

The Cycle of Legitimacy Crisis in Nigeria: A Theoretical Exploration

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ABSTRACT One of the prevailing problems dominating the Nigerian political landscape is how to find a non-coercive basis for securing and maintaining the loyalty of the citizens to the authority of the state. This has been the source of the country's seemingly insoluble political instability. Electoral democracy has failed to enhance and confer political legitimacy on governments and the arrogation of power by the military has aggravated rather than alleviate the problem. Even the incessant constitutional changes have failed since legitimacy cannot be constitutionally engineered. In fact, the crisis of legitimacy in Nigeria has become persistent, endemic and cyclical. This paper explores the theoretical underpinnings of the legitimacy crisis in Nigeria. It also examines the major explanations for legitimacy crisis in Nigeria and contends that legitimacy crisis in Nigeria is a function of weak state performance and policy failures, manifesting in the inability of the state to provide the proverbial common good. The paper in its modest contribution argues that the preference for democracy by Nigerians does not automatically confer political legitimacy on civilian/democratically elected governments. It then provides a vicious cycle of the crisis of legitimacy in Nigeria and point out the existing gap in researches on legitimacy crisis in Nigeria.

INTRODUCTION

Nigeria, created out of motley of nationalities and ethnic groups, is today Africa's wealthiest country. It is equally the most highly peopled, one of the largest in terms of territory (Olowu et al. 1997) and potentially, one of the world most vibrant economies. Paradoxically, it is also one of the most mismanaged, crisis-ridden and one of the most politically unstable systems on the continent. Since its attainment of independent nationhood in 1960, Nigeria's political landscape had been plagued by political instability. It has stumbled from one political crisis to another: the declaration of a state of emergency in western Nigeria and the suspension of its government in 1962; the boycott of the federal elections of 1963 by the two southern political parties; communal riots and the breakdown of civil authority in western Nigeria following an allegedly flagrantly rigged election in that region in 1965; two military coups and political assassinations in 1966; a pogrom in Northern Nigeria against the Igbo in 1966; the secession attempt of Eastern Nigeria in May 1967 followed by 30 months of bloody civil war that cost a million lives (Onyeonoro 1973: 86); civil disturbances and public protest against election rigging in 1983; political assassination, violent demonstration and the endemic and persistent crisis that greeted the annulment of June 12 elections; Sharia crisis, the persistent

Niger Delta crisis and several attempted coups and phantom coups. These manifestations of political instability are the symptoms of basic system pathology, namely, a crisis of legitimacy.

This problem of instability exists and persists a' la Lipset, when the political system fails to engender, maintain and sustain the belief in its constituent members and its citizenry that the regime defined as a constitutional order, is the most appropriate one for the society. The prevalence of political violence and gross instability in Nigeria therefore, is an empirical indicator of the low level of political legitimacy. Therefore, legitimacy crisis is one of the most pernicious, endemic and the most challenging problem confronting the Nigerian state and her leaders. It has manifested in different ways; ethnic and religious crisis, domestic terrorism (Niger Delta crisis), civil disobedience, political disturbances to mention just a few. The paper shall provide multifactor explanations for the crisis of legitimacy in Nigeria and in the process synthesize the arguments into a coherent and precise theoretical postulation.

CRISIS OF LEGITIMACY: BRIEF THEORETICAL EXPLORATION

Legitimacy crisis is a multidimensional concept. It is indeed a subject of a formidable literature and an ongoing discussion. This is so because legitimacy crisis is neither culture bound

nor system specific. However, its nature, dimension, character and severity differ from system to system. This underscores the multidimensional theoretical approaches which have been adopted in the literatures.

An empirical analyst, Friedrichs (1980) has noted that legitimacy crisis “exist on the basis of (at least in the western democracies) polls of public attitudes reflecting a precipitous decline in confidence in societal leadership, increasing manifestations of illegal, antisocial and repressive behavior of policies and the demonstrable structural failures of the state to respond to fundamental human needs”. Therefore, legitimacy crisis according to Friedrichs (1980) may be seen as having a perceptual, behavioral and a structural dimension. The perceptual dimension is critical in terms of the manifest existence of a legitimacy crisis; the behavioral dimension is primarily considered to be a consequence and the structural dimension as a source (or a cause) of the perceptual crisis of legitimacy, although both may be regarded as partial symptoms or indicators of such a crisis. Though a complex of reciprocal can occur among the different dimensions of the legitimacy crisis, the behavioral dimension, reaching a certain level, brings the legitimacy crisis to its ultimate climax.

Lipset (1960: 78) perceived legitimacy crisis as a crisis of change, that is, a change from tradition to modernity. Secondly, loss of legitimacy, according to Lipset usually occurs when a political system no longer has the capacity to provide adequate access to the political process for new social groups arising from below. In other words, transition usually involves the entry of new social groups and the displacement of some hitherto powerful groups. The entry of new social groups creates new expectations, which if not quickly and adequately responded to, could complicate the legitimacy crisis. In a somewhat different but related manner Bensman (1998: 15-35) perceives legitimacy crisis as a problem emanating from the frustration of the expectation of the governed. In his words, Bensman (1988: 15-35) argues;

Modern society is characterized by rising expectations and increasing demands, for responsible leadership which in turn provide the basis for modern legitimacy. Yet leaders constrained by structural problems of jurisdiction, technical expertise and planning fail to solve the basic claims of the populace.

