
THE PLACE OF FREEDOM AND EQUALITY IN MODERN AFRICAN DEMOCRATIC REGIMES

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Abstract

In most African democracies those that gain power through the will of the majority rule the state with “winner takes it all” mindset. Apparently, they have little or no concern for the minority who lose (not just state power, but) freedom, on one hand, and equality with their fellow citizens, on the other. This way, freedom and equality appear to be subordinated to the principle of majority-rule. Yet, freedom and equality, not majority-rule, constitute the substance of democracy. The problem, therefore, is: Should majority-rule be jettisoned as a key principle of democracy? How is freedom and equality to be enthroned as the substance of democracy (without undermining the principle of majority-rule)? This paper briefly examines the origin of democracy in ancient Greece to uncover the substance of this system of government at its inception. It shows that freedom and equality were the chief reasons for the development of democracy. It investigates democratic praxis in modern African states citing examples with Nigeria, Sudan, Egypt, Zimbabwe, South Africa, etc., as states, where majority-rule has turned into tyranny of the majority and how this practice violates the very essence of democracy. The paper suggests Rawls’ model of restructuring society as the approach to adopt in any attempt to remake freedom and equality as the hardcore of democratic regimes.

Keywords: democracy, freedom, equality, people, minorities, majorities, justice, fairness, Africa.

Introduction

In Africa, democracy is ordered in such a way that those that win power through the ballot box, or say, by the will of the majority, rule the state with ‘winner-takes-it-all’ mindset. This mindset obtains in Kenya, Nigeria, Congo, South Africa, Sierra Leone, Rwanda, Angola, Ghana; indeed, everywhere in Africa. Markus Löffelmann affirms this in his book, *Tales from My German Africa: Seven Polemic Expressions of Thought*, as he explains a common notion of Africa’s concept relating to elections and eating. The concept, he writes, is that: “A winner-takes-all-mentality ... said to have been foisted on Africa by the colonial powers leaves the loser with nothing until one day he is a winner. Then his suffering ends

and his time to eat has come.” (Löffelmann, 2012:176). Meanwhile, the regular loser who may never win always have to go home empty-handed to feed on hunger, including hunger for a change of the rules to more just and fair ones that reward everyone including those marginalized, among other factors, by natural lottery. The ‘winner-takes-all’ is not merely a mindset, but the political practice. Löffelmann says it “is the most widespread type of African democracy” with Kenya, Nigeria, and the Congo as some of the worst offenders (2012:176).

This mindset and practice also goes by the description: ‘first-past-the-post’ and has palpable ill-effects on the continent’s democracy. About these, David Thomas explains: “Regardless of the margin of victory, ‘first-past-the-post’ delivers the spoils to the party that acquires a simple majority – and denies second-placed candidates a share of power”. (New African Magazine, 2015). Thomas, D. (2015, April 21). End ‘winner takes all’ politics – Osinbajo. New African Magazine. Retrieved from <http://newafricanmagazine.com/end-winner-takes-all-politics-osinbajo/>. In similar vein, a Professor, Stephen Adei, Rector of the Ghana Institute of Management and Public Administration (GIMPA), makes an observation that in Ghana the "winner-takes-all" mentality of politicians “immobilizes at least 40 per cent of Ghanaian brains simply because they do not belong to a ruling government.” (The Ghanaian Times, 2008, December 13). Prof Adei damns winner-takes-all politics. The Ghanaian Times. Retrieved from http://www.africanelections.org/print_article.php?news=1822&link=/ghana/news/page.php?news=1822. Adei argues that ‘the winner takes all’ concept has the tendency of making politicians, upon assumption of office, to appoint old school mates and other cronies to positions, disregarding competence and merit. This practice, he says, "results in weak leadership when you surround yourself with people who have no broader national vision and who only fuel patrimony". (The Ghanaian Times, 2008, December 13). Prof Adei damns winner-takes-all politics. The Ghanaian Times. Retrieved from http://www.africanelections.org/print_article.php?news=1822&link=/ghana/news/page.php?news=1822. For, Nkosana Moyo, “In young democracies where you don’t have robust institutions, first past the post is very divisive. You can get to the point where literally 49% of the population has chosen a different way. First past the post says ignore them – the 51% runs the country”. (New African Magazine, 2015, July 27). Thomas, D. (2015, April 21). End ‘winner takes all’ politics – Osinbajo. New African Magazine. Retrieved from <http://newafricanmagazine.com/end-winner-takes-all-politics-osinbajo/>. The long term consequence is bad governance, poverty, underdevelopment and backwardness of the continent. But what does this portray of the reasonability and rational capacity of the people and their leaders? Moyo says that the reliance of African countries on this first-past-the-post system shows that the continent has yet to move on from inherited colonial forms of governance.

To overcome the shortcomings of this mindset and practice, Yemi Osinbajo, speaking as Nigeria’s Vice President-elect at the LSE Africa summit, held in London on April 17-18th, 2015 calls for the bringing to an end of this culture of first-past-the-post dominating Africa’s politics. (New African Magazine, 2015). Thomas, D. (2015, April 21). End ‘winner takes all’ politics – Osinbajo. New African Magazine. Retrieved from <http://newafricanmagazine.com/end-winner-takes-all-politics-osinbajo/>. Unfortunately,

shortly after advocating for the elimination of the ‘winner-takes-all’ practice in Africa’s democracies, Osinbajo’s principal, President Muhammadu Buhari, was locked in a media controversy, accused of escalating the ‘winner-takes-all’ mentality as media reports credit to him to have said that “constituencies that gave me 95% cannot in all honesty be treated equally, on some issues, with constituencies that gave me 5%”. (Point Blank News, 2015, July 27). Buhari’s 95%, 5% Comment: President denies, says it is social media creation. Point Blank News. Retrieved from <http://pointblanknews.com/pbn/exclusive/buharis-95-5-comment-president-denies-says-it-is-a-social-media-creation/>.

Central to this exposé on the ‘winner-takes-all’ mindset and practice in Africa’s democratic politics, is the need to relate the political actions of upholders of this mentality to the worst fundamental problem bedeviling Africa’s politics. That problem is the utter disregard for the fact of equality and liberty of every member of a state, especially of democratic states; for it is freedom and equality that make democracy worthwhile. However, for upholders of the ‘winner-takes-it-all’ worldview, the majority class in a state are superior to the minority class, which for them, the superiority of the majority remains an all-too-important notion of democracy to be given up. They shore up ‘majority-rule’, the rule that provides that the will of the greater number reigns supreme in democracy as something that must be kept sacrosanct. ‘Majority-rule’ becomes a magical rule that gives supremacy of place to citizens, whose natural lottery is birth into highly populated ethnicity or, and religion. Those who think this way, therefore, make the logical leap that equivocates ‘dominance of the majority’ with ‘majority-rule’ and hinge their premise on the fact it is the latter that ensures that the will of the majority prevails in elections, opinion polls, or referendum.

But the equivocation arrogates to ‘majority-rule’ what obviously does not belong to it and which it does not deserve; and that is: it enthrones it as the substance of democracy. The consequence of this act is that freedom and equality together with other relevant elements of democracy such as ‘the rule of law’, ‘separation of powers’, ‘fundamental human rights’, etc., become secondary in African democracies. Implications are that: (1) the “reasoned” and “unreasoned” opinions of those that constitute the class of the majority (even if this class represents an ethnic or religious group or a sectional interest of the state) prevails over those of the minority (no matter how deeply thoughtful and excellently laid out the minority view might be); and (2) majority-rule emerges as the most prominent characterization of democracy so that it characterizes “democracy” as “dominance of the majority” and vice versa. In all of these, the place of freedom and equality in democratic regimes is seriously undermined.

