

Democracy and Capacity for Governance in Post 1999 Nigeria: Case Analysis of Corruption

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Abstract: *Following the late 1990s as the third wave democracy swept across Africa, discourses on democracy and the social construction of capacity for anti-corruption governance in Nigeria, Africa's largest democracy have rarely taken a critical comparative perspective. The study moves from broad descriptive analysis, with comparisons over time on corruption issues in the Obasanjo and Jonathan administrations to a more intensive analytic investigation using comparative case analysis methods. We reviewed composite data on corruption in Nigeria from the Corruption Perception Index (CPI) between 1999 to 2015 and data on capacity for governance from the World Governance Indicator (WGI). Findings suggest that both administrations lacked the capacity to mitigate corruption. Alternatively, the paper argues that capacity for anti-corruption governance has been a substantial clog to democracy deepening and concludes that the current conduct of governance, power play and the social dynamics of politics should be revisited.*

Keywords: Democracy, Capacity for Governance, Corruption, Development, Nigeria

INTRODUCTION

The last 20 years or so has seen the emergence of the term good governance or capacity to govern. While governance is premised on providing basic elements that could guarantee human welfare (UN,1997a),the questions of capacity for governance, which underscores capability, skill or aptitude to govern puts the domain of anti-corruption less frontal in democracy theory. Capacity for anti-corruption governance is a new research agenda, which seeks to understand the capacity of governments to institutionalize anti-corruption in governance. The term gained scholarly relevance in the 1990s following resurgence of democracy and good governance (World Bank,1992).The specific context developing countries such as Nigeria has demonstrated the capacity for anti-corruption governance remains less clear. This is a major research and policy gap this study seeks to fill.

Over the last two decades, democracy has emerged as a universal construct in the developing societies following the end of the Cold War (Huntington,1991; Mkandawire, 1999;Sen,1999). Mkandawire (1999) argued that a “choiceless democracy” had taken toll as authoritarian one party system is replaced with a multi-party system across Africa. A central question in Africa’s democracy namely ‘capacity for governance’ has become a major area of research enquiry to understand how institutional mechanisms are effectively deployed to steer the affairs of the state. While there is a growing scholarly consensus on the importance of governance, the capacity for governance remains an ongoing debate. As democracy creates the core responsibility to govern, most developing societies are constrained with lack of capacity to govern (World Bank,1992). Frischtak (1994) argues that capacity for governance is the ability to coordinate the ‘aggregation of divergent interests and thus promote policy that can be taken to represent the public interest’.

The argument is that “capacity is essential to engage the support and compliance of society to governmental decisions, and, of course, to make policies sustainable over time” (Frischtak,1994). Amadi (2018) observed that the term “capacity development” emerged in development studies in the 1970s and was strengthened within the UN system in the context of “institution building” in the 1990s. ‘This encompassed impacting on the ability of institutions for improved and efficient performance’ (Amadi,2018,p.43). He further argued that the UN specialized agencies were charged with the responsibility of ensuring that various institutional capacity building were developed within a wide range of sectors such as environment (UNEP),cultural (UNESCO), developmental (UNDP),food (FAO),health (WHO) etc (Amadi,2018,p.43).

The 1989 World Bank publication titled “Sub Saharan Africa-from Crises to Sustainable Growth” is generally considered the first document from multinational development agencies to use the term “good governance”(democracy) in treating development issue. The assumption is that good governance (democracy) is a necessary condition for socio-economic development. The then president of the World Bank, Barber Conable used the term “good governance” in the forward to this 1989 publication to connote efficient public service, reliable justice system and accountable government which is assumed to be realizable only under liberal democracy. In less than six years after this World Bank publication, most dictatorial and one party governments in Africa has been replaced by ‘donor democracies’ mostly as a result of World Bank’s insistence on democracy as precondition for loan, aid and other financial assistance which most African states depended on then.

At issue is how to build and strengthen this capacity which appears less studied in governance circle in most developing democracies. Presently in Africa, democracy is the ‘default political condition’ but its emergence in Africa and other developing countries has raised more questions than answers. Central to the dilemma of democracy in Africa is the fact that twentieth century democracy did not emerge endogenously in Africa, it was more or less externally imposed in such a way as the imposition of

modern states and capitalism (Ake, 1981; Ekekwe, 1986; Meredith, 2006). While the imposition of capitalism and modern state has thrown up theories and concepts like, post-colonialism, over developed states and disarticulation of mode of production, the twentieth century imposition of democracy has also raised questions on good governance, state and governance capacity, democracy and development, democracy and capitalism, democracy and capacity for governance and sometimes on the precise meaning of democracy as a modern political concept.

It appears governance and development are still a mirage in Africa and once again questions are being raised. The focus has now shifted to state capacity for governance. The failure of development is attributed to failure of state institutions as a result of states' low capacity for governance. Therefore the present role of political/development experts are to shore up or create the missing state capabilities and institutions (Fukuyama, 2004). This in turn has raised plethora of questions among which are, the precise meaning of state capacity, the indicators and method of measurement, the impact of the nature of the state on its capacity for governance and the nature of relationship between democracy and state capacity.

The study puts forward a central research question: Has Nigeria's democracy been responsive to anti-corruption? Put differently, has corruption considerably reduced in the cause of governance in post 1999 Nigeria? To answer these questions and provide concrete evidence, the study adopts comparative case analysis of corruption between two democratic governments in Nigeria; the Obasanjo administration (1999 - 2006) and the Jonathan administration (2007-2015)

Against this backdrop, this paper makes a new contribution in the broad field of political science, it offers alternative explanation, which posits that the understanding of state capacity for governance in the context of corruption transformation in the developing economies challenges the assumption that Western democracy is inherently non 'feasible for Africa' (Ake, 1996), alternatively, it follows the capacity for governance school and demonstrates in sufficient details that the failure of democracy and in particular anti-corruption governance in Nigeria is an attribute of poor capacity to govern.