Unable to admit “structural competence”, but faced with insoluble problems, they develop techniques of political deception that produced popular confidence. None of these techniques fully work. The result, the crisis of legitimacy is thus a natural consequence

The position of the modernization theorists has suffered academic and intellectual condemnations, particularly from the Third World scholars describing it as intellectual imperialism. Scholars of this orientation (Ake 1981; Onimode 1982; Ekeh 1975, 1985; Osaghae 1994) argues that the legitimacy crisis in Africa is not a crisis of transition but a legacy of colonialism and its attendant evils. For instance, Osaghae (1994: 21) argues that the root of legitimacy deficit in Africa “lies in the fact that legitimacy was not vigorously pursued as part of statehood under colonial rule”. However, it is important to note that the theorists of colonial conquest emphasize different aspect of colonialism in their explanations. These explanations will be discussed in detail in the next section. Also important, the emphasis on effectiveness by modernization theorists has been considered to be lame on political and administrative grounds. For example, studies have shown that the effectiveness of a government is a necessary but not sufficient condition for legitimacy to exist because it is not impossible for an ineffective government to enjoy the support of the people. Rabuskha and Shepsle (1972), provide an expectation- about -outcomes explanation. For instance, Rabuskha and Shepsle (1972: 32 cited in Osaghae, 1994: 19) write, “Individuals remain loyal to a regime as long as they expect the regime to implement some of their preferences in the future, despite their unhappiness with current policy outcomes”.

However, despite the ambiguities in Lipset’s (1959: 1960) explanations, his analysis not only re-opened the discussion on the subject with his distinction between effectiveness of political system, which is judged by instrumental criteria and relates to their performance (often nowadays their performance in achieving modernization goals) but also his association of legitimacy with democracy and his group approach to the study of legitimacy provides us with a kind of tool to measure degree of legitimacy and public confidence (Howard 1969: 38-39).

Pye (1971: 135-158) focuses his explanations on the sources of legitimacy crisis. He attributed legitimacy crisis to: excessive and institutionalized

competition for power; the conflicting or inadequate bases of claiming authority in the society; inappropriate socialization for the people and dysfunctional feelings about authority; and unacceptable readings of history by the national leaders or faulty predictions of future developments (ideological illegitimacy). To Pye (1971: 136) "in a genuine legitimacy crisis the challenge is to the basic constitutional dimensions of the system and to the most generalized claims of leadership of those in authority".

The elite theorists presented another interesting explanation- that legitimacy crisis is the crisis of the elite. When power is exercised by excluding more and more of the elite, those who are entitled to the possibility of rulership, power depreciates in value and degenerates into violence and is ultimately transformed into terror. The circulation of power (which is built on the possibility of reversibility of power) disappears from the political agenda (Ekeh 1985: 41-42). This assertion was broadened into a thesis by Field and Higley (1979: 141) thus: "where elites shared a consensus as to ultimate political values and where they were unified in their willingness not to pursue partisan interest beyond the point at which the stability of institutions was endangered, regimes enjoyed substantial legitimacy". They further hypothesized that, "where, as in the majority of societies, elites viewed power as personalized and directly dependent on the support of organized coercive forces, regimes had little legitimacy". Indeed, according to Rothschild (1979: 42), "discussion of legitimacy and legitimation risks irrelevance if they overlook this crucial dimension of a ruling elite's own sense of legitimacy and focus exclusively on the other dimension of the public's or the masses' perception of that elite's legitimacy..."

Underlying this association of legitimacy with elite consensus and unity is the idea that the operation of all relatively stable, peaceful and legitimate regimes is in fundamental respects of a holding, steadying, and adjustive process. To Ekeh (1985) this appears to be the political reality in Africa. Ekeh (1985: 42) aptly concluded that, "whatever power elite or ruling class we started with in Africa, at the close of de-colonization have been slimmed down by the sheer weight of violence in Africa- and are now scattered and lack the attribute of a power elite or ruling class".

It is important to note, however, that elite crisis cannot be equated with legitimacy crisis, albeit,

elite crisis can undermine the legitimacy of the ruling elite and oftentimes degenerate into legitimacy crisis. This can occur when the disgruntled elites attract the sympathy of the majority of the governed. Therefore, elite crisis could be seen as a source, symptom and/ or a consequence of legitimacy crisis. For in a sense all crises raise questions about legitimacy (Pye 1971: 136).

Theorists on the left argued that 'late' capitalism generates increasing social and economic dislocations which if not remedied by the state generates legitimacy crisis. Within this context, legitimacy crisis could be seen as "one facet of the inevitable crises of the capitalist system" (Friedrichs 1980). For instance, Habermas (cited in Friedrichs 1980) views legitimacy crisis as an outcome of the evolving character of an economic system wherein demand outpaces supply. The aim of Habermas' legitimation crisis was to identify the crisis points within advanced capitalist societies and how the modern state continues both to manage such crises and maintain the legitimacy of the capitalist system. He sought to take account of contemporary developments, not the least of which was the growth in state power and the decline of class conflict and class consciousness, especially amongst the working class. He sought to explain that although advanced capitalism seems stronger than ever, it is in fact undergoing constant crises that ultimately will threaten the legitimacy of the system, and so cause its collapse.

Habermas' study has been criticized on the grounds that his analysis is "highly complex, subtle and many hued" (Friedrichs 1980). Nonetheless, his analysis provides a framework for understanding the interaction of various dimensions of a capitalist society in generating legitimacy crisis.

In Nigeria's context, while the impact of capitalism could not be ruled out, the legitimacy of government and or political class depends on mode of power acquisition, ethnic identity and solidarity, as we shall see in the next section and so greatly on performance and leadership capabilities.

In this context, the endemic crisis of legitimacy in Nigeria is a function of state incapacitation and policy failures. Therefore the poverty of legitimacy, first cultivated in the process of decolonization, has been reinforced and compounded by failures of governance (Ekeh 1985: 44). In essence, the crisis of legitimacy in

Nigeria is partly a crisis of performance. Before establishing this contestation the next section examines in brevity the major explanations that have been proffered by the scholars of Nigerian government and politics.

