THE INTERNATIONAL JOURNAL OF HUMANITIES & SOCIAL STUDIES

Assessing the Perceptions of Nigerians on the Level of Independence Enjoyed by Key Institutions from the Executive Arm of Government and the Implications

Dr. Noel Ihebuzor

Chief Consultant, Department of Policy and Development,
Evidentis Development Associates, Abuja, Nigeria

Anthony Wakwe Lawrence

Chief Consultant, Department of Management,
Community Inter-relations and Conciliation Initiative, Port Harcourt, Nigeria

Damiete Onyema Lawrence

Ph.D. Student, Department of Business Development/Management,
Cinforest Ltd, Port Harcourt, Nigeria/Rivers State University, Nigeria

Abstract:

This paper sought to examine the perception of Nigerians in three cities of Port Harcourt, Lagos and Abuja of the level of independence that selected key institutions enjoy with regards to their relationships with the executive arm of government. The paper solicited opinions of these respondents on how these institutions can be made more effective. Research questionnaires were administered to a total of 300 persons in the 3 cities. All the responses to items on the questionnaire were analysed using appropriate statistical tools. The results have shown that most governmental institutions in Nigeria are perceived by the population not to be independent from the executive arm. The findings from the study however rated the Nigerian social media, the independent/private press and non-government organizations as having more independence from the executive arm of government in Nigeria than other governmental, social and political institutions.

Keywords: Independent-institutions, strong-institutions, executive-arm-interference, internal-government-controls, external-controls

1. Introduction

Every local, national and international institution has a number of primary and secondary purposes. These purposes are usually to contribute towards ensuring that society continues on the path of development, transparent governance, justice, equity, peaceful coexistence and social progress. Institutions exist at several levels starting from the most primal and basic such as the family, traditional institutions, religious institutions and the political such as the constitution. Institutions such as the constitution have embedded in them other lower level institutions whose smooth functioning are vital to the effective performance of those above them. For example, for the institution of the constitution to work effectively, it is vital that the institutions of the judiciary, the legislature and the executive are allowed untrammelled functioning. The importance of strengthening these institutions to function independently and effectively is now also universally recognized if these are to achieve the purposes they were set up. Institutions have been described as the rules of the game and their effectiveness also depends on the willingness of all actors and operators to play by the rules of the game and stay within the boundaries of well-defined roles. Where rules and roles are respected, the result is a virtuous cycle of effective governance, social stability and progressively expanding sustainable governance, in brief to a cycle of meaningful societal advancement. Such is the critical role of institutions that the Sustainable Development Goals (SDGs) devoted good portion of the Sustainable Development Goal 16 to ensuring that governance institutions are strengthened and supported to play their roles in ensuring peace and rapid development of the world (Specifically, Goal 16 states as follows - : Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels) (United Nations, 2018). The implication of the above is that democracy which ensures majority rule with a number of inbuilt affirmative activities cannot thrive without the encouragement of strong governance institutions.

Recent events in our world are making us aware that the institutions on which our societies and democracy are built are always under threat even in advanced nations of the world. On-going efforts in a number of countries around the world, including attempts at muzzling the press, gimmicks to delegitimize the outcome of electoral processes, the hijacking of parliaments in some countries, the use of deadly force against peaceful demonstrators and efforts at voter suppression all point to the dangers that society and institutions are increasingly facing in our modern world.

Furthermore, the rising incidences of insecurity, poverty, hunger, injustice, corruption, systemic racism and gender-based violence, just to mention a few, are not fortuitous, but are rather signals that the institutions that are or were meant to guard against such are no longer functioning at their optimal levels. Some of the symptoms of sub-optimal performance are evident in increasing instances of failures in public procurement, in the falling quality of urban basic services and collapsing municipal functions.

It would appear that the institutions that are meant to ensure that these services are provided or which were designed to protect our freedoms are now experiencing severe existential threats or are being exposed to severe bashing and or subversion, some subtle and some frontal, brutal and unrelenting – all of these by the activities of persons with anti-institutions leanings.

The phenomenon of institutional bashing appears to be spreading all over the world from Asia, North America, South America, Europe to Africa, and would seem to be gathering momentum and exercising a strong fascination for an increasing group of persons, especially authoritarian administrations and democracy iconoclasts.

From the foregoing, there is the tendency in most nations for dictatorial political leaders to make efforts towards controlling and dictating to all other political or institutional systems that they fear, may oppose their policies or check their excesses/ expose wrong doings. Other political leaders sometimes try to ensure that these institutions get their sustenance directly from them the leaders and thereby secure their unalloyed allegiance and control. They are therefore at their beck and calls without any actual independence. We know that institutions such as the judiciary, the legislature, the police and agencies affiliated to them such as the anti-graft agencies play the crucial roles of ensuring that the executive arm is accountable, responsible and respects the constitutions in democracies but such institutions may not be so effective in some forms of government and administrations with dictatorial tendencies. Equally, even within the democracies, there are different levels of independence that institutions enjoy. While institutions are usually strong in the developed nations, they are often weak, under strict control and are underfunded in developing nations.

This paper will seek to examine from the perception of Nigerians in three cities of Port Harcourt (the revenue generating capital of the nation), Lagos (the commercial capital of the nation and Abuja (the federal and administrative capital of Nigeria) the relationships between the presidency/executive arm of government and some selected key institutions in Nigeria in terms of how they are independent from each other and if the executive arm of government interferes with the activities and processes of some key corruption/crime fighting institutions and the institutions involved in election outcomes. The paper will then solicit the opinions of these respondents in these cities on how these institutions can be made more effective. Finally, the paper will extrapolate the possible implications of the findings from the research.

The following are the objective of the study

- To assess the level of independence from the presidency/executive arm of government enjoyed by the 6 selected key institutions in Nigeria based on the stakeholder groupings.
- To rank on the basis of the perceptions of respondents the level of independence from the executive arm of government, are the 7 selected key institutions in Nigeria
- To ascertain from the perception of the respondents, whether the executive arm of government in Nigeria does interfere with duties of the three key corruption and crime fighting institutions and those involved in the determination of election outcomes in Nigeria
- Obtain the opinions of respondents on how the institutions can be made to be stronger and more effective
- These objectives have resulted in the development of the following research questions:
- How in the perception of a select group of Nigerian respondents are the 6 selected key institutions relatively independent from the presidency/executive arm of government based on the stakeholder groupings?
- How in the perception of a select group of Nigerian respondents are the 7 selected key institutions ranked in terms of independence from the presidency?
- What in the perception of a select group of Nigerian respondents are the relative levels of interference by the presidency/executive arm of government on the activities of key corruption and crime preventing institutions represented by the Judiciary and EFCC and the institutions that determine the outcomes of elections in Nigeria?
- How in the opinion of this select group of Nigerian respondents can the institutions be made stronger and more effective?

