Ethics and Governance: Implications for Democratic Rule in Nigeria

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Abstract: This paper discusses the linkages between ethics and governance to identify its underlying implications for democratic rule in Nigeria, Africa's largest democracy. The article builds on the liberal theory and demonstrates that there is a research gap and scant theoretical review in the broad fields of ethics and governance across the developing democracies. It examined corruption, political violence and human rights violations as ethical issues to understand the specific contexts ethics are either practiced or undermined in post 1999 democratic rule in Nigeria. The article identified the dearth of ethical governance and alternatively, argued that there is a need to adopt ethical values in governance in Nigeria, by paying more attention to particular implications for democratic transformation. It suggests some ways to move towards ethical governance for a more stable democratic order.

Keywords: Ethics, Governance, Democracy, Development, Nigeria

Introduction

A lot of issues bordering on governance and ethics have been left at the realm of social discourse and such rule determinants as the ability to make rules, enforce and adjudicate same by following due process requires new policy response in the context of ethics (Obomanu,2020). However, experience has shown that some values like the character of the actors either, as individuals or group of seasoned, disciplined, and morally upright leaders, offer more credibility to democratic practice.

The term ethics has gained recent attention in contemporary governance. It is the systematic study of what is morally right and wrong (Singer,2020). Modern political theory ought to revisit and bring together ethical elements in governance particularly in the developing societies following the challenges of governance at the aftermath of the third wave democracy (Huntinghton,1991) and the global clamor for good governance (World Bank,1991),combined with an increasing challenge of democracy and ethical dilemma in the developing countries, and the recognition that governance problems need ethical solutions. To fill this theory gap has increasingly been important where governance, which is seen as an institutional apparatus inherent in the workings and transformation of the society and in particular legitimization of authority of the State increasingly fails.

In its proper sense governance means the act of steering,directing and controlling a group of people, especially a State. According to the World Bank (1991), it is a process through which 'power is exercised in the management of a country's political, economic and social resources for development' .Governance in ethical context seeks to strengthen State legitimacy by propagating ethical standards. The field of ethics, also known as moral philosophy, involves promoting and internalizing concepts of right and wrong behavior (Kamal,1999,p.4). States, especially modern nation States, have been described as 'arenas of collective action' and effective units with actors able to make 'credible commitments' (Spruyt, 1994; Cerney and Prichard,2017). This perspective has led, in particular, to recent interest in exploring the linkages between ethics and governance. With government as institution that steers the affairs of the state encompassing the processes of interaction and decision-makin g among the actors involved in a collective problem that leads to the creation, reinforcement, or reproduction of socia l norms and institutions (Hufty, 2011), understanding how ethical the affairs of the State is organized and coordinated becomes ever more critical.Thus, an image of governance in which morality, accountability, rule of law and equality exists, remains an issue of increasing concern in most developing democracies of the Third World and some advanced economies.

A look at Nigerian democracy from the fourth republic in 1999 shows that adequate scholarly attention has not been given to the issues of ethics and governance. In the alternative, governance has been seen as fundamentally devoid of ethical practices (Anjov and Nguemo,2012). This is evident in political violence, public corruption, increasing resource conflicts and violent agitation exemplified in post amnesty Niger Delta, Boko Harm terrorism, herdsmen /farmers crisis etc. As a result, governance is inherently characterized with disorder, coercion, oppression, stalemate, insecurity ,poverty, marginalization of some particular groups by the others. These remain a substantial feature of governance. This conceptualization leads to a fundamental 'governance failure' in which there is breakdown of law and order as the interest of the people including their fundamental human rights are less guaranteed. This has led to oppression and vicious circle as the government rarely responds to the core needs of the people including protecting human lives and property leading to coercion, breakdown of law and order and increasing suboptimal governance.

Based on these, in post 1999 Nigeria, discourses promoting ethics and governance have been rare and draws little attention both from the governors and the governed. Recent interest arose from a need to explore the linkages between ethics and governance and implications for democratic rule in Nigeria, which has brought ethics and governance issues to the centre of current academic

debates. This paper seeks to fill this research gap. It provides theoretical connections between ethics and governance by drawing on a range of theories emanating from the study of ethics that question the dynamics of governance to identify its trajectories and to explore the implications to democratic rule. Ethical theories of governance focus not merely on political actors rather on the structure of governance and possible restructuring of political institutions within more ethical constructs (Kamungo and Mendonca, 1996). In essence, non-ethical patterns of governance increasingly undermine the capacity of States to control, manage or shape public choices and governance leading to increasing concern on ethics and leadership (Ciulla,1998).The failure of State and leadership processes often leads to chaos and anarchy in the international system (Cerney and Prichard,2017).

