

**TRADITIONAL-STATE DUALISM, INSTITUTIONAL RELEVANCE AND GOOD  
GOVERNANCE IN NIGERIA ELECTORAL DEMOCRACY**

**ISIAQ Atanda Abdulwaheed**

Department of Political Science, University of Ilorin, Nigeria  
[Isiaq.aa@unilorin.edu.ng](mailto:Isiaq.aa@unilorin.edu.ng) +23408038295398

**ISIAKA Hakeem Olayinka**

Department of Political Science, University of Ilorin, Nigeria  
[Hakeemolayinka091@gmail.com](mailto:Hakeemolayinka091@gmail.com) +2348169478184

**AHLI Olaide**

Institute of Legislative Studies, University of Ilorin, Nigeria  
[Olaideahli@gmail.com](mailto:Olaideahli@gmail.com) +2348025414396

**ABDULWAHEED Fatimat Durojaiye**

Department of Sociology, University of Ilorin, Nigeria  
[Wurabiola@gmail.com](mailto:Wurabiola@gmail.com) +2348036950672

**Abstract**

Before the advent of colonialism, traditional rulers and institutions were in control of governance in Nigerian territories. Realizing their importance and relevance, the British colonial masters ruled the country through the traditional institutions with the use of indirect system. Unfortunately, since 1979 till date, the institutions are not given any major role to play in governance dominated by the elected or state institution. However, recent studies have shown that the traditional institution is still relevant in local governance and politics. This paper therefore assesses the level of relevance of the traditional institutions, identify aspects of governance they have significant influence and examine how democratic their performance in governance is. The methodology adopted is the simple purposive random survey of perceptions across the country using Afrobarometer database. The analysis of findings reveals that the traditional institutions are highly trusted by the people and relevant. It also shows that when it comes to community governance, allocation of land and conflict resolution, the traditional leaders have significant influence and as such their performance is democratic because their governance is people centered. It is therefore recommended that there is need for legal inclusion of the traditional institution into governance through constitutional amendment as it was in the Nigerian first republic.

Keyword: Democracy, Dualism, Good Governance, Traditional Institutions.

## **Background to the Study**

Before the emergence of British colonial rule in Africa, territories and kingdoms that later formed Nigeria were governed by traditional rulers and traditional institutions. They preside over every governmental function such as executive, legislative and judiciary. Although, they were not elected by people they governed to this important position of political authority but they were highly placed and respected by their subjects and believed to be the representatives of gods on earth. For instance, in the pre-colonial Yoruba administration, Obas were regarded as “Kaabiyesi, alase, ikeji orisa” meaning the unquestionable, the sovereign and the partner to gods. Regardless of how highly esteemed they were placed, the traditional institutions were responsible for good governance in their territories. This is why Amusa and Ofuafor (2012:408) sited that people were absolutely submissive to the authority of these traditional rulers because in turn they were expected to rule for the general good and welfare of the community as a whole. According to Itodo and Onodugo (2016), their responsibilities include but not limited to provision and maintenance of public order, law making and implementation, and settlement of inter-communal and intertribal conflicts. Thus, Fatile and Adejuwon (2009) argue that upon the arrival of the colonial masters, they observed that the belief of most Western scholars that the pre-colonial African societies had no system of administration, no law, no order, no government and no civilization was erroneous and grossly subjective. Therefore, after amalgamating the northern and southern protectorates in 1914, Frederick Lugard ruled the Nigerian territories through the traditional rulers and as such adopted indirect rule system. Subsequently, after understanding the importance of traditional institutions and their significant role in governance, the Richards constitution of 1945 and the 1951 Macpherson constitution provided the traditional institutions with a clear role in the colonial administration. Although there were some instances where traditional rulers were relegated and merely given symbolic roles to play in governance during the colonial administration according to Tijani and Bamisah (n.d) but they were largely recognized and relevant during the colonial era. Thus, immediately after the independence, traditional rulers were given opportunity to participate actively in governance. For instance, the regional House of Chiefs created by the 1963 constitution were occupied by the traditional rulers and specifically between 1966 and 1978 some traditional rulers were appointed as board members of government parastatals.

