

**An Appraisal of Thomas Hobbes Leviathan to Corporate Governance, and Accountability
in Nigeria's Fourth Republic.**

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ABSTRACT

England in the middle of the seventeenth century was a quagmire of political posturing from a variety of power centers; royalists, anti-royalists, the clergy, and sundry who were jockeying for the most advantageous positions. With the outbreak of Civil War, England's social and political future looked anything but certain, Hobbes sought to bring his political philosophy to the English audience with the publication of Leviathan in 1651. This work was to be his most powerful restatement of absolute government, grounded on a compact between the ruled and a sovereign authority that would protect the citizenry and secure peace. In line with this, the Nigeria state is also having some internal problems among the federating component with several agitations clamoring for restructuring. This paper argues that the problem of constitutionalism and political development in Nigeria's fourth republic is a problem of governance; when defined in terms of the proper, fair and equitable allocation of resources for the achievement of the end or purposes of the state, which is the promotion of the common good. The paper submits that for good governance to be feasible in Nigeria, sound anti-corruption policies devoid of mere speeches must be put in place. Furthermore, the paper recommends a functional legislature, a viable and independent judiciary, and the attitudinal transformation on the part of the political elite, the absence of which constitutionalism, good governance and political development will continue to be a mirage in the fourth republic.

Keywords: Social Contract, Corporate governance, Democracy, Accountability, Fourth Republic.

INTRODUCTION

Indeed, the kingdoms and principalities which took shape during the sixteen and seventeenth centuries in England, Italy, France, Spain, Portugal and parts of North-Western Europe actually set a pace and pattern of political organizations which were to be widely imitated elsewhere, Thomas Hobbes, John Locke and Jean Jacques Rousseau who are regarded as modern political thinkers are closely associated with the above development in political thought. The ideas of those seventeenth and eighteenth centuries' political thinkers created rooms, consciousness and opportunities for the great liberal and constitutional tradition of politics. From the above exploration, the sophisticated nature, purpose, development, usefulness and application of political thought to the improvement and performance of modern political systems by the political actors, students and scholars in public administration and the civil society cannot be overemphasized (Ajom, 2008)

The points above are meant to comparatively explain in concrete terms how political thinkers have influenced the world, shaped the political systems, politics and administration of the systems at particular point, in time and circumstances from the days of the city states of Athens, to the periods of the nation states of Europe/West, to the periods of the emerging African states from the day of colonialism/ imperialism to political sovereignty (Chinonye, 2007).

These revolutions, the wars and other turbulent events to which they gave rise to coincided with the beginnings of vast transformation in economy of the Western world usually labeled the "Industrial Revolution" (Mabchu, 1998). In the past, it grew out of actual conditions and existing modes of thoughts, at present, it represents problems with which we must deal (Wanlass, 1970).

The traditional social contract theory is a way by which people, in order to escape the state of nature, an insecure state of unavoidable war, implicitly agreed to give away some of their individual freedoms to a political ruler, a State, in order for the State to better protect some more important needs and rights to them. This is how Thomas Hobbes, John Locke and Jean Jacques Rousseau, and later other philosophers, justified the establishment of a State, and developed a theory called the social contract. The social contract doctrine has been one of the most influential theories within Western moral and political theory. The reasons for it being enormously influential are because it addresses the source of sovereign's legitimacy, conception of freedom of individuals and equality, and the issue of consent. But in a current situation of crisis of democracy, is the social contract theory still relevant?

The character of the Nigerian state has been exploited by the operators of state affairs to achieve particularist and sectional interests. Managers of state affairs have often times assumed the position of the State thereby rendering the state paralyzed and in fact subjecting it to their whims and caprices. Jega (2004:p.11) alluded to this when he observed that:

The inadequacy of the ruling class, in terms of lack of vision, competence, intellectual ability, democratic credentials and integrity, further complicates the situation in the sense that elected leaders have become patently incapable of addressing the economic crises and the perpetual instability in the system. They simply act like the proverbial ostrich, oblivious of what is happening around them, and, and busily engaged in graft and the advancement of selfish and parochial interests

To navigate out of the *status quo*, there is need to re-examine and reconstruct the foundations of the Nigerian State in order to transform the federation into a united nation-state that fosters the interests of her citizens without discrimination, advances their happiness and, thus, secures their unforced allegiance. It is in this context that the basic postulates of the Social Contract Theory of the State become very relevant as a framework for the re-ordering of the state. It's the submission of this paper that some comparative analysis was made. The idea of contemporary adaptation of the Social Contract Theory as urged in this work, is an attempt to complement certain basic principles of the modern "contractarian" versions of the theory, notably Hobbes, with more contemporary "contractualist" versions. This approach offers the advantage of furthering democratic rule beyond its traditional frontiers, promoting individual freedom and property rights, the separation of governmental powers, and the rule of law through the enactment of a people-oriented constitution. The theory of social contract is a very famous concept, which importance in nowadays world is still relevant. This is why there are a lot of authors, sociologists, philosophers, academicians, and scholars, who have written either making use of it or referring to it. Consequently, there are a lot of sources about these topics, and in many different views, which helped us build a better idea of the way of constructing this paper.