2. Background to the Study

In the general sense, family, marriage, government, banks, religious organizations, traditional chieftaincies, social clubs, parliaments, schools etc. are all institutions. Marriage as institution, for instance, functions to ensure social stability, reproduction and production. Places of religious worship function as defenders of morals, morality and social ethics. An institution is therefore an entity designed to facilitate an objective. Over time, institutions have evolved to facilitate good governance, some of these institutions in a democracy, check the excesses in governance of each other; others ensure good education, health, election, law enforcement, economic management etc. and in the process give the best in democratic dividends to the governed.

The police and the criminal justice system are institutions designed to save society from anarchy, from the rule of brute force and to ensure the protection of the weak. Banks, investment houses, the stock exchange are all institutions meant to sustain economic growth by ensuring greater predictability and protection in financial dealings and flows. The civil society, the industrial unions, the town associations are all institutions designed to permit greater citizen

participation and ownership in governance. In the domains of governance and politics, one comes across a vast array of institutions, each with a number of functions and some with overlapping functions, rules and norms.

We can therefore say that on the democratic governance side, there are three major planks (arms) of government (Executive, Legislature and Judiciary). These arms are institutions in their own rights but democracy has evolved in a way that each of these arms is expected to work independently and in so doing check the excesses of each other. While the legislature is to promulgate laws, the executive is to implement the laws and the judiciary is to interpret these laws whenever there are dispute as to their intentions or meaning. The executive seems to be a lot more powerful in this arrangement, as to be more in control of the agents of cohesion and holds the monopoly of legitimate violence. The internal agencies of government to implement or enforce these laws (Police, Regulators, Commissions, public servants etc.) are more under the control of the executives, who hire and fire them. In this view, the executive represents a concentration of power and capacity for enforcement. The modern state is impersonal, best run on merit and talent and by an efficient bureaucracy. In an idealistic situation, these agencies of government should not be under the undue influence and manipulation of only one arm of government. The legislature should play equal role in the hiring and firing of heads of government agencies whose duties involve interpretation and or implementation of laws. Rule of law represents an institution that allows for the power of the state to be held in check. The rule of law is a constraint on the executive and embedded in a separate independent judiciary. Apart from these internal government agencies, there are external parties that play a key role in checking the excesses of the three arms of government. These external bodies include, the mass media (press- television stations, radio stations, printed press and the social media), others include civil societies, opposition political parties, the private business sector, other non-governmental organizations and the general citizenry. Our interest in this study is driven by the need to provide some form of empirical evidence on the functioning of these institution of governance, particularly in the light of growing suspicion that one of these institutions is usually perceived as overstepping its boundaries and therefore constituting a threat to democracy and by flouting the “rules of the game” upon which successful institutional management rest.

Figure 1: Three Blocks of Political Institutions and Their Inter-Relationships towards Ensuring Accountabilities, Checks and Balances
Source: Researchers'2020

The rule of law therefore represents norms of justice that are applicable to all without exception. Standard orthodoxy holds that social progress depends on the solidity of institutional arrangements. Some development theorists have argued that development is impossible in the absence of strong institutions, that institutions safeguard development and make them sustainable. Some others have also argued that you do not really need institutions for development to occur, that institutions involve too many transaction costs and that development, anyway, brings institutions in its wake. The question that then emerges is a chicken and egg one – which came before the other. A related and often ignored question is that of the trade-offs involved. (Whittington 2015). Each one of these two possible views implies a view of development – both in terms of its social drivers, the role of people participation in it and the whole question of sustainability. Though views on development may vary and clash, there is a strong consensus among development practitioners on the role of good governance in promoting development.

Such an emerging consensus is now leading scholars and practitioners to devote more and more time to understanding those institutions that combine to enable societies to have all the benefits of good governance. Good governance is about public service that is efficient, effective, responsive, transparent, accountable, consensus oriented and participatory. These qualities of Governance all add up to contribute to society's social capital. Social capital forms the structure on which most other capitals – economic, financial, knowledge, intellectual, legal – are built. A study such as this

one which seeks to examine perceptions of independence of governmental, political and social institutions and the observance of rules of the game within them and by their operators thus has the potential to contribute to our better understanding of those institutional factors, realities, and practices which are likely to inhibit the necessary emergence of social capital in societies. The next does a quick review of the literature on institutions and institutional analysis.

3. Literature Review

3.1. Institutions and Sustainable Development

One needs to acknowledge from the outset that the literature in the area poses major challenges and which unless navigated with caution could represent conceptual landmines that stand in the way of shared understanding. Taking a leaf from North, all scholars in the field talk of rules of the game but most of the literature is quite fuzzy when it comes to giving concrete examples. For some, family is an institution, for some others, marriage. For some, Governance is an institution, for others the constitution and the system of election are. North (1990) had described institutions as formal and informal rules and norms that organize social, political and economic relations. Institutions are 'the underlying rules of the game'. They are not the same as organizations. Organizations are 'groups of individuals bound by a common purpose'. Organizations are shaped by institutions and, in turn, influence how institutions change. Some social scientists view organizations as the material expressions of institutions. Some see social groups such as government bodies, tribes and families as institutions. Some identify 'primary' or 'meta' institutions to be the family, government, economy, education and religion (North, 1990: 3, 5; Harper et al., 2012: 15).