Unfortunately, since 1979, the traditional institutions have not been given any prominent roles to play in governance and all powers accorded to them during the colonial era and immediately after the independence have been taken away and subsequent constitutions have diminished their earlier political relevance in governance. For instance, the framers of 1989, 1995 and 1999 constitutions did not provide any meaningful political roles for traditional institutions. The roles of traditional rulers have changed from being the chief executives of their localities to being mere advisers in the contemporary local government system (Tonwe & Osemwota, 2013). To them, this has created a problem in the relationship between the formal institution and the traditional institution. In other words, the political elites who later occupy state institution fail to recognize the important role of the traditional institution in politics and governance like the British colonial master did.

Be that as it may, literatures have shown that despite being relegated in the contemporary Nigerian politics and governance by the constitution, traditional institution remains a strong politics force to reckon with both in governance and Nigerian politics. This is the opinion of scholars like Amusa and Ofuafor (2012), Isiaq (2021) among others. They posited that traditional rulers do not only play key role in mobilizing the electorate but they also come to the centre stage of politics as they play host to both serving and aspiring holders of formal institution.

Premised on this background, this research paper examines the level of relevance of traditional institutions in a dual polity like Nigeria, identify the aspect of governance they have significant influence on and assess how democratic their performance is in Nigerian democracy. Hence, this study is significant because early works pay little or no attention on the objectives of this study. For instance, through this work, we would find out not only the level of their significance but also the specific areas that the traditional institutions perform better and in whose interest they perform these duties.

### **Research Questions**

- (a) To what extent are the traditional institutions trusted in the Nigeria's formal institution dominated governance?
- (b) In which aspects of governance do traditional institutions have significant influence in Nigeria?
- (c) In whose interest do traditional institutions govern in Nigeria?

## **Methodology**

The methodology adopted uncovers the response of the people in Nigeria to traditional-state dualism that characterized the Nigerian democracy and governance. Afrobarometer round eight data are analyzed in this study. The Afrobarometer data sample selection technique and collection technique is the simple proportionate purposive random sampling technique. The data collection tool used was questionnaire which is a primary data. The total sample size is 1,000 participants across the country. The data were validated, analyzed and interpreted in this study.

In analyzing the data, descriptive statistical tools were used. These include simple percentage, pie and bar chart graphical illustrations to analyze the result. This research is appropriate because it reflects the view and realities among the Nigeria populace on their traditional institutions.

## **LITERATURE REVIEW**

### **Traditional Ruler and Institution in Nigeria**

Like any other concept in political science, it is difficult to give a generally acceptable definition of a traditional ruler or institution in Nigeria because of the diversity in the political and administrative components of the institution in different parts of the country. While describing who is a traditional ruler in the Nigerian context, Onoja (2007) cited in Amusa and Ofuafor (2012:408) posited that traditional rulers refer to the set of rulers of the various Nigerian peoples and communities before they were brought together by the British colonial ruler in the establishment of Nigeria. In other word the traditional rulers are those in positions of authority and governed people in their territories before they were amalgamated by colonial rulers. This definition would have been a perfect one if it considers the fact that they still remain traditional rulers even during and post colonial era.

According to Tijani and Damisah, a traditional ruler is the person of his ancestry who occupies the throne or stool and who has been appointed to it in accordance with the customs and traditions of the area. This definition traces the source of authority enjoys by a traditional ruler to what Max Weber described as traditional source of authority. In other words, the main source of traditional authority is peoples' tradition and hereditary. Therefore, going by the definition given by Tijani & Damisah, someone cannot validly become a traditional ruler in Nigerian community without being a member of royal family and traditionally selected. This is why traditional rulers

are seen as the symbols of the people past, custodians of their past history and epitome and preserver of their culture, values and customs.

It should be noted that apart from governance role of the traditional rulers, they also perform spiritual function. According to Atanda (1973), their words were order and their actions were divine and scared.

On the other hand, Orji and Olali (2010:402) define traditional institutions as the indigenous political arrangement whereby leaders with proven track records are appointed and installed in line with the provisions of their native law and customs.

To Itodo and Onodugo (2016:93) traditional institutions are symbols of indigenous peoples' rights, laws, customs and traditions which include but not limited to paramount rulers and their councils. Traditional institution in Oyo empire for instance include the Alaafin, the Oyo mesi, the Ogboni etc. In the pre-colonial era these traditional institutions were charged with legislative, executive and judicial functions. They prevent the traditional ruler from becoming an absolute or despotic monarchy by using the mechanism of checks and balance.