DATA AND METHODS

The study is a qualitative review which adopted a critical comparative case analysis. The analysis to follow employs survey data to address the questions raised in the study. The research moves from broad descriptive analysis, with comparisons over time on corruption and governance issues in the Obasanjo and Jonathan administrations to a more intensive analytic investigation using comparative case analysis methods. Yin (2002) argued that case analysis provides lucid evidence of events and the actors directly involved. Multiple authoritative qualitative data on governance were sourced.

The focus is on the most up-to-date data, which provide evidence of corruption between both administrations and suggest poor capacity for anti-corruption governance. In order to provide a lucid analysis of weak anti-corruption governance in the period under review, longitudinal data from CPI were adopted. Specifically, the study reviewed Nigeria's Corruption perception index (CPI) between 1999 to 2015 and followed the World Governance Indicator (WGI). The WGI covers over 200 countries and territories, it measures six dimensions of governance starting in 1996: Voice and Accountability, Political Stability and Absence of Violence/Terrorism, Government Effectiveness, Regulatory Quality, Rule of Law, and Control of Corruption. The aggregate indicators are based on several hundred individual underlying variables, taken from a wide variety of existing data sources (Kaufmann, Kraay & Mastruzzi, 2010).

Recent data from the Nigerian corruption scenario published by two influential members of the Obasanjo and Jonathan cabinet were further reviewed (Iweala, 2018; El-Rufai, 2018). Additional data came from annual survey of the National Bureau of Statistics (NBS) 2000 to 2015. The NBS provides annual statistical data regarding key socio-economic trends in Nigeria, addressing the set of questions on corruption. Further, analysis of the governance sequence was explored in **Fig. 1** (Fukuyama, 1992; Khan, 2004; Burkhart & Beck 1994), while **Fig. 2** highlights phases of democratization (Hyden, 1991).

Next, the paper adopts a longitudinal review, turning to compare the current levels of corruption with earlier surveys dating back to 1999 (World Bank, 1992; UNDP, 1997a; TI, 1999; Rodrik, 2004; Amadi, 2018). The earlier data are from NBS, Transparency International and Human Right Watch. Key issues to consider in comparing these data over time include public accountability, transparency, embezzlement of funds from various surveys conducted following Nigeria's nascent democracy.

Public corruption is essentially a major factor to be considered in understanding dynamics of governance and democracy. In order to explore the data further, factor analysis is then employed to identify key dimensions in the data. These are then subjected to multivariate analysis to determine differences in the socio-economic correlates of corruption and capacity for anti-corruption governance.

ANALYTICAL FRAMEWORK

There is a widespread theoretical and conceptual perspectives on governance and what it means (World Bank, 1992; UNDP, 1997a; Rodrik, 2004; Amadi, 2018). However, theoretical analysis and critical assessment of the linkages between democracy and the capacity for governance in Nigeria, in terms of transparency and accountability, poses a number of challenges for political-economic discourse. Such theoretical debates form part of a general discursive analysis deployed to

understand the dynamics of anti-corruption and social relations which shape governance and its outcome. Yet, some of the existing theoretical strands could be contentious, as there are often no consensus or single criteria to arrive at conclusions regarding governance and mitigation of corruption.

The orientation towards capacity for governance has given rise to the question regarding the changing nature of governance, including the results based governance, people based governance, inclusive governance, accountable governance, participatory governance and social re-engineering in the process of governance. The structural functionalist theory thus re-ignites the foundational basis of governance namely “capacity to govern”.

The structural functionalist theory offers a way of thinking about structures embedded in governance and how these structures could play active roles to strengthen or undermine the capacity for governance. The structural functional analysis is based on the political system and how it functions. It has been more widely used in the context of comparative politics as it provides the standard categories for different types of political systems. It originated in social anthropology in the writings of Radcliffe-Brown and B. Malinowski. And was further developed in the field of anthropology by Talcot Parsons, Robert Merton and Marion Levy (Gauga,2007).

Gabriel Almond and J.S Coleman identified four characteristics of the political system:(a)all political systems have political structures,(b)the same functions are performed in all political system with different frequencies and by different kinds of structures,(c)all political structures are multi-functional ;and (d)all political systems are ‘mixed’ systems in the cultural sense, ie, they are based in a culture which is always a mixture of the modern and the traditional. This approach was further developed by Almond and Powell (1966).

Structural functionalists theorists contend that all political systems, regardless of their type, must perform a specific set of tasks if they are to remain in existence as systems in working order (Gauga, 2007:96). It is this ‘specific functions’ that justify the suitability of this theory to explore capacity for governance. In particular, capacity for governance has challenged the implicit inability of leaders to assume leadership roles, and has argued instead for the need for political office holders to have the capacity to govern as basic criteria to deliver good governance (Mathews,2012). Such capacities are multivariate and includes both innate abilities, educational qualification, experience, individual leadership quality, aptitude etc which could account for successful governance or otherwise.

For our purpose, the study is concerned with corruption, as corruption remains a major development issue in Africa (Amadi & Ekekwe,2014). Indicators of variables to understand the capacity for governance and issues of corruption in both the administrations under review were examined . The Obasanjo and Jonathan administrations are important to explore the broader elucidation of democracy and good governance as the Obasanjo administration came at the immediate aftermath of military dictatorship while the Jonathan administration came almost a decade of democracy consolidation. Historical and comparative analysis were drawn to understand what has changed or how corruption has been transformed in the context of capacity for governance in Nigeria’s democracy.

