

GOOD GOVERNANCE, STATECRAFT AND NATION-BUILDING IN NIGERIA: DEMOCRACY, INTEGRITY, DUE PROCESS AND THE RULE OF LAW AS IMPERATIVES FOR NATIONAL DEVELOPMENT

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ABSTRACT

Nation-building in Nigeria is constrained less by resource scarcity than by deficits in governance, statecraft, and institutional integrity. This position paper argues that sustainable democracy and development require strict adherence to due process, statutory provisions, constitutional requirements, and ethical standards of honesty and accountability. Drawing on constitutional law, administrative regulations, and principles of good governance, the paper analyzes gaps between constitutional ideals in the 1999 Constitution of the Federal Republic of Nigeria and governance practice across executive, legislative, and judicial institutions. It integrates principles from Akinade's 2004–2019 security and governance frameworks to demonstrate that integrity, rule of law, and procedural regularity are foundational to statecraft. The paper recommends legislative reforms, institutional strengthening, and civic education to entrench due process and rebuild public trust.

Keywords: Good Governance, Statecraft, Nation-Building, Democracy, Integrity, Due Process, Rule of Law, Constitutionalism, Nigeria

1.0 INTRODUCTION

The 1999 Constitution of the Federal Republic of Nigeria establishes Nigeria as a democratic, federal republic founded on principles of separation of powers, rule of law, and accountability to the people, Section 1(2). Yet over 25 years of constitutional democracy, challenges of corruption, impunity, procedural irregularities, and erosion of public trust persist. Statecraft, defined as the art of managing state affairs with wisdom, foresight, and ethical responsibility, demands more than electoral cycles. It requires institutionalization of good governance norms: transparency, accountability, integrity, and due process.

This paper examines the intersection of good governance, statecraft, and nation-building in Nigeria. It contends that democracy without integrity is procedural ritualism, and nation-building without due process is architectural failure. The objective is to articulate a position that aligns constitutional provisions, statutory requirements, and ethical standards as the basis for national development.

2.0 CONCEPTUAL AND THEORETICAL FRAMEWORK

2.1 Good Governance

The World Bank defines good governance as the manner in which power is exercised in the management of a country's economic and social resources for development. Core elements include participation, rule of law, transparency, responsiveness, consensus orientation, equity, effectiveness, efficiency, accountability, and strategic vision.

2.2 Statecraft

Statecraft refers to the skillful management of internal and external affairs of a state. It requires balancing power, law, and ethics. Akinade (2008) in *National Security, Social Coercion and Sustainable Development* argues that statecraft fails when power is exercised without regard to legal and moral constraints. Akinade (2019) in *Managing Strategic Security in Statecraft, Public Affairs and Foreign Relations* adds that strategic security is inseparable from competent statecraft.

2.3 Nation-Building

Nation-building is the process of constructing national identity, institutions, and social cohesion from diverse groups. It requires inclusive policies, fair distribution of resources, and adherence to constitutional principles. Akinade (2009) in *Communal Conflict and Violence: Response, Resolution and Prevention* demonstrates that unresolved communal grievances undermine nation-building when due process is absent.

2.4 Theoretical Lens: Institutionalism and Rule of Law

North (1990) argues institutions are “rules of the game” that structure political, economic, and social interaction. Rule of law, per Dicey (1885), requires that no one is above the law, equality before the law, and predominance of legal spirit. These theories ground the paper's position that governance must be rule-bound, not discretionary.

3.0 CONSTITUTIONAL AND STATUTORY FOUNDATIONS

3.1 Supremacy of the Constitution

Section 1(1) 1999 Constitution declares the Constitution supreme and its provisions binding on all persons and authorities. Section 1(3) voids any law inconsistent with it. This establishes constitutionalism as the baseline for all governance acts.

3.2 Fundamental Objectives and Directive Principles of State Policy

Chapter II, Sections 13–24 impose duties on all arms of government to apply policies toward promoting national integration, social justice, and welfare. Section 14(2)(b) states sovereignty belongs to the people and government derives power from them. Section 15 mandates elimination of discrimination and promotion of national unity.

3.3 Separation of Powers

Sections 4, 5, and 6 vest legislative, executive, and judicial powers in distinct arms. This separation prevents concentration of power and enables checks and balances essential for democracy and integrity.