Key features of institutions are the following – They are brought to life by people and organizations (North, 1990; Leftwich & Sen, 2010). They provide a relatively predictable structure for everyday social, economic and political life. Institutions shape people's incentives (or calculations of returns from their actions) and behaviour. They establish a predictable, though not necessarily efficient or uncontested structure for human interaction (North, 1990: 6). Some argue institutions shape but do not necessarily always determine behaviour (Leftwich & Sen, 2010: 9). They lead to enduring patterns of behaviour over time but they also change. Institutions are constantly being reformed through people's actions (Giddens, 1984). Institutional change structures the way societies evolve (North, 1990: 3). However, institutionalized behaviours can be hard to change. They produce positive or negative development outcomes. This depends on the kinds of relations and behaviours that institutions enable, and the outcomes for the enjoyment of rights and allocation of resources in society (Leftwich & Sen, 2010). North (1997) argued that the institution is the primary source of development and is also a factor in the poor performance of many developing countries.

Institutions are both formal and informal. Formal institutions include the written constitution, laws, policies, rights and regulations enforced by official authorities. Informal institutions are (the usually unwritten) social norms, customs or traditions that shape thought and behaviour (Leftwich & Sen, 2010; Berman, 2013). Development practitioners have tended to prioritise formal institutions, viewing informal ones as separate and often detrimental to development outcomes (Unsworth, 2010).

In practice, formal and informal rules and norms can be complementary, competing or overlapping (Jütting et al., 2007: 36; Leftwich & Sen, 2010: 17). Whether they are relatively more strong/weak or inclusive/discriminatory is likely to depend on context (Unsworth, 2010). In some cases, informal institutions undermine formal ones; in others they substitute for them (Leftwich & Sen, 2010: 17; Jütting et al., 2007: 35-36). Informal social norms often shape the design and implementation of formal state institutions (Migdal, 2001; Jütting et al., 2007: 7). Stenholm et al., (2013) assumed that institutions create the conditions for individual and collective decision-making, which plays a major role in entrepreneurial mind-set and the quality of living, innovation and system building (Sobel, 2008) – which in turn produces sustainable development. Also Douhan & Henrekson (2010) corroborated this, stating that, productive, unproductive or destructive activities are determined by the institutional framework they operate within.

Summarising therefore, one can say that all the foregoing suggest there is now consensus that institutions have functions in society:

- They operate to safeguard society
- They make for normalcy and for ensuring that all keep within agreed and often unwritten norms
- They define expectations, responsibilities and establish accountabilities based on agreed societal structures and modalities.
- Institutions are interlinked such that weakness in one can lead to weakness in another and in several others. While some are society specific, others have rules and norms that are universal.
- Successful and effective institutions are vital for sustainable development

The role of strong institutions towards effective development at all levels has been examined by Ihebuzor, Lawrence and Lawrence (2020). According to Lawrence (2018), sustainable development is the organization principle for meeting human development goals while at the same time sustaining the ability of natural systems to provide the natural resources of the ecosystems services upon which the economy and society thrives.

Concerning the link between development interventions and institutions, DFID (2003) argues that development interventions are more likely to succeed if they promote improvements at the wider level of institutions. (Without institutional reform, for instance, poverty alleviation programmes can fail – a basic truth that explains the glaring failures and indeed the poverty of most of poverty alleviation programmes in a number of third world economies).

3.2. Separation of Power, Institutional Roles in Checking the Excesses in Governance

Separation of powers refers to the processes ensuring that the responsibilities of the three different arms of government are known and distinguished from each other so that there are no overlaps/conflicts and the duties/core functions of one of the branch is not exercised by another. The intent is to prevent concentration of power on any of the arms and provide for checks and balances in governance (National Conference of State Legislatures [NCSL], 2019)

Unlimited power in the hands of a person or group causes that person or group exercising some form of suppressive abilities on others or the curtailment of the statutory/constitutionally enshrined powers reposed on the other institutions. The concept of separation of powers in democracy is to prevent any person or group from abusing power and it is aimed at safeguarding freedom for all. There are three branches or arms of government: legislative, executive and judicial. Tasks are assigned to the different institutions in such a way that each of them can check the excesses of the others. As a result, no institution should become so powerful in a democratic setting to evolve into an authoritarian or despotic regime. In modern multi-party system, apart from the ruling party, the opposition parties are increasingly serving as a mean of check and balance though this aspect is not enshrined in the written Constitution; it is a fact of political reality in new democratic governance (The Republic of Austria Parliament [T.R. A. P], 2019).

Reimagining education for a more just world - Inspire, change, together: Education for Justice Global Dialogue Series 1st to 4th December 2020 stated in its report that judicial independence is a multifaceted concept involving different institutional, legal and operational issues to ensure judicial independence. The several factors of socio-political environment, legal and other factors play their roles and based on that there is no ideal model of implementing judicial independence. Judicial independence is the result of a combination of different conditions, measures, checks and balances that varies from country to country (United Nation Office on Drug and Crime [UNODC], 2020)

Despite these challenges, the judiciary must have a level of independence for them to operate effectively as envisaged by the constitution. Similarly such independence should exist for the Legislature and does exist in most modern democracies.

Equally, apart from these three arms of government who must have some level of independence among themselves to function effectively as checks and balances on each other. Many other national agencies like the Regulatory bodies, electoral commissions, corruption and other crime fighting bodies like the Police, Economic and Financial Crimes Commission (EFCC), Independent Corrupt Practices Commission (ICPC), Independent National Electoral Commission (INEC) etc. must have some level of independence to function effectively.

Others that equally play these roles of checking the excesses of governance include the social media, the press, non-governmental organizations, other civil societies, etc. The press is another very important body that must be independent in a democracy. We can say that there is some independence of the press in Nigeria compared to some highly dictatorial nations. However, the ranking of our press freedom in the latest Reporters-Without-Borders: World Press Freedom Index placed Nigeria at a position of 115 out of 180 nations ranked (Reporters-Without-Borders, 2020). This indicates that Nigeria still has a lot of work to do in this area.

Summing up on the literature review, it is now clear from issues raised therein concerning the need for independence and autonomy among institution concerned with governance, some study that examines citizen's perceptions of interdependence and or interference is apposite at this hour – hence this study. The next section describes the study methodology, sampling procedure instrument design and data analysis procedures.

4. Methodology

4.1. Sampling Method

Research questionnaires were administered to a total of 300 persons as follows: 120 respondents in Port Harcourt and 90 each in Lagos and Abuja. The following categories of persons (stakeholder groupings) were randomly sampled as respondents (male university undergraduate students 15 each from Port Harcourt, Lagos and Abuja cities, female university undergraduate students 15 each from the three cities, male post graduate students 15 each from Port Harcourt and Lagos, female post graduate students 15 each from Port Harcourt and Lagos, public servants, 15 each from all the three cities and same for female public servants. The last sampling category of 30 random samples of male and female respondents was done in Port Harcourt and Abuja too. The essence of this is to spread the type of persons responding research questionnaire to reduce possible biases of one group but at the same time, due to the nature of the topic, we needed to be sure that people responding have some basic level of political awareness and practical experience to contribute to the topic under investigation.

