6 CONSTITUTIONALISM, DEMOCRACY AND DEVELOPMENT IN NIGERIA

Osahon Livewell Omorogie
Department of Commercial and Industrial Law
Faculty of Law
Ambrose Alli University, Ekpoma.

ABSTRACT
This paper examines the concepts of constitutionalism and democracy. It analyses the essential components of these twin concepts within the Nigerian context. The paper goes further to discuss the synergy between constitutionalism and democracy and links it to developmental issues in Nigeria. The paper contends that without the entrenchment of constitutionalism and the concomitant components of the supremacy of the constitution, separation of powers and the rule of law, the consolidation of Nigeria's democracy and realization of national development will be elusive. The synergy between constitutionalism and democracy is a sine qua non for development to prevail in Nigeria. The paper therefore recommends strict adherence to the tenets of the constitution, amendment of some provisions of the Constitution of the Federal Republic of Nigeria, 1999, establishment of a viable and independent judiciary, a functional legislature, anti-corruption reform, re-invigoration of civic education and an improvement in leadership quality as panacea for national development.

Keywords: Constitution, Constitutionalism, Rule of Law, Democracy, Development.

Introduction
There is no gainsaying that Nigerians and Nigeria as a nation have not reaped the benefits of true democracy in terms of political, cultural, social and economic development since the re-adoption of democratic rule in 1999. Rather than being engaged with developmental stride, the polity is heated with power tussle at various levels and self aggrandizement. The hope which democracy bring as an ingredient of development in a nation is gradually waning in Nigeria. Political instability, abject poverty, unemployment, inequality, corruption, poor education, poor health prospects, infrastructural decay, increased crime rate. Unfortunately now pervade the main features of the Nigerian economy.

This paper analyses the conundrum of underdevelopment in Nigeria from a constitutional perspective and proffer a panacea by exploring the synergy between constitutionalism and democracy. The choice of the topic undoubtedly encapsulates a plethora of issues in law, the polity and the society. thus, the scope and limit of the paper inevitably need to be stated. The work essentially focuses on an elucidation of the concepts and components of constitutionalism and democracy in the Nigerian context. A workable

definition of “constitution” and “development” is also attempted since the
topic is derivable from them. The paper explores the synergy between
constitutionalism and democracy with a view to proffering suggestions for
national development in Nigeria.

The paper contemplates a democratic Nigeria, thus, the framework within
which the paper is based is the extant constitution of Nigeria — the Constitution
of the Federal Republic of Nigeria, 1999, especially against the backdrop that
its tenets are built on the ideals of democracy. The methodology employed is
doctrinal. Apart from this introduction section, the rest of the paper is
segmented thus: conceptual clarification of key terms; essential components of
constitutionalism; the synergy between constitutionalism and democracy; and
exploring the synergy between constitutionalism and democracy for national
development in Nigeria; recommendations; and lastly, conclusion.

CONCEPTUAL CLARIFICATION OF KEY TERMS

Constitution:
The term “constitution” might defy a universally accepted definition, but it
certainly attracts a universal understanding. Everybody to a large extent
knows what it means. Simply put, a constitution provides a framework for the
organization and governance of a group of persons, association, society or state.
It spells out how various agencies are organized in a state, what power is
entrusted to various organs established by it, and in what manner such power
is to be exercised. It is the system or body of fundamental principles according
to which a nation, State or body politic is constituted and governed. The
Black’s Law Dictionary defines constitution as:

the fundamental and organic law of a nation or state that establishes the
institutions and apparatus of government, defines the scope of
governmental sovereign powers, and guarantee individual civil rights and
civil liberties. The written instrument embodying this fundamental law,
eger with any formal amendments.

