

## THEORETICAL AND CONCEPTUAL ISSUES ON DEMOCRACY AND DEMOCRATIZATION IN NIGERIA<sup>12</sup>

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### **Abstract**

This paper seeks to address theoretical and conceptual issues on democracy and democratisation in Nigeria. It's built on the premise upon which democracy and its ideal practice could be enthroned on the Nigerian society, especially as said, the concept has become synonymous to bandwagon of modern culture. It posits that not only are democratic tenants adhered to, but cultured. Moreover, in the current democratic dispensation, Nigeria is in one way or the other experiencing un-democratic tendencies, coupled with poor democratic culture. Contrasting Nigeria with embedded democratic model of the procedural democratic minimum on the one hand and competitive authoritarianism of the hybrid regime typologies on the other hand should give us further understanding of the scenario. The paper further argues on the milieu of Nigerian political landscape as it grapples with socio-economic situations coupled with poor political culture, hence leading to poor democratisation. The findings demonstrate that democracy and democratization need to be further strengthened by all stakeholders for a gamine society.

**Keywords:** Nigeria, Gamine, Democracy, Democratization, Couple.

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## **Nijerya'da Demokrasi ve Demokratikleştirmeye İlişkin Kuramsal ve Kavramsal Konular**

### **Özet**

Bu yazı, Nijerya'da demokrasi ve demokratikleşme ile ilgili teorik ve kavramsal konuları ele almaya çalışmaktadır. Demokrasi ve onun ideal uygulaması Nijerya toplumu üzerine yerleştirilebileceği bir öncül üzerinde kurulmuştur. Özellikle kavram çağdaş kültüre eşanlamlı hale gelmiştir. Sadece demokratik kiracıların değil, aynı zamanda da kültürlü olanların da sadık olduğunu ileri sürmektedir. Dahası, mevcut demokratik hükümdarlıkta, Nijerya öyle ya da böyle demokratik olmayan eğilimleri yaşayan zayıf demokratik kültürle birlikte yaşamaktadır. Bir yandan Nijerya'yı usule dayalı demokratik minimuma gömülmüş demokratik modeller ve diğer taraftan hibrid rejim tipolojilerinin rekabetçi otoriterliği ile karşılaştırmak, senaryoyu daha iyi anlamamızı sağlamalıdır. Makale ayrıca, sosyo-ekonomik durumlarla, dolayısıyla zayıf demokratikleşmeye yol açan zayıf siyasal kültüre bağlı olarak Nijeryalı siyasi manzara ortamı üzerinde duruyor. Bulgular, demokrasi ve demokratikleşmenin gamine bir toplum için tüm paydaşlar tarafından daha da güçlendirilmesi gerektiğini göstermektedir.

**Anahtar Kelimeler:** Nijerya, Gamine, Demokrasi, Demokratikleşme, Çift.

## **Introduction**

The end of third wave democratization brought about new form of regimes in the world. These regimes popularly known as hybrid regimes are regimes at “grey zone”. These regimes are in between democracy and authoritarianism. Levitsky and Way’s contribution to the hybrid regime typology is “competitive authoritarianism”. Adopting the Schumpeterian definition of democracy, Levitsky and Way added another feature which is, “the existence of a reasonably playing field between incumbent and opposition” (Levitsky and Way, 2006, p. 5). A regime in which this feature is skewed in favor of the incumbent party is considered as competitive authoritarian regime.

Using Nigeria’s democratic dispensation as a model, we will look at Nigeria through the lens of Levitsky and Way’s classification of hybrid regime typology. Nigeria returned back to democracy in 1999. However, Nigeria’s experience is not without hitches especially when it comes to democratization. Moreover, poor democratic culture, undemocratic tendencies and poor political culture amongst others are what we are experiencing today. As an excuse, many scholars try to classify our democracy as nascent, fledging, democracy in transition etc. In reality, it may not be wrong to classify Nigeria as a regime at grey zone.

This paper is divided into four parts. The first part introduced the paper; the second part of the paper will lay a theoretical background using Merkel’s embedded democracy and Levitsky and Way’s Competitive authoritarianism; the third part of the paper will discuss Nigeria’s experience with the view of critically examining Nigeria’s democracy, and the last part of the paper will make a conclusion by way of summarizing the findings.