Terminological Conceptualizations

In the words of James Clement (2014), any scholarly work, idea or knowledge not subject to critical evaluation should be disposed into the waste-bin of historical embarrassment. In line with this, this paper for the purpose of comprehensive clarification and understanding, attempts a succinct scholarly review of terminological concepts and elicited an operational stance of these concepts within the context of this discourse. The concepts reviewed and operationalized include:

Leviathan of Hobbes: This book written by Thomas Hobbes serve as a guide to this work for England in the middle of the seventeenth century, it exposed the quagmire of political posturing from a variety of power centers; royalists, anti-royalists, the clergy, and sundry other groups were jockeying for the most advantageous positions. With the outbreak of Civil War, England's social and political future looked anything but certain, Hobbes sought to bring his political philosophy to the English audience with the publication of *Leviathan* in 1651. This work was to be his most powerful restatement of absolute government, grounded on a compact between the ruled and a sovereign authority that would protect the citizenry and secure peace. By "Leviathan" Hobbes meant the commonwealth or state that is brought into being "by covenant of every one to everyone" and requires a social agreement; the civil liberty it allows is the freedom to do whatever the law of the state does not prohibit.

Corporate Governance: The stamina of corporate governance is accountability. Corporate governance is an apparatus that best ensures those engaged in managing the affairs of others act in the best interest of all stakeholders. Bateman and Snell (2004) define corporate governance as "The role of a corporation's executive staff and board of directors in ensuring that the firm's activities meet the goals of the firm's stakeholders."

Political Accountability requires answerability, responsiveness and enforcement. Responsiveness indicates what has been done, while answerability implies the responsibility to report what was done, how it was done and why.

Fourth Republic: this is the period beginning from the time Former President Abdusalam Abubakar's regime disengaged from office and handedover to an elected civilian government, that is, from May 29th, 1999.

Consolidation: this is defined as the process of achieving broad and deep legitimacy such that all political actors, at both the elite and mass levels, believe that, the democratic regime is better for their society than any other realistic alternative they can imagine.

The Social Contract Theory: came from the works of three important Philosophers who were concerned with Order and Stability in modern society as against chaos, confusion and bad leadership. Thomas Hobbes worked on *Leviathan* (1651); John Locke worked on *Two Treatises on Government* (1690) and Jean-Jacques Rousseau worked on the *Social Contract* (1762). The ideas they propagated in these works are referred to as the Social Contract Theory, which refers to a contract between persons in pre-socio-political conditions declaring the terms in which they can create and submit to political authority or government (Barker, 1960, Burke, 1971).

A Short Review of Social Contract Theory.

Social contract theory expresses two fundamental ideas to which the human mind always clings: the value of liberty; the idea that “will” and not “force” is the basis of government; the value of justice or the idea that “right” and not “might” is the basis of all political society and of every system of political order. The theory seeks to explain the formation of societies and governments. Despite the great variations on some points, the Social Contract Theory mainly focuses on the voluntary consent that people give to the formation of the government (Nyamaka, 2011).

Thomas Hobbes (1588-1679) was among the first philosophers to use the word “civil” in reference to government. In order to live at peace with one another, he argued, human beings surrender their natural liberty and exchange it for civil liberty by means of a “social contract.” After that social contract is established, “the multitude so united in one person is called a COMMONWEALTH; in Latin, CIVITAS. This is the generation (origin) of that great Leviathan, or rather, to speak more reverently, of that mortal god to which we owe, under the immortal God, our peace and defense.” By “Leviathan” Hobbes meant the commonwealth or state that is brought into being "by covenant of every one to everyone" and requires a social agreement; the civil liberty it allows is the freedom to do whatever the law of the state does not prohibit. Hobbes's idea of a civil commonwealth paid only indirect homage to the feudal order's assumption that divine power legitimized the rights of kings, and it was not well received by either the monarchy or the Church of England (established by Henry VIII, with the monarch as “Defender of the Faith”) -- and with good reason, since it laid the foundation for new ways of thinking about government that challenged the old political order, just as the Protestant Reformation (and King Henry) had challenged the universal power of the Roman Catholic Church.