All powers exercisable in a country are derivable from the constitution. Recognizing
the creative attributes of a constitution, the apex court in Nigeria, the Supreme Court has re-iterated the functionality of the constitution in the
following words:
The constitution is an organic instrument which confers powers and also
creates rights and limitations. It is the Supreme law in which certain first

2 In Nigeria, military regime is an aberration. See the CFRN, 1999, Section 1(2) thereof.
3 Nwogu, K.C. “Constitution and Constitutionalism in Nigeria: Imperative for Sustained
4 The idea of a constitution was first emphasized by the Greek philosopher - Aristotle in his
classification of government as monarchical, tyrannies, aristocracies, oligarchies,
democracies and so forth, wherein he stated that “a constitution is an arrangement of
magistracies of state”. See the works of stoic philosophers in Rome. The idea of a modern
constitution began to emerge after the Reformation in Europe, particularly in the works of
Thomas Hobbes, John Locke and Jean Jacques Rousseau. See Hobbes, Thomas, Leviathan
(1651); John Locke, Tis on Government (1690); Rousseau, Jean Jacques, Confessions
(knoff, 1992).
Ltd, 1959) 463.
principles of fundamental nature are established. Once powers, rights and limitations under the constitution are identified as having been created, their existence cannot be disputed in a court of law.

It is noteworthy that a constitution need not be synonymous with one document. It may be gleaned from conventions, customs and practices. Thus Wheare defines a constitution as:

The whole system of legal rules, non-legal rules and extra-legal rules that are enforceable by the court. The extra-legal rules and legal rules are justiciable whereas the non-legal rules are not enforceable or justiciable by the courts but nevertheless, are generally accepted by the people as binding on them, for example, conventions, customs and practices. 8

As a guide, whether expressed in documentary form or unwritten, a constitution is expected to set up the various organs of government and define their functions. Furthermore, it should as much as possible reflect the ideals and values of the entire citizenry. 9 It should be a product of popular participation and an amalgam of several forces, including political, economic, cultural, environmental and social forces. The Nigerian Bar Association posit that the vital elements of a good constitution are: Inclusivity (it must be a product of popular participation); Authority (we have to accept the National Assembly as the convening Authority being the representatives of the people); Validity (the constitution must be validated by “we the people” through popular referendum), and Legitimacy (only a legitimate constitution can consolidate and deepen democracy). 10

Constitutionalism:

Constitutionalism simply refers to adherence to the tenets of the constitution. It connotes strict compliance with the provisions of the constitution. By this doctrine, the letter and spirit of the constitution must be followed. It is a legal cum political doctrine that imposes a duty on the government and anyone vested with powers thereunder to act within the confines of a known constitution, written or unwritten. 11 Any act which is in flagrant disregard of the provisions of the constitution, by the application of the doctrine will be declared unconstitutional. null and void.

A constitution usually encapsulates certain features, principles and doctrines. The constitution set out the form of government and establishes the organs of government (the legislature, executive and judiciary). It states the powers,

---

functions and limits of these organs. The various tier of government (in Nigeria, federal, state and local government) are spelt out. The principal officers of government, their powers and responsibilities are enumerated. The constitution articulates the rule of law, supremacy of the constitution, separation of powers, federalism, and fundamental rights as basic principles which must be obeyed and by all. It goes further to establish institutions under which the ideals and goals it promotes are upheld and realized. Interestingly, the Constitution of the Federal Republic of Nigeria, 1999 encapsulates these features, principles and more.

The gravamen of constitutionalism is that the provisions of the constitution are strictly followed; governance is exercised and conducted in accordance with the constitution which is the supreme law of the land; the respective organs and tiers of government and indeed the entire citizenry of the country shall all act and operate only within the confines of the constitution which is binding on all in absolute terms.\(^{12}\) Constitutionalism set the principles which mandate all authorities and persons to be bounded by rules as enshrined in the constitution. By implication, the power granted to government is not absolute and individual liberties and freedom are guaranteed and respected.

