
Effects of Human Rights On the Sustenance of Democratic Governance in Nigeria

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ABSTRACT

The paper mainly examines the relevance of human rights in the efforts to sustain democratic governance in Nigeria. The reality is that the acceptable global democratic system is considered as essential for global security and improved human development. Some African nations, of which Nigeria is included, overtime are democratically unstable, which must be addressed to stabilize the continent and achieve various sustainable development goals. Nigeria, having achieved independence for about six decades, is still battling democratic governance stability. Human rights effectiveness, which is considered as very vital to democratic governance, according to available human rights reports, is unsatisfactory, hence, considered as a major challenge to sustenance of democracy in Nigeria despite uninterrupted democratic rule since 1999. Therefore, the paper examines the state of human rights in Nigeria, the state of democratic governance in Nigeria, and the effects of human rights abuses on the effectiveness of democratic governance in Nigeria. Depending on available secondary data, and adopting descriptive analysis the findings justify the assumption that there is a deficiency in human rights practices in Nigeria, and that it grossly hinders the achievement of good governance. Thus, to strengthen human rights for stability and sustenance of democratic governance in Nigeria, the paper recommends the adaptation of human right concepts to suit the peculiarities of the Nigerian society, mass education on human rights, strengthening of the judiciary, promoting press freedom, strict legislations to promote human rights, and measured pressure from the international community.

Keywords: Human Rights, Sustenance, Democracy, Governance, Nigeria

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I. INTRODUCTION

The global effort today tilted towards good governance and enhanced standard of living for all the people. Democratic governance in concept and principles holds a lot for good governance. It is not a new system of governance from one community to the other throughout the world, but varies in practice today. It incorporates civility, responsiveness and responsibility and the success story of this is visible in the western world and this may not be unconnected with the rising wave in the clamour for a democratized system everywhere including Africa. It has now been realized that African backward when compares with western world, has its root in bad governance, and the only way out of it presently is to embrace democracy wholly, or modified but not downplaying the fundamentals, to suit African aspirations.

One of the fundamentals is human rights. This has been observed to be major feature that has not materialize fully in African democratic governance, The success of democracy depends on the extent to which human right is allow to thrive within the body polity. This is because all aspect of good governance creates room for the expression of one form of human right or the other. Nigeria became independent in 1960, and till 1999, it was democratically unstable and lacked good governance either as a result of military incursion into politics for the greater period or misrule of civilians, which in most cases are excuses for military incursions. In either case, it was apparent that the inability of the civil society to exercise basic political rights to check the excesses of government is responsible for the bad governance. Although, democratic governance remains uninterrupted for 24 years since 1999, human rights indexes and good governance indexes show negative effects of human rights on efforts to sustain good and democratic governance in Nigeria.

Therefore, the objectives of the paper are:

- to examine the state of human rights and democratic governance in Nigeria;
- to identify the relationship between human rights and democratic governance;
- to identify effects of human rights violations on sustenance of democratic governance in Nigeria.

Thus, the paper will examine the following; conceptual explanations of democratic governance and human rights, state of democratic governance in Nigeria, linkage between human rights and democratic governance, human rights situation in Nigeria, effects of human rights abuses on democratic governance in Nigeria and how human rights can be improved to reposition democratic governance in Nigeria.

2. CONCEPTUAL EXPLANATIONS

2.1 Democratic Governance

The term ‘democracy’ originates from two Greek words- ‘demos’ meaning people and ‘kratos’ meaning power. So it can be surmised that democracy is a way of governing people based on their power or will. In practice, models of democracy vary due to peculiarity of the dynamic social forces of each nation. However, in theory, a democracy is at least a government on behalf of all the people according to their will, that is, a people-oriented kind of government (Council of Europe, 2022).

Democratic Governance depends on social and material development to enhance trust in state democratic institutions. For democratic governance to be sustained there must be some minimum conditions that can guarantee dignity and wellbeing of the citizens. Democracy cannot be sustained where there is pervasion of poverty, inequality, lack of access to justice, insecurity, and there is pronounced exclusivity (IDEA, 2021). The choice of democratic governance as the one that can yield better dividend globally is a product of global new political thinking. It is the realization of the limitation of the nuclear or any weapons as guarantee of global security, and the conviction that lasting and reliable security depend on collective actions (Nikolayev, 1990). Thus, democracy represents the methodology to translate this knowledge to action.

