



# Democracy and National Development in Nigeria: Vis-À-Vis John Locke's Social Contract Theory

Ogbuka Ikenna Matthew, Anikwe Johnson Azubike and Udenta Celestina Nkiruka

Department of Political Science, Faculty of Social Sciences and Humanities, Enugu State University of Science and Technology, (ESUT) Enugu, Nigeria

## ABSTRACT

This study investigated democracy and national development in Nigeria: vis-à-vis John Locke's social contract theory. Three research questions were posed to guide the study: what is the nature and character of the practice of democracy in Nigeria in the light of the principles of John Locke's social contract theory? What are the effects of the dichotomy between John Locke's social contract theory and the practice of democracy in Nigeria? And how can John Locke's social contract theory serve as a foundational base for the practice of democracy in Nigeria? In line with the research questions, three objectives and three hypotheses were formulated to guide the study. Literatures related to the study were extensively reviewed. The researchers adopted participatory theory as a theoretical framework. Also, the study adopted narrative-qualitative approach and secondary method of data collection. Data collected were analyzed based on the value of information that is content analysis. The findings of the study indicated that the nature and character of the practice of democracy in Nigeria did not adhere to the principles of John Locke's social contract theory. The study recommends amongst others that the social contract establishing the Nigerian state should be re-negotiated by convocation of national/constitutional conference to or adoption of recommendations of previous national conferences to seek the consent of the people in tandem with the social contract theory. The researchers concluded that the practice of democracy in Nigeria does not support John Locke's social contract theory.

Keywords: Democracy, National Development, Nigeria and Social Contract

## INTRODUCTION

The twentieth century ended with an overwhelming victory for liberal democracy, free market capitalism and the collateral idea of human rights [1]. This victory is short lived as the internal dynamics of liberal democracy in both mature and transitional democracies began to show fault lines mostly around polling stations and parliaments [2]. If we agree with [3], That electoral system is the wheel on which liberal democracy revolves, then conversations on democracy are relevant within the context of the electoral systems in which politics is played out. Electoral systems are the institutional mechanisms for making clear the collective policy choices of the electorates and the government functionaries who are to implement such policies [2]. When electoral integrity in liberal democracies are challenged, it usually follows prolonged and intense political and ideological disagreements [1]. Put differently, hatred and biases fuel political disagreements which morph into electoral crisis and disputed electoral outcomes [2]. In Nigeria, democratic and or electoral outcome have not largely been very pleasant to citizens and politicians alike. Politicians have shown their displeasure with a plethora of pre-election and post-election litigations after each election cycle. Citizens and other stakeholders are largely concerned about how nepotism, clientelism and brazen corruption undermines democracy and elections in Nigeria, leading to a widespread call for restructuring institutions of government and for broad electoral reforms to promote transparency in governance and conduct of elections. Citizens distrust of the electoral system and democratic outcome in Nigeria have been shown through voter apathy given the persistent decline in voter turnout in Presidential elections starting with a moderate turnout of 52.26% in 1999 and rapidly dipping at a low turnout of 35.6% in 2019 electoral cycle. As a form of government, democracy is widely acclaimed and courted and its fad swept across the whole world, from the nation states in the former Soviet Union and Eastern Europe to Africa and Asia [4]. Democracy is popularized globally due to its enormous exploits and by implication because of the negative consequences of bad governance and also for the reasoning that democracy offers better chance for self-realization [5]. Resultantly, democratic movement all over the world is among other things, an insistence on

expression of the will of the people. Beside the expectations that the new democratization would engender a democratic future [6], the tendency was also based on the logical reasoning that it stimulates development. As constituted in the central thesis of liberal democratic scholars', they argue that "good governance" is the key link in the chain [7]. The reasoning here suggests that without good governance being institutionalized through accountability and transparency, neither democracy nor development could be expected to take firm roots and last long. As a concept and form of government, democracy is quite old. It "entails a system of government that allows the citizens freedom to decide their desires. Ancient Greece (Athens in particular is widely regarded as the birthplace of Western democracy" [1]. It is common knowledge that the word "democracy" was derived from the Greek words "demos" which means "the people", and "kratia" which means "to rule" [8]. A relatively narrow definition of democracy has been offered by [2], who viewed democracy as simply a method for choosing political leadership: The democratic method is that institutional arrangement for arriving at political decisions in which individuals acquire the power to decide by means of a competitive struggle for the people's vote [3]. [9], argued that "democracy entails a political community in which there is some form of political equality among the people" [4]. The existence of equal right (and, accordingly, equal obligations) is the principal feature of political democracy. For Dahl, democracy was an ideal type of political system in which citizens have the opportunity to

(a) formulate their preferences, (b) signify their preferences to their fellow citizens are government, and (c) have their preferences weighed equally in the conduct of government [4]. Rose et al. opt for a definition based on [10], who identify characteristics of central importance in characterizing any regime as democratic: the rule of the institutions of civil society. Free and fair elections, legitimacy and accountability [4]. Rule of law means that no individuals, including rulers, stand above the law Civil society relates to the existence of sociopolitical groups, autonomous from the state, that allow for the free articulation of popular interests and keep in check the uncontrolled growth of the state [4]. Free and fair elections refer to the existence of real competition for office. Legitimacy refers to the responsiveness and acceptability of the government. Accountability refers to the extent to which those who govern are responsible to others for their political actions [4]. In democracies, it is the people who hold sovereign power over the government. Nigeria, the most populous country in Africa has no choice than to align itself with the rest of world on the democratic crave. The year '1999' marked a watershed in the history of modern Nigeria, as it ushered in what was expected to be an 'enduring democracy'. However, Nigeria has been arguably referred to as not been well democratized and has a tortured history of dancing around democracy but has never gotten it right. This is largely due to some challenges amongst which are lack of large scale free, fair and credible election; refusal to accept defeat in elections by political gladiators; corruption and attitude of political office holders to corner the wealth of the nation; inobservance of rule of law: and long military rule [11]. However, the relatively free, fair, and credible election in Nigeria in April 2011 shows that there's hope good governance [12]. Development involves the creation of enabling environments for people to individually and collectively live happy, long and healthy in which their potentials for leading productive and creative lives, in accord with their needs and interests, are fully developed [13]. This in turn necessitates the establishment and implementation of long term plans that ensure sustainability of the desired living standards in a conducive environment for the people. The foundation of government is essential in every organization of people. Government is a collective agreement by which people's conscience is tied to norms and values, consciously surrender whims caprices to supreme rule in a social contract [14],[15]. Social contract is presumably a precursor to establishment of government. Social Contract Theory is associated with three major modern philosophers; Thomas Hobbes, John Locke and Jean-Jacques Rousseau [16]; [17]. These were great political philosophers who came up with great ideas that laid the foundation for the theory and practice of democracy today These theorists agree that the formation of the state and civil governance is the product of a compact of the people. The implication is that, the state and its leadership cannot be in place if the people do not collectively consent to establish them [18]. Social Contract Theory sets in motion the picture of an ideal state whereby the authority of the state and its leaders is legitimized by the consent of other people. It provides the principle which explains human relations and existence. John Locke's Social Contract Theory is a constitutional contract that is aimed at protecting the people's life, liberty and property. To Locke, the people form the government to protect their rights and when the government reneges, the people have the right to revolt and change the government [19]. In Locke's perspective: the powers of the government are not absolute but defined by the constitution and the people who equally reserve the rights to check the government. The people hand over their rights to protect, judge and fight for themselves to a constituted authority but reserve the right to remove erring leaders. Locke's social contract is synonymous with Liberal democracy because his principles of Social Contract Theory provided the inspiration for constitutional democracy and the idea of fundamental human rights protection [20]; Popkin & Stroll 1996). This is in line with the principles of liberal democracy and the UN Universal Declaration of Human Rights (UDHR) promulgated in Paris in 1948 by the UN General Assembly Resolution Number 217 (A) (III) as best practices by nations of the world. To effectively protect the people's rights, Locke specifies some principles the government should put into practice. Locke's ideas eventually gave birth to liberal and representative