John Locke (1632-1704) broadened Hobbes's concept of the social contract and began the notion of civil society. Rather than identifying the notion with a state or government, he connected it with a social order. It was about the way in which people create consensus and develop rules and customs to live together. Included in this understanding of the social contract were non-governmental groups like the family and the church as well as the state. Locke called this realm “civil society” and saw it as being dependent on agreements among people and many kinds of organizations, not just between people and their governments. In fact, in a civil society people authorized government, and this was an even more revolutionary idea.

As the concept of civil society spread across Europe, other theorists contributed their own various perspectives. The Baron de Montesquieu (1689-1755) went out of his way to distinguish "society" from “government”; like Locke, he saw society, with its own governing powers.

Jean-Jacques Rousseau (1712-1778) explicitly linked the idea of society with the economic order, and in *A Discourse on Political Economy* he made a distinction between a "public economy" and a "private economy." Adam Smith (1723-1790) connected the idea of liberty within civil society with the new system of commerce in which markets demonstrated the power of self-regulation. All of these ideas placed civil society in contrast to feudal society.

Eventually, of course, they sparked revolutions. The idea of a "civil commonwealth" conceived by Hobbes threatened the authority of the monarchy, and Locke's idea of a "civil society" legitimized the English Revolution of 1688. In drafting the Declaration of Independence, the document that so eloquently set forth the justification for the American Revolution in 1776, Thomas Jefferson drew upon Locke in particular. By refusing due deference to the consent and welfare of those it governed, the Declaration announced, the restored British monarchy, in the person of King George III, had become despotic and tyrannical, and therefore the people of the thirteen colonies had the right to "dissolve the bonds which have connected them" to the Crown in order to institute a new government that could defend their natural and God-given rights to "Life, Liberty, and the pursuit of Happiness." "All of these ideas were certainly present in the minds of the leaders of the French Revolution in 1789, and, as further developed in the works of Thomas Paine, the first ten amendments to the U.S. Constitution (ratified in 1791 and known as the Bill of Rights), and France's Declaration of the Rights of Man and Citizen, they spread across Europe. But as new nations struggled to reorganize with new political principles, some philosophers saw civil society identified with markets. These markets were difficult to reconcile with the higher values of a good society.

Thomas Hobbes Biography and Social Experience (1588-1679)

Thomas Hobbes was pre-maturely born in 1588 in West Port England; He is one of the greatest political thinkers that the world has ever produced. History had it that when the King of Spain wanted to marry Queen Elizabeth the 1st but the Queen refused, he (the king of Spain) sent a warship called "Armada" to the coast of England to invade England. The mother of Thomas Hobbes together with the rest of England received the news with shock and with that shocks and fear of invasion she gave birth to a pre-matured child, Thomas Hobbes in 1588 (Ajom, 2008).

He was schooled in the scholastic tradition at Oxford, and went on to obtain his Bachelor of Arts degree in 1607. Hobbes served as a private tutor to various wealthy nobles in England and France. This carrier offered him access to well-stocked libraries and was provided the opportunity to travel throughout Europe. During the next 40years, Hobbes would meet such famous people as Galileo, Descartes and Gassendi whose ideas were to influence him greatly. His major work "Leviathan" is the greatest, perhaps the sole master piece of political philosophy written in English Language. Indeed, Hobbes has been regarded as the father of modern political science.

It's he who for the first time systematically and scientifically expounded the absolute theory of "Sovereignty". He talked about power. Power is absolute term to the king. He was the 2nd political philosopher after Machiavelli to have rejected totally the philosophy of Plato and Aristotle. Hobbes studied in Oxford, at the time the study of Aristotelian philosophy was very important, and the philosophy of Aristotle was of great importance but Hobbes was not prepared to accept it. He rejected everything. Before Hobbes, the principle of Plato and Aristotle was that "the state is a natural organization and based on reason", was accepted. Hobbes rejected this idea and declared that: state is based upon the will of the people?

Hobbes was influenced to go into political philosophy by several events, one of which was “the great political and constitutional crises that led to the English Civil War. England in the middle of the seventeenth century was a quagmire of political posturing from a variety of power centers: royalist, anti-royalist, the clergy and sundry, other groups were jockeying for the most advantageous positions. With the outbreak of civil war, England’s social and political future looked anything but certain. I was weak physically and otherwise. Hobbes was afraid of the happenings in the world at the time in question. Therefore, he sought for a strong and absolute monarchy. He was looking for security. He wanted absolute sovereignty (Ajom, 2008)

He lived during the time of civil war in England. King Charles was executed by the order of parliament. The king had claimed that he had sole right from God. (Divine Right of Kings) to rule as he likes, but the parliament claimed that the king should be made to account for his stewardship (public accountability). On the long run in the 1649, Charles was hanged and this was because of weak monarchy (Chinonye, 2007).