The problem this paper seeks to address, therefore, is: How can freedom and equality be (re-)enthroned as the substance of democracy without undermining the principle of majority-rule? Put otherwise, in what way(s) can majority-rule be made to shift ground for freedom and equality to (re)take centrality in democracy and democratic processes without hurting or undermining democracy? To deal with these concerns, the paper explores and exposes the fact that in modern African democratic regimes, primacy of place is offered majority-rule, despite all the attendant negative effects of promoting this practice. It briefly examines democracy at its cradle, where it critically investigates and uncovers freedom and equality, rather than majority-rule, as the substance of the democratic system of government. It analyses how majority-rule came to surreptitiously assume the stature of

substance of democracy, noting that, at best, this democratic principle, an accident of democracy, should be identified and acknowledged for what it truly is: a referee or an arbiter in electoral contests and so, it belongs secondarily to democracy; therefore, it does not deserve enthronement as substance of democracy. Lastly, based on its conviction that freedom and equality constitute the hardcore of democracy, the paper attempts to show how this substance of democracy can be re-enthroned on democracy's central, primary and paramount stool.

Conceptual clarification of freedom and equality

Much of both intellectual and pedestrian political discussions in Africa express concern on questions and issues bordering on freedom and equality. It is probably for this reason that most of the constitutions, if not all, of African states actively provide for the protection as well as promotion of social equality and liberty of their citizens. However, despite these constitutional provisions, implementation is almost null; hence, there are hues and cries across the continent against various forms of injustice: marginalization, deprivations, discrimination, mistreatments, oppressions, abuses, violence, etc., all of which indicate the extent of failure by these states to give primacy to freedom and equality in their national affairs. These challenges may as well be fall outs of difficulties of interpreting and applying the many varieties of both concepts. Questions are: Is there some way of finding some simple, but effective interpretations of freedom and equality? Can some deductive process yield simple and common denominators by which these concepts can be used to assess, examine and evaluate the situation of democracy in modern Africa so that improvement in real conditions of life of people may be forged?

The aforementioned challenge appears to be problem not just for Africa, but for the world as a whole. Take, for example, the concept of freedom. In 1958 when Isaiah Berlin delivered his famous inaugural lecture titled: 'Two Concepts of Liberty' before the University of Oxford, he may as well have had this problem on his mind. In that lecture the renowned twentieth century liberal philosopher points out that all through history political philosophers used the concept of liberty (freedom) in one of two senses; namely, 'negative' or 'positive' liberty. This way he simplified the existing literature on freedom for better comprehension, understanding and application. Ian Carter, though, gives the credit of differentiating the two senses of freedom to Kant when he writes that "the idea of distinguishing between a negative and a positive sense of the term 'liberty' goes back at least to Kant" (Carter, 2016:1). Actually, differentiation of the two senses of freedom goes beyond Kant to as far back as the early Greeks. The Greeks, Aristotle notes in his book, *Politics*, made this distinction. He writes: for the Greeks, first, it means 'freedom to rule and to be ruled' (*Politics*, Bk. VI, 1317b, 5) and second, 'to be ruled by none, if possible; to live as one likes' (Aristotle, Bk. VI, 1317b, 10-15).

So, indeed, Berlin surreptitiously captures the two age-long conceptions of freedom, positive and negative, held by the Greeks. The negative conception of freedom is "the idea that an individual is free in so far as they are able to act without interference from external bodies or forces". (Parvin and Chambers, 2012:4). It entails the lack of restraints or obstruction imposed on individuals by the State or other person(s). It, more or less, allows the citizen, the individual, to live and act as they choose to be best for them. When pushed to the extreme negative freedom, which is unmitigated freedom, but called license, poses

grave danger to life and threaten property, peace and the stability of a state. Hobbes depicts this condition in the gruesome picture he paints of the ‘state of nature’. According to him, man’s life and circumstance in this licentious state was “solitary, poor, nasty, brutish and short”. (Leviathan, 2003: 468). For Hobbes, the undesirability of this state is responsible for the coming into existence of civil society. Implied, modern society is an escape of the ‘state of nature’. Particularly, the modern democratic state is to be appreciated as an advanced society, where man has the favourable conditions that enable the realization of his ultimate goals in life. But, the possibility of achieving one’s life dreams may be killed if negative freedom is the rule, for negative freedom has the potential to start uncontrolled competitions capable of igniting the dormant instinct of ‘survival of the fittest’ that could overtime lead to the destruction of cherished social values.

The second sense of freedom, positive liberty, noted by Berlin holds that an individual is free if they are their own master, responsible for their own choices (Parvin and Chambers, 2012:4). Entailed in this sense of liberty is the notion of self-mastery even when ruled by another or others. It is more about political freedom. In Berlin’s view, Jean-Jacques Rousseau is that philosopher, who perceived this and so made the most devotion to developing this idea of liberty. Berlin, Ian Carter notes, captures the fact that promoters of the positive concept of liberty occasionally expand the concept of self beyond the individual to include or mean an organic social whole.

Self, in the expanded sense of positive liberty, acquires a sense of collective representation. At this point, self is no longer the individual, but the group. It may be “a tribe, a race, a church, a state, the great society of the living and the dead and the yet unborn” (Carter, 2016:4). This way, positive liberty emphasizes the communal nature of freedom, which Parvin and Chambers explain in the following words: “self-mastery requires, at least in part, membership of, and participation in, a political community” (2012:5). Self-mastery is not just about being able to do what individuals want; instead, it’s about being in control of what they want, i.e., being masters of their lives, being able to keep their properties and control their resources, despite the presence of government. In this way, positive freedom is about the individual or community possessing autonomy. This implies being free both from the arbitrary coercion of some external agency (e.g., the State or other person(s)) and the ephemeral or irrational desires, emotions, economic, social, and psychological mindset/condition of the individuals themselves. Positive freedom implies also that people are free when they make their choices in circumstances dictated by the principles of freedom and equality.

On another note, with regards to equality, this concept has a very broad range of interpretations: extending from those that affect political life, legal, educational to distribution of resources. It connects with or incorporates ideas such as merit (Aristotle), impartiality (Hume), absence of bias or discrimination (in other words, universality (Kant)), classlessness (Marx), fairness (Rawls), etc. But here, Thucydides (as cited in Jarlath Clifford, 2008), offers an acceptable and workable progressive interpretation of equality based on the idea held by ancient Greek democrats about how law, for example, should operate. He writes:

If we look to the laws, they afford equal justice to all in their private differences; if to social standing, advancement in public life falls to

reputation for capacity, class consideration not being allowed to interfere with merit; nor again does poverty bar the way – if a man is able to serve the state, he is not hindered by the obscurity of his condition (p.13).