democracy, one of the fastest growing and DopI1ar systems of government today [21]; [22]; [23]. John Locke theorization on the social contract was to address the political problems in 17th and the 18th Century England. The politics in England in the 17th and the 18th Century was characterized by monarchs who became too powerful and unquestionable. It was the era of severe abuses of power in England by the monarch. This was the period when the political, religious and parliamentary functions were fused in the monarchs beyond measures, and it was the time in which the consent of the people was hardly recognized regarding state matters [24]. As a result, John Locke who was a keen spectator of the political happenings was set to propound ideas that would correct the abnormalities which characterized English politics in the 17th and the 18th Century. He was also committed to set the principles for an ideal state for generations ahead as a model on how to organize and practice government. Locke had in his mind the need to synergize theory and practice [25]; [26]. Although John Locke's Social Contract Theory is traced to the 17th Century, it has survived over the centuries and provides basic but fundamental theoretical principles of inquiry and model for analysis into 21st Century politics. As at the 20th Century, Lloyd still iterated that, the Social Contract Theory of John Locke was peculiar to the 17th and the 18th Centuries. However, the theory has survived into the 19th Century and possibly into the 20th Century [27]. The relevance of John Locke's Social Contract Theory has been immense around the world. The usefulness of John Locke's Social Contract Theory is associated with its long historical effect on the political affairs during the 18th Century whereby states in the United States of America (USA) were launched into early constitutional states [28]. John Locke's Social Contract Theory provided insight and way forward to the political upheavals which threatened the politics of England in the 17th and the 18th Century [11]. This shows that the ideas of Locke's Social Contract theory as propounded in the Two Treatises of Government are to some extent synonymous with democracy, useful and applicable to the 21st Century. However, the practices of democracies in most countries like Nigeria as [17], points out are antithetical to the principles of Social Contract Theory and good governance. The discrepancy between social contract principles and the practice of democracy seems to come with adverse effect. Whatever the consequences of the discrepancies are, they cannot be understood if the principles of Social Contract Theory are not applied to specific country practicing democracy. The last decades have witnessed an unprecedented wave of democratization around the world [29] and [30]. In fact, there are about 200 countries in the world today practicing different forms of democracy. Others are undergoing the process of being democratized, some fully democratized while others are partially democratized [31]. The system of democracy postulates human freedom and equality. It is for this reason that Omelle states that whatever deficiencies there are in the Liberal democracy it must be credited for the great avenue it provides for individual and group for self-actualization. Democracy should be affirmed without fear of contradiction; that of all forms of governance ever devised by man, democracy is seen by many as the best form of government. Democracy today is the most cherished system of government across the globe. So, over the years there has been increased demand and incorporation of countries into the practice of democracy [30]; [31]. Democratic governments all over the world today are undergoing one problem or the other. An assessment of the freedom of the world's political rights and civil liberties indicators over the past five years show the most pronounced declines in sub-Saharan African countries [32]. The growth of such negative trends undermines democracy and the principles of Social Contract Theory among people. The widespread use of violence in democratic states is generally regarded as a sign of the failure of the democratic process. The breakdown of the democratic order may reflect policy failure of the regime policy-makers or minorities to undermine democratic values. But democracies that are able to avoid such disorder while still being competitive and free and a better performer than those that are dominated by violence or those that restrict freedom in the name of order [7]. Nigeria shares the same fate with those nations that do not adhere to the principles of Social Contract Theory in their practice of democracy. Since Nigeria was founded in 1914, it has more or less been in perennial transition from one form of governance to another; some of the transitions were democratic and others were not [33] and [34]. Both the democratic and military regimes in Nigeria have saddled the people with oppressive administrations which violated fundamental human rights and have at different moments failed to guarantee peace and security. Nigeria's democracy has experienced numerous crises and conflicts since 1960. These conflict lets signaled a breakdown of law and order, peace and 'security in the country. Over the years it has been very hard to describe Nigeria as a strong nation state that upholds the social contract principles due to the constant ethnic rivalry that has permeated every facet of Nigeria's lie. From 2011 to 2021 Nigeria witnessed increased insecurity of human lives and property, violation of human rights, increased crime rates; the emergence and spread of politically motivated violence and assassinations; increased importation of illegal ammunition; an upsurge in ethnic, communal and religious conflicts; proliferation of ethnic and sectional militias [21]; [17]. Several attempts have been made to study and proffer solutions to the problems associated with Nigeria's democracy. Despite these efforts, the problems confronting Nigeria's democracy seem to prevail. The literature available shows that none of the studies conducted on the problems of Nigeria's democracy have applied the Social Contract Theory of John Locke to look at the democratic situation in Nigeria from a theoretical perspective. The purpose of this study is to adopt a new approach to understanding the real factors responsible for

the crisis being experienced in Nigeria's democracy. For this reason, the Social Contract Theory of John Locke is used as a framework to understand the nature and character of Nigeria's democracy in order to find out if the problems beseeching the practice of democracy are related to the dichotomy between John Locke's Social Contract theory and the practice of democracy.

### **Statement of the Problem**

This study is a theoretical investigation of the practice of democracy in Nigeria from 2015 to 2021 based on the social contract framework of John Locke. Existing literature shows that the Social Contract Theory of John Locke has not been sufficiently applied to the practice of democracy thus creating a gap in the literature. Besides this problem, there exists a lot of dichotomy between the Social Contract Theory of John Locke and the practice of democracy which creates the discrepancy between theory and practice. The dichotomy between the Social Contract Theory of John Locke and democracy in Nigeria had a direct impact on the outcome of the practice of democracy in the country. The dichotomy between John Locke's Social Contract Theory and the practice of democracy has never been identified as one of the major problems confronting Nigerian democracy. Little attempts have been made in bringing out the theoretical implications of Social Contract Theory to governance and there is a gap in the literature on Social Contract Theory and the practice of democracy. So far, there is no sufficient literature to show that John Locke's Social Contract Theory was applied to the practice of democracy. It is worrisome that there are some discrepancies between the principles of Social Contract Theory and the practice of democracy in Nigeria from 2015 to 2021. [35], had found that there is a dichotomy between the theoretical framework of democracy and the actual practice of democracy when applied to real world situations. These discrepancies seem to be responsible for the poor performance of democracy in Nigeria. The application of John Locke's Social Contract Theory to the practice of democracy in Nigeria does not only bridge the gap in the literature, it also sheds more light on the nature and the character of the practice of democracy in Nigeria. It also shows how the dichotomy between Locke's Social Contract Theory and the practice of democracy is responsible for the woes of democracy in Nigeria. Hence, the need is not just to examine the practice of democracy within the purview of John Locke's Social Contract Theory but to identify the implications of the dichotomy arising from Locke's Social Contract Theory and the practice of democracy. The foregoing points the fact that there is a gap in the literature. Signs of political implications abound arising from the dichotomy between John Locke Social Contract Theory and the practice of democracy generally.

### **Research Questions**

- i. Following the above discourse some research questions are outlined below.
  - i. What is the nature and character of the practice of democracy in Nigeria in the light of the principles of John Locke's Social contract Theory?
  - ii. What are the effects of the dichotomy between John Locke Social Contract Theory and the practice of democracy in Nigeria?
  - iii. How can John Locke's Social Contract Theory serve as a foundational base for the practice of democracy in Nigeria?

### **Objectives of the Study**

The goal of this study is to evaluate the application of John Locke's social contract theory to the practice of democracy in Nigeria for good governance within 2015 to 2021. Against this backdrop, the study shall address the following specific objectives. To:

- i. To explore the nature and character of the practice of democracy in Nigeria using the principles of John Locke's Social Contract Theory;
- ii. To understand the implications of the dichotomy between the principles of John Locke Social Contract Theory and the practice of democracy in Nigeria;
- iii. To discuss how John Locke Social Contract Theory can be effectively applied to the practice of democracy in Nigeria.

### **Literature Review**

Existing literature on Social Contract Theory shows that there exist a gap in the literature on Social Contract Theory and the practice of democracy, [32] says that there are still a lot of theoretical and philosophical gaps in analyzing the practice of democracy in Nigeria. Also in Peter Laslett's view, the social contract is hardly applied to political issues [13]. The views of [10] and [13], indicates that there is a gap in the literature on Social Contract Theory and the practice of democracy. This gap is responsible for the dire lack of direct literature on application of Social Contract Theory to the practice of democracy. Even though [16] rightly establishes the relationship between John Locke's Social Contract Theory and democracy, he did not apply it to any practicing democratic country in order to show the correlation and implications of the discrepancies between theory and practice as shown in this study. It is, therefore, worrisome that there are limited scholarly studies on the Social Contract Theory of John Locke and the practice of democracy. [13]. [17] appropriately identified this vacuum in literature but none of them proceeded to apply any theory, not even the Social Contract Theory to the practice of democracy



to show how the dichotomy between theory and practice on Social Contract Theory and democracy exist in order to bridge the gap. Existing studies show that more emphases have been laid on criticisms and counter-criticisms of Social Contract Theory than its application to the practice of democracy. However, both [13] and [17] confessed that men have never resisted the use of the ideas of Social Contract Theory despite the deficiencies and criticisms attributed to it. But how Social Contract Theory has been applied to the practice of democracy is a question not yet adequately addressed by scholars. Available literature shows that Social Contract Theory has been applied to other areas with exception to the practice of democracy or governance. Those who used Social Contract Theory in their studies merely used it to discuss the origin, the nature and character of the state [13]; justice and economic realities in society [6]; [12]; [14]; [18]. Other scholars applied Social Contract to other disciplines such as medicine [33], agriculture [34], family [11], [17], marriage [9] etc and not to the practice of democracy in Nigeria or anywhere around the world. This omission by scholars has created the problem of literature on Social Contract Theory and the practice of democracy which needs to be addressed. The objective of this chapter is to explore a variety of the perspectives of existing scholarly literature on Social Contract Theory and democracy to bring to fore the vacuum in literature on Social Contract Theory and the practice of democracy in order to justify the application of John Locke's Social Contract Theory to the practice of democracy in Nigeria. In the long run, the study would have bridged the gap in the literature and establish the affinity between John Locke's Social Contract Theory, democracy and the implication of the dichotomy between Social Contract Theory and democracy. To set the background for the literature review, it is necessary to establish the attributes of Social Contract Theory examining its definition.

