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ELECTIONS, THE JUDICIARY AND DEMOCRATIC CONSOLIDATION FOR SUSTAINABLE SOCIO- ECONOMIC DEVELOPMENT IN NIGERIA

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ABSTRACT
The paper examined elections, the judiciary and democratic consolidation for sustainable socio-economic development in Nigeria. It focused on the challenges of conducting free, fair and credible elections in Nigeria, emphasizing the role of the judiciary in democratic consolidation for sustainable socio-economic development. The paper argued that the overbearing influence of the judiciary in the electoral process usurps the power of the electorate to freely choose their leaders through a transparent, free, fair and credible process. The paper adopted the documentary method of data collection, utilizing data from a wide range of sources such as journal articles, library materials, text books and newspapers and analyzed using the content analysis. Analysis of the data revealed that the right of the people to freely choose their leaders is denied through manipulation of the electoral process by politicians, which is further validated by the courts. Thus, there is a deliberate attempt and cooperation between the political class and the judiciary to undermine democratic consolidation for sustainable socio-economic development in Nigeria. The paper recommended amongst other things that the independence of the judiciary must be guaranteed to enhance its capacity to act as an unbiased umpire in election adjudication.

Keywords: election, judiciary, democratic consolidation, socio-economic development, court.

1. INTRODUCTION

Elections in both developed and emerging economies of the world represent an important ingredient of democracy through which the leadership is recruited. This process of leadership recruitment is very important because the lack of the credibility of this process throws up leaders who would in turn undermine democratic principles and retard development. Development in such societies is stunted either because such leaders are bereaved of ideas or they are simply preoccupied with primitive accumulation. Thus, elections provide a platform or an opportunity for the electorate to decide those who preside over the affairs of the state. Therefore, “only a democratic government, established by the consent of the governed in accordance with their shared values, has the moral authority to act as the legitimate agent of the people” (Ebegbulem, 2017:4).

Since the dawn of the Fourth Republic, Nigeria has held seven general elections: 1999, 2003, 2007, 2011, 2015, 2019 and 2023. In almost all these elections, the "losers" have followed through with litigations up to the Supreme Court which is the final court of law in the land. Often, the litigants merely settle down with the judgments of the court, not necessarily because they believe that justice has been served, but because it is the final arbiter in the land. The lack of credibility in the electoral process has been attributed to the lack of independence of the electoral body which oversees the conduct of elections. Despite a change in its nomenclature from Federal Electoral Commission (FEDECO) to the Independent National Electoral Commission (INEC), its independence appears to be more theoretical than practical. It appears that executive arm of government has an overwhelming influence on the activities of the electoral umpire which inhabits its independence, as evidenced by instances where electoral commissions have been accused of favouring incumbents, manipulating election outcomes, or delaying reforms that would strengthen their autonomy. Furthermore, the complacency of the security agencies – the police, armed forces, civil defense and other military and paramilitary agencies have continued to interfere in the electoral process and slow down democratic consolidation. The judiciary has therefore become an important institution that influences and determines the democratic wellbeing of Nigeria, as it often serves as the final arbiter in election disputes and checks abuses of power, thereby playing a critical role in upholding democratic principles and ensuring accountability. The judiciary faces challenges in fulfilling its core responsibility of overseeing and administering justice, as civil and criminal cases often experience significant delays, remaining unresolved in the courts for years.

The operations of the judicial branch seem to be at odds with its core responsibility of overseeing and administering justice as civil and criminal cases drag on in the courts for years unattended to. The judiciary has abdicated its core responsibility of overseeing and administering the temple of justice as civil and criminal cases drag on in the courts for years, unattended to. Before the next rounds of elections, the courts continue to be occupied with election petitions from state high courts to the supreme courts. The judiciary has been enmeshed in allegations of official corruption. It is alleged that the judiciary collect bribes and perverts justice, giving judgments in favour of the highest bidders (Odinkalu, 2010). Thus, money bags take advantage of the weakness of the judicial system, undermine the electoral process by rigging elections and bribe their way through the courts to positions of authority. Such leaders hardly provide services that will benefit the generality of the people. (Businessday, Nov.24,2023). Therefore, the continuous involvement of the judiciary in the electoral process may not be unconnected with the largesse that accompanies such involvement.