Similarly, Harold Laski (2006) writes:

In the penumbra of equality, it means, in the political sphere, that my will, as a factor in the counting of heads, is equal to the will of any other. It means that I can move forward to any office in the State for which men are prepared to choose me. It means that I am not to find that there are persons in the State whose authority is qualitatively different from my own. Whether rights inhere in another by virtue of his being a citizen must inhere, and to the same extent, in me also. There is no justification in such a view for the existence of an hereditary second chamber.... Equality means, in the second place, that adequate opportunities are laid open to all (pp. 153-154).

Laski's "adequate opportunities ... laid open to all" resonates well with John Rawls, who develops a sense of justice in the state, described as "justice as fairness", by combining the principles of liberty (freedom) and equality of opportunities. In his book, *Political Liberalism*, Rawls presents the principle of liberty as: "Each person has an equal right to a fully adequate scheme of equal basic rights and liberties, which scheme is compatible with the same scheme for all" (1996:5). On equality, he writes:

"Social and economic inequalities are to satisfy two conditions: first, they are to be attached to positions and offices open to all under conditions of fair equality of opportunity; and second, they are to be to the greatest benefit of the least advantaged members of society" (1996:6).

Rawls says that each of these principles is to be applied to the "basic structure" of society (i.e., public institutions) to regulate not only basic rights, liberties and opportunities, but also claims of equality by members of society. Therefore, part of the expectation of the state is that it promotes the freedom and equality of all. By so doing, it enables all citizens to aspire to whatever position of their choice, enjoy equal rights and privileges as anyone else, etc., irrespective of their natural lotteries: whether they are born into large or small ethnic groups, rich or poor families, able-bodied or with disabilities, intelligent or dumb, etc.

Now, note that freedom and equality would remain barely fanciful concepts that perform little or no purpose if somehow they do not find some sphere to operate in the sociopolitical environment of states; or, alternatively, they may remain underdogs to secondary principles of democratic systems and regimes.

Problem of freedom and equality in modern African democratic regimes

In Africa, the level of disenchantment with government is high: this is attested to by the daily news headlines of both local and national news media. Most of this negative publicity are caused by palpable lack of freedom and equality in society. This situation differs from that of African societies prior to the coming of the colonials, both the Arab and Europeans especially. It is believed that there was greater freedom and equality amongst people living in then communities than can be seen in postcolonial Africa. In his book, *African Freedom: The Freedom of Philosophy*, Maduabuchi Dukor writes that the traditional "African man is

understood and explained in terms of his integration in a net-work of relationships in the society” (2009:6). The relationships, he says, are entered in the community that were communalistic and nurtured kinship relationships. People were basically free and equal in Africa’s communalistic societies. On account of these, what Dukor describes as African conception of freedom is “defined in terms of only actions contributing to the progress of the community and the individuals in it and against actions detrimental to the community and the individuals in it” (Dukor, 2009:7). Now latent in the ideas of communalism and kinship are collaboration and fraternity, both of which abhor rivalry, domination and conflict.

Note that communalism is a system which though is hierarchically structured, does not emphasize the vertical upside-master/downside-slave relationship. Its emphasis is rather put on the longitudinal side-by-side coexistence of neighbours for the sake of fraternity and collaboration between neighbours with each other in nearly all things good. Competitions between individuals and groups were rare and uncommon, and when they existed, they lacked the bitterness and venom experienced in modern African democratic states. Dukor cites Okorie Emmanuel Monye’s description of the communalistic community as follows:

The ... community has a strong emphasis on individual achievement ... Through individual achievement and individual participation, everybody is given a chance, an opportunity to seek his own level of harmony with the community’s unity and harmony. The metaphysical need to achieve unity and harmony operates both at the individual and also at the community level. (cited, 2009:7).

By implication, the precolonial African man was a community’s person, altruistic, fraternal, collaborative, noncompeting, nonconflictual, etc. On the contrary, the postcolonial African is highly selfish or egoistic, antagonistic, divisive, competitive, conflictual and so on and so forth. This way, unlike in the precolonial era when equality and harmony was sought, in the postcolonial or modern period societies are characterized by egoism, inequalities, dominations and hostilities. The modern African man is one whose conception of community has left behind the broader, altruistic, communitarian view of community to a narrower, selfish and capitalistic perception of community. Now, he thinks no longer in terms of the whole, but himself, his family, his clan or ethnic or religious group. To gain power at the state level, for instance, an ethnic and religious network and alliances proves to be the surest way. So, he draws fine ethnic and religious circles and boundaries that keep out his neighbours from his fraternal and collaborative thinking beginning with the other-than-himself in his family and spreads out to the far-other in rival ethnic and religious groups. Those ‘other-than-himself’ or ‘far-others’ become rivals he must have to compete with, overcome and subdue to get to, or remain, on top. He strives to become the new master sitting on top, while they be slaves languishing at the bottom – under his authority or sovereignty. This mentality is transposed from the individual through familial to communal level, and eventually galvanizes whole communities or ethnic groups to dominate others to establish power imbalance between the various communities or groups.

Although, its history precedes the era of the colonial masters, the unequal power structure of African societies took newer exploitative twists with the colonial masters at the independence of African states. Take a Nigeria's example. S. Iniobong Udoidem writes:

Independence (self-rule) in Nigeria has different meanings to the various ethnic nationalities in Nigeria. From the inception when Anthony Enahoro moved the motion for independence in 1953, the Northerners were not in support because they were obviously unprepared for that responsibility at that time, and feared southern domination if it was stamped into a race of unequals.... For the Northerners, for example, their notion of independence was rooted on their religious heritage; it meant freedom from the rule of non-Muslims and the establishment of an ideal Muslim state. (2006:188-189).

In other words, independence developed deep ethnic and religious dimensions. So, people in modern African states who wanted to grab power gradually began to device ethnicism and religious extremism as a set of tools for taking power. The acquisition of power safeguards from the domination by others, guarantees freedom, secures wealth and upgrades standard of living. The size of one's ethnic and religious groups matter: the larger a person's ethnicity and religion, the better for them. This way, it is not difficult to find that those who win elections and rule in Africa mostly come from the major ethnic/religious groups. Hence, often, the most dominant tribes (or/and religions) produce the Presidents or Heads of their states. Several examples abound: in post-apartheid South Africa, the Xhosa ethnicity, which is the second largest there produced the first and second black rulers in the persons of Nelson Mandela and Thabo Mbeki, respectively; and that country's largest ethnic group, Zulu or kwa-Zulu, now has given it its third and current President, Jacob Zuma. Allegations are that Zuma intends to pass on the baton of succession to his fellow kwa-Zulu, indeed, his ex-wife, Nkosazana Dlamini-Zuma, at the expiration of his ebbing second tenure in office. (Leadership, 2017). Bateman, C. (2017, January 13). Zuma publicly backs his ex to fill his shoes – influential radio broadcast. Leadership. Retrieved from <https://www.biznews.com/leadership/2017/01/13/zuma-backs-nkosazana-fill-shoes/>. Zuma's presidency has been seen to promote a "dangerous constellation of ideas and practices" that includes a more ethnic politics. (Tolsi, 2016). In Zimbabwe, the Shona ethnicity, largest in that country, (with its descent, Robert Mugabe, supported him to power in the ouster of Ian Smith's white-minority regime [cf. 2017] in then Rhodesia's 1980 elections) is its dominant force and continues to rule it. In a Mugabe ouster, very recently, his successor, Emmerson Mnangagwa, accused of orchestrating a vicious political cleansing of the opposition that claimed the lives of over 20,000 members of the Ndebele ethnic minority, is also from the dominant Shona tribe. (Worldview, 2017). Bearak, M. (2017, November 22). Who is Emmerson Mnangagwa, Mugabe's successor in Zimbabwe? Worldview. Retrieved from https://www.washingtonpost.com/news/worldviews/wp/2017/11/22/who-is-emmerson-the-crocodile-mnangagwa-mugabes-successor-in-zimbabwe/?utm_term=.c27594acdd48. Similarly, in Egypt, with over 90% of the population the Egyptian ethnicity dominates the political landscape as it marginalizes Coptics that make up about 10% of the population, the smaller Bedouin and Jewish ethnicities. The same reality affects Nigeria, where nearly all of its past and present leaders are either from the dominant Hausa/Fulani or Yoruba ethnic

nationalities since its independence in 1960. In fact, in Nigeria, the Hausa/Fulani is alleged to claim that it owns the birthright to produce leadership for the Nigerian state for perpetuity. This reveals a mindset: that in modern African democratic states there is an ongoing and perpetual classification or profiling of people on the basis of religion and ethnicity.