Amid this turbulence, Thomas Hobbes was to compose one of the most powerful pieces of political philosophy ever penned, *Leviathan*. Here he sought to unravel political complexities in order to provide clear and unequivocal answers to the confusion that engulfed England. In *Leviathan*, Hobbes set forth his view of the ‘passions’ that grip human reason, passions that if left unchecked would spell the obliteration of human kind in a war of all against all. To prevent total destruction, reason must prevail and those in the pre-political state of nature must collectively acknowledge the creation of a civil authority as the only solution if peace is to be achieved and self-preservation assured. Since his political philosophy supported neither the divine right of a monarchy based upon succession nor the independent authority of the church, Hobbes was viewed with suspicion by both royalist and the ecclesiastical community. He returned to England after an eleven-year exile.

Social Contract Theory of Thomas Hobbes(1588-1679)

Thomas Hobbes presented the first crystallized modern form of the contract theory of the State. He developed the idea of a State of Nature—in which life was ‘solitary, nasty, brutish and short’—and posited a social psychological theory of an inherent instinct of self-preservation in man. All men were equal in the State of Nature, equality here meaning ‘simply that anyone is capable of hurting his neighbor and taking what he judges he needs for his own protection’. (Sabine and Thorson, 1973). In a similar vein there was ‘right of all to all, but this right simply means a man’s liberty ‘to do what he would, and against whom he thought fit, and to possess, use and enjoy all that he would, or could get.’ (Hobbes, 1988).

Four factors are responsible for ‘war’ in the Hobbesian State of Nature, namely: (i) equality of needs, (ii) scarcity, (iii) essential equality of human power, and (iv) limited altruism. But the interesting irony is that a twist in circumstances could occasion the overpowering of the strong by the weak. This made life very precarious. Worse, still, the social cooperation necessary for industry, housing, technology, and suchlike endeavors was lacking in the State of Nature. Driven by fear of death, especially violent death, and the desire for the advancement of social cooperation, reason dictated to men to agree among themselves to submit their individual rights (except that of self-preservation) to an absolute sovereign for the preservation of lives in the community. The contract, by which men emerge from the state of nature into civil society, Hobbes holds, is between/among individuals, not between citizens and the government (Nbeta, 2012).

Hannah Arendt describes the Hobbesian version of the social contract as vertical to explain the idea of a top-to-bottom relationship between the sovereign and the people in the exercise of power and authority. The people relinquish their individual rights and power and vest them in the sovereign to insure their safety. Except the right to impose death on the citizens, which is for all practical purposes excluded in the contract, these rights are absolute and irrevocable. The sovereign who is established by the contract is high up, at the vertex of the hierarchy of power and authority.

But what about regimes created through conquest? Can one talk about free will in these cases? Hobbes explains that also in this case, people express their free will to be ruled by the conqueror, because they fear death. When they are faced with death from the conquerors, they immediately express their free will to be governed by them and give up their rights and powers to the new sovereign. Thus, also this kind of sovereign owns the will of his citizens to be their representative (Dushi, 2015).

To other philosophers, who say that contracts created through force and fear cannot be valid, Hobbes responds that it is enough for a person to have the bodily liberty and to not be kept into chains. This raises for him the duty to obey to his sovereign in everything. Williamson, (1977) in tandem with Hobbes states that there is not much difference between governments created through the social contract and those created through conquest. Both types of governance are created by surrender or by giving up of the rights and both types of obligations can be set up without any expressed declaration of will, because according to Hobbes (2010) contracts can be created also with silence or tacit consent and resignation. Through his theory, Hobbes explains some important terms such as representation, when one person can transfer the rights to another, the legitimacy of contracts made under force and violence, and the tacit consent as a way to create a valid contract, notions which are important for the further development of contract theories by the other philosophers.

An Appraisal of Thomas Hobbes Leviathan (Social Contract) to Corporate Governance, and Accountability in Nigeria's Fourth Republic.

The main line of argument in this work is that it is expedient and logical to construe the modern state as the product of a covenant, a compact or Social Contract. The logical import of this postulate is that the people, by whose contrivance governments were instituted, ought to determine how they should be governed. The Constitution of the state should thus truly be 'The Constitution of the People.' This will promote democracy, and, as Alexis de Tocqueville (1998), rightly opines, 'Democratic laws generally tend to promote the welfare of the greatest possible number; for they emanate from the majority of the citizens, who (although) are subject to error, cannot have an interest opposed to their own advantage.' The Nigerian State deviates from this provision and the phrase 'WE THE PEOPLE...' (Nigeria Constitution, 1999) in the pre-chapter of her constitution appears to be merely presumptuous. This is largely responsible for much of her political and ethno-religious crises as well as the prevalence of militant agitations across the country. Nbate (2012).