The main argument of the paper is that concerns have been raised regarding the judiciary's role in electoral processes, with allegations suggesting that some judicial decisions may undermine popular sovereignty. Instances such as controversial rulings in high-stakes election petitions have fueled public perception of collusion between the judiciary and political elites. While these claims warrant further investigation, they highlight the need for greater transparency and accountability in judicial proceedings. This practice undermines democratic consolidation and development in Nigeria

This paper is broadly compartmentalized into four sections. Following this introduction is the conceptual prologue where the concepts of election, judiciary, socio-economic development, democracy and democratic consolidation are examined. Section three covers the methodology and theoretical framework. The conclusion and recommendations are contained in section four.

2. CONCEPTUAL CLARIFICATION

Elections

Elections are fundamental to any liberal and competitive political system, serving as a critical mechanism for decision-making, legitimacy, and democratic stability. Gambo, (2006) asserts that elections, when conducted freely and fairly, yield outcomes that are broadly acceptable to politically active groups, emphasizing their importance for mutual agreement within a polity. This perspective aligns with Eya (2003) and Gwinn and Nortan (1992), who describe elections as a process of selection and decision-making through voting, highlighting their procedural centrality to governance.

Election is an important mechanism for the reproduction and sustenance of any democratic society. An election has therefore become a formal decision making process by which a population choses an individual to hold public office. Obkhedo (2011), posited that "election is a major instrument for the recruitment of political leadership in democratic societies". Anifowose (2003), sees election as "the process of elite selection by the mass of the population in any given political system". Thus, election is a process of selecting the officers or representatives of an organized group by the vote of its qualified members.

The Nigerian independent electoral commission (INEC, 2011), conceptualized elections as the means through which the people exercise their sovereign right to choose who govern them and what the political and other priorities of their government should be. Thus, democratic elections provide their sovereignty through the ballot and which confers legitimacy on the government. Corroborating the above position, Gwinn and Nortan (1992), regard election as the formal process of selecting a person for public office or accepting or registering a political proposition by voting. Furthermore, election can be seen as the selection of a person or persons for office as by ballot and making choices as by alternatives (Eya, 2003). Emphasizing the centrality of elections guaranteeing democratic stability, Ighodalo (2012) emphasized that election is a fundamental mechanism through which the people in a democratic society select their political representatives to occupy various public offices.

However, Alfa et al. (2012) introduce a nuanced perspective by interrogating the ideal versus the reality of elections. While they agree that elections ideally foster orderliness, stability, and rejuvenation of leadership, they criticize the frequent travesty of democratic norms in practice. They argue that poorly conducted elections undermine democracy and suggest that, when properly managed, elections contribute to economic growth by creating an environment conducive to capital mobility and reconstruction, especially in post-conflict settings. This perspective diverges from the more idealistic views of Gambo (2006) by emphasizing the disjunction between the theoretical promises of elections and their practical outcomes.

Olu (2013) adds another layer by stressing that elections should not only determine leadership but also reflect the aspirations of an organized electorate. This perspective complements Ebegbulem (2017), who argues for competitiveness, transparency, and credibility as prerequisites for elections to fulfill their democratic essence. Both authors emphasize the procedural and substantive dimensions of elections, which must align to ensure legitimacy and reflect the will of the people.

The integration of these perspectives reveals common ground regarding the significance of elections for legitimacy and governance. Yet, differences emerge in the emphasis placed on idealistic versus pragmatic views. While most authors highlight elections as a cornerstone of democracy, Alfa et al. (2012) and Olu (2013) interrogate the substantive challenges,

particularly in contexts where democratic norms are undermined. These gaps highlight the need for systemic reforms to bridge the gap between the ideals of free and fair elections and their practical realization.

Democracy and Democratic Consolidation

The term 'democracy' suffers from a definitional 'dilemma'. The concept has been rightly or wrongly conceptualized by different scholars from different perspectives. Atelhe and Abunimye (2021:1), note that "it is by no means easy to define with any degree of accuracy the term democracy". These authors further contend that "a cursory glance at extent literatures on the subject reveals an array of definitions".