## **Democracy**

Classifying any regime a democracy will depend on how we view or define the concept itself. Dahl’s polyarchy is our reference point due to

the fact that it is the most representative model of procedural democratic minimum. A survey on the bulk literatures relating to democratization, democratic transition and democratic consolidation suggests that many scholars take their roots from Dahls 'polyarchy' (Collier, 1999; Munck, 2009; Schmitter and Karl, 1991). Dahl's postulation stands out due to the fact that it stipulates some necessary conditions for a political entity to be considered a polyarchy, thus "procedural minimum" (Whitehead, 2002, p. 10). Moreover, literatures relating to hybrid regime typologies heavily rely on Dahls polyarchy

In his "Preface to Democratic Theory", Dahl established certain number of necessary (but not sufficient) minimum procedural condition for a regime to be considered a democracy or polyarch as he termed it. In his later work "Democracy and its Critiques" Dahl presented a completed version of the procedural conditions as follows:

1. Elected officials,
2. Free and fair elections
3. Inclusive suffrage
4. Right to run for office
5. Freedom of expression
6. Alternative information; these sources of information should not only exist but must be protected by law
7. Associational autonomy; this constitutes the right to form relatively independent associations/organizations including independent political parties and interest groups (Dahl, 1989, p. 221).

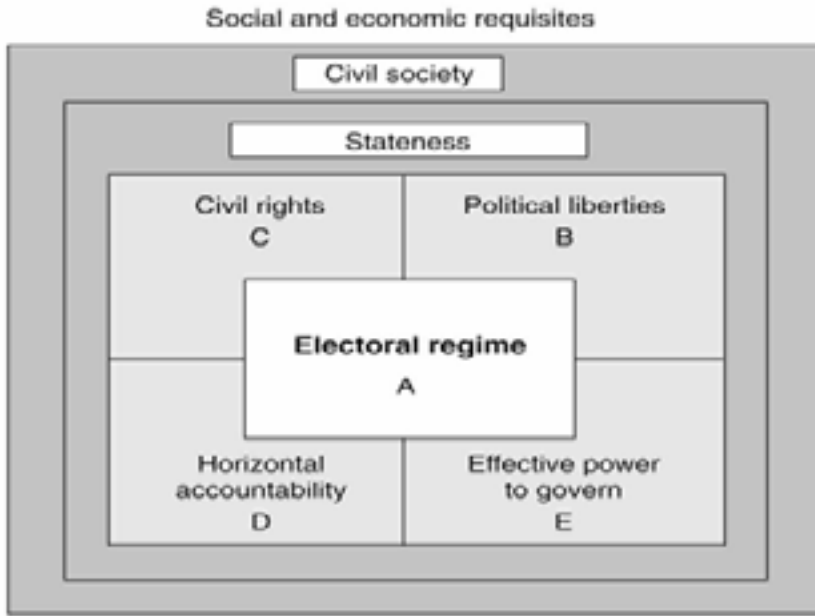
From the above listed conditions, 1-4 constitutes the dimension of "popular sovereignty" while 5-7 symbolizes the dimension of "liberal constitutionalism". It won't be wrong to assume that Dahl's formulation constitutes an institutional framework for liberal democracy. Dahl's

postulation no doubt becomes the lens through which scholars of democracy and democratization see through. This has replaced the hitherto prevailing Schumpeterian minimalist approach that sees democracy as merely an “institutional arrangement for arriving at political decisions which realizes the common good by making the people itself to decide issues through the election of individuals who are to assemble and carry out its will” (Schumpeter, 2003, p. 250). Contrasting this to Dahl’s polyarchy, the weaknesses of Schumpeterian minimalist approach was discerned by many scholars, thereby critically labeling it as “electoral democracy” while distinguishing it from Dahls procedural minimum (Diamond, 1999, p. 8).

Merkels’ idea of embedded democracy, as well as Dahl’s polyarchy, stipulates some conditions necessary for a regime to be classified as democracy. Merkels’ model, undoubtedly, stands out as an extended copy of the seven procedural conditions summed up by Dahl. In his embedded and defective democracy, Merkel (2004, pp. 36-42) defines and establishes his root concept of ‘embedded democracy’ as consisting of five interdependent partial regimes which have the following features:

1. Electoral regime,
2. Political rights of participation,
3. Civil rights,
4. Horizontal accountability, and
5. Effective power to govern. (See Figure 1)

**Figure 1 Conceptual Framework of Embedded Democracy**



Source: Merkel, 2004, p. 37

In addition, when five partial regimes of embedded democracy were introduced under the dimensions of liberal constitutionalism and the rule of law, vertical legitimacy, and effective control over the agenda, Merkel postulates ten necessary procedural criteria for embedded democracy. (See Table 1)