CONVERGENCE AND DIVERGENCE OF THE STATE, DEMOCRACY AND CAPACITY FOR GOVERNANCE

The concept of state capacity is a problematic one. It is fluid, elusive and lacks a generally accepted definition, meaning different things to different scholars. Few definitions by various scholars are given here to support this position. Ake (1985) had argued that State in Africa is increasingly a modality for class domination. Fukuyama (2004), posits that state capacity is the ability of the state to plan and execute policies and to enforce laws cleanly and transparently. It covers the states’ ability to administer efficiently, control corruption and maintain accountability and transparency. For Ottervik (2013), state capacity represents the ability of the state to dominate and coerce compliant behaviour from individuals of a given territory. In the work of Adam, Tarrow and Tilly (2001) it is the degree of control the state agents exercise over persons, activities and resources within their governments’ territorial jurisdiction. While Arevalo (2016) defined it as the ability of the state to respond to the demands of the citizens, Skocpol (1985) viewed it as the ability of the state to implement official goals. This problem of definition ultimately spills over to indicators and measurement. Each scholar selects indicators based on key elements of his definition. In the end every political and sometimes economic factor has one time or the other, in one study or another been used as an indicator in measuring state capacity. To this effect, state capacity is a multi-dimensional concept covering a wide range of governance indices among which effective administration and policy implementation are prominent.

The concept of state sometimes confuses analysts, so it must be emphasised that the state is nothing but mere abstraction. Miliband (1969) posits that the state is not a thing and therefore does not exist as such, while Ndu (1998) calls it an intangible entity. Foucault (1994) contends that State is nothing but a mystified abstraction. These clearly represent the general view among scholars that the state has no concrete or objective existence rather it is only an abstract term that manifests physically through its attributes and functionaries.

The relationship between democracy and state capacity is not a simple one. For example, scholars like Ake (2001) hold that democracy is part of the very public goods that high capacity states ought to deliver. In other words, democracy is a product of effective administration and public goods delivery and not the other way round. This view seems to be gaining ground recently

among scholars. Knutsen (2013) posited that democracy and democratic process is dependent on the state capacity and weak capacity state is unsuitable for democracy.

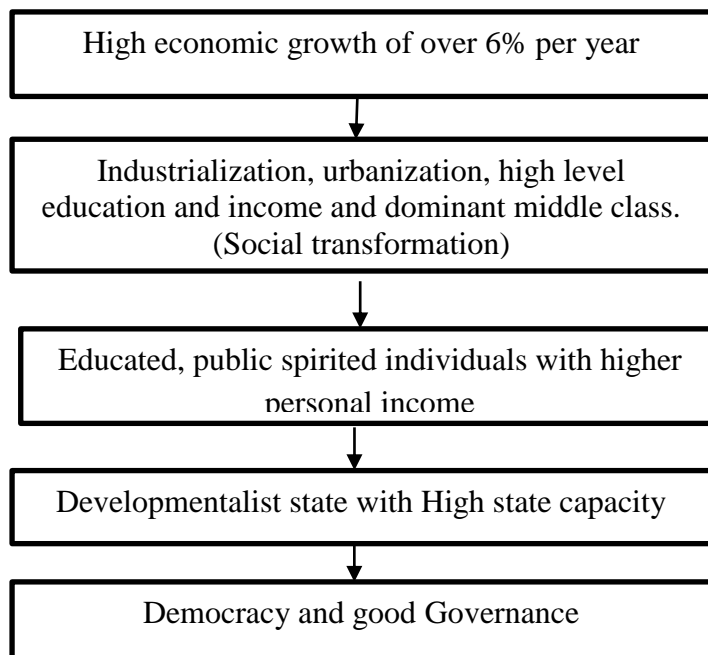
Modern political science owes enamours debt to Aristotle. However that democracy is the best form of government was not among Aristotle’s contribution to political science. In his works though he enumerated some advantages of democracy, he nevertheless remained a vigorous critic of the system and upheld aristocracy as the ideal form of government. It was not until seventeenth century with the strong advocacy of John Locke that the ascendancy of democracy as the ideal form of government began. This ascendancy was reinforced in nineteenth century by J.S. Mill with his logical arguments for personal freedom and representative government the two basic elements of democracy. Finally in the twentieth century Fukuyama declared that after many detour democracy has emerged as the “end point of mankind’s ideological evolution and therefore is the final form of human government” (Fukuyama 1992,p. xi).Presently in twenty-first century democracy has become “the default political condition”, the generally accepted form of governance, making any other form of government an aberration and unconventional.

Scholars seem to have gotten tired of arguing on the precise definition and principles of democracy. They have simply settled on periodic election as the key indicator of a democratic state. According to Fukuyama (1992,p. 43), “a country is democratic if it grants its people the right to choose their government through periodic, secret ballot, multi-party elections on the basis of universal and equal adult suffrage”. He however observed that there are infinite abuse of these democratic principles and in Fukuyama (2014) he noted that the mere fact that a country has democratic institutions tells a little weather it is well governed or not as governance failure have plagued many democratic countries. In other words democracy is no guarantee of high governance capacity.

In Arevalo (2016), the lower the state capacity, the lower the support for democracy and the higher the capacity the higher the support. Therefore weak capacity states and democracy are bad bed fellows, high state capacity is needed to consolidate democracy (Diamond, 2000). D’Arcy & Nistotskaya (2014) submitted that democratization after the state has acquired high level of state capacity leads to more efficient social order than the opposite sequence. If Democracy per se does not produce high capacity rather it is a product, what then produces high capacity for governance in a state. The answer is in the history of capitalism and democracy and their inter relationship in Europe.

The sequence of development as derived from Fukuyama (1992), Khan, (2004) and Burkhart & Beck (1994) is represented below

Fig 1. Governance Sequence



Sources: Fukuyama (1992), Khan, (2004) Burkhart & Beck (1994)

Fig. 1 shows governance sequence from a high economic growth over 6% per year, to social transformation encompassing industrialization, urbanization, high level education and income and dominant middle class this results in the emergence of educated, public spirited individuals with higher personal income culminating to developmentalist state with high state capacity which gives rise to democracy and good governance (Fukuyama,1992; Khan, 200; Burkhart & Beck 1994).