The quality of governance is often linked to how ethical a particular government is and in particular, how democratic assumptions are upheld in governance (Anjov and Nguemo,2012). Among others, democracy is guided by the assumption that governance must be framed within ethical guidelines which includes equality, freedom, accountability, rule of law etc. This means that to ensure ethical governance , it is not only important that governance operates within democratic ideals rather should adhere to core ethical guidelines such as protecting the rights of the citizens, accountable to the people, guaranteeing of fundamental human rights and also creating effective political environments that could strengthen the protection and preservation of such rights such as efficient judicial system which guards against oppressive governance.

The paper shall argue that building consensus on ethics and governance requires understanding the core features of democracy; equality, accountability, rule of law, freedom, regular and periodic elections, which could strengthen ethical governance in Nigeria. I demonstrate that ethics is conceived as an attempt to institutionalize or legitimize morality in governance thus the paper reinforces the possibilities of identifying what is good or bad in governance and seeks to understand a particular normative set of democratic practice and values acceptable in line with good governance.

In relation to prevailing positions on ethics and democracy in Nigeria (Anjov and Nguemo,2012) and understanding of, what is meant by, both ethics and governance (Kant,1985) , the paper tries to consider the prospects, as well as problems, involved in the study and practice of ethics in governance in Nigeria. The work shall discuss the theoretical relevance of ethics and governance in relation to democracy to explore questions regarding democratic rule that need scholarly attention.Furthermore, to examine where the discussion on ethics and governance impacts dynamics of democratic rule in Nigeria with particular attention to corruption, human rights and political violence since Nigeria's democracy in 1999. This is important for policy makers and researchers who are seeking theoretical and policy exploration of linkages between ethics and governance in Nigeria.

Theorizing the Linkages Between Ethics, Governance and Democracy

For Ewing, ethics tries to show us what is good or bad and our duties (Ewing.1964,p.4). The field of ethics involves systematizing, defending, and recommending concepts of right and wrong behaviour (Singer,2020). Much of the theoretical and academic research on the relationship between ethics and governance is based on three general categorizations of the subject areas which are, metaethics, normative ethics, and applied ethics (Khan,1985; Holmquist, 1993). This is derived from studies in various fields, such as philosophy,social psychology, political theory, philosophy of education etc.

Kant (1985) posits that metaethics explores the emanation or origins of human ethical principles as well as their meanings and content. Answering the question of whether such ethical orientation is mere social invention or transcends the expression of individual emotions. In response to such propositions, metaethical response focuses on the issues of universal truths, the essence of reason in ethical judgments, and the meaning of ethical terms (Daly,1978). The theory of normative ethics takes on a more practical task as it seeks to arrive at moral standards that regulate right and wrong conduct (Hellstein,2008). Applied ethics examines specific contending issues often conceived as controversial, this includes concerns on things like animal rights, abortion, infanticide, environmental concerns, homosexuality, capital punishment, or nuclear war as against widely or popularly held notions of ethical values (Naussbaum,1986). Other theories have also been used to analyze ethics and governance such as the social atomization theory, legitimacy theory, regulatory governance theory etc. One can say that social atomization theory is a sociological theory of governance which examines the level of group or individual interaction to arrive at a given social phenomenon. The essence of such "unification" is to adopt the effective possible response to social problems, whereby all stakeholders act in collective interest . It specifies key concerns that stimulate results which are based on social interactions.

Furthermore, legitimacy theory (Pfeffer and Salancik, 1978), highlights the need for legal linkages between government and the governed. According to this perspective, the government needs to establish lawful interactions and relationships with the people. This is averse to coercion, force and illegitimate use of power in governance. Legitimacy as proponents argue leads to responsive, inclusive and equitable governance. Suchman (1995) demonstrates that the key issue to understand in legitimacy theory is that the actions and decisions of the government should be proper, desirable, or appropriate with some socially acceptable standards or norms, values, beliefs and definitions". According to this perspective, the government must seek the opinion of the people in decision making, seek permission to operate within the society and ultimately be accountable to the people regarding the running of the affairs of State (Suchman,1995).