### **Social Contract Theory**

John Locke identifies the people's consent and their participation in the governance process in the society as the two major elements of the social contract [34] [5]. Locke's idea of social contract is the voluntary participation of the people in the process which results in the agreement by the people to live together based on acceptable rules and regulations they put down for themselves. As an ideal model for democracy, the social contract is an agreement entered into among the citizens and between the citizens and their rulers. The contract spells out the rights, duties, and obligations of each party [18]; [35]; [36]; [17]. According to Michael Lind, social contract refers to the contract among individuals to form the society [37]. Social contract hinges on the social arrangement to provide security to the contracting parties against a chaotic society. In every, human relation in the world, today man needs each other in peace. No man can afford to live a solitary life. The social contract is a way people engage each other in human affairs regarding politics governance, and economics in the purview of the social contract, human relationships are better understood within the perspectives of contractual agreement [38]; [39]. The theory of social contract affords man the principles with which to engage in meaningful social relations thereby implying the social contract to be a way of understanding and interpreting all human relationships. In governance, the ruler and the ruled are two essential parties who need to come together to decide how governance can be carried out [40]. Democracy as a system of government draws so much from the principles of Social Contract Theory. In a democratic system of government, the majority of the people decide their representatives through the ballot. Through party manifestos, the representatives give their promise of what the people should expect from them. In this way, the social contract is established between the people and their leaders. The social contract is the ground on which political societies are established based on the consent of the people. Social Contract is the agreement between two or more parties to make certain sacrifices in order to realize some benefits. This implies that social contract is the agreement between citizens and their government by which individuals accept to give up some of their rights to the state in exchange for mutual protection, this agreement forms the bedrock of the political society [41]. A social contract implies that the contracting parties are committed to the contract to ensure the mutual relationship between the representatives and the people. John Locke strongly proclaims his allegiance to constituted authority by the people based on contractual agreement in the society [10]. Locke's argument is that in every social contract system, the power of the leaders is very crucial in making things happen, therefore when the people are not submissive to constituted authority; it makes governance difficult in realizing the objectives of the contract. Locke maintains that every individual needs to grant his liberty to the representative as a necessary condition for all contracting societies [10]; [17]. Recent arguments in modern social contract adduce that the contracting parties must be continually carried along and be acquainted with updates regarding the progress of the contract execution. The essence is to close the gap between the ideal and the real social contract. The reason is to get the people's consent [16]; [7]; [11]. In a democratic society, the way to carry the people along is to get them involved in the electoral process, referendums and constituency briefing. Constituency briefing is the occasional feedback mechanism between political representatives and their constituencies to keep the people abreast with what goes on in the government. Different nation-states have different social contract systems between the citizens and the state. Invariably, the terms governing social contract in one nation may not be the same with another country [7].

### **The Background to John Locke's Social Contract Theory (1632-1704)**

John Locke was born on August 29, 1632 at Wrington Somerset in England and died in 1704 at the age of 72. It is very important to establish that John Locke lived in Europe at a time the continent went through a lot of civil wars, especially in England. The major causes of the civil upheavals in England at that time were first, the multiplication of religious denomination and the combination of church functions with politics or the state. The second reason was the struggle for power among the monarch, parliament, aristocrat and the higher bourgeoisie. The third reason was the tyranny and abuse of power by the [13]. The events in England during the civil wars and political unrest shaped the political philosophy of John Locke. Locke was ten years old: when the 1622 Civil War erupted England. He grew in the midst of political, religious and social turbulence. He carried the memories of those turbulences for a long time in his lifetime. Locke also witnessed the rebellion of his friend, Lord Ashley the first Earl of Shaftesbury against Charles II. Ashley wanted Charles II to denounce his Catholic brother James who was slated to succeed him to the throne. Ashley persuaded Parliament to consider the move to Charles II to make his brother James his successor to the throne illegal but Charles II impeded his plan. When Ashley's plans failed he went into exile in Holland and Locke went with him and stayed there till the reign of Charles II was ousted by William of Orange in 1688 through an invasion supported by the Parliament. The time Charles II was ousted is regarded as the Glorious Revolution because it was bloodless and a victory over tyranny [17]; [5]. The events in England re-aligned Locke's thoughts and affected his writings towards a vision of an ideal state in which men would live peacefully. John Locke was deeply passionate for the authority 'of the state in relation to the religious issues. He was regarded as a constitutionalist who strongly supported a dividing line between political and religious leaders [42]. Whereupon, Locke published his most famous book on political theory, the two Treatises of Government in 1690 after the Glorious Revolution of 1688 in England [9]. In The Two Treatises of Government, Locke provides a guide and insight into the way an ideal government should be constituted and operated. Locke espoused a system of governance which combined several principles as the bedrock of a peaceful society. According to [43], Locke's Two Treatises of Government is not just a brilliant picture of a model government but also a description of the origin of civil society and the government established on the backdrop of social contract among the people. The governmental principles in the Two Treatises of Government led to the doctrine practice and establishment of liberal societies in England, America, France and Holland, The revolutions and constitutional edifices in America and France were the products of Locke's idea of Social Contract Theory [5]; [3]. [10], was a great philosopher whose idea of Social Contract affected most countries of the world. He was regarded as the guiding father of the Eighteenth Century enlightenment era and liberalism. Locke's concept of social contract is to get things done together through consultation, collaboration, and participation.

### **Major Assumptions and Parameter of John Locke's Social Contract Theory**

John Locke's Social Contract Theory is an attempt to establish the theoretical base for the establishment of an ideal civil society and government. Locke conceives a civil society which promotes the security, liberty, and wellbeing of the people [10]; [6]. In the Two Treatises of Government Locke theorizes how to establish an effective social contract system in the society; how to determine when the social contract is violated or abused; how to protect the social contract system and the best way to handle abuses of social contract agreement by leaders. The Two Treatises of Government offers an analytical discourse and lays the bedrock for the commencement of society, the beginning of governance, principles of governance the end of governance. John Locke's Social Contract Theory is very useful when compared with the practice of democracy in Nigeria from 1999 to 2015. This comparison gives a lot of insights on the implications of the dichotomy between Social Contract Theory and the practice of democracy in Nigeria. Some of the ideas in the book which set the tone of John Locke's Social Contract Theory are the State of Nature State of War and slavery; the people's consent in creating the civil society and the constitution; the legislature and the executive, prerogative, separation of power and dissolution of the government. It is important to discuss these assumptions in order to come to terms with their attributes before operationalizing them to the practice of democracy in Nigeria. It is insightful to note that, John Locke commences his Social Contract Theory with an insight into the state in which men were before the civil state was established, the State of Nature.

### **The State of Nature**

John Locke resorts to the State of Nature, the beginning of time in his attempt to justify the establishment of the civil society and government by consent. The State of Nature of Locke in addition to being peace stability and good will, natural law, it was a condition in which all men were equal and enjoyed perfect freedom [10]; [6]; [9]. The State of Nature introduced by Locke was a useful explanation to illustrate the scenario which led to the establishment of social contracts among men and to justify civil obedience in state. John Locke begins by examining the State of Nature, the first and original state of human existence before the formation of civil society. Considering the State of Nature is important because it sets the foundation of civil government. Locke states that since all men are by nature equal in rights and liberty, no person should by any means put or attempt to put another person under his subjugation either by his consent or by duress in such a way that would make the

subjected person a second class citizen. He says this would amount to slavery and result in war among men in the State of Nature.

### **The social Contract of the State and Civil Government**

Consent is the pivot of John Locke's Social Contract Theory. Locke builds his model of political legitimacy which is an attribute of his social contract on consent. In Locke's political theorization, neither social contract nor consent exists without the other. In effect, the social contract is established on consent. Consent is a way to protect the right and liberties of the people reposed in the social contract. Consent in general parlance is the right which the people retain to decide to form a civil society, political institutions, and right to resist and alter the government in the event of adverse abuse of power. This in a way depicts that those who govern do so with the consent of the people who also have the right to check them at the instance of any abuse of power [10]; [19]; [7]. There are two types of political consent: tacit and express consent. Tacit consent is when people express the willingness to be governed, they submit themselves and accord the rulers the right to rule over them. On the other hand, express consent implies the people's acceptance to be governed by laws which do not violate their right. In the event that the people's right is abused by the rulers or the constitution the people can resist such abuse to avoid being the harm in their liberty and freedom to preserve the social contract from damaged [13]. Locke therefore, presents the society as a product of contractual relations which is arrived at by express and explicit types of consent in which the people may decide to delegate their consent in a way which will allow institutions to perform stipulated political functions on behalf of the people.

### **The Arms of Government and Separation of Powers**

Another parameter of John Locke's Social Contract Theory is the separation of powers between the legislature, the executive, and the judiciary. John Locke lays the foundation of government upon the principle of separation of powers between the legislature and the executive in his book *Two Treatises of Government*. The principle of separation of powers among the arms of the government was taken up and developed by Baron de Montesquieu in his book *De l'Esprit des Loix* published in 1748. The doctrine of separation of powers as enunciated by John Locke implies that the legislature executive, and the judiciary bodies are to be separated from each other to prevent the abuse of power.

### **Usurpation of Power, Tyranny and Dissolution of Government**

John Locke uses the concept of dissolution rather than impeachment; however, both concepts convey the same meaning. The denotation of dissolution is the right of the people to move from office any ruler who abuses the social contract [10]. Dissolution of government is the situation whereby the majority of the people consent to alter the continuous existence of their representatives in the office. The people are sovereign above the executive and the legislature. Even though they hand over rights to their representatives; they have the power to remove them if they do not continue to rule according to the laws for the benefit of the contracting parties. Locke feels that the decision to dissolve the government should be the popular opinion of the majority will.

