



RULE OF LAW AND GOOD GOVERNANCE IN NIGERIA: A COMPARATIVE ANALYSIS OF PRESIDENT OLUSEGUN OBASANJO AND JONATHAN ADMINISTRATIONS, (1999–2015)

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<p>Received: June 14th 2023 Accepted: July 11th 2023 Published: August 20th 2023</p>	<p>The administrations of Presidents Olusegun Obasanjo and Dr Good luck Jonathan in Nigeria marked significant strides towards the establishment of the rule of law and the promotion of good governance. One of the problems militating against good governance and rule of law in the Nigerian state is corruption, however, they also underscored the complexities of these tasks. The study therefore, analyses the initiatives undertaken by these two administrations to combat corruption, insecurity challenges, and policy reforms aimed at enhancing governance and the rule of law. For understanding the relationship between the rule of law and good governance Neo institutionalism was used as the theoretical framework. Furthermore, this study was underpinned by a qualitative research design, which is well-suited for exploring and understanding complex phenomena such as the interplay between the rule of law and good governance in Nigeria. The study revealed that Obasanjo's tenure marked the end of military rule and prioritized anti-corruption efforts with the creation of dedicated institutions such as the Economic and Financial Crime Commission (EFCC) and the Independent Corruption Practice Commission (ICPC). However, public trust was undermined due to allegations of selective enforcement. Meanwhile, Jonathan's administration saw the enactment of the Freedom of Information Act and a commitment to electoral reform, contributing to improved transparency and democratic consolidation, nonetheless, his era grappled with persistent corruption and security threats, which hampered governance efforts. Both administrations faced formidable security challenges, particularly the Boko Haram insurgency, herdsmen, kidnapping and illegal refineries perpetrated by the pockets of regional agitators in the Niger Delta areas. Despite efforts, they were unable to fully resolve the crisis, pointing to the inherent complexities of dealing with issues of social and economic disparity, and political disenfranchisement. The study highlights the necessity of an integrated approach to promote the rule of law and good governance, one that considers not just institutional and legal factors, but also the socio-economic and political dynamics underpinning these challenges. Furthermore, it underscores the need for strengthened anti-corruption means of neo-institutionalism security responses, and a more holistic approach to governance reform in Nigeria. This approach should encompass increased government transparency, enhanced civic participation, economic diversification, and equitable resource distribution, among other things. Despite the significant strides made under these administrations, the pervading challenges require further research and effective policy development in this area.</p>

Keywords:

I. INTRODUCTION

The rule of law is a fundamental principle of governance that all individuals, institutions, and entities, public and private, including the state itself, are accountable to laws that are publicly promulgated, equally enforced, and independently adjudicated. Corruption that these laws are consistent with international human rights norms and standards, and they are usually established through democratic processes to encapsulate societal norms and values.

Under the rule of law, laws are deemed to be supreme and can overrule the action of government and private individuals. This is important for maintaining social order, ensuring fairness, and preventing the arbitrary use of power. Essentially, it is the rule of law that protects individuals from the arbitrary exercise of power by the state (Tamanaha, 2004). The World Justice Project, a not-for-profit organization promoting the rule of law, outlines four universal principles for the rule of law: Accountability: Everyone, including the government, is accountable under the law; Just Laws: Laws are clear, publicized, stable, and just, and protect fundamental rights, including the security of persons and property; Open Government: The processes by which laws are enacted, administered, and enforced are accessible, fair, and efficient. Accessible and Impartial Dispute Resolution: Justice is delivered timely by competent, ethical, and independent representatives and neutrals who are of sufficient number, have adequate resources, and reflect the makeup of the communities they serve (World Justice Project, 2019). The rule of law has broad applications and implications in societal contexts. It can affect social justice, political stability, economic growth, and more, making it a critical element of governance.

Good governance refers to how power is exercised in the management of a country's economic and social resources for development. The concept of good governance has been expanded in the contemporary public sector to encompass a wide array of theoretical domains and practical applications. The United Nations Development Program (UNDP) identifies several characteristics that are indicative of good governance, including participation, rule of law, transparency, responsiveness, consensus orientation, equity, effectiveness and efficiency, accountability, and strategic vision (UNDP, 1997).

The rule of law and good governance are interdependent and mutually reinforcing concepts. Each contributes to the strength and effectiveness of the other, forming the basis for a well-functioning society. The rule of law provides a foundation for good governance. It fosters an environment of accountability and predictability, both of which are critical for the sound functioning of a nation. By providing a legal framework that is accessible and applied consistently, the rule of law promotes transparency, ensuring that citizens understand the laws and can hold their leaders accountable (Stromseth, 2017).

