

Democracy or Pseudo-democracy? Governance, the Question of Human Rights and Rule of Law in Southeastern Nigeria, 1999-2023

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Abstract

Since Nigeria transitioned from military rule to civilian governance in 1999, democracy has been heralded as the country's chosen political system. Yet, in South-eastern Nigeria, the realities of governance revealed a troubling paradox. While democratic structures existed formally, governance practices often reflected elements of pseudo-democracy. This study examines the tension between democratic ideals and lived experiences in the region between 1999 and 2023, with a particular focus on governance, human rights, and the rule of law. The paper situates Southeastern Nigeria within Nigeria's broader democratic experiment, examining how failures of governance undermined democratic consolidation. It further points out that the persistence of corruption, poor service delivery, and lack of accountability among political elites reflected a governance system that is more aligned with pseudo-democratic tendencies than with true democratic principles. Central to this inquiry is the state of human rights and the rule of law. Despite constitutional guarantees, the Southeast witnessed recurring violations of civil liberties, extrajudicial killings, and the suppression of dissent, particularly in the context of secessionist agitations and security operations. Also, the militarization of governance in response to insecurity, entrenched abuses, and weakened judicial oversight highlights the fragility of the rule of law in the region. The paper contends that democracy in Southeastern Nigeria, within the stipulated study period, was often defined by procedural rituals of elections rather than substantive guarantees of rights, justice, and participatory governance. By employing qualitative analysis of information from interviews, personal observations, human rights documentation, textbooks, journal articles, newspapers, and magazines, otherwise categorized under primary and secondary sources, this study underscores the gap between democratic theory and practice. The paper concludes that Southeastern Nigeria exemplified a



hybrid system caught between democratic aspirations and authoritarian practices, thereby raising critical questions about Nigeria's democratic trajectory. It calls for reforms in electoral integrity, governance accountability, and the protection of human rights as essential steps towards transforming pseudo-democracy into genuine democratic governance in the region.

Keywords: Democracy, Governance, Human-Rights, Pseudo-democracy, Rule of Law

Introduction

The return of Nigeria to civil rule in May 1999 was celebrated as a historic turning point after decades of military dictatorship, authoritarianism, and political instability. Democracy was expected to usher in accountable leadership, protect human rights, and adhere to the rule of law. For many Nigerians, particularly those in the Southeastern region with its history of political marginalization and memories of the Nigeria Biafran war, the Fourth Republic promised not just political participation but also inclusion, equity, and the guarantee of civil liberties. Yet, nearly twenty-four years into the democratic experiment, a fundamental question persists: Is Nigeria, and particularly the Southeast, truly experiencing democracy, or merely a pseudo-democratic arrangement where the forms of democracy exist without its substantive values? This question could have informed the rationale behind the submissions of Ukiwo (2012:2), that:

Since the return of Nigeria to civil rule in 1999, the Southeast geopolitical zone, which is peopled by populations of people that still self-identify as Igbo, has been the site of arguably the worst forms of violent crime in the annals of the country. The five States in the zone have in varying degrees witnessed total breakdown of law and order as organized criminal network have through deployment of a combination of stick and carrot undermined the operations of the law enforcement agencies, especially the police. Democracy is more than periodic elections. According to Ogbonna and Ogbonna (2021, p.233):

(It) ... is a system of government of the people, by the people and for the people– (a)... definition (that) was spurred by President Abraham Lincoln’s speech during the Gettysburg address in 1863. It obviously implies that power resides with the people; they decide the electoral process, vote for their choice candidates for leadership positions who in return will manage the affairs of government in the best interest and benefit of the people.

Akinto K lein etal(2011),the duo added:

...democracy is a system of governance that promote equal participation for citizens in the areas of governance and nation building, while upholding the principles of justice and the rule of law. (It)... guarantees free and fair elections; freedom of expression and association; accountability of the State’s administrative organs; equal rights and opportunities for citizens and security of lives and property. Most importantly,(it)...facilitates fair distribution of resources and as well, guarantees peaceful coexistence and economic stability (Ogbonna & Ogbonna, 2021, p.234).