### **The Power of Prerogative**

The Power of Prerogative is the authoritative right the executive has to use his initiative to make decisions without consulting with the people or the parliament in order to address issues of urgent need. The prerogative is an attribute of Locke's Social Contract Theory. Locke is concerned with how the power of prerogative is used by the executive and insists that its application must be for the interest of the public and not for selfish interest.

### **The Social Contract of the Constitution**

The civil society as conceived by John Locke is premised on the constitution, Social Contract Theory commences with an agreement outlining laws and obligations of the compact [16]. Locke uses the idea of the constitution as an attribute of the human society. He uses the constitution to locate the act of law-making within the purview of the people or their representatives, the legislature [5]. According to [10], the constitution is synonymous with the people and the social contract system itself. The constitution defines the nature and character of the social contract. [23], [13], point out that, the constitution is a social contract document among the people of a given society which regulates how the society is operated. Social contract necessarily requires a constitutional document because the law serves the objective of forming the civil society [10].

### **The Justification for the Application of John Locke's Social Contract Theory to the Practice of Democracy in Nigeria**

The major reason for applying John Locke's Social Contract Theory to the practice of democracy in Nigeria is to understand why the democratic situation in Nigeria was in the woeful condition in which it was from 1999 to 2015. The usefulness of John Locke's Social Contract Theory is based on the fact that his theory came up as a philosophical idea to set forth the picture of an ideal state in which the authority of the state is legitimized by the consent of the people. It also set the limits to the authority of the state which hitherto unchallengeable by the citizens. In addition, since philosophy is generally regarded as the bedrock of human society, it was thought worthwhile to turn to the philosophical theorization of John Locke on politics and governance to seek explanation

to the factors behind the woes of the practice of democracy in Nigeria from 1999 to 2015. [16] put it, Social Contract Theory provides a general framework for inquiry, genuine dialogue, and analysis into how societies are formed and governed. Social Contract Theory is an attempt to establish the theoretical base for the establishment of an ideal civil society and government to promote good governance and accountability which ensure the liberty, security and well-being of the people in the society [11]. Therefore, the outcome of the theoretical foundation being laid by Social Theory for governments and societies will not be understood if the theory is not applied to an existing society and system of government. According to William Batz, political philosophy is a discipline which does not treat issues apart from the realities of human experience, political philosophy puts into account issues regarding the origin, nature, and development of human societies [44]. That is why John Locke's Social Contract Theory is considered and applied to the practice of democracy in Nigeria as a useful framework for analysis. But the question is why John Locke's Social Contract Theory among many others? There are three major classical theorists of Social Contract Theory: Thomas Hobbes, John Locke and Jean-Jacques Rousseau. There are other social contract theorists like Kant, Hume and Rawls but no doubt the most renowned are Hobbes, Locke, and Rousseau. Rousseau closes the gate on the original theorization of the Social Contract Theory, Kant and Rawls in one way or the other are either repeating or emphasizing different connotations of the Social Contract Theory [2]. Rousseau's Social Contract Theory is very close to democracy just as that of Locke is. However, Rousseau's idea of social contract is based on direct participation of the citizen in policy making; this is far from what goes on in Nigeria. Nigeria practices a liberal representative system of democracy based on majority rule. This practice is in line with the representative social contract system of John Locke. Locke's picture of the social contract is akin to indirect democracy as opposed to the direct democracy conceived by Rousseau. Locke's ideas of social contract show that he was an ardent supporter of majority rule and believes in the consent of the majority. He reckons that no society is a political society until it is founded upon the consent of its members. The Nigerian citizens are not directly involved in decision making as proposed by Rousseau. Rather the people elect representatives during periodic elections in accordance with Locke proposition [10]. The legislature who represents the people, in turn, makes laws on behalf of the people. However, the lawmakers are answerable to the people as rightly theorized by John Locke. Therefore, Locke's Social Contract Theory which allows the people to govern themselves through representatives is more applicable to the situation in Nigeria than Rousseau. Furthermore, Locke is preferred to Hobbes because Locke's idea of social contract empowers the people to check their representative when they contravene the social contract, unlike Hobbes who theorizes that the monarch is absolute. According to Hobbes, the authority of the Monarch is unquestionable and his office irrevocable. Hobbes believes in the divine rights of Kings which is not an attribute of democracy [10]. The supremacy and absoluteness of the Monarch which Hobbes allows are not permitted in the practice of democracy. Hobbes' idea of Social Contract Theory is different from the democracy practiced in Nigeria. Besides, Hobbes social contract is monarchical in nature and does not have any correlation with the liberal representative system of democracy practiced in Nigeria. Second Hobbes' Social Contract Theory alienates the people from participating in the process of law making. The Monarch is absolute, he makes the laws and implements them in the manner in which he deems fit. Hobbes does not allow the people such right to question the authority the Monarch in any way whatsoever. In the same vein, Kant's Social Contract Theory clearly states that contract is a yardstick to assess intuitions of government and not to demand accountability from leaders. Kant falls in the same line of thought with Hobbes. Kant indirectly does not support the right of the people to check their leaders as propounded by Locke. Perhaps Kant does not support the sovereignty of the people as advocated by John Locke [18]. Nigeria's democracy allows for periodic elections. The people during periodic elections can vote out existing leaders if they are found wanting. According to the minimalist perception of democracy, this is to punish those who do not represent the people in accordance with the laid down laws. This shows that the people have the right to hold their leaders accountable for their deeds while in leadership [10]; [3]. Locke strongly refuses the situation whereby individuals hand over to the executive or the legislature their entire rights; to him, this would amount to the legislature and the executive being supreme above the people and the law. Therefore Locke advocates that the people should always reserve to themselves the right to check and evict erring representatives. One of the objectives of John Locke's Social Contract Theory was to fight against authoritarianism which is prevalent in most democracies like Nigeria. Locke establishes that a social contract exists between the people and those they delegate their powers. Therefore, the people can demand accountability from them anytime. On the contrary, Hobbes argues that the monarch is not a party to the social contract as such cannot be subjected to any form of check or accountability from the people [12]. Above all, the gap in the literature on John Locke's Social Contract Theory and the practice of democracy is enough justification to apply Locke's Social Contract Theory democracy in order to bridge the gap between Social Contract Theory and the practice democracy. In the Two Treatises of Government Locke theorizes how to establish an effective social contract system in the society. He shows how to determine when the social contract is violated or abused; how to protect the social contract system and how to deal with abuses of the social contract agreement. The democratic system of government practiced in Nigeria provides a good platform for the application of Locke's



Social Contract Theory in order to understand why the practice of democracy in Nigeria is beseeched with democratic irregularities. The principles of social contract theorized by John Locke are very much useful to the practice of democracies around the world including Nigeria which is going through political challenges in the practice of democracy. Most of those principles advocated by Locke are provisions in the 1999 Constitution of Nigeria. John Locke's Social Contract Theory is driven towards enhancing the liberty, freedom, and equality of all men which is one of the cardinal issues of the principles of democracy and the United Nations Universal Declaration of Human Rights. Therefore, it is not out of place to conclude that John Locke's Social Contract Theory provides the appropriate theoretical framework to understand the literature and character of party politics in Nigeria from 1999 to 2015 than the other social contract theories.

### **The Relationship between Democracy and John Locke's Social Contract Theory**

As far back as 1690, John Locke was set out to intellectually respond to the abnormal political situation in his time in England when the monarch was absolute and unquestionable. As a result of the abnormal political, situation which was characterized by tyrannical leadership, Locke theorized how an ideal state and governance should look like. His political theory of the state is set out in his book the Two Treatises of Government in which he establishes the principles and parameters required to have an ideal civil society and government. The principles and parameters established by Locke are tantamount to the principles of democracy which is widely practiced around the world today. According to [45], Locke's Two Treatises of Government is not just a brilliant picture of a model of government but also a description of the origin of civil society and the government established on the backdrop of social contract among the people and how to check breaches in government when it rears up. One of the ways to view the synergy between democracy and John Locke's Social Contract Theory is to mirror Locke's Social Contract Theory within the purview of the minimalist and the maximalist perspectives of democracy in which the definitions, theories and principles of democracy are collapsed. The minimalist and the maximalist perspectives are preferred in showing the link between democracy and John Locke's Social Contract Theory because these perspectives are middle grounds for the definitions, theories, and principles of democracy. The minimalist and the maximalist perspectives are more of a summary viewpoint or the condensed presentation of the definitions, principles, and theories of democracy [12]. The minimalist approach consists of those who adopt the moderate approach in order to realize the goals of democracy. The assumptions of the minimalists emphasize the very basic conditions needed for the practice of democracy. The scholars under the minimalist perspective of democracy include Karl Popper, Russel Hardin, Adam Przeworski, William Riker and Joseph Schumpeter. The origin of the minimalist perspective is traced to Joseph Schumpeter [12]. On the other hand, the maximalists are those who are strict and rigid on their position on the essential principles in the practice of democracy. The maximalists, unlike the minimalist, do not compromise on the conditions they feel are required in the practice of democracy. The maximalists are radical and extreme on the conditions for the practice of democracy anything otherwise they regard as an aberration. The maximalists are those who challenge the minimalist approach to democracy. Prominent among the maximalist scholars include Robert Dahal and Larry Diamond [12]. The principles of John Locke's Social Contract Theory which are similar with democracy include consent of the majority of the people, social compact, majority rule and the existence of a constitution. Others include separation of powers, legislature, executive, and the doctrine of impeachment, the rule of law, freedom, liberty, human rights and prerogative. The objective of Locke's Social Contract Theory is to lay a theoretical baseline as the prerequisite for a civil government in the best interest of the people. To push his point forward on the minimalist requirement for democracy, [10]. Two Treatises of Government in order to identify Locke's principles of Social Contract Theory which are similar to democracy. The principles Grant identifies include the consent of the majority of the people, the people's right to resist tyrannical leaders, the governments' regard for the wellbeing of the people, the existence of laws made by the people, separation of powers and fundamental human rights. This no doubt shows that social contract cannot be totally divorced from the practice of democracy. For efficiency of governance, liberal democratic constitutions permit the Chief Executive with discretionary power to act during emergencies without recourse to the constitution or the legislative arm of government. John Locke calls this kind of discretionary power, prerogative. The minimalists share the viewpoint that democracy involves the establishment of appropriate state institutions and structures to facilitate the process of power acquisition through regular, fair and free elections, [5]. The minimalist sees democracy as a struggle and transfer of power from one political party to another through a peaceful transition [18]. This implies that democracy involves the people choosing their leaders at regular intervals. Their position is similar to Locke's argument that the "legislature being preferably a representative body, need not, should not be in continuous existence" [6]. This implies the regular choice of leadership by the people rough periodic elections. Another attribute of the minimalist is the separation of powers. The minimalist just like John Locke is concerned not just with the process of power acquisition but also the structures of sustaining governance. Both the minimalist and Locke advocate the principle of separation of powers and checks and balances to avoid abuse of power and tyranny. As a condition an ideal society, John Locke suggests that the legislature is separate from the executive to avoid absolutism and abuse of power [10]. The maximalist