**Table 1 Three Dimensions and Ten Criteria of Embedded Democracy**

Dimension of Vertical Legitimacy	Dimension of Liberal Constitutionalism and Rule of Law	Dimension of Effective Agenda Control
<b>A. Electoral regime</b> (1) Elected Officials (2) Inclusive Suffrage (3) Right to Candidacy (4) Correctly organized, free and fair elections <b>B. Political rights</b> (5) Press Freedom (6) Freedom of Association	<b>C. Civil rights</b> (7) Individual liberties from violations of own rights by state/private agents. (8) Equality before the law <b>D. Horizontal Accountability</b> (9) Horizontal separation of powers	<b>E. Effective power to rule</b> (10) Elected officials with the effective right to rule

Source: Merkel, 2004, p. 42

### Competitive Authoritarianism

Levitsky and Way coined the term “competitive authoritarianism” for cases in which elections were the principal means for acquiring power, but where “incumbents routinely abuse state resources, deny the opposition adequate media coverage, harass opposition candidates and their supporters, and in some cases manipulate electoral results” (Levitsky and Way, 2002, p. 53). They linked their regime type to the conditions of the post-cold war period: “Western liberalism’s triumph and the Soviet collapse undermined the legitimacy of alternative regime models and created strong incentives for peripheral states to adopt formal democratic institutions” (Levitsky and Way, 2002, p. 61). Although Levitsky and Ways definition followed Schumpeterian pattern, they added a fifth element/feature: “the existence of a reasonably playing field between incumbent and opposition” (Levitsky and Way 2006, p. 5) this gives the incumbent advantage which may be in the form of privilege access to media and

finance, patronage jobs, pork-barrel spending” etc. (Levitsky and Way 2006, p. 5).

Levitsky and Way went further to characterize “closed authoritarian regime as those that has no viable channel of contesting “legally for power” (Levitsky & Way 2006, p. 6). In closed authoritarian regimes, democratic institutions do not exist even in theory. (Levitsky and Way 2006, p. 6) Moreover, elections in this regime type is usually “marred by repression, restrictions on opposition candidate and fraud” (Levitsky and Way 2006, p. 6)

At this juncture, competitive authoritarianism should be distinguished from closed authoritarian regimes in the sense that there is the presence of “legal and semi effective channels” through which opposition parties compete for power. (Levitsky and Way 2006, p. 6). In this hybrid regime typology, elections are held regularly; oppositions are legally allowed to contest. Civil liberties respected for opposition parties to open offices, recruit candidates and organize campaigns. Opposition figures are not imprisoned or sent to exile as in the case of closed authoritarian regime (Levitsky and Way 2006, p. 6). “Democratic procedures are sufficiently meaningful for opposition groups to take them seriously as arenas through which to contest for power” in competitive authoritarian regimes (Levitsky and Way 2006, p. 6).

Although democratic institutions are significantly respected to permit real competition, they are violated to a degree which makes competition unfair and opposition parties are handicapped in their effort to challenge the incumbent in elections, courts etc. (Levitsky and Way 2006, p. 7). For a regime to be classified as competitive authoritarian, Levitsky and Way contend that one of the defining features of democracy should be limited. Viz; free election, broad protection of civil liberty and reasonably even playing field (Levitsky and Way 2006, p. 7). These features are worth touching briefly.



- In democracies, elections are free and fair. There is no fraud of all kinds. Political parties can campaign evenly for votes in electioneering process. Voters are not subject to harassment, intimidation, and they are not denied access to media and other resources that could have effect on the election result. The distinguished feature of competitive authoritarian regime on the other hand, is that the above features of democracy are present but the level playing ground is unfair. Voters list may be manipulated, there may be ballot stuffing, stealing of ballot boxes, etc. these abuses are not sufficient enough to stop opposition parties from campaigning but this renders the whole process unfair (Levitsky and Way 2006, pp. 7-8)
- Basic civil liberties are formally guaranteed and to some extent protected in competitive authoritarian regimes. To some extent, the media is independent, opposition demonstrate, they can even criticize the government in public. However, the government in power often intimidates political opponents by harassing or arresting them. In some cases, there is selective use of anti-graft agencies to target opponents. Other ways through which incumbents harass opponents include; blackmail, denial of licenses, newsprint, use of libel or defamation laws against media and other critics. (Levitsky and Way 2006, pp. 8-9)
- Uneven playing field is another feature. Here, the playing field may be considered uneven if:
  1. The institutions of the state are grossly “abused for partisan end;
  2. The incumbent group or party is systemically favored at the expense of the opposition;
  3. The ability of the opposition to organize and compete in election is seriously handicapped” (Levitsky and Way 2006, p. 9). Levitsky and Way identified three important aspects of uneven playing field. They are: access to resources, media access, and access to the law. We will touch these aspects briefly.

