



**PARTY CONSTITUTIONS AND POLITICAL
CHALLENGES IN A DEMOCRACY: NIGERIA IN
THE FOURTH REPUBLIC, 1999-2011**

BY

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ABSTRACT

This study investigates the constitutions of the six major political parties in the Nigeria's Fourth Republic. These are the Action Congress of Nigeria, All Nigeria Peoples Party, All Progressives Grand Alliance, Congress for Progressive Change, Labour Party, and Peoples Democratic Party. It focuses on explaining the political challenges which these parties faced; how they used their constitutions in responding to these challenges; and the causes for variations in their responses. This approach, the thesis shows, is necessary for understanding the party system in Nigeria as well as the nature of its politics and democracy. Using data from party constitutions, party laws, interviews and statements of party leaders, and relevant texts and archival materials, investigation reveals that parties adopt constitutions because of the need to advertise their ideologies, legitimate their decisions, and manage internal conflicts among their members. They also adopt constitutions because of party laws, and the dictates of inter-party competition. Variations among party constitutions result from differences in their electoral success, respective age, historical experience, interests of their founders, and party laws that conditioned the perception of their environment and the challenges inherent in that environment. The study shows that differences among these parties in terms of their character and outlook, ideology and disposition, organization and governing structure, and the challenges they faced and their responses to those challenges in the Fourth Republic were insignificant. The parties were catch-all in character that relied mostly on sectional bases for their support in a volatile party system characterized by higher polarization and lower fragmentation. One disturbing trait of these parties was their propensity to violate principles of internal democracy in managing their affairs, especially in the processes of candidates' nominations, which constituted a major threat to consolidation. The Independent National Electoral Commission and other regulatory agencies need to institute measures to ensure that parties adhere to the principles of rule of law and internal democracy in all their activities. Future studies would find the framework developed by this research useful in investigating different political systems, including those with more institutionalized and competitive party systems. Comparison could be made regarding how experience of parties under different environments, party systems, and party laws produce specific responses in their constitutions.

ملخص البحث

يهدف هذا البحث إلى دراسة الأحزاب السياسية الست الكبرى الموجودة في أثناء حكم الجمهورية الرابعة في نيجيريا وهي: حزب مؤتمر العمل النيجيري (ACN)، حزب الشعب النيجيري (ANPP)، حزب تحالف جميع التقدميين (APGA)، حزب المؤتمر للتغيير التقدمي (CPC)، حزب العمال (LP)، وحزب الشعب الديمقراطي (PDP). يركز هذا البحث على فهم نوعية التحديات السياسية التي تواجه هذه الأحزاب، وكيف استخدمت دساتيرها للتصدي لهذه التحديات بما في ذلك أسباب اختلاف تلك الأحزاب في ردودها. إنه لمن الضروري أن يستخدم هذا البحث هذا المنهج، للإطلاع ولفهم أنواع النظم الحزبية المتواجدة، بما في ذلك طبيعة النظام الديمقراطي في نيجيريا، وذلك باستخدام البيانات المستمدة من دساتير الأحزاب السياسية وقوانينها، وإجراء مقابلات مع قادة الأحزاب، وكذلك استخدام النصوص ذات الصلة و المواد الأرشيفية. واكتشف الباحث بأن قيام الأحزاب باعتماد الدساتير إنما هو بسبب الحاجة للإعلان عن أفكارها، وأيديولوجياتها ولتشريع قراراتها، وإدارة النزعات الداخلية بين أعضائها، وكذلك تبنت الأحزاب هذه الدساتير بسبب قوانينها، والمنافسات بين الأحزاب المختلفة. وإن الاختلافات بين دساتير الأحزاب إنما كانت نتيجة الاختلافات في نجاحها الانتخابي، وتاريخ تأسيس كل منها، وخبرتها التاريخية، ومصالح مؤسسيها، وقوانين الأحزاب التي أدت إلى تطور بيئتها والتحديات الكامنة في تلك البيئة، وأظهرت الدراسة بأن الاختلافات بين هذه الأحزاب من حيث طابعها وتوقعاتها، وأيديولوجياتها، وتصرفاتها، وتنظيمها، وهيكلها الإدارية، والتحديات التي تواجهها، وردودها لتلك التحديات في أثناء حكم الجمهورية الرابعة، إنما هي شيء ثانوي. وإنما يلاحظ أن كل هذه الأحزاب خاطبت مجموعات متباينة بهدف كسب الأصوات، وهذا الأسلوب اعتمد في الغالب على أسس طائفية لدعم هذه النظم الحزبية المتقلبة التي تتسم بأعلى درجات الاستقطاب وقلة التشرذم. ومما يثير القلق هو ميل هذه الأحزاب لانتهاك مبادئ الديمقراطية الداخلية في إدارة شؤونها، وخاصة في عمليات الترشيح، والتي تشكل خطرا كبيرا على وحدتها. وعليه، فإنه يلزم على اللجنة الانتخابية الوطنية المستقلة، والوكالات التنظيمية الأخرى، اتخاذ التدابير اللازمة لضمان الالتزام بمبادئ سيادة القانون والديمقراطية الداخلية في جميع أنشطتها. وبناء على ذلك، يقترح للدراسات المستقبلية أن تقوم بالعثور على الإطار النظري الذي تم استخدامه في هذا البحث، وذلك لتحقيق نظام سياسي مختلف، والذي سيكون جزء من النظام الحزبي الأكثر مؤسسية وقدرة على المنافسة، ومقارنة تجربة الأحزاب العاملة في بيئات مختلفة، والأنظمة الحزبية، والقوانين الحزبية المختلفة والتي قد أنتجت استجابات محددة في دساتيرها.