Moreover, the rule of law ensures the protection of basic human rights and freedoms. It provides the mechanisms for citizens to participate in political processes and to challenge government actions that they perceive to be infringing on their rights. This way, the rule of law promotes continuity, and responsiveness - all of which are core components of good governance (Kaufmann, & Kraay) The rule of law and good governance are inextricably linked, with each playing a significant role in upholding one another, ensuring their co-existence is vital for the creation of a stable, fair, and democratic society. Therefore, this study examines the Rule of law and good governance in Nigeria: A comparative analysis of President Olusegun Obasanjo and Dr GoodLuck Jonathans administrations.

STATEMENT OF THE PROBLEM

In the context of Nigeria, the relationship between the rule of law and good governance is particularly complex and challenging. Nigeria has grappled with numerous governance issues, many of which are rooted in deficiencies in upholding the rule of law (Ake, 1985). The major concerns are corruption and flagrant disobedience to court orders, which is widespread in Nigeria, penetrating all levels of government. Corruption in Nigeria is endemic, manifesting as bribery, nepotism, embezzlement, cronyism and prebendalism, these presents a significant obstacle to the establishment of the rule of law. The aforementioned facilitates a culture of impunity, where offenders are frequently ignored and those culpable face no consequences, thereby eroding public trust in the legal and governmental systems (Oluwaniyi, 2010). This situation also poses a severe challenge to good governance, characterized by principles like accountability, transparency, efficiency, and fairness (UNESCAP, n.d.). Corruption weakens accountability, as officials are not answerable for their actions, which undermines transparency, as corrupt dealings are often clandestine, hindering public scrutiny. Furthermore, fairness is compromised when resources are allocated based on personal relationships or bribes instead of merit, leading to an inequitable distribution of resources. Consequently, the pervasive corruption in Nigeria significantly impairs the rule of law and good governance, indicating a pressing need for substantial reforms.

Additionally, Nigeria has struggled with ensuring the independence and impartiality of the judiciary. Political interference and corruption within the judiciary have raised questions about its independence and ability to uphold the rule of law and ensure justice. These issues erode public confidence in the legal system and impede efforts towards good governance (Agbibo, 2012).

Furthermore, Nigeria has been grappling with continuous conflict and violence, especially in the North East, severely impinging on the implementation of the rule of law. Insurgent groups, particularly Boko Haram, have been active and perpetrating gross human rights violations, exacerbating instability and insecurity (Onuoha, 2014). The havoc wreaked by these groups has created pockets of lawlessness, where state authority and institutions struggle to function effectively. This scenario is often attributed to weak democratic institutions which deliberately exclude the citizens from the scheme of governance. It is within this social milieu that Anyalebechi (2022) asserted that democratic reforms

ultimately depend on citizens to make choices and initiate changes; hence, only Nigerians who live with the painful realities of failing democracy can break the circle of terror, corruption, poverty, and mediocrity that keeps them subdued. Consequently, the capacity for governance, including the basic responsibility to protect citizens and uphold justice, is critically undermined. The inability to curb such violence and restore peace and order raises questions about the government's effectiveness. Hence, this scenario presents a significant obstacle to the realization of good governance, as the continuous unrest inhibits efforts to uphold the rule of law, maintain peace and security, and ensure public services. Therefore, addressing this protracted conflict is vital for reinforcing the rule of law and promoting good governance in Nigeria.

Given these multifaceted issues, it is critical to investigate the specific challenges facing the rule of law in Nigeria and their implications for good governance in Nigeria: a comparative of former President Olusegun Obasanjo and Dr GoodLuck Jonathan administrations. Such examination is necessary to identify solutions to strengthen legal institutions, combat corruption, and ultimately improve governance in the country.

RESEARCH QUESTIONS

- 1) How did the administrations of former Presidents Olusegun Obasanjo and Dr GoodLuck Jonathan address issues of corruption and what was the impact on the rule of law and good governance in Nigeria?
- 2) How did the Obasanjo and Jonathan administrations respond to the challenges posed by insurgent groups, and what were the implications for the rule of law and good governance?
- 3) What were the main policies implemented under the administrations of Presidents Obasanjo and Jonathan aimed at strengthening the rule of law and promoting good governance, and what were their impacts?

OBJECTIVES

The study aims to examine the Rule of law and good governance in Nigeria: A comparative analysis of former President Olusegun Obasanjo and Dr GoodLuck Jonathan administrations. Specifically, the study seeks to:

- 1) investigate how the administrations of Presidents Obasanjo and Jonathan have addressed issues of corruption and its impact on the rule of law and good governance in Nigeria.
- 2) examine how both administrations have responded to the challenges posed by insurgent groups, particularly in the North-East region, and the implications for the rule of law and good governance.
- 3) analyze the policies implemented under both administrations aimed at strengthening the rule of law and promoting good governance.