Based on such classifications and depending on which group is dominant, members of Christianity and especially Islam, often unconsciously think and [sometimes] act as though they exist outside of, or above, the law. This way, they often violate the rule of law with impunity. Minorities, for instance, may as a result be attacked and treated as though they were non-humans or aliens or less than equals to their compatriots and so less free. A good example is the Arab led “political and economic domination, exploitation and marginalization” and visitation with massive and vicious military bombardment of the people of Darfur in Sudan. (Ikejiani-Clerk and Nwobodo, 2008:2). Another recent example is the regular attacks and massacres of farmers from Southern Kaduna, Benue and Plateau states by Fulani herdsmen or allegedly Islamic terrorists in Nigeria. Similarly, the attack on indigenous farmers in Enugu state, Nigeria, by the same set of marauders. One summation is that this show the level of contempt members of a large tribe can possess and demonstrate against perceived rivals, but smaller ethnicities, especially when one of their own wields state power on account of being the Head of state.

Another way of dominating minorities is expressed in the expropriation of the rich natural resources found in their land with little or no regard for the environment and ecological damages to it. Examples include the exploitation of oil and gas resources by the Omar al-Bashir Arab led government of Sudan from the minorities’ regions of Darfur and South Sudan before the latter became an independent state in 2011. In Nigeria, the oppression and exploitation of smaller ethnic groups by larger ones include: the expropriation of the land, oil, gas and other natural mineral resources of Niger Deltans through legislations such as the Land Use Act of 1978 and the Petroleum Act of 1969 (Yinka Omoregbe, 2001: 20), which were crafted and championed by the larger ethnicities, particularly, the Hausa/Fulani and its northern oligarchy, etc.

Both aforementioned acts violate the freedom and equality of the minorities with their majority counterparts in those modern African democratic states. The acts, which amount to tyranny of the majority over minorities, take away the freedom and equality of the minority groups; and worthy of note is the fact that those acts have been known to stimulate fierce resistance that led to strife and serious conflicts in the past. This way, the observation of Chris Okechukwu Uroh (1998) that “Ethnicity has, for instance, been blamed for social discontents, including civil wars, in countries like Nigeria, Burundi, Liberia, Rwanda and several others” (p. 94) could be proven right.

The view that since their independence from western colonialists, African countries have increasingly found themselves more and more polarized along ethnic and religious lines is, therefore, provable. Nigeria, Liberia, Sierra-Leone, Angola, Rwanda, Somalia, Kenya, Mali, Uganda, Sudan, etc. have all suffered serious political crises, of which some of them continue to suffer same, in connection with ethnicism and religious extremism. Across the continent, substantial examples abound to prove claims of dominance of the majority over

minorities as evidence of the lack of freedom and equality that are replete in the democracies of modern African states. They include: the suppression of Jews in Egypt, violent attacks on Coptics and the destruction of their Churches and properties in Cairo by the majority Muslim militia groups (2017, May 27; 2016, December 11), and reprisal killing of Muslims by the Christian majority (militia groups) in Central African Republic. (2014, February 7). These are examples of denial of freedom and equality of minorities with their counterpart majority groups on grounds of religious bigotry and ethnic discrimination.

Also, it is fact that North African states, such as Mali, Morocco, Sudan, Libya, Algeria, etc., have been and continue to be ruled by successive Muslim leaders despite being democratic states; in them, there exist no spaces to accommodate animists or African traditional worshippers or Christian leaderships, irrespective of the democratic credentials and personal suitability of various Christian or non-Islamic candidates for the Office of the President or Prime Minister in those states. Other African democratic states with similar defective democratic structure include: Chad, Cameroun, etc. In the case of Cameroun, the larger former French-colonized northern region discriminates against and marginalizes the smaller former English-colonized southern part (Anglo-Cameroun). As a result, there seem to be an unwritten agreement among the majority of the ex-French colony not to allow anyone from the ex-English colony to rule that state. Only recently, several Anglo-Camerounians fleeing ethnic persecution have crossed the border into Nigeria for refuge (The Washington Post, 2017). Foretia, D. (2017, March 21). Cameroon continues its oppression of English speakers. Washington Post. Retrieved from https://www.washingtonpost.com/news/global-opinions/wp/2017/03/21/cameroon-continues-its-oppression-of-english-speakers/?utm_term=.78e25deef7dd.

It is important, therefore, to note that the kind of democratic politics played in Africa encourages serious power play between rivals and competitors that seek to grab and control State power. So, those who want this power at all cost learn to devise various means to acquire it. The use of ethnic and religious sentiments to garner support from voters is one of those means. According to Claude Ake, political leaders “had sought power by politicizing national, ethnic and communal loyalties as a way to deradicalize their followers and contain the emerging class division of political society, which could isolate and destroy them.... In particular, they tried to establish mutual identity and common cause by appealing to national, ethnic, communal, and even religious loyalties” (Ake, 1996: 5).

The reasonable question to ask is: why the narrow-minded, parochial and primordial politics in the first place and at this modern age? For Chris Okechukwu Uroh, failure of the state is responsible. He writes that those “who have lost confidence in the state have found succor in their primordial groupings, especially their ethnic communities” (1998:101). But then, which comes first: failure of the state or the use of ethnic dominance to create ‘tyranny of the majority’, which excesses create suspicion, resistance and lack of cooperation from the minorities? Is it not the oppressive and exploitative behaviours of the majorities that trigger minorities’ resistance, which then results in systemic failures? The latter, which is tyranny of the majority, accounts more accurately for the situation of African states and the outcome of their democracies.

In democracies, tyranny of the majority can potentially heighten the abuse of power to a level where democracy apparently violates its basic ideals of freedom and equality. At that point democracy becomes despotic. Therefore, like every other tyranny or despotism, the time comes when the abuse of power by ethnic majorities can no longer be tolerated so it meets with devastating resistance. On the abuse of power, Maduabuchi Dukor writes:

The concept of power is a delicate and tragic phenomenon if and when subjected to an abusive end. It is like an elastic thread (hence, elasticity) which can be stretched to any limit, but which definitely will have a breaking point. At the breaking point, the thread cuts (obeys the law of physics) and the men doing the stretching collapses (sic). Hence, power can be used, over-stretched or overused to the point where the power holder collapses and break (sic) into pieces. (2003: ix).

