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Study Session 3

Forms of Government

Introduction

In this Study Session, we shall be discussing the various forms of government. We shall achieve this task by first conceptually defining various forms of government. Identifying the different forms of government available cannot be complete without looking at their different features or characteristics.



LearningOutcomes

When you have studied this session, you should be able to:

- i. *point* out the peculiar features of at least six forms of government. (SAQ 3.1)

3.1 Kritarchy

The concept of '**kritarchy**' emanated from the Greek words: 'kritès' meaning judge and 'archè' meaning principle. The concept was formally coined by the English author Robert Southey in 1844. It is a form of political system where all parties enjoy equal justice. Kritarchy as a form of political system also upholds natural rights of the people as sacrosanct. It is a system in which justice is seen as the highest principle through which peaceful co-existence and development can be guaranteed.

Kritarchy, in actual sense does not operate exclusively on its own but it manifests itself in some larger political systems like monarchy, oligarchy and hierarchy. It has principle of justice as its driving force. This political system is so unique that every member of the society where it is being operated considers himself/herself as enforcer and officer of the law. In this case, maintenance of law and justice is the property of all the members of the given society. Therefore, nobody will enjoy exclusive rights, which do not fall within the purview of natural law. What I am trying to point out, here, is that every member of the society becomes judicial or police officer without any compulsion, but according to his wishes and will. It is important to know that the opposite of Kritarchy is **Krytocracy**.

3.1.1 Features of Kritarchy

1. The supremacy of socio-justice;
2. Equal administration of justice in the allocation of political positions;
3. Respect for the fundamental human rights of the people; and
4. No compulsion on people in carrying out their civil duties.

3.2 Meritocracy

The term 'meritocracy' was popularized by Michael Young in his work *Rise of the Meritocracy* in 1958. Young argued that social positions should be shared among the people based on their IQ and efforts. That is, a social selection in which particular responsibilities is attained by some people while other people will look for other responsibilities that fall within their competence and capabilities. Meritocracy is a system of government in which state powers are distributed among the people based on their capabilities. Here, appointments and responsibilities are assigned to people basically on what they are capable of doing. In this form of political system allocation of political resources and powers is based on merit.

Sadly, African experience has shown that the issue of merit has attracted little importance in the allocation of political positions among the people. The issues of nepotism, patron-client network and favouritism resulting from family connections, ethnic patronage, and class among others have really undermined the significance of merit (the talent and ability one possesses before he can be considered for position).

As a matter of fact, Nigerian politicians now go about with armed thugs and mercenaries to violently bring them or force their ways into power. The violent attitude of the political leadership in Nigeria partly explains why common people remain of the view that 'politics is a dirty and stinking game'.

3.2.1 Features of Meritocracy

1. Mental capability and effort as the bases for allocation of political positions;
2. Principle of natural selection where those with high competence assume the position of 'ruler(s)' while those with less competence are not considered for political offices, and this category forms the nucleus of the 'ruled' or common people;
3. Favouritism is discouraged in the allotment of political resources and positions; and
4. Merit is considered foremost and ahead of other considerations in the 'authoritative allocation of values'.

3.3 Plutocracy

The term **plutocracy** was coined from two Greek words *ploutos* and *kratein*, meaning wealth and to rule or to govern respectively. Plutocracy is a form of government in which the instrument of power acquisition by individuals is determined by financial status of each individual. Simply put, the power to rule in a plutocratic state is anchored on the wealth of individuals. In this kind of political system, poor people have very little or no say when it comes to the issue of allocation of political powers among the people. It is the few people who have wealth that can compete for political positions. No matter how knowledgeable one may be, as a poor man, he cannot aspire for political positions.

Therefore, the problem of economic inequality will be no issue because the basis for the evolution of plutocratic society, in the first instance, is

hinged on the principle ‘money na power’. Thus, one’s position in the power equilibrium in a plutocratic society is determined by financial status or wealth. It is important to know that in a situation like this, the level of social mobility among the people will be very low, as the rich will likely become richer while the poor will become poorer.

This political system features in some other political systems where money play extra-significant role in people’s struggle for political power. For instance, in Nigeria, it will take a poor man a miracle to contest for an election let alone achieving an electoral victory. The few people who enjoy stupendous wealth control every aspect of government policy machinery including legislature, executive and judiciary. They also control the means of production of the state(s).

3.3.1 Features of Plutocracy

1. Acquisition of political power is based wholly on the amount of wealth owned by individual(s);
2. Only the rich can contest for political positions; and
3. The poor no matter how brilliant or knowledgeable he is, cannot compete for elective positions.

3.4 Theocracy

The term **theocracy** emanated from traditional Greek vocabulary *theokratia*, meaning “the rule of God”. The term was popularized by Josephus Flavius in the first century when he described the Jewish government - at that time - as a government that was guided by divine laws. The laws of God are claimed to be the sovereign rules that should guide the conduct of every man in the society.

Theocracy is a form of government which holds that God or a deity must be recognized as the supreme civil ruler. It can also be described as a kind of political system where divine power is believed to be the ultimate source that governs an earthly human state, either through personal incarnation or representative bodies such as mosques, churches, and cults among others.

In addition, it is also believed that such divine source like God, god, goddess, and ancestor makes rules to govern the affairs of man, which are superior to the civil ones that are enacted by men. This is because, according to proponents of this political system, divine laws are not only everlasting but also faultless, which do not need any amendment unlike those made man.

Note

Caution must be made in our conceptual definition of theocracy, we should endeavour not to mix a (civil) political system where a single state religion is articulated or observed for theocracy. For instance, many Nigerian Muslims often mistake Saudi Arabia as a theocratic state rather monarchy. Is Saudi Arabia a theocratic state?

Perhaps, it is not unlikely that if a religious party assumes the mantle of leadership of a (civil) state, it will in one way or the other promote its religious ideologies. For instance, the Arabo-Muslim administration in Sudan more often than not articulate Islamism in its policy framework but

that reason is not sufficient to say that the state operates a theocratic system. Theocracy involves a situation whereby:

“.....the civil leader is believed to have a direct personal connection with God. For example, a prophet like Moses ruled the Israelites, and the prophet Mohanmmmed ruled the early Muslims. Law proclaimed by the ruler is also considered a divine revelation, and hence the law of God”.

(www.en.wikipedia.org/wiki/Theocracy).

Moreover, the belief among the people and their political leadership in the supremacy of divine laws does not imply that theocracy is in operation in such a state. This is because religious practice and worship form part of human culture, which may not form the core values of politics in the given state. In most cases, there is usually a single religion in places where theocracy is being operated. Example of theocratic state is the Vatican City (Holy Sea). The Vatican City is a sovereign papal state within the city of Rome, Italy. The city was founded in June 10, 1929. Athos (The Holy Mountain) in Greece is another example of theocratic state.

3.4.1 Features of Theocracy

Theonomy A compound word derived from two Greek words: theos (god) and nomos (law). Theonomy, therefore, refers to God's law or a state of being governed by divine laws.

The ultimate political power dwells in divine entities such as God, goddess, ancestors, among others.

The government administers the state with the divine laws.

The governmental positions are occupied by priests or religious leaders.

Usual absence of civil laws and presence of **theonomy**.

3.5 Socialism

Socialism is a form of government in which the state is vested with the exclusive right or power in the ownership of production, distribution, and exchange of economic resources. Socialism ensures that the wealth of the state is equally distributed among the people. Hence, industries are controlled by the government in the interests of all the people.

Modern socialism emanated from the adverse economic and social conditions that dominated Europe and elsewhere in the nineteenth century. The socio-economic contradictions created by the capitalist system at that time imposed a deep sense of despair and frustration among the (disfavoured) people. Consequently, in the 1850s, the frustrated public saw the need to look for escape route or alternative means through which they could meet their basic needs. Many of such people found solace in socialist movements. Socialist theories articulated for the collapse and absolute repudiation of capitalism and replace it with socialism, which was hoped would guarantee happiness to majority of the people, if not all.

3.5.1 Features of Socialism

1. Absolute ownership of economic resources by government;
2. Fair and just distribution of the state wealth among the people;
3. Control of the means of production by few people is discouraged; and

4. Presence of party dictatorship and suppression of opposition.

3.6 Corporatocracy

Corporatocracy refers to a political system that is controlled by corporations or corporate interests. In corporatocracy, individuals are appointed to rule the state by another set of individuals that constitutes the shareholder or rather those who top in the hierarchy of stakeholders. From the foregoing, Corporatocracy involves a situation whereby political candidates or those seeking for people's mandate must first be anointed or their nomination supported by some 'money bags' before they can be elected.

You may view that politics is capital intensive as someone competing for a political office will need money for public awareness (like the use of media), public acceptance (like branding T-shirts, traditional attires with party name and logo inscriptions), logistics, political recruitment among others. Considering the foregoing reason, parties spend huge amount of money on crowd hiring, and the more money a party can spend, the more crowd is likely to get in its rallies and conventions. You should not be surprised that more than half of the people you see chanting their support for a particular political party in a rally today can also be seen tomorrow doing similar thing for another political party.

By and large, the 'business of politics' is very expensive. Thus, there is tendency that the victory of political aspirants or gladiators will be hinged on the amount of support they can receive from wealthy elites. These elites invest into politics by sponsoring candidates into political positions (government) for self-interest or the interest of their corporation(s). Most times, the so-called 'money bags' would prefer to support sellable candidates who on the assumption of office will also protect their 'corporate' interest. Therefore, in Corporatocratic government, the wealthy of the society have enormous powers; and the main goal of the ruling elites is to satisfy the interest of their (wealthy) benefactors or sponsors.

Features of Corporatocracy

1. The wealthy determines who should get what political office(s);
2. The interest of the wealthy sponsors is paramount;
3. The state is used as instrument of force to protect the interest of private corporations; and
4. There is tendency for unequal distribution of wealth among the people.

3.7 Autocracy

This is a form of government in which the ultimate power of the state is singularly controlled by a self-appointed ruler. That is, the supreme and unrestricted power of the state is enjoyed and exercised by a single ruler. Here, the ruler enjoys absolute power and no one has the right to question his authority. The ruler exerts dominance over the other persons in the state. If you say an autocrat is a despot, you can't be wrong; if you affirm that an autocrat is a tyrant and /or dictator, I will also agree with you.

Ken Saro-Wiwa & Abacha

Reflection.

In November 1995, while an overwhelming international outcry mounted against the execution of the Ogoni leader, Ken Saro-Wiwa and his colleagues; defiant military dictator, Sani Abacha, backed by a small band of military officers, convinced themselves that executing them, swiftly, was the best way to ... make it clear to Nigerians and the world that the authoritarian regime was no weakling.

What is the repeated pattern in the regimes of this people: General Ibrahim Babangida (Nigeria), General Sanni Abacha (Nigeria), Field Marshal Dada Idi Amin (Uganda), and Mobutu Sese Seko (Congo)?

3.7.1 Features of

Autocracy

1. Absence of open political competition.
2. Strangulation of opposition or dissenting voice.
3. Ruthless application of force or coercion.
4. Weak support for civil liberties.
5. Government control of the media. and
6. Absence of independent judiciary.

3.8 Oligarchy

Oligarchy The Greek words 'oligos' means 'a few' and 'archo' means 'to rule, to command'.

Gerontocracy A political system governed by old men

The term **oligarchy** derived its source from the Greek compound word *Oligarkhia*, meaning a form of government in which the ultimate political power of the state is exclusively placed under the control of the (few) elite fraction of the society. Here, the ruling elites who are few enjoy the exclusive rights to control political power of the state through a number of sources including military power, race, wealth, religion, family among others. In oligarchy, few individuals amass themselves with enormous political power and resources to the extent that "such states were often controlled by powerful families whose children were raised and mentored to be heirs of the power of the oligarchy". This is evident in the rate at which the **gerontocratic** ruling class are replacing themselves with their children in Nigeria.

In traditional African societies such as the old Oyo empire, Sokoto empire, Bini empire among others, oligarchy featured prominently apart from the usual monarchical system that was the major political system at that time in such societies. The offices of the monarch and chieftaincy titles were often allocated to individuals based on their family lineage. For instance, in Oyo Empire and elsewhere, the appointment of the monarch is done basically by considering contenders only from the royal families or ruling house, and among whom one would be chosen as the monarch. No individual outside the royal families is appointed as the monarch.

Religion or religious education can also play a great role in the allocation of political positions among the people in societies where oligarchy is

practiced. For instance, in Sokoto caliphate, resulting from the *Jihad* revolution led by Usman dan Fodio, Islamic education became the most veritable instrument of wealth (re)distribution and reclassification among the people in the caliphate. Consequently, members of the peripheral stratum (peasantry) of the society had to go through Islamic education and Koranic learning as a vehicle to improve their politico-economic status and achieving upward mobility as a *Malam*, as a scribe or as a minor official in the state's patrimonial bureaucracy" (Lubeck, 1991: 175).

Nonetheless, oligarchy may also express itself in the activities of the wealthy elites using their money to control political power of the state. It is not necessarily for them to occupy the political offices but they have enormous influence on the government. A good example, in Nigeria, is the classical northern oligarchy known as "Kaduna Mafia". In the 1980s, the group was very powerful and it's largely consisted of several retired military and police officers, business tycoons, powerful politicians among others. The Kaduna Mafia group did not only exert its power on government through its abundant resources but also by applying instrumentalities of religion and ethnicism. The group could employ any of these instruments to destabilize the government and remind the political leadership on the need to always recognize the oligarchic force and strategic relevance of the group in the nation's political power interplay (see Usman, 1987).

Moreover, oligarchy can also transmit itself in racial form. A good example is **apartheid South Africa** where, prior to 1994, the White population, which constituted less than 20% of the entire population was the ruling class, and subjected the Black population to untold hardship.

3.9 Communism

This is a form of government in which means of production and distribution (as regards the state economy) is wholly controlled by the government. Here, the ultimate aim of government is to create a socio-economic structure that champions the political agenda, which exclusively favours classless society. Hence, individuals are not allowed to own property. The means of production is unilaterally controlled by the state on behalf of the whole people rather than a particular class.

(see www.marxists.org/archive/morris/works/1890/nowhere/index.htm).

However, Karl Marx presented a contrary view, arguing that communism promotes the interest of the working class. According to him:

"the immediate aim of the communists is the same as that of all other proletarian parties; formation of the proletariat into a class, overthrow the bourgeois state, conquest of political power by the proletariat"

- Marx, 1890 on www.en.wikipedia.org/wiki/Communism

Marx also advocated the state should be an instrument of force that is devoid of exclusive control of the mode of production by either the minority or majority. Therefore, the overall objective of the state should be to cater for all people equally. Marx, nonetheless, admitted that such egalitarian society could only be attained through proletarian dictatorship

and ruthless overthrow of the bourgeoisie (see www.britannica.com/eb/article-9030348).

Features of Communism

1. The use of force or violence in the actualization of political goals;
2. The presence of one party system;
3. Presence of dictatorship;
4. Private ownership of property is outlawed; and
5. (Re)distribution of socio-economic resources among the people according to their needs.

Study Session Summary



Summary

In this Study Session, we focused on features of various forms of government. Kritarchy presents equal justice in the allocation of political positions in spite of individual differences. Meritocracy provides a political system in which responsibilities are based on capacity. In Plutocracy, public officials' continued relevance in political circles depends largely on how much wealth they have been able to make. Other discussed forms of government are: theocracy, oligarchy and communism.

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Study Session 4

Separation of Powers

Introduction

Fusion of power has been criticized by several scholars in the field of politics basically for its tendency toward promoting wide concentration of power in an organ of government against the others. This Study Session will therefore expose you to ways through which political power can be divided or distributed, and how checks and balances can be maintained through allocation of functions among the branches of government such that none of them has too much power.