THE CRISIS OF LEGITIMACY IN NIGERIA: THEORETICAL EXPLORATIONS

The Nigerian political 'leadership' (past and present, military and civilian) as well as the country's established institutions have always been suffering from certain legitimacy problems which stems from the nature of its authority, composition (ethnic, religious, regional), intelligibility, visibility, and the way it acts as the *locus classicus* of decision making. In essence, the political leaders of Nigeria, both military and civilian, face numerous dilemmas in trying to secure acceptance, support and/or political allegiance. The challenge has been how to construct governmental systems that will satisfy the desire of the states' constituent and fragmented ethnic groups to have some measure of authority or control over their own destinies and well being and at the same time meet the desire for stability and unity. What socio-economic policies or political programs could be implemented to ensure a considerable level of support desired and required for political stability, generates high level of political trust and affection from the entire citizenry? Despite the efforts of successive administrations, the crises of legitimacy remain acute, endemic and seemingly intractable. Fundamentally, Suberu (1988: 1180) forcefully argues;

A fundamental feature of the contemporary Nigerian psyche is the deep and profound distrust for government. The dream of responsive and popular government in Nigeria has collapsed in the face of repeated abortion and frustration of popular aspirations by consecutive Nigerian governments, very few Nigerians believe that government can act for the public good.

However, this perception has not been limited to the academic circles but has been conveyed to, and sometimes adopted by power holders themselves. Ayida (1990) (a one time super-permanent secretary in the Federal Military Government 1975-77) laments; "...The question that worries some of us today is whether or not Nigeria can survive the crisis of confidence, if

not one of national identity, arising from the recurring crisis of management and leadership by example". Ukpabi Asika (1994: 232), at a more general level, makes a similar observation. He insists that: "The problem of legitimacy is the central problem of our time; it is the national question ... all other questions are secondary and arise because of the problem of legitimacy".

Several explanations have been advanced to account for legitimacy crisis in Nigeria. A concise summary of the major explanations have been provided by Olorunsola (1977: 32-33) about two decades ago. These are: the problem of differing political culture among the various ethnic groups in the country as well as the inability of those in authority to reconcile differing norms with another; the problems of differing impact of colonialism which manifests itself in uneven educational opportunities which in turn results in sharp differences in the rate of growth among various parts of the country and the alteration/disruption in the social stratification of the pre-colonial societies; the problem of ethnic based political parties which, for the selfish interest of maintaining themselves in power, accentuate sectional feelings and intensify primordial attachments; the loss of idealism, the reckless pursuit of wealth by the fortunate few, and the widening of the gap between the haves and the have-nots; a sense of frustration by citizens regarding their future and fortune in the political order (the issue of rigged elections and the absence of freedom to pursue economic activity anywhere in the federation); the politics of cultural sub-nationalism and the politics of regional security; the apparent unwillingness to attack Nigerian problems at their foundation (i.e. preference for patch work has led the country to develop a vicious circle of crisis; and the inability of making national institutions behaves in truly national fashion. These factors have been used by the students of Nigerian government and politics, though with different emphasis, to explain legitimacy deficit in Nigeria. They are still relevant today, as it was in 1977. A brief examination of the literatures will authenticate this.

The theorists of colonial conquest claim that the crisis of legitimacy forms part of the legacy bequeathed to the African countries by the colonial masters. For instance, Osaghae (1988: 303) argues, "The colonial state being essentially a law and order state as was consistent with the colonial enterprise, was built on the monopoly of

the instrument but not the legitimate use of force and violence”

While some scholars paid particular attention to the subversion of traditional authority by the colonial policies and its attendant consequences, others stressed the fact that militant nationalism and the struggle for self-rule weakened the legitimacy of the post colonial state. Such a strategy, to Ekeh (1975: 102-103) “was a necessary sabotage against alien personnel whom the African bourgeois class wanted to replace. By the time independence was achieved, this conception of the state as one to be exploited to further partisan interest had become so firmly established that the leaders themselves found it difficult to convince citizens that the state was deserving of obedience”. Other analysts attribute the problem to both colonial and neo-colonial capitalism, ethnicity and class formation (Nnoli 1979, 1995; Offiong 1980; Onimode 1982; Dunmoye 1988; Ake 1988; Ihonvbere 1992; Toyo 1994). Ake (1988) contends,

The Nigerian bourgeoisie and foreign capital constitute the dominant social forces in the Nigerian state. Their relation is a complex one and it is mediated in an involved manner. There are serious contradictions between the Nigerian bourgeoisie and foreign capital... There is the contradiction arising from the exploitative character of foreign capital which does not help the legitimacy of the Nigerian bourgeoisie (or the political class)

The ethnic theorists pay much attention to the excessive politicization of primordial rivalries and cleavages. With such politicization, the Nigerian government according to ethnic theorists, (Onyeonoro 1973: 93) has come to depend, “among each tribal or regional group, upon whether the group perceives its interest as advanced or injured by those in power(s). Really, governments are judged *apriori* legitimate or friendly to group interest, not on the basis of the ideologies of those in offices, but on the basis of their ethnic background”.

Agbaje (1990: 291) demonstrated that religion could be used as explanatory variable. He maintains that the religious composition of “Nigeria has provided a potentially explosive background for disputes on the nature of the Nigerian state”, the explosion of which breeds frequent religious disturbances and erosion of legitimacy on the part of the ruling government.

Other analysts like (Ogueri 1975: 280-302; Ekeh 1985; Ogunidiya 2003; Egwu 2003) base their

own explanations on problem of ordered succession and/or poor conduct of elections and inter and intra party feuds. For instance, Ekeh (1985: 27) maintains that “succession in any orderly manner is not part of the agenda of statehood in Nigeria” (emphasis mine). Acknowledging the crisis situation in Nigeria, Gavin Williams (1988) argues that with the dependence on oil, the Nigerian state has been transformed into a rentier state and this according to him, has made the country susceptible to crisis. Terisa Turner (1985) too also attributed the legitimacy crisis through which General Yakubu Gowon was overthrown in the July 1975 coup to intra-bourgeois struggles over the control of oil.