The “tyranny of the majority”, Tocqueville’s phrase used to describe the domination and ruthlessness of the majority over the minority in society, especially when the domination quantifies in excess, is, originally, an unintended creation of majority-rule, which is itself an accident of democratic practice. But in this paper, “tyranny of the majority” is thought of as the domination and oppression of the major ethnic/religious groups over the minor ethnicities/religions.

Theoretically, democracy upholds the freedom and equality of every citizen. In practice citizens can be unequally free and unequally equal as a result of tyranny of the majority. If consideration is taken of a situation where society would have to decide and formulate policies amongst free and equal persons (say, legislators) that hold diverse and maybe conflicting views and interests, which is often the case in, say, a pluralistic democratic society, what is to be the yardstick for consensus? The quick reply is expediency. Now expediency dictates aggregation of the views and interests into similar kinds and the working out of the greatest number that falls within one class against other(s) to become the decider since each voter counts equally as every other voter. Here, ultimately, a dualism of a majority and a minority classes is the endpoint, with the principle of expediency granting that the majority class should have the power of decision for and on behalf of the whole legislature.

Supposing that what usually constitutes, and may continue to constitute, the majority class in a society is determined by some sort of conspiracy built on the foundations of religious bigotry, or ethnic affinity, or cultic confraternity, or a sort of combination of these and other factors, does it not spring concerns that the minorities outside these determinants are likely to be locked out of power; and so, permanently made the slaves of their fellow citizens? To be clear, for example, when the Hausa and Fulani form ethnic alliance to be known as Hausa/Fulani to become the questionable and indeed questioned “most populous” ethnic group in Nigeria and proceed to establish another alliance, ethnic and religious with the Yoruba and further forge political alliances with some other minority groups not to speak of the invisible hands of post-colonialists as partners, it perpetuates itself as the overwhelming majority class. It becomes the decider of the policies of the Nigerian state. As long as these alliances persist, it remains the tyrant of Nigeria’s democracy. The Hausa/Fulani gets what it wants and does what it likes, even if arbitrarily and in violation of state laws. Only it does this. The minorities are not at liberty to act same

way without punitive consequences. Thus, the Hausa/Fulani invade minority communities and massacre people with impunity without negative consequences for them. The situation is not very different in Sudan, Angola, Cameroun, Kenya, South Africa, Egypt, Central African Republic, etc.

In Africa, tyranny of the majority appears capable of inducing significant levels of inferiority complex and psychotic fear into minorities so that the latter delude with the belief that only an alliance with their oppressive democratic overlords has the capacity to deliver to them a certain degree of freedom, but not equality. So it is that in pursuing certain political offices, only contestants from dominant majority ethnic, religious and political groups have the assurance of winning elections so long as they contest against minorities. Thus, it is unthinkable for, say: a “party-less”, self-professed atheist or a renowned traditional religionist from the Ogbia or Engenni ethnicity in the South-South of Nigeria to enter the contest for the Presidential election against an ardent Fulani-Muslim of the core North with the ambition they will win. *Ab initio*, such a candidate, an independent, a minority both by religion and ethnicity, is gravely disadvantaged in the contest, despite any personally great attributes that distinguish them from the other (perhaps, even less qualified) opponent(s). The latter’s tribe and religion only – aside his political party – have garnered them more than enough votes to defeat the former even prior to the elections proper. This hypothesis was proven to be true in Nigeria’s 2015 Presidential election, which pitched incumbent Southern-minority candidate, Goodluck Ebele Jonathan, against a Northern-majority candidate, Muhammadu Buhari. The latter won despite the several contentious issues that surrounded his academic and democratic credentials. (Daily Post, 2016, May 29). Certificate saga: Buhari lacks educational requirement to be Nigeria President – Activist. Daily Post. Retrieved from <http://dailypost.ng/2016/05/29/certificate-saga-buhari-lacks-educational-requirement-to-be-nigeria-president-activist/>. Allegations of electoral irregularities as well as questions affecting the integrity and sanctity of the electoral process, etc., were all discountenanced in what was seen to aid the emergence and victory of the interest from the dominant ethnicity.

Owing to the aforementioned, the question is: can a state be truly described as democratic when its ethnic majorities tyrannize the minorities simply because they have the numbers? Can the minorities be said to be equally free and equally equal with their majority counterparts? In response to these questions, it has to be pointed out that as long as majority-rule means that “the will of the majority or numerically strongest overrides the will of the minority, implying that the latter should accept the views of the former” (Heywood, 2007:73), members of the minority will remain unequally free and unequally equal with members of the majority. This is what majoritarianism entails; and, it is an outcome of utilitarianism. Such a situation falls short of the original ends that democratic freedom and equality aimed to achieve. It also goes contrary to the ideal principles of democracy. The state that practices such a faulty or lopsided democracy can be said to practice some other form of governance system, say, demagoguery, rather than democracy, since its system rejects the substance of democracy, while embracing its accident(s). In other words, some systems of government that are described as democracy may not be democracies at all. They may just be its semblance. In that case, Nigeria’s democracy may still be less than a democracy – it may be argued. It may be a demagoguery; and the

situation in many other African states may not significantly vary from what obtains in Nigeria. If not all democracies worth the title “democracy”, what then makes democracy a democracy?

Substance of democracy

Fundamentally, the substance of a thing is the property that makes it what it is. What is the substance of democracy? How can its substance be uncovered? Democracy’s substance remains buried in its origin: in the factors that caused its development. A return then to its origin becomes a necessary starting point for its discovery. But the question of the origin of democracy has been a contentious issue. Some western and African scholars make claims, each side insisting that this system of government originated from its own sphere of the world. For some westerners, the birthplace of democracy is in Athens, ancient Greece. They demonstrate that even the word “democracy” has its origin from two Greek words: “demos” meaning “the masses” and “kraton” meaning “to rule”. Democracy, therefore, literally means “rule by the people”. They aver that Greece shared this system of government with Europe, which subsequently distributed it around the world. But, for some African scholars, Greece borrowed democracy from its birthplace, ancient Egypt. Democracy, they say, is originally African. Narcisse Tiky, for example, offers an argument that claims that Ancient Egypt particularly and pre-colonial Mossi Empire are places the west learnt or could have copied their democracy. (see: Tiky, 2012). He says both Egypt and Mossi had consultative and deliberative elements in their mode of governance. According to him, Solon, the father of Athenian democracy, is argued to have copied his constitution from Egypt.

For two reasons this paper goes with the western scholars on this matter. First, while it is correct that Egypt and Mossi or any other political system of ancient African kingdoms, as Tiky argued, had consultative and deliberative elements in them, which he interprets as egalitarianism which makes those governments a democracy, fact is, those systems were at best hierarchically structured “democratic” monarchies. Deliberations and consultations do not necessarily make a political system a democracy. Hitler’s Nazi had different levels of consultations and deliberations, which did not make his government a democracy. In ancient Egypt, the Pharaohs took the final decisions. Secondly, although it is true that Solon travelled to Egypt to learn about the political organization of that great African kingdom; the system of governance he learnt was not a democracy; but a highly advanced monarchy, with democratic features that permit inclusivity and participation of the masses at some lower levels of government not too different from the model of distribution of power Tiky noted with the pre-colonial monarchical Mossi Empire. Democracy as democracy is, therefore, authentically an Athenian device, not Egyptian and so, not African.