Alfa et al (2012), approvingly quoting Dahl (2000), argued that "within the enormous and often impenetrable thicket of ideas about democracy, it is possible to identify some criteria that a process for governing an association would have to meet in order to satisfy the requirement that all members are equally entitled to participate in the association's decisions about its policies". Dahl further notes that at least five of such elements are evident namely; effective participation, voting equality, enlightened understanding, exercising final control over the agenda and inclusion of adults. Accordingly therefore, a democratic society should be one that abhors tyrannical tendencies, and produces and promotes desirable outcomes such as the provision of essential rights, general freedom, self-determination, moral autonomy, human development, and protection of essential personal interests, political equality, peace and prosperity (Dahl, 2000).

For Makinda (1996), the salient elements of any liberal democracy include free competition among political parties, periodic elections, and respect for fundamental freedoms of thought, expression, and assembly. The definition put forward by Bjornlund et al (1992), succinctly captures the fact that the whole essence of liberal democracy is the free exercise of political power by the people. They stated that "however one defines democracy, it is irreducibly a system of government in which the authority to exercise power derives from the will of the people" (Bjornlund et al 1992). Corroborating the above position, Appadorai (1975) contends that "democracy is a system of government under which the people exercise the governing power either directly or through representatives periodically elected by them". Therefore, the hallmark of liberal democracy is its inclusivity and the authority bestowed on the people to freely elect their leaders through a competitive, periodic, free and fair elections. However, the same cannot be said of Nigeria's democracy, which can best be described in the words of Dahl (1989) as 'virtual democracy' that is, 'democracy that shares resemblance with true democracy but lacks the basic tenets of democracy' (Dahl 1989 cited in Atelhe and Abunimye, 2012:3).

The Judiciary

The judiciary is the third branch of government, with the core duty of interpreting laws passed by the legislature and applying such existing law to individual cases in order to resolve disputes between two private citizens and the government. According to Abdullahi (2014:56), the judiciary refers to "the collective body of judges and court systems of a state, the branch of government responsible for the administration of justice based on the provisions of the law". For Obikeze and Obi (2004:23), the judiciary refers to "the court and all those who work in the vine yard of justice". The term "judiciary" notes (Baker, 2016), refers to the system's courts, arbitrations, judges and other administrative staff. Furthermore, the judiciary composed of courts that adjudicate cases, interpret the law and punish offenders according to the provisions of the constitution. Ghali, (2015), thus concludes that "in a

democratic system, the judiciary serves as the organ of government saddled with the obligation to apply the law to specific cases and to settle disputes between parties.

In almost all the elections that have taken place in Nigeria, as previously indicated, the judiciary has played one role or the other in determining the outcome for instance, the judiciary was instrumental to the annulment of the June 12, 1973 election by the military, reputed to be the freest, and fairest in Nigeria's democratic history (Obutte, 2016 cited in Okeke & Idike, 2017:28).

The ineffectiveness of the judiciary in playing its role of stabilizing democracy in Nigeria has been attributed to its lack of independence. Judicial independence, Adaeze, Ibekwe & Onodugo (2023:58) noted, "requires that the judiciary as an organ of government and individual judges carry out their judicial duties without undue interference from the executive, the legislative, peers, the public, or any other source". They conclude that to enhance judiciary independence for sustainable democracy in Nigeria, "the judiciary must be autonomous both institutionally and individually.

The judiciary plays an important role in democratic consolidation and socio-economic development of any nation. As pointed out by Ayene-Akeke (2008), "modern economic relations are highly dependent on law and the availability of structures to implement them". A sound legal jurisprudence is essential for international and commercial investments to thrive. International investors, particularly, multi-national corporations thrive better when there is an efficient judicial system that can enforce binding contracts between nationals of different nations. In that wise, the progress of any nation, writes Udu (2018:9) "is measured largely by the availability of institutional and legal frameworks for protection of the human rights inbuilt to its working system and the level of enforcement and practical enjoyment of such rights by the people". Thus, "feeble judicial and legal systems characterized by corruption and rebellion, poor enforcement of the law, destabilize respect for the rule of law, provoke environmental degradation, and challenge development towards sustainable development (Rahmani & Koohshani, 2013:10).