The genesis is economic growth, Khan (2002) states that state capacity depends more on economic growth and rising level of per capita income. For Sachs (2004), good governance is a product of economic growth rather than a cause of it, modern liberal democracy costs money. It therefore appears that high per capita income is a pre requisite for high state capacity and in turn democracy. This puts Nigeria and other African countries at odd position. The economic base for high state capacity and sustenance of democracy is lacking. The average economic growth rate for the last ten years of military rule in Nigeria (1989-1999) was 3.6 % (Nwalie & Nwaeze, 2018). In 1999 UNDP ranked Nigeria 151 out of 174 countries, according to Soludo (2003) with per capita income level of USD 300, Nigeria is one of the twenty poorest countries in the world. Industrialization is virtually non-existence unless in the extractive sector, with less than 30% capacity utilization rate and 2/3 of productive resources either idle or under employed. Over 65% of the citizens are semi educated rural dwellers engaging in subsistence agriculture and poverty level above 70%. Given this scenario democracy seems to be a luxury the country cannot yet afford. This seems to be Collier's idea when he stated that "the idea of democracy in Africa is mere delusion, what you have is façade rather than essential infrastructure the principles of democracy is yet to be internalised" (Collier, 2010). For Wunch and Olowu (1995), the institutional forms and procedure of democracy are simply too unfamiliar and alien to most Africans. It is better Africans revert to "African mechanisms of collective choice through indigenous African institutions". It is however unfortunate as most post colonialist scholars know that there is no past to go back to for African states. The situation is acceptably problematic but decades of dictatorship have taught us that democracy no matter how premature and distorted offers better hope for the future.

Therefore in analysing the Nigeria state, we are simply dealing with the character of its functionaries and their capacity for governance. The functionaries of Nigeria state between 1999 and 2015 bear witness to the fact that effective administration and public goods delivery have never been on their agenda. This argument will be elaborated within the context of corruption in a nascent democracy since 1999. Nwalie and Nwaeze (2018) have shown that democracy in Nigeria has made no improvement on the rate of corruption, poverty and unemployment in the country since 1999. Collier (2010) submitted that democracy has actually increased violence and insecurity since inception. This according to Meredith (2010) is as a result of the resurgence of ethnic and religious rivalries previously held in check by the military. A citizen was quoted in Meredith (2010, p. 582) as saying "when we were in the military regime we didn't get anything from the government but we had peace. Now we are in democracy; we don't get anything from government and we do not get peace". Why has democracy failed to deliver effective governance and public goods in Nigeria after eighteen years of inception? A comparative case analysis of corruption and capacity for governance follows.

COMPARATIVE EXPLORATION OF CORRUPTION AND CAPACITY FOR GOVERNANCE

This section provides a comparative case analysis of corruption between the Obasanjo and Jonathan administrations in Nigeria. It does not intend to provide an exhaustive analysis rather examines some salient indicators which provide sufficient answer to the question posed for this study.

Case Analysis 1: Corruption and the Obasanjo Administration (1999 -2007)

In 1999 Nigeria returned to democratic rule after several years of military dictatorship. Several studies have examined aspects of the patterns and dynamics of corruption in the Obasanjo administration between 1999 to 2006 (Adeniyi, 2011; Iweala, 2012).

On assumption of office, in May 1999 President Olusegun Obasanjo set up the Revenue Mobilization Allocation and Fiscal Commission (RMAFC) as a reaction by the Federal Government to provide a harmonized revenue body in Nigeria. Further was the enactment of the Independent Corrupt Practices Commission (ICPC) law in 2000 and Economic and Financial Crimes Commission (EFCC) law in 2000. While these were robust initiatives, on close inspection there appears to be evidence of corruption in his administration. Okwezuzu (2013) provides some insights into the Obasanjo administration;

Today, Obasanjo's farm is rated as one of the richest in the world, all in a space of eight years that he governed Nigeria. If that is not corruption, then I don't know what corruption means. If that is not abuse of office, then I do not know what abuse of office means. ... eight years of creating a few rich people, eight years of anti-masses programmes, eight years of deliberate junketing all over the world, eight years of make-believe, eight years of dictatorship, eight years of lack of coherent policies, eight years of so much wealth coming to the hands of government out of which Nigerians received aggravated poverty and economic pain. The so-called economic reforms of General Obasanjo where the heritage of Nigeria was sold, not even to the highest bidders but to the favoured bidders, contrary to the Constitution of Nigeria.

Similarly, Ebeh (2012) assessing thirteen years of Nigeria's democracy argued that Democracy cannot thrive with corruption. Stressing that thirteen years after Nigeria returned to democratic rule, the government has failed to introduce reforms to strengthen key institutions of government. Ebeh (2012) contends that if democracy is to thrive in Nigeria, the government must embark on a massive project to revamp key institutions such as the judiciary, the legislature, the executive and others. Otherwise, true democracy will continue to be an illusion.

The Petroleum Technology Development Fund (PTDF) which was established in 1973, meant for the welfare of our country by training our brilliant students in the universities with the fund. A fund meant for the improvement of our petroleum technology, a fund meant to ensure that the sons and daughters of poor parents who have the intellect can engage in research work. But alas! this fund was used. This fund was used, not only to pay lawyers, but to establish just one company alone... For eight years, Obasanjo did not build a single refinery to ensure a total reduction in the costs of petroleum products (Okwezuzu, 2013).

Another way to look at the incidence of public corruption in Nigeria is to examine Nigeria's incremental budgetary system with less development projects since the return to Democracy. Table 6 shows patterns of instrumentalism in Nigeria's budget system between 2000 to 2016.