APPROVAL PAGE

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DECLARATION

I hereby declare that this thesis is the result of my own investigations, except where otherwise stated. I also declare that it has not been previously or concurrently submitted as a whole for any other degrees at IIUM or other institutions.

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Signature.....

Date.....

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*This research is dedicated to my father, Muntari Lawal Katsina,
A teacher, a role-model, and a committed democrat for
stubbornly refusing to become a professional politician,*

to

my mother, Tamadina,

for everything,

and

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LIST OF ABBREVIATIONS

ACN	Action Congress of Nigeria
AD	Alliance for Democracy
AG	Action Group
ANPP	All Nigeria Peoples Party
APGA	All Progressives Grand Alliance
APP	All Peoples Party
BoT	Board of Trustees
CDC	Constitution Drafting Committee
CDCC	Constitution Debate Coordinating Committee
CNC	Congress for National Consensus
CPC	Congress for Progressive Change
DPN	Democratic Party of Nigeria
FEDECO	Federal Electoral Commission
GDM	Grassroots Democratic Movement
GNPP	Great Nigeria Peoples Party
INEC	Independent National Electoral Commission
ING	Interim National Government
LP	Labour Party
NASS	National Assembly
NCNC	National Council of Nigerian Citizens
NCPN	National Center Party of Nigeria
NECON	National Electoral Commission of Nigeria
NEPU	Northern Elements Progressive Union
NNA	Nigerian National Alliance
NNDP	Nigeria National Democratic Party
NPC	Northern Peoples Congress
NPN	National Party of Nigeria
NPP	Nigeria Peoples Party
NRC	National Republican Convention
PDP	Peoples Democratic Party
PPA	Progressive Peoples Alliance
PRP	Peoples Redemption Party
SDP	Social Democratic Party
UMBC	United Middle Belt Congress
UNCPC	United Nigeria Congress Party
UPGA	United Progressives Grand Alliance
UPN	United Party of Nigeria

CHAPTER ONE

PARTY CONSTITUTIONS AND POLITICAL CHALLENGES IN A DEMOCRACY: A FRAMEWORK FOR ANALYSIS

Political parties are among the critical political institutions upon which the theory and practice of democratic governance in modern states revolve. Part of the explanation for this importance has to do with the nature and scope of their functions. As political organizations, parties aggregate, articulate, and promote public interests in competitive liberal environments.¹ They serve as vehicles through which the pursuit of power becomes legitimate.² These functions make parties crucial to issues of representation and governance in contemporary democratic states.³ Elmer Schattschneider notes that governance in modern democracies is practically impossible except within the framework of party politics.⁴ Geoffrey Pridham makes similar observation when he links the quality of a democracy to the nature and quality of its political parties.⁵

Notwithstanding these characterizations, it is important to note that as socio-political institutions parties generally operate within a definite politico-legal environment that has set of defined boundaries. This environment, democratic in nature, not only distinguishes a party as a political organization from the numerous other organizations that exist and operate within it, but also makes certain demands on it and expects it to respond in a specific and measurable way. Thus, similar to other

¹ Austin Ranney, *The Doctrine of Responsible Party Government* (Urbana, IL: University of Illinois Press, 1962).

² Peter Burnell & Andre Gerrits, "Promoting Party Politics in Emerging Democracies", *Democratization*, 17, no. 8 (2010): 1065.