Socio-economic development

The essence and substance of socio-economic development can be better appreciated by conceptualizing and understanding development generally. The term "development" is a multi-dimensional and multi-faceted phenomenon (Abunimye et al, 2022:51) it is seen as a multi-dimensional process involving the totality of man in his political, economic, psychological and social realities among others (Amucheazi 1980:41). As pointed out by Ettah (2012:35), development must be appropriately differentiated from economic growth, measured by Gross Domestic Product (GDP) or per capita income. Almond and Powell (1966), argued that "growth is conceivable when the political system can articulate and aggregate public interests, allocate resources and, maintain law and order through well-functioning structures" Development, on the other hand, writes Ettah (2012:36), is "the sustained elevation of a community and social structure towards a higher or more civilized existence" As pointed out by Seers (1972:20), development entails the conditions for the realization of the human personality, it therefore involves the process of change in state of affairs which moves from lower to higher levels .Umo (2007), maintained that development connotes the provision of basic needs that ensure better living conditions, such as health facilities, clothing, shelter, food and basic education. The absence of these needs therefore indicate a complete absence of development and prevalence of poverty. "The goal development is to improve the quality of life of the citizenry, especially in developing countries. Better school, a higher level of health, and wellbeing, less hunger, greater social

independence, and a richer cultural life are all factors that contribute to a higher quality of life"(World Bank). Imhonopi and Urim (2013:16), conclude that development connotes the ability of a nation or country to improve the living standards of its people by providing social amenities such as safe portable water, good qualitative education, healthcare services, good roads, housing etc. sustainable economic development therefore, implies the judicious utilization of resources for the benefit of present and future generations. "it is the maintenance and sustenance of a high real growth rate of the economy to achieve the development or economic objectives" (World Bank, 1997:4).

METHODOLOGY

The paper adopted a qualitative research design, utilizing the documentary method of data collection, as described by Bailey (1994). This approach involves the systematic review and analysis of documents containing information relevant to the phenomenon under investigation. According to Strauss and Corbin (1990), documentary research seeks to produce findings through interpretive analysis rather than numerical quantification. For this study, data were primarily sourced from secondary materials, including textbooks, journal articles, conference papers, internet resources, newspapers, magazines, and other documents deemed relevant. This method provided a robust foundation for exploring the research questions by leveraging existing literature and archival sources. The data was analyzed using content analytical technique.

THEORETICAL POSTULATION

Several theories have been proposed to explain democratic consolidation, including the Institutionalization Theory, the Informal Rules Tradition, and the Liberal Democratic Theory. Each offers unique insights into the processes necessary for sustaining democracy, but this study adopts the Liberal Democratic Theory as its main framework due to its applicability in analyzing Nigeria's democratic consolidation. Proponents of Institutionalization Theory argue that democratic consolidation requires the establishment and strengthening of state institutions, such as constitutions and the rule of law, to create a stable environment for governance through predictability and accountability. In contrast, scholars in the Informal Rules Tradition, such as O'Donnell (1988), emphasize that democracy is consolidated not solely through formal rules but also through political actors' adherence to these rules in practice. O'Donnell highlights the interplay between formal institutional structures and informal norms, arguing that the internalization of formal rules by political actors fosters democratic consolidation.

Liberal Democratic Theory, rooted in the works of James Mill and Jeremy Bentham, focuses on political systems characterized by universal suffrage, civil liberties, free and fair elections, a competitive party system, the rule of law, separation of powers, and non-revolutionary methods for changing governments. These principles, as outlined by Kwasau (2013), are particularly relevant to Nigeria, where democratic development faces challenges such as electoral malpractice, limited civil liberties, weak rule of law, and corruption. The theory's emphasis on free and fair elections underscores the importance of improving Nigeria's electoral processes to enhance legitimacy and public trust in governance. Furthermore, its focus on civil liberties highlights the need to safeguard freedoms such as speech and assembly to prevent authoritarian tendencies, while its insistence on the rule of law provides a framework for addressing judicial inefficiency and selective application of the law. By advocating for checks and balances, the theory also offers a solution to the persistent issue of executive dominance in Nigeria. However, critics argue that Liberal Democratic Theory often overlooks socio-economic inequalities and the structural challenges faced by developing

nations like Nigeria. To address these limitations, this study supplements it with insights from the Informal Rules Tradition, which acknowledges the role of local norms and informal practices in shaping democratic behaviour. For Nigeria, this means recognizing the importance of informal agreements, elite consensus, and political negotiation in sustaining democratic institutions. By adopting Liberal Democratic Theory, the study focuses on identifying the necessary institutional, cultural, and procedural reforms required to strengthen Nigeria's democratic consolidation, situating these efforts within global democratic norms while addressing specific local challenges.