Overall, democracy involves transparency, the rule of law, respect for human rights, and participatory governance (Nnamchi, 2025).

Conversely, pseudo-democracy describes systems where elections and institutions exist in form but are compromised by manipulation, authoritarian practices, and systemic violations of rights. Southeastern Nigeria provides a poignant case study of this tension. On one hand, the region has participated in six general election cycles since 1999, produced governors and legislators, and engaged in the broader federal democratic processes. On the other hand, persistent governance challenges, electoral malpractice, and recurrent human rights abuses raise doubts about the authenticity of the democratic experience.

Governance in the Southeast, between 1999 and 2023, was marked by contradictions. While civilian administrations replaced military rulers, entrenched issues such as corruption, weak institutions, lack of accountability, and disregard for the rule of law remained. Electoral contests were often accompanied by violence, intimidation, and judicial controversies, undermining both legitimacy and public trust. Civil liberties were routinely undermined despite constitutional provisions, thus centralizing the question of human rights in the region's democratic debate. Citizens' expectations for good governance were largely unmet thereby creating disillusionment with the political class (Jibrin, 2016).

The region, within this period, witnessed an increasing gap between democratic ideals and practice. While Nigeria projected itself as a multi-ethnic democracy, the Southeast often perceived political exclusion in national power-sharing arrangements, particularly regarding the presidency. This sense of marginalization, coupled with poor governance and rights violations, brought about scepticism on whether democracy in Nigeria is substantive or illusory in practice.

This study, therefore, interrogates the nature of democracy in Southeastern Nigeria, examining governance patterns, human rights conditions, and the enforcement of the rule of law within the 1999 and 2023 periods. By critically assessing these issues, the paper aims to determine whether there is an operated undergenuine democratic governance or a pseudo-democratic framework where form supersedes substance.

Theoretical Framework

This study adopts Representative Democracy Theory as its theoretical framework. Representative democracy theory holds that in large and complex societies, direct citizen participation in governance is impractical. Instead, citizens elect representatives who act on their behalf in legislative and executive functions, thereby ensuring that the will of the people is translated into public policy (Uzobue, 2012; Becks, 2015). This theory is central to modern democratic practice and is highly relevant to interrogating whether the Southeastern region between 1999 and 2023, has experienced genuine democracy or a pseudo-democratic system.

One of the early proponents of representative democracy was John Stuart Mill, who argued that representative government provides the best means for citizens to exercise political power indirectly, while ensuring accountability through elections (Mill, 2009). Similarly, Joseph Schumpeter advanced the “competitive elitist” model of democracy, having emphasized that democracy essentially functions when elites compete for power through free and fair elections, with citizens retaining the right to choose between them (Baloi, 2019). Later scholars such as Robert Dahl highlighted the importance of institutional guarantees, such as inclusive participation, freedom of expression, and the rule of law, as necessary conditions for representative democracy to thrive (Baloi, 2019).

The relevance of these theoretical contributions becomes apparent when applied to Southeastern Nigeria. Between 1999 and 2023, the region participated fully in electoral politics, sending representatives to state assemblies, the National Assembly, and producing governors. In principle, this aligns with the tenets of representative democracy: citizens elect leaders who, in turn, should represent their interests. However, the Southeast’s democratic experience exposes the limitations of the theory when practice diverges from ideals. Elections, though regular, were often compromised by fraud, intimidation, and violence, raising questions about whether citizens genuinely exercised their power of choice as envisioned by Schumpeter.

Furthermore, the effectiveness of representative democracy depends on accountability and responsiveness. In the Southeast, many elected officials have been accused of corruption, poor governance, and neglect of development responsibilities. This disconnect illustrates Mill's warning that representative government risks degenerating into oligarchic control when accountability mechanisms are weak (Mill, 2009). Similarly, Dahl's emphasis on the rule of law and protection of civil liberties becomes critical: the region has witnessed recurrent human rights violations, militarization, and suppression of dissent, undermining the institutional foundations of representative governance.

