

Liberal Democracy in Africa and its Challenges

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Abstract: The idea of liberalism which emanated in the modern era gave ground for liberal democracy. This system of government was a credible solution for the elongated quest and research for the best system of government by the philosophers. Liberal democracy is a system of government that allows for multiple political parties competing for the control of government through genuine free and fair elections, constitutionalism including strong institutions that can pave ways for development. It is a system that is associated with the wholistic approach towards accountability, equality and proper participation of all citizens. However this system of government has not been at its best in African continent particularly in Nigeria because the three arms of government are characterized with corruption. Notwithstanding, Liberal democracy has a lot of benefits that are numerous. The idea of liberal democracy in Africa and its conflicting nature with the egoistic interests of African leaders has resulted in fostering and strengthening class society that is obtainable in Karl Marx political theory (Domination of the lower class by the upper class). Considering the fact that many countries in the world have benefited a lot from liberal democratic system of government, there is a need for us to practice a democracy of such standard that will guarantee and adopt the positive aspect of our culture for better development. Through critical analysis the paper recommends the authentication of the positive aspect of liberal democracy with the positive aspect of communalism (African positive values of living). In furtherance, a system of government that would value the mechanisms of accountability and constitutionalism through separation of powers together with free and fair elections. Mainly, which can proffer solutions for the following; infrastructural decay, unemployment, poverty and hunger, insecurity, lack of education, human right abuse including lack of standard of medical care. Therefore a government that would reduce the accumulation of wealth by the individuals and pave ways for better development in Africa.

Key words: Liberal Democracy • Accountability • Constitutionalism and Separation of Powers

INTRODUCTION

Due to political problems including unfavourable system of government to people philosophers have tried to analyse the human condition in the state together with the genuine and best political system that would help man to authenticate himself in the human society. It has been the point of focus on how to develop a society with the best system of government that will guarantee accountability, equality, participation and reduced immunity clause including reduced cost of governance. Many philosophers have suggested different system of government and one of those systems is liberal democracy. Africa as a continent has moved from authoritarian system to liberal democracy but the questions remain: Is liberal democracy in harmony with African culture? What is the nature of African culture?

What are the qualities of liberal democracy? Could any culture thrive and begets development in harmony with another culture? In what process can liberal democracy and idea of communalism be integrated? In the Western world liberal democracy has yielded numerous benefits to humanity and like other systems of government, it has its challenges but the advantages are numerous. It guarantees individual freedom, civil liberty, respect for the rule of law and electoral competition. Mostly, it stands for the interest of the masses. It paves ways for economic development and good governance (Independent judiciary, executive and legislature). Guaranteeing right involves both political and socio-economic rights to the citizens. Those rights mainly are enforceable. The essence of liberal democracy is to create opportunities for human to assert and authentically develop themselves. Among other systems

of government, many people consider liberal democracy as the most viable system of government. Its validity and viability cannot be compared with other systems of government. Any nation that has problem with this system of government should look inward and identify the problem either from the cultural background or that the leaders are tyrants.

In Africa, the problem is centred on the selfish nature of our leaders including some bad elements in our culture. The embracement of liberal democracy by the African leaders does not remove the despotic attitude in them which worsen the partial crisis between liberal democracy and communalism. Many African leaders would like to be the presidents and leaders for life. Individually they gain a lot without considering the masses. Notwithstanding the numerous benefits of liberal democracy, in Africa the crisis has created a very big gap between the poor and the rich, ethnic and religious crisis including crimes of different nature. Lack of proper assimilation of the various tenets of liberal democracy in line with the positive aspect of African culture has destroyed the system of government in Africa particularly in Nigeria. This paper intends to propose possible solution to this problem by considering the following topics; concept and analysis of liberal democracy, status of liberal democracy in Africa, mechanisms of accountability and constitutionalism, separation of powers: a necessity for accountability and constitutionalism and evaluation and conclusion.

Concept and Analysis of Liberal Democracy: In understanding the concept of liberal democracy, there is a need to grasp the meaning of democracy. The concept of democracy is of two Greek words ‘*demos*’ and ‘*Kratein*’ meaning the people’ and ‘to rule’ respectively which literally mean rule by the people. Democracy means government by and for the people. The government that allows people to make and determine rules and it is because of that reason that many countries in world practice democracy. It is the most viable system of government. The essence of democracy centred on the ground that it is established by the people to safeguard, protect and promote their interests, rights and welfare that are objective in nature. This is in line with the words of Clean a Greek Philosopher quoted in the book, *Political Theory* by Vidya. He stated, “that which shall be democratic shall be the rule of the people, by the people, for the people” [1]. This guarantees the freedom of people based on objective reasoning. Similarly in the same book, Lord Bryce as cited, stated that democracy is:

That from of government in which the ruling power of a state is legally vested not in any particular class or classes, but in the members of the community as a whole. This means, in communities which act by voting, that rule belongs to the majority as no other method has been found for determining peaceable and legally what is to be deemed the will of a community which is not unanimous [2].