However, among the aforementioned theories, the liberal theory of ethics has been the most popular amongst studies aimed at exploring the linkages between ethics and governance in the context of democratic rule in recent times. The relationship between

ethics and governance from the point of view of liberal theorists is well documented (Mcpherson,1972;Held,1972; Dunn,1993;McLean and McMillan, 2009).This study focused on ethics and governance as a set of criteria that could check the problems associated with non- ethical practices in governance by building on the liberal theory of ethics. Liberal theory emphasizes freedom, equality and constitutionalism (Mcpherson,1972;Held,1972). This theory posits that it is the aim of politics to preserve individual rights in other to maximize freedom of choice (McLean and McMillan, 2009) .Thus liberal theory of ethics has relevance or usefulness in political philosophy where individual freedom, human rights and choices are guaranteed according to constitutional stipulations and could be deployed to understand the complex interactions of actors in governance.

The liberal theory would therefore guide the rest of our argument. Linking ethics to governance and democratic rule attempts to understand possible relationships or connections there- in, put differently, are there linkages between ethics, governance and democracy? While ethics prioritizes social behavior and human interaction in the context of what is good or bad, governance emphasizes the conduct of government as well as the mode of policy formulation, implementation, coordination, expected outcomes and forms of involvement of the people (Levi-Faur, 2011).The linkages are particularly important as there are problems of democratic rule in post 1999 Nigeria such as public corruption, lack of transparency and accountability, which undermine sustainable democracy (Amadi & Alapiki,2012).These problems are demonstrated in many ways such as electoral fraud, political violence, violation of human rights etc.

In essence, governance must strive to meet the needs of the wider social groups which are an integral part of the decision making process and the basis of liberal democracy. In the developing countries where freedom and constitutionalism are contestable, power is wielded by the few in their own interest which is the case in Nigeria, it becomes important to explore the specific contexts ethics in governance are practiced. This forms the rationale for the liberal theory of ethics.

Literature Review

The literature on ethics suggests that the term is derived from the Greek word ethos ,which means good and bad, right and wrong (Khan,1985). This branch of philosophy deals with values relating to human conduct with respect to the rightness or wrongness of certain actions (Holmquist, 1993).Thus ethics determines an expected mode of behavior in society and organizations. It is a system of regulating, conducting or guidance, to be used in making decisions. In governance context, ethics involves the application of moral principles to the
conduct of the affairs of a Society, State or organizations (Thompson, 1985)

The terms governance, ethics and democracy are examined here with a view to identify their linkages in relation to previous studies and also, to fill identified gaps in the literature. The increasing relevance of ethics in contemporary governance has inspired political theorists to focus more closely on studying how ethics and governance should be understood in a democracy and which governance mechanisms should be adopted to strengthen the alignment between ethics and governance. On its part, democracy is a form of government that emphasizes majority rule, freedom of choice and opinion, equality and social justice (Held,1972).Following the World Bank (1991) , research on ethics and governance has focused on how the business of governance could be conducted with adherence to ethical principles. Some studies have adopted "good governance " popularized by the World Bank, to assess the performance of governments especially in the developing democracies (Hyden,1992). The good governance debate highlights an intersection of trends that a particular State and its institutions should meet before they can be termed "good" which represents a certain level of accountability, guarantee of human rights, rule of law and freedom. The good governance indicators often facilitate comparisons between various democratic governments.

A number of previous studies have examined aspects of ethics in governance. For instance, Appiah (2008) provides compelling experiments in ethics to justify the increasing relevance and conditions under which ethics thrives. Audi (1999) situates such ethical understanding within the context of 'moral knowledge' while moral realists posit that 'moral realism' is the foundation of ethics (Brink,1989, Obomanu, 2020). It follows that in government, ethical governance checks bad governance such as human rights violation, thereby improving the overall focus of democratic rule.

The expansion of ethics and governance debate has developed into what has come to be known as 'ethical governance'. It is evident that the distinction between these fields of study are blurred and their existence as independent disciplines can be questioned at least for now. Several conceptual issues discussed with regard to ethics are largely moral issues such as integrity, honesty, accountability, discipline, fairness, these issues are essential for good governance – as evidenced by the growing body of literature (Beyleveld, 1992;Dancy, 2006). The relevance of these ethical principles suggest the need for a review of previous studies.

The literature on ethics points out that while ethical issues are largely normative , ethical decisions made by one government might not be the same with others and could affect decisions and practices of various governments (Tamari,1990; Boylan, 2004; DeLapp, 2007).

No longer can effective government policy making take place in isolation of ethical issues . It is this interrelatedness that has called for a study- of ethics and governance and such study has to be related to issues surrounding democratic rule. As this paper demonstrates, if any distinction among these concepts could be made, it could be stated that *ethics* attempts to address ethical

issues in governance context, taking into account many factors – economic, social, political, religious, and cultural – and adopting various ethical methodologies in its quest for good governance which strengthens democrayic rule.