challenged the institutional approach to democracy. They contend that an election without safeguarding the liberty of the people makes democracy a sham. The maximalist debunks the position of the minimalist that equality and liberty cannot be the defining factor of democracy because of the biases in suffrage [20]. Beyond elections, the maximalist, insists that democracy should involve the safeguard of the people's fundamental human rights of liberty, equality, freedom etc to give the citizens the liberty to express the way they feel without the fear of being intimidated at any time [18]. The essence of the society according to Locke is to preserve the life, liberty, and estate of man which are every man's property and right to be preserved in the civil society. In Locke's words 'The great end of men's entering into society being the enjoyment of their properties in peace and safety, and the greatest instrument of that being the law established by consent' [10]. So far, both the minimalist and the maximalist argue that certain conditions must be met for the purpose of democracy to be achieved. These conditions include: legislative and executive power based on the consent of people, liberty, security, the rule of law, prerogative separation of powers, public good, impeachment, checks and balances and representation. These conditions are akin to the principles of John Locke's Social Contract Theory. Based on the relationship between democracy and John Locke's Social Contract Theory, the practice of democracy in the Federal Republic of Nigeria from 2015 to 2021 provides a platform to apply John Locke's Social Contract Theory to examine the relationship between theory and practice. Anywhere there exist federating institutions like Nigeria the "phraseology of the contract theory is more natural" [19].

### METHODOLOGY

The theoretical framework for this study is the Participatory Theory of Democracy. The theory is chosen to support and operationalize John Locke's Social Contract Theory and the practice of democracy in Nigeria from 1999 to 2015. The Participatory Theory of Democracy is chosen because of its affinity with John Locke's Social Contract Theory and democracy. The Participatory Theory of Democracy hinges on representation, deliberation, and participation of the people in governance, the Participatory Theory of Democracy was propounded by [12]. Two major theories of democracy fall under the Participatory Theory of Democracy: the Deliberative and the Representative Theories. The first element of the Participatory Theory of Democracy is participation. Participation means that people take part in the governance of the society. The participation need not be frequent in every issue that comes up, but frequent enough to the degree that policies are not arbitral imposed of the people without their consent [7]. The concept of participatory democracy requires that citizens engage in dialogue with one another to come up with laws and policies that are capable of solving the problems which they face in common. The Participatory Theory of Democracy considers it absurd for leaders to make law for the people without consulting with the people [7]. The main aims of the Participatory Theory of Democracy is to meltdown political alienation and apathy among the citizens and build the spirit of active involvement of the people in the political process which is supposed to be the core purpose of democracy [14]. The major assumption of the theory is that political alienation and apathy are building blocks for political crisis Electoral democracy is just one aspect of the citizen's right in the democracy. The Participatory Theory of Democracy argues that citizens need a free press which can provide them with the right to be informed; another element of participation is the right of a citizen to run for election. When the opportunity to run for elections is not open or free and fair, participatory democracy will be strained [16]. The Participatory Theory of Democracy advocates for the establishment of national, local, rural and urban-suburb assemblies for effective participation of the people in the governance process [6]. The second element of the Participatory Theory of Democracy is deliberation. Deliberative democracy was originally coined as a process of participation in democracy by Joseph M. Bessette. Deliberative democracy was a move aimed at promoting the participation of citizens in the democratic process. Deliberative democracy is associated with equality of all persons [14]. Deliberative democracy establishes the concept of popular sovereignty of the people to demonstrate the joint deliberations of the citizens as a way of practicing democracy [5]. Deliberative democracy helps to transform individual preferences in an ideal speech situation and redefine people's preferences and stand point of issues. Deliberative democracy operates on the principle of consensus decision-making and majority rule [9]. It is believed that deliberative democracy can be used to revive the political system and overcome the problem of legitimacy through the procedure of constitutionalism and decentralization of power [5]. Deliberative democracy involves discussions, debating coordinative interactions and bargaining [10]. Discussion in deliberative democracy is all about people engaging in the dialogue of exchanging ideas which are devoid of threats, imposition, and selfish interest. The theory assumes that, in the search for true democracy, it is reasonable 'to allow everyone the opportunity to participate in the process of dialogue in the democracy. It should not be monopolized by any individual or group of people. Another aspect of deliberation is human interactions in the process of deliberating which involves cooperation to achieve a common result [19]. Deliberative democracy can produce results when it involves the elements of debate, compromise, and bargaining. The citizens must disagree to agree on issues. When there is disagreement and discourse through bargaining acceptable conclusions could be reached [27].

[2], developed some five features in which he tries to capture the conception of deliberative democracy. First, deliberative democracy involves an ongoing and independent association whose members are expected to keep existing for a good period of time to enhance continuity and enduring deliberation. Second, members of the deliberating team have a common knowledge, which they share concerning the existence of the operational guidelines guiding their deliberation. Third, deliberative democracy is pluralistic in outlook, members have diverse preferences, convictions, aims and ideas concerning the way they lived their lives while trying to solve collective problems. Fourth, members of deliberative democracy consider legitimacy as a crucial source of deliberation. Finally, members consider themselves as having the deliberative capacity to enter in the public exchange of reasoning. Similarly Fung Archon identifies three key elements of deliberative democracy on which deliberated laws and policies should be based: (a) common agreement by the citizens based on the consent of all citizens (b) individual autonomy and political equality of the citizens; and (c) liberty or freedom of the citizens [7]. Fung believes when these three keys to deliberative democracy are absent or compromised; the quality of deliberation will be affected. Fung further identifies the civil service, political parties, representative legislatures, courts and administrative agencies which should be reformed to create a productive division of labor that can promote the values of self-government [7]. For this reason, [2] argues that deliberative democracy establishes fair terms of political cooperation in the democratic environment. In the end deliberative democracy is supposed to achieve the following: First, political function which includes the realization of effective communicative power on individual, post-conventional legitimacy, identity politics and moral conflict, governability and procedure and orderliness; second, ethnic function and third, knowledge-based society function [9]. The strongest advantage of deliberative democracy is its all-inclusiveness. It gives the different interest groups in the society the opportunity to participate in the democratic process. By so doing people have carried along through a systematic dissuasive interaction with others which also promote social human relations [29]. Deliberative democracy gives voice to the disadvantaged groups in society. They are empowered and given the opportunity to contribute on issues that are fair and beneficial to them, as such deliberative democracy is considered as a reconciliatory process of brokering peace in the society. It encourages collective decision making based on collective consent and thus gives legitimacy to decisions and consent is one of the strongest elements of the social contract in every democratic society [12]. The third element of the Participatory Theory of Democracy is representation. Representative democracy came up from the ideas of institutions that developed during the European Middle Ages of Enlightenment and the aftermath of the American and French Revolutions [19]. The late Eighteenth Century started with the concern of the right of the citizens of nations to participate in the determination of the collective will of the people in large nation-states bigger than the Athenian City-State in which they were able to practice direct democracy. It was realized that representative democracy was more convenient in contemporary large nation-states, due to the size of societies. Representation takes the place of direct participation [20]. Representative democracy is now seen as a system of government capable of embracing all the various interests and populations within a given territory without having to gather everybody in one place to agree on issues [19].

#### **Hypothesis**

- i. The principles of John Locke's Social Contract Theory will help explore the nature and character of the practice of democracy in Nigeria
- ii. There is no significant implication between the principles of John Locke Social Contract Theory and the practice of democracy in Nigeria;
- iii. John Locke Social Contract Theory have significant impact when effectively applied to the practice of democracy in Nigeria.

#### **Research Design**

The research design for this study is the narrative-qualitative approach. The narrative aspect of the qualitative method was chosen because the study was concerned with the in-depth narration and the understanding of the phenomenological [13], nature and character of the practice of democracy in Nigeria in the light of John Locke's Social Contract Theory. On the other hand, the qualitative method was chosen because of the nature of data collected for the study [5].