3.4 Fundamental Rights

Chapter IV, Sections 33–46 guarantee rights to life, dignity, fair hearing, privacy, freedom of expression, and due process. Section 36(1) mandates fair hearing within a reasonable time by an independent and impartial tribunal. Violation of due process undermines legitimacy of state action.

3.5 Public Accountability Provisions

Section 15(5) mandates abolition of corrupt practices and abuse of power. Section 88–89 empower National Assembly oversight. Section 125–126 require auditing of public accounts. Section 153 establishes the Code of Conduct Bureau and Code of Conduct Tribunal to enforce ethical standards for public officers, Fifth Schedule.

3.6 Statutory Frameworks

1. Public Procurement Act 2007: Mandates due process, competition, transparency in public spending.
2. Fiscal Responsibility Act 2007: Requires prudent management of public finances, debt limits, and transparency.
3. Freedom of Information Act 2011: Guarantees public access to government records, promoting transparency.
4. Code of Conduct for Public Officers: Fifth Schedule requires declaration of assets, prohibition of conflict of interest.
5. Administration of Criminal Justice Act 2015: Codifies due process in criminal proceedings, Sections 1–3.

4.0 DEMOCRACY, INTEGRITY AND HONESTY IN GOVERNANCE

4.1 Democracy Beyond Elections

Democracy is not limited to periodic voting. Dahl (1989) identifies contestation and participation as core. Substantive democracy requires protection of minority rights, deliberation, and accountability between elections.

4.2 Integrity as Institutional Norm

Integrity means adherence to moral and ethical principles. In governance, it requires public officers to prioritize public interest over private gain. Section 15(5) constitutionalizes integrity. Without it, statecraft degenerates into patronage and kleptocracy. Akinade (2007) in *Security Operations, Crime Prevention and Good Governance: Pattern and Trends* links crime trends to governance deficits.

4.3 Honesty and Public Trust

Honesty builds legitimacy. When citizens perceive leaders as dishonest, compliance declines and social cohesion weakens. Akinade (2025) links public trust to perception of procedural justice. Akinade (2008) in *Security Culture, Diplomacy and Communication Skills in International Relations* stresses that communication and transparency are tools of ethical statecraft.

5.0 DUE PROCESS AND PROCEDURAL REGULARITY

5.1 Meaning of Due Process

Due process requires that government action affecting rights follows fair, established procedures. It includes notice, hearing, impartial decision-maker, and reasoned judgment.

5.2 Due Process in Administrative Action

Administrative agencies must comply with enabling statutes and principles of natural justice: *audi alteram partem* and *nemo iudex in causa sua*. Failure leads to decisions being void for procedural impropriety.

5.3 Due Process in Legislation

Lawmaking must follow constitutional procedures: bill passage by both chambers, presidential assent, Section 58. Bypassing due process breeds illegitimacy.

5.4 Due Process in Judicial Proceedings

Section 36 guarantees fair hearing. Delays, *ex parte* orders without justification, and executive interference violate due process and erode judicial independence.

6.0 GAPS BETWEEN LAW AND PRACTICE

6.1 Discretionary Governance

Despite constitutional provisions, discretionary allocation of resources, selective enforcement of law, and “executive fiat” persist. This contradicts Section 14(2)(b) on popular sovereignty.

6.2 Weak Oversight Institutions

Legislative oversight under Sections 88–89 is often undermined by partisan interests. Auditing under Sections 125–126 is delayed, limiting accountability.

6.3 Corruption and Impunity

Section 15(5) mandates abolition of corruption, yet corruption remains systemic. Impunity signals that rules are not binding, weakening statecraft. Akinade (2018) in *Contemporary Security Issues on Governance and Statecraft* identifies governance failure as a driver of insecurity.

6.4 Neglect of Directive Principles

Chapter II provisions on social justice and welfare are treated as non-justiciable, Section 6(6)(c). This creates governance focused on elite interests rather than nation-building.

7.0 STATECRAFT AND NATION-BUILDING IMPERATIVES

7.1 Rule-Bound Leadership

Leaders must model constitutional obedience. Statecraft requires self-restraint and adherence to due process even when politically costly.