Table 1: Nigeria's Federal Budget Summary 2000-2016

Year	Recurrent	Capital Expenditure	Total
2000	316,706,354,307	360,805,360,425	677,511,714,732
2001	397,856,858,542	496,357,946,644	894,214,805,186
2002	578,096,146,413	486,705,107	578, 582,851,502
2003	316,706,354,307	382,351,295,672	699,057,649,979
2004	539,286,472,751	349,868,371,837	889,154,844,588
2005	737,330,997,094	617,284,877,659	1,354,615,243,138
2006	950,321,044,808	568,556,877,659	1,518,877,922,467
2007	1,050,366,020,162	830,557,929,821	1,880,923,949,983
2008	1,352,932,377,417	860,297,858,932	2,213,230,236,349
2009			
2010	2,077,358,560,347	1,853,906,761,420	3,931,265,321,767
2011	2,425,065,124,967	1,146,750,553,167	3,571,815,678,134
2012	2,425,049,954,640	1,519,986,106,691	3,945,036,061,331
2013	3,365,764,770,349	1,621,455,655,252	4,987,220,425,601
2014	3,542,353,163,488	1,100,606,836,512	4,642,960,000,000
2015	3,791,948,491,709	701,415,465,449	4,493,363,957,158
2016	4,232,140,000,000	1,845,540,000,000	6,077,680,000,000
Total	20,075,194,199,592	14,256,227,970,632	34,331,422,170,224

Source: Federal Ministry of Finance (2017)

The question is; Do these figures justify the development of Nigeria? These are some of the questions for a future research. Segun Adeniyi the spokesman for late President Umaru Yar'Adua noted in Adeniyi (2011) that the total wage bill for political office holders in the three tiers of government in Nigeria as at 2007 amounts to 1.3 trillion Naira per annum, a sum more than twice the nation's capital vote for any given year. This is an intentional act of the state functionaries which shows where their priority lies as reflected in budget priorities. Prior to this time in year 1999 at the inception of the current democratic dispensation the then Minister of Finance Dr. Iweala alleged that President Obasanjo willfully removed the office of budgeting from the financial ministry to avoid the drastic reform she proposed in the budget process in setting priorities and its execution (Iweala, 2012). She further stated that the greatest opposition to reform occurred in instances in which transparency was to be introduced into government business because politicians and the elites were the beneficiaries from the dysfunctional system. All attempt to reform met with stiff resistance from that class and the reformers were physical threatened with death threats (Iweala, 2012). She concluded that the political class never really bought the reform program and where political will is lacking reforms could not go ahead. The content of the reform package was nothing more than means and ways of achieving effective administration and public goods delivery but the state as represented by its functionaries rejected that option.

Former President Obasanjo acknowledged the fact the elites are major stumbling block to effective administration and provision of public goods. In Obasanjo (2014;395) he stated " for eight years I superintended the affairs of Nigeria, the National assembly did not lift itself above the morass of selfishness, corruption and lack of adequate interest in matters of overriding national interest. It was a situation of the elites for themselves alone and no body for the people, the more money made available, the less the impact on the people". He further lamented that the legislative oversight function was turned into over-extortion with lots of corruption and cover-ups. National assembly annual budget was shrouded in mystery leading to tax payers maintaining a Senator with over 300 million naira and a member of house representative with over 200 million annually in a country where over 60% of the population live in abject poverty (Obasanjo, 2014). Furthermore, Nasir El-Rufai, the present governor of Kaduna state, a member of President Buhari inner cabinet and once also a member of President Obasanjo's inner cabinet stated in El-Rufai (2013) that the political space in Nigeria is occupied by dishonourable, incompetent and criminally minded people. The dregs of our society dominate the politics. The permanent secretaries and heads of service have consistently focused on taking care of

themselves and their narrow interests to the detriment of the nation; appointments, promotions and postings were bought and sold by the bureaucrats.

The Obasanjo privatization scheme was also marred by public corruption as several political elites disguised and bought over national assets. The major sectors of Nigeria's economy were placed on the building blocks of rapacious entrepreneurs, many of whom were in government, using proxies to purchase government properties, courtesy of the Bureau of Public Enterprises, and contrary to Section 16, sub-section 4 of the constitution which says that the major sectors of the economy shall be managed, operated and run by the Federal Government of Nigeria, solely and exclusively (Okwezuzu,2013).A related account argues that NITEL, another government investment relevant to the welfare of Nigerians was in the same mess. The constitution states that the economy of the country should not be operated in such a way that wealth would be concentrated in a few hands, but the reverse has been the case. A company emerged, called Transcorp. There was no Transcorp before Obasanjo rather Transcorp emerged from the bowel of Aso Rock, founded with the collaboration, connivance and conceptualisation of General Obasanjo to the extent that he owns 200 million shares (Okwezuzu,2013). According to Obasanjo, it will be the pillar of the private sector emerging in Nigeria. A few favoured friends were brought into Transcorp. Ndi Okereke-Onyiuke, the Director-General of the Nigerian Stock Exchange who was supposed to be a public officer ran the Transcorp with General Obasanjo. Both public officers contravened the code of conduct in the 5th and 3rd Schedules of the Constitution. Behold! General Obasanjo was never taken before the Code of Conduct Bureau for this (Okwezuzu,2013)

Transcorp acquired Nicon Hilton and NITEL.Obasanjo's regime will go down in history as the most corrupt regime in the history of this country in the sense that no regime ever made so much money as was made under Obasanjo's regime (Okwezuzu,2013). It got to a point that the price of one barrel of crude oil was \$70 and Nigeria at that time was producing 3,150,000 (three million, one hundred and fifty thousand) barrels per day.In 2013,Okwezuzu highlighted that the Federal Government made more than N200,000,000 (two hundred million dollars) everyday. He demonstrated that the more money the Obasanjo regime made, the poorer the Nigerian people became. And the more money the Obasanjo regime made, the richer a few people became, including Mr. President himself (Okwezuzu,2013). A related study argued that the Obasanjo library is linked to corrupt practices His library which he launched on May 14, 2005 at Abeokuta garnered N8.5 billion. [Femi] Otedola gave N250 million; [Otinba Mike] Adenuga N350 million; [Aliko] Dangote, N220 million; consortium of banks N1.9 billion; consortium of oil companies N2.4 billion and so on (Okwezuzu,2013).