CREDIBLE ELECTIONS AND DEMOCRATIC CONSOLIDATION FOR SUSTAINABLE DEVELOPMENT IN NIGERIA

*A consolidated democracy is one in which "none of the major political actors, parties, or organized interests, forces or institutions consider(s) that there is any alternative to the democratic process to gain power and that no political institutions or groups has a claim to veto the action of democratically elected decision makers…"(*Linz 1995:18)

Consolidation of democracy, as pointed out by Diamond (1990) is that which the depth, quality and authenticity of democracy in its various dimensions has been improved: "political competition becomes fairer, freer, more vigorous and executive; participation and representation broader, more autonomous, and inclusive; civil liberties more comprehensively and rigorously protected; accountability more systematic and transparent. Furthermore, Ebegbulem (2017) contends that the building of a consolidated democracy involves an affirmation and strengthening of certain institutions, such as the electoral system, vibrant political parties, judicial independence and respect for human rights and rule of law. Real democratic consolidation requires a demonstrable relationship between political accountability and quality governance.

Linz (1995) emphasized that newly emerging democratic political systems are said to have consolidated democracies if they fulfill some or all of the following criteria:

- Structural: this overlaps somewhat with our definition of democracy. It posits that no significant reserve domains of power should exist that prelude important public policies from being determined by the laws, procedures, and institutions that have been sanctioned by the new democratic process.

- Attitudinal: when a strong majority of public opinion acknowledges that the regime's democratic procedures and institutions are appropriate and legitimate, and where support for anti-system alternatives is quite low or isolated from the prodemocracy forces

- Behavioural: when no significant national, social, economic, political, or institutional actor spends significant resources attempting to achieve its objectives by challenging the regime's institutions or rules with appeals for a military coup or revolutionary activities, and when the prodemocracy forces abide by its rules and do not engage in semi loyal politics.

The point has been made that the lack of credible elections affects sustainable economic development in Nigeria. This is because fraudulent electoral process produces incompetent leadership that is incapable of engineering the process of sustainable socio-economic development that would improve the well-being of the citizenry. Thus poverty becomes a tool in the hands of the political class by which they manipulate the people and perpetuate themselves in power through fraudulent electoral process. Ebegbulem (2017) corroborates this position when he asserted that the socio-economic challenges Nigeria is facing has compelled the average Nigerian voter to sell his votes during elections. This is a consequence

of crippling poverty which pervades the Nigerian state. He further notes that Poverty and selfish interest of Nigeria's political actors have paved way for electoral malpractice which is an obstruction to democratic consolidation in the country. This affects the legitimacy of these political actors and the institutions that produce them, as little attention is given to the development and consolidation of democracy in Nigeria. In order therefore, to achieve sustainable economic development, there is need to address the prevalent rate of poverty in the country

Table 1: TIMELINES OF PRESIDENTIAL ELECTION TRIBUNAL SINCE 1999

Year	Candidate declared by INEC	Challenger	Candidate declared by the court
1999	Olusegun Obasanjo	Olu Falae	Olusegun Obasanjo
2003	Olusegun Obasanjo	Mohammadu Buhari	Olusegun Obasanjo
2007	Umaru Musa Yar'Adua	Mohammadu Buhari	Umaru Musa Yar'Adua
2011	Goodluck Ebele Jonathan	Mohammadu Buhari	Goodluck Ebele Jonathan
2019	Muhammadu Buhari	Atiku Abubakar	Muhammadu Buhari
2023	Bola Ahmed Tinubu	Peter Obi/Atiku Abubakar	Bola Ahmed Tinubu