³ Larry Diamond, *Developing Democracy: Toward Consolidation* (Baltimore: John Hopkins University Press, 1999), 96.

⁴ Elmer Schattschneider, *Party Government* (New York: Holt, Rinehart & Winston, 1942).

⁵ Geoffrey Pridham, *Securing Democracy: Political Parties and Democratic Consolidation in Southern Europe* (New York: Routledge, 1990), 2.

environments, a party's environment also contains a number of challenges, which a party faces and addresses in order to attain its goals within the state. This is to say that the numerous challenges embedded in their environments are constraints, which parties struggle to overcome. Parties employ several means to address these challenges, with their constitutions being the most crucial.

For a political party therefore, its constitution serves two purposes. One, it is a mirror that reflects the various political challenges a party faces in its environment. It shows which challenge a party considers important, and which is unimportant. Two, it is an instrument through which a party addresses these political challenges subsisting in its environment. Constitutions help parties define their ideological character, shape their organizational structure, and give them distinctive identities. Thus, constitutions have greater significance to parties beyond the provisions of guidelines on how they should manage their affairs, pursue their goals or elect their principal officers.

As a relatively new democracy, Nigeria is an interesting case for investigating the challenges its parties face and the way they employ their constitutions as instruments for responding to different challenges. The country went to the polls on February 27, 1999 and sworn in Olusegun Obasanjo as its president, while at states' level elected chief executives assumed power on May 29, 1999. This inauguration heralded the dawn of the Fourth Republic.⁶ In the February 1999 general elections, only three parties: Alliance for Democracy (AD), All Peoples Party (APP), and Peoples Democratic Party (PDP) participated and sponsored candidates for states and national assemblies, state

⁶ Nigeria's four democratization attempts are called republics. The first democratic period, from the date of independence on October 1, 1960, to the military coup d'état of January 1, 1966, was known as the First Republic. The second democratic period from October 1, 1979, to December 31, 1983, was known as Second Republic. Although the third attempt at democratization was aborted on November 17, 1993, by the military, the period nonetheless is described as Third Republic. The present period that began on May 29, 1999, is the Fourth Republic. See Dhikuru A. Yagboayaju, "Nigeria's Fourth Republic and the Challenge of a Faltering Democratization", *African Studies Quarterly*, 12, no. 3 (2011): 93-106.

chief executives and the presidency. Since then, the number of political parties operating in Nigeria has multiplied, such that by April 2011, when the fourth general elections were held in the country, there were sixty-three registered political parties fifty-four of which sponsored candidates for various elective positions at the local, state, and national levels.⁷

Nonetheless, most of these parties were, to use the words of Vicky Randall and Lars Svasand, “briefcase parties” formed by corrupt political elites without coherent social ideology, grass-root support or electoral significance. Mostly, the sole objective of establishing a briefcase party is for securing political appointments and other related benefits especially statutory grant to parties from the federal government.⁸ Still, six parties with differing age, size and strengths occasioned by their electoral success in various elections stood apart as the major parties in Nigeria between 1999 and 2011. These parties were the Action Congress of Nigeria (ACN), All Nigeria Peoples Party (ANPP), All Progressives Grand Alliance (APGA), Congress for Progressive Change (CPC), Labour Party (LP), and Peoples Democratic Party (PDP).

This research compares these six political parties in Nigeria’s Fourth Republic focusing on their constitutions and their responses to specific political challenges emanating from their environment. The research proceeds from the assumption that parties are isomorphic organizations that “structure themselves according to the environmental conditions under which they operate”.⁹ Consequently, parties adopt constitutions as responses to the need for stating their ideologies in a political system and conferring legitimacy on their leaders to make policies and decisions on their

⁷ See Appendices III and IV.

⁸ Aminu Bello Masari, “Democracy: Restoring Hope”. Keynote Speech at the 6th Annual Trust Dialogue, Transcorp Hilton Hotel, Abuja, January 14, 2009.

⁹ Rodney Smith & Anika Gauja, “Understanding Party Constitutions as Responses to Specific Challenges”, *Party politics*, 16, no. 6 (2010): 757.

behalf. Others are managing intra-party conflicts among their members; meeting legal requirements for registration purposes; and managing inter-party competition, which a pluralistic democracy entails.