These oil companies, for eight years Obasanjo was the Minister of Petroleum Resources apart from being the head of state. No oil block was ever given to anybody without the connivance and approval of General Olusegun Obasanjo. He was more active as an oil minister than Mr. President. So there must be more than meets the eye. So much money was poured into electricity. Olusegun Agagu was former Minister of Power. And others after him. Why are we still in darkness? (Okwezuzu,2013) Why is it that the government inherited 3,525 mega-watts of electricity in 1999 and now we are operating with less than 1,225 mega- watts after spending billions of tax payers' money. What happened to almost \$16 billion dollars earmarked and allocated to the power sector? (Okwezuzu,2013)

Thus in a situation where the executive, the legislature and the civil service care less about effective administration and public goods delivery, the state capacity when measured with developmental indicators is bound to be weak. These instances show that scoring low in governance capacity when developmentalist indicators are used is a deliberate choice by the Nigeria state. However there are other structural constraint within the country's democracy that reinforces this disposition of the state functionaries and elite.

Case Analysis 2: Corruption and the Jonathan Administration (2007 -2015)

The Jonathan administration which had a full swing at the aftermath of the death of President Yar'Adua experienced several incidents of corruption including money laundering, looting and bribery. It is credited to President Jonathan to have said that there is no corruption in Nigeria other than petty theft.

Between 2010 and 2015 when Goodluck Jonahan became President of Nigeria, there were several incidents of corruption; the unremitted US\$20 billion by NNPC in oil revenues owed to the state, which then Central Bank Governor Sanusi Lamido Sanusi reported and it was side stepped by the President and a Senate committee,which found Sanusi's account to be lacking in substance(Cocks & Brock, 2015). After auditing NNPC's account in January 2015 committee recommended that NNPC's non-remitted revenue was US\$1.48 billion, which it needs to refund to the government (Nigerian Bulletin,2015). However the reports released by both PwC and Deloitte found that truly close to \$20 billion was indeed missing or misappropriated or spent without appropriation(Nigerian Bulletin,2015).

In 2017 the United Kingdom's Department for International Development (DFID) reported that about \$32bn was lost to corruption during the six-year administration of ex-President Goodluck Jonathan. The first Lady Dame Patience Jonathan had

several cases of corruption scandal including massive looting of the state treasury, the Minister of Petroleum Diezani Allison Madueke looted several funds with various corruption charges. On 28 August 2017, a Nigerian federal court seized 7.6 billion naira (\$21 million) from bank accounts linked to Alison-Madueke (Olokor & Baiyewu,2012), the BMW purchase by his Aviation Minister, Stella Oduah to the tune of N255 million naira(Ogundipe, 2017; Sahara Reporters, 2013) and security contracts to militants in the Niger Delta, the Malabu Oil International scandal (Africa Oil & Gass Report,2015)"Others include \$2.2 billion illegally withdrawn from Excess Crude Oil Accounts, of which \$1 billion supposedly approved by President Jonathan to fund his reelection campaign without the knowledge of the National Economic Council made up of state governors, the president and vice president Adetayo,2015; The Punch , 2015).

In 2020, Federal High Court in Abuja convicted the former National Publicity Secretary of the PDP, Chief Olisa Metuh, on money laundering charges which the EFCC, preferred against him. Metuh's firm, Destra Investment Ltd, was found guilty of illegally receiving N400million from the Office of the National Security Adviser, prior to the 2015 presidential election, without contract approval or execution (Nnochiri,2020).

Table 2: Corruption Perception Index of Nigeria 1999 to 2015

Year	Total Number of Countries Surveyed	Nigeria's Ranking
1999	99	98
2000	90	90
2001	91	90
2002	103	67
2003	134	86
2004	147	96
2005	160	155
2006	164	147
2007	150	147
2008	180	121
2009	178	130
2010	178	134
2011	183	143
2012	176	139
2013	177	144
2014	175	136
2015	168	136

Source: Transparency International (1999-2015)

Table 3. Security votes in Nigeria between 2008 and 2013.

Year	Amount	President
2008	₦444.6 billion	Umaru Musa Yar'Adua
2009	₦233 billion	Umaru Musa Yar'Adua
2010	₦264 billion	Umaru Musa Yar'Adua
2011	₦340 billion	Goodluck Jonathan
2012	₦921.91 billion	Goodluck Jonathan
2013	₦1.055 trillion	Goodluck Jonathan

Source: National Assembly of Nigeria.(2014)

DISCUSSIONS: IMPLICATIONS FOR THE FUTURE OF DEMOCRACY AND GOVERNANCE IN NIGERIA

It is a fact that Nigeria's democracy is premature, resting on a state that appears modern in outlook but somehow mediaeval in nature. Bedevilled with tribal politics, crooked, incompetent and predatory leadership, primordial banditry and primitive accumulation (Clarke, 2010).It is true that Nigeria has adopted democracy without having acquired the economic, cultural and state capacity status that breed and sustain democracy. But it is also a fact that democracy is a stock and as such advances state capacity on cumulative basis. The duration of democratic regime and the extent of democratic experience do have positive impact on the state capacity as Leipziger, (2016) argued, however the Nigeria experience has been contradictory.

The evidence as found in issues of corruption from the longitudinal data of transparency international in **table 2** shows that in 1999 out of 99 Nigeria ranked 98,in 2000 out of 90 countries it ranked 90, in 2001 out of 91 countries, it ranked 90,in 2002 out

of 103 countries it ranked 67, in 2003 out of 134 countries, it ranked 86, in 2004 out of 147 countries, it ranked 96, in 2005 out of 160 countries, it ranked 155, in 2006, out of 164 countries, it ranked 147, in 2007 out of 150 countries, it ranked 147, in 2008 out of 180 countries, it ranked 121, in 2009 out of 178 countries, it ranked 130, in 2010, out of 178 countries, it ranked 134, in 2011, out of 183 countries, it ranked 143, in 2012, out of 176, it ranked 139, in 2013 out of 177 countries, it ranked 144 in 2014 out of 175 countries, it ranked 136 and in 2015 out of 168 countries, it ranked 136 are indicative of the urgency for alternative governance model.