#### **Methods of Data collection**

The data presented in this study was generated from the primary and secondary sources. The primary data for this study are those collected by the government or organizations but not yet processed. On the other hand, the secondary sources are those data already collected and analyzed for different studies [8]. The data collected was based on the political decisions and actions taken and implemented by the institutions of government.

#### **Primary Data**

According to [3], original data from government, organizations, and individual which are not analyzed are primary data. Hence, one of the major primary data used for this study is the original, work of John Locke on social contract; the Two Treatises of Government. Other sources of primary data used for this study include the original document from the Nigerian Government such as the 1999 Constitution of Nigeria, the Nigerian

Electoral Act, and Special Reports from Presidential Committees. Other primary sources used were data from the Nigerian Human Rights Commission (NHRC), Transparency International (TI) the Nigerian Independent National Electoral Commission (INEC) and the Nigerian Judicial Reports. The advantage of these types of data is its originality and validity because they are considered to be coming from authentic and reliable sources.

### **Secondary Data**

The secondary data used for this study was obtained from renowned peer reviewed academic journals, textbooks, Freedom House (PH) collaborative research reports on democracy, reliable websites and analytical documents from civil societies in Nigeria like the Transition Monitoring Group (TMG). The advantage of the secondary data is the opportunity it afforded the researcher to see other people's views, comments and opinions on the practice of democracy and the social contract. Their perspectives were helpful in triangulating the sources of data for this study.

### **Data Analysis**

Data analysis is the process which involves processing data collected in order to answer the research questions [3]. The analysis of the data collected for this study was done by reviewing extant literature by triangulation. Triangulation involved comparing the primary and secondary sources of data to arrive at the findings and conclusion of the study. The critical descriptive method of analysis was also used to compliment the triangulation of the sources of data for the study. The method of triangulation was introduced to research by Webb and his colleagues in 1966 to complement the critical description methods [19]. The method of analysis based on triangulation helped to cross check the data generated to establish regularities, inferences and premises upon which the findings and conclusion of the study were made. [5], calls this method the many layers of diverse realities; [6] calls the descriptive triangular method the thick analysis while [10] calls it the constant comparative analysis whereby the researcher continuously checks data against data to create grounds for conclusions. The critical descriptive analysis based on triangulation was chosen due to the qualitative nature of the data generated for the study. Another reason for choosing the method was because the research questions do not require statistical analysis [10]. So, the method of analysis afforded the researcher the opportunity to do an in-depth analysis of the nature and practice of democracy in Nigeria in the light of John Locke's Social Contract Theory via data cross-checking the methods of data collected [19].

### **The State of Social Contract in Nigeria**

The government indeed has failed the Nigerian human person in so many areas. The first area that the government of Nigeria has failed the human, person is security. A government must control the people it seeks to govern and protect. According to [6], "the government must maintain internal peace i.e., peace among individuals and groups within the society". However, there is general insecurity in Nigeria. Day in day out, Nigerian's lives are cut short by different criminal groups such as Boko Haram, bandits, kidnappers, herdsmen, etc. Indeed, [19], affirms that the bombings, kidnappings, and other violent acts of Boko Haram prevent many Nigerians from feeling safe. The precarious condition of human life in Nigeria are therefore the rationale behind the Global Peace Index ranking of the country in 2016 as the fourth country in the world with the highest number of "international conflict deaths." According to the 2018 Global Terrorism Index report however, Nigeria again maintains the third position in terrorism for that year. Boko Haram is a well-known agent of destruction in Nigeria. There are even rumours in some quarters that the Nigerian government is the one sponsoring some of these criminal groups to unleash mayhem on her citizens. Most of the soldiers sent to fight some of these criminal groups are also not motivated. [12], there was a video that went viral on internet where one of the generals that was sent to combat Boko haram insurgents was complaining that they were not well equipped and that ammunitions were in short supply to them while the insurgents were well equipped. Instead of the government to hearken to his complaint and act accordingly they rather changed him after two days. There are also many instances of Nigerian security operatives being the ones abusing and in some cases killing the citizens that they were meant to protect as the social contract demands. Another area that the government of Nigeria has failed in keeping to its own part of social agreement is in the area of social welfare. Social welfare according to [4], consists of government programs through which assistance is provided to the poor. These programs are designed to alleviate existing poverty, providing aid to particular categories of persons who are unable to adequately support themselves, due to circumstances widely perceived within the society to be beyond the control of the indigent persons. The categories of persons eligible for public assistance generally include (1) women with dependent children in families where the father is absent or unemployed and (2) persons who, though aged, blind or disabled, are not covered by social-insurance programs and are therefore ineligible for benefits under them. Unfortunately, in Nigeria the reverse is the case. Instead of the government providing these set of people with assistance they impoverish them the more by using the money that ought to be used in carrying out these social responsibilities as security vaults and payment of sundry allowances to the politicians. Furthermore, accountability and transparency are like two sides of a coin; both have gone on holiday in Nigeria. Information in Nigeria is exclusive of those in power. Any attempt by any individual or group to bring the government to account or make them be open to the citizen are frowned



at; and many ways have been devised by the government ranging from use of force to legislations all in the bid by them to evade accountability and transparency. So many things are done in secrecy in Nigeria. It is on record that Nigerian government through the National Assembly has tried severally to pass anti-information bill. They have suggested severally for banning of social media under the guise of hate speech and all what not while other nations of the world are passing information bill law in their countries. If not for the international outcry, social media may not be inexistence in Nigeria by now. So many journalists are in custody today because they exposed the evil activities of the government. In Nigeria, the government is the harbinger of misinformation and deception while they ought to be the right source of information and accountability because accountability is said to be a key requirement of good governance [7]. Apart from the use of force, intimidation and legislation, Nigerian government has devised so many other means of evading accountability to the citizens. Equity, inclusiveness and justice as the strongest tenets of social contract theory are not found anywhere in practice in Nigeria; not minding that it is enshrined in our constitution Equity, inclusiveness and justice mean that all the members of the society, especially the most vulnerable ones or the grassroots level, must be taken into, consideration in policy-making. Everyone has a stake in the society and no one should feel alienated from it. Particularly, those who belong to the grassroots level must not only be the subject of legislation but they must be given the opportunity to participate in decision or policy making. Equity also refers to a kind of justice that gives more opportunity to the less fortunate members of the society. It is based on this principle that those who have less in life should have more in social law [14]. Nigeria is made of more than 250 ethnic groups which mean that all of them ought to be involved in whatever good thing that come into the country but unfortunately caution is thrown to the wind and the opposite is the case, Justice, equity and inclusiveness are now seen as a privilege and no longer a right in Nigeria which is against the tenet of social contract. Currently offices are allotted based on nepotistic and religious ground. Once you are a northerner you are good to go. What happened with the appointment of the security service chiefs is a very good example, where almost all of them were selected from the same tribe, ethnicity and religion not minding their poor performances in securing the nations and heterogeneous nature of the country even when insecurity is at the point it has never gotten before in Nigeria. In fact, the neglect of equity, inclusiveness and justice has graduated from discriminating against an individual to the level of discriminating against a region or an ethnic group. The recent 22.7 billion dollars that the government wanted to borrow is a very good example of what this paper is saying. The loan was to be shared among every other region excluding the south-east. This is a loan that they are expected to contribute in repaying. If a whole region is discriminated against, just imagine what can happen to minorities and individual, especially the vulnerable ones in such a country. Infrastructural provision is another area that the government of Nigeria has failed woefully. Infrastructure is important that no country can make serious progress without it. One will wonder little why Nigeria remain underdeveloped irrespective of all the resources both mineral and human that it is blessed with. In Nigeria the power sector is corrupt and mismanaged, and many workers in the electricity sector are not equipped with the proper skills or training. Domestic production suffers under these conditions; many foreign companies also find it difficult to conduct business in Nigeria because of frequent power failures. This problem keeps Nigeria a third world country year after year [20]. Business suffers without a dependable road system. Corruption and the embezzlement of public funds keep roadways in disrepair. Many road accidents in Nigeria that have claimed a lot of lives of the citizens of Nigeria would not have happened if the roads are well fixed. It is because our Federal Government failed to fix federal roads that make some of these accidents happen. They do not fulfill their function to protect lives and properties of the people through this channel. In 2011, according to [20], the World Bank reported that only 67% of paved roads and 33% of unpaved roads were in good or fair condition. Between 2001 and 2006, only \$50 million of the needed \$240 million were allocated for road maintenance. Similar issues of inadequacy and corruption can be seen in water resources, railways and education. At the time of writing this paper the Academic Staff Union of Universities (ASUU) are on strike due to government neglect, attempt to hoodwink them, and poor state of public universities. The government's failure to invest adequately in the health-care system is also evident especially during this era of COVID-19 pandemic. Based on this [32], avers that "COVID-19 is also revelatory, a blessing in disguise, because it has exposed Nigeria as a country where quality of leadership is of low grade. [14], again observes that "rather than invest in good health care service delivery in Nigeria, we have a political arrangement that makes it possible, even encouraging, to waste Nigeria's money on government officials and health tourism abroad". Thus, the health services available are dysfunctional and inadequate which has led to high mortality rate especially on the side of expectant mothers, children and the aged people. It has also resulted to migration of talented doctors and nurses to advance countries; the remaining good ones are found in the cities, leaving Nigerians staying in the rural areas to their fate. The foregoing have been issues that have bedeviled Nigerians from the beginning of time and these infrastructural deficiencies are yet to end and the government never cares.