The Greek origin of democracy is tied to the social and economic conditions that existed in Athens prior, and up, to the 6th century B.C. Majority of Greeks were excluded from politics, governance was left to the rich and enlightened, the oligarchs and aristocrats, respectively, who determined the economic and social conditions to their advantages. The masses were poor, most of them, rural farmers, artisans, petty traders and casual labourers. (Robert W. Wallace, 2007:51).

The economic and social conditions themselves were determined by the cultural philosophy and religious doctrine that lay the traditional foundation of the Greek society and dictated the terms of social cooperation between members of that society. Both tools (the religious doctrine and the cultural philosophy) combine to orientate the population that a social instinct has been implanted in the nature of every man and that it is beneficial for all men to live in society. Society is to be governed by law and justice, both of which provide order. Intelligence and virtue are key to establishing just and stable society. Those who possess intelligence and virtue are to rule, while those without them or with lesser degrees of them are to be ruled. The reverse should not be the case. This ideology gave basis for the division of the Greek society into two broadly unequal classes of people: “the few” (nobles, rich and powerful; i.e., the class of aristocrats and oligarchs) and “the many” (the poor masses or low-births; i.e., the *demos*). By these cultural and religious persuasions, the class of “the few” rules, while the class of “the many” are ruled. The former, free; the latter, unfree. Such is acclaimed to be in congruence with nature (*physis*). Central to this ideology is that nature (*physis*) has determined different people for different functions (*teleos*) and it is in the best interest of society and its members if they stick to what they are best suited for or their primary station. (Plato, *Republic*, Bk.II, 341f-346g).

Aristotle defended the aforementioned cultural and religious thought thus: on grounds both of reason and fact, “that some should rule and others be ruled is a thing not only necessary, but expedient” (*Politics*, Bk.I:Ch.4, 1254, 20). Plato had earlier defended same in his most famous work, the *Republic*. He divided society into two broad classes of unequal people: the class of relatively free guardians led by the completely free “Philosopher-King” to whom the responsibility to rule and defend the state belongs; and the class of unfree artisans, the ruled, to whom he says naturally belong the duty to provide the material needs of the state. In *Timaeus* and *Critias*, Plato had presented the ideal state as one to which actual states must conform, and the true statesman must comprehend the supremacy of justice and gain understanding of what life in the state ought to be; if he fails to comply, he ruins himself and the state. To avoid such calamitous consequence, Plato admonishes members of the state to stick to their primary stations in life. This way, Plato’s *Republic* remains faithful to the original foundational (*physis*-based) theory of the Greek state, which is itself firmly established on divine or religious foundation (Friedlander, 1969:10).

At this ideological level, counter-arguments against *physis* (nature) was developed by the Sophists. The Sophists promoted *nomos* (law, convention) and *iso* (equality) by building the concept of politics around the theme of *isonomia* (equality before the law or equal application of the law). The principle of *isonomia* makes no distinction between “the few” (aristocrats) and “the many” (*demos*). Therefore, these liberal teachings overturn the supposedly natural or original values of the traditional notion of politics and the state. The Sophists advocated freedom and equality of citizens. They argued for “the many” to get involved in politics in disregard to the traditional boundaries set by the cultural ideology and religious doctrine. Heraclitus’ teaching is one of the first to have taken down the foundation of the state from its divine height or metaphysical world for transplantation on the order of the cosmos. Ask Heraclitus why “should the people fight for the law as for their city wall?”, he will respond that the order of the state is part of the larger order of the

world: "For all human laws are nourished by one which is divine. It governs as far as it will, and is sufficient for all, and more than sufficient" (Friedlander, 1969:10).

Similarly, the Sophist, Protagoras, rejects the traditional straight-jacket confinement of people into narrow boxes that take away their freedom and equality with other men to contest for political offices or vote for their favourite candidates, policies or interests. He, like Heraclitus, pitches for *nomos* (law, convention) as the basis of the state, rather than *physis* (nature). He provides an argument, which makes a distinction between 'technical wisdom' or 'technical skill' and 'political virtues'. Protagoras argues that while in technical matters those best trained or talented – usually, these are few experts – are consulted and entrusted with the tasks of performing the functions required, but in matters of politics or administration of the state, since all citizens possess equal share of justice or a sense of what is right or fair and of restraint, modesty or a sense of respect for others as everyone else, governance of the state is a common function; therefore, all citizens should be equally involved in owning and running the government as well as benefit equally from it.

From the foregoing, it is obvious that the teachings of the Sophists were revolutionary as they attacked the traditional basis of the Athenian state. Aristocrats became the primary victims of these revolutionary philosophizations and the masses their principal beneficiaries. Hitherto, aristocrats ruled with abusive power that enslaved the masses; and so, the landless or propertyless majority were left poor and frustrated. The liberal teachings of the Sophists became more than a soothing balm for their pains; it delivered into their hands the much needed intellectual power and moral boost required for revolts against the established order. The ultimate reasons for the birth of democracy, therefore, are revolts against oppressive economic and political systems as well as acquisition of intellectual power – the arousal of greater political consciousness.

Indeed, awakened to their rights, the masses for want of equal participation in the processes of public policies-making and decision-taking confronted the arrogance of the nobles and pressured them, time and time again, to grant them equal access to the institutions where key government decisions and actions are performed. Considering its supposed right to rule to be of primordial origin, the aristocrats initially resisted the demands of the people, but was forced eventually to give in to a new emergent order of politics where the majority decides. By the Greek account, democracy, simply is an outcome of revolutions. The revolutions sought to liberate the masses from the tyrannical rule of the few powerful elites: they sought freedom and equality for all citizens, although, in practice some were left out of the achievement of freedom and equality. The disadvantaged include women, children, strangers, and slaves. In all of the above, the question of what constitutes the substance of democracy remains unclarified.

Nevertheless, it can be deduced from this background. The substance of democracy is that that makes democracy a democracy? It is what makes this system of government attractive. What it is, simply, is: (1) socioeconomic liberation of the people and (2) equalization of people through political inclusion. This is the justice that the ancient Athenians sort. It is the idea that lies at the heart or core of democracy. This justice is the substance of democracy. And this substance of democracy has two component elements: freedom and equality. In attestation to this claim, Aristotle, in his book titled *Politics*, writes that:

The basis of a democratic state is liberty; which, according to the common opinion of men, can only be enjoyed in such a state; - this they affirm to be the great end of every democracy. One principle of liberty is for all to rule and be ruled in turn, and indeed democratic justice is the application of numerical not proportionate equality; whence it follows that the majority must be supreme, and that whatever the majority approve must be the end and the just. Every citizen, it is said, must have equality, and therefore in a democracy the poor have more power than the rich, because there are more of them, and the will of the majority is supreme. This, then, is one note of liberty which all democrats affirm to be the principle of their state. Another is that a man should live as he likes. This, they say, is the privilege of a freeman, since, on the other hand, not to live as a man likes is the mark of a slave. This is the second characteristic of democracy, whence has arisen the claim of men to be ruled by none, if possible, or, if this is impossible, to rule and be ruled in turns; and so it contributes to the freedom based upon equality (Bk. VI, 1317b, 5 - 15).