The theory also assumes political inclusion, yet Southeastern Nigeria has often perceived itself as marginalized within the broader Nigerian federation, particularly in national power-sharing. This exclusion challenges the representative ideal that all groups should have a voice in governance. The persistence of secessionist agitations in the region reflects a growing disillusionment with representative institutions that fail to address local grievances.

All said, representative democracy theory provides a useful framework for analysing the contradictions of governance, human rights, and rule of law in Southeastern Nigeria between 1999 and 2023. While the institutional forms of representation exist, their operation frequently falls short of the ideals articulated by John Mill, Joseph Schumpeter, and Robert Dahl. This underscores the argument that democracy in the region was often pseudo-democratic, more procedural than substantive, raising urgent questions about reform and inclusivity.

Explanation of Concepts: Governance, Human Rights, and Rule of Law

A critical step in examining the question of whether democracy in Southeastern Nigeria between 1999 and 2023 was genuine or pseudo-democratic lies in clarifying the key concepts that frame the discourse: governance, human rights, and the rule of law. These terms are often invoked in political science and legal studies, but are not always used with precision. A conceptualization of each highlights its interconnections and their relevance to assessing the democratic experience of the region.

Governance refers broadly to the processes and mechanisms through which power is exercised in the management of a country's economic, political, and social resources. It encompasses not only government institutions but also the interaction between state and non-state actors, including civil society, the private sector, and international organizations (Ndoh, 2025). According to the World Bank, governance involves the traditions and institutions by which authority is exercised, including the selection of governments, their capacity to formulate and implement policies, and the respect of citizens and the state for the institutions that govern economic and social interactions.

In the democratic context, governance is expected to embody transparency, accountability, responsiveness, participation, and effectiveness. Good governance ensures that leaders act in the interest of citizens, deliver services efficiently, and maintain public trust. However, governance in Southeastern Nigeria has often been characterized by corruption, weak institutions, patronage politics, and a failure to meet citizens' developmental needs (Ndoh, 2025; Agbamaka, 2025). These deficiencies reveal the gap between governance as a democratic ideal and governance as practiced, fuelling arguments about the prevalence of pseudo-democracy.

Human rights, on the other hand, are the inherent, universal, and inalienable entitlements that belong to every individual by virtue of being human. They are codified in international instruments such as the Universal Declaration of Human Rights (1948), the International Covenant on Civil and Political Rights (1966), and regionally in the African Charter on Human and Peoples' Rights (1981). In Nigeria, human rights are further entrenched in Chapter IV of the 1999 Constitution, which guarantees rights such as life, dignity, personal liberty, freedom of expression, and peaceful assembly.

In theory, the protection of human rights is central to democracy. Democratic systems are meant to safeguard citizens from arbitrary state power and create conditions for individuals to flourish. Yet, in Southeastern Nigeria, recurrent human rights violations have undermined this ideal (Agbamaka, 2025). Security agencies have been implicated in extrajudicial killings, torture, and unlawful detentions, particularly in response to secessionist movements and public protests. Freedom of expression and association has been curtailed, and citizens often lack effective

remedies for rights violations (Agbamaka, 2025). These realities highlight the fragility of democratic practice, since a system that persistently undermines fundamental rights cannot be meaningfully described as democratic in substance.

The rule of law refers to the principle that all individuals and institutions, including the state itself, are subject to and accountable under the law. It requires that laws are clear, publicized, stable, and fairly applied, and that justice is delivered by competent, independent, and impartial institutions (Ndoh, 2025). The British constitutional scholar A.V. Dicey, one of the earliest proponents of the concept, emphasized three key elements: the supremacy of law over arbitrary power, equality before the law, and the protection of fundamental rights through ordinary legal processes (Ndoh, 2025).