Learning Outcomes

When you have studied this session, you should be able to:

- i. show how governmental powers can be divided. (SAQ 4.1)
- ii. present ways through which political power can be divided. (SAQ 4.1)
- iii. relate the concept of power to practice of separation of power. (SAQ 4.1)

4.1 Meaning and Origin of Separation of Powers

The term **separation of powers** is an influential concept in modern democracies. It denotes the practice of dividing the powers of a government among different branches thereof towards guarding against abuse of authority. Kapur (1950) brings our attention to two important issues that make it very essential to have power separated among the various organs of government. According to him:

“first, that the benefits of specialization may be secured and, second, responsibility may be more definitely located. When the work of government is distributed to political organs in accordance with nature of function to be performed, it is the functional distribution power” (Kapur, 1950: 470).

The definition of separation of power may therefore include “division of the legislative, executive, and judicial functions of government among separate and independent bodies. Such a separation, it has been argued, limits the possibility of arbitrary excesses by government, since the sanction of all three branches is required for the making, executing, and administering of laws” (See <http://www.britannica.com/eb/article-9061137/separation-of-powers>). The premise behind the Separation of Powers is that when a single person or group has a large amount of power, they can become dangerous to citizens.

The evolution of separation of powers can be traced to the British Parliament’s gradual assertion of power and resistance to the royal decrees during the 14th Century. The English scholar, James Harrington,

was one of the first modern philosophers to analyze the doctrine. In his essay, "Commonwealth of Oceana" (1656), Harrington described a utopian political system that included a separation of powers. English political theorist, John Locke, gave the separation concept more refined treatment in his Second Treatise on Government (1690). Locke argued that legislative and executive powers were conceptually different; that it was always necessary to separate them in government institutions. The modern idea of the separation doctrine was explored more profoundly in The Spirit of Laws (1748) by Baron de Montesquieu. He based his exposition on the British Constitution. His statement of the doctrine has thus been interpreted: "If the executive and the legislature are the same persons, there must be a danger of the legislature enacting oppressive laws which the executive will administer to attain its own ends". Montesquieu therefore outlined a three-way division of powers in England among the Parliament, the king and the courts, although such a division did not de facto exist at the time.

4.2 Ways of Dividing Governmental Power

There are two distinct ways through which governmental power can be divided: territorial and the functional (Kapur, 1950).

4.2.1 Territorial Division of Power

This actually involves delineation or sharing of power between the various component units of State (country). Under a federal system, constitution provides for how power should be shared between the central and state/regional governments. The division of power should be done in such a way that each of them formulates policies and laws independent of each other.

Therefore, there is replication, or rather duplication of political institutions, and consequently both branches of government (the legislature, executive and judiciary) exist in both the central and state/regional levels of government, and they operate within their jurisdictional space.

4.2.2 Functional Division of Power

This denotes distribution of power among various organs of government. Here, each of them is allocated some specific functions that are separate from those of others, to perform for the smooth running of the government. Therefore, the legislature is to make laws, the executive is to implement laws, and the judiciary is empowered by the law to interpret laws and adjudicate. Montesquieu argued that the most appropriate way to run a government is to divide the political power among the various organs of government because, according to him:

"constant experience shows us that every man invested with power is apt to abuse it, and to carry his authority until he is confronted with limits" .

If you take a critical look at the foregoing comment by Montesquieu, you may agree with me that the essence of separation of power is to prevent event(s) of despotism and totalitarianism in government. This can be

achieved if there are checks and balances to forestall such autocratic attitude from any of the branches of government.

Considering Fig 4.1, you may agree with me that separation of power involves allocation of functions to various arms of government. And, power is distributed among them to guide against misrule and ensure effective administration of the State.

Fig 4.1

Allocation of Functions for Checks and Balances

Legislative	Executive	Judiciary
<ul style="list-style-type: none"> • Writes and enacts laws • Enacts taxes, and sets the budget • Has sole power to declare war • May start investigations, especially against the executive branch • Ratifies appointments of judges • Ratifies treaties 	<ul style="list-style-type: none"> • May veto laws • May refuse to spend money allocated for certain purposes • Wages war (controls the military) • Makes declarations (for example, declaring a state of emergency) and promulgates lawful regulations and executive orders • Appoints judges • Has power to grant pardons to convicted criminals 	<ul style="list-style-type: none"> • Has sole power to interpret the law • Determines whether a law is unconstitutional • Has power to compel testimony and the production of evidence • Is frequently immune to arbitrary dismissal by other branches • Determines the disposition of prisoners

Source: http://en.wikipedia.org/wiki/Separation_of_power

Tough the practice of separation of power is still visible in presidential political systems while it is absent in parliamentary governments, the idea of absolute separation of power does not exist. In the parliamentarianism, the executive members also perform some legislative functions, and the cabinet (the executive) is the creation of the parliament (legislature). It is worth-noting that even in presidential system where there is clear-cut separation in the power of the three arms of government, we still experience inter-dependence of the three branches, which allows them to infiltrate into one another's boundaries.

Dividing Governmental Powers in our Contemporary World

In the contemporary world, the most popular form of government is democratic government that are managed by representative elected by the people. To ensure that these representatives work effectively, and to control misuse of power and authority by them, the democratic governments are generally divided in three broad organs or branches of government. These are legislative, executive and judiciary branch.

The legislature enjoys the power to make laws while the executive implements or carries out the policies and laws made by the legislature as well as enforcing decisions of the courts (judiciary). The judiciary as the third arm of government is empowered to interpret laws and adjudicate in conflict(s) between parties. The whole secret about the concept of separation of power is to avoid or prevent misrule and misapplication of political power by public office holders through the principle of checks and balances. This provides opportunity to prevent any of the branches of government from having too much power. There is tendency for

dictatorship if too much power is concentrated in the hands of a single branch (of government) without putting in place checks and balances.

Study Session Summary



Summary

In this Study Session you learned that separation of powers involves division of the legislative, executive, and judicial functions of government among separate and independent bodies. Such a separation, it has been argued, limits the possibility of arbitrary excesses by government, since the sanction of all three branches is required for the making, executing, and administering of laws.

Under the separation of powers, each branch is independent, has a separate function, and may not usurp the functions of another branch. However, the branches are interrelated. This relationship is described as one of checks and balances.

Assessment



Assessment

Now that you have completed this study session, you can assess how well you have achieved its Learning Outcomes by attempting the activity in SAQ 4.1. Write your answers in your Study Diary and discuss them with your Tutor at the next Study Support Meeting. You can check your answers with the Notes on the Self-Assessment Questions at the end of this Manual

SAQ 4.1 (tests Learning Outcomes 4.1, 4.2 & 4.3)

Read the following news report and,

- identify the governments at different levels;
- identify the role of Supreme Court;
- what elements of the working of judiciary and executive can you identify in it?
- identify the matters related to legislation, implementation and interpretation of the law involved in this case.

NEWS REPORT:

The Supreme Court and Ladoja's Case

WITH its ruling yesterday in the Ladoja case, the Supreme Court of Nigeria has taken a bold step in re-affirming the supremacy of the rule of law, which

had received much bashing recently in Ekiti, Anambra, Plateau and Oyo states. The impeachment drama in the aforementioned states had become an opportunity for local party thugs, masquerading as Godfathers, in collaboration with their unseen friends, to hijack the democratic project, make complete short-shrift of due process and impose their will on the people.

The ruling of the Supreme Court is, in this light, not just a ruling against political brigandage in Oyo state, but a vote against legislative tyranny and unbridled rascality on the part of the same persons who had sworn to protect the Constitution. It is a historic ruling, which re-affirms the power and the will of the people, as expressed through the Constitution. The impeachment saga across the country - the removal of a sitting Governor by kangaroo legislative panels; the relocation of State Houses of Assembly to neighbouring states; the conduct of serious legislative business at ungodly hours, the chicanery of the political class - had brought democracy to great ridicule - to a point where might had become the deciding factor in politics. Their lordships, the Justices of the Supreme Court have acted judiciously by re-awakening the entire country to basic values...Six of the seven justices who ruled in the Ladoja case upheld the ruling of the Court of Appeal, Ibadan Division, which had declared that the processes leading to the January 12 impeachment of then Governor Rashidi Ladoja of Oyo State was null and void; entirely without basis in law.

...With this Supreme Court ruling, the job of the Inspector-General of Police is clearly spelt out for him, namely to restore Governor Ladoja's full complement of security aides and to ensure his protection as he reclaims his mandate...

By Reuben Abati culled from *nigeriavillagesquare.com* on April 14, 2013

Source: <http://nigeriavillagesquare.com/articles/reuben-abati/the-supreme-court-and-ladojas-case-16.html>

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Study Session 5

Arms of Government: The Legislature

Introduction

As noted in Study Sessions 1, 2 and 3, the term government could refer to a system of managing the affairs of a large political unit such as a nation, a state, a city, or a village. In Study Session 4, we discussed the implication for fusing power in an organ of government. One of the panaceas we discovered was to divide the powers of government among its functioning lines. In this Study Session, we will explore how separation of power is structured in the most popular form of government in modern times – democratic governments.



Learning Outcomes

When you have studied this session, you should be able to:

- i. describe the legislature as an organ of government.
- ii. explain the typology of legislature.
- iii. discuss types of legislature.
- iv. enumerate the functions of the legislature.



Tip

General Structure of Contemporary Democratic Governments

In the contemporary world, the most popular form of government is democratic government that is managed by representative elected by the people. To ensure that these representatives work effectively, and to control misuse of power and authority by them, the democratic governments are generally divided in three broad arms or organs or branches of government. These are legislative, executive and judiciary branches.

5.1 Description of the Legislative Arm of Government



Legislature is the organ of government charged with the responsibility of making laws as well as policy formulation. Despite the importance of this governmental institution, it remains the arm of government that is most

hit and undermined by political instability. Take for instance, in countries where military rulers also disband the legislature. This experience often affects the evolution of legislature adversely.

Thus, this is the bane of development of African democracy because the legislature usually fails to perform effectively, particularly as it relates to the dispensing of its official duties or institutional functions. The art of law making remains lackadaisical.

According to Boynton and Kim (1975: 16-17), legislature is very important in goal setting in any society. In as much as the legislature remains the governmental institution that enjoys the exclusive right(s) to formulate policies and make laws, it holds a strategic position in the goal-setting process as well as decision-making of the government. Owing to the fact that laws are made for men, it will be imperative to always examine the continued relevance of all the laws made to the attainment of the goals and objectives of the government and the larger society. Consequently, any laws that have become moribund or no more useful will need to be abrogated (abolished) or amended (refashioned).

The importance of legislature is also evident in its ability or power to change or amend legislation as well as to abolish laws considered not useful for the 'corporate good' of the society. The formal rules and informal conventions in the conduct of legislature business often look similar from country to country but with little difference(s). The fact is that virtually all the existing legislatures in the world usually adopt one of the two basic models: the Westminster model (British model) or American model.

5.2 Typology of Legislature

The character of legislature varies from one country to another. In this segment of the Study Session, we are going to look at various types of coordinate character of various legislatures across the world.

Type A: This explains the relationship between the legislatures and executive in terms of mutual cooperation between the two institutions such that executive does not have overwhelming influence on the legislature. This category of legislatures enjoy considerable power to formulate policies without being challenged by the executive. Again, the executive always considers necessary the need to sample the opinion of the legislature before she brings any bill or legislation proposal to the parliament. According to Weinbaum (1975:36):

Type A legislatures are usually cabinet governments where an executive is responsible both in form and substance to a partisan majority.

It is important to note that the consent of majority in the parliament is not only sought through consultation of the members of the ruling party in the parliament. It may also involve a process of coalition, and consultation of various parties in the parliament but 'not as a matter of custom or convenience, but as a practical necessity (ibid).

Type B: Here, we have the legislatures in which there is absence of mutual consultation between the executive and the legislature. The executive often uses party platform to evoke conformity among the members of the ruling party in the parliament. The party usually comes in to do a yeoman job in the parliament by prevailing on the party–representatives in the parliament, to do the bidding or request of the executive. This situation often results in the subordination of the legislature particularly when the party that controls the executive also has the majority seats in the parliament. This was evident in Nigeria during Obasanjo Administration (1999-2007) in which the President always mandated the party leadership of the ruling People’s Democratic Party (PDP) to prevail on the members of the party in the parliament who also controlled the majority in both chambers (the House of Representatives and the Senate) rather than engage the legislators in effective consultation.

Type C: In this case, we have legislatures that are less purposeful. These are legislatures that are subordinate to the executive. They don’t have any minds of their own, they always do the order of the executive. They are “rubber stamp” legislatures. Here, we often have legislators whose primary concern is to satisfy their selfish interest, and advancing the interest of people is most unlikely.

The legislators always support the policy actions of the executive in as much as their sectarian or tribal or individual interest is guaranteed. Constructive opinion-making is lacking, as primordial and primitive sentiments dominate parliamentary affairs. There is tendency that in this category of legislatures, the parliament will be consisted largely of unprofessional and less-intellectually sound minds. This form of legislature exists more in countries where enrollment of people into national elites give very little or no consideration to education, legitimization and effective recruitment (Weinbaumopcit, p 40).

Type D: In this category, we have legislatures which exhibit a ‘pattern of interactions with the executive, which can be described as fragile and mutable’ (ibid). Structural deficiency and weak value system dominate the parliamentary affairs in such political systems that have Type IV legislature. The underlying element of this category of legislature is that there is absence of integration and control due to sectarian ideologies and primordial sentiments forming the core values which guide the political behavior of virtually all the legislator. According to Weinbaum (ibid p.41) type D legislatures:

“...are for better equipped through powers of investigation and parliamentary interpellation to harass and obstruct governments”.

This category of legislatures hardly has members who have minds of their own in parliamentary deliberations and resolutions.



Nigeria 1960-66

During the first republic, deliberations in the parliament often took regional direction where the major ethnic groups always pitched tent against one another. The situation created big problem for government at the centre and the parliament also lacked cohesion. A fight for political hegemony among the three leading ethnic group within and outside the parliament, created tensions in the polity and consequently, led to the first military coup in Nigeria.

Type E: This category of legislatures demonstrates ‘a wide diffusion of power and fluid parliamentary majorities’ (ibid, p 41). There are usually conflicts between the executive and legislature. Political parties have a very little control over the legislators in dispensing their institutional duties. The executive also lacks sufficient power to control the affairs of the parliament. Whenever there is no mutual understanding between the executive and legislature, the result is usually a ‘deadlock’, and the legislators may reject the executive bills. The conflict between executive and legislature is not permanent, it comes occasionally. Thus, when such conflict takes place, the executive often goes back to the drawing board to re-strategize and dialogue with the legislators. In doing so, the executive applies effective bargaining to bring the legislators to their side as way of enjoying favourable response from the parliament. Usually, it is when this is done, that a mutual agreement is reached between the executive and the legislature. This form of legislature can be seen in some developed democracies like the United States.

5.3 Types of Legislature

5.3.1 Unicameral legislature

One-chamber or unicameral legislature is a representative form of government with a single legislative chamber. In unicameral legislature, there is existence of only one chamber. It has most often been established in countries with a centralized or unitary structure. Countries with unicameral systems include Uganda, Costa Rica, Portugal, and Sweden.

5.3.2 Bicameral Legislature

This is type of legislature where there exist two chambers. This form of legislature can be found in several democracies like Nigeria (House of Representatives and the Senate), Great Britain (the House of Lords and the House of Commons), the United State (the Upper House and the Lower House). In bicameral legislature, legislative business takes place in the two chambers that often operate independently of each other. The constitution defines the power and the boundary of each of the two chambers as regard the dispensing of their political functions. In Nigeria, for instance, it is the Senate that has the power to approve the appointment of people into essential public offices while the House of

Representatives cannot perform such function. By and large, the two chambers often work in harmony to carry-out their functions.