- Access to resources, incumbents may directly use states resources for partisan end while denying their opponents same access. The use of states infrastructure for electioneering process is also another way of creating uneven playing field. Security forces may also be used on behalf of the incumbents. State is being used by incumbents to monopolize access to private and sector finance. Incumbents also use states to starve opposition parties of resources” (Levitsky and Way 2006, pp. 9-10). These by no means, render the playing field uneven.

- Access to media: where opposition parties lack access to media which could be private or public, the possibility of fair competition is vague. States maintain monopoly over electronic media in most of the competitive authoritarian regimes. These state run media are biased “in favor of the governing party in such a way “opposition forces are effectively denied access to the media” (Levitsky and Way 2006, pp. 12). Although private media may be readily available, “major private media outlets are closely linked to the governing party” which could be in the form of “proxy ownership, patronage ties cronyism and other forms of corruption” (Levitsky and Way 2006, p. 12).

- Uneven access to law: judiciary, electoral authorities, and other nominally independent arbiters are not only controlled by the incumbent but are “systematically employed as partisan tools against the opposition” (Levitsky and Way 2006, p. 13). This manipulation takes various forms such as violating democratic procedures due to the fact that the government is protected with impunity, “legal repression or directionally use of legal instruments” which may be in the form of “tax, libel, or defamation laws”, and “partisan control over nominally independent electoral authorities” which allows “incumbents to engage in fraud and other forms of electoral abuse” (Levitsky and Way 2006, pp. 13-15).

### **Nigeria’s Experience**

In the words of scholars like Giovanni Sartori, he categorically states

that: “*democracy exists only in so far as its ideals and values bring it into being*” (Sartori in Whitehead, 2002, p. 16). One of the conditions for establishing a democracy is electoral regime. For a democratic election to be meaningful it has to be fair and there has to be an institutional framework that should guarantee the elected officials are fairly selected and the framework has to ensure that representatives rule by democratic and constitutional principles (Merkel, 2004, p. 37). Democracy goes beyond simple elections which guarantees that not only the procedural aspects, but also the goals behind democratic elections must be fulfilled. In the case of Nigeria one sees that this central regime is available in fact, since the return of democracy in 1999, elections are the main sanctioning mechanism used to attain vertical accountability. To some extent, and in different levels of government, the electorates play crucial role in aiding a representative’s access to power. The voters to some extent sanction their elected representatives through voting them out of office. However, instances of violence have become a new window for altering election results. Violence stands to be the chief means of manipulating election outcomes. From 1999-2015 general elections, violence poses greater threat to free elections. Politicians resort to violence as alternate to losing in any polling station across the country. Thugs tend to now become part and parcel of Nigerian political machine in alteration of elections to favour the party of their choice.

In addition, historical antecedents covering socio-economic settings tend to linger on any society’s political culture, of which Nigeria cannot be an exception. Social milieu of any society shapes and moulds its culture (including political). Moreover, political actors dominate and shape institutions hence eroding institutional culture. By extension, politicians then become more relevant than the said institution; but that in itself makes institution weak and subservient to the tunes of politicians.

Political rights of participation as a precondition for elections go beyond the right to vote. These rights have the character of elections and that

of furthering the “unorganized pluralistic interests of complex societies”. Moreover, these rights are embodied in freedom of speech and opinion and the right to association and referenda. In this regime, the freedom of speech should be guaranteed (Merkel, 2004, pp. 38-39). The Nigerian constitution guarantees all the rights mentioned above. However, the rights are observed with hitches. Elections in all levels of government have been grossly flawed thereby denying the citizens in most cases their right to participate. Political elite tends to be poorly composed hence continuously erode institutions and they keep recycling themselves, through manipulation of the system; that leads to aggressive undermining of ideas, energies & resources. Democracy is structured to harness development of said society, but with manipulation of elites and political class, development is skewed to selected interest or in large instance denied to the populace, hence leading to poor development of institutions of governance. Poor institutions breed poor meta-governance that leads to poor service delivery on the side of government. On other side, poor government performance leads to public dis-enchantment hence leads to public disobedience and lawlessness from the public.