The Social Contract Theory of the state provides a useful way of conceptualising the state in order to articulate, harmonize and aggregate the interests of the citizens towards a rational and general will. The position of this paper is that no single version of the Social Contract Theory (neither Locke's nor Hobbes', nor any other), is exclusively adequate as a model for the reconstruction of the Nigerian state. It rather suggests that, because of the dynamic nature of social circumstances and human will, different societies at different periods could adapt the basic assumptions of the Social Contract Theory in the re-ordering of the State to fulfill its ultimate goals. This thinking is thus nonnegotiable in the re-engineering of the Nigerian state.

Addressing the questions: whether there is democracy, good governance and accountability in Nigeria, or even understanding what was going in Nigeria in the name of building a democracy requires some re-examination of the democratization discourse. Democratization is about all efforts toward the political liberalization of the public domain. From a liberal capitalist perspective, it has to do with opening up, tolerance, moderation and moving away from authoritarianism. It is the process of establishing, strengthening or extending the principles, mechanisms and institutions which define a democratic regime (Osaghae, 1999). At present, none of these can claim to be happening in the Nigerian polity in a significant magnitude that could allow Nigeria to be listed among some seriously democratizing countries.

Firstly, in Nigeria, all the universal elements of democracy were violated most especially by those politicians occupying positions of authority as regards controlling state powers and the national economy. Hobbes started in the Leviathan with particular reference to power, worth, dignity, honor and worthiness. (1988, p.43)

Greatest of humane powers, is that which is compounded of the Powers of most men, united by consent, in one person, Natural, or Civil, that has the use of all their Powers depending on his will; such as is the Power of a Common-wealth; Or depending on the wills of each particular; such as is the Power of a Faction, or of divers' factions leagued. Therefore, to have servants, is Power; to have friends, is Power; for they are strengths united.

Elections in Nigeria's Fourth Republic may best be described as precarious, a situation that has left many Nigerians shun the polling booths on many electoral occasions. However, experiences in Nigeria have shown that election credibility has no correlation with legitimacy. A reported statement by a one-time Deputy Premier of the Western region of Nigeria, chief Fani Kayode that whether you vote for us or not, we will remain in power (Dudley, 1973) cruelly depicts the extent to which elections can be personalized in Nigeria.

The 2019 general election was characterized of Vote buying: giving money to voters to vote for particular party and/or candidate(s), Buying off of the electoral officers and party agents to manipulate the results for a particular political party or candidate(s), Changing of the figures of results counted at polls or collation centers in favor of political parties or candidates; Inciting or causing violence at the polling units, among others.

Hobbes in one of his writings titled, Of the Natural Condition of Mankind, as concerning their Felicity, and Misery asserts, (1988, p.63).

And therefore if any two men desire the same thing, which nevertheless they cannot both enjoy, they become enemies; and in the way to their End (which is principally their own conservation, and sometimes their delectation only,) endeavor to destroy, or subdue one another. And from hence it comes to pass, that where an Invader hath no more to feared, than another man's single power; if one plant, sow, build or possesses a convenient Seat, others may probably be

expected to come prepared with forces united, to dispossesses, and deprive him, not only of the fruit of his labor, but also of his life, or liberty. And the Invader again is in the like danger of another.

He further posited that:

The nature of man, we find three principal causes of quarrel. First, competition; Secondly, diffidence; Thirdly, Glory. The first, make men invade for Gain; the second, for Safety; and the third, for reputation. The first use Violence to make themselves Masters of other men's, persons, wives, children and cartel; the second to defend them; the third, for trifles, as a word, a smile, a different opinion, and any other signee of undervalue, either direct in their Persons, or by reflex ion in their Kindred, their Friends, their Nation, their Profession, or their Name.

It can be deduce from the ongoing philosophy of Hobbes that, a functioning democracy is about the institutionalization of the key elements of the democratic system, such as the constitutional opening of the democratic space, in such a way that no 'rights' group is denied access to participation in the democratic process and citizens regardless of their identities, have multiple avenues for the expression and representation of their values and interests. Democracy also requires that society must have an open, a free and independent Press that can provide alternative sources of information, education and socialization. This would propel a condition of holding government accountable for its actions and inactions.

Secondly, In spite of the return to civil rule and its anticipated features like the rule law, respect for human rights and dignity, observance of due process, there were still evidences of arbitrariness and other illegal activities. These combined to cause several unnecessary deaths and also generally endangered lives and property under the Obasanjo, Yar'adua, Jonathan and Buhari's administration. In accordance This study's focus here, all these elements exacerbated the perennial governance crisis, which also hindered national cohesion and sustainable development till date (Arbour, 2012; Agbede, 2000, Mowoe, 2008; Nwekeaku, 2014 and Tambuwal, 2013).According to Hobbes (1988, p.140) under Civil Laws opines:

Civil law is to every subject, those Rules, which the Common-wealth hath commanded him, by Word, Writing, or other sufficient Sign of the Will, to make use of, for the Distinction of Right, and Wrong; that is to say, of what is contrary, and what is not contrary to the Rule (1988, p.140).