5.4 Functions of Legislature

1. To make laws for the state.
2. To amend the constitution.
3. To control the executive especially on the issue of political recklessness.
4. To control public expenditure especially the approval of annual budget.
5. To provide forum for airing political grievances and matters of public importance.
6. To scrutinize and approve the appointments to important public offices like those of ministers, ambassadors, judges among others.
7. To appoint the prime minister and others members of the cabinet where applicable.
8. To supervise and control government agencies.
9. To provide an atmosphere or rather platform through which public officers acquire the skills of public governance.
10. It has the power to sack the executive where applicable.
11. It has power to dissolve the parliament.

Study Session Summary



Summary

Thus far in this Study Session, you described the legislature as an organ of government. We went explained the typology of legislature. Lastly, we discussed types of legislature; and outlined the functions of the legislature.

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Study Session 6

Arms of Government: The Executive

Introduction



Learning Outcomes

The executive is the second branch of government. It is responsible for the execution of government policies. In this Study Session, we will explore the nature of executives; how executives are selected; and lastly, the functions of the executive arm of government.

When you have studied this session, you should be able to:

- i. point out which organ of government carries out policies.
- ii. determine the nature of the executive based on the system of government in power.
- iii. present how to choose an executive.
- iv. outline the functions of the executive.

6.1 The Executive Arm of Government

The Executive is the organ of government, which is empowered by the law to implement or carry-out the policies, laws and decisions of the government while the judiciary enjoys the power to interpret the laws. According to Kapur (1950: 575):

“the term executive is used to designate all those offices of the government whose business is to execute, or put into effect, the laws. It is the pivot around which the actual administration of the State resolves and includes all officials engaged in administration”.

The executive can also be defined as follows:

“.....the branch of government responsible for the day-to-day management of the state”.

(see [http://en.wikipedia.org/wiki/Executive_\(government\)](http://en.wikipedia.org/wiki/Executive_(government))).

“the branch of government responsible for enforcing the law”.

(<http://socsci.gulfcoast.edu/dreese/glosterm.htm>).

“the executive arm of government is responsible for running the affairs of the State and for implementing the laws of the State as provided by the constitution and enacted by the Legislature”.

(<http://www.kanostate.net/governorship.html>).

The executive is a very important organ of government, which other organs of government cannot do without. They always look up to her for

the execution of their policies and laws. Apart from legislature and judiciary, all other institutions and bodies in public service are under the control of the executive. It is extremely rare, if not impossible to have a government without the executive branch. Even in situations where other branches are less visible, the executive is always visible. This is because of the pivotal role(s) it plays in the administration of State. Still in military regimes where legislature (in the real sense of it) is missing, the executive still exists in which the leader of the junta is the Head of State and Commander in Chief of the Armed forces.

It is important to note that the executive's functions cover general administration of the state including law enforcement. Therefore, such institutions like the Police, the Customs Service, the Immigration Service, Foods and Drugs regulatory organization (like NAFDAC), among others are under the tutelage of the executive arm of government.

6.2 Nature of the Executive

Nature of the executive is of two types and these include:

- i. real nature; and
- ii. nominal nature.

6.2.1 Real Nature of the Executive

This nature denotes a kind of the executive branch of government in which the head of (executive) council serves in capabilities of ceremonial head and head of government. This means that the head oversees the affairs of government especially as it relates to implementation of policies in the federal system. The regional governments may also have executive councils that function effectively and they can operate independent of the central executive (government).

Under a presidential system like the USA and Nigeria, the president is both the Head of State and Head of Government. Mr. President is more powerful than his/her counterpart under the parliamentary system of government.

6.2.2 Nominal Nature of the Executive

As noted earlier, government-type determines the nature of executive power. Under parliamentary system, the Prime Minister is the head of government; he plays the real executive roles and in company of other members of the cabinet carries out the business of government while the President performs nominal roles as ceremonial head. The president does not participate in the real business of the executive branch. For instance, in Britain, the monarch as President is the Head of State who only functions in executive capacity as ceremonial head while the Prime Minister enjoys the real power. Nominal nature of the executive therefore depicts limited roles played by an executive authority.

Also, under the unitary system, the executive branch of the regional governments plays nominal role(s) because they don't enjoy any original power from the constitution except the one delegated to them by the central government. The government at the centre can reduce or increase or withdraw such power at anytime, even without prior notice.

6.3 Methods of Choosing the Executive

According to Kapur (1950:579), there are five basic ways or methods through which the head of the executive can be chosen. These include the following:

6.3.1 Hereditary Principle

This method is popular in political systems, which operate monarchy. Here, the tenure of office is for life and a new occupier of the office emerges only when the old occupant is dead or deposed. The deceased monarch will be replaced with one of his or her biological children or blood relations.

6.3.2 Direct Popular Election

Here, the chief executive is chosen through election. The people give their mandate to a candidate of their choice to emerge as the chief executive officer. In this case, the tenure of the chief executive officer is specified in the constitution, which may vary from one country to another. For instance, in Nigeria, one can be elected as the president or the governor for a period of four years, which can only be renewed once. This means no executive officer can spend more than eight years in office.

6.3.3 Indirect Election

The chief executive officer can also choose through an electoral college. The members of the Electoral College are elected directly by the people who in turn elect the chief executive through indirect electoral system.

6.3.4 Election by the Legislature

This is another form of indirect election of the chief executive. It is not as the same as the Electoral College. Here, the chief executive is appointed by the parliament as we have under the parliamentary government. In this case, the people or voters elect those going for legislative business directly. After the parliament has been inaugurated, the party with the majority seats will then appoint a person, often their leader, as the prime minister along side with other party members to form the cabinet. The cabinet being chaired by the prime minister is empowered to be in charge of day-to-day administration of the State. Examples of this mode of choice of the executive can be found in Australia, Britain, and Pakistan, to mention a few.

6.3.5 Nominated Executive

The chief executive is not appointed through electoral or hereditary processes but by imposition. During the colonial era in Nigeria and elsewhere, the chief executive officers (Governors or Governor-Generals) of colonial administration were usually appointed by the respective imperial authorities. In colonial Nigeria, the head of the colonial administration was appointed by the Queen (monarch) rather than by the local people. Under the military regimes, the ruler comes into power through nomination from among the officers with whom he staged the coup. Even, an interim government can be set-up in the time of war or

emergency in which the chief executive is chosen by nomination. For example, the Interim National Government led by Chief Ernest Shonekan, was put in place in Nigeria in 1993 by nomination from General Ibrahim Badamosi Babangida (IBB) towards the end of his military administration.

6.4 Functions of the Executive

1. To deliberate and decide on policies to be submitted to the parliament for law making.
2. To give assent to bills before such bills can become laws.
3. To control trade with foreign countries.
4. To maintain and enforce laws made by the parliament.
5. To enforce the decision(s) of the court(s).
6. To act in preventing political strife.
7. To implement defence policies particularly as it relates the country against internal and external aggressions.
8. To carry out on behalf of the government various developmental projects and policies aimed at promoting improved quality of life among the masses.
9. To execute policies can promote peaceful coexistence of various ethnic groups in the State.
10. To protect and advance the interest of the State.
11. To perform certain judicial functions like the right of pardon or clemency.
12. To provide basic needs of the people.
13. To provide social amenities for the development of the country.
14. To prepare, defend and execute the budget on annual basis.
15. To maintain good relations with friendly countries.
16. To generate income for government.

Study Session Summary



Summary

In this Study Session you learned which organ of government carries out policies. We discussed the nature of the executive; presented how to choose an executive; and outlined the functions of the executive.

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Study Session 7

Arms of Government: The Judiciary

Introduction

In this Study Session, we will focus on judiciary, which is the third branch of government that is charged with responsibility of interpreting law as well as adjudicating in the conflict(s) between parties.

After studying this chapter, you would be

- i. describe judicial arm of government. (SAQ 7.1)
- ii. explain the meaning of independence of judiciary. (SAQ 7.2)
- iii. highlight the functions of the judiciary. (SAQ 7.3)

7.1 Judiciary as an Organ of Government: Meaning

The judiciary is the system of courts that interprets and applies the law. The judiciary also provides a mechanism for the resolution of disputes. Under the doctrine of the separation of powers, the judiciary generally does not make law (in a plenary fashion, which is the responsibility of the legislature) or enforce law (which is the responsibility of the executive), but rather interprets law and applies it to the facts of each case. This branch of the state is often tasked with ensuring equal justice under law. It usually consists of a court of final appeal (called the "Supreme court"), together with lower courts.

In many jurisdictions the judicial branch has the power to change laws through the process of, **judicial review**. Courts with judicial review power may annul the laws and rules of the state when it finds them incompatible with a higher norm, such as primary legislation, the provisions of the constitution or international law.

Many times, courts are seen only as **arbitrators** in disputes between individuals or private parties. Judiciary however, performs some key roles in political systems. Since independence, the judiciary has been playing important roles in the political development of the Nigerian State. For instance, 1979 Awolowo

7.2 The Independence of the Judiciary

Independence of judiciary is vital in the administration of State. The independence of the judiciary is hinged on the freedom of the administration of justice, wherein court judges are independent enough to perform their professional functions. This view is also supported by A.L. Goodhart who posited that:

"it has been recognized as axiomatic that if the judiciary were placed under the authority of either the legislature or the

executive branches of the government then the administration of the law might no longer have that impartiality which is essential if justice is to prevail (Goodhart, 1953:60)”.

Sir Winston Churchill concurs with this position when he stated that:

“the principle of complete independence of the judiciary from the Executive is the foundation of many things in our island life. It has been imitated in varying degrees throughout the free world. It is perhaps one of the deepest gulfs between us and all forms of totalitarian rule... The British Judiciary, with its traditions and record, is one of the greatest living assets of our race and people and the independence of the judiciary is a part of our message to the ever growing world which is rising so swiftly around us”.

Sir Kenneth Robertsway argues that independent judiciary is a condition for good governance and peaceful co-existence of the various groups and people of any country. He however sheds more light on how true judicial independence can be safeguarded. According to him:

“to the question how the independence of the judiciary is preserved, I suggest a fourfold answer; first, by appropriate machinery for appointment of judges; secondly, by giving judges security of office; thirdly, by such general acceptance of, and respect for, judicial independence that the members of the judiciary can rest assured that it is not likely to be challenged and has not continually to be fought for; fourthly by the terms of service of members of the judiciary” (See Anderson, 1963:63).

7. 2.1 Elements of Independent Judiciary

Simply stated independence of judiciary means that:

- the other organs of the government like the executive and legislature must not restrain the functioning of the judiciary in such a way that it is unable to do justice.
- the other organs of the government should not interfere with the decision of the judiciary.
- judges must be able to perform their functions without fear or favour.

Kasali (2007: 185-188) went further to note more elements of independent judiciary, they include the following:

Competence and Reliability of Judicial Office Holder

The independence of judiciary is also incumbent on the caliber of people who occupy judicial offices. Professor Schwartz reaffirms this position:

“...the quality of justice depends more upon the quality of the men who administer the law than on the content of the law they administer. Unless those appointed to the Bench are competent and upright and free to judge without fear or favour, a judicial system, however sound its structure may be on paper, is bound to function poorly in practice” (Schwartz, 1955:130);

Appropriate Appointment of Judges

The appointment of judges should not be politically motivated. There should be competent appointment machinery that will recommend the appointment of judges to the other organs of government for approval.

Security of Tenure and Promotion

Provisions should be made to ensure the security of tenure of judges, so that judicial officers will be free to do their job without any political interference from any quarters. Arbitrary removal of judges will have an adverse effect on the administration of justice.

Salaries and Other Legitimate Benefits

In order to prevent interference in the affairs of the judiciary by the executive, it is advisable and important to provide a financial autonomy for judiciary through the consolidated fund.

Democratic and Constitutional Governance

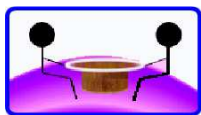
The independence of judiciary is very unlikely during military incursion in politics.

Security of Life and Property of Judicial Officers

There should be state protection of life and property of judges through provision of adequate security facilities.

Respect for Rule of Law

Independence of judiciary can also be guaranteed, where there is unrestricted and unlimited respect for rule of law irrespective of class, sex, ethnic background, religion, race and colour.



Online Discussion

Which of the following factors do you think, work as constraints over judges in giving their rulings? Do you think these are justified?

- A. Constitution
- B. Precedents
- C. Opinion of other courts
- D. Public opinion
- E. Media
- F. Time and staff constraints
- G. Fear of public criticism
- H. Fear of action by executive

Post your position in Study Session 7 online discussion page on the course website. See course calendar / course site for scheduled date for this activity.

7.3 Functions of Judiciary

1. This organ interprets laws.
2. It safeguards the rule and supremacy of law.
3. It voids awful laws, which might be made by the legislature.

4. It adjudicates in any conflict between individuals or between individual(s) and government.
5. It determines any conflict involving central and state/regional authorities or between one state/regional and another;
6. It promotes peaceful settlement of conflict.
7. It promotes the culture of constitutionalism.

Study Session Summary



Summary

In this Study Session, we described the term judiciary and explored the importance of the judiciary in a democratic structure. We also discussed the need for independent judiciary, and the inherent functions of this arm of government.

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Study Session 8

Unitary System of Government

Introduction

In this Study Session, we shall be looking at the conceptual definition, features, advantages and disadvantages of unitary system. Unitary system of government is that one in which the levels of government are constitutionally administered under a single unit and one constitutionally established legislature.

At the end of this Study Session, you should be able to:

- i. define the term unitary system. (SAQ 8.1)
- ii. identify the features of unitary system. (SAQ 8.2)
- iii. discuss the merits and shortcomings of unitary government. (SAQ 8.3)

8.1 Definition of Unitary System

Unitary system of government involves centralization of political power in a single authority but notwithstanding, such “political power of government may as well be transferred to lower levels - regionally or locally elected assemblies, governors and mayors, but the central government retains the principal right to recall such delegated power. According to Kapur, (1950:399), unitary system of government can be described as:

“a single integrated system of government for the exercise of all powers. The legal sovereign confers all the powers of government in the first instance upon a single central government. The central government may exercise all these powers by itself or create political subdivisions and delegate to them such powers as it may deem wise to delegate. The central government is competent to change their boundaries as well as power at its pleasure, by ordinary legislative enactment”.

From the foregoing definition, you will agree with me that there is devolution of power under the unitary system, and that regions can be given powers which can be withdrawn by the central government. Additionally, such states or regions upon losing their powers through legislative enactment of the government at the centre or executive declarations of the central government have no moral right or legal ground to protest against such withdrawal of autonomy. Other definitions of unitary system include:

“unitary form of Government is one in which all legislative and executive authority is vested in a single legislature and a single government. It has also been described as one in which the habitual exercise of supreme legislative authority is carried out

by one central power".
(see <http://www.sundaytimes.lk/960825/news3.html>).

"....a form of government in which power is held by one central authority. (see <http://www.wordweboonline.com/en/UNITARY>).

Thus, Manis, 1995 noted that powers that are exercised by the states or regions are only delegated by the central authority and it can be withdrawn by the central government without prior notice. Powers delegated to regions are basically for administrative purposes and the size and lifespan of political power given or transferred to various regions may vary from one region to another.



In unitary system of government, political powers of the regions emanate from the central political authority or government. These powers devolve to regions from central government, and the regions do not have 'original existence of their own, they are the creation of the central government and may be altered at its will'. - Kapur

Meanwhile, if you define unitary system of government as one in which supreme legislative authority exclusively and absolutely dwell in central political authority or government, you are right. It is important to note that, sometimes, in some political systems (countries), regional governments can be given autonomous powers to make their own laws apart from those made through the central legislative enactment. For instance, under the Act of 1919 in India, the provinces enjoyed exclusive rights to legislate on several issues that bothered them outside the jurisdictional control of the central government through a constitutional political arrangement.