**Democracy:**

The idea of democracy etymologically was derived from two Greek words – Kratos (power) and demos (common people). Simply put, democracy means “power to the people” or “rule of the people”. Today the word “democracy” means several things to different people and climes. The bottom line however is that whether the government be a monarchy or an aristocratic regime, once the ruler gets the mandate of the people; it will pass as a democratic government.

The Oxford Advance Learners Dictionary: Student Edition, defines democracy as “a system of government by all the people of a country, usually through representatives whom they elect, though as allowing freedom of speech, religion and political opinion….\(^{13}\) Maconis, defines democracy as “a type of political system that gives to the people as a whole”.\(^{14}\) The most popular definition of democracy was that given by the 16th President of the United States of America – Abraham Lincoln, in 1863. He defines democracy as “the government of the people, by the people, and for the people”.\(^{15}\) This paper aligns itself with Lincoln’s definition irrespective of its criticism because it is very simple, and it gives a clear picture of what democracy implies. It captures the real essence of the practice of democracy as a kind of government that has popular power in which people are free, happy, duly represented and people decide what happens through representatives. A government that is continually focusing on the general will of the people.

\(^{12}\) See generally, Nwogu, K.C., Supra n. 3, 29.
\(^{15}\) See The World Almanac and Book of Facts, 1979, 477.
Constitutionalism, Democracy And Development In Nigeria

In a democracy whether representative or participatory, authority is rooted in the consent of the people. It imposes clear, legally established limits to what elected officials can do. All participants in the system must obey the rules regarding such principles as popular representation, popular sovereignty, popular participation, periodic open, free and fair election, majority rule, competitive opposition, observance of the rule of law, guarantee of basic civil liberties including freedom of speech and the press, freedom of association and peaceful assembly, right to life, right to personal liberty, right to dignity of the human person, and the establishment of an independent judiciary.

It is noteworthy that Nigeria is declared and acclaimed a democracy. Section 14 of the Constitution of the Federal Republic of Nigeria, 1999 provides as follows:

(1) The Federal Republic of Nigeria shall be a State based on the principles of democracy and social justice.

(2) It is hereby, accordingly, declared that –

(a) sovereignty belongs to the people of Nigeria from whom government through this constitution derives all its powers and authority;

(b) the security and welfare of the people shall be the primary purpose of government; and

(c) the participation by the people in their government shall be ensured in accordance with the provisions of this constitution.

Development:

Development as a concept defies a precise meaning. To the individual, economists, sociologist and political scientist, the concept may mean several things. Despite the challenge of definition, it is agreed by all that the concept connotes some kind of advancement or improvement in an organism, institution or society. Seer conceives development as “the creation of conditions for the realization of human personality, which implies a reduction in poverty, unemployment and inequality.” And, Anderson and Woodrow define development as “a process through which peoples’ physical/material, social/organizational, motivational/attitudinal vulnerabilities are reduced, and their capacities for progress are increased.”

Development overcomes problems like malnutrition, illiteracy, unemployment, diseases, inequality, insecurity, infrastructural decay, et cetera. The World Bank sees development as “including the attainment of the elementary qualities in the areas of good health, high level of education/literacy, individual liberty, environmental security, satisfactory individual earning capacity, high life expectancy and low mortality level.” In analyzing the concept of development, Claude Ake stated that “development is the attainment of an easier and higher standard of life set by the developer in

---

accordance with his aspiration, value and need. The process of development involves an enlargement of citizens’ choice, political freedom which guarantees human rights and acquisition of capacity to live a more rewarding and fulfilled life. Walter Rodney states that development in any society can be classified into two parameters, namely: political and socio-economical development. Political development is the advancement in governance, while socio-economic development includes advancements in economic and socio-cultural practices like technology, material well-being, per capital income generation, et cetera. In this paper, development is conceived from Rodney’s perspective.

It is true to say that the ability of a society to utilize opportunities that abound in its environment will determine its level of development. Nigeria is endowed with enormous human and natural resources that can make it a developed nation. Ironically, the nation is still underdeveloped.