In the Nigeria context, traditional institutions can be broadly classified into two. They are centralized traditional institutions and non-centralized traditional institutions. The centralized traditional institutions are those who don't devolve the governmental powers of the state. In other words, power is highly concentrated at the center. Example of such traditional institution is the Hausa/Fulani traditional institution where the Emir and his council of chiefs have the monopoly of power. The non-centralized traditional institutions are traditional institutions where power is not concentrated in the hand of an institution. A good example of this is the Igbo pre-colonial traditional institution.

### **The Concept of the State**

The concept of the state is central to the study of politics. Political science begins and ends with the state. However, despite its centrality to the discipline, political scientists have always been intrigued by the nebulous nature of the concept especially when it comes to its meaning and understanding in the contemporary global system. By and large, it is commonly defined through its four basic features – population, geographical territory, government and sovereignty. According to Bluntschli (2000), a state is a politically organized people of a definite territory. Oppenheim said that the state exists when a people is settled in a country under its own

sovereign government. The two definitions of the concept of the state by these scholars reveal that a state must have a politically organized population, a government, a definite territory and sovereign power.

Alexander H Joffe (2018) gives two definitions to the concept of state. The first one agrees with the earlier positions scholars cited above as he defines a state as an organized political entity with territory. The other view of this scholar on a state is on the perspective that a state means government. He says it is a dedicated cadre of political, military, economic and social specialists who are supported in part or in whole by surpluses extracted from other levels of societies. This second definition by Alexander suits this study most because state in this study refers to elected group of people or government which is responsible for governance in Nigeria.

Therefore, traditional-state dualism in this study means the governance in a system like Nigeria characterized by both traditional institution and the state democratically elected institution. In other words, it is about politics and governance of democratic state by both formal (elected institution) and informal (traditional institution).

## **Governance and Good Governance**

The concept of governance is not a new term in political science literature and it is as old as human civilization and history. However, the penetration of democracy into developing countries has been responsible for increasing use of good governance in many development literatures, especially in its nexus with credible election (Ameen, 2021:5). More often than not, none of the two concepts has a universally acceptable definition in literature. Governance has been defined in several contexts such as national governance, traditional governance, local governance, international governance electoral governance etc by state and non-state actors, researchers and political scientists, non-governmental organizations and international organizations. From the view of international organization like World Bank (1989:61), governance is the exercise of political power to manage a nation's affairs. For UNDP (1997:2) governance is the exercise of economic, political and administrative authority to manage a country's affairs at all levels. It encompasses the role of political public authorities in creating the environment in which economic operators function and in determining the distribution of benefits as well as the nature of relationship and trust between the ruler and the ruled. Also,

UNESCAP (n.d) defines it as ‘the process of decision-making and the process by which decisions are implemented (nor not implemented).’

From the above definitions of governance, one can argue that governance is a process which involves many actors who has public political authority whether formal/state institution or informal/traditional institutions. According to UNESCAP (n.d) many actors (state institution is one of them) involve in governance depending on the level of government that is under discussion. Other actors include traditional institution, religious leaders, NGOs among other. Therefore, there is no way we talk about governance or politics in Nigeria that relevant actor like traditional institution would not be considered because it is a government which governed and still governing territories before the introduction formal government institution.

World Bank views good governance as a manner in which political authority or power is exercised in the management of a country for social and economic development. Therefore, whenever a public institution makes and implements decision that will bring development to the nation its governance is good. According to UNESCAP, good governance has eight major characteristics. They are:

- (a) Participation: men and women should a voice in decision making either directly or through legitimate intermediate institution that represent their intention
- (b) Consensus orientation: good governance mediates differing interests to reach a broad consensus on what is in best interest of all groups through policies
- (c) Responsiveness: institutions should serve all stakeholders within a reasonable timeframe. That is, listening and responding to the needs of its citizens.
- (d) Transparency: decisions should be taken and implemented in a manner that follows the laid down rules and regulations.
- (e) Effectiveness and efficiency: institutions produce result that meet needs of the people and make the best use of resources. That is, providing the basic services to the people
- (f) Accountability: Public institution is responsible to the people and be accountable to them. They should be able to earn the trust of the people and be free from corruption.
- (g) Equity and inclusiveness: Opportunity should be made open to all irrespective of status or class and member of the public must feel that they have a stake.
- (h) Rule of law: Legal frameworks should be fair and enforced impartially.