4.2. Questionnaire Development

An instrument combining a mixture of Likert scale type items and free response items was developed by the investigators. The choice of items in the instrument was guided largely by the need to obtain responses from the respondents aimed at providing answers to the interests and the research objectives of the study. These are the following – assessing respondents perceptions of the independence of political institutions, obtaining from the respondents their ranking of the degree of independence from the executive of seven critical political institutions and finally soliciting suggestions from the respondents on how they believe that any interference could be minimized. The instruments with their specific areas of coverage are shown below:

4.2.1. Assessment of the Perceptions of the Respondents on the Level of Independence of 6 Key Institutions from the Control of the Executive Arm of Government

4.2.1.1. Objective

To assess the level of independence from the presidency/executive arm of government enjoyed by the 6 selected key institutions in Nigeria based on the stakeholder groupings

4.2.1.2. Research Question

How are the 6 selected key institutions relatively independent from the presidency/executive arm of government based on the stakeholder groupings?

1	Question	Score
a	How do you rate the level of independence of the Judiciary from the Presidency in Nigeria	
b	How do you rate the level of independence of the Police from the Presidency in Nigeria	
c	How do you rate the level of independence of the Legislature from the Presidency in Nigeria	
d	How do you rate the level of independence of the INEC from the Presidency in Nigeria	
e	How do you rate the level of independence of the EFCC from the Presidency in Nigeria	
f	How do you rate the level of independence of the ICPC from the Presidency in Nigeria	

Table 1: Showing Questions on Level of Independent of Selected 6 Key Institutions from the Executive Arm of Government

For, Questions 1 to 6, kindly rate each with scores from 1 to 4, 4 as strongly independent, 3 as independent, 2 as not Independent and 1 as highly dependent

4.2.2. Ranking of 7 Key Institutions in Terms of Their Independence from the Executive Arm of Government (Perception of Respondents)

4.2.2.1. Objective

To rank 7 selected key institutions in Nigeria with regards to the level of independence from the presidency/executive arm of government

4.2.2.2. Research Question

How are the 7 selected key institutions ranked in terms of independence from the presidency/executive arm of government?

2	Institution	RANK
a	Judiciary	
b	Legislature	
c	Press	
d	Social media	
e	INEC	
f	Police	
g	Non-Governmental Organization	

Table 2: Showing the Questions on Ranking of 7 Key Institutions in Terms of Independence from the Executive Arm of Government

Rank the institutions above the most independent from the Presidency to the one that is most dependent on the Presidency.

4.2.3. Assessment of the Degree of Interference by the Executive Arm of Government on the Activities of Corruption and Crime Fighting Institutions and Institutions Involved in Determining the Outcome of Elections

4.2.3.1. Objective

To ascertain that the executive arm of government in Nigeria does not interfere with duties of the three key corruption and crime fighting and election outcome determining institutions in Nigeria

4.2.3.2. Research Question

What are the relative levels of interference of the presidency/executive arm of government on the activities of key corruption and crime fighting institutions represented by the Judiciary, EFCC and the institutions that determine the outcome of elections in Nigeria?

3	Type of Institution	Score
a	Executive with the judiciary	
b	Executive with the work of the EFCC	
c	Executive with the outcome of elections	

Table 3: Showing the Question of the Level of Interference by the Executive Arm of Government on the Relevant Institutions

Use scores 1 - 5 (1 as least interference and 5 as most interference) to indicate the degree of interference of the executive arm on the activities of the set of institutions involved in fighting corruption, crimes and deciding the outcomes of elections

4.2.4. Suggestions by the Respondents on How Key Institutions Can Be Made Stronger and More Effective

4.2.4.1. Objective

Get perceptions/opinions of respondents on how the institutions can be made stronger/more effective

4.2.4.2. Research Question

How can the institutions are made stronger and more effective?

Briefly give three ways that institutions can be made to be stronger and more effective in Nigeria in your opinion

4.3. Data Analysis

All the questions were analysed using appropriate statistical methods and tools combining a blend of descriptive and inferential statistics. Thus means, standard deviation, t-test, analysis of variance were applied and graphically reported as relevant. Findings from responses to the forth research question in addition was also reported graphically and compared using percentages of perceptions and choices of the respondents on how the institutions can be made stronger and more effective.

The findings and discussions are presented below

5. Findings/Discussions

SN	Items	Students N=90		Graduates N=60		Public servants N=89		Others N=60		Overall N=299		F	p-value
		Mean	SD	Mean	SD	Mean	SD	Mean	SD	Mean	SD		
1	How do you rate the level of independence of the Judiciary from the Presidency in Nigeria	2.07	0.86	2.27	0.84	2.57	1.11	2.15	0.97	2.27	0.98	4.632	.004*
2	How do you rate the level of independence of the Police from the Presidency in Nigeria	1.86	0.87	1.90	0.75	2.36	1.13	1.97	0.90	2.04	0.96	5.142	.002*
3	How do you rate the level of independence of the Legislature from the Presidency in Nigeria	2.00	0.89	2.22	0.87	2.36	0.84	2.08	0.85	2.17	0.87	2.860	.037*

		Students N=90		Graduates N=60		Public servants N=89		Others N=60		Overall N=299			
SN	Items	Mean	SD	Mean	SD	Mean	SD	Mean	SD	Mean	SD	F	p-value
4	How do you rate the level of independence of the INEC from the Presidency in Nigeria	1.88	0.85	2.15	0.95	2.06	0.77	2.08	0.87	2.03	0.85	1.456	.227
5	How do you rate the level of independence of the EFCC from the Presidency in Nigeria	2.06	0.94	2.12	0.88	2.00	0.83	1.88	0.80	2.02	0.87	.806	.492
6	How do you rate the level of independence of the ICPC from the Presidency in Nigeria	1.96	0.78	2.07	0.82	2.13	1.02	1.98	0.79	1.96	0.78	.672	.570
	Grand mean	1.97	0.54	2.12	0.49	2.25	0.59	2.03	0.66	1.97	0.54	4.002	.008*