For an embedded democracy to work, the electoral and political rights of participation regimes have to be supplemented by civil rights. This entails that individual liberties are not violated by the state or by any private agent and also equality before the law. Section 35 of the 1999 constitution guarantees the right to personal liberty and provides that everyone shall be entitled to his personal liberty. However, notwithstanding the constitutional provision, the individual liberty of Nigerians continues to be violated not just by the police but other agencies like the military and sponsored vigilante groups. The violations include long delay in trials, police brutality, illegal detention, etc. Dispensation of justice seems eroded. Justice is about breeding order and fairness to all. Nigerian situation seems to have completely changed due to absence or manipulation of justice. Nigerian justice seems to be well structured in

poor management of justice to the Nigerian society, as justice seems to be delivered by proxy.

Effective power to govern partial regime is crucial for embedded democracy due to the fact that the power to govern lies in the hands of democratically elected representatives. Extra constitutional actors such as the military and other powerful actors are shielded from decision making power in some policy domains (Merkel, 2004, p. 40).

### **Hybridity in Nigeria's Democracy**

Many scholars view Nigeria's democracy as "nascent democracy", "fledgling democracy", "democracy in transition" or even "growing democracy." Perhaps this classification may be attributed to the inadequacies in our political reference book. If we look at Nigeria through the lenses of Levitsky and Way, one will see that events in the country since 1999 to some extent fit into the model of competitive authoritarian regime. Therefore, it may not be wrong to characterize the current experience in Nigeria as competitive authoritarianism. Indeed, Nigeria has a constitution and the courts are functioning. The plurality of political parties is evident, the Independent National Electoral Commission (INEC) conducts elections every four years and when ordered by the courts or as made possible by the constitution. In a regime at grey zone, electoral bodies are said to be manipulated by the incumbent in order to maintain their presence in all levels of government. Critically looking at the Nigeria's independent electoral body, the said independence becomes difficult to identify especially when the 2003, 2007 and 2011 elections were taken into consideration. However, this does not necessarily mean that only the party in power engages in such activities; oppositions also engage in such, but the magnitude of that of the incumbent is far more than that of the opposition. Also, political parties are yet to root themselves that in itself creates problem of internal party democracy hence blocking proper political culture to the polity.

Moreover, in order to maintain their incumbency, political parties in power ensure that the level playing field is skewed in its favor, by manipulating government institutions such as the electoral body, the judiciary, the police, etc. Since appointment of the heads of most of the government institutions heads is by the executive arm of government, the executive ensures that it appoints its stooges to head the electoral body thereby dancing to the tune of the ruling party. For example, the INEC in 2007 engaged in unnecessary distractions, most notably litigation against opposition candidates in its attempts to screen and disqualify candidates. Its insistence on preventing the presidential candidate of a leading opposition party, the Action Congress (AC) from contesting, although the electoral law made it clear that, the INEC does not have such powers (Omotola, 2010, p. 548). The manipulations are not only at the federal level but snowballs to all other lower levels of government.

Security institutions such as the police and the military are being utilized by the government in elections to the extent of militarizing the whole process thereby favoring the incumbent. For example, few days to the 2014 Ekiti state gubernatorial election, the presence of huge number of security operatives in the state was recorded to the state. The case is the same for the 2014 election in Osun state. Frank (2014) noted that:

*“The militarization of the Nigerian polity by the Presidency portends dire consequences for our democracy. It is being done to give the PDP undue advantage so as perpetuate Jonathan in power. This is totally antithetical to our collective aspiration as a nation and directly negates the humongous sacrifices made by pro-democracy activists to restore democratic rule in 1999.”*

Competitive authoritarian governments tend to use the law to threaten or harass its opponents from the other political parties. The government may establish anti-graft institutions that may end up serving as a tool for witch-hunting the incumbent party’s opponents. This can be understood well if one looks at the selectivity of the anti-graft body. The most recent

case is the use of EFCC to frustrate members of the PDP that decided to form faction within the ruling PDP and later decamped to a new political party.

On Media access, the incumbent wherever it is, enjoys monopoly over the state-run media outlets which may include both the print and TV/radio stations. By that, the opposition are automatically left with no option that the private media which may be as well controlled by the incumbent or may be very expensive. The incumbents effectively utilize the media in promoting their propaganda while the opposition acts as bystander. This has been the case all thorough. Moreover, private media houses had fallen prey to said manipulation.