## **PRESENTATION AND ANALYSIS OF FINDINGS**

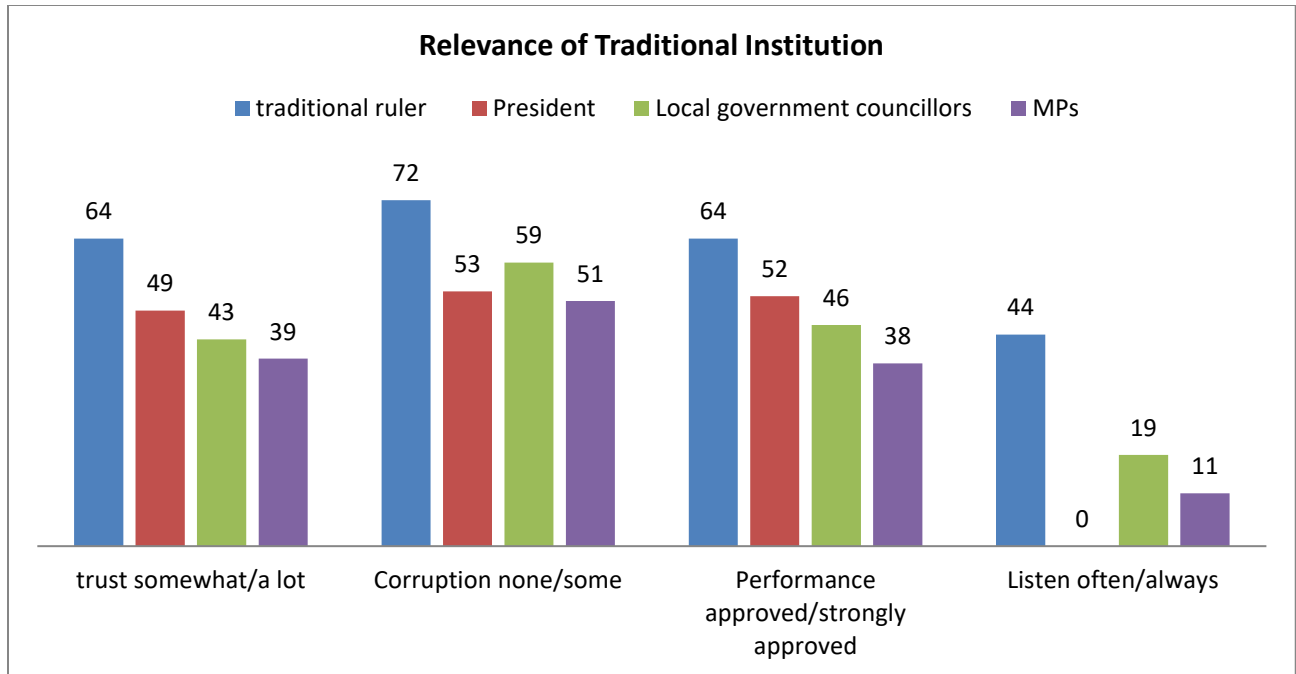
This section presents and analyzes the result of this study. It reveals the level of relevance of the traditional institution, areas of governance where they are significantly influential or relevance and the interest of whom they serve in Nigeria. This shows the direct response to the research questions earlier raised in this research paper.

### **The Level of Relevance of Traditional Institutions in Nigeria.**

Studies have revealed that the traditional rulers are relevant in the Nigeria politics particularly in the outcome of election but this section measures how relevant and to what extent of relevance are traditional institutions to Nigerians.

The following questions were asked and figure 1 below shows the response of the respondents on traditional ruler, president, local government councilors and members of parliament.

- (1) How much do you trust each of the following somewhat or a lot?
- (2) How many of the following people do you think are involved less in corruption? None or some
- (3) Do you approve or disapproved of the way that the following people have performed their jobs over the past 12 months? Approved or strongly approved.
- (4) How much of the time do you think the following try their best to listen to what people like you have to say? Often or always



**Figure 1: The relevance of traditional institutions in Nigeria.**

From the figure 1 above, it is shown that sixty-four percent (64%) out of hundred trust traditional ruler, 49% out of 100% of the respondent trust the president, 43% trust the local government councilor while 39% trust the members of the parliament. From that result, it can be seen that it is only the traditional rulers that highest percent of people trusting them. None of the members of the formal institution have majority of respondents trusting them.