Table 4: Summary of Descriptive Statistics and ANOVA on the Variations in on the Level of Independence across Respondent Groupings
**Significant at .05 Level of Significance*

Figure 5: Mean Rating of the Level of Independence of Some Institutions from the Presidency in Nigeria

Figure 6: Mean Rating of the Level of Independence of Some Institutions from the Presidency in Nigeria

Figure 7: Mean Responses from the Three Cities on the Level of Independence of the 6 Selected Key Institutions from the Executive Arm of Government

The results from Table 4, Figure 5 and 2B show the Summary of descriptive statistics and ANOVA on the variations in on the level of independence of selected institutions from the presidency across respondent groupings. It shows that the grand mean rating of the respondents over independence of selected institutions from the presidency. It shows that mean rating of the students was 1.97, SD=0.54 whereas that of the graduates was 2.12, SD=0.49 while that of the public servants was 2.25, SD=0.59 and others had a mean rating of 2.05, SD=0.66. The overall mean rating of all the respondents was 1.97, SD=1.97. In more specific terms, the result showed that the independence of the Judiciary from the Presidency in Nigeria had a mean rating of 2.27, SD=0.98 whereas independence of the Police from the Presidency in Nigeria had a mean rating of 2.04, SD=0.96, independence of the Legislature from the Presidency in Nigeria had a mean rating of 2.17, SD=0.87, independence of the INEC from the Presidency in Nigeria had a mean rating of 2.03, SD=0.85, independence of the EFCC from the Presidency in Nigeria had a mean rating of 2.02, SD=0.87 and independence of the ICPC from the Presidency in Nigeria had a mean rating of 1.96, SD=0.78. On the application of a criterion mean cut off score of 2.5 on a 4-point scale, it can be concluded that all the items of were rated below average (benchmark) indicating that none of the identified sector appeared to be independent of presidency/executive. However the ANOVA result showed that the respondents differed significantly in the mean rating of the independence of the Judiciary from the Presidency in Nigeria ($F=4.63$, $p=.004$), independence of the Police from the Presidency in Nigeria ($F=5.14$, $p=.002$), independence of the Legislature from the Presidency in Nigeria ($F=2.86$, $p=.037$) and the grand mean rating of all variables ($F=4.00$, $p=.008$) respectively.

Table 4 and Figure 7 show that the judiciary was rated most independent among the 6 selected institutions for comparison. However, it was observed that while judiciary was rated the highest in Port Harcourt and Lagos, it was rated the least independent in Abuja. As in the case of Judiciary, ICPC was rated least independent in Port Harcourt and Lagos but most independent by the Abuja respondent. It would have been great to get the reasons for the disparity and further research will delve more to unravel these disparities. On the other hand, the Legislature was rated the second most independent institution among the 6 groups in all the 3 cities. INEC, EFCC and the Police were considered to be not independent from the executive arm of government in all the three cities.

The values obtained for the different stakeholder groupings (Undergraduates, Graduates, Public Servants and Others sampled in the cities randomly) were not showing significantly different patterns.

		Students		Graduates		Public Servants		Others		Overall		Ranking		
		N=90		N=60		N=90		N=60		N=300				
SN	item	Mean	SD	Mean	SD	Mean	SD	Mean	SD	Mean	SD		F	p-value
1	Judiciary	4.19	1.84	4.22	1.96	4.06	2.09	4.60	1.92	4.24	2.09	6th	.845	.470
2	Legislature	3.93	1.59	4.03	1.69	4.13	1.78	4.48	1.68	4.12	1.78	4th	1.216	.304
3	Press	3.18	1.70	3.70	1.76	3.42	1.78	3.78	1.71	3.47	1.78	2nd	1.799	.147
4	Social media	2.79	2.21	2.63	1.72	3.57	2.17	3.03	2.16	3.04	2.17	1st	2.946	.033*
5	INEC	4.13	1.76	4.33	1.78	4.29	1.82	3.97	1.74	4.19	1.82	5 th	.538	.656
6	Police	5.54	1.94	5.15	2.22	4.83	2.14	4.62	2.09	5.07	2.14	7th	2.807	.040*
7	Non-	3.82	2.06	3.97	2.46	3.64	2.23	2.86	1.99	3.60	2.23	3 rd	3.023	.030
	Grand	3.94	0.48	4.00	0.71	3.99	0.62	3.91	0.66	3.96	0.62		.336	.800*

Table 5: Summary of Descriptive Statistics and ANOVA on the Variations in on the Ranking of Independence across Respondent Groupings

Figure 8: Mean Rating of 7 Selected Institutions in Terms of Independence from the Presidency

Figure 9: Mean Rating of 7 Selected Institutions in Terms of Independence from the Presidency

Figure 10: Mean Responses from the Three Cities on the Ranking of the Independence of the Selected 7 Key Institutions from the Executive Arm of Government

Note That the Institution with the Greatest Degree of Independence Gets Smaller Value in This Case

The result from Table 5, Figures 3A and 3B show the summary of descriptive statistics and ANOVA on the variations with regards to the ranking of independence from the presidency across respondent groupings. They show that the grand mean rating of the respondents over independence of 7 selected key institutions ranked in terms of independence from the presidency. It shows that mean rating of the students was 3.94, SD=0.48 whereas that of the graduates was 4.00, SD=0.71 while that of the public servants was 3.99, SD=0.67 and others had a mean rating of 3.91, SD=0.67. The overall mean rating of all the respondents was 3.96, SD=0.62. In more specific terms, the result showed that the independence of the Judiciary was rated with a mean score of 4.24, SD=2.09 whereas legislature had a mean rating of 4.12, SD=1.78, Press had a mean rating of 3.47, SD=1.78, Social media had mean rating of 3.04, SD=2.17, INEC had a mean rating of 4.19, SD=1.82. Police had mean rating of 5.07, SD=2.14 and NGO had a mean rating of 3.60, SD=2.23. On the application of a criterion mean cut off score of 4 on a 7-point scale, it can be concluded that only Press, Social Media, NGO

and the Overall were ranked high indicating they appeared to be more independent of presidency/executive. However the ANOVA result showed that the respondents differed significantly in the mean rating of the Social Media ($F=2.945$, $p=.033$), Police ($F=2.807$, $p=.040$) and NGO ($F=3.023$, $p=.030$) respectively at .05 alpha.