Considered separately, none of these reasons would provide parties with a compelling reason to adopt constitutions. However, considered together these reasons would provide logical explanation on why parties adopt constitutions in a democratic political system. They also offer an insight into the type of political challenges parties face, as well as the nature of their responses. Analyzing the constitutions of ACN, ANPP, APGA, CPC, LP, and PDP therefore, would provide a deeper understanding of the nature of party politics in Nigeria's Fourth Republic, its party system and the types of political challenges parties face in the country. This would also help in explaining the nature of Nigeria's political system, including the prospects of consolidating its democracy. Specifically, this research answers the following questions:

1. Why did political parties of the Fourth Republic adopt constitutions?
2. What are the major variations among the constitutions of these parties?
3. How could these variations among their respective constitutions be explained?

Research Significance

Existing studies on party politics in the Fourth Republic generally focused on two major areas. One, they focused on the party system, its nature, type and process of formation. These studies also focused on the issue of internal democracy among these parties, their clientalistic nature and influence of moneybags and other rich patrons. Seldom do researchers examine parties as political organizations that operate in an environment which throws various political and legal challenges to the parties' survival and success in any given political system. This scant attention leaves a wide gap in understanding

how parties work internally, the circumstances that inform their structural and institutional designs, reasons they prefer particular ideologies, or reasons they promote particular policies and neglect others within the political system. Even those few studies that attempted to examine the internal workings of parties mostly focused their investigations on the question of parties' finances, the coherence of their ideologies, and the impact of ethnicity on them.

Researchers somehow neglected to investigate parties as active organizations whose environment and its inherent political challenges shape their behavior. This research addresses this gap by focusing on party constitutions. It investigates and explains the reasons that influence parties' decisions to adopt and frame their constitutions in different ways. It also reveals the nature of the environment in which political parties operate, the type of challenges they face in trying to attain their objectives, and the reasons they differ in prioritizing their responses to these challenges since they all operate in the same political system. By focusing on party constitutions, this study shows that they have other purposes besides acting as legal documents that allocate power to the party units and specify duties of their various officers. Parties use their constitutions to anticipate challenges and respond to them in appropriate ways.

In addition, it is important to note that parties are perhaps the most crucial institutions of liberal democracies.¹⁰ They act as the bridge between the government and the governed. As such, any study that focuses on any of their numerous aspects naturally deepens and broadens the existing reservoir of knowledge on the workings of democratic systems generally. Since this study focuses on parties in Nigeria, it becomes doubly important. In the past, parties had contributed to the breakdown of Nigeria's

¹⁰ Robert A. Dahl, *On Democracy* (New Haven: Yale University, 2000), 130.

numerous democratization attempts.¹¹ This is because of the role those organizations played in promoting sectionalism and sustaining cleavages in the country. This was especially evident in the First Republic when parties helped in polarizing Nigeria along sectional lines, thereby nurturing the tension that eventually ended democratic rule. Thus, as its overall significance, this research broadens our knowledge of the prospects of democratic consolidation of the Fourth Republic.

Research Objectives

A political party is a critical component of representation and governance in a modern democratic state.¹² In government, parties implement policies and programs on the basis of which they are elected by voters. Out of government, parties form the opposition and offer voters alternative policies and programs.¹³ Interestingly, from whichever perspective one approaches the question, as socio-political organizations, parties face number of internal and external political challenges in their environment. Their nature of response to these challenges is not only relevant to how successful they become in attaining their goals, but also on the wider political system. This is particularly applicable to most African democracies. Because of the relatively short period under which most countries in Africa democratized and the underdeveloped nature of their political culture and institutions they are generally described as new democracies. Consequently, this research achieves the following four objectives. It:

1. Shows that party constitutions are important tools which parties use to respond to various political challenges in the political system;

¹¹ Elo Amucheazi, "Party System and Party Politics" in *Governance and Politics in Nigeria: The IBB and OBJ Years*, edited by Sam Oyovbaire (Ibadan: Spectrum Books, 2008), 57-73.

¹² Susan C. Stokes, "Political Parties and Democracy", *Annual Review of Political Science*, 2, (1999): 243-267.

¹³ Ian Shapiro, *Democracy's Place* (Ithaca: Cornell University Press, 1996), 51.

2. Explains the nature of parties and party system that exist in the Fourth Republic;
3. Explains the nature of Nigeria's political system through understanding the nature of its party system;
4. Draws broad recommendations for the parties' leadership and the electoral authority on the best ways of strengthening party politics in Nigeria, and thus by implication deepening its democracy.

Literature Review

As pointed earlier, political parties are central to democratic governance in both advanced and new democracies. Current research on democracy has addressed several themes and questions related to party politics. Studies have investigated questions related to the nature of parties, nature of inter-party interactions, patterns of party system formation as well as the general practice of party politics especially in new democracies. In this section, this literature is reviewed under three sub-themes each corresponding to the objectives of this research: party politics in new democracies; party politics in Nigeria; and party politics in the Fourth Republic of Nigeria.