Now it is known that freedom and equality jointly put everyone at liberty as any other person in society to be masters of themselves, aspire to whatever position of their choice, enjoy equal rights and privileges as anyone else, etc., irrespective of their natural lotteries. The ends needed by the *demos*, for example, were freedom and equality; majority decision was simply the means to arrive at these ends. Other democratic practices, such as, in a sense, one person one vote, and majority rule, are secondary rules; therefore, merely accidents of democracy – mere deciders of the democratic will of the people, which we may call, primary accidents of democracy. Take them away and democracy remains what it is: democracy. But remove freedom and equality and the very end or substance of democracy is destroyed.

So, it is freedom and equality that bestow the true character “democracy” on the system of government. Unfortunately, the democratic principle of “majority-rule” has been hyped into taking centrality in democracy. The absence of freedom and equality in any supposed democracy makes the system of government anything else, but substantially a democracy even if some decision, policy or electoral result is determined by the majority vote of some fiercely competitive contests as, for example, may occur in the struggle for succession in non-hereditary monarchies. Thus, without freedom and equality, a system of government may be a monarchy, oligarchy, aristocracy, or demagoguery, etc., but not a democracy. A monarchy, oligarchy or aristocracy will still remain what they are if freedom and equality are subtracted from their core practices, as is sometimes the case; and this would be true even if the systems were to allow some form of voting by the citizens or subjects in such states. It is curious that though monarchy, oligarchy, aristocracy, theocracy or any other system of government may use the principle of majority-rule to select a successor to a retired or demised leader, none of these system centralize majority-rule as the hardcore of their systems. But modern democracy institutes majority-rule as the essence of democracy. Why and how did this secondary component, actually, an accident of democracy come to dislodge democracy’s primary component and true substance – freedom and equality?

Majority-Rule as an Accident of Democracy

In democracies, holders of elective offices and positions emerge via the application of the principle of majority-rule. Majority-rule is a convention that each time or event, where contrary and contradictory opinions emerge, decision on which position to take or the individual to be supported or appointed for representation or into an offices be one that most of the votes cast does favour. This way, majority-rule, which is an essential and intricate component of democracy assumes the powerful and significant role of being the decider of victors and losers in electoral contests. It quickly emerges as a keystone in democracy. It thus passes off as the substance of democracy.

But such is a misconception, a misnomer. Even Aristotle appears to have made this mistake when he writes that in a democracy, "...the majority must be supreme, and that whatever the majority approve must be the end and the just." (Bk. VI, 1317b, 5). Fact is that majority-rule is introduced into democracy as a rule, a tool or device that is to be sentimentally unattached to any side of opinions shared in a community. It has the specific mandate in an election or opinion poll to count votes or opinions and aggregate them into groups of numerical strengths with an ultimate duty to declare the numerically strongest as the winner. This way, majority-rule assumes the nature and function of an umpire and an arbiter.

As an arbiter or umpire, its essence is neutrality, detachment, non-partisanship – features, which most appropriately suit the description of an external subject or agent or an observer or even a rule that guides conducts of democratic elections. Considered this way, it may be argued, that majority-rule is not democracy per se or part of democracy. Rather, it is purely an agent or a referee or a rule, which objectivity makes respectable and acceptable as standard for the determination of which party in an electoral contest is the numerically strongest so that it is declared winner.

Unfortunately, due to its regular application to democratic practices over time, especially to elections, majority-rule acquires the status of being an essential and integral part of democracy. This explains how and why it becomes an accident of democracy. Each time there is an election, there would be results. There would also be majority-rule, which dictates that the greatest number of votes for any person or position wins. It is a circle of rule → election → casting of votes → highest-number of votes (majority) → winner and then back to rule → election and so on and so forth. Hume would talk of contiguity and constant conjunction. Perhaps, to even list majority-rule as an intricate component of democracy may as well be a fallacy – the fallacy of *petitio principii* (begging the question). It is like saying that: The numerically strongest wins the election: everyone knows that the highest number in an election wins. It follows that the rule that makes this proviso and constantly determines the numerically strongest (i.e., majority-rule) is the winner; yet, majority-rule doesn't win – it doesn't even contest elections. This reasoning is *non-sequitur* (does not follow).

In itself, there is nothing wrong with majority-rule. It becomes controversial only when it loses its identity and role as a rule and becomes partisan, usually with the majority, which is the numerically strongest group. It also becomes problematic when it goes beyond the mere declaration of the supremacy of the majority in an election and winner (majority-rule) to dictating or enforcing the will of the majority (majoritarianism). In other words, it fails

when it transforms from being a neutral rule into becoming an active participant or tyrant, in which case, it becomes ‘tyranny of the majority’.

In existential situation, the following makes for a good example: when in a pluralistic society, an ethnic or religious majority, either through manipulation or force or a combination of both, tacitly or obviously or through a combination of both, employs the legislature to contrive laws that develop and leave as permanent certain legislative structures that circumscribe the basic institutions of the state to sustain its advantages (irrespective of changes in the material conditions of society and novel facts that may hold contrary to previous beliefs – including ones that may show that a previously accepted majority group may have over time lost its earned, forged or forced first place to another). For example, commonsense and facts today demonstrate that the declaration of the Hausa/Fulani as the dominant ethnic group in Nigeria is spurious. However, despite the strong existential evidence provided against this politically contrived lie, legislative structures that over the years have empowered the Hausa/Fulani to reign as the dominant ethnicity in the Nigerian state remain unaltered, because they are protected by legislations. Soon after Nigeria’s first post-independent government was formed, those who emerged top on account of numerical strength started crafting ways of making majority-rule to lose its neutrality and work perpetually to their advantage. That way, majority-rule in Nigeria began a surreptitious transformation into a tyrant majority, where the Hausa/Fulani or the north in general is contrived, defined and projected as the permanent majority. The Constitution of the Nigerian state was periodically reconstructed to retain the protection of the earlier legislative device constructed to maintain Fulani/Hausa majority via constitutional reviews organized, particularly, by military regimes occasioned by coup d’états that were championed and dominated mostly by Fulani/Hausa military officers. This way, majority-rule is compromised: it becomes tyranny of the majority in disguise.

In ancient Athens, there was no plan to establish a tyranny composed of any permanent majority. To this effect, Aristotle (1941 [2001]) writes:

... democracy and demos in their truest form are based upon the recognized principle of democratic justice, that all should count equally; for equality implies that the poor should have no more share in the government than the rich, and should not be the only rulers, but that all should rule equally according to their numbers. And in this way men think that they will secure equality and freedom in their state (Bk. VI, 1318a).

This quotation basically implies that by devising the majority-rule, Athenians hoped to use this means to achieve the ends of freedom and equality – the substance of democracy – as reflected in the last sentence: ‘...this way men think that they will equally secure equality and freedom in their state’. The poor constituted the strong majority in Aristotle’s time. Yet, they were not expected to usurp power completely, but to share leadership with the minority – the few, the rich. So the idea of democracy at inception meant that both the poor and rich were to take turns at leadership of the state. Such was the notion of justice. This way, the idea of majority-rule never permitted the poor, who were the majority, to marginalize the rich, who were the minority, although the former was to numerically lead in the government. The critical question that follows this evidence is: how much freedom

and equality do people, particularly declared minorities, find in African democracies? There appears to be no dispute that in Africa the major ethnic and religious groups usurp power to the detriment of the minor ethnic/religious groups. Minorities, therefore, are certainly unequal with their majority counterparts, as a result they possess lesser degrees of freedom. But, what does this hold in stock for the future of democracy in Africa?