II LITERATURE REVIEW

Rule of Law

The concept of the rule of law is fundamental to any democratic society and forms the basis of peace, security, and justice. Although interpretations of the term may vary, it generally refers to a principle that all individuals, institutions, and entities, including the government itself, are accountable to laws that are publicly promulgated, equally enforced, and independently adjudicated, which are consistent with international human rights norms and standards (UN, 2004). Dicey's theory introduced the concept of the rule of law and posited three primary principles: no punishment without law, equality before the law, and the constitutional law is a result of judicial decisions. Dicey's vision of rule of law evolved into a fundamental principle of modern legal systems where law reigns supreme over arbitrary powers. Tamanaha (2004) points out that rule of law implies the government's power is exercised within the constraints of well-established and well-defined laws, which should be enforced impartially. It also underlines the necessity of an independent and accessible judicial system.

In the context of development, the World Bank (2017) argues that the rule of law is necessary program able economic development, emphasizing the need for strong institutions, predictable legal frameworks, and effective law enforcement. Scholars have also linked the rule of law with human rights, asserting that a robust rule of law framework is essential to the protection of fundamental human rights (Hoff Northeastl, 2017). The rule of law guarantees that everyone is subject to the law, ensuring that rights, freedoms, and equality are upheld. In the context of political stability and governance, Carothers (2006) argues that the rule of law promotes political stability by establishing a clear and predictable framework within which power can be exercised. This, in turn, is vital for maintaining public trust in state institutions and enabling environment.

Thus, the rule of law is a broad and multifaceted concept that plays a crucial role in various aspects of society, including governance, human rights, economic development, and political stability (Eyina, et al. 2022). However, implementing the rule of the law is often challenging, particularly in countries with weak institutions or ongoing conflicts, and requires sustained effort and commitment.

Basic Principles of Rule of Law

The rule of law is a cornerstone of democratic governance and an effective legal and justice system. It encompasses various principles and norms that determine the relationship between the state and its citizens. Although interpretations of the rule of law can differ depending on cultural, political, or legal context, several basic principles are universally recognized:

Supremacy of the Law: This principle asserts that everyone is subject to the law, including the government, officials, and individuals. No one is above the law, and all are accountable to it. This is the cornerstone of the rule of law, enforcing the idea that laws govern nations and not arbitrary actions of individuals or groups (UN, 2004).

Equality before the Law: Everyone should be treated equally before the law, regardless of their status, wealth, or power. This implies that laws should be applied and enforced without discrimination or bias. This is crucial to ensure justice, fairness, and respect for human rights (Tamanaha, 2004).

Separation of Powers: This principle postulates the division of governmental responsibilities into distinct branches (typically executive, legislative, and judiciary) to limit any one branch from exercising the core functions of another. This aims to prevent the abuse of power and provides a system of checks and balances (Raz, 2009).

Legal Certainty: Laws should be clear, predictable, and publicly accessible. This allows individuals and organizations to understand their legal rights and obligations, and plan their actions accordingly. Unclear or secret laws violate the principle of the rule of law (World Bank, 2017).

Access to Justice and Legal Remedies: Individuals should have unhindered access to courts or other suitable mechanisms to enforce their rights or challenge government action. Adequate provision for legal representation and fair trial are fundamental to this principle (Hoffman & Patel, 2017).

Respect for Human Rights: The rule of law is intrinsically linked to the respect for human rights. Laws should be consistent with international human rights norms and standards. This is crucial for ensuring dignity, respect, and fairness in the application of laws (UN, 2004).

Implementing these principles is fundamental to the establishment and maintenance of a robust and effective rule of law framework. These principles collectively seek to foster a culture of accountability, justice, and respect for human rights, thereby enabling good governance and social cohesion.

Good Governance

Good governance, a key aspect of managing public affairs and fulfilling citizens' expectations, refers to the norms, processes, and institutions by which power is exercised, decisions are made, and resources are managed in a society. The United Nations Development Programme (UNDP) has identified eight key characteristics of good governance:

Participation: All citizens should have a voice in decision-making, either directly or through legitimate intermediate institutions. This participation can be either direct or through legitimate intermediate institutions representing them. Such broad participation is built on the freedom of association and speech, as well as capacities to be constructive.

Rule of Law: Good governance requires legal frameworks that are fair and that are enforced impartially. It also requires protection of human rights and the independence of the judiciary.

Transparency: This means that information is freely available and directly accessible to those who will be affected by decisions and their enforcement. It also implies that enough information is provided and that it is provided in easily understandable forms and media.

Responsiveness: Institutions and processes try to serve all stakeholders within a reasonable timeframe.

Consensus Oriented: Good governance requires mediation of the different interests in society to reach a broad consensus on what is in the best interest of the whole community and how this can be achieved. It also requires a long-term perspective for sustainable human development and how to achieve the goals of such development.

Equity and Inclusiveness: A society's well-being depends on ensuring that all its members feel they have a stake in it and do not feel excluded from the mainstream. This requires all groups, particularly the most vulnerable, have opportunities to maintain or improve their well-being.

Effectiveness and Efficiency: Processes and institutions produce results that meet needs while making the best use of resources. This means sustainable use of natural resources and the protection of the environment.