Mautner (2009) argued that the future of human destiny may depend on our ethics. Ethical issues in governance include accountability, human rights, transparency etc which are decisions and practices that should be endorsed by a government. For instance, in the case of corruption, Amadi and Ekekwe (2014) highlight its unethical stance.

Equally, there are ethical elements particularly related to human rights. This includes the question of freedom, right to association, choice, right to vote and be voted for etc. In light of such developments, the need for ethical action to guarantee these rights become increasingly important (Human Rights Watch,2016). Similar studies in the literature lend conceptual importance and value to the issues of ethics in developing countries particularly Nigeria (Ani, Izueke, & Nzekwe 2014; Anjov, and Afaor ,2012).

In 'global ethics' debate, the very issue of human rights and power and the concept of democracy itself – could be examined from a multidisciplinary standpoint (Hellsten,2008).

The literature on the assumptions of Democracy suggests that people and their freedom could be guaranteed in governance (Dunn,1993) This helps mitigate violation of human rights and all forms of arbitrary use of power or political office (Human Rights Watch,2020), thereby reducing oppression, exploitation and non- transparency . There are studies which suggest that ethical constructs have been less deployed in most developing democracies in its place, that the government wields power in their selfish interests (Davis, 2009;Human Rights Watch,2020). In Nigeria, some of these concerns are central to the pattern of democracy in the country as Anjov, and Afaor (2012) argued that democracy has been less ethical and exclusionary in Nigeria.

Thus, another important, related, conceptual issue in ethics is its inclusive nature as proponents of meta ethics argued (Kant,1985). Ethics, particularly in connection with governance provides some level of inclusive governance since it is normative and non-discriminatory.

Governance in ethical context seeks to understand what standards governments are to follow and how they can make sure that such standards are ethical . The inconsistency of the existing patterns of government in Nigeria with ethical values is also evident when we consider the structure of federalism, revenue allocation formula, structure of top political appointments. Thus 'unethical governance, transcends violation of human rights, insecurity etc and extends to issues of systemic alienation or marginalization of one group by the other. In ethical governance, this – essentially undermines equality. Particular concern is yet again in the relationship between the political elite and the poor in ethical contexts leading to the questions of oppression, victimization and repressive policies(Human Rights Watch,2016).

What all these issues raised above have in common, in terms of democratic governance in Nigeria is that there is a need for ethical democracy and transformation, which is part of the gap in literature, which this study seeks to fill. The study demonstrates the need for good governance, pointing out that in the Nigerian context, issues of ethics and the potential for democratic transformation have not been adequately studied in the post 1999 era. Thus, concerns about what is good or bad governance should be the central concern of ethics in governance .

In this context, ethics cannot be defined merely as a guarantee for individual or group rights or a human rights based governance but also in terms of overall normative adherence of a government to meet community- and group needs. Ethics has to take into account the economic, social and political contexts and different understandings of the meaning of governance and social realities including well‑being, quality of life, and identity in relation to one's self worth. The issues of justice and the -problems of inequality have to be present in ethical governance debate, particularly when we pay attention to local priorities. Therefore, the most pressing ethical dilemmas in Nigeria's democracy lie in good governance.

Placing good governance at the heart of ethics helps us to acknowledge that particular issues in democratic rule such as transparency, accountability, human rights etc must of necessity be protected. In fact, from the point of view of the poor countries, the debates on ethical governance , or good governance often appear to have little relevance. For instance in Nigeria, distributive justice in the context of oil resource revenue remains a challenge. Thus, countries with evidence of good governance can engage with arguments regarding ethical issues related to governance. In developing countries, the debates are often framed around issues' of democracy, thus ethics and linkages with governance are interwoven

. The term democracy emphasizes "rule by the people' (Macpherson,1972).The standards for democratic practice are based on liberal rationalizations rather than on any plausible moral argument that could be related to ethical issues. However the core values highly promoted in a democracy, equality, justice, freedom are conceived largely in ethical perspectives. However, while democratic practice appears different among countries the liberal component .' is the dominant feature of the western model (Macpherson,1972). Indeed, from the perspective of liberal democracy issues of freedom, equality, social justice, rule of law etc are linked to questions such as: how can ethical governance further democracy or help to deepen democracy or, is it justifiable to adopt ethical principles in democratic governance?

Thus, not only is democracy defined by the global scope of its inquiry, but also by its practice , which reflects the understanding of the same concepts in different contexts. Non Western studies in democracy have brought 'ethics' in perspective as it approaches the ethical- issues from indigenous perspectives (Ake,1996). This helps to widen the conceptual analysis and set

reflective debates in a more inclusive context. Within this context there has been contending views projected as variants of democracy. They include the Liberal variant, the Communist variant and the Third world variant.(Mcpherson,1972;Nna, 2004).