**ESSENTIAL COMPONENTS OF CONSTITUTIONALISM**

In this segment, we shall briefly examine some essential components of constitutionalism upon which the doctrine thrives. They include: the supremacy of the constitution, separation of powers and the rule of law.

**Supremacy of the Constitution:**

One vital component of constitutionalism is the “supremacy of the constitution” by which the constitution secures primacy for itself as the supreme and organic law of the land binding on all authorities, institutions and persons. The supremacy of the Constitution of the Federal Republic of Nigeria, 1999 is not in doubt. The constitution unequivocally provides:

This Constitution is supreme and its provisions shall have binding force on all authorities and persons throughout the Federal Republic of Nigeria.

The Federal Republic of Nigeria shall not be governed, nor shall any person or group of persons take control of the Government of Nigeria or any part thereof, except in accordance with the provisions of this Constitution.

If any other law is inconsistent with the provisions of this Constitution, this Constitution shall prevail, and that other law shall to the extent of the inconsistency be void. 21

The courts in Nigeria have reiterated this sacrosanct position over time. In Bagudu v. FRN, 22 the court held that the 1999 Constitution is superior to other legislations in the country, and any legislation which is inconsistent with the constitution would be rendered inoperative to the extent of such inconsistency. In Obasanjo v. Yusuf, 23 the court emphasized the supremacy of the constitution in the following words: “The Constitution is the supreme law of

---

21 See the CFRN, 1999, Section 1(1) (2) and (3) thereof.
23 (2004) 9 NWLR (Pt. 877) 188.
Nigeria ... it is only subject to itself. The constitution occupies the prime position of the *grundsatz* and *fons et origo* of the legal system. In Fasakin Foods (Nig.) v. Shosanya, the court state that “The Constitution is supreme; it is the organic or fundamental law and it is the *grundsatz* of Nigeria. The Constitution is the *fons et origo* and foundation of all laws.”

The implication of the above is that the constitution becomes the first and last port of call as it relates to the distribution of power amongst the respective organs and tiers of government in Nigeria. It mandates all persons, authorities, institution in Nigeria to observe and respect the tenets of the constitution.

**Separation of Powers**

The doctrine of separation of power creates division of powers into the legislative, executive and judiciary. The primary aim is to prevent friction, preserve political liberty, prevent oppression and abuse of power. It arose from the need to ensure restraint of governmental power by dividing that power through a system of balance or shared powers without carrying the division to an extreme, incompatible with effective government. The ideal of this system is the provision of effective checks and balances in the governance structure as each organ is obliged and expected to keep within and guard its bounds of authority.

Separation of powers is enshrined in the Constitution of the Federal Republic of Nigeria, 1999. Under the extant provisions, the National Assembly makes law for the peace, order and good governance of the country. The executive implements the laws and policies of governance through the President or Governor, while the power to interpret laws are vested in the courts established under the constitution. Each organ of government maintains its independence as greatly facilitated by checks and balances, thereby precluding the exercise of arbitrary power. For example, the legislature perform oversight function in relation to executive acts, possesses the power to impeach the President or Governor where there is abuse of power, and has power to ratify or reject appointments made by the executive. On its part, the executive has power to veto bills made by the legislature. The judiciary performs the function of review of legislative and executive acts. Each organ is therefore the watchdog of the other.

---

29 See the CFRN, 1999, Sections 4, 5 and 6 therefore.
It is noteworthy that the powers conferred on the legislature, executive, and judiciary must be exercised within the tenets and principle of the rule of law and the provisions of the constitution. Thus, there would be no separation of powers with checks and balances in the absence of constitutionalism and vice versa.