In a democratic society, the rule of law ensures that governance is bound by established procedures, prevents the abuse of power, and guarantees that citizens' rights are protected by impartial courts. However, in Southeastern Nigeria, the weakness of judicial institutions, executive interference, and the frequent resort to extra-legal measures have undermined the rule of law (Okolo, 2025). The heavy militarization of the region in response to insecurity has often sidelined legal safeguards, leaving citizens vulnerable to abuse. This erosion of legal principles further questions the democratic credentials of governance in the region.

Governance, human rights, and the rule of law are deeply interconnected. Good governance requires respect for human rights and adherence to the rule of law; the rule of law cannot be sustained without governance structures that are transparent and accountable; and human rights cannot flourish where governance is weak or laws are arbitrarily applied. In the Southeastern Nigeria context, the persistent failure to uphold these three pillars underscores the argument that what exists is, at best, a procedural democracy but substantively a pseudo-democracy.

Southeastern Nigeria: An Overview

Southeastern Nigeria, one of the six geopolitical zones of the country, is composed of five states: Abia, Anambra, Ebonyi, Enugu, and Imo. The region is predominantly inhabited by

the Igbo ethnic group, one of the three major ethnic nationalities in Nigeria, with a population known for its entrepreneurial spirit, resilience, and strong sense of identity. Alongside the Igbo, Southeast was home to the Ibibio, Efik, and Ijaw ethnic nationalities, prior to the British colonial administration, and these groups were believed to possess distinctive democratic systems of government during this period (Benjamin, 2019). Since the dawn of contemporary democratic dispensation in 1999, however, the Southeast has remained politically active, socially vibrant, and economically significant, yet its democratic experience is shaped by historical grievances, structural challenges, and contemporary governance crises.

The region's modern political history is deeply influenced by the Nigeria Biafra War (1967–1970), often referred to as the Biafra War. The attempt by the Eastern Region, led by Colonel Chukwuemeka Odumegwu Ojukwu, to secede as the Republic of Biafra ended in defeat, leaving a legacy of mistrust, marginalization, and feelings of exclusion from mainstream Nigerian politics. Post-war reconstruction policies, coupled with perceived neglect in federal appointments and infrastructure, deepened the people's sense of political alienation. These historical experiences continue to shape the region's relationship with the Nigerian state and its perceptions of democracy (Agbamaka, 2025).

The Southeast is densely populated, with major urban centres such as Enugu, Onitsha, Aba, Owerri, and Abakaliki serving as commercial and cultural hubs. The Igbo people who dominate the region were known for their republican values, which emphasized equality, consultation, and communal decision-making. This cultural inclination towards participatory governance contrasts sharply with the authoritarian tendencies often witnessed in Nigeria's political practice, thereby heightening frustrations when democratic institutions fail to deliver.

Economically, the Southeast is reputed for its vibrant informal sector, particularly in trade, manufacturing, and services. Onitsha and Aba, for instance, are renowned as centres of commerce and small-scale industrial activities. The region is also rich in natural resources, including crude oil and natural gas in Abia and Imo, and solid minerals in Ebonyi. Despite this potential, inadequate infrastructure, poor governance, and limited federal investment have adversely affected economic growth. Many residents argue that the region has not received

equitable developmental attention compared to other parts of Nigeria, reinforcing feelings of neglect and exclusion.

Since 1999, the Southeast has actively participated in Nigeria's democratic process, producing governors, legislators, and other political leaders. However, governance in the region has been marred by pseudo-democratic tendencies thereby raising questions about the authenticity of representation (Ibekwe, 2019). The absence of a president from the Southeast since the return to civil rule further fuels perceptions of political marginalization. These grievances have contributed to the rise of secessionist movements and/or organizations, most notably the Indigenous People of Biafra (IPOB), whose goal, nature, and activities were captured in the submissions of Amadi, Allen, and Mai-Bornu (2023, p.126), thus:

The central objective of IPOB is the creation of a sovereign state of Biafra through non-violent means. It is predominantly a youth-based organisation, with membership across Nigeria and the diaspora. IPOB operates through non-violent demonstrations such as sit-at-home events in the (southeast) region that belonged to the defunct Biafra; (it) ...has confronted the Nigerian State, challenging post-civil war Igbo marginalization.