Accountability: Governmental institutions, private sector, and civil society organizations are accountable to the public and to their institutional stakeholders. Accountability cannot be enforced without transparency and the rule of law.

Each of these characteristics intersects with and reinforces one another, creating a comprehensive framework for analyzing the effectiveness of governance at every level, from local to global (UNDP, 1997).

Rule of Law and Good Governance

The interconnection between the rule of law and good governance is profound and integral to the creation of a fair, just, and efficient society. These twin concepts are cornerstones of democratic societies and provide a framework for establishing and safeguarding socio economic growth. The Rule of Law refers to the principle that every individual and institution in society, including the government itself, is accountable to laws that are publicly promulgated, equally enforced, and independently adjudicated. It's based on fundamental principles such as equality before the law, accountability to the law, fairness in the application of the law, separation of powers, legal certainty, avoidance of arbitrariness, and procedural and legal transparency (UNDP, 2004).

Good governance, on the other hand, is the manner in which power is exercised in the management of a country's social and economic resources for development. It encompasses a variety of dimensions including participation, transparency, accountability, effectiveness, and coherence. Good governance is participatory, transparent, accountable, effective in making the best use of resources, and equitable. It promotes the rule of law (World Bank, 1992).

The interplay between the rule of law and good governance is dynamic. The rule of law creates a predictable and ordered society that is conducive to good governance. It sets the legal framework that regulates the social, economic,

and political life of citizens, which in turn is used by governments to promote social order, economic development, and human rights. It ensures that government actions are transparent, predictable, and accountable.

On the other hand, good governance promotes the rule of law by establishing the systems and processes that uphold laws. It necessitates transparent decision-making processes, accountability mechanisms, the participation of civil society, and respect for human rights, all of which are hallmarks of the rule of law. Good governance practices and encourages public participation, which can contribute to more robust legal systems by making laws that reflect the wish and needs of the people. In essence, the rule of law and good governance, socio economic need without the rule of law, government actions could be arbitrary, citizens' rights could be violated, and corruption could flourish. Without good governance, the rule of law could be undermined, public resources could be misused, and public trust could be eroded.

The United Nations, World Bank, and other international bodies emphasize the importance of both the rule of law and good governance in achieving sustainable development. The UN's Sustainable Development Goals (SDGs), for instance, highlight the need for peace, justice, and strong institutions, which underpin the rule of law and good governance.

III THEORETICAL FRAMEWORK

For understanding the relationship between the rule of law and good governance, the theoretical framework of Neo institutionalism provides useful insights. Neo institutionalism, a social science perspective, focuses on the role of institutions in shaping social, political, and economic outcomes. Neo institutionalism, as a theoretical perspective, holds socio economic in contemporary social science discourse, primarily due to its focus on the role and impact of institutions in shaping societal outcomes. Among the key figures who have contributed extensively to the development and proliferation of this theory. Douglass North, as a highly recognized economist and recipient of the Nobel Memorial Prize in Economic Sciences, North's contributions have left a profound impact on the theoretical understanding of economic performance and its relationship with institutional structures. North (1991) succinctly defines institutions as the 'rules of the game' in a society. These 'rules' refer to both formal and informal constraints that structure political, economic, and social interactions. Formal constraints encompass rules that a society consciously imposes on itself, including constitutions, laws, and regulations. Informal constraints, on the other hand, enacted socially transmitted norms of behavior, conventions, and internally enforced codes of conduct.

According to North, these rules and constraints, both formal and informal, are instrumental in creating an environment of predictability and order. In a complex cooperative structure such as a functioning government or an efficient market system, predictability and order are of paramount importance. The predictability brought about by institutions allows for reduced uncertainty, enhancing the nondemocratic participants in the system and thus fostering cooperation and coordination. For example, the rule of law, a formal institution in itself, provides predictable legal and judicial systems. This predictability can contribute to a conducive business environment by ensuring that contracts will be upheld and disputes will be fairly resolved, thereby enhancing economic development.

In essence, North's theoretical contributions emphasize the importance of institutional structures in shaping not only the economic outcomes but also the broader social and political landscape of a society. His work has, therefore, profound implications for understanding the socio economic rule of law and good governance within the framework of neo institutionalism.

Applying this perspective to the rule of law and good governance, one can see how these concepts are institutionally interwoven. The rule of law can be understood as an institutional framework that establishes the 'rules of the game' for society. It provides a predictable and transparent set of rules which all members of society, including government officials, are expected to follow. When these rules are respected and enforced, they create an environment conducive to good governance.

Good governance, in turn, can be seen as a set of institutional practices that ensure the fair, efficient, and transparent functioning of government. This includes mechanisms for accountability, public participation, and respect for human rights. These practices align with the 'rules of the game' set out by the rule of law, and reinforce their importance.