In Richard’s (1983: 32) contention, the Prebendal behaviour inevitably contributes to a serious crisis in the legitimacy and effectiveness of governmental authorities in Nigeria. Few scholars are likely to dispute Richard Joseph’s linking of legitimacy crisis in Nigeria to the prebendalisation of state power and the struggle over the distribution of resources, widely known in Nigeria as ‘the national cake’. In a somewhat related but different manner Ekeh (1985: 25) associated the poverty of legitimacy in Africa (Nigeria inclusive) to the poverty of the moral linkages binding state operations with societal injunctions.

This brief review of literature points to one fact- that many factors could at the same time explain the crisis of legitimacy in Nigeria. The danger is that all the factors are alluring and plausible. Though plausible, it shall be argued in the next section that some of them are insufficient and inadequate.

A FRAMEWORK OF ANALYSIS FOR NIGERIA

The first and most fundamental in our analysis is that the role of the state, whether democratic or non-democratic, is ultimately and intimately the achievement of goals for the society. Therefore, state and even regimes collapse when they are incapable of achieving economic, social and political goals. In this sense, the pitfall of various successive governments in Nigeria have been, not only because the principles of governmental legitimacy have yet to be fully espoused or understood due to an inchoate sense of nationhood, colonial experience or ethnic composition as many authors would want us to believe, but

because the state did not respond to citizens' needs and demands. In one word, capable states do not necessarily require democracy. But regimes must be able to receive, process, and satisfy at least some citizens' demand for responsiveness; representation and development or such regime will either be short-lived or need to expend considerable resources on coercive activities to remain in power. The latter has been the situation in Nigeria since independence.

In similar but somewhat different approach, the weak state, plagued by incapacity and "immobilism" may deteriorate from within—state contraction model (Pye 1971; Zartman 1995). Because the state is not able to offer effective leadership, it loses credibility as a political and economic manager and its foundations of legitimacy, reposing in civil society become frayed and torn. This is why Lipset's (1960) analysis on the nexus of effectiveness, performance and legitimacy become more relevant for this analysis. The capacity of a government to perform is a measure of its effectiveness (Lipset 1960: 82). In the case of Nigeria the following proposition may be true: That constant economic and social development leads to prolonged effectiveness (Lipset 1960: 76-96) and; that prolonged effectiveness lends legitimacy to a government.

Therefore, the central thesis here is that poor performance capacity of the state or ineffectiveness has been the bane of governmental legitimacy in Nigeria. Nonetheless, Almond and Powell (cited in Odetola 1978: 6) argue that governmental effectiveness could lead to instability and a decline in the political capacity of state. This is so because it is not impossible for effectiveness of the state to further generate or create new demand areas that becomes increasingly politicized. This is true in a system where government is the chief source of supply of goods. Importantly, for any government to claim legitimacy, it must exhibit both effectiveness and authority. Authority will derive from the government's ability to institute systematic regulation of demands by a combination of persuasion, manipulation and coercion (Odetola 1978: 6-7). No government can survive without a mixture of the three.

Fundamentally, there is need for further empirical researches into why and what would make an average Nigerian support and/or withdraw his or her loyalty from the state, government or incumbent political head apart from

his/her preference for regime type as emphasized by previous researches in Nigeria (Peil 1976; Osaghae et al. 1995; Roberts 1998; Lewis and Bratton 2000). Consequently, a more adequate approach is to discover by opinion survey/research, why the Nigerian state/institutions/leaders fail to enjoy popular support and considerable loyalty from the citizens.

TOWARDS A THEORY OF LEGITIMACY CRISIS IN NIGERIA

A systematic attempt to fashion out, or advance a theory of legitimacy crisis in Nigeria might face one critical analytical problem. This problem emanates from the multidimensional, multifaceted and multi-causal nature of the crisis. Factually, all theoretical explanations that have been discussed in the previous sections—colonial heritage, ethnicity, primordialism, prebendalism, secularism, corruption and amoral politics, low performance capacity of the state and policy failures among others—seem plausible, accurate and of course tenable. In reality, these explanations are not necessarily wrong because several variables could separately and conjointly, at a given moment, elucidate a given political phenomenon in Nigeria. But as explanations, some of them are inadequate. They are inadequate because they fail to address (in relation to legitimacy crisis) what is actually fundamental. A little analysis will suffice.

While the factor of colonial heritage is highly appreciated, it is certainly inadequate. Osaghae (1994: 16) contends that "from its inception the state under colonialism was not designed to be a welfare state as it was geared towards serving the interest of international capitalist state than ensuring the development of the national society". While this may be true, caution must be taken in order not to overstress its impact. The pertinent question here is — On what basis was independence fought and won? Colonialism was fought on four main interrelated grounds—justice, equality, political independence, and social and economic development. The nationalists who wrestled power from the colonialists promised among other things, to liberate Nigeria from the morass of economic stagnation, political dependence and socio-cultural subservience. This expressly translated, for a common man, to national and individual freedom and development. Rather than liberation and economic

development, the state immediately after independence became the instrument through which the people were suppressed, oppressed and in fact intimidated. The philosophical basis for the struggle for independence was undermined. In short, it could be said, (though debatable) that the evil perpetrated by the nationalist politicians was close to, if not equal in magnitude to, the evil perpetrated by the colonial masters. Thus, while the kind of legitimacy of the leading political figures, (such as Sir Ahmadu Bello and Tafawa Balewa of the North, Nnamdi Azikiwe and Micheal Okpara of the East, and Obafemi Awolowo and Anthony Enahoro of the West/Mid-west) had been rather promotional in the days of anti-colonial nationalist mobilization and the degree of legitimacy rather high, the forms and character of legitimacy enjoyed by the nationalists changed and the degree slumped under the impact of the political climate of the 1960s. The allegiance and support enjoyed by the nationalists in their different regions frittered away and later became a political liability at the federal level because of the politicization of ethnic identity and gross state failures at the social economic and political levels. Ake (1981: 177) opined,

As soon as political independence was won the ideas which aided the politicization of the masses by the nationalist leadership became a fetter to the purposes of this very leadership. For the demand for equality, freedom, self-determination and freedom from poverty and oppression which they had taught the masses to make on the colonial government was inevitably directed at them.