### **Conclusion**

From the above, it has been established that Nigerian democracy has some elements of hybridity i.e. competitive authoritarianism. This is given to the fact of the skewedness of the level playing field in politics affecting the nation. Universal suffrage, periodic elections, real competition etc. exist within the polity. However, the incumbent made use of, the media, and other state institutions such as the police and army to maintain their power. Consequently, the election results rarely reflect the wishes of the people. While both domestic and international observers reported gross electoral malpractices, which involve cases of ballot box stuffing, intimidation and even child voting. Therefore, violations of the rules of democratic exchange leads to the crises of internal and external legitimacy. George Orwell (1949) in his book 1984 noted that:

*“No one ever seizes power with the intention of relinquishing it. Power is not a means; it is an end. One does not establish a dictatorship in order to safeguard a revolution; one makes the revolution in order to establish the dictatorship. The object of persecution is persecution. The object of torture is torture. The object of power is power.”*

Stakeholders such government, media, electoral umpire, political parties, civil society organizations, among others need to sit-up and collaborate among one another to strengthen the polity. All and sundry need to understand that a well-coordinated system keeps all safe- works to the interest of all. Nigeria is meant for all Nigerians to enjoy; we must all play our part for the system to work.



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## Özet

Üçüncü dalga demokratikleşmenin getirdiği yeni rejimlere “gri bölge”deki hibrit rejimler denmektedir. Bu rejimler demokrasi ve otoriter rejimlerin arasındadır. Nijerya’nın demokratik açılımını örnek olarak kullanarak, Lewitsky ve Way’in hibrit rejim tipolojisi anlaşılmaya çalışılmaktadır. Nijerya’nın 1999’da demokratik rejimi ülkeye tekrar getirmesine rağmen yine de, Nijerya’yı gri bölgede bir ülke olarak sınıflandırmak yanlış olmayacaktır. Ayrıca bir ülkeyi demokratik olarak adlandırabilmemiz, bizim bu kavramı nasıl algıladığımızla alakalıdır. Bu bağlamda birçok farklı demokrasi tanımı ve düşüncesi mevcuttur. Örneğin, “Demokratik Teori” kitabının önsözünde Dahl, kendi anlayışına göre tamamladığı prosedürel şartları şu şekilde sıralamıştır; Seçilmiş yetkililer, özgür ve adil seçimler, eşit oy kullanma hakkı, seçilme hakkı, ifade özgürlüğü, alternatif bilgi kaynakları, sivil toplum kuruluşlarının özerkliği. Dahl’ın bu formülasyonu liberal demokrasi için kurumsal bir çerçeve oluşturmuştur.

Demokratik kurumlar, her ne kadar gerçek rekabete izin veriyor olsalar da, belli bir noktadan sonra bazı kuralları ihlal ederek seçimin güvenilirliğini sarsmaktadırlar. Levitsky ve Way’e göre bir rejimin rekabetçi otoriter sıfatını alabilmesi için gereken özelliklerden bir tanesi de, demokrasi tanımlamasında yer alan ifadelerden en az bir tanesinin sınırlandırılıyor olmasıdır.

Nijerya demokrasisinin hibritlik ve rekabetçi otoriterlik üzerinde etkili olan faktörleri bulunmaktadır. Politika alanının çarpık olması, tüm ulusu etkilemektedir. Seçim poliçesinde genel seçim hakkı, periyodik seçimler, adil rekabet yer almaktadır, ancak hükümet medyayı, polisi ve orduyu kendi gücünü korumak için kullanmaktadır. Sonuç olarak seçim sonuçları, nadiren halkın isteklerini yansıtmaktadır. Hem yerli hem de uluslararası gözlemciler, seçim sonrasında oy sandıklarının doldurulması, yıldırma ve hatta çocuk oylamalar da dâhil seçimle alakalı büyük çaplı yolsuzlukları rapor etmişlerdir. Bu şekilde, demokratik seçim kurallarının ihlali iç ve dış meşruiyet krizine yol açmaktadır.

Medya, seçmen hakemleri, siyasi partiler, sivil toplum örgütleri gibi paydaşlar, diğerleri arasında, siyaseti güçlendirmek için birbirleri ile işbirliği yapmalıdırlar. Nijerya, Nijerya içindir. Bu noktada herkesin üstüne düşeni çekinmeden ve tembellik etmeden yapması gerekmektedir.