In conclusion, through the lens of Neo institutionalism, it can be understood how the rule of law and good governance, as institutional constructs, are interwoven. Information that respects the rule of law creates the conditions necessary for good governance, and practices of good governance reinforce and uphold the rule of law.

IV RESEARCH METHODOLOGY

This study was underpinned by a qualitative research design, which is well-suited for exploring and understanding complex phenomena such as the interplay between rule of law and good governance in Nigeria. This design choice reflects the study's aim to interpret strong contextual, multidimensional, and complex nature of this subject, as qualitative research is particularly adept at capturing the nuances and intricacies of such complex social dynamics.

The research relied heavily on secondary data sources, which included textbooks, scholarly articles in reputable journals, and government publications. These sources were used to draw a comprehensive picture of the state of rule of law and governance in Nigeria. Textbooks and journal publications provided theoretical perspectives, research findings, and discussions on the topic. They offered valuable insights into the current scholarly discourse, established theories, and empirical findings related to the rule of law and its impact on good governance.

Government publications, on the other hand, provided official statistics, policies, and initiatives related to the subject matter. They served as critical resources in understanding the government's stance, its efforts, and the real-world

implications of its policies on rule of law and good governance in Nigeria. All of these sources were integral in providing a well-rounded understanding of the research topic.

V DATA PRESENTATION AND DISCUSS

This heading deals with data presentation and discussion based on the stated objectives of the study:

Research Question One: How did the administrations of Presidents Obasanjo and Jonathan address issues of corruption and what was the impact on the rule of law and good governance in Nigeria?

The administrations of Presidents Olusegun Obasanjo (1999-2007) and Goodluck Jonathan (2010-2015) both grappled with the issue of corruption, which is a significant impediment to the rule of law and good governance in Nigeria. Obasanjo's administration, which started in 1999, was a pivotal moment for Nigeria. It marked the beginning of Nigeria's Fourth Republic and signified the country's transition from prolonged military rule to a democratic system. This period was significant as it provided an opportunity to reform and improve the governance systems that had been impaired during the military era.

Corruption, a systemic problem ingrained within Nigeria's public sector, was one of the primary issues that Obasanjo's administration had to contend with. In fact, corruption was so pervasive that it significantly undermined Nigeria's governance structure and hindered economic growth (Akinlabi, 2012). To confront this problem, Obasanjo's administration established two key anti-corruption institutions: the Economic and Financial Crimes Commission (EFCC) and the Independent Corrupt Practices Commission (ICPC). The establishment of the EFCC and ICPC demonstrated a clear intent to enforce the rule of law and counter corruption. The EFCC was tasked with preventing, investigating, and prosecuting financial crimes, including money laundering and advance fee fraud, known in Nigeria as "419" fraud. The ICPC was established to combat corrupt freedom in Information sector, specifically focusing on bribery and graft (Akinlabi, 2012).

These anti-corruption efforts were designed to bolster the rule of law, a fundamental pillar of good governance. By creating institutions specifically intended to combat corruption, Obasanjo's administration sought to ensure that everyone - regardless of their position or status - would be held accountable for their actions. This reflected a central tenet of the rule of law: the principle of equality before the law. The creation of the EFCC and ICPC was a crucial step towards promoting good governance in Nigeria. By addressing corruption, the government sought to improve efficiency and transparency within public institutions, both of which are essential components of good governance. However, the effectiveness of these institutions has been a subject of debate, particularly regarding issues of enforcement, prosecution, and political influence (Akinlabi, 2012).

Obasanjo's administration made some notable strides in prosecuting corrupt officials, which included high-ranking politicians and law enforcement officers. This signaled a commitment to applying the law equally to all citizens, which is a central tenet of the rule of law. However, criticisms were raised over selective prosecution, as many believed that these anti-corruption drives were often politically motivated (Omotola, 2010; Transparency International, 2019)

The impact of Obasanjo's administration's anti-corruption measures on the rule of law and good governance in Nigeria has sparked considerable debate among scholars and practitioners. The initiation of these measures, including the establishment of dedicated anti-corruption institutions like the EFCC and ICPC, indeed symbolized a formal commitment to curb corruption. These measures were not only aimed at bringing corrupt individuals to book but also aimed at developing a transparent governance system bolstered by the rule of law. Such a commitment, if realized, would have paved the way for good governance by promoting accountability, justice, and equal treatment of all citizens under the law.

However, these initiatives faced significant criticisms, mainly due to the perceived selectivity in the enforcement of anti-corruption laws. Critics argue that despite the existence of these institutions, many high-ranking officials involved in corrupt practices were often overlooked or granted leniency, causing a lack of faith in the system among the Nigerian populace (Uzochukwu, 2019). This inconsistency and apparent selectivity served to undermine public trust in these institutions and question the government's genuine commitment to enforcing the rule of law and facilitating good governance. Thus, while Obasanjo's administration took notable steps towards enhancing the rule of law and good governance, these efforts were seen by some as insufficient and lacking in uniform application (Uzochukwu, 2019). This, in turn, has implications for the effectiveness and credibility of anti-corruption institutions in Nigeria.