In one word, the termination or rather deflation of the legitimacy of the nationalists which the country witnessed, and perhaps celebrated, in 1966 was a direct consequence of their failures to meet the expectation of Nigerians who accorded them indivisible support and loyalty during the struggle for political independence. Therefore, time has come to begin to examine how Nigerians have worked, especially after independence to further underdeveloped Nigeria. In other words, attention must be focused on how the activities of the Nigerian political elites have worked or are working to undermine or strengthen their own right to govern.

Ethnicity is another potent but rather inadequate explanation. Though ethnicity seem to be the bane of political stability in Nigeria, it is

not improper to see it as a consequence of poor performance capacity of the Nigerian state and its ruling clique. Nigeria indeed is a failed state. Over the years, state actions and policies have promoted or perpetuated economic, social and political inequalities among various groups in the federation. The failure engenders a sense of frustration by citizens regarding their future and fortune in the political order. Thus, the tendency for ethnicity to degenerate into group conflict is high when members are disenchanting with the deep feelings of economic peripheralization and political alienation. In this calamitous situation, the individual withdraws and then transfers his/her loyalty or allegiance to his/her ethnic group where he/she could enjoy considerable level of sympathy. This actually marked the evolution and proliferations of micro ethnic associations in all nooks and cranny of Nigeria. The increasing frustration and alienation of these groups, all contributed to increasing the atmosphere of violence and insecurity. As a result of this perceived and or real peripheralization, these groups (ethnic or religious) transfer their aggressions to the state, the incumbent political head, government or perceived dominant ethnic group(s) within the political system. That really is the crux of the prevalent ethnic crisis in Nigeria, which over the years has had a contagious and devastating effect on the legitimacy of the state, as well as that of the incumbent political head. Therefore, it is a fact that the incapacitation of the state reduces the level of citizens' morale and trust in the leadership. At a more detrimental level, the corporate existence of the Nigerian state is threatened. Ultimately, the rationale for any military or civilian administration continuing to govern is the success which attends its effort at improving the general living conditions of the people.

In essence, ethnicity is a manifestation of the weak performance capacity of the state which is a consequence of policy failures. This is further compounded by the recycling of the Nigerian political elites. The Nigerian political elites are oscillating rather than circulating. Since independence, political offices have been oscillating between and among the same set of "milito-civilian" and bureaucratic elites or their children as we have seen in the unfolding events in the Fourth Republic. The consequence for state/ leadership legitimacy is that the average Nigerian finds it difficult to repose confidence in the same sets of political office holders (or their children)

who have failed more than once and who remain unrepentant in their extravagant and reckless behavior. At each turn of every new administration in Nigeria, promises are made and hopes are raised. In all these, hopes have been dashed, promises violated and expectations dimmed by blatant state failures arising from insincerity of leaders, corruption and mismanagement of state resources and not from weak institutions as Pye (1971: 141) posited.

Undoubtedly, this is responsible for the vicious circle of legitimacy crisis in Nigeria. The irony, as shown in figure 1 and 2, is that the same basic problems of legitimacy and authority that give rise to military coup and authoritarianism in Nigeria, *ceteris paribus*, are also those that have been, over the years, responsible for the downfall of military rule. This is evident in the various speeches of the 'coupists'. Secondly, the corollary is also true that in Nigeria, performance more than anything else, structures the attitude of the citizens toward the state. Based on performance, Nigerians have consistently drawn and re-drawn their mental map of the state. Basic to legitimacy crisis is a change in the way in which governmental authority is conceived or it acts. Then, what is the linkage among effectiveness (performance capacity), legitimacy crisis and instability in Nigeria and does this account for the vicious circle of legitimacy crisis of both "military" and civilian regimes? To do this, there is need to operationalize some concepts for analytical clarity.

Performance Capacity: This is synonymous with the concept of effectiveness. It is the ability of a state or government or the leader to realize the essence of the state and in that regard ensure the optimum utilization of state resources for the attainment of state goals. This creates equal opportunities for the led to realize their expectations and fulfill their yearning legitimate desires. In Nigeria, low performance capacity is evidenced in rising poverty, high level of unemployment, high inflation rate culminating in social insecurity, pandemic corruption at the highest level of government, increasing social crimes and its attendant consequences such as riots, demonstration, anomie and apathy. High state performance on the other hand, could be seen in such indicators as relatively low inflation rate, full employment, increasing living standard, low poverty level to mention just a few. This is exactly what every political leader, whether military or

civilian vowed to achieve prior to or upon assuming office. In short, Nigerians employed various criteria when evaluating government performance (Lewis and Bratton 2000). The popularity of democratic government for instance, is often affected by economic performance or the delivery of material benefits, but there are also a range of "political goods" i.e. basic liberties and the performance of institutions, that influence relative satisfaction with democracy.

Political Instability: Political instability is not synonymous with government instability but rather an endemic and persistent crisis in the social, economic and political system. It may and may not lead to government instability. This has been observed in Nigeria from 1999 to date. In essence, it is wrong like Pye (1971: 136-137) did, to equate most coups in the developing countries with legitimacy crisis. Therefore, governmental instability is both a symptom and consequence of legitimacy crisis.