Related conceptual issues in democracy such as equality, transparency, accountability are important in the study of ethics. In all, democratic rule with a more equal distribution of resources and a more open understanding of the interdependency of different issues involved in ethics will most likely foster good governance.

Ethics and governance are some of the most important terms in a democracy , particularly in contexts characterized by democratic contradictions such as corruption, electoral violence, non- accountability, transparency, violation of human rights and rule of law, insecurity, and high level of poverty.

Recently, researchers have explored the relevance of ethics in governance (Davis, 2009; Banerjee, 2010). Several of these theoretical studies have shown that in many instances, ethics is central to good governance . Such studies demonstrate the increasing importance of ethics and contradictions between governance and ethics in the developing societies (Ghafran andYasmin, 2019). Rather than traditional problems of one party authoritarian rule, the return to multiparty politics has posed more challenges in the context of governing according to the ideals of democratic norms (Joseph,1997).Thus, the distinction between democratic ideals and practice widens the gap between principle and practice.

The roles of political theorists and philosophers are crucial because the contradictions of governance without ethical practices can have complex implications to democracy irrespective of the variant in practice. In fact, if political actors and stakeholders can institutionalize ethical practices in governance or in the pursuit of political power, they can put in place institutional structures that could be helpful to modify the character of political office or patterns of governance in the public domain. The political space created by democracy could be mutually reinforcing rather than opportunistic as the later contravenes democratic ideals .

However, political office holders can also pursue political goals that diverge from the objectives of ethics in governance , thus undermining ethics in governance .In this context, research on the relation between ethics and governance and implications for democratic rule has emphasized the relevance of ethics in overall governance, which can guarantee good governance and democracy deepening (World Bank,1992;Ghafran andYasmin, 2019).Thus, governance is meaningless when the government does not guarantee the rights of the people or play by the rules.

In investigating ethics and governance, most studies conducted in recent decades have adopted normative assumptions to explore dynamics of governance (Rest,1986; Boyd,1988; Blum, 1991; Boylan, 2004; Appiah,2008).

This approximation is based on the assumption that if government must work it should be situated within just contexts (Rawls, 1971;Boylan,2004)leading to arguments on guaranteeing human freedom, fundamental human rights, social justice, equality ,accountability etc which are guaranteed through constitutionalism..

Other studies have attempted to explain the relevance of ethics in capturing the relationship between the government and the governed classifying governance based on their ability to effectively respond to the needs of the people or providing an avenue to hear the "voice of the poor"(Chambers,2010).In considering the importance of various roles by individuals and groups in a given polity, Chambers (2010) showed that democracy must be inclusive and participatory

Based on these arguments, most subsequent study has used democratic governance to examine good governance, it is the notion of this "good governance "and its relevance to ethical theorists that this paper seeks to investigate.

However, it is clear that mere setting up of anti-corruption agencies like it is the case in Nigeria does not legitimize good governance because the quality of the legal or judicial system must be in tandem with the performance of agencies and other organs of government.This gives an effective implementation of statutory provisions which will simultaneously depend both on the executive, legislature and judiciary (Dahya *et al.*,2008). Beyond these, both legal, administrative and legislative functions are key to overall performance of a government. There is a need for internal checks and balances and cross- comparison among the organs of government in Nigeria.

Against the backdrop of the reviewed literature, the paper seeks to theoretically analyze the extent ethics and the dynamics of governance have been observed as an integral part of governance in post 1999 Nigeria and its implications for democratic rule. To this end, it examines issues of corruption, human rights violation and political violence.

Exploring Corruption, Human Rights Violation and Political Violence in post 1999 era

The ethics and governance hypothesis predicts that good governance and democracy are positively related because democracy places high premium on the people and governance in an ideal context, is for the good of the people. Both align to advance the interest of the people. In order to interrogate and understand ethical governance in Nigeria's democratic rule , it is important to examine some critical issues such as corruption, human rights violation and political violence. The aim is to determine whether these issues are evident in Nigeria's democratic system as these indicators bring new perspectives to ethics and governance debate in post 1999 Nigeria.

Corruption has been one of the major ethical issues in Nigeria's democracy. Studies examining the effects of corruption on governance in Nigeria have supported the notion of diversion of public funds for private gains (World Bank,1995;Amadi & Ekekwe,2014) and violation of policies, rules or norms of governance both relationships have increasingly pointed out that

corruption undermines democracy. These resources diverted could be cash, landed property, cars and related public resources. As a consequence, the expropriation or entrenchment of elite interest has a negative relationship between ethics and governance and in particular, a comprehensive outcome of democratic rule.