Figure 3C shows that the mean ranking from all the three cities gave the social media as the most independent group. However, while the Port Harcourt group felt the Non-governmental organizations were the next in rank, the Lagos group chose the Legislature and the Abuja group opted for Press. Overall, the press was considered the next most independent after the social media and non-governmental organizations were ranked third overall but were considered not too independent by the Lagos group who ranked it sixth. The differences in ranking between the legislature and Independent electoral body (INEC) were not great, however, INEC came sixth and the Police were considered least independent among the institutions that were compared. Further research will be required to understand the conflicting results obtained as poor performance of the judiciary in this analysis among government arms/agencies (Judiciary, Legislature, INEC and the Police) compared to that obtained in the first analysis as shown in section 5.1.

The values obtained for the different stakeholder groupings (Undergraduates, Graduates, Public Servants and Others sampled in the cities randomly) were not showing significantly different patterns.

		Students		Graduates		Public Servants		Others		Overall			
		N=89		N=59		N=89		N=60		N=297		F	p-value
Sn	Item	Mean	SD	Mean	SD	Mean	SD	Mean	SD	Mean	SD		
9	Executive with the judiciary	2.88	1.07	2.66	0.96	2.81	1.28	3.02	1.27	2.84	1.16	.984	.401
10	Executive with the work of the EFCC	2.87	1.23	2.97	1.02	2.83	1.37	3.20	1.31	2.94	1.25	1.202	.309
11	Executive with the outcome of elections	3.33	1.32	3.20	1.24	2.90	1.51	2.93	1.66	3.09	1.44	1.683	.171
	Grand mean	3.04	0.89	2.94	0.79	2.85	1.21	3.05	1.14	2.96	1.03	.677	.566

Table 3: Summary of Descriptive Statistics and ANOVA on the Variations in on the Ranking of Interference by the Presidency/Executive Arm of Government on the Activities of Key Corruption and Crime Preventing Institutions Represented by the Judiciary and EFCC and the Institutions That Determine the Outcomes of Elections in Nigeria

Figure 11: Mean Rating of the Respondents over Interference of the Presidency/Executive Arm on Corruption and Crime Prevention

Figure 12: Mean Rating of the Respondents over Interference of the Presidency/Executive Arm on Corruption and Crime Prevention

Figure 13: Mean Responses from the Three Cities on the Level of Interference by the Executive Arm of Government on the Institutions for Corruption/Crime Fighting and Election Outcomes

The result from Table 6, Figures 5A and 5B show the summary of descriptive statistics and ANOVA on the variations in on the interference by the presidency/executive arm of government on the activities of key corruption and crime preventing institutions represented by the Judiciary and EFCC and the institutions that determine the outcomes of elections in Nigeria. It shows that mean rating of the students was 3.04, $SD=0.89$ whereas that of the graduates was 2.94, $SD=0.79$ while that of the public servants was 2.85, $SD=1.21$ and others had a mean rating of 3.05, $SD=1.14$. The overall mean rating of all the respondents was 2.96, $SD=1.03$. In more specific terms, the result showed that Executive with the judiciary was rated with a mean score of 2.84, $SD=1.16$ whereas Executive with the work of the EFCC had a mean rating of 2.94, $SD=1.25$ and Executive with the outcome of elections had a mean rating of 3.09, $SD=1.44$. On the application of a criterion mean cut off score of 3.0 on a 5-point scale, it can be concluded that only Executive with the outcome of elections rated above the benchmark indicating they appeared to be having interference by the presidency/executive. However the ANOVA result showed that the respondents did not differ significantly in their perceptions of the mean rating of the variables.

Table 6 and Figure 13 show the mean values obtained from the respondents from the three cities of Port Harcourt, Lagos and Abuja.

Though none of the mean data obtained for three groups of institutions were not close to both extreme values of 1 (as least interfered) and 5 (as most interfered), the results show that the trend is the same in all the cities. The executive interfered more towards influencing the outcome of elections. They also influenced the activities of the Economic and Financial Crimes Commission more than that of the Judiciary. The observation that the executive arm interferes more on the activities that result in the outcome of elections is not far-fetched because every political leader especially in the third world nations knows that the legitimacy of his position or whoever he chooses to replace him depends on the outcome of the elections conducted. They therefore tend to influence all the organs (INEC, Police, independent observers etc.) to

favour them in the elections. Until, these institutions are free to carry out their duties, free and fair elections are impracticable and the nation suffers pseudo-democracy syndrome which often leads to dictatorship.

The values obtained for the different stakeholder groupings (Undergraduates, Graduates, Public Servants and Others sampled in the cities randomly) were not showing significantly different patterns.

5.1. Perceptions of People on How the Institutions Can Become Stronger and More Effective

Figure below shows frequencies of comment types made by the respondents on how to strengthen the key institutions

Figure 14: Shows the Frequency of Responses on the Various Comment Types by the Respondents

The highest number of comments which is 22% of the population (Serial number 5) is in favour of key institutions to be independent of the executive arm of government. This as a statement does not explain what need to be done to make these key institutions become more independent.

The next highest value of 21% of the population (Serial number 3) opined that the governance systems in the nation should be restructured or reformed for effectiveness. This means that most governance systems, judiciary, elections, crime fighting, protection of the people, political systems, legislation, etc. all need to be reformed and restricted. 18.8% of the population (Serial number 3) are of the opinion that if the educational sector is reformed and more Nigerians become educated and become politically aware, they will be able to more effectively contribute towards obtaining more responsible and accounting governance system. Their opinion is that more Nigerians should be encouraged to attend schools by making schools fees free, by improving the learning environments, by paying lecturers well and thereby reducing the incessant strikes etc.

13% of the respondents on the other hand think good governance is what is required, in this regard they are talking of things like effective security system, good social amenities, constant electricity supply, introduction of the latest technology in all key institutions etc. and that when these things are provided the pressure for institutional independence though necessary but will be less pressing.

12% of the respondents (Serial number 2) stated that the reforms needed are those that will end corruption in the nation and also in the key institutions. There are financial corruption and also political corruption like those of tribalism, ethnicity, favouritism. They stated that when governance becomes more transparent, the need for the executive arm to interfere with the activities of key institutions will not be there.