Irony: Unitary System in Federal State

It is often presumed that it is only in political systems where there is no constitutional sharing of political power between the central government and other component units of the state, that we have unitary system of government. Nonetheless, it is more interesting to note that many of these states that operate within unitary framework are federalist. The fact is that many federalist states have too strong central government, and usually experience predatory relationship between the central political authority and state governments.

We are all aware that in political systems like Nigeria, central government arrogates to itself too much power, even beyond what power accorded to her in the constitution. States or regional governments are often unitary because most power of the local government is delegated to the latter by the former (state/regional governments). The laws coming from the regional or state assembly override the legislative enactment of the local government. Also, the local council authority can have its power diminished, increased or withdrawn by the state or regional government especially through legislative enactment. Therefore, the state or regional legislature can dissolve the executive council of the local government or may even allow the state government to take over local government administration.

8.2 Features of Unitary Government

1. Concentration of power at the centre (central authority).
2. The constitution only recognizes the central government in the control of state power.
3. The regions/states lack the power to make laws on their own.
4. Laws are made for the whole state by the central parliament.
5. The powers being exercised by the regions/states are delegated to them by the central government.
6. The central power can increase or reduce or even withdraw the delegated power to the regions/states without any prior notice.
7. The regions/states are subordinates to the central authority.

8.3 Merits and Demerits of Unitary Government

The advantages of unitary government include:

1. It is a very effective system of government. The centralization of power often makes the regional or state governments to always be effective in their performance because they know that the central political authority has constitutional power to withdraw the power given to them. Therefore, regions or states will always be on their toes to carry out their functions religiously because their administrative performance may determine their continued patronage by the central government, which can reduce or increase or terminate the regional powers at will.
2. It is flexible. This is because unitary system can easily modify and adjust the organizational structure of the state (country) if the need arises in order to ensure effective administration.
3. It is cheap and simple. It avoids duplication of political institutions, which may likely be expensive to operate. Unitary system is less cumbersome than federalist system because power is centralized, and no region or state can claim any exclusive power, which makes the problem of intergovernmental rivalry unlikely.
4. It ensures quick decision making.
5. There is also unified administration. This does not prevent wasteful application of government funds but also promotes unity in government through uniformity of laws and policies in the administration of the entire nation.

The Disadvantages of Unitary Government are hereby listed below.

1. It undermines effective administration of local government. This is because political administration in contemporary time, demands that 'central governments ... have to tackle so many complex problems, national and international, that they have neither the initiative nor the time to devote to local affairs' (Kapurupcit, 401).
2. It can only be operated in small countries, and where multiplicity of ethnic groups is less visible. There is possibility that it will fail in countries that have extremely heterogeneous groups.

3. Uniformity of laws in unitary system may sometimes ignore peculiarities of each of the regions in public administration and such situation may lead to maladministration.
4. Regional governments may remain less creative in the exercise of power because they know that such power is only lent to them and the owner of the power from them, even without any previous formal notice.
5. It may attract despotism due to centralization of power at the centre, in which the regions appear as preys that can be consumed by the central political authority.

Study Session Summary



Summary

In this Study Session, we noted that unitary system of government only allows the central authorities in the possession of the state power. Unitary constitution only recognizes the central government. Therefore, power is concentrated at the centre. The regional governments enjoy only the power delegated to them by the central government. There are several features of unitary system which includes centralization of political power at the centre; making of laws for the whole country by the central parliament; among others. The system also has a number of advantages but it is plagued with shortcomings.

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Study Session 9

Federal System of Government

Introduction

In this Study Session, we shall focus on federal system of government. In our quest to discuss the subject, we shall begin our discourse by looking at various conceptual definitions of the term federal system or federalism. We shall also explain other central issues like reasons for and the features of federalism.

At the end of this Study Session, you should be able to:

1. define federal system of government. (SAQ 9.1)
2. identify reasons for adoption of federalism. (SAQ 9.2)
3. describe the features of federalism. (SAQ 9.3)
4. discuss the advantages and disadvantages of federal system. (SAQ 9.4)
5. differentiate between the federal and unitary systems. (SAQ 9.5)

9.1 The Meaning of Federalism

Countries Operating Federalism

The term Federation emanated from the Latin word *foedus*, which means treaty or agreement. A **federal system** involves sharing of political power among various component units of any state (country) where the central governments and regional governments are given varying powers by the constitution and each of them has power to have its own laws without relying on other. The court is the last resort when there is clash between the central government and regional governments.

Several scholars have worked extensively on **federalism**, and they have come out with different definitions of the term:

“the form of government where the component units of a political organization participate in sharing powers and functions in a cooperative manner through the combined forces of ethnic pluralism and cultural diversity, among others, tend to pull their people apart. Delicate arrangements of this kind, where carefully worked out, provide sufficient room for the coexistence of centre-seeking and centre-fleeing forces” (Tamuno, 1998:13)

“a device for limiting government power by dividing it between national and various regional governments based in different regions of the country. Federalism, like the separation of powers between organs of a unitary government, is an important instrument of constitutionalism” (Nwabueze, 1992:107)

“... the method of dividing powers so that the general and regional governments are each within a sphere, coordinate and independent” (Wheare, 1970 : 11).

“.....a joint national enterprise in which the centre and the states are partners, united in a common purpose and working with agreed policies in different fields of national development” (India Progress Report, 1953: 1).

“a system of government in which central and regional authorities are linked in a mutually independent political relationship; in this system a balance is maintained such that neither level of government becomes dominant to the extent that it can dictate decisions of the other, but each can influence, bargain and persuade the other... the functions of government will be distributed between these levels” (exclusively, completely or cooperatively) (Vile, 1961: 197).

“the system of division of powers, a federal polity is a dual government, in which powers are divided and distributed by the constitution between a central government and regional governments... Both the central and regional governments are coordinate, independent authorities within their allotted spheres of jurisdiction. Neither can encroach upon the powers of the other” (Kapur, 1950: 402-403)

Considering various definitions above-mentioned, you may agree with me that federal system is a very effective instrument of governance, which enables the component units to have political power independent of central political authority, not only to function on their own but also to make policies in accordance with their various peculiarities. Such peculiarities may likely not be given sufficient attention under a form of political system where power is centralized (unitary system) due to the uniformity in policy formulation and implementation of such political arrangement.

9.2 Reasons for Federalism

9.2.1 Fear of Domination

In multi-ethnic state(s) there is always fear that larger or major ethnic group(s) will dominate the others, particularly as it relates to the allocation of state resources. Such fear can likely be reinforced by unitary system. Thus various ethnic groups will engage one another in rivalry for control of government at the centre.

9.2.2 Cultural Differences

Diversity in the socio-cultural background of the people in a given state is enough reason to adopt federalism. What I am saying is that people may decide to have a federalist state due to the differences in their languages, belief systems, norms, values, customs among others, resulting from their different cultural histories. Thus, the heterogeneous nature of multi-ethnic

society is likely to demand for federal system to be put in place, so that every people, in spite of their cultural diversity, can enjoy substantial autonomy to function effectively as a people. This will definitely create an opportunity for 'unity in diversity'.

9.2.3 Administrative Efficiency

Decentralization of government powers among various levels of government is capable of promoting effective administration of the entire nation. This situation tends to allow development to reach every nook and cranny of the country.

9.2.4 Economic Reasons

In as much that, it should be the desire of every responsible government to ensure that all its component units are evenly developed, and knowing that these component units don't enjoy the same amount of natural resources, efforts should be made by the central government to create conducive atmosphere for rapid development in all the component units (states or regions). The government at the centre will need to assist those states or regions, which have less resource to develop through a number of interventions like offer of grants, technical assistance, among others. The government must also ensure that each of the component units enjoy considerable control of its resources. This can more be guaranteed under a federal system;

9.2.5 Geographical Contiguity

Federalism can be adopted where ethnic groups are geographically contiguous, having history of inter-ethnic integration or economic co-operations i.e. trade relations before colonialism. Such integration enables them to appreciate the inter-dependence in their relations; and

9.2.6 Historical Reason

There is no way we can talk about the history of Nigeria as a nation without considering the colonial experience of its people. The colonial experience and Western values that the local people inherited at independence are a source of the emergent culture of modern state in Africa. But despite the common history of colonialism shared by the people, primordial sentiments and ethnic rivalry are still popular on the continent, making efforts at nation-building less fruitful. Therefore in such situation like this, federalism can be adopted to reduce inter-ethnic tension in the state and to foster peaceful coexistence among various ethnic groups. In this case, each region will be given its own power to administer its boundary, so that, each ethnic group, big or small, will have a deep sense of belonging particularly as it relates to the fiscal autonomy they will enjoy under a federal government.

9.3 Features of Federal System

1. A federal state is a product of union among various component units, and each of them retains its power according to its independent jurisdiction;

2. The component units such as states transfer their sovereign power to a large political entity (central government) that represents and directs the affairs of the entire political system or country;
3. Political power is shared between the central government and regional or state governments where each will its own executive, legislative and judicial councils;
4. The power is divided and distributed between the two levels of government (central or federal and regional or state authorities) and each of them have jurisdictions over various subjects. According to the Nigerian constitution, there are three lists that allocate different subjects or functions that can be undertaken by each of the two levels of government within a jurisdictional interpretation (according to their jurisdiction). The first list is called exclusive list which belongs to the central government. The second list is called residual list which belongs to the state governments). The third is concurrent list, which can be undertaken by both levels of government;
5. It does not evolve but a union that is made;
6. The power, functions and relations between the levels of government are usually contained in a written constitution;
7. Presence of rigidity of official document (constitution), making amendment process(es) a difficult task;
8. The ways through which any section or all sections of the constitution can be amended are spelt out in the official document (constitution); and
9. The union is permanent and not susceptible to adjustment. Adjustment may come in form of secession by a segment of the federation, which may likely be suppressed by the central government as evident during the Biafran War (1967-1970).

9.4 Merits and Demerits of Federal System

The benefits of operating a federal system of government include:

1. Fostering peaceful coexistence among various ethnic groups in a given state by ensuring that political interests of all groups are protected.
2. It assists for even development of various component units and also ensures effective local administration. The autonomy enjoyed by regional or state government enables them to make their own laws and policies, considering their peculiarities.
3. It is the best system of government for political systems with large territories and multiplicity of ethnic groups, racial, religious and cultural differences.
4. Federalism promotes wider political participation through decentralization of political power as well as duplication of political institutions; and
5. It prevents too much or absolute concentration of political power in the hands of central political authority capable of promoting authoritarianism.

The shortcomings of federal system are as identified below:

1. Duplication of political institutions may amount to wastage of public funds.
2. There is often jurisdictional conflict between the two levels of government, which is capable of undermining the law and order of the state. For instance, the Yar-Adua government wanted re-election in states where local government elections had been conducted, and postponement where council elections were about to be conducted. Incidentally, several state governments challenged the authority of the federal government, saying that local council election falls under the jurisdiction of state government.
3. The agreement for the federalist union lies within the constitution. There is tendency that in a situation whereby there are defaults in the constitution, there will be perpetual conflict between the two levels of government. Therefore in order to address such anomalies, it is necessary to amend conflicting sections of the constitution, which is also difficult to accomplish. The reason is that written constitutions are always rigid.
4. Decision making is slow under federal system of government.
5. It promotes inconsistency in government. This is because states may have divergent interests, which cannot be reconciled.

Note

Differences between Federal and Unitary Systems

Federal System	Unitary System
Decentralization of political power between central and state governments.	Centralization of power and no regional government exercises power on its own.
Existence of written and rigid constitution.	Constitution is usually unwritten and flexible.
Jurisdictional conflicts between the two levels of government is settled by the court	Jurisdictional conflicts are absent because it is only the central government that enjoys political power.
Equality of status between the central and state governments: they make their policies independent of each other.	Regional governments are subordinates to central government.
Existence of central and regional or state legislatures	Laws are basically made by the central legislature.
Separate systems of law by the two levels of government	Uniform system of law.

Study Session Summary



Summary

In this Study Session, we discussed federalism - a system of government in which sovereignty is constitutionally divided between a central governing authority and constituent political units (like states or provinces). Each of them enjoys considerable independence, and supreme power in its own sphere of authority as provided for in the constitution. There is no doubt that both central and regional or state governments, despite their independence, have to complement each other in the dispensation of their powers and functions as contained in the official document (constitution). There are weak and strong forms of federalism.

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Study Session 10

Parliamentary System of Government

Introduction

In this Study Session, you will explore discussions on parliamentary system of government. This system of government is opposite to presidential system, which we shall discuss in the next Study Session. We will begin this session by looking at some of the definitions of the concept-parliamentary system, then discuss the features, advantages and disadvantages of parliamentary system of government.

At the end of this Study Session, you should be able to:

- i. define parliamentary system of government. (SAQ 10.1)
- ii. identify the major types of parliamentary government. (SAQ 10.2)
- iii. describe the features of parliamentary system. (SAQ 10.3)
- iv. discuss the merits and demerits of parliamentary system. (SAQ 10.4)

10.1 Defining Parliamentary System of Government

In contemporary time, government is organized along either parliamentary or presidential form, and the basic difference between the systems of government is the relation between the executive and the legislature. The task of distinguishing the systems is not a difficult one. While in parliamentary system there is fusion of power particularly in the relations between the legislature and the executive organs of government; but in presidential system, there is separation of power between the branches of government.

However, it is no news that several scholars have conducted extensive studies on the subject (parliamentary system of government). It is therefore pertinent to view some of the definitions that have emerged resulting from such intellectual efforts, to stimulate our better understanding of the subject.

“in a parliamentary system, a clear distinction is made between the head of the state and the head of government, a executive and the executive. Here, the head of the state, King or Queen in Britain or President in India, possesses nominal or titular authority whereas the real authority rests with the government of which the Prime Minister is the head. The King/Queen or President has a de jure authority, no doubt, and legally he possesses all the powers and privileges within the constitution and laws may confer upon him, but in practice he exercises none (Kapur, 1950:436)

Thus, Parliamentary systems usually have a clear differentiation between the head of government and the head of state, with the head of

government being the prime minister or premier, and the head of state often being an elected president or hereditary monarch. The way, the parliamentary system is being operated differ from country to country. For instance in Britain, the constitutional conventions have stripped off all powers and privileges from the monarch, except those considered to be ceremonial. That is the reason why, people believe that monarch (as the head of state) does not err, because King/Queen does not participate in government deliberations and decisions but only performs ceremonial functions.

The government is formed by the political party which controls majority of the seats in parliament, or parties in coalition that control the majority of the parliamentarians. The chief executive - president or monarch - will mandate the leader of the majority party or parties in alliance to form the government. The majority party then appoints a prime minister and other members of the cabinet from among party members and occasionally, some of the ministers may be appointed outside the party if there are no constitutional provisions that discourage that action. The cabinet is charged with the responsibility of the day-to-day administration of state both in the executive and legislative capacities. The prime minister as the head of government and chairman of cabinet, according to Kapur (1950), performs at least four functions, which include:

1. he is the head of the Ministry, that is, the government of his country;
2. he is also leader of the legislature of the country – the one whose intervention in debates has the greatest weight, who states and interprets government policy, who is responsible for obtaining the approval of the legislature for the policy of his government;
3. he is the person through whom the head of state, King/Queen or President, normally communicates with the cabinet, with the legislature and ultimately, with the country; and
4. he is head of the legislative wing of the party and responsible for maintaining harmony with its organizational wing (Kapur, 1950:437).

Considering the above mentioned functions performed by the prime minister, one will notice two things. One is that there is fusion of power rather than (clear-cut) separation of power between the legislature and executive. This is because the cabinet members also perform legislative functions as members of the legislature. The second point is that the head of state (president or monarch) is only accorded with *de jure* power to perform only ceremonial or nominal functions while the prime minister enjoys *de facto* power whose functions cover not only day-to-day running of government within executive capacity but also some legislative roles as the leader of the majority party in the parliament.