Similarly, following the World Bank's , Worldwide Governance Indicators, which capture six key dimensions of governance (Voice & Accountability, Political Stability and Lack of Violence, Government Effectiveness, Regulatory Quality, Rule of Law, and Control of Corruption),

Governance in Nigeria has rarely been transparent and accountable. **Table 1** showed Nigeria's Federal Budget Summary 2000-2016, there is non-institutionalization of apparatus of hearing peoples' voice and accountability, there is political instability and violence exemplified in the persistent herdsmen and farmers attacks, post amnesty militancy in the Niger Delta and in particular Boko Haram terrorism killings, vandalization of property and internal displacements, leading to the ranking of Nigeria the third terrorised nation in the world by Global Terrorism Index (GTI, 2019), there is non- governance effectiveness as our data suggest, as Nigeria is ranked third most terrorised nation in the world by Global Terrorism Index (GTI, 2019) which increasingly undermine sustainable democracy (Amadi & Alapiki, 2012).

There is poor regulatory quality, despite the setting up of the Revenue Mobilization Allocation and Fiscal Commission (RMAFC), the Independent Corrupt Practices Commission (ICPC) law in 2000 and Economic and Financial Crimes Commission (EFCC), rule of law is violated, there are several evidence of violation of rule of law during the Obasanjo administration notable include the attack and shooting of Odi community in Bayelsa State by the military during the Obasanjo administration, the violation human and ecological rights in the Niger Delta arising from deleterious oil resource extraction by Multinational Oil Companies (MNOCs) in the Niger Delta.

In 2011, United Nations Environmental Programme (UNEP) recommended clean-up of the polluted Niger Delta communities, which has not been implemented to date. Overall the data provided in the study suggest poor control of corruption.

Democracy and state capacity for governance in Nigeria is a work in progress which will mature through gradual evolutionary process reinforced by discrete policy decisions. The duration of the maturity period depends on how soon the masses can neutralize the existing political class that are defending their entrenched interests in the dysfunctional system. As suggested in Soludo (2003) there is need for a fundamental rethinking of the country's governance structure and a way of strengthening the participation of the broad masses, the poor grassroots people in political process and decision making. There is need for greater decentralization in both structure and governance to give the people the ownership of the state and its governance which at this point is hijacked by the ruling cabal.

A country could be judged as having high or low capacity for governance depending on the definition adopted and set of indicators used in measurement. For example if state capacity is defined as ability of the state to coerce compliant behaviour from individuals of a given territory (Ottervik, 2003) definitely defunct Soviet Union and Saddam Hussein's Iraq will score higher than United Kingdom and USA. But reverse will be the case if it is defined as the ability of the state to respond to demands of the citizens (Arevalo, 2016). In other words a state could score high or low depending on definitions and indicators. Multinational organizations like World Bank and UNDP having defined governance as the manner in which power is exercised in the management of country's economic and social resources for development generally use indicators that focus on accountability, effectiveness and provision of public goods as shown in World Bank's Worldwide governance indicators (Kaufmann, Kraay and Mastruzzi, 2010). National development is assumed to be the end of every state and its government. The assumption however is a bit fallacious, it is not intrinsic in the definition of state that its goal must be national development and a state does not cease to be one if it has other goals outside it. A state logically speaking can exist for other purposes outside national development. Moreover national development can have a million interpretations. This brings up the issue of the nature of state.

Evans (1994) outlined features of two different states based on their internal structure, the developmentalist and predatory states. He further showed how the different state-type characteristics determine the manner in which governance and government business is conducted. In his differentiation, the bureaucrats in developmentalist states are not self-maximizers, and so they promote rather than impede economic and social development. However in predatory states the bureaucrats are self-maximizers, consequently they impede development, plunder the economy and exploit the people with irresponsible disregard for even the minimum welfare of the citizens. Most developmentalist states score high on worldwide governance indicators while predatory states score low. This is because the set of indicators used tally with the goal/end of the developmentalist states while it runs counter to the goals of predatory states. Nigeria has consistently scored low on both worldwide governance index and Mo Ibrahim Index of African Governance (IIAG). In 2017 Index of African Governance, it ranked 35 out of 54 countries and moved to 33rd position in

2018. This is a fair result when we measure the capacity a predatory state with developmental indicators. But from all indications Nigeria will do better when we use state extractive power as the measure of overall capacity to govern. Evaluation must be based on goals and objectives and not on some external normative indices.

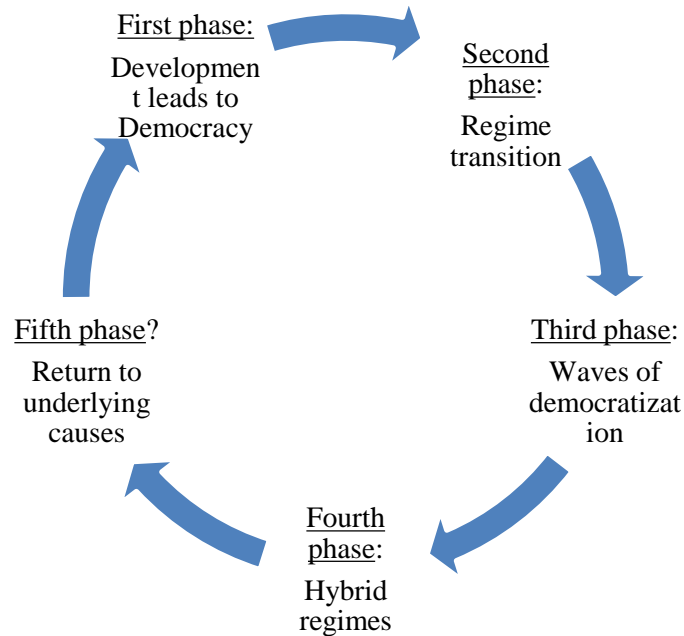
Socio-economic development and provision of public goods have never been on the agenda of Nigeria state. Ake accurately described the Nigeria situation when he stated that “the problem is not so much that development has failed as that it has never really been on agenda in the first place” (Ake,2001,p.1). In this case, effective administration and provision of public goods have never really been on the agenda.