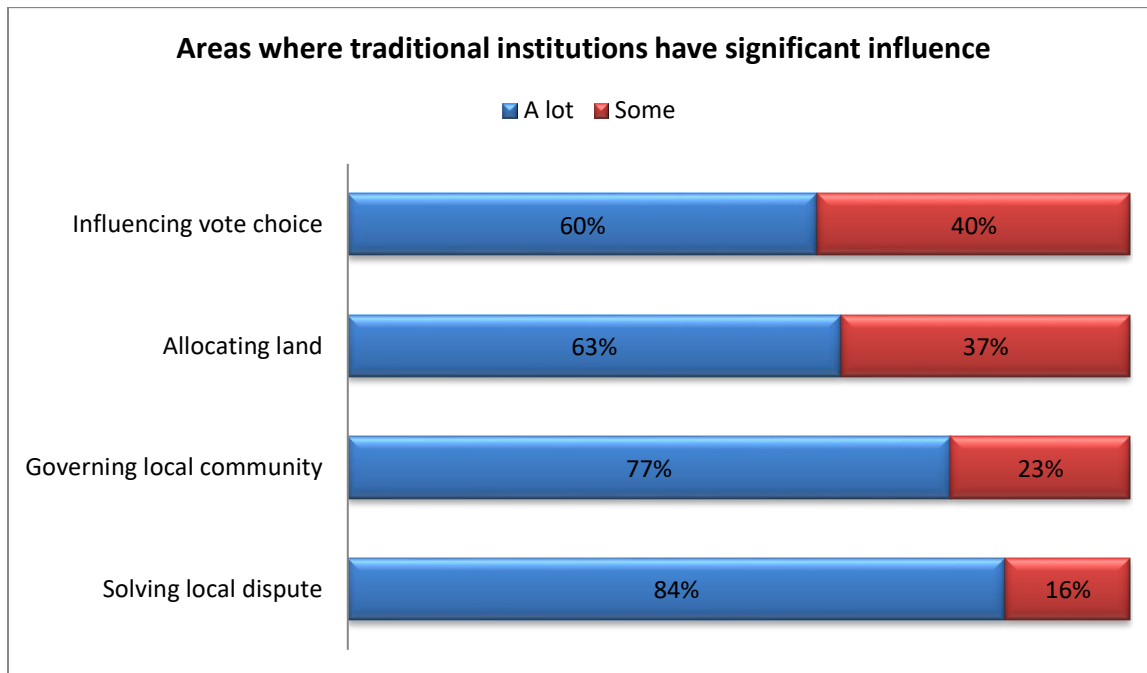
Also, it is shown that corruption is not common among the traditional institution. This is the opinion of 72% of the respondents. 53% of respondents are for the president, 57% of respondent are for local government councilors and 51% for member of the parliament. This reveals that traditional institution is the least corrupt institution between the two institutions.

From the same figure, the performance of the traditional ruler is strongly approved by the respondents. 64% of the respondent believe that traditional institution performs well, 52% of the respondent believe that the president performs well, while 46% of them agree that the local government councilor perform and 38% of members of the parliament perform well.

Finally, highest percentage of people forty-four (44%) of the respondent opine that traditional institution always listen to them, they don't see the president nor they do listen to them. While 19% of the respondent says local government councilors listen to them and 11% says the members of parliament listen to them.

## Significant Influence of Traditional Ruler in Governance of Nigeria

This section reveals the opinion of Nigerians on the influence of traditional institutions on some aspects of governance in Nigeria. This was done by asking them this question. How much influence do traditional leaders currently have in each of the following areas: governing your local community? Allocating land? Influencing how people in their communities votes? Solving land disputes? (% “some” or “a lot”.)