10.2 Types of Parliamentary system

10.2.1 Westminster System

This form of parliamentary system is more popular among the Commonwealth countries practicing parliamentary democracy. It is a parliamentary model that often attracts heated debates because prominence is given to the plenary session than the committees. This is to say that

most issues are deliberated upon more during the plenary sessions than having the committees do the work. Thus, in such a situation, the parliamentarians usually engage one another in hot debates where each of them or a group tries to have strategic advantage over the others in form of articulation of superior argument.

10.2.2 West German Model

This model is otherwise known as Western European parliamentary Model. It is the opposition of Westminster model because its debate system often takes consensual dimension rather than aggressor's style of the Westminster model. The committees enjoy more relevance than plenary sessions. Therefore, most deliberations are done by the committees, whose members are fewer than the plenary which consists of the whole parliamentarians. There is doubt, the fewer the people, the less hot the debates will appear.

10.3 Features of Parliamentary System

1. The head of state is separated from the head of government. The president or monarch is the head of state with nominal roles and ceremonial functions while the prime minister is the head of government who heads the cabinet that runs the government.
2. The president or monarch is usually elected through either popular mandate (people's votes) or parliament or hereditary principle (in the case of monarch), while the prime minister, more often the leader of the majority party in the parliament, is appointed along with other members of his/her cabinet (team) by the legislature, rather than through popular mandate or hereditary principle.
3. The ministers are not answerable to the president or monarch as the head of state but to the legislature through which the executive power is delegated to them. They therefore, must work individually and collectively not to betray the confidence reposed on them by the parliament, and which can decide to withdraw their executive power through votes of no confidence.
4. There is fusion of power between the legislatures and executive, rather than separating the power of the two.
5. The council of ministers is different and subordinate to the cabinet. The cabinet is chaired by the prime minister who appoints few of the members who are most influential and important in the council of ministers. The council of ministers may have more than 50 members including the cabinet ministers, ministers, deputy ministers and parliamentary secretaries. Among them the cabinet ministers may not be more than 20.
6. Party plays greater role in promoting a stable government. This because it is the party that control the majority of parliamentary seats, that will form the cabinet (the executive) and here, the laws and conventions of the party guide the conduct of both the legislative and executive business(es). This may be one of the reasons for the high level of solidarity displayed by the leadership of both organs of government.

7. The principle of collective responsibility often paints the cabinet as a form of 'secret cult'. The principle imposes absolute covenant on cabinet members to always work individually or together for their collective goals. Shortcomings of member(s) are hardly discussed openly. Even when things are going worse, they pretend as if all is well. Thus, cabinet is appointed as a team.
8. The parliament has the power to sack the entire cabinet through vote of no confidence.
9. To sack the chief executive is less difficult and less time-consuming unlike the presidential system which has great hurdles that must be passed before the executive president can be removed.
10. The president can dissolve the parliament on the advice of the prime minister, and new elections will be scheduled immediately; etc.

10.4 Merits& Demerits of Parliamentary System

Advantages of Parliamentary System

1. The system provides the opportunity for the easier passage of bills. This is because it is the same party that controls the legislature that must form the executive. But contrary is the case in presidential system. For instance, currently in the United States, the Republican controls the federal executive under the tutelage of George Bush Jr., while the congress is controlled by the Democratic Party for having the majority seats. In this case, the executive in the United States will need to persuade the congress (parliament) some much before it could have its sponsored legislations passed by the congress. But in parliamentary, the cabinet members also participate in legislative deliberations, making it less difficult to have its legislations passed by the parliament;
2. It promotes harmonious relation between the executive and legislature;
3. It encourages cohesion and stability in polity because the cabinet members act in unison knowing that they came in as a team and a sack of one member is tantamount to a sack of the whole cabinet, making to work together and discourage division;
4. It is flexible. This is because the parliament can appoint a new prime minister at any time for a particular purpose or the other. For instance, "Churchill replaced Chamberlain as Prime Minister because national emergency demanded it and this change was brought about without any political upheaval in the country" (Kapur, 1950:444);
5. It prevents dictatorship;
6. Political parties always articulate laudable programmes in order to win more popular support, knowing that winning the majority of seats in the parliament does not only guarantee control of the legislature but also the power to form the cabinet;
7. Due to the above (reason), people enjoy wide spectrum of educative values from the political parties, which arouse and increase their political intelligence; and

8. The system experiences frequent conduct of bye elections, and the results of such bye-elections make the government to know the opinion of the public which make the government to adjust and reexamine its policies if the opinions (election results) are negative.

Disadvantages of Parliamentary System

1. The fusion of power or simply, non-separation of power of the two branches of government: Legislature and executive can attract a situation where both of them gang-up against the people, especially as the party directives pattern their policy.
2. There is limitation in the people's choice of the chief executive. This is because the prime minister is not directly elected by the people but by the appointment. This situation may not actually allow us to know if the prime minister is a popular candidate or not.
3. Overwhelming power of the legislature does not allow any truly independent institution to oppose or veto its legislations because the executive that is to serve such purpose also has its members performing legislative functions.
4. It can also be a source of political instability. This is because vote of no confidence can be applied unjustly against the cabinet (executive). And the Prime Minister, if fast enough to reading the antagonistic hand writing of the legislative wall, can gang-up with the president to dissolve the parliament. This situation is likely to threaten the political stability of the country.
5. The flexible nature of the system allows elections to be held at anytime, and having no definite election timetable can be abused by the political elite.
6. Weak and lackadaisical head of state.
7. There is absence of unilateral legislation initiative from the executive.
8. There may be absence of prompt decision making in the time of emergency or crisis.
9. The system promotes too much secrecy in government.
10. The opposition parties in their quest to hijack power from the ruling party can decide to employ some destructive methods like propaganda, subversion, among others to have a strategic advantage. This is because of dual purpose of election: to control the legislature and power to form the cabinet in a single election.

Study Session Summary



Summary

In this Study Session, you learnt that the position of the head of state and government is split into two in parliamentary system of government: the office of the head of state which is occupied by the ceremonial president and the office of government which is led by the prime minister. We also note that the prime minister is usually appointed by the majority party in the parliament, while the head of state on the other hand can be elected directly by the people or through hereditary means (monarchy). We went

further to note the two types of parliamentary system: Westminster and Western European parliamentary models. Lastly, we discussed the features, merits and demerits of parliamentarianism.

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Study Session 11

Presidential System of Government

Introduction

In this Study Session, we shall discuss presidential system of government. Other areas we shall be focusing on include the features, advantages and disadvantages of presidentialism.

At the end of this Study Session, you should be able to:

- i. define presidential system of government. (SAQ 11.1)
- ii. describe the features of presidential system. (SAQ 11.2)
- iii. discuss the merits and demerits of presidential system. (SAQ 11.3)
- iv. differentiate between the presidential and parliamentary systems of government. (SAQ 11.4)

11.1 Definition of Presidential System of Government

Presidential system of government is a system of government where there is a separation of functions between the executive organ and legislative organ of government. In this system, all the three arms of government are independent of one another. Every arm of government performs its official functions or statutory responsibilities without any interference by the other organ(s). Meanwhile the chief executive officer of the state is the president at federal level of government, and in other levels, we have Governor and Chairman for state and local governments respectively.

11.2 Features of Presidential System

1. Under a presidential system of government, the chief executive officers (president at the national level, governor at the state level and chairman at the local level) perform only executive functions such as implementation of government policies; they are excluded from taking part in legislative deliberations. They and other members of the executive are not members of the legislature.
2. The president, under presidential system, is both the head of state and government. He\she oversees regular implementation or execution of government. He\she is also capped with ceremonial functions such as receiving foreign leaders and ambassadors, representing the country in international fora among others.



Ekiti, Nigeria The Federal Government under Chief Obasanjo declared state of emergency in Ekiti state. Subsequently, a sole administrator was appointed to oversee the administration of the State. In the process, both the executive cabinet as well as the state house of assembly was suspended.

3. The president does not possess the power to dissolve the National Assembly or federal legislature. But in some presidential political systems, the president has the power to suspend both the executive and legislative organs of government at state level when state of emergency is declared resulting from the breakdown of law and order in such state.
4. President enjoys powers to direct and supervise the activities of various government agencies like the bureaucracy, including the civil service, parastatals, police and even the military. He also enjoys the privilege of appointing court judges (may based on the recommendation of the judicial commission) but after appointment, he lacks the power to influence or control or suspend or dismiss the judges. It is the judicial commission that has the right to recommend the suspension or dismissal of any court judge(s). The president can only ratify not without consideration from legislature.
5. President enjoys powers to direct and supervise the activities of various government agencies like the bureaucracy, including the civil service, parastatals, police and even the military. He also enjoys the privilege of appointing court judges (may based on the recommendation of the judicial commission) but after appointment, he lacks the power to influence or control or suspend or dismiss the judges. It is the judicial commission that has the right to recommend the suspension or dismissal of any court judge(s). The president can only ratify not without consideration from legislature.
6. The president has a fixed term or tenure in office. This tenure of the president depends largely on the provision of the constitution relating to tenure duration and how many times one can vie for the same elective office. In some countries like the United States, Nigeria and Ghana you can vie for executive positions i.e. president, Governor and local Council Chairman for only two times. On the other hand, countries like Zimbabwe have the tenure of the president to be 5 years.
7. President can also have an input in law making process by sending **bill** to the legislature. This bill is deliberated upon by the legislators, and final decision is made therein to support or refuse the passage of the bill as well other bills presented at the **legislative chamber(s)** through votes. The votes of the majority of the legislators are usually required before a bill can be passed. The constitution as well as the **rules of the parliament** (legislative business) guides the conduct of legislative deliberation and the required number of the legislators needed for any bill to attract eventual passage.
8. President enjoys the power to assent or sign the bill before it can become law. Apart from power to sign any bill into law, the president also has the power to veto any bill he considers not suitable but the legislature can also override his veto through super-majority votes of the legislators. In Nigeria, the parliament can override the president's veto if two-thirds votes of the members of the parliament are secured.
9. The legislature lacks the power to sack the entire executive cabinet. If there is an allegation of wrong doing against the executive president, the national assembly will, after a judicial panel has

indicted the president, deliberate on the report and recommendations of the panel. The legislators therefore, decide on whether the president (the chief executive) should be sanctioned or not. This will also be based on the required number of votes among the legislators as provided in the constitution. In Nigeria, before the president or governor or council chairman can be suspended or impeached, nothing less than two-third majority votes of all the members of the legislative house(s) is required.

10. Absence of the principle of “collective responsibility”. The executive officers are being assessed on individual basis. Erring member of the executive is dealt with based on his individual action(s) rather than the entire executive council. Again, it is the president that has power to dissolve the federal executive cabinet. He has power to appoint anybody as minister with the ratification of the legislature and it is only him that has the power to sack any (or all the) minister(s).
11. Power to pardon or reduce sentences of convicted people or criminate is usually exercised by the president.

11.3 Merits and Demerits of Presidential System

Advantages of Presidential Government

1. The principle of separation of power creates effectiveness in governance in such a way that official reckless of any arm of government can be checked by the other(s).
2. Checks and balances that dominate governmental affairs as it relates to relationship among various arms of government in presidentialism enable the system to create a platform to check any excesses from any arm of government particularly the executive. The executive and legislature have separate fixed term in office. They also emerge through separate elections. So, the president does not have the power to dissolve the parliament unlike the case of parliamentary system of government where the president, on the advice of the prime-minister and/or his cabinet, can dissolve the parliament at anytime in the life of the parliament.
3. The chief executive officers such as president, governors and chairman seek for direct mandate of the people often through direct elections rather than through the legislature (parliament).
4. Quick decision making especially in the time of crisis.
5. Definite election calendar.
6. A fixed tenure of office.
7. The ministers are exclusively loyal to the chief executive (president) rather than the parliament.
8. Strong presidency. The president is both the head of state and government.
9. There is relative openness in the working of the government.
10. The executive and legislative office holders are voted for separately. Therefore, it is possible a party controlling the legislature (having the majority seats in the parliament) and another controlling

the executive. This can in no small measure, prevent misrule and dictatorship.

Shortcomings of Presidential Government

1. Rigid division between the legislative and executive branches of government is a myth.
2. Absence of proper coordination between the legislature and executive can attract delay in decision making.
3. Too much power that is concentrated in a single political authority or chief executive officer such as president can lead to autocratic rule, especially when the legislature is phlegmatic and ineffective.
4. The strict rule guiding the process of removing (or sanctioning) the chief executive officer may prevent quick removal of an autocratic leader by the parliament.
5. There may be possible delay in passing the bills or legislatures sponsored by the executive by the parliamentarians. This happens most times because the executive operates absolutely outside the parliament.
6. The principle of checks and balances can sometimes undermine administrative efficiency of the government.
7. Lack of political flexibility.
8. There is tendency for occurrence of legislature-executive conflict. This is because there is no covenant between the two resulting from lack of cohesion between them. Party bond is often found missing in their relationship.

Note

Differences between Presidential and Parliamentary Systems of Government

	Presidential System	Parliamentary System
A	There is separation of governmental functions among various areas of government. The executive cannot take part in legislative deliberations.	The executive can take part in legislative matters. Members of the executive arm are also member of the legislature, thus no separation of power.
B	The President is both head of State and Government	The President is ceremonial head of state while the Prime Minister heads the government.
C	Decision-making is faster because the President can afford to take particular course of action without much constraints or support of the opposition parties.	Decision-making is slow because the prime-minister, before taking any action, must first seek for the confidence of the majority of the parliamentarians, and even allow the policy to be debated before it can be adopted.

D	The President as the Head of Government is elected directly by the people.	The executive is drawn from the parliament.
E	The president does not have any power to dissolve the parliament. Both the chief executive officers (president, governor and chairman) and the legislators have constitutionally prescribed tenure in office.	The (ceremonial) president on the advice of prime minister or the entire cabinet can dissolve the parliament anytime without considering how much the legislators have spent in their tenure.
G	Removal of president involves a cumbersome process, making it a difficult task. The legislature can only remove the president through an impeachment, which is tedious and time consuming.	It is easy to remove the prime minister with a vote of no confidence.
H	The cabinet is directly accountable to the president and it is only from him they receive instructions.	The cabinet including the prime minister was the creation of the parliament, and thus, they are directly accountable to the parliament.

Study Session Summary



Summary

In this Study Session we discussed that, in presidential system of government, the chief executive officer of the nation is both the head of state and head of government. He therefore, combines both the *de jure* and *de facto* powers. The system also enables the chief executive to enjoy full control of his or her cabinet. By and large, presidential system upholds the principle of separation of power. There are several features of presidentialism notable among them is the principle of separation of power.

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Study Session 12

Democracy as a Civilian Government

Introduction

When we talk about civilian government, people often refer to democracy. There is no doubt that monarchical absolutism can also be regarded as civilian in as much the power succession still follows the traditional pattern of hereditary mechanism. The most popular civilian government is democracy. It is against this background that democracy forms this basis of this Study Session. Therefore, we are going to examine various definitions of democracy as well as its major types, features, advantages and disadvantages.

At the end of this Study Session, you should be able to:

- i. describe the term democracy.
- ii. examine types of democracy.
- iii. highlight the features of democracy.
- iv. explain the merits and demerits of democracy.

12.1 Describing Democracy

The term '**democracy**' is derived from two Greek words: 'demo', meaning the people, and 'kratos', which denotes or refers to rule or power. Therefore, when the two Greek words are merged together, they become 'demokratia', which can be regarded as 'rule of the people'; that is, democracy is a form of government in which the ultimate political power dwells in the people.

Possibly, you may wonder: if democracy is the 'rule of the people', why are people are not directly involved in directing the affairs of the state as evident in modern time? The answer is that in the past, in Greek city states where democracy was originated, people took part in the administration of the state directly. But due to increasing population and the complex nature of government, people began to consider replacing direct participation of people in government to a representative one. The representatives are appointed by the people basically through election to serve their popular interest. If the representatives are seen by the people not serving or articulating popular interest, the people have the right to withdraw their loyalty and mandate from such representatives. Thus, this shows that the ultimate political power belongs to the people.