He further posited in one of his writing: The Sovereign by Institution

A common-wealth is said to be Instituted, when a Multitude of men do Agree, and Covenant, every one, with every one, that to whatsoever Man, or Assembly of Men, shall be given

by the major part, the Right to Present the Person of them all, (that is to say, to be their Representative;) every one, as well he that Voted for it, as he that Voted against it, shall Authorize all the Actions and Judgments, of that Man, or Assembly of men, in the same manner, as if they were his own, to the end, to live peaceably amongst them-selves, and be protected against other men (Hobbes, 1988,p.90).

In another dimension, the Judiciary in the fourth republic was carpeted and disregarded with impunity by the all-powerful Executive, who saw itself as superior to the other organs of government. While the constitution is an essential impetus for democratic governance, conforming to its directive was a major challenge in the period under review. Several judicial pronouncements were disregarded, court orders flouted with contempt while selective justice pervaded the entire polity.

Hobbes (1988, p.129) reiterated in his Publique Ministers of Sovereign Power, that

Neither a Counselor (nor a Counsel of State, if we consider it with no Authority of Judicature or Command, but only of giving Advice to the Sovereign when its required, or of offering it when it is not required, is a Publique Person. For the Advice is addressed to the Sovereign only, whose person cannot in his own presence, be represented to him, by another. But a Body of Counselors, are never without some other Authority, either of Judicature, or of immediate Administration; As in a Monarchy, they represent the Monarch, in delivering his Commands to the Publique Ministers: In Democracy, the Counsel, or Senate propounds the Result of their deliberations to the people, as a Counsel; but when they appoint Judges, or hearer Causes, or give Audience to Ambassadors, it is in the quality of a Minister of the People: And in an Aristocracy the Counsel of State is the Sovereign Assembly itself; and gives counsel to none but themselves.

Governance crisis will prevalently manifest where constitutionalism is thrown in the dustbin and where there are no restraints on the exercise of political power. Government in the Fourth Republic especially from 1999 to 2019 was not based on rules rather on the whims and caprices of political leaders. Also in this regard was the disregard of court order by President Buhari on the bails granted to the former security adviser under Jonathan administration, Sambo Dasuki, El-zakzaky, among others. One may be reminded that;

Civil law is to every subject, those Rules, which the Commonwealth hath commanded him, by Word, Writing, or other sufficient Sign of the Will, to make use of, for the Distinction of Right, and Wrong; that is to say, of what is contrary, and what is not contrary to the Rule (Hobbes,1988, p.140).

Thirdly, the Contradictory Thoughts and Actions of Nigeria's Ruling Class regarding Accountability and Transparency is one of the cardinal principles which to Hobbes (1988, p.189) reiterated through his work, he went further to detail the dictates of the office of the Sovereign Representative thus;

Concerning the offices of one Sovereign to another, which are comprehended in that Law, which is commonly called the Law of Nations, I need not to say anything in this place; because the Law of Nations, and the Law of Nature, is the same thing. And every Sovereign hath the same Right, in procuring the safety of his People that any particular man can have, in procuring the safety of his own Body. And the same Law, that dictate to men that have no Civil Government, what they ought to do, and what to avoid in regard of one another, dictate the same to Commonwealth, that is, to the Consciences of Sovereign Princes, and Sovereign Assemblies; there being no Court of Natural Justice,

From the above assertion of Hobbes one can deduce that; Leaders must demonstrate exemplary qualities, especially in terms of trustworthiness and truthfulness in dealing with their subjects and in handling state resources. They should show commitment, sensitivity, responsiveness and responsibility to the welfare and needs of their subjects. They should also demonstrate genuine and real concern for the plight and sufferings of the common man. There should be designed and put in place programs and a machinery for the reorientation of the youth, particularly in Leadership and social responsibility training; civic and political reorientation; "Multi-cultural peace education and self-reliance, economic empowerment and entrepreneurial skills.