Another 7% of the population (Serial number 1) stated that if only competent persons and people of high integrity are appointed to man these key institutions, they will not easily succumb to interference from the executive. The other comments types include, 6% of the population (Serial number 13) demanding that there should be an effective means of removing incompetent political leaders to ensure that leaders are responsible, 5.6% (Serial number 9) said that we should attract the best hands into these key institutions with good salary payments and enhanced welfare packages, 3.5% (serial number 14) want adequately funded key institutions, 3.1% (Serial number 6) asked that the federal revenue allocation system be made independent of the executive arm for fairness, 2.8% (Serial number 10) talked about creating intra-disciplinary systems in every key institution to take care of erring workers, Serial numbers 7 and 11 both had 1.25% of the population supporting them (only the legislature can appoint and sack heads of key institutions and scrap immunity for political leaders) respectively and finally 0.6% (Serial number 8) said our legislature should always proactively reform obsolete laws and change outdated constitutional provisions.

6. Implications of Study

The results have shown that most institutions in Nigeria are seen by the population as not independent. Even the institutions that have independence as part of the names like the Independent National Electoral Commission (INEC) and the Independent Corrupt Practices and related offence Commission (ICPC) were rated low in term of independence from the presidency and the executive arm of government. The implication of this finding is that the legislature which in its self

is considered not very independent must live up to expectation by putting in place, laws that will strengthen independence of key national institutions.

The stronger these institutions become the less likely that they will be made to serve the interests of these political leaders (the president of the nation nationally and the governors in the states). The challenge most nations/states therefore have is how to strengthen these institutions and in so doing make them less dependent on the executive arm of government. The first step towards doing that is to ensure that the constitution provides for strong and independent institutions and the other aspect is also to ensure that funds necessary for their effective governance is not controlled by the executive but as much as possible are directly charged and not to be regularly or monthly disbursed to them by the executive.

Tyrants and dictators whether of the left or from the right are the greatest threats to the stability of social institutions, and thus to good governance and ultimately to the sanctity and the rights of the citizen. A system of checks, balances and rules are usually put in place to keep such institutions functional and thriving. Dictators and tyrants do their best to undermine the functioning of such institutions. They try to do this by undermining and weakening institutions through a number of egregious acts that threaten and eventually undermine and subvert such institutions.

They do or try to do through several strategies including the following:

- De-legitimization
- Trivialization
- Underfunding
- Influencing and corrupting the leadership of key societal institutions

Other antics include:

- Attacking and demoralizing the judiciary and legislative institutions
- Parliament is bought over with generous and its members are seduced to soil their hands with generous gifts
- Anti-corruption agencies are converted to instruments for personal vengeance and attacks against opponents
- The corruption of anti-corruption agencies is a major feature of the demise of strong institutions
- Some Institutions become co-opted as willing hatchet persons whose primary assignments and ultimate deliverable is the discrediting and eventual drowning of existing institutions
- The police and other law enforcement agencies are perverted
- Organs of government, especially the judiciary are bought over and soon begin to deliver judgements that put their whole integrity and the credibility of their judgments in doubt.

As these processes are unleashed on an indifferent or tolerant society, one begins to notice that the strong man who arrived as a liberator and reformer is gradually morphing into a tyrant. Most times, this strong man/woman rides in on a wave of public disenchantment with existing social stasis which he exploits to wrest extra-judiciary and legislative powers. He or she demonizes the leaders of institutions that they cannot buy over. Suddenly elections are decided by the courts and judges appointed by the strongman/woman. Justices, judges and magistrates court the friendship of their strong man/woman who eventually curtails their powers and tenure according to his/her whims and pleasures.

The strong man/woman unleashes a campaign of harassment and terror against any institutional leadership that is bold enough to speak out. The strong meddles, pesters and slowly and subtly hijacks the organs and institutions of the state and converts these to agents of terror. He/She perverts, through a series of accretions, the ethos and functioning of some institutions. The long-term objective is the hijack and personalization of Institutions of the state. New structures with hazily defined functions but limited accountability to the public are soon spawned. Constitutional provisions are ignored or spurned. A gradual attack on civil liberties with the complicity of an emasculated and perverted judiciary soon commences and pucks up speed. Civil society and the press are muzzled. Laws limiting freedom of expression and are rushed through to legitimize new and emergent forms of illegitimacy. Soon a new norm, corrupt in intention, warped in its formulation and odious in its outcomes starts being installed. Decency is dismantled progressively and existing institutions begin to lose their internal autonomy. The structure and composition of some state institutions are then changed by such usurpers. When institutions are forced and rushed through such changes, they begin to lose their credibility in the eyes of the public. They also become weaker. Weak institutions allow for further weakening and social abuse. Because institutions are organically linked and exist in some form of hierarchy, a weakening of one institution transmits some weakening to other institutions engaged in similar civic protection functions. For example, a weak legislative invariably leads to a weak judiciary, which in turn leads to a weakening of institution concerned with the protection of civil liberties.

7. Conclusion

The paper has shown that Nigeria has a long way to go before her institutions will be strong enough to resist any dictator that emerges as its president, as most of these institutions except the social media, the independent press and the non-governmental organizations depend on the executive arm of government for their sustenance.

A nation that has not provided enablement to strengthen institutions entrenched in their constitution will not make good sustainable progress even if the president is very strong and pushes these institutions to perform effectively. Reason is that such situations are not stable and so institutions should not depend on political leaders to be effective sustainably. Their effectiveness, strength and power to function should be provided by the constitution. Where institutions are strong because of a favourable political leader then after that tenure another political leader that is more disposed to dictatorship will frustrate them.

One of the greatest threats to the autonomy of institutions is their personalization by such power usurpers. Features of such usurpation and perversion/hijack of functions of public institutions is their use to settle personal scores and not for the service of the people. Sadly, such selfish exploitation of the functions of public institutions is accompanied by the acquiescence of the public in the loss and suspension of personal liberties. The justification and rationalization of this loss of personal freedoms is usually done by invoking the idea that this is being done for a superior public good.

We have also seen that no nation is immune to the problem no matter how politically advanced they are but third world and African nations are more vulnerable. These vulnerabilities will continue to reduce as more of the citizens get educated and politically aware of the rights.