Amadi and Alapiki (2012) have argued that corruption has been a major factor undermining sustainable democracy in Nigeria. Danfulani and Danfulani (2019) highlight that corruption in Nigeria has undermined the institutionalization of ethical values in governance. Public corruption as Amadi and Ekekwe(2014)argued can vitiate the efficiency of democratic governance .

In Nigeria, elite corruption has been evident. For instance, since 1999 corruption among the political elites have been on the increase. For instance the Transcorp shares scandal, violated the code of conduct standards for public officers. Also presidential library donations at the eve of President Obasanjo's exit from power was diversionary as associates were pressured to donate millions of Naira (Tolu,2013). Obasanjo's lobby of legislators for his failed campaign to alter the constitution to get a third term was funded with looted public funds too.(Vanguard,2011). It was also reported that Atiku Abubakar, a former Vice President, diverted $145m from Nigeria government accounts to banks(Guardian,2007). There are top political office holders found corrupt such as Chief Olabode George who served a jail term on account of corruption. Several State Governors were found guilty of corruption charges such as Chief James Ibori of Delta State and Chief DSP Alamieseigha of Bayelsa State.

Between 2010 and 2015 when Goodluck Jonathan became the President of Nigeria, there were several incidents of corruption; the unremitted US\$20 billion by NNPC in oil revenues owed to the State, which Sanusi Lamido Sanusi reported was ignored 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 the committee recommended that NNPC's non-remitted revenue was US\$1.48 billion, which it needs to refund to the government (Nigerian Bulletin,2015).

In a related account Nigeria's former first Lady Dame Patience Jonathan had several cases of corruption, the Minister of Petroleum Diezani Alison Madueke is alleged to have looted several funds and has 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 President Jonathan's Aviation Minister, Stella Oduah to the tune of N255 million naira is another corruption case (Ogundipe, 2017; Sahara Reporters, 2013).There is the award of security contracts to militants in the Niger Delta (Amadi ,Imoh Ita &

Obomanu,2016).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, the Federal High Court in Abuja convicted the former National Publicity Secretary of the PDP, Chief Olisa Metuh, on money laundering charges. Hon. Farouk Lawan of the National Assembly was found culpable of corruption charges.

The Buhari administration is riddled with similar cases of public corruption. In 2016, the Senate ad-hoc committee on "mounting humanitarian crisis in the North East" led by Senator Shehu Sani indicted then Secretary to the Government of the Federation appointed by

Muhammadu Buhari, Mr. Babachir Lawal in a N200 million contract scandal for the clearing of "invasive plant species" in Yobe State by Rholavision Nigeria Limited; a company he owns (Adebayo & Ojo,2017).

On October, 30, 2017, Buhari sacked Lawal based on the report of a three-man panel led by Vice-President Yemi Osinbajo that investigated him and one other (Adetayo,2017).

In 2016, Buhari was reportedly presented evidence that his Chief of Staff, Abba Kyari, took N500 million naira bribe from MTN to help it slash the \$5 Billion dollar fine slammed against it for violation of Nigeria telecommunications regulations bothering on national security, MTN sacked the staff involved in the bribery scandal. But Abba Kyari remained Chief of Staff (Opejobi,2016; SaharaReporters,2016; Omonobi,2016).

All of these studies support the democracy/corruption incompatibility hypothesis (Ake,1996; Shivji,2001). However, other studies have supported the expropriation hypothesis, finding a negative relationship between democracy and diversion of public funds through looting and similar modes of expropriation .Amadi and Ekekwe (2014), for example, through an institutional approach identified how corruption affects developmental administration across Africa. Similarly Mbaku (1996), analyzed bureaucratic corruption in Africa,and found that increased incidence of corruption undermines overall performance of government.

Human rights violation has been another key indicator of non-ethical governance in Nigeria. In particular, the most recent and ongoing evidence of violation of human rights is the activities of the police Special Anti- Robbery Squad (SARS).In the annals of Nigerian history, there has never been such gross violation of human rights in the form of victimization, brutality and intimidation of innocent citizens. Outright extortion ,criminality and unlawful detention, kidnapping and killing of innocent citizens. Such impunity displayed by SARS increasingly detracted from the citizens. It got to its crescendo in October 2020 following a massive nationwide "end SARS " protest which subsequently became violent as the federal government delayed in addressing the issue. The popular protest was initially peaceful however later State repression and military attacks made it violent in places like Lekki Tollgate in Lagos.