CONCLUSIONS

The analysis from this study substantially points out that Nigeria’s leadership since the return to democracy has not demonstrated the capacity for good governance. There is need to change the dominant practice. Capacity for governance entails requisite aptitude to govern and ability to follow the ideals of good governance. Democracy in Nigeria has not been able to change Nigeria’s body politic. While Nigeria has adopted democratic rule, institutionalization of democracy culture remains at issue. After eight years rule of President Obasanjo he sought for tenure elongation in 2007, which was undemocratic. While President Jonathan conceded defeat at the poll in 2015, the serial cases of corruption against Jonathan’s wife by the Economic and Financial Crimes commission, vitiated the integrity of his government.

The argument is that capacity for governance should operate as an institutional apparatus or laid down rules and standards for governance which successive leaders must follow, providing a basis from which governance can proceed, but not undermining viable policy initiatives of incoming governments. Thus, studies in capacity for governance can proceed with questions regarding individual and institutional capacity(Amadi,2018), constitutionalism, social justice, rule of law and accountability. These are the key tenets of good governance and in particular suggests the way capacity for governance can operate indoor to strengthen democracy and good governance. Furthermore, capacity for governance provides a rationale for refusing to subsume governance to corruption or insecurity of lives and property, simply because the capacity for government is pro- development and pro people. . That is, it is framed with the primacy of meeting the core development needs of the people through responsive and participatory governance. Our comparative analysis further draws policy attention to a radical transformation of Nigeria’s democracy and institutionalization of good governance through a strong demonstration of the capacity to govern. It is possible—indeed, desirable—to redefine governance both as a field and activity of those in government but more importantly as tool to meet the development needs of the people.

It is a fact that Nigeria’s democracy is premature, resting on a state that appears modern in outlook but somehow mediaeval in nature. Bedevilled with tribal politics, crooked, incompetent and predatory leadership, primordial banditry and primitive accumulation (Clarke, 2010).It is true that Nigeria has adopted democracy without having acquired the economic, cultural and state capacity status that breed and sustain democracy. But it is also a fact that democracy is a stock and as such advances state capacity on cumulative basis. The duration of democratic regime and the extent of democratic experience do have positive impact on the state capacity as Leipziger, (2016) argued, however the Nigeria experience has been contradictory. Democracy and state capacity for governance in Nigeria is a work in progress which will mature through gradual evolutionary process reinforced by discrete policy decisions. The duration of the maturity period depends on how soon the masses can neutralize the existing political class that are defending their entrenched interests in the dysfunctional system. As suggested in Soludo (2003) there is need for a fundamental rethinking of the country’s governance structure and a way of strengthening the participation of the broad masses, the poor grassroots people in political process and decision making. There is need for greater decentralization in both structure and governance to give the people the ownership of the state and its governance which at this point is hijacked by the ruling cabal.

Fig2. Phases of Democratization

Source: Hydén, Court and Mease (2004)

In **Fig.2.** phases of democratization, Hyden etal. (2004) demonstrate that democratization undergoes series of processes the first phase, development leads to democracy, second phase is regime transition, third is waves of democratization, fourth is hybrid regimes and the fifth is return to underlying causes.

Towards institutionalizing capacity for Governance

The point we have been making in this paper is that a major constraint to democracy deepening in Nigeria has been the failure of capacity to govern. While democracy has its paradoxes and contradictions in much of Africa since the 1990s, the narrowing of the policy space in development has increasingly been an attribute of poor capacity for governance. Nigeria's leadership has not demonstrated the much expected political will for democracy culture and modes of securing the wellbeing of citizens, such as human security. On the contrary, there have been incidence of human security threats from the Boko Haram insurgency in the North East to the resurgence of local cultism in the Niger Delta and the senseless killings of the herdsmen in the north central. The attendant effect of corruption has been massive leading to poverty, unemployment and poor economic transformation. A new democratic model is suggested where Nigerian leadership could evolve the requisite capacity for governance through aptitude to democratic ideals and commitment to accountability, rule of law, transparency and equality. These are needed if democracy should work in Nigeria. The following approaches could be helpful;

(i).Engaging the CSOs to fight against public corruption. Since the return to democracy, a major challenge has been public corruption. If democracy should flourish in Nigeria, there is need for collaborative effort to end corruption. It is not a fight by Economic and Financial Crimes Commission (EFCC) or Independent Corrupt Practices Commission (ICPC), collaborative effort to end corruption will enthrone a more democratic polity.

(ii).New yardsticks should form standards for the choice of Nigeria's leadership particularly at the presidential level. For instance, ex-military leaders have proved undemocratic since Nigeria's democracy and should be constitutionally disenabled at top political offices.

(iii).The failure of Nigeria's governance to effectively guarantee human security, human rights and rule of law since the return to democracy has been a pointer to the issue of failed capacity for governance. Renewed collaborative efforts are needed to guard against threats to human rights and human security such as the Boko Haram terrorist group, the herdsmen killings, rise in local cultism in the Niger Delta particularly in Rivers State, proliferation of Small Arms and Light Weapons (SALWs) should be addressed through new policy framework.

(iv).There is wide gap between democracy culture and democratic government in Nigeria. To institutionalize capacity for governance in a democratic system entails building democracy culture where the ideals of democracy could flourish.

(v).Democracy beyond periodic elections: Nigeria and indeed most African countries are "electoral democracies" and do not practice the core tenets of democracy; rule of law is violated, accountability is undermined and public opinion suppressed. Capacity for governance instils compliance to the tenets of democracy, it is a pro poor and pro people dynamic of governance.

(vi). Inclusive and participatory democracy at all levels is needed. There is nothing wrong with democracy; the major problem is how it has been practiced. Africa's accepted democracy "choiclessly", however it appears a better option than authoritarian one party system. What has been a problem is the failure of the African leadership to play by the rules of democracy. In Nigeria, after eight years in office, president Obasanjo wanted tenure elongation which is undemocratic.

(vii). There is need for policy overhaul. Essentially, poor policy creates a gap between governance and development as a result of non-capacity to govern, thus economic policies that prevail reflect dissonance between 'constitutionalism' and 'popular sovereignty'. This further points to increasing gap between democracy as 'government of the people' and 'democracy as government by the elite' as inequality remains high.

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