Therefore democracy is a system of government that guarantees the right of people and provides opportunities for total participation of people basically for their interests, rights and welfare that are objective in nature.

Liberal democracy therefore affirms the idea of individual right and freedom that everybody has fundamental rights and such should be respected. This entails that individuals should participate actively in government for development. Its fulcrum is to protect individual rights. Liberal democracy is a system of government many countries in the world desire for and this is affirmed by Kenneth Bollen in *American Journal of Political Science* [3]. The idea of liberalism in liberal democracy indicates the importance of freedom in any democratic government. It paves ways for free market economy and free trade. The individual rights and freedom limit the state power. For Foweraker and Krznarie, liberal democracy is, “a system where multiple political parties compete for control of the government through relatively free and fair elections” [4]. Notwithstanding the idea of individual right, Kenneth Bollen further explained liberal democracy as:

The extent to which a political system allows political liberties and democratic rule. Political liberties exist to the extent that the people of a country have the freedom to express a variety of political opinions in any media and the freedom to form or to participate in any political group. Democratic rule (or political rights) exists to the extent that the national government is accountable to the general population and each individual is entitled to participate in the government directly or through representatives [5].

Liberal democracy is characterized by the following, representativeness, constitutionalism, accountability, equality and participation. This type of democracy is known for strong political institutions that are viable to bring development. It serves as open government with sovereignty oriented which rests upon people as a centre

for every government activity. Liberal democracy is based on the ground of people being active in participation. The activeness in participation creates much avenue for people to involve themselves in periodic elections which are their rights due to multiparty politics. The periodic elections are and must be free, fair and credible. The election results are uncertain and indeterminate beforehand. Furthermore, such system of government provides the possible indication of who constitutes the legitimate government and the elected representatives that can be known and made visible through periodic or regular elections. The authority of the leaders is being determined by the public opinion. The election is always competitive in nature while the validity and credibility of it leads to its acceptance and adoption of the election results. It is based on this ground that Anyima Kwesi assessed liberal democracy as:

A system of governing a country in which the citizens of the country have total freedom and equality. The legislature, executive and the judiciary are kept separate to avoid power resting in one place. Its features include free and fair elections and a choice of political parties with different views, opinions and policies. A secret ballot must be held so that the vote does not feel pressured into casting a voter for a political party that he/she does not want to. The government and parliament must be elected by and accountable to the voters, the elections must be regular. Finally, the outcome of the election must be respected this allowing power to change according to public demand [6].

Moreover these characteristics are basis for liberal democracy and they are obtainable in countries that practice and understand the ideas of advanced democracy. In the process of allowing people to participate actively paves ways for the election of good leaders. It ensures equity, openness, freedom, accountability, transparency, justice, liberty, rule of law, constitutional checks and balances. Modern society involves the process of change towards social, economic and political system and it has the capacity to control the physical and social environment. Precisely, it is associated with a quick widening control on nature through intimate cooperation among the people and leads to technology. Liberty and equity are the bedrock and the foundation of modern democracy. In liberal democracy there is complete implementation of the principles of

liberty and equality that create justice in order to solve social problems. The depth of the people's participation remains a great fulcrum for good governance in liberal democracy and that is why Merritt and Zinnes were of the view that liberal democracy is "less likely to initiate wars" [7]. The reason being that it advocates for equality which is necessary for liberty. Liberty and equality in liberal democracy are complementary to each other. It is very hard for one to differentiate the boundary between the two. This gives support for equality before the law and equal right to vote. Vidya stated that "political and legal equality were considered as a precondition for democracy. Without equality, there could be no democracy and without democracy there could be no liberty" [8]. They remain the foundation of liberal democracy. Through that, such system of government ensures the protection of the rights of the masses and individuals. Liberal democracy ensures good governance through many ways which include, fighting against corruption, upholding separation of powers, respect of the rule of law, proper management of societal economic and social institutions.