Although, democratic governance is not a new phenomenon, similar domestic experiences propel its evolution in the various societies at different periods. A government is irresponsible if its actions conflict the aspiration of its subjects and it will worsen if there is no checks and balances in exercising government power (Laski, 1982). Flowing from this we can adduce that democracy is that form of government in which supreme power of the state is vested in the people collectively and administered by the people directly or through their mandated representatives (Alake et al, 2020).

Ideals of the contemporary democratic governance include, free and fair election on periodical basis, representative government, responsible majoritarianism, accountability, rule of law, constitutionalism, healthy partisanship, egalitarianism, judicial freedom, fundamental human rights including the right to oppose government constructively without intimidation and right of minority. Recently we can include, government international responsibility like co-operating to ensure global peace as oppose to aiding terrorism and solving international health issues like HIV, Covid-19 and eradication of poverty.

Although democratic institutions may vary from one country to the other, as dictated by the constitutions, there are common fundamental institutions, which include, the political parties, civil society/organisations, the executive, the legislature, the judiciary (at the federal, state and local level in case of Nigeria). It may also include the electoral body, security agencies and the press. The philosophy behind the contemporary democracy is good governance. The concept emphasizes governance for the benefit of the people, the system that will promote growth and development, liberation and restoring human dignity. The focus is to consciously make state choices with the intention to enhance human development and emancipation (Mbeki, 2000), which is the basis for human rights.

2.2 Human Rights

There is no universally-accepted definition of the concept of human rights among scholars. Aduba (2012) describe human rights as those rights that define and affirm humanity. They protect human dignity because, they are at the very nature of every human being, to prevent or reduce inhumanity and injustice. They are the basic rights and freedoms, to which all humans are entitled to (Omoyeni et al, 2020).

They are inherent and fundamental to being human and living worthwhile. Rights are social claims that emanate and recognized by the society to create conditions for individuals personality development. Although, the states are not originators of rights, they are responsible for the provision of the conditions to actualize the rights. There are different perspectives to the nature and origin of rights. The legalists describe rights as legal, naturalists see it as inherent product of nature, and historians recognize it as being emanated from the societal customs and traditions. Also, the idealists view it as creation of the state, while the social welfarists see it as social enablement (egyankosh, nd).

The human rights issue is now assuming an expanding scope and becoming multidimensional in nature. Oyeboode, (1992) chronicles the dimensions and increasing scope of human rights into five generations. The first generation rights are the basic or inalienable rights enunciated in the UN Universal Declaration of Human Rights. These include basic rights to movement, speech, press, assembly and association, and right to life. The second generation is the Economic and Social (ECOSOC) rights, which deals with socio- economic and cultural rights of the people.

The third generation rights are development rights, to promote a more just and equitable world. The next generation focuses on conservation of resources and environmental protection or what can be referred to as environmental rights. The last generation is the right to democracy and good governance.

In a way we can adduce that the last generation of rights as enunciated above, actually determines the success of the previous generation of rights. It determines the place of a nation and any effort to sabotage these rights attracts sanction from the international community as it happened to Nigeria after the annulment of June 12, 1999 election. Democracy capsulises better conditions of life; freedom, employment, education for all, access to health facilities and public infrastructure (Soglo, 1992). This is all what good governance is all about. It can be stressed that most of those basic needs are already encompassed in the expanding scope of human rights. It is also clear that a responsible and democratic regime can guarantee these. Thus, it is in the society where the environment is conducive for the fulfillment of these rights that democratic system can be sustained.

3. THEORETICAL FRAMEWORK

Without prejudice to other relevant theories, there are two prominent theories of human rights; the Will theory and the Interest theory of human rights. Herbert L.A. Hart (1907-92) is the proponent of Will theory. Also known as the Choice theory, it posits that freedom is the most basic to the individuals and life would not be worthwhile without such natural freedom and liberty (Lawbhoomi, 2020). The theory emphasizes the preeminence of normative control on the duties of others (Bowen, 2020). Hence, the purpose of the law is to grant the citizens the means of freedom to express their will (More, 2021). Rights are products of human will and right-holders have choice of always insisting on or waving their rights (More, 2022).