Source: compiled by the authors

Table 2: TIMELINES OF GOVERNORSHIP ELECTION PETITION 2003-2019

Year	State	Candidate declared by INEC	Challenger	Candidate declared by the court
2003	Anambra	Chris Ngige	Peter Obi	Peter Obi
2007	Anambra state	Andy Oba	Peter Obi	Peter Obi
	Rivers State	Celestine Omahi	Rotimi Amaechi	Rotimi Amaechi
	Edo State	Oserheimen Osunbo	Adams Oshiomhole	Adams Oshiomhole
	Bayelsa State	Ebitimi Amgbare	Timipre Sylva	Timipre Sylva
	Kogi State	Ibrahim Idris	Abubakar Audu	Ibrahim Idris
2009	Ondo State	Segun Agagu	Olusegun Mimiko	Olusegun Mimiko
2010	Osun State	Olagunsoye Oyinlola	Rauf Aregbosola	Rauf Aregbosola
2019	Imo State	Emeka Ihedioha	Hope Uzodima	Hope Uzodima

Source: compiled by the authors

THE 2023 GOVERNORSHIP ELECTION

The 2023 governorship election in Nigeria held in 28 states of the federation. Not fewer than 22 of them, representing 6.7% went to the tribunal up to the appeal court. 13 of them representing 3.6% followed through to the Supreme Court. The 13 states include Kano, Plateau, Abia, Cross River, Rivers, Delta, Lagos, Sokoto, Nassarawa, Benue, Akwa Ibom, Taraba and Bauchi.

Table 3: 2023 GOVERNORSHIP ELECTION PETITION FROM THE TRIBUNAL TO THE APPEAL COURT

S/N	State	Candidate declared by INEC	Challenger	Candidate declared by the court
1.	Adamawa	Adamu Umaru Fintiri	Aishatu Dahiru Binaini	Adamu Umaru Fintiri
2.	Ebonyi	Francis Nwifuru	Ifeanyi Chukwuma Odii	Francis Nwifuru
3.	Enugu	Peter Mbah	Chijioke Edeoga	Peter Mbah
4.	Gombe	Inuwa Yahaya	Mohammed Barde	Unwa Yahaya
5.	Kaduna	Uba Sani	Isah Ashiru	Uba Sani
6.	Kebi	Nasir Idris	Aminu Bande	Nasir Idris
7.	Ogun	Dapo Abiodun	Ladi Adebutu	Dapo Abiodun
8.	Oyo	Seyi Makinde	Barbatunde Ajala	Seyi Makinde
9.	Zamfara	Dauda Lawal	Bello Matawalle	Dauda Lawal

Source: compiled by the authors

Table 4: 13 STATES THAT FOLLOWED THROUGH TO THE SUPREME COURT YEAR 2023

S/N	State	Candidate declared by INEC	Challenger	Candidate declared by the court
1.	Abia	Alex Otti	Kechi Emenike & Okey Achiwe	Alex Otti
2.	Akwa Ibom	Umo Eno	Akanimo Udofia	Umo Eno
3.	Bauchi	Bala mohammed	Sadipue Abubarkar	Bala Mohammed
4.	Benue	Hyacinth Alia	Titus Uba	Hyacinth Alia
5.	Cross River	Bassy Otu	Sandy Onor	Bassey Otu
6.	Kano	Abbar Kabir Yusuf	Nasir Gawuna	Abbar Karbir Yusuf
7.	Lagos	Babajide Sanwo-	Gbadebo Rhodesvivour	Babajide Sanwo-olu

		olu		
8.	Nassarawa	Abdullahi Sule	David Omgbugadu	Abdullahi Sule
9.	Rivers	Siminalayi Fubara	Patrick Tonye Cole	Siminalayi Fubara
10.	Sokoto	Ahmed Aliyu	Saidu Umar	Ahmed Aliyu
11.	Plateau	Caleb Mutfwang	Nentawe Goshwe Yiltwada	Caleb Mutfwang
12.	Taraba	Agbu Kefas	Sani Yahaya	Agbu Kefas
13.	Delta	Ovie Omo-Agege	Sheriff Obor-erwori	Orie Omo-Agege

Source: compiled by the authors

THE ROLE OF THE JUDICIARY IN THE CONSOLIDATION OF DEMOCRACY FOR SUSTAINABLE DEVELOPMENT IN NIGERIA

The judiciary plays a pivotal role in consolidating democracy, serving as the foundation upon which democratic institutions grow and develop. As Aver and Orban (2014:12) aptly observed, "the judiciary is the foundation upon which democracy grows and develops." Its independence as an arm of government is critical to upholding the principle of separation of powers, which safeguards against dictatorship and arbitrary rule. By adhering to the principles of truth, justice, and morality, the judiciary not only ensures the administration of justice but also strengthens democratic governance and the broader goals of sustainable development. A functioning and credible judiciary fosters public trust, resolves disputes impartially, and establishes the legal certainty necessary for economic growth, social equity, and environmental protection.