However, Danfulani and Danfulani (2019, p. 18) had argued that distributive justice is fundamental for good governance. Emphasizing that issues such as equitable access or distribution of natural resources or revenue allocation account for inclusive economic well being   For example, the revenue allocation formula of Nigeria remains contestable and unfair to the oil bearing commutes of the Niger Delta.This accounted for much of the resource struggles leading to militancy in the area (Amadi,Imoh Ita and Obomanu,2016). In this contexts characterized by State repression, marginalization, exploitation, poverty under development and livelihood vulnerability. UNDP (2006) for example reported that poverty in the Niger Delta contracts the rich oil resource in the area. In most cases, households in the local communities lack requisite means of minimum level of subsistence as they suffer, for example, from a significant lack of statutory provisions to overcome the challenges of water pollution both for fishing and consumption(UNDP,2006). Ogbanga,Amadi and Anokwuru (2018), for example, in discussing the ecological constraints to rural entrepreneurship in the Niger Delta , considered the role of the multinational oil companies. They found that much of the environmental pollution is linked to the activities of MNOCs in oil exploration , which they argued account for degradation and as a consequence, entrepreneurial distortion and systemic disempowerment of the rural households that subsist from harnessing the natural environment.

In line with several findings, a key strand of human rights violation is the issue of distributive justice. Despite democracy, Nigeria's revenue allocation formula remains asymmetrical, fiscal federalism has furthered economic exploitation and inequality. The marginalization of economic rights of the oil bearing Niger Delta has resulted in persistent agitation exemplified in youth militancy. Despite granting the combatants amnesty in 2009,post amnesty violence pervades(HRW,2003).Similarly, using a panel data set by the Human Rights Watch (2019),two decades of democracy in Nigeria has witnessed increasing violation of human rights. Human Rights Watch(2019)based its assumption on the notion that democracy guarantees human rights and checks abuse of power, inequality and brutality between the government ,its agencies and the people.

Contrary to this assumption , a significantly negative impact of human rights violation is evident since Nigeria's democracy. Recent scholarship provides a rising profile of human rights violation and abuses such as the Odi massacre in Bayelsa State by the Nigerian Military during President Obasanjo's administration ,the extra judicial killings by the Joint Military Task Force (JTF)in Gbaramatu in Delta state during the Yar'adua's administration (HRW,2016).The crackdown and violation of the right to self -determination of the Indigenous Peoples of Biafra (IPOB) by the federal military and subsequent tag of IPOB as a terrorist group leading to its proscription in 2017 (Amnesty International,2016; Adangor, 2018). While the Fulani herdsmen who have been killing and destroying lives and property are neither arrested nor prosecuted by law. The militarization of southern Nigeria by President Buhari through Operation Python dance and increasing violation of the ecological rights of the people of the Niger Delta whose natural environments are polluted and degradation through the extraction of oil resource by the multinational oil companies(MNOCs) have been well documented (UNDP,2006;UNEP,2011). In 2011, UNEP provided its flagship report and stated that the Niger Delta has been massively polluted and requires at least two decades of effective clean up (UNEP,2011).

Political violence remains another aspect of the non-ethical component of Nigeria's governance which has implications for democratic rule. Since 1999, elections have been hardly credible. The dominant feature of Nigeria's electoral democracy is violence, fraud, arson, killings, irregularity and general insecurity. Most political office seekers do not play by the rules. This has left the polity more volatile(HRW,2016).Significant negative effect of political violence is evident in loss of lives and imposition of candidates . This negative impact is more significant in volatile areas such as the Niger Delta (Human Rights Watch,2003;2016). In line with several findings, the incidence of political violence has increasingly undermined democratic rule as several citizens kept agitating largely attributable to non-effective and equitable distributive justice. This has resulted in persistent agitation in the Niger Delta by aggrieved militant youths despite granting them amnesty in 2009,post amnesty violence pervades(HRW,2003). Amnesty International (2016) showed an increasing incidence of political violence in Nigeria , thus confirming not only increasing deaths but also insecurity effects.

The insecurity consequences highlighted by both Human Rights Watch and Amnesty international suggest that violence occur more easily especially in contexts linked to election, terrorism and Fulani herders killings. These incidents collude with other scenarios such as deep seated ethnic intolerance and hate speeches to fuel violence. Another key trigger of political violence as recent studies suggest include the marginalization of the oil bearing Niger Delta communities. In fact, a number of studies have suggested post amnesty violence , which creates tension and suggests that violence in the Delta remains unabated and requires collective efforts (Imoh Ita,Amadi & Akpan,2016).