During Jonathan's tenure as President of Nigeria, continued anti-corruption efforts were unfortunately met with substantial obstacles, as evidenced by Nigeria's poor ranking on Transparency International's Corruption Perceptions Index (Transparency International, 2014). Such high levels of perceived corruption could have serious ramifications for both the rule of law and good governance. The prevalence of corruption compromises the rule of law by fostering a culture of impunity, where individuals feel they can circumvent the law without facing consequences, especially if they hold positions of power (Mungiu-Pippidi, 2015). This erosion of the rule of law can then undermine faith in legal and governmental systems, as citizens perceive the law to be ineffective or biased.

Moreover, persistent corruption presents a formidable challenge to good governance, an issue which Jonathan's administration grappled with. Corruption compromises key aspects of governance, including transparency, accountability, and efficiency (Rose-Ackerman & Palifka, 2016). When public decisions are made based on private gain, it violates the principles of fairness and equality that are integral to good governance. Despite Jonathan's

administration's efforts to combat corruption, the persistence of corruption has posed significant challenges to the enforcement of the rule of law and the promotion of good governance in Nigeria (Okonjo-Iweala, 2018).

In sum, both administrations highlight the complexities and challenges of curbing corruption, enforcing the rule of law, and promoting good governance in Nigeria. Despite some progress, corruption remains a significant challenge in Nigeria, underscoring the need for continued and consistent efforts to strengthen the rule of law and promote good governance.

Research Question Two: How did the Obasanjo and Jonathan administrations respond to the challenges posed by insurgent groups, and what were the implications for the rule of law and good governance?

Both the administrations of Presidents Obasanjo and Jonathan faced considerable security challenges, including those posed by different insurgent groups operating within Nigeria. These circumstances tested their commitment to the rule of law and good governance.

The administration of President Obasanjo, which marked Nigeria's transition into the Fourth Republic, was confronted with an upsurge in incidents of communal violence, religious unrest, and insurgent activities, particularly in the Niger Delta region (Akinlabi, 2010). Obasanjo's response to these crises was twofold, with the use of both military action and diplomatic engagement to address the volatility of the situation.

The Niger Delta region, with its abundant oil resources, was a hotspot for violent conflict during this period, as numerous armed groups sought to control the region's wealth. To combat these insurgencies, the Obasanjo administration resorted to deploying the Nigerian military forces to quell the uprisings, a strategy that brought both positive and negative outcomes. On the one hand, these military operations were successful in repressing the violent activities to some extent, which helped to bring about some level of stability in the region. On the other hand, these actions were heavily criticized by both national and international observers for the allegations of human rights violations, including extrajudicial killings, arbitrary detentions, and torture (Human Rights Watch, 2002). This was seen as a significant contravention of the rule of law and undermined the credibility of Obasanjo's government.

In parallel to the military approach, the Obasanjo administration also pursued a diplomatic route in an attempt to address the root causes of the conflict. This led to the initiation of an amnesty program in 2009, aimed at the disarmament, demobilization, and rehabilitation (DDR) of the militants in the Niger Delta (Adebayo, 2009). The program offered pardon and monthly stipends to militants who agreed to surrender their arms and renounce violence. This was a significant step towards embracing peace-building efforts in the region.

However, the impact of this amnesty programme was limited due to issues related to its implementation and inclusivity. Critics argue that the amnesty was not comprehensive enough as it did not fully address the broader socio-economic grievances of the Niger Delta communities such as environmental degradation, lack of social infrastructure, and unemployment (Eyina, et al. 2022). It was also criticized for not being inclusive as it did not fully involve the affected communities in its formulation and implementation (Okonta, 2008). Thus, while the programme temporarily reduced violence, it did not achieve lasting peace in the region, reflecting the complexity of promoting the rule of law and good governance in the face of entrenched conflict.

In contrast, Jonathan's administration was primarily characterized by the rise of the Boko Haram insurgency in the North-East. In response to the escalating security situation, Jonathan declared a state of emergency in the three most affected states and launched a military operation to counter Boko Haram (Campbell, 2013). While these measures resulted in some counterinsurgency successes, they were also linked with human rights violations by the security forces. Furthermore, the administration's inability to prevent significant events such as the Chibok schoolgirls' kidnapping in 2014 brought its credibility into question, significantly impacting the rule of law and good governance in Nigeria (Onuoha, 2014).

The experiences of both administrations highlight the complex interplay between maintaining rule of law and ensuring good governance amidst significant security threats. The reliance on military interventions often led to allegations of human rights abuses and strained relations between the citizenry and government institutions (Human Rights Watch, 2012). Moreover, the inability to decisively curb insurgent activities undermined public confidence in government institutions, presenting significant challenges to good governance (Uzochukwu, 2019).