7.2 Institutional Strengthening

Independent institutions — judiciary, audit agencies, anti-corruption bodies — must be adequately funded and protected from interference, Sections 81, 84.

7.3 Civic Education

Nation-building requires citizens who know their rights and duties. Civic education on constitutional provisions fosters demand for accountability.

7.4 Ethical Recruitment and Training

Public service recruitment must prioritize merit and integrity. Training programs should embed ethical standards from Fifth Schedule.

8.0 RECOMMENDATIONS

8.1 Constitutional and Legislative Reforms

1. Amend Section 6(6)(c) to make Chapter II provisions justiciable, enabling courts to enforce social justice mandates.
2. Enact a Uniform Public Service Ethics Act to consolidate integrity requirements beyond Fifth Schedule.
3. Strengthen Fiscal Responsibility Act with automatic sanctions for violations.

8.2 Institutional Reforms

1. Guarantee financial autonomy for judiciary and audit institutions per Sections 81 and 121.
2. Empower Code of Conduct Bureau with real-time asset verification technology.
3. Establish independent Due Process Compliance Units in MDAs to vet decisions against statutory requirements.

8.3 Procedural Reforms

1. Mandatory publication of reasons for all administrative decisions affecting rights.
2. Digitize legislative processes to ensure transparency in bill passage, Section 58.
3. Enforce time limits for judicial determination per Section 36(1).

8.4 Civic and Ethical Reforms

1. Integrate constitutional education into school curricula.
2. Annual integrity and honesty training for all public officers.
3. Protect whistleblowers under Freedom of Information Act and Whistleblower Policy.

9.0 CONCLUSION

Good governance, statecraft, and nation-building in Nigeria hinge on fidelity to constitutional provisions, statutory provisions, and ethical standards of integrity and honesty. Democracy without due process is hollow. Nation-building without rule of law is illusion. The 1999 Constitution provides the blueprint; the

challenge is implementation. When leaders respect procedures, honor the law, and act with integrity, statecraft produces stability, development, and national cohesion.

The position of the Institute of Security Nigeria is that Nigeria's future depends not on more policies alone, but on disciplined adherence to existing constitutional and statutory frameworks. Integrity is not optional; it is constitutional duty. Due process is not bureaucracy; it is democracy in action.

10.0 REFERENCES

- Akinade, A. (2007). Security Operations, Crime Prevention and Good Governance: Pattern and Trends. ISN Publications Series, Lagos.
- Akinade, A. (2008). National Security, Social Coercion and Sustainable Development: Panacea to Conflict, Violence and Xenophobia. ISN Publications Series, Lagos.
- Akinade, A. (2008). Security Culture, Diplomacy and Communication Skills in International Relations. ISN Publications Series, Lagos.
- Akinade, A. (2009). Communal Conflict and Violence: Response, Resolution and Prevention. ISN Publications Series, Lagos.
- Akinade, A. (2018). Contemporary Security Issues on Governance and Statecraft. ISN Publications Series, Lagos.
- Akinade, A. (2019). Managing Strategic Security in Statecraft, Public Affairs and Foreign Relations. ISN Publications Series, Lagos.
- Akinade, A. (2025). Security Perceptions, Logic Thinking and Innovations For Criminal Justice And Protection Systems. ISN Publications Series, Lagos.
- Constitution of the Federal Republic of Nigeria 1999 as amended.
- Administration of Criminal Justice Act 2015, Laws of the Federation of Nigeria.
- Fiscal Responsibility Act 2007, Laws of the Federation of Nigeria.
- Freedom of Information Act 2011, Laws of the Federation of Nigeria.
- Public Procurement Act 2007, Laws of the Federation of Nigeria.
- Dahl, R. A. (1989). Democracy and Its Critics. Yale University Press.
- Dicey, A. V. (1885). Introduction to the Study of the Law of the Constitution. Macmillan.
- North, D. C. (1990). Institutions, Institutional Change and Economic Performance. Cambridge University Press.
- World Bank. (1992). Governance and Development. Washington DC.

11.0 APPENDICES

- Appendix A: Table of Constitutional Provisions on Governance and Accountability
- Appendix B: Checklist for Due Process Compliance in Public Administration
- Appendix C: Code of Conduct for Public Officers – Fifth Schedule Summary

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