Furthermore, Jeremy Bentham (1748-1832) initiated the interest theory, also known as the Benefit theory, but later propounded by the German jurist, Rudolf von Ihering (1818-1892) and further developed by John Salmond. Von Ihering posits that the law as asserted by the Will theorists indicates that it is not meant to protect the wills of citizens; but on the contrary, its purpose is to protect the interest of the citizens (More, 2021). According to Salmond, for an interest to be a right, it has to be recognized and protected by the rule of law, irrespective of its enforceability. Thus, the interest theory emphasises the protection of well-being and interests of the right-holders (Preda, 2015).

Although, while the Will theory is criticized for hinging the exercise of rights on cognitive capabilities (Cruft, 2004), the Interest theory is criticized for emphasising on interests, which are limited and relative in nature (New World Encyclopedia, 2022). However, it must be stated that the central principle and focus of both theories is to elucidate on the function of rights to the holders. Deducing from the two perspectives; liberty and interests of the citizens are essential to democratic and good governance.

Thus, for the improvement of the society and citizens well-being, there is need to strengthen the human right practices in Nigeria, because the two compliments the effectiveness of the each other as practiced in advanced democracy.

4. HUMAN RIGHTS AND LINKAGE WITH DEMOCRATIC GOVERNANCE

The issue of human rights is not too important to violators and dictatorial regimes. It is not more than privilege that can be given and denied loyal or any opposing party. What sustains the contemporary fundamental human rights is that they are set of privileges conferred on individuals by the constitution or the law of the land (Alake, Aderogba, Okwusidi, 2020). Ibeanu and Mathew (1992) clarify further that, while some are protected by law, some remains aspirations to be attained in the future. It represents demand or claims which individuals or group make on society. Human rights are a fundamental feature of a true democratic society because the ethos of democracy itself is built upon the idea of human rights. Human rights are regarded as those inalienable entitlements of the people, which they should enjoy without fear of the government or fellow citizens (Enebe, 2008).

Therefore, the binding force of the constitution makes it a universal concern. Obiozor et al, (2000) posit that human rights proclamations are universal while its application is selective because of the effect of interplay between power, principle and pragmatism on the public policies of various countries. To them, notion of human dignity exist in African human rights, but greatly eroded by historical colonialism, slavery and imperialism. The concept of human rights have expression in the need by the people to greatly influence how those representing them in government determine how the society organises and administrates itself. This is more important when we realise that practically, the will of the state in most cases reflect the wishes of the few that constitute the government, which perspectives may differ from the expectation of the communities (Laski, 1982). This call for various ways, by which people can exercise some liberties to contain the excesses of the constituted authority to create orderly society, prevent lawlessness and revolution (Oyebode, 1998).

Presently, democracy is no longer regarded as only an end, but also, as a means to promoting political, economic and social rights. Human rights and democratic governance are intricately and mutually reinforcing as they share many principles such as participatory governance, accountability, transparency and responsibility. Hence, democracy provides the conducive and enabling environment needed for the pursuit of human rights through appropriate regulations and institutions that can shape the actions of the state (Adegbite, 2018).

From the previous analysis of the Nigerian situation, it is clear that near absence of human rights in the body polity during the prolonged military rule denies Nigeria knowledge of democratic values and enhances the germination of an environment where all kinds of impediments that can derail democratic governance thrives. As posits by Mathew and Ibeanu, (1992) only effective propagation of human rights can create a humane world to achieve the basic conditions of democratic governance to make life worth living.

5. STATE OF DEMOCRATIC GOVERNANCE IN NIGERIA

African countries are among the leading countries with the record of unsustainable, threatened or unstable democratic governance. Nigeria democratic experience before 1999 is a practical example. From the opinions of authors like, Keay and Thomas, (1977), Peil, (1976), Olashore, (1994), Alake, et al, (2020), Olawale, (1982), we can deduce the following from the Nigeria's democratic experience: that democratization experience starts with the formation of Nigerian council by Lord Lugard after the amalgamation in 1914; that the colonial constitutional development pattern constrains the leadership in imbibing effective constitutional and democratic attitude.