#### **Effects of Government Irresponsibility to Social Contract in Nigeria**

For every act of irresponsibility, there is commensurate repercussion, be it individually or generally. Along this line, the breach of social contract by Nigerian government has among other effects led to incessant revolt, endemic

corruption, fear and mistrust. Incessant revolt: Due to government failure in keeping their own end of the social contract, there are so many agitations in various regions of the country. These agitations are not strange but in line with the dictates of John Locke's social contract theory that call for revolution or change of government when they fail in keeping their own end of the contract that they willingly entered with the people. Most people believe that Nigeria is sitting on keg of gun powder. The government has in all ramifications failed the citizens with no hope of any change in the nearest future, one will now wonder little why the Boko Haram are fighting in the North East, Niger Delta militants agitating in the South-South, IPOB looking for secession in the South-East and others carrying out, civil disobedience in respective zones. All these are the repercussions of the government failure in keeping to the mandate and agreement that they willingly entered with the people. And when tyranny and irresponsibility becomes the order of the day; social disobedience becomes an obligation. From the preceding subheading one could see that the government of the country has failed her people and there is nothing that remains than to agitate. It is even a thing of wonder that Nigeria still exist today as a nation because the irresponsibility and insensitivity of her leaders right from independent has gotten to an elastic limit. Endemic corruption: another serious effect of government irresponsibility to the Nigerian human person is corruption. It is experienced in every sphere of Nigerian public and private existence. Be it in politics, education, judiciary, businesses, religion, police, legislature, banks, ministries, etc [13]. In Nigeria corruption has become a culture; to the extent that it is synonymous with her [11]. Irrespective of the fact that Chapter II, section 15, subsections 5 of the Constitution of the Federal Republic of Nigeria states thus; "The State shall abolish all corrupt practices". Unfortunately, no one is adhering to this instruction. The government personnel who are constituted to abolish corruption are careless about what is expected of them. Also, the non-governing citizens who are also expected to be free from corruption are guilty of it [20]. Indeed, Nigerian leaders have made life difficult that everyone is looking for a way of survival, [6]. Nigeria has unjustifiably become a land of suffering, poverty, anguish, pain and hopelessness. It is all over the news that during the COVID-19 pandemic lock down, that the law enforcement agents were asked to monitor the people and restrain them from moving around. But as usual they collected money from Nigerians and allowed them to move around, even from one state to the other. This is one among many instances of corruption in Nigeria According to [5], "This endemic corruption is as a result of selfishness and greed" of Nigerian leaders. When the leaders out of greed and selfishness violate the social contract by embezzling the common wealth, the citizens out of frustration engage in any means be it by hook or crook to secure some economic, political, financial or other advantages of their own so as to approximate some of such privileges flaunted by the leaders [20]. The corruption of the government makes them have lukewarm attitude towards matters of corruption knowing fully well that they are guilty of the same offence, hence, making corruption to escalate. More so, the current ruling government just like the previous ones is not performing its functions as promised, and officials are too busy filling their pockets instead of governing effectively. Transparency International (2020) deemed Nigeria one of the most corrupt nations in the world with 148th position as the highest in 2017 'and 134 as the lowest in 2014 respectively. In 2019 ranking Nigeria came 146th in Corruption Perception Index out of the 180 countries measured. This shows that Nigeria was the 34th most corrupt country in 2019. The above instances show how endemic corruption is in Nigeria following the failure of the government to keep to their own end of social contract they willingly entered with the Nigerian human person. Mistrust: This is the height of repercussion of government persistent and consistent failure in keeping to their end of social contract. Nobody in Nigeria takes the government serious, the same with anything coming from them. Following years of disappointment, failed campaign promises, unfulfilled state programmes, large-scale corruption and failure to deliver on the dividends of democracy; Nigerian citizens largely distrust the government. In a 2016 Afro barometer survey on the level of trust citizens hold for their governments in 36 African countries, Nigeria recorded the least score with a mere 31 per cent indicating a positive attitude towards the government. In addition, in 2018, the World Economic Forum (WEF) found that Nigeria ranked 130 of 137 countries for citizen distrust of government officials [33]. Consequently, anything the government wishes to do for the people is looked at with suspicion even when they have genuine intention. The fear and mistrust in the government is not just observed in the economy but also in other aspects of their responsibilities. Once more, our past experiences with nationwide threats provide enough examples. In 2015, the country got to know that most of the money meant to fight insurgency—about \$2 billion—in north-eastern Nigeria was actually pocketed by a few individuals. This was despite official assurances that Nigeria was committed to fighting Boko Haram and that the terrorist group would soon be confined to history. In December 2015, six months after assuming office, President Muhammadu Buhari declared that Boko Haram had been technically defeated' and claimed displaced people in the epicenter of the conflict zone could start returning to their homes. Among the Buhari-led government's campaign promises was to 'kill corruption before it kills Nigeria'. Many Nigerians rejoiced over the statement and voted for President Buhari in 2015. However, since President Buhari emerged as president, the reverse has been the case. Corruption continues like before. One will now wonder little why the mistrust in Nigerian government.

### **John Lock's Social Contract Theory: An Antidote to Social Contract Violation in Nigeria**

[17], avers that in every social phenomenon the easy part has always been identifying the problem whilst the difficulty lies in proffering a solution. This paper having depicted these failures seeks to proffer solutions, hence, the position of John Locke's social contract theory as an antidote. Locke's social contract theory is deemed very apt in arresting the persistent bridge of social contract by Nigerian government because it is the model for every modern state in dealing with her people to ensure that common good is achieved. Nigeria being one of the modern states needs strictly to adhere to it. In Locke's social contract theory, the responsibility of the government is well spelt out while the obligations of the citizens were spelt out too, all geared towards the achievement of common good of all the parties in the contract. [43], opines, "The function of the political state is to guarantee our moral state.... The citizens consent to submit to political authority only with the proviso that such political authority will do whatever is necessary to protect our natural right". (p. 334) According to, contract was an agreement of each with all; a surrender by the individual of his personal right to fulfill the commands of the laws of Nature in return for the guarantee that his rights as nature ordains them life, liberty and property should be well-maintained. The end for which this contract is made is the protection and preservation of property, in the broad sense of the word, that is, life, liberty and estate-against the dangers both from within and without the community (civilserviceindia.com). From the above one could vividly see that the reason for entering into social contract everywhere is for the society to have a strong institution that will ensure everybody's survival. Unfortunately as could be seen in the case of Nigeria the reverse is the case. But with Lockean social contract theory being posited as the template for an ideal social contract the Nigerian leaders will see that the contract is not entered just for their self-aggrandizement. Rather, it is for the purpose of forming a formidable society where all that gave them their mandate can survive, their property protected and their lives saved. When this is well understood, it will enable our government to eschew the heightened culture of impunity that encourages incessant high level official rascality and dubious unconstitutional devices deployed in the steering of the state, and think on how to work for the good and safety of everyone in the state. Again, Lockean social contract theory will go a long way in making the Nigerian government to buckle up on the areas of security. According to [10] the end of people's unity or living in the society is to build a commonwealth, preserve human life and properties. (p. 124) Unfortunately the Nigerian government has not lived up to this part of social contract. In Nigeria just as has mentioned elsewhere in this work there is always harvest of blood and destruction of property, people's wellbeing are not cared for and liberty is nowhere to be found. However, having Lockean social contract theory as a model, the government will be made to live to their responsibility of protecting the people. When this is done nothing or less will be heard of Boko Haram, herdsmen kidnappers etc. that in the recent time have been thorns in the flesh of human persons living in Nigeria. Furthermore, the incessant revolutions and agitations that occur in Nigeria will naturally disappear if the government and the leaders understand that their occurrences is due to their failure in keeping to their own end of social contract bargain, which the Lockean social contract theory will expose to them. Seeing that tyranny and no clear adjudication are among the remote causes of most revolutions in the country as exposed by Lockean contract theory; the government will now shun the manner in which they manipulate the constitution to their favor which left every one with the feeling that there is a lack of an established law known and acceptable to all. Secondly, the dependence of the judiciary on the executive which portray an absence or lack of an independent/impartial judiciary to adjudicate the law will be discouraged. Also the orientation that the Nigerian judicial system is weak and can be easily manipulated by the elite/ruling class thereby making the common man to resort to jungle justice at every slightest opportunity should be changed. And improved effort by the government to keep to their part of the contract by ensuring that the lives and property of the populace is secured will stop the people from resorting to self-actions and responsibilities towards surviving and coping with insecurities. Finally, John Locke's social contract theory will make it possible for the people to see and understand that the time for social disobedience and ousting of the present leaders in government is long overdue. Since the government has violated all the social contract agreement among which are: respecting the social contract, upholding the citizen's rights to life, health, liberty, and possessions. The lesson learnt from Locke's social contract theory should encourage the people to revolt and not to shy away from it, since it is the basis for establishing most modern political state. Moreover, it will bring to the awareness of the people that it is not a vice to overthrow an erring government and that it is the only option remaining for them to make Nigeria work like most developed countries of the world. Some of the countries that revolted in the past such as: France, England and America, etc. though paid heavily but they are better for it. And considering the nature of Nigeria; it seems that it is only civil disobedience will open up the corrupt leaders, tyrants and everything, hence, usher in the positive change that the Nigerian human person for long desired. Consciousness of the civil disobedience as an obligation in a country as Nigeria will enable all the tribes in Nigeria to understand that various agitations going on in different regions in Nigeria is not geared towards fighting each other. Rather it is geared towards their common enemies who are the politicians that do not have tribes, religion or sex when it

comes to exploiting and breaching the social contract. Armed with this idea they will join forces to either oust them as the Locke's social contract theory demands or make them to be responsible.