Gen. Abdulsalami handing over to the elected president – Obasanjo – in May 1999.

Some definitions of democracy include the following:

“democracy is government by the people in which the supreme power is vested in the people and exercised directly by them or by their elected agents under a free electoral system”

(<http://usinfo.state.gov/products/pubs/whatsdem/whatdm2.htm>).

“the democratic method is that institutional arrangement for arriving at public decisions in which individuals acquire the power to decide by means of a competitive struggle for the people’s vote”. (Schumpeter, 1967:175)

“democracy demands from a common man a certain level of ability and character: rational conduct and active participation in the government; the intelligent understanding of public affairs; independent judgement, tolerance and unselfish devotion to public interest”(Apadorai, 1975:139)

“...democracy is that which is based on the principle of equality. In such, the law lays down that the poor shall not enjoy any advantage over the rich that neither class shall dominate the other but shall be exactly similar. For if, as is generally held, freedom is especially to be found in democracy, and also equality, this condition is best realized when all share in equal measure the whole ‘politeia’. But since the people are the more numerous class and the decision of the majority prevails, such apparent inequality

does not prevent its being democracy". (Aristotle, 1974:159).

12.2 Types of Democracy

12.2.1 Direct Democracy

This is a type of democracy in which every member of state can participate directly in government. Here, the citizens form an assembly with a sovereign power to deliberate and decide on any of the national issues. The people, rather than having their interests articulated by representatives who are to rule on their behalf, partake directly in the administration of the state. Direct democracy advocates that it is essential for the people themselves "to formulate and express their will in a mass meeting as they assemble for this purpose as often as required" (Kapur, 1950:381). This form of democracy was the traditional democratic system, which was being operated in the Greek city states (the cradle of democracy). The system allowed all the adult citizens, particularly the male to gather in the assembly known as the *Ecclesia* of Athens to deliberate and decide on issues of national importance.

However, due to complexities associated with the modern state, direct democracy has become less attractive. This is because such types of democracy can only be operated in small states where we have a (very) small population of people. Take for instance, how cumbersome do you think state administration will be if in populous countries like Nigeria all adults are allowed to form the government, or rather, allowed to participate in the business of government? This is to say, in Nigeria; more than 90 million people will participate directly in government. There is doubt that such situation will lead to 'political madness' or mobocracy. Yet, people can still participate directly in government decision making process through referendum.

12.2.2 Indirect or Representative Democracy

As pointed out earlier, the complex nature of modern state has made us to see representative form of democracy as the appropriate democratic system. In this form of democracy, "the will of the state is formulated and expressed not directly by the people themselves, but by their representatives to whom they delegate the power of discussion and decision making" (Kapur, 1950:382-383). According to J. S. Mill (1890), indirect democracy can be described as a democratic method in which

"the whole people or some numerous portion of them, exercise the governing power through deputies periodically elected by themselves".

Indirect democracy also means transfer of power from the people, usually the majority through electoral means, to some individuals who will form a 'sovereign force' or a government whose primary responsibility is to protect, advance and consolidate the interest of the people. The transfer of such popular power is done through the mandate the people give the representatives, which is usually exercised. Those aspiring to acquire political offices often solicit for people's mandate by canvassing for votes. And it is candidates with majority support that emerge as

representatives of the people. This form of democracy is present in virtually all modern democracies including the United States, Nigeria, South Africa, Zambia, among others.

Meanwhile, the functionality of indirect democracy depends largely on how the representatives emerge. This is because the character of some political systems undermines the relevance of electoral process in choosing political candidates by the people, to represent their interest. In most developing democracies, electoral processes are mostly manipulated by the ruling elite to continue perpetuating themselves in office illegitimately. Consequently, it has become a regular occurrence where electoral processes are manipulated to have political actors seeking political power through nefarious means rather than soliciting for the mandate of the people. It is therefore not surprising that such political systems often face different forms of political **turbulence** or **cataclysm** like **military intervention**, civil disobedience, electoral violence among others.

12.3 Features of Democracy

1. There should be open competition among political actors in their quest to seek for public office(s). The system should be devoid of secretive and derivative principle and actions.
2. There should be periodic elections, which are conducted within the framework of the Universal Adult Suffrage.
3. There should be open and unrestricted entry and recruitment in the aspiration for political power or positions of political authority.
4. Organized opposition should be allowed.
5. The interest groups should be given opportunities to influence the decision(s) of the government freely without any restrictions or manipulations from government.
6. Provisions of, and request for, the fundamental human rights of the people such as right to life, freedom of speech, freedom of association, among others.
7. There should be independent judiciary.
8. Equal political right should be guaranteed.
9. The rights of the minority are guaranteed.
10. Election should be free and fair.
11. Rule of law should be guaranteed.
12. The ultimate political power should reside in the people.

12.4 Merits and Demerits of Democracy

Advantages of Democracy

1. It provides opportunities for periodic change of leadership. Rather than, ultimately change of government, which dominates anti-democratic systems like the military regime, democracy allows for peaceful transfer of power from person(s) through people's mandate.

2. It allows the governed (people) to possess more power than the political leadership or rulers to whom the people delegate their power. Therefore, the ruling elite have primary responsibility, which is to meet the yearnings of the people.
3. The system enables the people to have a say in government.
4. Citizens are given equal opportunity to occupy political offices through free and fair elections.
5. Respect for fundamental human rights can be more guaranteed under democracy than other forms of government like military regime, monarchical absolutism etc.
6. It promotes socio-economic and political development because people can vote out an administration that does not perform well particularly in the provision of social infrastructure.
7. Promotion of rule of law.
8. Judiciary is more independent under democracy than any other form(s) of government.
9. It promotes political education, socialization and communication among the people, which reinforce their political intelligence.
10. It encourages organized opposition.

Disadvantages of Democracy

1. It is often the rule of ignorance. More attention is geared towards the quantity of electorates rather than the quality of the electorates. This is the reason why quality candidates find it difficult to occupy political offices in Nigeria. In a situation where more than 70% of the electorates are illiterates, the political class can manipulate their decisions easily;.
2. It is too expensive to operate a democratic system.
3. Political equality is a myth because people are not naturally equal, and therefore it is not everybody that can favorably compete for political offices.
4. The system gives more priority attention to the majority while the views of the minority are often relegated to the background without considering the quality of such views.
5. It is too slow in arriving at decisions.
6. Competition for power among political actors may involve application of nefarious methods by these political actors to outsmart one another for the acquisition of political power. Such political rivalry can threaten (internal) security of country.
7. It encourages class struggle.

Study Session Summary



In this Study Session, we discussed democracy as a form of government in which the people directly or indirectly direct the affairs of the state through their sovereign power. It is therefore not mistaken when Abraham Lincoln described democracy as “the government of the people,

Summary

by the people and for the people”. Democracy has several features and some of them include free and fair periodic change of political leadership through elections, among others. Democracy has advantages, which make it stand out as a form of government that is most appreciated worldwide. But that notwithstanding, it also has some demerits.

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Study Session 13

Military Rule

Introduction

Military intervention in politics is not only seen as an aberration but also as a kind of action capable of undermining the profession of the military. In this Study Session, we are going to focus on the meaning of military rule by defining the concept. Thereafter, we shall look at other issues in the discourse on military rule such as causes of military intervention, characteristics, structure, advantages, and disadvantages of military regimes.



Learning Outcomes

When you have studied this session, you should be able to:

- i. *define* the term military rule. (SAQ 13.1)
- ii. *enumeratethe* causes of military intervention in politics. (SAQ 13.2)
- iii. *identify*the characteristics or features of military regimes. (SAQ 13.3)
- iv. *describethethe* structure of military administration. (SAQ 13.4)
- v. *compare* the merits and demerits of military rule (SAQ 13.5)

13.1 The Meaning of Military Rule



Gen Buhari took over the reins of government as a "rescue" operation necessary to save the country from civilian ineptitude

The military has not only got involved in the political process by overthrowing or removing the constitutional civilian administration, but it has also attempted to make itself superior to the political class (elected politicians), which it's supposed to be subservient to. The military rule is an aberration and illegitimate form of government. Even in countries where the military has become almost a permanent feature of politics, military rule is still considered as an aberration and symptomatic of a malfunctioning political system. Military rule was not expected to last long; once the rescue operation was complete, the military should return to the barracks where they belonged and leave the governing to civilian politicians. The problem, however, was that although military officers accepted this rationale, military rule usually became self-sustaining.

Birkhimer defines military government from the perspective of victor-vanquished relation, and holds that:

"no proclamation of the part of the victorious commander is necessary to the lawful inauguration and enforcement of military government. That government results from the fact that the former sovereignty is ousted, and the opposing army now has control. Yet the issuing such proclamation is useful as publishing to all living in the district occupied those rules of conduct which will govern the conqueror in

the exercise of his authority” (Birkhimer, 1914: 25).

Reflecting on the foregoing, Birkhimer defines military government in terms of territorial occupation where the victorious army becomes the sovereign power consequent on the defeat or abdication or overthrow of the former government. This definition cannot be said to be competent enough in the conceptualization of or giving us the general meaning of military regime. The definition tends to be more international than national because its focal point is essentially drawn towards analyzing the power relation between two opposing state entities in which one that defeats the other becomes the emerging power whose authority is exercised through its (military) might. According to one of the foremost constitutional lawyers in Nigeria, Ben Nwabueze, military government can be described as:

“...a regime of force. It rules by the “barrel of the gun”, not by the people’s consent. What is far greater significance is that, the authority exercised by the military government does not come from the people” (Nwabueze, 1992: 5).

A military rule is a form of government in which the political power dwells in the military junta. The military officers who staged a coup to overthrow the previous government would choose one of their own especially the most senior officer among them as the head of state who would lead the government.

Note

Virtually all military governments are formed after a coup d'état has overthrown the previous government. One very different pattern was the one followed by Saddam Hussein's regime in Iraq which began as a one-party state ruled by the Ba'ath Party, but over the course of its existence turned into a military dictatorship (as its leaders donned uniforms and the military became closely involved in the government). Conversely, other military dictatorships may gradually restore significant components of civilian government while the senior-most military commander still maintains supreme political power. In Pakistan, ruling Generals Muhammad Zia-ul-Haq (1977-1988) and Pervez Musharraf (1999 till 2007) have held singular referendums to elect themselves President of Pakistan for a further several years, as well as general elections voting in civilian Prime Ministers (politically subordinate to the President).



Late Gen Aguiyi Ironsi

Military interventions in African politics were a regular occurrence until the early 1990s when the wind of change blew across African continent. One of the reasons for the emergent culture for democratic governance may be the liquidation of Soviet Union in towards the end of 1980s. The ideological crisis that pervaded the entire global landscape was not favourable to African politics as litany of deaths resulted from coups and counter-coups. Many brilliant soldiers were brutally murdered resulting from coups and failed coups in Nigeria; notable among them were Late General Thomas Aguiyi Ironsi and Col. Adekunle Fajuyi. Several civilians were also killed including Alhaji Tafawa Balewa, Chief S.L. Akintola among others.

13.2 Causes of Military Intervention in Politics

Causes of military intervention in politics include the following:

1. Massive corruption among the ruling civilian elites pauperizing the mass public.
2. Insecurity of lives and property.
3. Articulation of national interest through facilitation of social coexistence through military solutions.
4. Incident of massive electoral rigging by the ruling party, causing break down of law and order.
5. Reckless application of violence by the ruling party against opposition.
6. Civilian conspiracy by inviting the military to take over the reign of power to settle scores politically.
7. De-professionalization of the military through internal and external infiltrations.
8. Over-ambitious military personnel and selfish officers
9. A response to prevent any disintegration foreseen to befall the nation.
10. Foreign affairs of the civilian administration perceived to jeopardize the interest of the military and probably that of the nations.
11. Corrective philosophy of the military as nation-builders.
12. Ethnicization of the military.
13. Under-funding of the military and poor working conditions.
14. Weak political structures.
15. Foreign influence and manipulation of the military hierarchy.
16. Injustice in the promotion and recruitment of the military.
17. Incompetent handling of external aggression against the state by civilian authority.

13.3 Characteristics of Military Regimes

The distinctive features of military regimes are as listed below.



Gen. Abacha wielded absolute power for five and a half years ... jailed or executed many leading

1. The regimes are always autocratic because military leaders tend to believe more in the application of naked force rather than persuasion.
2. The regimes are non-democratic because military government is established through the use of force, or simply through the barrels of the gun.
3. There is over-centralization of power. Military governments essentially operate within a unitary framework. The military ruler and his serving chiefs at the centre enjoy the absolute power to govern the country without any clear-cut separation of power and they make laws for the whole composite units of the state.
4. Military regimes often create a sub-culture among the civilian population. Here, the civilian population get internalized with militaristic norms, and values of force, which dominate the culture of the military. In Nigeria, civilians started imbibing the culture of

Nigerians who could form a credible opposition. Source: [nytimes.com](https://www.nytimes.com)

militarism due to their experience of military government. For instance several civilians now go about with *koboko* (horse whip) in their cars, a kind of attitude typical of the military.

5. Suspension or strangulation of the constitution.
6. Disregard to the rule of law.
7. Abuse of the fundamental human rights of the common people.
8. Lack of genuine separation of power.
9. There are Misrule and bad governance, but not in all cases. This is because there could be some military regimes that were reformatory.
10. Rapidly increasing military budgets and militarization.
11. De-professionalization of the military.
12. More often than not, there is poor implementation of fiscal policies.

13.4 Structure of Military Administration

13.4.1 Supremacy of the Military Government

The military government often derives its sovereign power through the principle of 'might make right'. It is a government that comes into force through the barrel of the gun rather than consent of the people or popular mandate. It is a form of banditry in politics in which legitimacy is enjoyed by the junta through systematic application of coercion that makes people to comply.

13.4.2 Decrees

Military government does not make law as obtained in a civilian regime. Laws are made under the military through promulgation of decrees and edicts and do not forget that constitution must have already been set-aside or suspended by the military. In Nigeria, highest military body serves in the capacity to make laws for the entire nation. Such body like the Supreme Military Council (SMC) or Armed Forces Ruling Council (AFRC) or the Provisional Ruling Council etc would have among its members the military Head of State and Commander in Chief of the Armed Forces of the federation, the service chiefs, the Inspector General of the Nigeria Police, the Minister of Justice and Attorney General of the federation as well as the Secretary to the Military Government. Such body like the SMS, AFRC among others was the supreme law making body of the country.

13.4.3 Council of State

This body does not exist in all military regimes in the world. In Nigeria, such a body was introduced during the military regime of Late General Muritala Muhammed. It's an advisory body to the highest law making body (SMC, AFRC etc). The membership of the Council consisted the Chief of Staff Supreme Headquarters who was chaired the Council as well as all military governors or administrator in all the states of the federation.

13.4.4 Judiciary

This organ of government is reserved in military regimes. It is charged with its usual responsibility of interpreting laws and it adjudicates in the conflict between parties. It is headed by the Chief Justice of the federation. Other members of judiciary may include the judges of courts especially the Court of Appeal and High Courts of Justice. The military personnel were not members of the judiciary. But sometimes, special tribunals may be set-up by the military government which wills some military officers as members.

13.4.5 The Civil Service

The civil service still functions under the military the same way it operates under civilian administration. Under the military, the civil service was headed by the secretary to the military government who also doubled as the head of service. But since the inception of the fourth republic right from May 29, 1999, the position of the secretary to the government is reserved for the political class while that of the head of service still remains a political appointment reserved for career civil servants.