Appraising the state of Governance, Human Rights, and Rule of Law in Southeastern Nigeria, 1999-2023

The return to civilian rule in Nigeria marked a significant turning point after years of military dictatorship. It was anticipated that democracy would usher in accountable governance, strengthen the rule of law, and guarantee the protection of human rights across the federation. For Southeastern Nigeria, the transition held deep symbolic and practical meaning. This was because the region, for long, has been grappling with issues of political exclusion, economic marginalization, and identity contestation within the Nigerian federation.

The Southeast, like the rest of Nigeria, was provided with the opportunity to elect leaders at the federal, state, and local levels with the return of democracy in 1999. Regular elections took place, and civilian rule was consolidated without military interruption. However, the region's democratic experience has been marred by structural weaknesses. For instance, as already revealed, elections were often characterized by vote buying, rigging, ballots natching, and

intimidation by political thugs (Odoemelam, Ebeze, Nwafor, & Kidafa, 2014; Idike and Ezeah, 2025). Judicial interventions frequently determined electoral outcomes, undermining citizens' confidence in the process. Leadership was also dominated by political elites who prioritized personal and group interests over collective development. Godfatherism, where influential figures imposed candidates and dictated governance remained entrenched (Ashindorbe and Danjibo, 2022), as was seen in Anambra State. Nevertheless, the region produced some reform-oriented leaders. As governor of Anambra State (2006-2014), for instance, Peter Obi promoted fiscal responsibility and invested in education and health (Ubaku, 2011; Okoli, 2025). His political philosophy later resonated nationally during his 2023 presidential bid. Similarly, Dave Umahi, as governor of Ebonyi State (2015–2023), expanded infrastructure, though his critics argued his administration plunged the State into economic hardship while pursuing his presidential ambition (Nnachi, 2022; Nwachukwu, 2025).

Despite being a hub of trade and entrepreneurship, the Southeast region continued to face underdevelopment relative to its potential. Diaspora remittances and private sector resilience sustained the economy, yet state-led development was inadequate. Infrastructure deficits typified by bad roads, erratic electricity, and inadequate public services remained common. Federal allocations and internally generated revenues were often mismanaged, with corruption siphoning funds away from critical projects.

The region's economies relied heavily on commerce and small-scale manufacturing, particularly in Aba (Abia State), Onitsha (Anambra State), and Nnewi (Anambra State). These cities exemplified Igbo ingenuity but lacked robust government support in the form of industrial policy, credit facilities, and export incentives. Governance failures thus limited the translation of entrepreneurial energy into sustainable industrialization.

Insecurity was the most significant governance challenge in the Southeast (Nwosu, 2024). Initially relatively peaceful compared to other zones, the region descended into turbulence following the resurgence of separatist agitation led by the Indigenous People of Biafra (IPOB). The government's proscription of IPOB and the arrest of its leader, Nnamdi Kanu, triggered violent confrontations. The situation worsened with the emergence of unknown gunmen,

kidnappings, and violent enforcement of sit-at-home orders (Ubaku, 2021). The States' response with militarized security operations was largely counterproductive, escalating violence and alienating local communities (Majeed, 2021). State governments struggled to respond effectively, resorting to local vigilante groups such as "Ebube Agu", which themselves faced allegations of human rights abuses. The failure of governance in managing security deepened mistrust between citizens and the state, leaving many communities vulnerable.

In addition, civil and political rights were frequently violated in the Southeast. Security agencies routinely deployed excessive force in dispersing protests, arresting activists, and suppressing opposition voices. The crackdowns on IPOB demonstrations were widely criticized by Amnesty International and Human Rights Watch, with reports of extrajudicial killings, arbitrary detentions, and enforced disappearances (Amnesty International, 2016). Freedom of expression and press freedom were also under pressure. Journalists and activists risked harassment, detention, or intimidation when reporting on governance failures or security abuses (Ikpeamaeze, 2025; Nwankwo, 2025; Okakah, 2025). Opposition parties and civil society often operated under unequal conditions, as incumbents exploited State resources to suppress dissent.