**Rule of Law:**
Although, the origin of the doctrine of rule of law is the theories of early philosophers and theologians, the work of Professor Albert Venn Dicey is legendary in attempting to define the concept. Three perspectives are espoused by him. In summary, they are:
(a) absolute supremacy of civil law as opposed to the exercise of arbitrary powers, that is, no man or authority is above the law;
(b) equality before the law, that is, all men are equal before and in the eyes of the law, therefore, everybody must subject himself to the ordinary laws of the land; and
(c) that the constitution is the result, collation, or synthesis of the ordinary laws of the land as interpreted by the courts. Thus, the constitution must therefore protect the fundamental rights of man.

Today, the rule of law connotes much more. It means the observance and supremacy of civil or regular laws, equality of all citizens before the law, action according to the law, respect for decisions of courts, governance according to civil law or laws that are reasonably justifiable in a democratic society, respect for human rights and finally, the establishment and operation of constitutional democracy in its most comprehensive, purest, and finest sense.

Most if not all civilized nations in the world operate under the rule of law. In Governor, Lagos State v. Ojukwu, Justice Otutu Obaseki, JSC (as he then was) emphasized the applicability of the doctrine in Nigeria in the following words:
In the area where rule of law operates, the rule of self-help by force is abandoned. Nigeria being one of the countries of the world even in the third world which proclaims loudly to follow the rule of law, there is no room for the rule of self-help by force to operate... the court expected the utmost respect of the law from the government itself which rules by the law... the Nigerian constitution is founded on the rule of law the primary meaning of which is that everything must be done according to law.

---

32 See Dicey, A.V., *Law of the Constitution*, 1885. The work has been much criticized but remains authoritative. See Lawson, “Dicey Revisited” (1959) 7 Political Studies 109;
35 (1986) 1 NWLR (Pt.18) 621
36 Ibid., at 636-638; see also Obeya Memorial Hospital v. A.G. Federation & Ors (1987) 3 NWLR (Pt.60) 325; Agbai v. Òkoghu (1991) 1 NWLR (Pt. 204) 391. Although these decisions were in relation to the interpretation of the CFRN 1979, they are in all fours with the CFRN 1999.
Constitutionalism, Democracy And Development In Nigeria

It is noteworthy that the constitution as an organic document confers powers, create rights are define limits. To this end, constitutionalism lays the foundation for the rule of law to thrive. Conversely, constitutionalism is safeguarded by the rule of law. Basically, the “Rule of Law” means the “Rule of the Constitution” and both are antithetical to the “Rule of Man”. The rule of law helps to promotes separation of powers, observe checks and balance and uphold the supremacy of the constitution.

The Synergy Between Constitutionalism And Democracy

This paper had earlier aligned itself with the concise definition of democracy as espoused by Abraham Lincoln to mean-governance of the people, by the people and for the people. Democracy therefore is people oriented. All participants in democratic governance must obey the rule regarding such principles as freedom, popular participation, popular representation, popular sovereignty, equality, fairness, justice, free and fair elections, competitive opposition, observance of the rule of law and guarantee of civil liberties. On the other hand, constitutionalism sets the principle which mandate authorities and persons to be bound by rules as enshrined in the constitution. By implication, the provision of the constitution must be strictly followed and governance is exercised and conducted in accordance with the constitution which is the supreme law of the land. Some of the essential components of constitutionalism include: supremacy of the constitution, separation of powers and the rule of law.

This is the point where the twin concepts of constitutionalism and democracy meet. They are mutually re-enforcing and complimentary. Both concepts support common features and values such as rule of law, enthronement of civil liberties, political representativeness, equality, sovereignty et cetera. While democracy is concerned with how governance should be conducted in clear, legally and participatory limits, constitutionalism sets the principles upon which such governance would flourish. Accordingly, Corwin noted that “constitutionalism is a commitment to limitations on ordinary political power; it revolves around a political process, one that overlaps with democracy in seeking to balance state power and individual and collective rights.” The modern trend is to evolve what is referred to as “Constitutional Democracy”, that is, a government that is constitutional and which practice representative democracy. Where there is no constitutional and a democratic government in place in a country, it is almost futile to expect much respect for the rule of law or human rights. It is imperative that the synergy between constitutionalism and democracy be explored to ensure the right atmosphere for the development of Nigeria.