13.5 Merits and Demerits of Military Regime

Advantages of Military Rule

1. Quick formulation and implementation of policies.
2. Political stability: Absence of political parties can facilitate stability in the polity because there are no opposition parties struggling for political power with government. Sometimes, political parties use destructive methods in their struggle for power, which may have adverse implications on the polity. But this does not mean that all is well for military government.
3. Promotion of national cohesion and unity.
4. Economic growth and development: The speedy approach through which the military conducts its affairs can help to develop a nation's economy.
5. Infrastructural development: Due to the autocratic nature of the military regime, slow decision process of the civilian administration may be in the name of 'due process' is likely to be absent under the military. This is because the government gives priority consideration to the views of the ruler, and the service chiefs and the ministers are often participate in government just to rubber stamp the ruler's bid(s). So, decisions are quickly reached. Contracts are awarded more quickly because there is no parliament in the real sense of it, to scrutinize the cost of any project, which may cause a delay or cancel such contracts for specific reasons. Thus, it is not surprising that Nigeria enjoyed greater infrastructural development under the military than the civilian rule.
6. Rapid response to security issues. The military government can afford to step on anybody's toes because it does not seek people's patronage. Therefore, if any segment of the society or party or community is perceived to constitute a security threat against the

government or state, the military political leadership can deal ruthlessly with such without looking at the implication of such aggression on its loyalty from the people. It is the government that derives the source of its legitimacy through coercion. Again, military government hardly makes any consultation before reaching decisions on security issues.

7. Military regimes often imbue or instill in people ethics of patriotism and discipline.

Disadvantages of Military Rule

1. It is not democratic and lacks consent of the people. So, it may find it difficult to enjoy any popular (people's) support.
2. The regime is always dictatorial. The government rules with decrees and edicts, which are laws that have very little or no popular input. The laws either good or bad cannot be contested by the people.
3. The autocratic nature of the government undermines the importance of (diplomatic) bargaining and joint problem solving values in the resolution of government-labour conflict. The military always believes, may be as a result of their training, that through coercion she can achieve all its aims. Therefore, there is probability that there will be more industrial action(s) especially strike under the military than civilian rule because the military less applies constructive dialogue to resolve industrial dispute.
4. Opposition are always suppressed through structural application of violence. Extreme and regular use of force may sometimes be counter-productive. There seems to be no doubt that the application of naked force against the people since the annulment of the 1993 presidential election by the military leadership of Ibrahim Babangida and subsequently General Sanni Abacha regime, led to the emergence of various ethnic militias (particularly in the south-western and Niger-Delta regions of Nigeria). The militant activities of ethnic militias like the Odua People's Congress (OPC), *Egbesu*, and Ijaw Youth Congress among others have been a great threat to national security.



Movement of the Emancipation of the Niger Delta Militias at work

5. Excessive military budget and growing militarization.
6. Abuse of fundamental human rights of the people.
7. Non-independence of the judiciary or executive interference in the affairs of the judiciary.
8. Military regimes always impose its will on the people through the use of force rather than influence.
9. Poor planning and implementation of policies because the military are not trained to govern the state, and they may lack the technical know-how to effectively lead a complex organisation such as state.
10. There is a tendency that government officials under the military will be more susceptible to attitude of corruption than the civilian rule.
11. Politicization of the military undermines its ethics of professionalism.
12. Political instability. The de-professionalization of the military resulting from its intervention in politics is capable of promoting political instability. For instance, the 1966 coup in Nigeria was the major factor responsible for the upsurge of the political crisis, which snowballed into civil war between 1967 and 1970.

Study Session Summary



Summary

In this Study Session, you examined military rule, which is described as the government by the military. It usually involves staging of a coup to displace the civilian rulers from power. The countries under military rule are often being governed by decrees and edicts. Many factors are responsible for the interference of military in politics in Africa and elsewhere. There are various characteristics of military rule, which include dictatorship. The structure of military administration is different from that of civilian government. In spite of the unconstitutionality of military regime, certain benefits may still be derived from the military rule. Nonetheless, military rule has several disadvantages.

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Study Session 14

Political Parties and Party System

Introduction

In this Study Session, we shall be discussing political parties – associations of people whose major desire is the control of political power. We shall also discuss various party systems and functions performed by political parties.

At the end of this Study Session, you should be able to:

- i. define political parties.
- ii. explain the functions of political parties.
- iii. describe various types of party system.
- iv. identify the advantages and disadvantages of each of various types of party system.

14.1 Defining Political Parties

Political parties are organizations whose ultimate goal is to contest and win control of the state power or instrumentality of government, often through the mandate of the people. Political parties are as old as organized political systems. For example, many of the ancient Greek city-states had organized competitive parties. Political parties take many forms, but their main functions are similar: to supply personnel for government positions; to organize these personnel around the formation and implementation of public policy; and to serve in a mediating role between individuals and their government; to support a particular political figure, to advance a particular policy or a general ideological stand, to aid politically certain groups or sections of society, or merely to combine for short-term political advantage.

Political parties have also been organized in various ways; in some, control is exercised by a small central elite, either elected or self-perpetuating, while in others, power is decentralized, with candidate picking and decision making spread among local party units. The modern mass political party has taken shape in the last century, along with the rise of democratic ideology, universal suffrage, nationalism, and more effective means of communication. Thus, according to Tobert Lane, political parties can be described as:

“...are tripartite institutions. First, they are legal institutions with a structure defined by law, custom, and by-laws. Second, they are associations of leaders seeking to capture the offices of government. And third, although it may be true that ...they are significant groups for voters” (Lane, 1959: 299).

Berelson *et al* (1954) described political parties as organisation preoccupied with the agenda of:

“...forming national leadership, local organization as well as “the forming the symbols in the minds of men” (Berelson et al, 1954: 179).

14.2 Functions of Political Parties

1. They assist in presenting candidates for elective positions through political recruitment;
2. They serve as agents of public enlightenment and education. They teach the people particularly the electorates on how to vote, why the electorates should variously consider them (parties) in their (people's) electoral choice;
3. They also serve as bridge between the government and the people. Through membership of political parties, people enable to participate in government directly or indirectly. Party members not in government, can meet their parties; representatives in government and tell them what they need these representatives to do for them or for people at large. This opportunity may be elusive if there no political party;
4. They also serve to aggregating the interest of the people in their quest to give advice to government on which policy direction should be adopted;
5. They are institution(s) or vehicles through which people can decide on whom among the candidate (flag-bearers) will most satisfy their individual interests by forming opinion on each candidate by considering his/her party's manifestos. This is because the party manifestoes are supposed to reflect what each candidate represents, to show whether he is a communist or capitalist; secularist or sectarian etc. It is the ideologies of the parties that will help the electorates to form opinion among the aspirants, which will make them (electorates) to finally make their political choice;
6. They also serve agents of political socialization. The young members of political parties look up-to the veterans in the parties to imbibe the age-long norms and ideals of the parties, so that they can function well as members of the parties. This is more evident in older democracies like the US and Britain where the existing political parties have a long history of party creed, culture and beliefs;
7. Political parties also help to itemize the interest of the people in their political articulations through various forums (or fora) including rallies, campaigns, Study Sessions, debates, symposia, conferences, and mass media;
8. They can also serve to protect the fundamental human rights of the people. For instance, the destruction of *Odi* in the Niger Delta region of Nigeria by the military under the Obasanjo administration (1999-2007) attracted wide-spectrum of criticisms, particularly, not only among the human rights organizations but also among opposition political parties notably the Alliance for Democracy (AD);

9. They also contribute in the law-making process. Political parties always liaise with their members in the parliament. They nonetheless have a great impact on the activities of their members in the parliament. They persuade or compel their members in the parliament to support or disprove a particular bill or the other in legislative debate for the corporate interest of their parties;
10. They also perform the function of social change. It is no surprising that, currently in Nigeria, some political parties can be found to be advocating against some primitive practices like female gender mutilation and child marriage. They are also pushing for some legislations to outlaw such inhuman primitive practices;
11. Political parties are now found to be taking the role of a mediator. They often intervene to mediate and broker peace not only in inter-communal conflicts but also religious conflicts, industrial conflicts, intra-parliamentary conflicts, inter-governmental conflicts among others;
12. A number of political parties also provide social welfare for citizens. Some parties assist indigent students with scholarships, help communities in provision of borehole, and building of recreation centres, schools, rehabilitation homes, to mention a few. They also provide jobs for their unemployed members. They also assist several members with food and shelter.

14.3 Types of Party System

There are several types of party system. Thus party is usually categorized by the type of party system in which it operates. Basically, there are three types of party system with distinct characters. These include one party, two party, and multi-party. Let us now explain these three party systems one after the other.

14.3.1 One Party System

In the countries where one party system is being practiced, there is only one legally recognised political party. This is not to say that there are no other political parties but all other parties operate outside legal domain of such political systems. Therefore, it is only one political party that is recognised under the law, and the only means through which seekers of political office can aspire to fulfil their political ambition.

The experience of Africa in the 1960s featured the rise of one-party states and authoritarian regimes, which attracted instrumentalization of political disorder and social cataclysm in several of such states on the continent.

Since the 1990s, there has been a new wave of political redemption on the continent where the military regimes began to fade away for democratic governments, and the former one-party regimes widened the political landscape of their countries allowing for greater participation in the democratic process by moving towards two-party system or multi-party system. This is evident in Kenya after the exit of Daniel Arap Moi, Congo-Kinshasa (Zaire), Sierra-Leone, among others (Chazanet *al*, 1999: 141-143).

Advantages of One Party System

1. It helps to promote unity in the country, particularly as all the various ethnic groups in a given state will be operating under the same (one) party structure.
2. The absence of opposition parties that characterises the one party system tends to enhance the stability of the state.
3. One-party system also avoids or discourages waste of public funds. This is because there are no opposition parties to contest elections. Even, the time and resources put in place for post-election adjudication are enormous, which may not be necessary under one-party system.
4. One-party system also provides opportunities to arrive at decisions quickly due to the fact that there is no opposition party(ies) to contest the view or policy actions of the one-party governments.
5. One-party system can also help to promote economic development of the state where it is being practiced. Time is very precious in business, the opportunity of quick decision making by government is likely to be a vital instrument for economic recovery and growth. This is not surprising that most Asian countries that have recorded tremendous economic growth in recent time, have been able to achieve economic development and technological advancement under one-party regimes.
6. The system also helps in the strengthening of state and building of nationhood. This is because it tends to foster a deep of sense togetherness among various ethnic nationalities in a multi-ethnic state where it is being practiced. The issue of creating political parties along ethnic divides does arise because all political gladiators or political office seekers have only a party as a vehicle through which they can fulfil their political aspirations.

Disadvantages of One-Party System

1. One-party system does not allow for wide choice. This is because it only the candidates presented by the party that people are forced to give their mandate to. So, if the party presents unpopular candidates, people will be left no option other than to choose one of them because of the limited choice that characterizes the one-party system
2. The system can also create a situation whereby incompetent people as well as looters of public funds will enjoy continued relevance in politics basically because of the restrictive political landscape. These public office holders of questionable character may be difficult to be brought to popular (people's) justice as they will continue to hide behind the party to cover-up their ill-actions and official recklessness.
3. There is tendency that the system will lead to misrule and abuse of political office. The absence of opposition parties and limited choice for people to express their opinion in elections, the government is likely to be less effective in carrying out its official functions because there is no alternative party, which people can give their mandate if the ruling party fails to take care of the yearnings of the people.
4. There is no broad scope of political views. This is because one-party system is a one traffic party system where people cannot have access

divergent views and alternative viewpoint that dominate pluralist political systems (states that have more two or more political parties). Therefore, we are likely to experience limited political education and communication in one-party system.

5. One-party regimes are likely to be autocratic and capable of abusing the fundamental rights of the people because there is no opposition party to act as watchdogs to contain any official reckless and illegality of the ruling party.
6. One-party system can also create a fertile atmosphere for political instability. There is tendency that people and interest groups may revolt against the government when they realize that, in order to guard the corporate existence of the state as well as protecting their natural rights, alternative political platforms are needed to articulate their opinions at the polls. And if the government fails to agree with the view of the people peacefully, adopting violent methods by the people to ensure government compliance is imminent. The latter is capable of creating tensions in the polity, which will result in political instability.

14.3.2 Two-Party System

Two-party system occurs in political systems or countries where there only two political parties recognised by the law. Again, two-party system operates in political systems where there exist two dominant political parties. However, this party system can be found in the United States (the Republican Party and Democratic Party), Nigeria under Babangida transition programme (the National Republican Party and Social Democratic Party), Britain (Labour and Conservative parties). We can also find this party system in several other countries including Australia.

Advantages of Two-Party System

1. As compared to a one party system, there is greater choice among the people to express their electoral opinions. If the ruling party does not perform up-to people's expectations, people will have alternative political parties that give their mandate in subsequent election(s). Again, the people may have opportunity to decide on which political party should control the executive or the one to have majority in the legislature. The electoral opinion will determine if the party that controls the executive will have its members controlling the majority of the parliament. The recent experience in the United States shows that different parties control the executive and legislature as the Republican party controls the presidency (executive) while the Democratic party has the majority in the congress (legislature).
2. It prevents misrule and autocratic administration. The opposition is always on alert, serving as watchdog and always scrutinizes the activities of government. Whenever the government is to adopt any policy-action, the opposition will analyze such policies and communicate the consequences of such policies on the nation at large. Through this, people are enlightened about government activities.
3. It promotes good governance and economic development. Due to the existence of alternative political platform, government of the day

usually tries as much as possible to fulfil its campaign promises and people's needs are likely to be given a great priority.

4. It also promotes political stability. This is because each party will always watch its steps by articulating policies and programmes that will promote the goodwill and popularity of the party.
5. It allows for participation of the opposition party in the decision-making process of the government through critical appraisal of government policies. In most times, the comments of the opposition enable the government to streamline and synthesize its policies, so that, the policies will attract wide public support.
6. Two-party system also encourages broader political communication and education.

Disadvantages of Two-Party System

1. It may be costly to operate because it usually consumes a lot of financial resources. The nations that are poor may find it an uphill task sustain the system of two-party, and that is why most developing countries like Africa usually seek for financial assistance from international donors mostly the developed countries or their agencies. A lot of money is spent in organizing and conducting elections under two-party system because there is existence of two dominant political parties competing for elective offices. Therefore, government will need to provide for more electoral materials (than in one-party system) and other logistics. These will of course, attract a lot of money. Again, election tribunals will also be established. The purpose for its set-up is to provide post-election dispute settlement in which the tribunals will address issues of electoral conflicts, malpractices and violence. Post-election adjudication is so vital in two-party to avoid anarchy after the conduct of election and announcement of election results. Post-election adjudication is more applied in two-party system than one-party, and it (post-election adjudication) is nonetheless expensive.
2. It may create instability in the polity. There is no doubt; two-party system is not always desirable for countries that experience sharply ethno-religious or ideological division. Thus, there is inherent danger if people's political choice is built largely around ethnic chauvinism, religious bigotry or (inter)ideological hatred. Just imagine having two-party system in a political system (country) where there is mutual suspicion and structural hatred between two ethnic groups, and each of the two dominant parties is majorly controlled by each of the two ethnic groups. There is tendency that such situation will generate tensions, and perhaps, political instability;
3. Under two-party system, parties are often tempted to adopt clandestine or destructive methods against each other. This is to enjoy a comparative advantage over each other in their quest to win the mandate of the people. Thus, what is lost by one party is gained by the other party.
4. The desire of the ruling party to stay in power perpetually may attract strong opposition from the other party. Such opposition may generate inter-party violence, capable of over-heating the polity.

5. The public may be deceived by the opposition party against the policies of the ruling party. This is often done with the aim of winning people's political affections towards it.
6. There is limited choice in the expression of electoral opinion of the people. This is because there are only two political parties available, and if none of the parties has programmes and manifestos that majority of the people desire, yet, people will be forced to reckon with available parties. People become beggars that have no choice.