Research Question Three: What were the main policies implemented under the administrations of Presidents Obasanjo and Jonathan aimed at strengthening the rule of law and promoting good governance, and what were their impacts?

During their respective tenures, Presidents Obasanjo and Jonathan initiated several policies aimed at strengthening the rule of law and fostering good governance. These policies focused on curbing corruption, enhancing transparency, promoting peace, and driving economic growth.

President Olusegun Obasanjo's administration, beginning in 1999, was a pivotal point in Nigeria's history, marking the end of military rule and the return to democracy. Obasanjo prioritized good governance and rule of law with several key policies and institutional innovations. Anti-corruption measures were a cornerstone of his administration's agenda, resulting in the establishment of the Economic and Financial Crimes Commission (EFCC) and the Independent Corrupt Practices Commission (ICPC) (Akinlabi, 2012). These institutions were designed to combat pervasive corruption, with the EFCC focusing on financial crimes and the ICPC targeting corrupt practices in public office.

Obasanjo's administration also undertook significant judicial and legal reforms to strengthen the rule of law. The Nigerian constitution was reviewed and amended to enhance accountability and governance. The administration also implemented administrative reforms to improve the efficiency and effectiveness of public institutions. These included reforms to the civil service aimed at promoting accountability, enhancing performance, and reducing corruption. In addition to anti-corruption measures, Obasanjo prioritized the restoration of peace and security, especially in the Niger Delta region. His administration established the Niger Delta Development Commission (NDDC) to address the region's socio-economic challenges and reduce the unrest stemming from the oil sector (Adebayo & Olomjobi, 2012; Eyina, et al. 2022). Furthermore, Obasanjo's administration saw the implementation of economic policies aimed at diversifying the economy, attracting foreign investment, and promoting sustainable economic growth. The National Economic Empowerment and Development Strategy (NEEDS) was launched as a homegrown economic reform program.

However, these efforts faced significant challenges. Allegations of selective prosecution and leniency towards corrupt officials raised questions about the effectiveness of anti-corruption institutions and undermined public trust. This tarnished the perceived commitment to the rule of law and good governance, highlighting the complexities of reform implementation in a deeply diverse and politically nuanced country (Uzochukwu, 2019).

During his tenure from 2010 to 2015, President Goodluck Jonathan's administration took important strides towards reinforcing the rule of law and furthering good governance in Nigeria. The administration's commitment was clearly exhibited in numerous policies aimed at consolidating democratic norms, ensuring public sector transparency, enhancing economic diversity, and improving the business environment.

One of the significant moves under Jonathan's presidency was the enactment of the Freedom of Information Act in 2011. This legislation marked a significant leap towards improving government transparency, enhancing accountability, and bolstering citizen engagement. By granting citizens legal access to public records and fostering openness in governance, it aimed to curb corruption, an endemic issue that has been a major impediment to the rule of law in Nigeria (Onuoha, 2014)

Furthermore, Jonathan's administration worked diligently to reform Nigeria's electoral process to ensure free and fair elections. The appointment of Professor Attahiru Jega as the Chairman of the Independent National Electoral Commission (INEC) in 2010 marked a turning point. Under Jega's leadership, INEC introduced innovative measures such as the use of Permanent Voter Cards (PVCs) and Electronic Card Reader Machines to improve the credibility of elections.

On the economic front, the Jonathan administration took concrete steps to diversify Nigeria's economy, which has historically been heavily dependent on oil revenues. Recognizing the need for an enabling environment that encourages investment and fosters growth, the administration introduced a variety of reforms to enhance Nigeria's business climate. The Nigerian Industrial Revolution Plan and the National Enterprise Development Program were among these initiatives aimed at boosting the manufacturing sector, promoting Small and Medium Enterprises (SMEs), and encouraging foreign direct investments. Despite these strides, Jonathan's administration faced significant challenges, including persistent security threats and public sector corruption. Though his tenure saw many noteworthy policies, their effectiveness in genuinely strengthening the rule of law and promoting good governance was often contested, highlighting the complexities of governance in Nigeria.

However, both administrations grappled with persistent security challenges, most notably the Boko Haram insurgency, which posed a significant threat to the rule of law and good governance. Despite the use of both military and non-military strategies, these administrations could not fully resolve the crisis, pointing to the inherent complexities of dealing with deep-seated issues of social and economic disparity, and political disenfranchisement.

In conclusion, while both the Obasanjo and Jonathan administrations made strides in implementing policies to promote the rule of law and good governance, they faced significant challenges. Persistent corruption, security crises, and public distrust in government institutions marred their efforts. These experiences suggest that promoting the rule of law and good governance requires an integrated approach, addressing not just institutional and legal factors, but also socio-economic and political dynamics that underpin governance challenges (Eyina, et al. 2022).