Governance deficits directly undermined socio-economic rights in the region. Public schools and hospitals were underfunded, leading to a decline in the quality of education and healthcare. Youth unemployment was pervasive, fuelling migration and involvement in criminal activities. Strikes by lecturers and health workers frequently disrupted access to essential services, while women and children remained particularly disadvantaged. Gender inequality was entrenched through discriminatory cultural practices, low political participation, and limited economic opportunities. Cases of domestic violence, child labour, and trafficking persisted, reflecting inadequate enforcement of protective laws.

The human rights crisis intensified with insecurity in the region. Civilians were frequently caught between violent non-state actors and militarized State responses. The enforcement of IPOB's sit-at-home orders curtailed citizens' rights to education, work, and free movement. Markets, schools, and transport systems were often paralysed, undermining economic

life. Security forces, in turn, were accused of house-to-house raids, arbitrary arrests, and torture (Ikpeamaeze, 2025). The result was a shrinking civic space and widespread human suffering.

The rule of law requires independent and efficient judicial institutions. In the Southeast region, however, the judiciary faced systemic challenges: underfunding, delays, corruption, and political interference. Many cases of corruption and human rights violations languished in courts without resolution. Politicians often manipulated the judicial process to protect themselves from accountability, eroding public trust in legal institutions.

Nonetheless, the judiciary sometimes asserted independence. Courts were seen nullifying flawed elections, upholding constitutional rights, and challenging executive overreach. Yet, such victories remained limited, and access to justice for ordinary citizens was constrained by cost, illiteracy, and inefficiency. The law enforcement agencies often operated outside the bounds of the law. Arbitrary arrests, prolonged detentions without trial, and torture were common. The rights of suspects were routinely violated, contradicting constitutional provisions. The Southeast, like other regions, suffered from a policing system that prioritizes regime security over citizen security.

Community reliance on vigilante groups such as Bakassi Boys in the early 2000s, and more recently, Ebube Agu, reflected widespread distrust and lack of confidence in formal law enforcement. While these groups sometimes delivered swift justice, they frequently engaged in extrajudicial killings and abuses, undermining the formal justice system (Agbagho & Dibia, 2018; Ajeli, 2020; Alaribe, 2015).

The federal government's actions towards separatist agitation in the South-east region of Nigeria revealed tension between security concerns and constitutional rights. The proscription of IPOB in 2017 by the government of President Muhammadu Buhari raised questions about legality and due process (Mbawike, 2023). Similarly, the extraordinary rendition of Nnamdi Kanu from Kenya in 2021, and his prolonged detention despite multiple court rulings for his release, highlighted the fragility of the rule of law. These actions reinforced perceptions of selective justice and deepened grievances about marginalization

Conclusion

From the foregoing, it is evident that governance, human rights, and the rule of law in South-Eastern Nigeria, within the study period, reflected an electoral democracy without substantive democratic dividends. Governance in the region was undermined by corruption, poor leadership, insecurity, and lack of accountability. Human rights were systematically violated by both state and non-state actors, leaving citizens vulnerable to violence, repression, and neglect. The rule of law remained weak, with judicial inefficiency, impunity, and disregard for due process undermining constitutional guarantees.

Yet, the Southeast remained a region of resilience and potential, with an adorable entrepreneurial culture, vibrant civil society, and political consciousness that demonstrate the capacity for self-driven progress. To improve governance, there must be deliberate investment in transparent institutions, infrastructure, and inclusive policies. Human rights protections must be prioritized through security sector reforms, respect for fundamental freedoms, and empowerment of marginalized groups. The rule of law can only be strengthened by judicial independence, accountability for abuses, and access to justice for all citizens.

The democratic journey of the region, since 1999, ultimately underscored both the possibilities and limitations of Nigeria's democracy. The region's struggles reflect national challenges, but they also highlight urgent imperatives: to build a governance system that delivers development, respects rights, and upholds the rule of law as the foundation of a just and stable society

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