Exploring the Synergy between Constitutionalism and Democracy for National Development in Nigeria

Constitutionalism and democracy are basic ingredients for the growth and sustenance of socio-economic and political development of any nation. The

---

37 Malem. E. Supra n.31,89
triad concepts of constitutionalism, democracy and development re-invigorate one another. The framers of the Constitution of the Federal Republic of Nigeria, 1999, perhaps, may have been conscious of this very fact when the Nigeria State was declared to be one based on the principles of democracy and social justice. In other words, the state social order shall be one founded on the ideal of “freedom, equality, and justice”, rule of law, separation of powers, supremacy of the constitution and respect for fundamental human rights. It amounts to the democratic government focusing on the needs and aspiration of the people so as to secure the maximum welfare, freedom, happiness of every citizen on the basis of social justice and equality of status and opportunity; abolishing all forms of corrupt practices and abuse of power; ensuring the participation by the people in their government in accordance with the provisions of the Constitution; harness the resources of the nation and promote national prosperity and an efficient dynamic and self-reliant economy; securing and maintaining the independence, impartiality and integrity of courts of law and easy accessibility thereto; ensuring that there are equal and adequate educational opportunities at all levels; safeguarding the health, safety and welfare of all persons.

It is disheartening to note that since the re-adoption of democracy in Nigeria in 1999, rather than engage in development stride, the custodians of power, the political elites and their cronies are chiefly concerned with power tussle and self aggrandizements. Elections from 1999 – till date are classified as “do or die affair”. Corruption permeates all fabric of the Nigerian society. There is fragrant disregard for the sacred provisions of the constitution and court orders. Human rights abuse has become prevalent. These violations and

---

38 CFRN, 1999, Section 14 (1)
39 Ibid., Section 17 (1)
40 Ibid., Sections 4.5 and 6
41 Ibid., Section 1 (1) and (3)
42 Ibid., Chapter IV
43 Ibid., Section 16(1)(b)
44 Ibid., Section 15(5)
45 Ibid., Section 14(2)(c)
46 Ibid., Section 16(1)(a)
47 Ibid., Section 17(2)(e)
48 Ibid., Section 18(1)
49 Ibid., Section 17(3(c)
51 See the Corruption Perception Index, 2014 by Transparency International where Nigeria occupies 136th position bottom low out of 175 countries in the world, scoring 27% on an index rating of 100%, available at http://www.transparency.org/.../results, accessed on 15/07/2015 at 10.15am.
52 See Umor, H. et al “Buhari Govt. is Derailing, says PDP” where the present despicable state of the nation was reiterated by some PDP stalwarts. Vanguard Newspaper, July 14, 2015, available at http://www.vanguardngr.com, accessed on 14/07/2015 at 5.13pm.
many more account for under-development of the Nigerian nation.\textsuperscript{54} Abject poverty, inequality, political instability, poor education, poor health, unemployment, corruption, increased crime rate pervade the main features of the Nigerian economy. This unwholesome situation is totally unacceptable. The hope which democracy brings as an ingredient of development is gradually waning in Nigeria. Constitutionalism, true democracy and the rule of law have been abdicated. We respectfully submit that without the entrenchment of constitutionalism and the concomitant components of the supremacy of the constitution, separation of powers and the rule of law, the consolidation of Nigeria’s democracy and national development would be elusive. The synergy between constitutionalism and democracy is a \textit{sine qua non} for development to prevail in Nigeria.

\textbf{Recommendations}

Development thrives in any society where constitutionalism flourish and true democracy is practiced, but unfortunately, that has not been the case with Nigeria since the re-adoption of democracy in 1999. Consequently, the following recommendations are proffered:

- **Strict Adherence to the Tenets of the Constitution:** Governance should henceforth be conducted in strict adherence to the tenets of the constitution. All authorities, institutions and persons throughout the Federal Republic of Nigeria must be subject to the \textit{grundnorm}. The Constitution must not only be declared to be supreme, but it must be seen to be supreme.