Procedural Legitimacy: This is a kind of moral support accorded a leader/ government that is rooted in generally accepted procedures or rules leading to the offices of the state. This may be system specific and culture bound. Often, procedural legitimacy is granted through participatory or representative democracy. It is often guaranteed by sound electoral procedures in a democracy.

Extra-legal, Circumstantial, Transitional or Ad hoc Legitimacy: This is transient and it is defined in terms of its temporariness. Transitional or ad hoc legitimacy is usually acquired by the military or authoritarian leadership by assuring the citizens that the government is corrective in nature and on that basis a time table for a transition to democracy is drawn. It is transient because such moral support expires with the transition agenda and any failure in the implementation of the program frustrates the legitimacy of the incumbent (General Gowon in 1975; General Ibrahim Babangida in 1993 and General Abacha 1998 are instances). Extra-legal or circumstantial legitimacy connotes those conditions which precipitated political instability on which basis the military came into power. In Nigeria, the promise to resolve the crisis accords the military some measure of citizen's loyalty and acceptance. Such military leaders would have to rely on promises for more prosperous and better future which Ekeh (1985: 45) sees as mere justification but not legitimacy. But the success of military leader in achieving this could accord them some

moral support. Therefore, a military regime could be legitimate to the extent that the regime it deposed was illegitimate. The euphoria that always accompanied the announcement of military coup, more especially in Nigeria, authenticates this position. This illustration is presented in Figure 1 and 2.

The figure 1 and 2 presents the legitimacy crisis of a democratic and military regime respectively. And as the two diagrams have shown, at the outset of rulership in Nigeria, whether a government is procedurally legitimate or not is less important than how effective a government is. Therefore, the state exists to serve a purpose and its continuing existence is justified not only by how it came into being but by what it does. This is defined in terms of the ability of the state to provide the proverbial common good. Most students of politics will readily agree with Locke, Plato and others that a state compels

obedience when the citizens perceive it to be representing their interest and pursuing their common good. Put differently, it is only when people are able to relate to the state as their own that they are most likely to obey it. The question of the individual relating himself/herself to the state is not simply one of identity but an acceptance by the individual that the state is capable of pursuing his/her good (Osaghae 1994: 4). The state that has been under the control of corrupt civilians and military rulers who had fed ferociously on the economy and resources of the state with reckless abandonment cannot enjoy the support of the people. The consequence is glaring-poverty of legitimacy. Therefore, of all the problems that confront the state and its relationship to society, corruption has perhaps the largest share in reducing state capacity to perform, create instability and lowering the level of state legitimacy in Nigeria.