Legislative – Executive Frictions, especially in the Fourth Republic, impeachment of public officers has been a frequent phenomenon with a devastating effect on Nigeria's political and development process. A survey of literature reveals that to date (from 1999) in Nigeria, not less than 25 speakers, 10 deputy speakers, 5 Governors, 10 deputy Governors and two senate presidents were impeached. Hobbes (1988, p.189) In his writing: The office of the Sovereign Representative also posited:

If the Sovereign of one Commonwealth, subdue a People that have lived under other written Laws, and afterwards govern them by the same Laws, by which they were governed before; yet those Laws are the Civil Laws of the Victor, and not of the Vanquished Commonwealth. For the Legislator is he, not by whose authority the Laws were first made, but by whose authority they now continue to be Laws. And therefore where there be divers Provinces, within the Dominion of a Commonwealth, and in those Provinces diversity of Laws, which commonly are called the Customs of each several Province, we are not to understand that such Customs have their force, only from Length of Time; but that they were anciently Laws written, or otherwise made known, for the Constitutions, and Statutes of their Sovereigns; and are now Laws, not by virtue of the Prescription of time, but by the

Constitutions of their present Sovereigns. But if an unwritten Law, in all the Provinces of a Dominion, shall be generally observed, and no iniquity appear in the use thereof; that Law can be no other but a Law of Nature, equally obliging all man-kind(1988, p.142).

One critical question that perplexes one's mind is; are these allegations not enough to constitute "gross misconduct" on the part of the executive? The foregoing therefore affirms as earlier argued that Legislative-Executive friction has little to do with constitutional misunderstanding or misinterpretation, rather it is a fallout of the politics of struggle for prestige, influence and control over who takes what, when and how. Similarly, the enforcement of leadership and principal offices to National Assembly which was resisted and the aftermath was intimidation, harassment and using the state apparatus to deal with them, particularly the, Saraki saga, which led to his unceremonial funeral in the 2019 nationalelection.

According to Hobbes (1988, p.140) Civil Laws demand that,

The Legislator in all Common-wealth is only the Sovereign, be the one Man, as in a Monarchy, or one Assembly of men, as in a Democracy or Aristocracy. For the Legislator, is he that makes the law? And the Common-wealth only, prescribes, and commands the observation of those rules, which we call Law: Therefore, the Common-wealth is the Legislator. But the Common-wealth is no Person, nor has capacity to do anything, but by the Representative, (that is, the Sovereign ;) and therefore the Sovereign is the sole Legislator. For the same reason, none can abrogate a Law made, but the Sovereign; because a Law is not abrogated, but by another Law, that forbidden it to be put in execution.

Fourthly, Strong institutions is one of the cardinal principles in Hobbes Social Contract. He reiterated through his work , with particular reference to those things that Weaken, or tend to the DISSOLUTION of a Common-wealth espoused;

Through nothing can be immortal, which mortals make; yet, if men had the use of reason they pretend to, their Common-wealth might be secured, at least, from perishing by internal diseases. For by the nature of their Institution, they are designed to live, as long as Man-kind, or as the Laws of Nature, or as Justice itself, which gives them life. Therefore, when they come to be dissolved, not by external violence, but intestine disorder, the fault is not in men, as they are the Matter; but as they are the Makers, and order of them (1988, p.170).

From the above stand of Hobbes, one must note as Diamond (2012) concurred in the same vein that the major factors that determine the extent to which citizens value a regime is its performance. If they feel that the political system is working for them, particularly in the economic and political spheres, they are likely to support it. Nigeria's experience with political parties which dates back to the colonial era shows that inter and intra-party squabbles are major challenges confronting the development of political parties. Inter and intra-party squabbles have also resulted in various physical violence and killings of many party stalwarts including party standard bearers or would-be bearers in general elections (Egwu, 2005).

Among these were the crisis that erupted in Anambra State leading to the abduction of the erstwhile Governor of the State, Dr. Chris Ngige in 2005, by his godfather Chris Uba, the crises that greeted the impeachment of Senator Rasheed Ladoja of Oyo State in 2005 believed to be master-minded by his godfather Chief Lamidi Adedibu, the assassination of Harry Marshall while campaigning for the ANPP after decamping from the PDP, the killing of Chief Ajibola Ige, a serving Attorney-General and minister of Justice who was a member of the AD but serving under the Obasanjo-led PDP government, the gruesome, inhumane and callous murder of Chief Funso Williams in Lagos state and Dr. Ayo Daramola in Ekiti State, both of whom were vying for the governorship seats in their respective states. The deleterious effect of inter and intra-party squabbles in the Fourth Republic has continued to threaten democracy in Nigeria. In the same vein, the last general election was also characterized with the imposition of candidates, nepotism, favoritism and unequal playing ground, leading to the eventual defeat of certain anointed candidates, such as Uche Nwosu in Imo State, the son-in-law of Rochas Okorocha, Oyo, Gombe .etc.

Hobbes (1988, p.171) further posited in one of his writings: those things that Weaken, or tend to the DISSOLUTION of a Common-wealth that;

Among the Infirmities therefore of a Common-wealth, I will reckon in the first place, those that arise from an imperfect Institution, and resemble the diseases of a natural body, which proceed from a Defections Procreation. Of which, this is one, that a man to obtain a Kingdome, is sometimes content with less power, than to the Peace, and defense of the Common-wealth is necessarily required.