Furthermore, most of the constitutional changes or reforms up to today are due to pressure from the civil society, most of the constitutions are not perfect enough to prevent problems that are responsible for previous derailing of the democratic governance and the military as a clique did not allow democracy to be enduring enough. Importantly, the military ruled Nigeria for more than half of the post-independent years and all these experiences de-orientates the political class with little democratic values and culture.

What is more important is that, the civil society also contributed by inviting the military to overthrow the democratic governments because of primordial sentiments and actively participates in the administrations. To buttress this assertion, the findings of the study of Peil (1976) shows that, 47% respondents indicate that the military governs better while 24% indicate civilians; 38% agreed that the military is the most helpful while 35% agreed on the civilians; and 20% admits that the civilian should stay away from military administration while 76% prefers that the civilians should participate (Peil, 1976).

study was repeated by Aderogba (2001), adopting the same parameters, in Lagos, 60% indicates that the civilians govern better, 61% agrees that civilians are most helpful, while 88% disagrees that the civilians should stay away from the military regimes. Conclusion that can be drawn from the above finding is that the military experience at each of-the time shapes the opinion of the people.

The latter opinion of the people is against the military, unlike in the 1970s, because human rights violation is more pronounced in the 90s than post-independence era and cases of human rights violation are more pronounced in those periods when people choose to express their rights to good governance. The victims are mainly the press, labour and students, which are human right enlightened groups. Therefore, we can adduce that, rights are violated to cover up the atrocities of leaders while in office. If the citizens are allowed to exercise their rights fully, Nigerian leaders interested in political offices will be ready to provide good governance under people's government or democratic system.

However, many factors are responsible for this unacceptable state of democratic system particularly in Nigeria and Africa in general. They are: inadequate preparation for democratic governance before independence, intolerance of the political class, poverty, leadership problem, communal clashes, external influence, illiteracy, corruption and enforcing western democracy without considering African peculiarities.

6. HUMAN RIGHTS SITUATION IN NIGERIA

The truism of governance is that national interest of any nation shapes both domestic administration and foreign relation of any nation; therefore, policy output of any nation can only be evaluated if we can adequately determine its declaratory interest and operational interest. As posited earlier, human right is universal in declaration but subjective and selective in implementation. Since policy inputs take into consideration the societal values, we cannot argue against domestication of human rights to reflect African peculiarities especially when it reflects the societal values, which enhances ideals of good governance or democracy.

Human right situation in Africa is a mixed-perception. Oyebode, (1988) illustrate this way that while the societal desire for development and nation-building is usually being claimed as basis for the perpetuation of human right violation in Africa, human rights activists and civil liberties crusaders usually advances the right to development as the basis for various rights. Today, we can adduce that the question of human right is raised more in Africa than any other continents, because of its impact on development. While other corollary generation rights are thriving in the west, basic rights still confront insurmountable hindrances in Africa. The 1980s and 90s witnessed an intensification of denial of civil liberties and the flagrant violation of the most fundamental human rights by the state (Obiozor, et al; 2000).

However, the following can be observed from the human right situation in Africa and by extension in Nigeria. The most prominent right given necessary attention in Africa is the right to liberation from colonialism. Also, we can as well note that at times the process of achieving this violates many other rights. For instance, we have outbreak of violence between opposition out of simple fact of inability to tolerate right of others to oppose. The neo-colonial nature of Africa economy cannot sustain any genuine right that will eradicate poverty, illiteracy and under-development. Most post-colonial states in Africa are arguably products of colonial design to sustain colonial power relations long after the independence. Africa lags behind all other regions in relation to the basic human needs indicators-employment, food, safe drinking water, healthcare, housing, and education. This has resulted into multidimensional crises of underdevelopment across the continent hence, the bad leadership, lack of human rights and injustice in Africa (Benyera, 2020).

Lack of democratic values greatly hinders exercise of rights within most of the heterogeneous population in Africa thereby leading to communal clashes that are violent and lawless, hence serving as an alibi for the military termination of democratic governance. This subsequently leads to a high level of insecurity as the state of anarchy that ensues gives room to lack of protection of lives and properties as witnessed in the Niger Delta region and the various ethno-religious conflicts that are plaguing the northern part of the country (Adetoro & Omiyefa, 2014).