- **Amendment of Some Provisions of the Constitution:** The 1999 Constitution lacks popular legitimacy. The false claim in the Preamble that “We the People” made it, which was clearly made by a military junta, must be dealt with once and for all. True federalism should be enshrined. To this end, local government autonomy should be granted. State institutions administering and consolidating democracy should be made truly independent. The provisions on Fundamental Objectives and Directive Principles of State Policy contained in Chapter II should be made justiciable. Restriction on legal proceedings, that is, “immunity for certain public office holders” (the President, Vice-President, Governor and Deputy Governor) should be abolished. The requirement of presidential assent for constitutional amendment should be abolished.

- **Independence of the Judiciary:** The temper, health and direction of any democratic government depend on the “texture” of its judiciary. In Nigeria, the judiciary has not only been financially dependent on the executive, but has been excessively politicized. It also suffers from integrity problem. For the judiciary to truly represent “the bastion of hope of the common man”, it should be granted financial autonomy. The

procedure for the appointment and removal of judicial officer need to be revisited.

- **Functional Legislature**: The legislature as the representative of the people should live up to the expectation of the citizenry. The “Rubber Stamp” legislative attitude currently being practiced across the country must be jettisoned. The legislature must pro-actively engage in their oversight function. National interest must override personal interest in the enactment of bills.

- **Anti-Corruption Reform**: Corruption is one of the major problems with Nigeria today. To help fight this cankerworm, the independence of anti-graft agencies must be ensured. They should be adequately funded and the areas of overlap of functions with the present institutional arrangement should be collapsed. Anti-graft agencies should not be used by leaders to pursue personal and political vendetta. All hand must be on deck to fight the scourge.

- **Re-Invigoration of Civil Education**: Mass orientation of the Nigerian citizenry on civil duties, national ethics, and rule of law should be embarked upon. National ethics such as discipline, integrity, dignity of labour, social justice, religious tolerance, self-reliance and patriotism should be emphasized. The culture of fairness and a shared value of mutual respect for one another should be promoted.

- **Leadership Quality**: Leadership in Nigeria has the bulk of the blame in the failure of the democratic effort and present state of underdevelopment. Leadership should begin to do the peoples wish and satisfy their yearnings. What the country needs at this time, is a disciplined, selfless, incorruptible, patriotic, progressive, visionary leadership. A good, responsible, accountable, transparent and law abiding government at all tiers of government. Leadership that is concerned with sustainable economic growth of the country and prosperity of the people. To this end, there must be readiness and will on the part of leaders to embark on and implement both long and short term development plan.

**CONCLUSION**
The paper examined the twin concepts and components of constitutionalism and democracy. It was found that both concepts are mutually re-enforcing and complimentary. They bear common features and values such as rule of law, enthronement of civil liberties, political representativeness, equality, popular sovereignty, et cetera. The paper further found that constitutionalism and democracy are basic ingredients for the growth and sustenance of socio-economic and political development of any nation. It is the flagrant disregard for the sacred provisions of the *grundnorm*, the enthronement of the “rule of man” instead of the “rule of law”, the unwillingness of the Nigerian people to imbibe the culture of true democracy, the emphasis on power tussle and self aggrandizement, the penchant for human rights violation, the disregard for court orders, unimaginable level of corruption by all and sundry, lack of patriotic and visionary leadership, amongst others, that account for underdevelopment in Nigeria. Therefore, the synergy between constitutionalism and democracy need to be explored for development to prevail in Nigeria.
International Journal of Governance and Development (IJGD)

ISSN: 1597 – 1740

Volume 4 No. 2, July, 2015

PUBLISHED BY
Institute for Governance and Development,
Ambrose Alli University,
P.M.B.14, Ekpoma, Edo State,
Nigeria.