Fifthly, Public trust is one of the cardinal principles in Hobbes Social Contract, just as he went on to state that;

The office of the Sovereign, (be it a Monarch, or an Assembly,) consisted in the end, for which he was trusted with the Sovereign Power, namely the procurator of the safety of the people; to which he is obliged by the Law of Nature, and to render an account thereof to God, the Author of that Law, and to none but him. But by Safety here, is not meant a bare Preservation, but also all other Contentment's of life, which every man by lawful Industry, without danger, or hurt to the Common-wealth, shall acquire to himself. And this is intended should be done, not by care applied to Individuals, further than their protection from injuries, when

they shall complain; but by a general Providence, contained in publique Instruction, both of Doctrine, and Example; and in the making, and executing of good Laws, to which individual persons may apply their own cases (1988, p.178).

With due reference to the above submission of Hobbes, it should be a collective resolve on the part of all Nigerians to struggle to confront it head-on.

It was expected that in the Fourth Republic (between 1999-2019) Nigerians per capita income would increase tremendously, production diversified away from oil, poverty reduced to the barest minimum, economic opportunities provided for self-development while at the same time ensuring environmental sustainability. Available statistics proved that these expectations were mere wishful thinking given the way and manner the Nigerian economy was managed during the period under review. Given the abundance of both human and material resources, it is incontrovertible that Nigeria is the toast of many nations and a business haven for many investors, but sustained poor political governance has hindered any meaningful economic development.

Sixth, Another Business of the Sovereign is to choose good Counselors, such whose advice he is to take in the Government of the Commonwealth (Hobbes, 1988) for this is another relevance of Hobbes thought to contemporary Nigeria where the President on 29th May, 2019 got inaugurated for the second tenure by which he is expected to name his ministers. He should endeavor to choose across party line by putting the right peg in the right hole in order to move the country towards economic development and national integration. Besides compliance to the rule of law and obedience to the leaders that enforce it, one role that is obligatory upon the followership without exception is giving advice to the leaders. Advice to them is a two-edged activity. It could either be advising them to do certain good things or warning them against committing evil, that is, in their positions as leaders. What this implies is that the followership/ citizenry is obliged to be watchdogs on establishing good governance, by advising the leaders as far as possible and as appropriately as the situation warrants

Lastly, internal security and territorial integrity is considered to be the most important national interest of Nigeria and every responsible nation state. Over the years the security situation of the country is becoming the most challenging sector of the country by the fact that life is becoming nasty, solitary brutish and harsh, war of all against all, survival of the fittest becomes the order of the day just like state of nature described by Thomas Hobbes. It is against this background therefore Hobbes also posited that as Commander of the army, in chief, he must therefore be Industrious, Valiant, Affable, Liberal and Fortunate, that he may gain an opinion. Similarly, it belonged therefore to the safety of the people, both that they be good Conductors, and faithful Subjects, to whom the Sovereign Commits his Armies (Hobbes, 1988).

CRITIQUE

From a philosophical perspective, one criticism that has been leveled against the Contract Theory is that it assumes that the relation between the individual and the state is voluntary. But according to the critics, membership in a state is obligatory; hence, the obligations of an individual to the state are not contractual. A person is born into one state or another, neither on his own terms nor based on his prior consent, in much the same way he is born into a family. Granted, one could decide, when one becomes an adult, to transfer one's citizenship to another state, but even in such a case, it is obligatory for one to accept the already established laws of that state.

Based on the above and the material conceptualization of what Hobbes believes to be the basis for man's existence, he was criticized for promoting totalitarianism and fascism as well as capitalism. In fact, his state of nature was believed to have not existed and therefore his philosophies are not only hypothetical but also attempt to earn rather a state of war. He was not concerned with the history of the State, but only with the validity of State.

In spite of all these criticisms, Hobbes, Leviathan appears to possess a powerful instrument for the evolution of the theory of sovereignty

CONCLUSION

The problems of Nigeria have metamorphosed beyond leadership into institutional problems. Nigeria is living in falsehood, as the Constitution does not reflect the will of the people. Thus, if one is to progress from this state of war' in which the nation appears to found itself, then one must be ready to reinvent and renegotiate the contract terms of this union; that will ensure that the government exists for the good of the people; and as such should depend on their consent; and finally, should be limited and constitutional in its authority.

RECOMMENDATIONS

As part of the strategies to fight corruption, it is recommended that politics should be demonetized by making appointments, such as Special Advisers and Assistants, part-time job. Similarly, legislators should be paid part-time remuneration. This would greatly reduce the urge and parasitic greed for power. The immunity clause in the 1999 Constitution should be expunged, because it provides a constitutional shield for political officeholders to shamelessly embezzle the commonwealth.

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