Widespread illiteracy has not helped the propagation of ideals of human rights and its relevance to good governance. Literacy in itself is a human right, and also a mechanism through which other human rights can be pursued. As fundamental human rights, literacy through human rights education, serves as a basis for achieving the extensive goals proposed by democracy. Literacy plays a huge role in ensuring that the masses understand the concept of human rights and participating in governance to hold authorities accountable (Eze, 2016).

Also, pressure from the international community is not enough. These situations, turns various declaration on rights to mere paper declaration in Africa. In globalized era, it is no longer effective to rely on a small group, mostly from the global northern governments to defend human rights (Hassan, 2022). Also, International Governmental Organizations such as the UN are unable to effectively checkmate and sanction acts of human rights abuses committed by the various governments of Nigerian (Maza et al, 2022).

As a corollary to the above, there is no political will on the part of African leaders to promote human rights because of corruption and greed for power. In its 2022 World Report, the Human Rights Watch posited that African leaders have failed to tackle widespread abuses against civilians by both state forces and non-state armed groups as the justice efforts for victims of these atrocities have been insufficiently prioritized across the continent. Regional efforts to address certain crises in Africa lacked political will and leadership, which has left countless civilians in the lurch. Rather, elected African leaders attempt to cling to power by manipulating political and constitutional processes, and in certain instances, killed or harassed perceived opponents, activists, and journalists (Human Rights Watch, 2022).

What has done more harm than good to human rights in Africa is the military incursion into politics. The rudiment of their profession is not human rights 'friendly'. Taking over of government through coup d'état is unconstitutional (violation of political right of the citizens) and ruling through decrees, which has retroactive feature, ousting of constitutional clauses, prohibition of judicial appeals, denying press freedom and freedom of expression, detention without trial, and trying offences through military tribunal headed at times by personnel that are not a legal practitioner violates rights of the citizens.

We cannot lose our sight on the abuse of the rights by the people in the process of exercising their rights. For instance in the south - west Nigeria opponent houses were burnt in the first republic, second republic and even after the annulment of June 12, 1993 election. Legislature throws missiles and engages in open scuffle in the local, state and national assembly simply because they cannot tolerate the exercising of right to oppose by one another. There is also state terrorism like arbitrary arrest and detention and assassination by agents of states and manipulating popular electoral decisions through the apparatus of state.

We can adduce therefore that, the above features of human rights in Nigeria are impetus to hindrances to sustainable and enduring democratic governance in Nigeria and Africa at large.

7. EFFECTS OF HUMAN RIGHTS VIOLATIONS ON DEMOCRATIC GOVERNANCE IN NIGERIA

The rule of law, a crucial pillar of democratic governance, is undermined by human rights violations. Extrajudicial killings, arbitrary arrests, and prolonged detention without trial erode citizens' trust in the legal system, weakening the rule of law and impeding democratic progress (ibid). Nigeria has been classified as a nation of hybrid democracy with a score point of 4.23 points in the 2022 democracy index. The index is based on electoral process and pluralism, government functions, political participation and culture, and civil liberties. While democracy has improved in Nigeria over the last two decades, the country still scored poorly in terms of government functioning, political participation and political culture (Sasu, 2003).

In its annual report, Freedom House rated Nigeria as 'partly free' with a score point of 43 points out of 100. This ranking was measured based on indicators categorized into 2- Political Rights and Civil Liberties. In terms of Political Rights where Nigeria scored 20 points of 40, measurements were based on the electoral process, political pluralism and participation, and functioning of government. For Civil Liberties, Nigeria received 23 points out of 60 based on the level of freedom of expression and belief, associational and organizational rights, rule of law, and personal autonomy and individual rights (Freedom House, 2022).

Furthermore, the above indicators are pointers to the effects of human rights on democracy and good governance in Nigeria. Nigeria placed 123rd among 165 countries in the survey carried out according to the 2021 Human Freedom Index (HFI). This poor ranking is a reflection of the deplorable state of press freedom, the brutal killings precipitated by religious extremism and inter-ethnic violence, and the continued invasion of farmlands by Fulani herders (Anoba, 2022).