However, evidence suggests that the Nigerian judiciary has struggled to fulfill its mandate as the last hope of the common man. Aver and Orban (2014:17) contend that "the Nigerian judiciary has made democracy to be chronically sick," citing pervasive corruption as a critical issue. Desperate politicians frequently exploit judicial systems, bribing judges to secure favourable rulings that undermine the rights and aspirations of the electorate. Such practices erode judicial integrity, creating a climate where rule of law is compromised, democratic processes are subverted, and development goals are hindered.

Empirical examples reveal how these shortcomings have manifested in the electoral process. During the 2020 election cycle, the Court of Appeal issued contradictory judgments on the validity of political party nominations, simultaneously affirming and disputing the Independent National Electoral Commission's (INEC) authority to accept or reject candidates (Jalal, 2023). The 2023 election tribunal cycle further exposed these inconsistencies. In Kano State, the Governorship Election Petitions Tribunal invalidated Abba Kabir Yusuf's election on contentious grounds, citing discrepancies in certified court documents. Similarly, the Appeal Court overturned the Nasarawa State Governorship Election Petitions Tribunal's ruling, which deemed the matter a pre-election issue outside the tribunal's jurisdiction (Jalal, 2023). Such conflicting interpretations diminish public confidence in the judiciary, casting doubt on its ability to provide a stable and fair legal environment essential for democratic consolidation and sustainable development.

These controversies have plunged the judiciary's reputation to unprecedented lows, with commentators frequently describing it unflatteringly. Concerns over conflicting judgments

persist, reflecting systemic inconsistencies. For example, in 2021, the Nigerian Bar Association (NBA) indicted six lawyers for their roles in securing conflicting ex-parte orders from judges in political cases (Dania, 2022). While efforts to address these lapses are commendable, they cannot restore the judiciary's credibility. A judiciary plagued by corruption and inconsistency undermines its role as a guardian of democracy and a driver of sustainable development, obstructing equitable justice, political stability, and the institutional reforms necessary for progress.

Conclusion

The current role of the judiciary in democracy consolidation in Nigeria cannot be overemphasized overemphasised. The return to civil democratic rule in 1999, following several years of military interregnum, heralded a new wave of optimism that Nigeria, Africa's most populous country, had finally put behind it the frequent instabilities caused by military intervention in politics and could now focus its attention on addressing the core development challenges of development through desirable and effective transformational leadership namely the eradication of poverty, reduction of inequality, among the citizenry, through the transformation of its productive capacity for sustainable economic development.

However, as pointed out by Ebegbulem (2017), these hopes and enthusiasm were short-lived as the country's political landscape has been turned into a battleground for promoting ethnic, religious and elitist agendas. Free, fair and credible elections, regarded as the machinery through which democracy can be consolidated, have fallen short of the requirement for the consolidation of democracy in Nigeria, thus making a caricature of democracy. In such circumstances, according to Ebegbulem (2017), the people's votes do not count, as election results are decided by a few moneybags whose vote buying, rigging and financial inducement have made a caricature of democracy.

Recommendations

In order to enhance democratic consolidation in Nigeria, there must be a deliberate attempt to build robust democratic institutions rooted in the ideals of accountability and transparency that would promote best democratic practices. Independence of the electoral umpire (INEC) must be truly enhanced by ensuring that strengthened by ensuring that only persons of proven integrity and honesty are appointed to the commission. Such appointments should be made by a neutral and independent body other than the executive arm of government.

Also, the independence of the judiciary should be enhanced by ensuring that the promotion and appointment of judges are made on merit and not on a partisan, ethnic or religious basis. The people's material wellbeing should be improved to reduce their vulnerability to financial inducement. Ultimately, these measures would guarantee a credible electoral process. Because it is only leaders who emerge through free, fair and credible elections enjoy the legitimacy, loyalty and support of the people. Such leaders will also have the interests of the people at heart and produce policies and outcomes that will address the needs of the people and promote sustainable economic development.

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