VI SUMMARY OF MAJOR FINDINGS

The following findings were highlighted:

- 1) Presidents Obasanjo and Jonathan's administrations in Nigeria focused on anti-corruption measures to bolster the rule of law and promote good governance. Obasanjo established institutions like the Economic and Financial Crimes Commission (EFCC) and the Independent Corrupt Practices Commission (ICPC) to address corruption. However, selective enforcement undermined public trust. Jonathan's tenure faced significant challenges with high corruption levels, affecting the rule of law and good governance. Despite efforts, corruption remained a formidable obstacle, highlighting the need for consistent efforts towards rule of law and good governance.
- 2) Both Obasanjo and Jonathan's presidencies in Nigeria faced significant security threats from insurgencies, testing their adherence to the rule of law and good governance. Obasanjo's military and diplomatic strategies addressed communal violence and insurgencies, particularly in the oil-rich Niger Delta, but faced criticisms over human rights abuses and the limited success of an amnesty program. Jonathan's presidency was marked by the Boko Haram insurgency. Despite counterinsurgency efforts, the inability to prevent significant incidents, such as the Chibok kidnapping, undermined the rule of law and good governance.

- 3) Presidents Obasanjo and Jonathan implemented policies to reinforce rule of law and good governance in Nigeria. Obasanjo ended military rule, established anti-corruption institutions, executed judicial reforms, and prioritized peace and security. He introduced the NEEDS economic reform program, but faced challenges of selective prosecution and public distrust. Jonathan's tenure was marked by the enactment of the Freedom of Information Act, electoral reform, and economic diversification strategies. However, persistent security threats and public sector corruption marred his presidency. Both administrations faced significant challenges dealing with the Boko Haram insurgency, illustrating the complexities of managing socio-economic and political issues in governance (Eyina, et al. 2022)

VII CONCLUSION AND RECOMMENDATIONS

In conclusion, the presidencies of Obasanjo and Jonathan in Nigeria showed the complex interplay between efforts to promote the rule of law, good governance, and the persistent challenges posed by corruption and security issues. Both administrations took significant steps to combat corruption, with Obasanjo establishing key anti-corruption institutions like the EFCC and ICPC, and Jonathan enacting the Freedom of Information Act to enhance government transparency. Yet, their successes were marred by allegations of selective enforcement and persisting high corruption levels, indicating that while these measures were necessary, they were not sufficient to fully institutionalize the rule of law and good governance because strong institutions were not created rather strong individuals that acts above the law and also act partially.

Confronting security threats, particularly from insurgencies, proved another substantial challenge. Despite various strategies, both administrations struggled to fully resolve these crises. This not only underscored the difficulty of maintaining security but also raised questions about the effectiveness of their governance and their commitment to upholding the rule of law, particularly in light of associated human rights concerns. The threats of terrorism needs counter terrorism measures that may curtail human rights in National interest for the good of all.

Finally, Obasanjo and Jonathan implemented various policies to strengthen the rule of law and foster good governance. Obasanjo's administration marked the end of military rule and launched a significant economic reform program, NEEDS. Meanwhile, Jonathan oversaw significant electoral reform and pursued strategies for economic diversification. However, the effectiveness of these measures was often contested due to persistent challenges, including security threats and public sector corruption.

In essence, the experiences of both administrations underline that while implementing institutional and legal reforms are crucial, they must be complemented by efforts to address the underlying socio-economic and political dynamics that fuel corruption, insecurity, and distrust in public institutions. The complexities of governance in Nigeria, as revealed during Obasanjo and Jonathan's tenures, highlight the need for holistic and contextually sensitive approaches in the pursuit of the rule of law and good governance.

RECOMMENDATIONS

Based on the highlighted findings, the following recommendations were offered:

- 1) **Enhance Anti-Corruption Measures:** Although both administrations established institutions to combat corruption, allegations of selective enforcement persisted. Therefore, it is recommended to strengthen these institutions' independence and capacity, ensuring fair and unbiased prosecution. This could also include enhanced whistleblower protection and sensitization mechanisms, fostering a culture of accountability.
- 2) **Improve Security Responses:** The inability to fully resolve security issues undermined public trust in both administrations. Recommendations include adopting comprehensive security strategies that combine forceful measures with socio-economic interventions to address underlying causes of unrest, and improving human rights training within security forces.
- 3) **Holistic Governance Reform:** Given the persisting challenges, it is recommended to adopt a holistic approach to governance reform. This should include measures to increase government transparency, promote civic participation, foster economic diversification, and ensure equitable resource distribution, alongside institutional and legal reforms.
- 4) To ensure sustainable rule of law implementation, it is crucial to establish robust institutions rather than relying on strong individuals. This approach minimizes the influence of government whims and guarantees consistency and continuity.
- 5) For the collective good, national security should sometimes take precedence over individual human rights. However, such decisions should prioritize broader societal interests, gain endorsement from the National Assembly, and ensure that any suspension of rights is neither prolonged nor permanent.

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