### **The Impact of John Locke's Political Theory**

John Locke's influence went beyond his own time and country in various Scholars after him borrowed his ideas in arriving at their own thesis about liberal democracy and bourgeois economic arrangements. For example, Montesquieu, in his spirit of the laws agrees with Locke that separation of powers offered the best hope of avoiding tyrannical government. Both envisioned the legislative and executive organs keeping an eye on one another. Locke was equally significant because he was first and foremost a reasonable man who believed in the rationality of men: Many of his ideas were reasonable and most of his philosophies arose during upheavals. He was reasonable to the extent that his ideas were not challenged for centuries. .Meaning that Locke's political views provided profound and persuasive formulation of civic culture; it was the most influential in the 18th century and his views were in the mainstream of English political developments leading to constitutional developments. Locke insisted that the authority of the government must be based on the consent of the people; that the powers of the monarch are lifted; that the main object of the government is to help the people not to ruin them; and that the government must be resisted if it steps beyond its bounds that is, its proper authority or overlooks the common good with this outlook and political world view, Locke succeeded in capturing the minds and hearts of those who were foremost in the building of modern European society and state in a way greater than his contemporaries. His idea emerged as the most relevant in d foundation of a liberal and constitutional state. His, political theory found full culmination in the French and American bourgeois revolution especially the right to resist. As [9] puts it, his sincerity, his profound moral conviction, his genuine belief in liberty, in human rights and in the dignity of human nature united with his moderation and good sense, made him the ideal spokesman of a middle-class revolution.

### **Features of John Locke's Idea on Liberal Democracy**

**Consent:** the real hallmark and interests of the individual is considered in the organization of the state as elucidated by Locke.

- Constitutionalism: this according to Locke entails putting in process a document that regulates the conduct of individuals in the society based on consent of all and sundry.
- Tolerance: the ability of the system entrenched to accommodate even conflicting opinions in the society.
- Individual liberty: this entails the dignity and worth of the human person and the freedom accorded in all perspectives.
- Stability: this according to Locke must come to bear as only a stable system can ensure individual liberty and effective governance.
- Ownership of properties: Locke's idea on liberty and liberal democracy emphasizes the existence of the actualization of self-worth even in terms of individual ownership of properties.

### **Features of Nigeria's Democracy**

Constitutionalism: this focuses on issues of governance according to laid down rules principles and practices.

- Periodic Elections: this idea is borrowed from Locke's philosophy on liberal democracy: It guides the processes of choosing people to govern the society.
- Separation of power: this entails a clear demarcating line between the various organs of government and their functions.
- Delineation of constituencies: this entails having defined territories for convenience of electoral practices and governance.
- Rule of law: this entails the supremacy of the law over other considerations in a functional system.
- Defined system of government: this according to Locke must reflect the notion of liberal democratic principles.

### **An Assessment of Locke's idea within the context of Nigerian Democracy**

It is worthy of note that Nigeria to a large extent is a member of treaties establishing certain rights and privileges of individuals as being superior to all other considerations in the society as elucidated by John Locke, It has all the tenets of a liberal system in theory; it is also worthy of note that Nigeria operates a democratic system modeled along the American system which scholars are of the view that it owes its origin from Locke's philosophical thoughts. One can therefore assess the Nigerian democracy as being in conformity with the ideas of liberalism emphasized in Locke's philosophical thoughts. However, this is largely in theory as what is obtainable in practice is a sharp contradiction of liberal democracy in Nigeria. The practice of liberal democracy is still at a rudimentary stage or at its lowest ebb in Nigeria when compared with the idea in which Locke emphasizes in his philosophy and when compared to how it is practiced in advanced democracies [45]. Not so much is considered at the level of human rights or in the dignity and worth of the human person, the processes of electing leaders are grossly flawed when compared to the idea of liberal democracy in its ideal terms. The trust in which Locke opine



should rule in the interest of all in the society is viewed in the Nigerian contest as a supreme leader whose style of leadership relegates the interest of the citizenry to the background. The argument of periodic elections is grossly abused; constitutionalism is not followed in the activities of governance as there is more of impunity in the administration and governance of the system. However, in spite of these short comings in the application of Locke's idea to Nigerian democracy, one can say with relative ease that Nigeria by virtue of being a democracy is on the right track even though pitfalls abound. From the data presented and discussed in this study, it was found that the nature and character of the practice of democracy in Nigeria from 2015 to 2021 did not adhere to the principles of John Locke's Social Contract Theory. It was found that the dichotomy between John Locke's social contract theory and the practice of democracy in Nigeria from 2015 to 2021 was responsible for the down-turn of the practice of democracy within the period studied. The limited literature available on John Locke's Social Contract Theory and the practice of democracy created a vacuum. The vacuum was responsible for the inability of Locke's critiques to relate Locke's Social Contract Theory to the practice of democracy. Obviously, the principles of John Locke's Social Contract Theory are related to the theories and principles of democracy. John Locke's Social Contract Theory is a useful framework for an ideal society. Locke's theory of social contract is very useful in analyzing, understanding and explaining why democracy is poorly practiced in the society. Democratic societies that deviate from the principles of Locke's Social Contract Theory are most likely to always experience crises of governance. There was no total adherence to the principles of John Locke's Social Contract Theory in the practice of democracy in Nigeria from 2015 to 2021. The compromise were responsible for the dichotomy between John Locke's Social Contract Theory and the practice of democracy in Nigeria from 1999 to 2015 which resulted in the woes associated with the democratic adventure in Nigeria. The country needs to come up with a social contract system that will guarantee continuous existence of the statehood of Nigeria. A framework needs to be developed to stipulate how the federating ethnic groups would relate, politically in the Nigerian federal system. This would help to minimize the protracted marginalization of the less privileged ethnic groups and enhance equality and togetherness. The practice of democracy in Nigeria is not just restricted to the consent of the majority as argued by John Locke. The political parties influence the emergence of political candidates for election at primaries; the majority of the people do not participate at this point. It means that the majority of the people may not always have its way. As far as the experience in Nigeria is concerned, the social contract is not all about the consent of the majority of the people; social contract includes the influence of the political elites, political parties, ethnic groups and the role of the international community. Therefore, the social contract should be seen beyond the consent of the majority of the people as enunciated by John Locke. If the social contract deficit in the practice of democracy in Nigeria is not addressed the dissatisfaction it has created among the people will continue to destabilize the polity and threaten Nigeria's peace and security. The democratic process in Nigeria's Fourth Republic is a clear case of the poor social contract system. It is a system of civil governance without the consent and sovereignty of the people. What exists in Nigeria is a democratic system whereby the political elites decide the political process without taking into cognizance the consent of the people, thus encouraging politics of exclusivity. Rather than the society serving the needs of the people, it is used to serve the aspirations of the elites without an all-inclusive social contract system. It will be difficult for the purpose of democracy to be realized in Nigeria. To some extent, this study invalidates the assertion that John Locke's Social Contract Theory is hypothetical and does not apply to the 21st Century political development. The principles of Locke's Social Contract Theory are indeed useful to understand why most democracies like Nigeria are experiencing political upheavals. The practice of democracy in Nigeria would be strongly improved if the principles of John Locke's Social Contract Theory are properly applied. If this dichotomy between Locke's Social Contract Theory and the practice of democracy is not addressed, the practice of democracy in Nigeria will continue to suffer a lot of political perils.

### CONCLUSION

The findings from this study support the assertion that the practice of democracy in Nigeria is devoid of John Locke's Social Contract Theory. The dichotomy between John Locke's Social Contract Theory and the practice of democracy in Nigeria from 1999 to 2015 was responsible for the down-turn of the democratic experience of Nigeria. The persistent and consistent failure of Nigerian government in keeping to their own part of social contract bargain is redeemable; irrespective of the fact that it has had so many negative effects on the people and has led to under development and frustration among Nigerians. However, as this paper projects, a strict adherence to the dictates of Lockean social contract theory will correct the anomaly currently experienced, because it has established the fact to Nigerians that the civil society is a collection of individuals and groups with visible leadership that take responsibility for the protection and security of the people and their property. It has also provided framework for the organization of socio-economic interactions, in such a way that if the various political structures are properly harnessed then human person's progress and security are better ensured. It is believed by this paper that when the needful as contained in John Locke's social contract theory are done the desecrated social contract of Nigerian human person will be amended.

## RECOMMENDATIONS

The recommendations for the problem discovered in this study are: The social contract establishing the Nigerian State should be renegotiated by convocation of a sovereign National/constitutional conference or adoption of recommendations of previous National conferences to seek the consent of the people in tandem with the social contract theory. A platform is created to provide an opportunity for Nigerians to determine the terms of the Nigerian state and to produce a people's oriented constitution for Nigeria which can address the perennial deficit between John Locke's Social Contract Theory and the practice of democracy in Nigeria. According to these theorists, social contact theory is based on consent and other clear objectives and obligations, the people should always be eager to withdraw their consent whenever the government fails in her own obligation as the case in the Nigerian state presently by withdrawing their legitimacy and questioning the status quo.

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