The Freedom in the World 2022 report has also ranked Nigeria as partly free as the country has been observed to be performing worse than average in the sub-saharan region. Nigeria scored 43 out of 100 points in its ranking index. Nigeria scored 20 of 40 points in political rights, and 23 out of 60 points in civil liberty (Oyedeji, 2022). The 2022 Global Peace Index ranks Nigeria 143rd out of the 163 countries measured in the survey due to the high level of insecurity that has caused a setback for development and nation building.

This ranking was based on indicators including Level of perceived criminality in the society, the number of internal security officers and police per 100,000 people, the number of homicides per 100,000 people, the number of jailed population per 100,000 people, Ease of access to small and light weapons, Level of organized conflicts and terrorist activities among others (Global Peace Index 2022).

Indicators on good governance in Nigeria reveals that the Corruption Perception Index (CPI) 2020 ranked Nigeria 149th position out of the 180 countries surveyed, where Nigeria scored a meagre 25 points out of 100. This ranking puts Nigeria as the second most corrupt country in West Africa, while Guinea-Bissau takes the lead as the worst in the sub-region (This Day, 2021).

According to The Chandler Institute of Governance (CIG), a global non-profit organization, Nigeria ranked the third-worst country in its inaugural good government index. Nigeria ranked 102 out of the 104 countries- ahead of Zimbabwe and Venezuela- where the effectiveness of governments were measured. The index which consists of 34 indicators are organized into seven pillars- leadership and foresight, robust laws and policies, strong institutions, financial stewardship, attractive marketplace, global influence and reputation, and helping people rise. Nigeria scored 0.319 points, while Africa's best performer, Mauritius, which ranked 38th on the list scored 0.567 (Adebulu, 2021).

The Ibrahim Index of African Governance (IIAG) which serves as a medium that measures and monitors governance performance in African countries also ranked Nigeria's performance in terms of overall governance. The 2022 Ibrahim Index of African Governance (IIAG) ranked Nigeria 30th out of the 54 countries surveyed in Africa with a score point of 47.7 out of 100 (Mo Ibrahim Foundation, 2022). Its indicators are categorized into Security and Rule of law, Foundations for economic Opportunity, Participation, rights and inclusion, and human development.

Okoli, A. C., Nebeife, C. J., and Izang, M. A. (2021) argue that accountability and transparency within governance structures are also impacted by human rights violations. When individuals and institutions responsible for abuses go unpunished, it perpetuates a culture of impunity. This lack of accountability undermines public trust in the government and weakens the democratic process. Efforts to promote transparency and accountability must address human rights abuses as a critical component of good governance.

Freedom of expression and media freedom are vital for a functioning democracy. However, human rights violations such as censorship, intimidation of journalists, and restrictions on media freedom stifle dissent and limit access to information. This hampers the free flow of ideas and critical voices necessary for robust public discourse, ultimately undermining democratic governance (Obiora, C., Chiamogu, D. A. P., and Chiamogu, U. P., 2022). Human rights violations contribute to the erosion of public trust in government institutions. When citizens' rights are violated, it creates a sense of alienation and disenfranchisement. This erosion of trust hinders active citizen participation in governance processes, including voting, engaging in public debates, and holding authorities accountable. Rebuilding public trust requires addressing human rights abuses and ensuring that citizens' voices are heard and respected (ibid).

The prevalence of human rights violations across various sectors of the Nigerian society has dire consequences on the entrenchment of true democratic ideals and tenets in Nigeria. Maza et al (2022) argue that despite the non-interruption of democratic rule and the civil space in Nigeria, citizens are increasingly grappling with challenges to their fundamental human rights. This implies that these arbitrary actions undermine both the ideals of democracy and democratic governance, and the principles of the international human rights law.

Persistent human rights violations, with little or no redress mechanisms, have adverse effects on the health and social wellbeing of the vulnerable. In a quantitative study that sought to investigate the social consequences of human rights violations in Rural Nigeria, Ikenyei (2022) discovered that violation of human rights have induced health challenges such as anxiety, psychosis, insomnia, high blood pressure, hypertension, disorientation, stroke, and sometimes death.