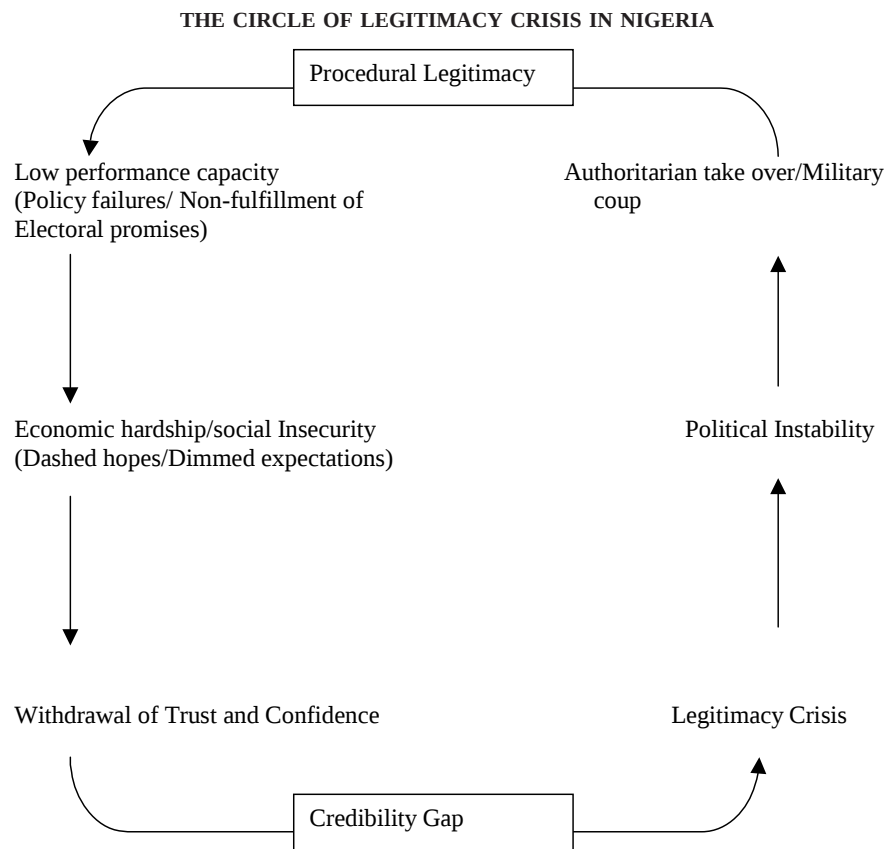


Fig. 1. Legitimacy crisis of a democratic/civilian regime

THE CIRCLE OF LEGITIMACY CRISIS IN NIGERIA

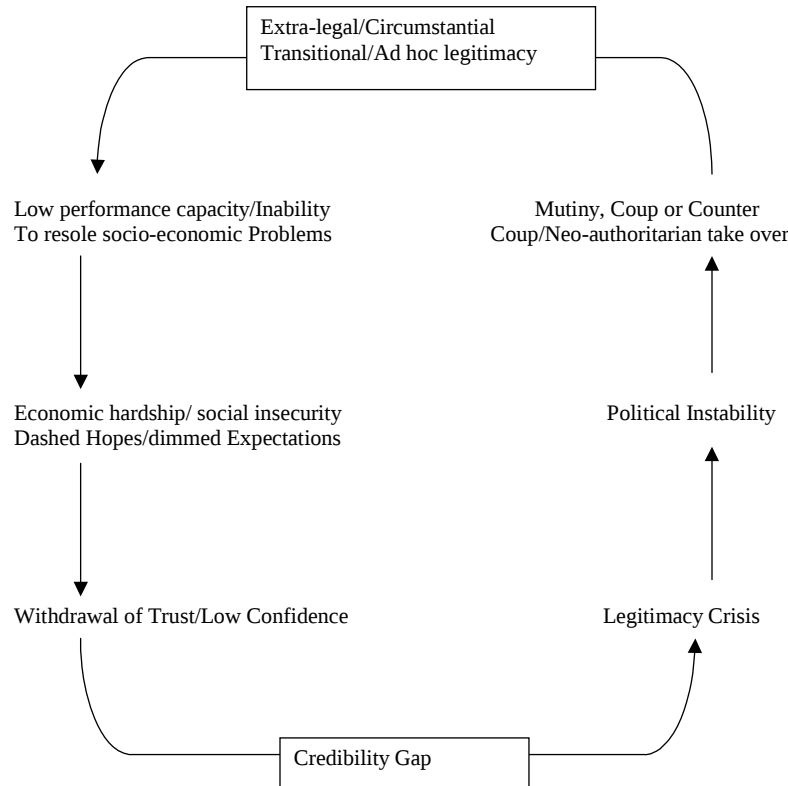


Fig. 2. Legitimacy crisis of a military regime

To date, a total of about \$380 billion have been reported stolen by the former military and political leaders. This amount is equivalent to all the western aid given to Africa in almost four decades and also equivalent to 300 years of British aid for the continent. It is also said to be six times the American help given to post-war Europe under the Marshall plan (Blair 2005). Between 1970 and 2000, the number of Nigerians subsisting on less than one dollar a day grew from 36 percent to more than 70 percent, that is, from 19 million to a staggering 90 million people (Watts 2007). Nigeria is a nation where corruption thrives. From 1999 to date, Nigeria consistently ranked as one of the most corrupt countries in the world (Transparency International, www.transparency.org). In February 2005, Tafa Balogun, the Nigeria police Chief was found guilty of diverting \$52 million to his private accounts. Nigeria's highest law making body, the Senate, was also riddled with scams and inflated contracts, with proceeds pocketed

by sitting senators. Three senate leaders, Chief Evan Enwerem (late), Chuba Okadigbo (late), and Adolphus Wabara were impeached and removed on account of mismanagement and corrupt enrichment. Nigeria is potentially one of the world's wealthiest nations but unfortunately one of the poorest nations. Whether democratic or otherwise a corrupt regime cannot enjoy the support of the poverty stricken majority.

The failure of the Nigerian state under the democratic and military regimes frustrates people's hopes and expectations which invariably lead to the withdrawal of their trust from the state, regime or the leadership. For instance, the performance of a democratic regime rests on four basic elements (Lewis and Bratton 2000). The first is procedural fairness. The paramount question here is not just the fairness of the electoral process. The question is – is the system structured to ensure that issues are resolved in a regular, predictable way and that access to decisional

arena is open and equal? The second is accountability- is rulers accountable to the governed via a process that allows wide and effective participation? The third is efficiency- is the government set up to accomplish society's ends without undue waste of resources? And lastly, distributive fairness, that is, are the advantages and costs allocated by the system distributed equally? Accountability and responsiveness is the linkage process that relates the government to the citizenry in a democracy, while effectiveness ensures regular consent that facilitates the citizens' self actualization drive. In short, the above questions must be answered in the affirmative for a democratic regime to be assessed as being capable.

On the other hand, an examination of the effectiveness and performance of the military regime in relation to legitimacy must consider two interrelated factors. First, the explanation of military intervention and the second focuses on the analysis of the consequences of military intervention in the process of development. Odetola (1978: 9) claims that it is paramount to establish a conceptual link between the two if we are to advance a theory of the military regime's capacity to govern, effectiveness and perhaps its legitimacy. Bienen (Cited in Odetola 1978: 10) in a similar vein argues that the factors which explain military intervention also reveal the military's political capacity. Nonetheless, Odetola (1978) further notes that military motivation to rule or declaration of intention may not always be primarily significant in determining military performance. Changing political and social forces may, according to him, alter the course of events to such an extent that the military is forced to alter its own plan in responding to such changes. Perhaps, the blame for poor performance should not be placed on the environment, but on the military for indulging in empty rhetoric, designed to serve no purpose when they intervene in politics. No wonder, Nordlinger (cited in Odetola 1978: 10) interprets the coupist's initial intention as "pretentious", claiming that as soon as they have seized power, the officers are unlikely to be motivated by goals of popular responsiveness, social and economic reforms, or economic development. This is why the euphoria that accompanied military coup is always short lived and the subsequent withdrawal of popular support.

The argument here is that the purpose of the state remains the same under the military as well

as under democratic regime. No matter whom its operators may be, states exist to achieve the common good. From 1960-2007, it is incontrovertible that Nigeria and indeed Nigerians have witnessed and reaped the results of minimum government. The essence of the state has been neglected in favor of personal aggrandizement. The hopes of many people have been irreparably damaged. The introductions of reforms, both economic and political, have worsened the situation. This to an average Nigerian is a consequence of nothing but insincerity, ineptitude and corrupt political class. These have greatly influenced the attitude of Nigerians toward their leaders. Few illustrations will suffice.