Parties in the New Democracies

Political parties are important socio-political organizations without which modern representative democracies are inconceivable.¹⁴ In new democracies emergence of party politics is seen as part of the necessary process of their democratization.¹⁵ Works

¹⁴ See Paul Webb, "Political Parties and Democracy: The Ambiguous Crisis", *Democratization*, 12, no. 5 (2005): 633; Dan Berhnhadt, John Duggan & Francesco Squintani, "The Case for Responsible Parties", *American Political Science Review*, 103, no. 4 (2009): 570.

¹⁵ Vicky Randall & Lars Svasand, "Introduction: The Contribution of Parties to Democracy and Democratic Consolidation", *Democratization*, 9, no. 3 (2002): 1-10; see also "Political Parties and Democratic Consolidation in Africa", *Democratization*, 9, no. 3 (2002): 30-52, by the same authors.

by Hans Stockton, Carrie Manning, Matthjis Bogaards, Shaheen Mozaffar and James Scarritt, Giovanni Carbone, Richard Rose and William Mishler, Vicky Randall and Lars Svasand, Peter Burnell and Andre Gerrits, Lise Rakner and Lars Svasand show a number of important trends in the party politics of new democracies.¹⁶ The most remarkable of these trends is that parties are weak and heavily dependent on patrimonial instrumentations with ethnic bases of support and loyalties. Several studies on new democracies including Mauritania, Democratic Republic of Congo, Bosnia-Herzegovina, Cambodia, El Salvador, Kenya, Zambia, Georgia and Ukraine reveal their parties and the party systems as weak and volatile.¹⁷

One immediately remarkable dimension of this situation is the nature of their party systems. Although there have been multi-party elections in many of these new democracies, with some of them experiencing series of electoral turnovers, in most cases these have not translated into institutionalized and competitive party systems.¹⁸ In a study of post-Communist Russia, Richard Rose and William Mishler find that the

¹⁶ Hans Stockton, "Political Parties, Party Systems, and Democracy in East Asia: Lessons from Latin America", *Comparative Political Studies*, 34, no. 1 (2001): 94-119; Carrie Manning, "Assessing African Party Systems after the Third Wave", *Party Politics*, 11, no. 6 (2005): 707-727; Matthjis Bogaards, "Counting Parties and Identifying Dominant Party Systems in Africa", *European Journal of Political Research*, 43 (2004): 173-197; Shaheen Mozaffar & James Scarritt, "The Puzzle of African Party Systems", *Party Politics*, 11, no. 4 (2005): 399-421; Giovanni Carbone, "Political Parties and Party Systems in Africa: Themes and Research Perspectives", *World Political Science Review*, 3, no. 3 (2007): 1-29; Richard Rose & William Mishler, "A Supply-demand Model of Party System Institutionalization: The Russian Case", *Party Politics*, 16, no. 6 (2010): 801-821; Vicky Randall & Lars Svasand, "Party Institutionalization in New Democracies", *Party Politics*, 8, no. 1 (2002): 5-29; Burnell & Gerrits, *Promoting...*, 1065-1084; Lise Rakner & Lars Svasand, "In Search of the Impact of International Support for Political Parties in New Democracies: Malawi and Zambia Compared", *Democratization* 17, no. 6 (2010): 1250-1274.

¹⁷ Marriane Marty, "Mauritania: Political Parties, Neo-Patrimonialism and Democracy", *Democratization*, 9, no. 3 (2002): 92-108; Sabine C. Carey, "A Comparative Analysis of Political Parties in Kenya, Zambia, and the Democratic Republic of Congo", *Democratization*, 9, no. 3 (2002): 53-71; Maja Nenadovic, "An Uneasy Symbiosis: The Impact of International Administrations on Political Parties in Post-conflict Countries", *Democratization*, 17, no. 6 (2010): 1153-1175; Jeroen de Zeeuw, "Sons of War: Parties and Party Systems in Post-War El Salvador and Cambodia", *Democratization*, 17, no. 6 (2010): 1176-1201; Max Bader, "Political Parties in Georgia and Ukraine and the Failure of Western Assistance", *Democratization*, 17, no. 6 (2010): 1085-1107.

¹⁸ Lauri Karvonen & Carsten Anckar, "Party System and Democratization: A Comparative Study of the Third World", *Democratization*, 9, no. 3 (2002): 11-29.