The lacks of effective redress mechanisms have further increased attacks on institutions and authorities, loss of lives, and unpatriotic behaviours from victims. Human rights violations by the state impeded democratic governance as it makes citizens lose faith in the government and the country's democracy. Furthermore, human rights abuses such as intimidation of protesters and the civil society deter the citizens from holding the government accountable (Danfulani, 2017). Once pressure is not put on the government to fulfill its promises to the electorates, they tend to shirk when it comes to effective service delivery.

In conclusion, human rights violations have wide-ranging and profound effects on democratic governance in Nigeria. The rule of law, accountability, and transparency, freedom of expression, media freedom, and public trust are all significantly impacted by such violations. Addressing these challenges necessitates a comprehensive approach that emphasises the protection and promotion of human rights as a cornerstone of democratic governance. Strengthening the legal framework, ensuring accountability for abuses, and creating an enabling environment for civic participation are crucial steps towards a more robust democratic system in Nigeria.

8. HOW HUMAN RIGHTS CAN BE IMPROVED TO REPOSITION NIGERIA DEMOCRATIC GOVERNANCE

The task of improving and strengthening human rights in Nigeria for better democratic governance is not one sided. It is a joint exercise between the civil society, the government, public and private institutions and the international community; thus the following suggestions:

Human rights cannot be discussed outside the context of the civil society. Before we can improve human rights situation in Nigeria, societal values hindering and promoting human rights practices equally has expression in this context. Human rights concepts needed to be properly adapted to our own peculiarities so as to be able to secure an enabling environment. Constitution determines system of government in any nation and at the same time constitutional type is determined by the nature of the states. Human rights researcher and scholars must ensure that concept of human rights has expression under this context.

Moreover, there is the need to educate majority of the civil society to reduce the level of ignorance and for people to understand rights, have an effective organization and mobilization to act and defend their rights at any point in time. Judiciary is only an institution that can truly and legally protect human rights as enunciated in the constitution. It must be free and independent of any form of control from other organs of government. All the conditions that can protect this independence must be provided.

Press has a lot of role to play also. African leaders are not always press friendly hence the reason why they usually sponsor government owned press institutions. No any act of human rights violation must be spared. Orientation agencies must be up and doing as well to enlighten the civil society on the importance of human rights before good governance can be enthroned.

There must be strict legislation against human rights violation. Concerted efforts must be made to keep military in the barracks and out of politics. Military need to be re-orientated toward professionalism and how to cope under civil rule. Their remuneration must be sufficient to reduce temptation to "hijack" government for selfish interest. There must be a deliberate effort to deter other military personnel from derailing democratic governance. Corruption and mismanagement is a major factor sustaining the drive towards violation of right in Africa.

The civil society must be properly educated on the need for accountability. It must go beyond fiscal and monetary prudence but political accountability, which allows the civil society to assess political actions of their leaders, recall them from offices if they are irresponsible. There must be peaceful but gradual processes to re- determine the mandate given to them through periodical election. The fear of irresponsibility of leaders while in office has always been a hindrance to free and fair election in Nigeria and guarantee of human rights. There must be economic empowerment in our nation, if we need the support of the civil society.

Above all, there must be enough pressure from the human rights groups at home and international community, especially the UN. Global wars on terrorism can only succeed where human rights thrive. Efforts of the international community against Abacha Regime in Nigeria are a testimony that they can deter irresponsible governance in Nigeria through support for human rights.

9. CONCLUSION

The paper focus is on the impact that human rights can have, if strengthened properly in preserving democratic governance in Nigeria. Human rights violation has been the bane of good governance in Nigeria. We can assert that issues of human rights and democratic governance are interrelated, and must be addressed as such, if Nigerians must benefit adequately from the divided of democracy in the emerging new global order. Human rights violations have profound implications for democratic governance in Nigeria. The country, as the largest democracy in Africa, faces significant challenges in upholding human rights, which in turn affect key aspects of its democratic institutions. This work is a bold step on shedding light on the impact on the rule of law, accountability, and transparency, freedom of expression, media freedom, and public trust. By examining specific cases and incidents, a comprehensive understanding of the detrimental effects of human rights violations on democratic governance in Nigeria can be achieved (Human Rights Watch, 2021).

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