Peil's (1976) findings, prior to the 1979 elections, suggest that Nigerians preferred to live under the umbrella of civilian rule than under the roof of the military. Subsequent researches have vindicated Peil's observation (Osaghae 1995; Roberts 1996; Lewis and Bratton 2000), but it was surprising that the support for democracy did not automatically transform to the support for the 'democratically' elected government. Shugu Shagari's government suffered chronic crisis of legitimacy sooner than expected. All other things being equal, the fraudulent electoral process that produced his National Party of Nigeria (NPN) led government, inability to take critical decisions at opportune moments and more important, the poor performance of the economy and the failure of austerity measures introduced by the administration are all factors that account for the corrosion of Shagari's led NPN government's legitimacy. Consequently, Nigerians openly called for military intervention (this call granted the regime that toppled his administration what we labeled as extra-legal legitimacy) and in December 1983, Generals Buhari and Idiagbon terminated Nigeria's second experiment at democracy. It was not too long before the euphoria and excitement that attended the coup turned to despair. The absolutist tendencies, economic hardship, high handedness and hopelessness which characterized the period after 1983 led to the coup of General Ibrahim Babangida in August 1985 (which Nigerians also welcomed and perhaps celebrated).

The situation under Babangida was not different. Babangida came with a human rights posture, pledged to reconstruct the battered economic terrain and return the country to the path of democracy. The promise accorded him

(Babangida) and the military government he headed some measure of extra-legal, transitional and ad-hoc legitimacy. Structural Adjustment Program (SAP) was introduced and promoted on moral grounds, even against the wishes of Nigerians. With the benefit of hindsight, the consequences of SAP were socially and economically damaging. The non-fulfillment of popular aspirations degenerated into bitterness and loss of faith in the capacity of the administration and its operators as the nation's economic and political manager. The annulment of June 12 election was the last straw that broke the camel's back. The transitional legitimacy enjoyed by the regime eroded and instability set in. Though the instability that set in did not immediately lead to governmental instability or authoritarian take-over, suffice it to say that it led to the ignominious and involuntary withdrawal of Babangida from the direct business of governance after series of riots and violent demonstration across the country. Therefore, if the perception is that the state is an opportunistic contrivance which is used to pursue personal or private interests, support for it is most likely to be weak. This could be explained from poor management of resources, pandemic corruption, and insincerity among political office holders that characterized that administration.

The failure of policies, which is the direct consequence, degenerates into low confidence and withdrawal of trust. At this point, as the two diagrams show, a credibility gap develops. And in the absence of credibility, the legitimacy of the system is at risk. Eventually the stability of the political order is jeopardized. This is the point at which the delicate balance between coercion and persuasion is disrupted, and the governmental repressive apparatus becomes more active. Police harassment and intimidation and arrest of either real and perceived political contenders or enemies, including virile radical scholars, journalists and labor leaders etc characterize this stage. This produces several consequences. In the case of a democratic regime, it may instigate a coup. And in the case of military regime, it may instigate a counter coup in which the "out-group" soldiers try to dislodge the "in-group soldiers" from power. It is this, more than any other factor that accounts for the downfall of the military and democratic regimes in Nigeria. From the diagrams and discussion so far, the following generalizations could be made:

1 In the Nigerian case, where government

meets the needs and expectations of the people, both the incumbent administration and the state enjoys considerable level of legitimacy, however, when the government falls short of citizen's expectations, the legitimacy of the incumbent political head and that of the state is threatened.

2 Without efficiency and high state performance capacity, legitimacy cannot be sustained, and without legitimacy there can be no political stability.

To recap the thesis, the weak performance capacity of the Nigerian state and its inability to provide the proverbial "common good", account for the crisis of legitimacy in Nigeria. In the developed democracies of the west, much less is generally expected of the state than is the case in Nigeria, which is a typical example of a developing country. Therefore, there is need to develop a theory of legitimacy which relies less on procedure but more on the efficiency of the system and performance capability of the leader. What lessons do this have for the current republic?

CONCLUSION: LESSONS TO BE LEARNED

A lot of lessons are to be learned from the foregoing analysis. There is no doubt that Nigerians have bitter experience with military rule because of their human rights record. Nigerians are politically conscious, values and appreciates their fundamental human rights-freedom of speech, organization and liberty etc. The belief in fundamental human rights by an average Nigerian is sacrosanct and non-negotiable. This is not realizable except under a democratic dispensation. A democracy that will make sense to every Nigerian consequently, is the one that guarantees his/her fundamental human rights; provide equal opportunities for all to realize his/her goal and a democracy that engenders social and economic development. The activities of the ruling/political class have frustrated, and are still frustrating the development of sustainable democratic culture in the country. Popular frustration over the government's failure to deliver basic services continues to rise.

This certainly hinders not only the legitimacy of democracy as the most preferred system of government but also the moral right of the political leaders to command obedience and indivisible loyalty from the entire citizenry. Nigerians

therefore, demands more than electoral fairness but also responsive and humane government. With legitimacy, the business of governance is less tasking. Legitimacy is *sine qua non* for democratic stability. Though the crisis of legitimacy has been visible in the past eight years of civil rule, the level of instability it has generated has not produced governmental instability not because democratic culture is developing but because Nigerians could see any benefit in military rule neither.

Therefore, what really matters to Nigerians now, one may be surprising is not democracy, but what does matter and perhaps the only fundamental ingredient of legitimacy is the satisfaction of the peoples' basic human needs-food, shelter, welfare and prospects for security. Where these needs are met, the atmosphere is one of relative peace and quiet. Where they are denied or treated with levity, the outcome is one of conflict and social disorder. Poverty unarguably breeds enmity, resentment, dejection and violence. Obviously, a free tongue without a full stomach is weak, and political obligation or support in the absence of social, economic and political security is unreal. Therefore, for the current democratic experiment to be stable, durable or sustainable, socio-economic development must occupy a priority position on the agenda of the ruling government and this must also ensure and/or translate into human centered development.

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