Constitutions should also be made in ways that strong leaders will find it difficult to manipulate governance institutions or weaken them. The first step is to make these governance institutions especially the legislature and judiciary and the agencies of government that are law enforcers or regulators to be as independent from the executive arm as much as possible. The emoluments of the legislatures and the judiciaries should be first line charges and cannot be stopped by the executive arm after budget has been approved. The heads of government agencies involved in law enforcement and regulations should be appointed in conjunction with the legislative arm by the executive. That way, they cannot solely hire and fire such heads of government agencies. Rule of Law must be upheld and anyone found to have subverted the rule of law must be given deterrent punitive measure.

8. Conflict of Interest

There is no interest from the authors that is conflicting with the publication of this paper and the authors did not get funding from outside sources for this research.

9. References

- i. DFID (2003a). *Promoting institutional appraisal and development*. Guidelines for DFID. London: Department for International Development
- ii. Douhan, R., Henrekson, M. (2010). Entrepreneurship and second-best institutions: Going beyond Baumol's typology. *Journal of Evolutionary Economics* 20(4): 629–643.
- iii. Giddens (1984). *The constitution of society: Outline of the theory of structuration*. Berkeley: University of California Press
- iv. Harper, C., Jones, N. & Watson, C. (2012). *Gender justice for adolescent girls: tackling social institutions. Towards a conceptual framework*. London: Overseas Development Institute.
- v. Hassan MS. (2015). Ensuring Effective Public Service Delivery in the Field Administration of Bangladesh to Boast up Good Governance: The Perspective of Deputy Commissioner Office. *International Journal of Business and Management* 10 (4): 110.
- vi. Helmke, G. & Levitsky, S. (2004). Informal institutions and comparative politics: A research agenda. *Perspectives on Politics*, 2(4), 725-740.
- vii. Noel Ihebuzor, Anthony Wakwe Lawrence, Miebaka Tamunomiebi, Damiete Onyema Lawrence, Barasua A. Lawrence (2020) The Impacts of Violent Conflicts, Injustice and Weak Institutions on the Effective Delivery of the SDGs and Agenda 2030.
http://www.internationaljournalcorner.com/index.php/ijird_ojs/article/view/154489
- viii. Jütting, J., Drechsler D., Bartsch, S. & de Soysa, I. (eds.) (2007). *Informal institutions: How social norms help or hinder development*. Paris: OECD
- ix. Lawrence, A. W. (2018). Some Governance and Peaceful Coexistence Issues for Sustainable Advancement: A Nigerian Perspective (2nd Edition), T&D Press Ltd.
https://www.amazon.co.uk/Governance-Peaceful-Coexistence-Sustainable-Advancement-ebook/dp/B079HJBWX8/ref=sr_1_1?s=books&ie=UTF8&qid=1527510031&sr=1-1&keywords=some+governance+and+peaceful+coexistence+issues 7.
- x. Leftwich, A. & Sen, K. (2010). *Beyond institutions: Existence and organizations in the politics and economics of poverty reduction – Thematic synthesis of research evidence*. DFID-funded Research Programme Consortium on Improving Institutions for Pro-Poor Growth (IPPG). Manchester: University of Manchester.
- xi. Moldan, B et al. (2016). Sustainable Development Goals: A Need for Relevant Indicators. Elsevier, 565-573. (8) (PDF) MACRO-LEVEL CONSIDERATIONS FOR EFFECTIVE IMPLEMENTATION OF SUSTAINABLE DEVELOPMENT INTERVENTIONS. Available from: https://www.researchgate.net/publication/337636118_MACRO-LEVEL_CONSIDERATIONS_FOR_EFFECTIVE_IMPLEMENTATION_OF_SUSTAINABLE_DEVELOPMENT_INTERVENTIONS [accessed Jan 03 2021]. National Conference of State Legislatures [NCSL]. (2019). *Separation of Powers--An Overview*. National Conference of State Legislatures. <https://www.ncsl.org/research/about-state-legislatures/separation-of-powers-an-overview.aspx#:~:text=Separation%20of%20powers%2C%20therefore%2C%20refers,provide%20for%20checks%20and%20balances>.
- xii. North, D. C. (1990). *Institutions, and institutional change and Economic Performance*. Cambridge: Cambridge University Press.
- xiii. North, D. C. (1997). Some fundamental puzzles in economic history/development. In: Arthur, W. B., Durlauf, S. N., Lane, D. A. (eds) *The Economy as an evolving complex system II*, Reading, MA: Addison-Wesley

- xiv. Sobel, R. S. (2008). Testing Baumol: Institutional quality and the productivity of entrepreneurship. *Journal of Business Venturing* 23(6): 641–655.
- xv. Stenholm, P., Acs, Z. J., Wuebker, R. (2013). Exploring country-level institutional arrangements on the rate and type of entrepreneurial activity. *Journal of Business Venturing* 28(1): 176–193.
- xvi. Tamunomiebi, M. D & Lawrence, D. O. (2020). Change Management and Organization Resilience. *International Journal of Innovative Research and Advanced Studies*, 7(2). http://www.ijiras.com/2020/Vol_7-Issue_2/paper_23.pdf
- xvii. Unsworth, S. (2010). *An upside-down view of governance*. Brighton: Institute of Development Studies.
- xviii. United Nations. (2018). *Envision2030 Goal 16: Peace, Justice and Strong Institutions*. United Nations Department of Economic and Social Affairs Disability. <https://www.un.org/development/desa/disabilities/envision2030-goal16.html>
- xix. The republican of Austria Parliament [T.R.A.P]. (2019). *The Separation of Powers – Why Is It Necessary?* Parliament. <https://www.parlament.gv.at/ENGL/PERK/PARL/POL/ParluGewaltenteilung/index.shtml>
- xx. United Nation Office on Drug and Crime [UNODC]. (2020). *The Main Factors Aimed At Securing Judicial Independence*. The Doha Declaration: Promoting a Culture of Lawfulness. <https://www.unodc.org/e4j/en/crime-prevention-criminal-justice/module-14/key-issues/1--the-main-factors-aimed-at-securing-judicial-independence.html>.
- xxi. 2016 Reporters without borders. (2020). *World Press Freedom Index | Reporters without borders*. RSF. <https://rsf.org/en/ranking>