Thus, ethics in post-1999 governance in Nigeria remains contestable. This has divergent implications for the overall political and economic development of Nigeria and in particular democracy transformation.

Conclusion
The study has demonstrated that Ethics and governance have implications for democratic rule, particularly among the developing democracies. Ethical governance as this study demonstrates should reconstitute politics. This process of reconstitution needs a moral effect-a new democratic social order. The new wave democracy appears not to have perceptibly transformed

democratization and governance in the developing democracies. The post 1990 democratic order in Nigeria contrasts the core liberal assumptions in many ways.

Corruption remains palpable and undermines the fabrics of governance and inclusive development. Electoral democracy remains contestable and increasingly undemocratic, human security is threatened following Boko Haram terrorism and herdsmen killings, accountability in governance is at odds with democratic ideals and remains a substantial feature of post 1999 democratic order as there are evidence of non-accountability, looting of public funds, constitutional provisions are rarely adhered to,etc.

Further, the study has reinforced that processes of governance, in essence, represent the controlling and coordination of the affairs of the State , in which stakeholders should collectively act to generate patterns of social order within the institutions of the State and also to meet the needs of the people. This brings governance into the context of a wide ranging complementarity, collaboration and mutuality between the government and the governed.   The study has substantially demonstrated that in Nigeria and other developing democracies, ethics becomes the fundamental condition for all politics, involving all actors in a complex, and mutually reinforcing manner, most of such interconnections and interrelationships should be socially unprecedented. In this context , there is a need to re-examine the complex linkages between ethics and governance in Nigeria's democratic order.

This is partly because, in Nigeria's democracy, constitutionalism has not been fully developed as there are no legal institutions to prevent arbitrary interference in the pursuit of political power and violation of human rights. For instance, after eight years of rule, president Obasanjo sought for tenure elongation which is unconstitutional. Existing patterns of governance have not guaranteed equitable distribution of the nations' wealth, prevailing derivative formula is asymmetrical and contrasts resource wealth of the oil bearing areas. Similar to this is restrictions to freedom of expression and social justice.

Democracy rests on the assumption of equality and guarantee of human rights .The prevailing distribution of power and privilege contrasts with democracy and increasingly unethical. This precipitates arbitrary domination of the minority groups by the majority ethnic groups, in particular the post-civil war marginalization of the Igbo one of Nigeria's major ethnic groups despite democracy contrasts ethics in governance.

Revisiting Nigeria's 'constitutional provision', revitalized and institutionalized democratic order, is sought to regulate and counter the dominant practice. The transformative strand of this new democratic order draws on an ethical social order, prioritizing the institutionalization of morality to foster equity and fairness which are integral to ethics of governance against arbitrary and unconstitutional governance, sectional interest and domination of one ethnic group by the other.

In particular, ethics in governance must be constitutional and make provisions for a collective sense of belonging as democracy is an all-inclusive phenomenon, governance should guarantee and provide that the people want and   provide modes of participatory democracy. Ethical perspective should be institutionalized . The non-restructuring of governance in two decades if democracy has been a central constraint to good governance and democracy deepening .

The non-radical revitalization of political power, and the elements of democratic rule suggests the need for a form of governance that is ethically entrenched and capable of overcoming the challenge of non-ethical practices. Kant's model of ethical imperative points in this direction. For Kant, equality can be mutually institutionalized by the pluralization of politics, or what he calls the moral virtues of governance'. Advancing further, unethical practices in governance must be mitigated through collective engagement of all stakeholders in the political and economic domain. On this basis, the consolidation of democracy and ethical inclinations could play active roles among political actors and social groups .

The ethical priorities suggest precisely an adherence to constitutionalism, social justice, freedom, accountability, rule of law, equality etc. Thus, the remedy to violation of human rights, corruption and increasing political violence is to evolve an active civil society that could consolidate the gains of democracy for an inclusive governance. Thus, the essence of democracy is to foster constitutionalism and better the lot of the people. Furthermore, the paper puts forward a few suggestions as follows.

1.   That there should be a deliberate, systematic incorporation of ethical codes in the running of such arms of government as the Executive, Legislature and judicial arms. It goes beyond just the creation but suggests the application of such codes and appropriate checks.

2.   Ethical education bordering on good morals should be made one of the compulsory courses from primary school to the NYSC camp in Nigeria

3.Reward system should be such that exceptional good actions are rewarded publicly and generously .With an ethical revolution, immorality, corruption and other vices will reduce and democracy will flourish.

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