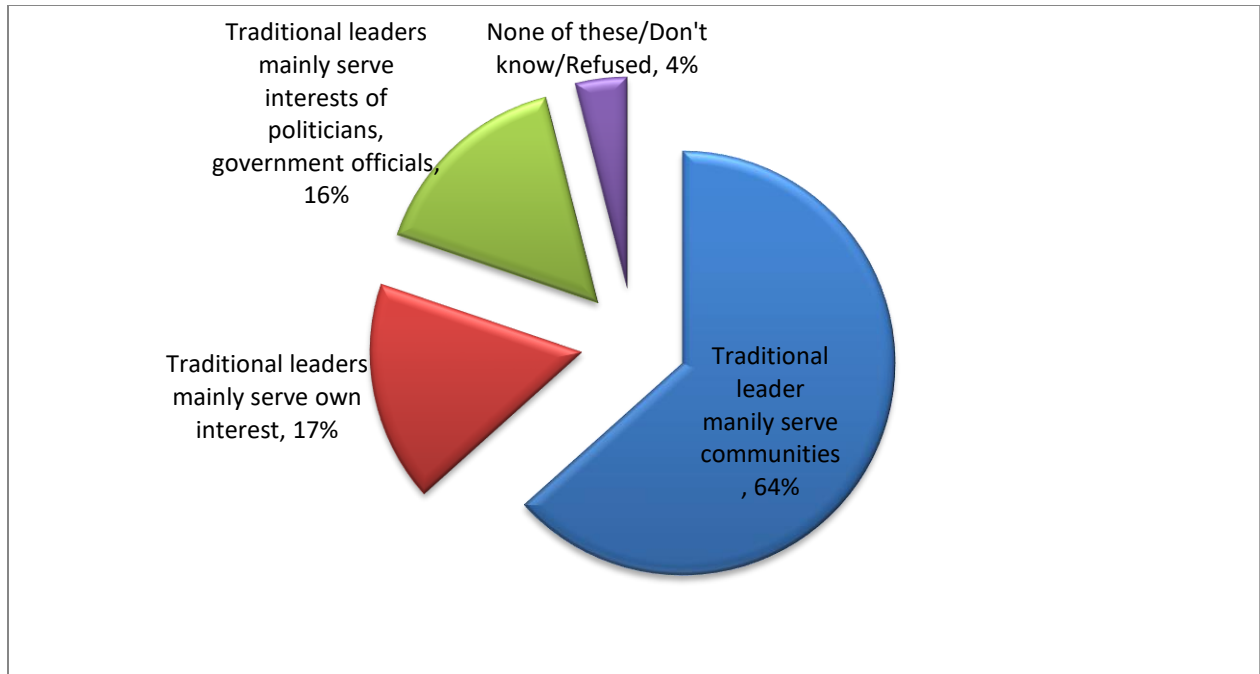


**Figure II: influence of traditional institution on some aspects of governance**

From the figure II above, it reveals that when it comes to solving local disputes, traditional institutions have significant influence. This is because 84% of the Nigerian respondents believe that traditional rulers have a lot of influence in solving local disputes. Also, it is also revealed that apart from solving local disputes, traditional institutions are also influential in governing local community as 77% opines that they do this a lot. When it comes to allocation of land in Nigeria, the traditional institutions also have significant influence. 63% of the respondents are of the view that they perform this a lot. Finally, 60% of the respondents respond that the traditional institution has a lot of influence in their choice of candidate.

## How democratic is the governance by traditional institution?

This section reveals the interest of whom the traditional institutions govern. We get to know this by asking the respondents whom do traditional leaders serve?



**Figure III: Whom do traditional leaders serve?**

From figure III above, it was revealed that 64% of the respondents believe that traditional leader mainly serves communities. 17% of them opine that traditional leaders mainly serve own interest. 16% of the respondents also believe that the traditional leaders mainly serve the interest of politicians and government officials but 4% of them have no opinion on this.

### **Major Findings and Recommendation**

From the above analysis, it shown that peoples' opinion on traditional institutions is good. They are trusted by the people, less corrupt, perform well and often listen to the people. This shows that they are relevant and their level of relevance is high based on the above view of the people. In term of politic and governance, they traditional institution have significant influence in dispute resolution in local communities, governing local community, allocation of land and influence their people on their vote choice. Finally, even though the traditional institution is not democratically elected by the people like the elected official that occupy the state institution, it is revealed that the purpose of their governance is democratic because they serve the people rather than politicians or themselves. According to Abraham Lincoln, democracy is the government for the people.

Based on the above findings, the paper recommends that there is need for official inclusion of traditional institution in local governance in Nigeria through the amendment of the 1999 constitution particularly on the area of dispute resolution and governing of local communities. It is evident from this research that Nigerians still treasure the traditional institution despite the elected government official dominance of governance. Therefore, power of dethroning traditional ruler shouldn't be exercised by executive institution, rather should be a prerogative power of judiciary through judicial trial. Finally, there is need for rejuvenation of bicameral legislature at the state level of government which will accommodate chief legislative council as it was done during the first republic.

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