Way Forward: (Re-) Enthronement of Freedom and Equality as the substance of Democracy

At the inception of democracy in ancient Athens, freedom and equality constituted the hardcore of democracy, but in modern times, especially in African states, the emphasis has shifted to the principle of majority-rule. The consequence is many setbacks to democratic practice in several African states. Nevertheless, there is prospect for democracy to thrive in Africa. The way forward, however, is to (re-)enthroned the true substance of democracy into Africa's democratic praxes. But how can this be done? To start with, efforts have to be put to centralize freedom and equality in African democracies. But these have to be built upon existing theoretical frameworks. One such work is that of the 20th century American moral and political philosopher, John Rawls.

In his book, *A Theory of Justice*, Rawls urges a process of dialogue involving reasonable and rational trustees/parties, who through deliberations reach an overwhelming consensus by which they overcome their disagreements. To achieve this end, Rawls recognizes two principles of justice in the state, namely: 1) the Liberty Principle and 2) the Equality of Opportunity Principle. (1971[1999]: 17). According to him, these "principles are the principles of social justice: they provide a way of assigning rights and duties in the basic institutions of society and they define the appropriate distribution of the benefits and burdens of social cooperation". (Rawls, 1971[1999]:4). These principles correspond to those that this paper holds as the substance of democracy. For Rawls, liberty and equality of citizens are what tantamount to justice. Thus, first, his *A Theory of Justice* tries to bring about justice as it seeks to construct a set of general principles of justice that underlie and provide explanation for the various considered moral judgments that people make in particular cases. These general principles are supposed to be cures for all problems of injustice, for example, the oppression of minorities by majority groups, marginalization of the weak by the powerful in the distribution of resources, etc. The aim of these principles include: putting socially and politically ailing societies back on the saddle of stability and progress simply by applying the principles of liberty and equality of opportunity as the hardcore of democratic states. Although, written for the United States of America and the western world, Rawls' *A Theory of Justice* and later on *Political Liberalism* when honestly and carefully applied portend to be of great panacea for states including African democracies.

The second aim of *A Theory of Justice* is to develop upon the existing theory of social contract presented by Locke, Rousseau and Kant (Rawls, 1971[1999]:10); one that is superior to utilitarianism. This sounds like an attempt to overcome dominance of the majority or happiness of the greatest number, which in Africa has been translated into happiness of the majority ethnic and religious groups, over desert or meritocracy, etc. It seeks to offer ethnic and religious minorities' self-mastery the same way as their majority counterparts enjoy in the state. This way, it tries to ensure freedom to all, and especially,

equality to citizens. By applying Rawls' principles, modern African democratic states most likely would bring about reasonable equality and freedom among their citizens. For example, the Anglo-Cameroonian becomes equal to the Franco-Cameroonian and feels equally as free in his country as the latter. Leadership of the state of Egypt is good not only for the Egyptian, but also for the Jew, Coptic and Bedouin. The Darfurian should share equal opportunity and liberty with his Sudanese counterpart from Khartoum. The Ogbia, Engenni, Epie-Atissa, Nembe people should be able to own and control the oil-wells at their backyards, which are in the hands of men from Daura, Kano, Kaduna, Otta, towns that are hundreds and thousands of miles away from those wells. (Sahara Reporters, 2013). Ojiabor, O. & Onogu, S. (2013, March 6). Senator Enang Reveals That Northerners Own 80% Of Nigerian Oil Blocks – The NATION Newspaper. Retrieved from <http://saharareporters.com/2013/03/06/senator-enang-reveals-northerners-own-80-nigerian-oil-blocks-nation-newspaper>.

Rawls, even lays out a more realistic procedure of realizing these ends in his *Political Liberalism* (1996). Here, like in *A Theory of Justice*, the quest of Rawls is to attain a well-ordered society. (p.2). He says this is achievable when citizens live together as free and equal persons abiding by the terms of cooperation they undertook freely in a situation that is symmetrical to all of them, each of them having endorsed the rules of social engagement from the vantage point of their rational advantages. Through this process also, they resolve problems of marginalization/injustice and restore political stability to their ailing states. This procedure or process rewards with not only installing freedom and equality as the substance of democracy, but also with moderation of the role of majority-rule (or, with deflation of its extreme form: tyranny of the majority). If Africans can accept and apply Rawls' proposal in their democracies, the issue of 'winner-takes-it-all' would have to go away for there will be no room for one group to cart away the entire booty of democratic victory leaving others wild-eyed, bemused and bickering and strategizing to destabilize society for those in power. Rawls' approach appears as capable of bringing about a re-ordering or restructuring of the state so as to meet the wider and greater needs of the entire citizenry, rather than the satisfaction of a class of majority. He writes in *A Theory of Justice*: "My aim is to work out a theory of justice that represents an alternative to utilitarian thought generally and.... The main idea is that society is rightly ordered, and therefore just, when its major institutions are arranged so as to achieve the greatest net balance of satisfaction summed over all the individuals belonging to it". (Rawls, 1971[1999]:20).

Conclusion

Hitherto, in Africa's democracy, most of those who come to power through the votes of the majority, the majority being nearly identical with the major ethnic and religious groups, often disregard the welfare and happiness of the losers in the elections, the losers being the minority and nearly identical with the minor ethnic and religious groups. This implies that different standards often apply to different groups; a reality that indicates the fact of inequality between citizens and one of which while some citizens possess freedom even in excess, some others have only little or no freedom. Such a situation is a contradiction of the very essence of democracy, which was developed with freedom and equality as its

constitutive primary stuffs. Although, via democratic practices over time majority-rule acquired the status of the substance or hardcore of democracy, this does not change the fact that it is an accident of democracy, a referee or an arbiter in electoral contests. It is no more than the ranks of other constituents of democracy such as the rule of law, principle of separation of powers, principles of fundamental human rights and election.

Like these other features of democracy, majority-rule, under normal circumstance is created to serve and protect the interest of freedom and equality for which sake they all exist in democracy. So, it is an aberration that it has usurped the position of freedom and equality in most African democracies.

A 'paradigm shift' is, therefore, required to move away from the current trend to one that freedom and equality, which may be equated with 'justice as fairness', are enthroned as the core values of democracy. Freedom and equality of citizens are the desirable democratic characteristics that foster and promote such other ends of democracy as justice, peace, stability and progress, which most African states so much require today. But, how can freedom and equality be centralized in modern African democratic regimes without damaging the important role of majority-rule in a democracy? Rawls' model of reforming or restructuring existing socially, politically and even economically ailing societies into well-ordered societies built on the outcomes of deliberations conducted in constitutional conferences is identified here as the right systematic approach to pursue in the effort to remake freedom and equality as the primary stuff of democratic regimes, politics and praxes in modern African states. Key in Rawls' thought about the ideal society are: 1) "the idea of citizens as free and equal persons" and 2) "the idea of a well-ordered society" (Political Liberalism, 1996:35). This model, the paper notes, is undertaken by free and equal, reasonable and rational persons, who harmoniously live together as free and equal persons in accordance with the terms of cooperation they undertook freely in a situation that is symmetrical to all of them, each of them having endorsed the rules of social engagement from the vantage point of their rational advantages. (Political Liberalism, 1996:49).

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