14.3.3 Multi-Party System

In a multi-party system, there is existence of three or more political parties recognised by the law of a given state. In political system (country) where multi-party system is adopted, there are three or more political parties, and each of them enjoys almost equal influence but varying potentials in the power equilibrium, particularly as it concerns acquisition of political power.

Most times, due to existence of numerous political parties, the government is formed through coalition and workable arrangement of two or more parties to form a formidable and larger party. This is often done where we have parties in which none of them has majority support among the electorates (sufficient enough) to achieve electoral victory. The countries where multi-party system is being practiced may include Nigeria, Ghana, Zambia, Zimbabwe, Sweden, France, among others.

Advantages of Multi-Party System

1. The system assists people to enjoy greater political choice because they are free to choose among the numerous political parties to give their mandate. Thus, the existence of more than two political parties enable the electorates (voters) to freely choose which among the many parties suit them most rather than being restricted by the existence of only one or two parties.
2. Multi-party system also enables various interests to showcase or advance their philosophical or ideological thoughts through various parties. In this case, religious movements or labour movements or any other form(s) of association can set-up their own political parties within the ambits of the law. For instance, when opportunity came the way of labour to have their political party registered, the leadership of the labour acted promptly. That is why we now have Labour Party (LP) in Nigeria, to project the vision and interest of the Nigerian workers. Thus, the party never did badly in the 2007 general elections in Nigeria. But, the party is not yet popular among the Nigerian workers as expected.
3. There are two or more opposition parties, which will always serve as watchdogs, criticizing any policy of the ruling party considered to be retrogressive or anti-people.
4. The system also helps to prevent misrule and dictatorship of the ruling party. Here, the opposition parties are likely to challenge any dictatorial attitude exhibited by the ruling party. The challenge is often carried-out through adoption of various methods ranging from public criticism, protest, and litigation to violent opposition.

5. It presents wide spectrum of opportunities to people in political education and communication.

Disadvantages of Multi-Party System

1. One of the demerits of multi-party system is that, it is capable of causing political instability. There may be unhealthy competition and rivalry among various political parties in their quest to acquire political power.
2. The system also encourages coalition between two or more parties to form government. Coalition governments are often weak ones. This is because it is usually difficult to harmonize the ideologies and programmes of the coalition parties. This situation tends to create problem of incoherence in government, and consequently the government may be weak.
3. The ruling party may invite (some of) the opposition parties to form a government of national unity (GNU) with the aim of buying them over. Some of the opposition may accept the offer, and this action is capable of undermining the efficacy of the opposition in examining the government policies. In situation like this, where opposition parties are bought over by the ruling party, there is tendency that the interest of the people will be jeopardized.
4. If the ruling party is very strong, the opposition may not be capable enough to articulate any formidable opposition to government. This happens when the opposition are (very) small and weak. This is evident in Nigeria under the current (fourth) republic. The ruling People's Democratic Party (PDP) government enjoys enormous power, which cannot be equalled by any opposition. Through state resources, the PDP government has been able to amass itself enormous power to the extent that it has great influence over the leaderships of most of the opposition parties, who are ready to trade their parties' interest for money.
5. Multi-party system is very expensive to operate due to great amount of financial and material resources that go into elections, logistics and adjudication due to multi-plurality of political parties that participate in the electoral and political process.

Study Session Summary



Summary

In this Study Session you learned that political parties are essentially established to present candidates for the acquisition of political offices. Seeking for people's mandate or competition for political power is the basic function performed by political parties. Political parties play great roles in educating the masses on a wide-range of issues, which bother on the interest of the people one hand and that of the state on the other hand. Political parties do not only seek for people's mandate but they also educate the masses on their voting rights as well as other political rights such as right to life, right to dignity of human person, right to personal liberty, right to fair hearing among others. This is aimed at sensitizing the masses on the need to be on alert and resist any attempt of government to abuse their natural rights. There are various types of party systems: one-party, two-party and multi-party. All these party systems have their merits and shortcomings

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Study Session 15

Interest Groups

Introduction

In this Study Session, we shall be discussing how activities of various interest groups influence government policies and decisions. Discussion shall be on the conceptual definitions of interest groups, types, functions, methods of persuasion, merits and demerits of interest groups.

At the end of this Study Session, you should be able to:

- i. define the term interest group. (SAQ 15.1)
- ii. explain types of interest groups. (SAQ 15.2)
- iii. discuss various functions performed by interest groups. (SAQ 15.3)
- iv. describe the interest groups' methods of operation. (SAQ 15.4)
- v. highlight the advantages and disadvantages of interest groups. (SAQ 15.5)

15.1 Definition of Interest Groups

Interest groups are also known as advocacy groups or lobby groups or pressure groups or special interest groups, are associations of people organised purposely to influence policies and decisions of government. They do not participate directly in government but are only preoccupied with the desire and responsibility of lobbying the governmental institutions for their self interests (or the interest of their members). Interest groups are also be defined as organized collection of people who seek to influence political decisions and policy, without seeking election to public office. They are a component of a pluralist democracy.

The importance of interest groups cannot be overemphasized despite their non-direct involvement in the decision-making process of the government. They often persuade the government to adopt one particular policy-action or the other through various methods including strike action. In developed countries and elsewhere, the views and opinions of the interest groups are often given priority attention by the government especially as they relate with goal-setting and decision-making of the government. Interest groups play great role in the provision of information. They assist the politicians, executive agencies, parliamentarians and other governmental institutions with provision of quality information. They also seek for three different kinds of information from government and these go thus:

“.....the status and prospect of bills under active consideration; the electoral implications of legislators' support or opposition to potential legislation; and the political, economic, social, and environmental consequences of policies. Aside from advocacy, interest groups are often engaged in service delivery of some kind, often to their members”

(see www.en.wikipedia.org/wiki/Interest_group).

The whole idea about by being a member of an interest group is not basically to derive financial benefits directly from such group. But, the major reason is to join a group that will advance the interests of its members by influencing government to adopt specific policy actions, which seem to make the interests of the members of the group actualised. Interest groups should be particular about the interests of its members because the main motive that catalysed the desire of people to join an interest group in the first instance is to derive some benefits through the group.

Similarly, people often join an interest group because they have something in common, which may include ideological interpretations. In the course of fulfilling the overall goal of the group, the members may accept to sacrifice their individual interests owing to the fact that the basis for the establishment of the group is to articulate specific organizational agenda, which is what motivated people to joining the group in the first instance (Salisbury, 1969: 1-32). Let us now discuss various types of interest groups.

15.2 Types of Interest Groups

There are several types of interest groups, and these include the following:

15.2.1 Occupational Interest Groups

These include interest groups that are essentially created by people who belong to the same occupation(s) to advance their interest. These groups are primarily concerned on how to improve the interest and well-being of their members. They usually persuade or influence the government actions and decisions for self interest of their members. You cannot see the National Union of Road Transport Workers (NURTW) calling out its members to take to public demonstration or embark on a strike action to advance the interest of teachers or medical doctors. This is because; each occupation has its group(s) to advance the cause of the members.

Notwithstanding, there are occasions when some other interest groups will decide to act in solidarity with one of their sister groups, to advocate for the interest of such group or the larger segment of the society. Examples of these occupational interest groups may include Nigerian Union of Teachers (NUT); the Nigeria Bar Association (NBA), Academic Staff Union of Universities (ASUU), among others.

15.2.2 Fire Brigade Interest Groups

These interest groups often emerge to influence the decisions of government for specific purposes. In this case, we usually experience the merger or coming together of a number of (well) established interest groups and association of common people whose aim is to either protest against (specific) government policy or ‘persuasively’ compel the policy makers (government) to adopt a particular policy-direction for the interest of the masses. For instance, it has become a regular occurrence in Nigeria whenever government increases the prices of the petroleum products, there will be public protest against such decision.

Consequently, various interest groups often abandon their self-interest posture, coming together to pursue the general good of the society at large particularly the poor masses. In the process, we usually experience the coming together of different interest groups like labour unions, human rights associations, and even many of the common people of the society. Thus interest groups may act outside their self-interest mandate of their various associations, to demonstrate against any decision or policy of government that they consider not desirable to the well being of the masses.

Again, political issue may bring different interest groups together to fight for a common cause. A classical example was the annulment of June 12 presidential election in Nigeria. Immediately after the 1993 presidential election was cancelled by the then military junta under the tutelage of General Ibrahim Badamosi Babangida (IBB), we experienced springing up of 'fire-brigade' interest groups. The groups publicly condemned the action of the IBB government for annulling the (presidential) election that was considered as the freest and fairest election in the history of Nigerian-state. Moreso, they adopted several tactics or methods of operation ranging from subtle criticism, propaganda, public demonstration, to systematic paralysis of socio-economic activities of the nation through volcanic strike action. There is no gainsaying that the activities of those participating interest groups forced the despotic ruler, IBB to 'step aside' from power, and hurriedly put in place or set-up an interim government headed by Chief Ernest Shonekan on the eve of 27th August, 1993.

15.2.3 Religious Interest Groups

These interest groups are essentially established to protect their sectarian interest. The groups often lobby the government to protect and advance their 'religious' interest. Thus, it is not surprising that these groups play very important role in the decision making process of both the domestic and foreign policies of the nation (Nigeria). Most government officials are easily persuaded to adopt a particular policy direction if the persuasive instrument of religion comes into interplay. There is no doubt that religion played great role in the breaking and subsequent restoration of diplomatic relation between Nigeria and Israel in which the Muslim circle supported the former while the Christian circle supported the latter (see Ambe-Uva&Kasali, 2007; Ojo, 1986 etseq).



"it is also fitting at this juncture for me to mention the numerous attempts made by the Jews to entice underdeveloped countries to their side. Barely two years ago, they offered a sizable amount of loan to the federation of Nigeria. The offer was accepted by all the governments except we in the north who rejected it outright. I made it vividly clear at the time that Northern Nigeria would prefer to go without development rather than receiving an Israeli loan to aid. We took this step only in good faith as Muslims".

- Sir Ahmadu Bello (Premier of the former Northern Nigeria) (Padan, 1986: 541).

Considering the foregoing, you would agree with me that religious interest groups have great impact on decision making process particularly

as virtually all the government functionaries are members of one sect or the other. On domestic front, religious interest groups are also very visible in lobbying the government to articulate policies that seem to promote their respective religious agenda.

During the Shari'a saga in Kaduna state of Nigeria and elsewhere, a lot of Muslim groups praised the decision of government under AlhajiMarkafi (1999-2007) to introduce Shari'a legal code in Kaduna state. But, the Christian Association of Nigeria (CAN) and several other Christian groups publicly criticized the government action in Kaduna and elsewhere.

Nonetheless, the situation became tensed as the state faced bloody inter-religious conflict, leading to break-down of law and order in the state. At the end of the violence, thousands of people were killed, maimed or made homeless. The litany of killing and huge material destructed that were recorded forced the state government to reconsider its earlier decision at that time; and

15.2.4 Promotional Groups

These interest groups are likely to promote some cause or pursue some goals, which have very little or no direct impact on their respective members. For instance, the Civil Liberties Organization (CLO) has been at the fore-front in the advocacy for the respect of citizen's rights. The organization often persuades the government to always respect the rule of law and fundamental human rights of the people. Sometimes, if the right(s) of some citizens are abused, the organization either provides the victims with legal aid to seek for redress in the court(s) of law. Now, if we consider the activities of several groups like the CLO, Human Rights Watch among others, they focus more on the interest of people rather than that of their members.

15.3 Functions of Interest Groups

1. Interest groups, in most times, promote the culture of peace among the people through advocacy and education for peace. They perform this function to assist the government in the maintenance of law and order through propagation of culture of peace and civil engagement. This means that the attention of interest groups does not only centre on what they can get from the government but also what they can do for the government for system maintenance.
2. They lobby the government. They often persuade the government to adopt one particular policy option or the other to advance the interest of their members.
3. Some interest groups promote economic development of the country. They advice the government on ways through which the economy of the nation will get better. Some of these interest groups include Manufacturers Association of Nigeria (MAN), the Chambers of Commerce among others.
4. They serve as the 'middle men' between the government and the people. Most times, these interest groups provide for at least 70% of the attentive public, which plays a very important role by always scrutinizing government policies and actions. Through regular

scrutiny of government policies and comments of interest groups, there is tendency that public officials may buy the opinion of these groups in its policy implementation and even goal setting process.

5. They also assist the government with professional information, which may promote development, peace and security in the country.
6. They also tutor the people on how to protect their political rights.
7. They also educate people on the activities of government and help them to form a political opinion.
8. They guide the nation against any government misrule or dictatorship.
9. Some interest groups provide free legal services.
10. Some interest groups assist indigent citizens through provision of free shelter, clothing and education.
11. They give government policies wide publicity.

15.4 Interest Groups' Methods of Operation

There are several methods interest groups use to lobby the government or prevail on the government to act their favour. Some of these methods may include the followings:

- A. **Strike Action:** Interest groups may call on their members to stay away from work to protest against any government decision.
- B. **Demonstration:** This is another method used by interest groups to influence the decisions of the government. Demonstration is an act of public exhibition of either supporting or condemning a particular course of action especially from the government. In this case, interest groups call on their members to march along the major towns and/or cities in supporting or condemning any government action or policy. They often carry about placards to express their minds concerning public issues.
- C. **Lobbying:** They influence various governmental institutions like executive, legislature and bureaucracy through their acts of persuasion. They sometimes pay homage and extend hands of solidarity to the leadership of the parliament to push for specific agenda that promote the interest of their members or society at large.
- D. **Campaign:** They often campaign for political parties or candidates that will advance their different interest. In the United States, interest groups play very prominent role in electioneering process. They mostly do this by appealing to the electorates particularly among their members, to give their political support and mandate to specific candidates and/or political parties primarily for the self-interest of their respective groups as well as general public.

15.5 Merits and Demerits of Interest Groups

Advantages of Interest Groups

There is no doubt; there are several advantages of interest groups. These advantages may include the followings:

1. They help to educate the masses on the activities of government.
2. They check political excesses of any government.

3. They educate people on civil responsibilities like the importance of regular payment of taxes on national development.
4. Provision of professional information to government.
5. Some interest groups promote democratic culture and habits of peace.
6. They provide early warning assistance to government aimed at forestalling violence, disaster and break-down of order.
7. They often contribute to socio-economic and political development of any nation.
8. Their objective criticism can add values to government policies.
9. They provide social welfare to people especially those that are poor. For instance, the Nigerian Bar Association often gives free legal services to indigent people.

Disadvantages of Interest Groups

In spite of several advantages of interest groups, some of which have been enumerated above, there are some disadvantages or criticisms in the activities of interest groups. These include the followings:

1. Most times, a number of interest groups resort to strike action(s), even without adequately exploring available diplomatic means. Thus, strike actions are capable of destroying economy of any nation.
Each time the Nigeria Medical Association (NMA) calls its members to embark on strike, a lot of patients are abandoned by the striking doctors. Some of these patients die for lack of medical attention resulting from the strike.
2. Sometimes, the activities of interest groups can lead to break-down of law and order.
3. They, on occasional basis, employ damaging propaganda against the government, which may have adverse implications on national security.
4. They are often self-centered in their demands.
5. They sometimes make inconsiderate demands.
6. The activities of interest groups are also capable to promote political instability.
7. Some interest groups can be used by opposition parties to discredit the government for selfish motives.

Study Session Summary



Summary

From the foregoing, it is clear that interest groups play prominent roles in government policy formulation and decision making process. The groups lack the power to participate directly in governance but they often influence government decision to suit the overall objectives and interest of their respective associations. There are several types of interest groups and these include the occupational interest groups, 'fire brigade' interest groups among others. The activities of interest groups remain unique with different functions they perform. Their activities are not limited to requesting from government but they also assist the government in its responsibilities through provision of essential and welfare services such as shelter, and even employment for the jobless citizens and indigent people. There are advantages and criticisms of interest groups.

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