The idea of fighting against corruption will guarantee good governance through proper management of wealth of the masses thereby reducing military incursion. It will reduce the issue of abusing of office by the leaders. The second nature of liberal democracy is the separation of powers where the executive, legislature and judiciary are independent for good governance and development. These are actualized through checks and balances among the three arms of government. Another fundamental basis of liberal democracy is the rule of law and it is safeguarded by the constitution of the country. It ensures proper protection of the fundamental rights of citizens for the development of the society. The constitution of any country is characterized by the public will including the regulative rules (fundamental rights of the citizens, property rights and the nature of political authority etc) For Adjumobi, the process of constitutional engineering centred on political process which must be known to be inclusive, open and simple in nature⁹. It must be devoid of ambiguous words or languages. For it to be adopted, it must be scrutinized by the popular will or interest. The glorious nature of constitution is capitalized on the social pact between the individual and the state. Then for the rule of law to be in existence the following must be obtainable; equality before the law, administration of the law by the ordinary law courts, enforcement of some minimum rights, absence of arbitrary or wide discretionary

powers of governments or its agencies, certainty and regularity of law, supremacy of written regular law made by the law makers [10]. The importance of the rule of law instigated the Africa's conference on rule of law that was held in Nigeria in 1961. The conference resolved that:

The rule of law is dynamic concept which should be employed to safeguard and advance the will of the people and the political rights of the individual and to establish social, economic, educational and cultural conditions under which the individual may achieve his dignity and realize his legitimate aspiration in all countries, whether dependant or independent [11].

It means that the power of any government including the citizens is under critical check. If the nation's resources are distributed equally, it will promote the senses of belonging among citizens for good governance. Governance is good when it is able to ensure the desired end which is anchored in improving the standard of living for the people, justice and equity, protection of life and property, preservation of the rule of law with enhanced participation.

The beautiful aspect of liberal democracy is the mechanism of the separation of power. Two prominent philosophers advocated for the separation of powers-John Locke and Baron Montesquieu. Locke was for the two arms of government-executive and the legislature while Montesquieu added judiciary which is the third arm of government. The essence of it is for good governance and development devoid of abuse of power. It paves ways for the mechanism of checks and balances. The three major concepts associated with liberal democracy includes; liberalism, democracy and constitutionalism. For any democratic system to be liberal the three concepts must co-exist. They beget the following; the fundamental ideas that people are the sovereignty which means that they are the source and the root of the government. Secondly the idea of equality among citizens. Thirdly the consent of the governed. Fourthly, civic participation of citizens which free elections are among. People also should be pragmatic which means that they must be empirical in determining who and how the government should be governed. Then again people should have much influence towards the government which civil society groups are among. The sanctity of election should be highly respected because people exercise their sovereignty through such

means. For the people's will to be reflected the election should be free, fair credible and frequent. Free and fair election means that it must be basically honest which must be accepted both internationally and locally. Frequent election means that elections must be periodically conducted.

Considering the constitution of a country, it remains the fulcrum of the rule of law. The essence of people relinquishing their power is for the government to safeguard the basic rights, welfare and interests of the masses. As the governments do so, people also limit the power of government through the wholistic laws of people called "constitution". Constitution serves as a guide to governance and a constitutional government is a pragmatic government, pragmatic in the sense that the government acts and governs people with law (constitution) devoid of making rules that are egoistic. In safeguarding the constitution of any country, judiciary plays a great role in reviewing the laws and rules. Under judicial review the courts declare the laws passed by legislatures to be null and void when it is in contradiction with the constitution of the country. Under liberalism the following concepts are obtainable; freedom, equality including the respect for the individual. Liberal democracy affirms the priority of the moral nature of man (individual) and vehemently believes that all people have certain basic rights and those rights should be respected. The target of democracy is to protect those rights. Democracy involves the individual liberties of both the minority and majority. Likewise the democratic principles are rooted in the principle of liberalism which are made manifest in the constitution. Liberal democracy is seen as alternative to other systems of government that have failed humanity.

Considering the principles and nature of liberal democracy, the system remains the best from of government but it is associated with Marx's theory of class struggle. Basically "the history of all hitherto existing society is a history of class struggle" [12] This implies that the history of man is determined or shaped by the war or class struggle. Marx emphasized that every particular period of economic development corresponds a particular social system of classes; this is why we speak of feudalism, capitalism etc. The state is an organ of class domination between one class and another. For him the state "Is just part of the machinery by which the ruling class carries on its struggle" [13]. This has a lot of consequences and implication because all political struggles can never help in positive contribution towards

economic growth or reality for the development of a nation. Many governments are a dictatorship, of the ruling class over the governed. From this theory, liberal democracy in Africa means the form of class dictatorship. The nature of liberal democracy in Africa could be taken as the veil for the dictatorship of the bourgeoisie. In Africa, we are in a state of cruel exploitation where people enter into leadership, for selfish reasons and such system of government is characterized by injustice, inhumanity, lack of accountability, lack of respect and adherence of constitution and the rule of law, money politics, lack of free and fair elections and gender inequality etc.

Status of Liberal Democracy in Africa: During the colonial era we fought for liberation and the same issue continued to date. Our leaders have turned to wolves thereby disorganizing and manipulating the system of government to their selfish interests. When will this continent experience development? The ideas of communalism which Africans are known for cannot beget good structure for better development rather it paves ways for laziness and strengthen authoritarianism. Our problems are enormous and for Agashi Godswill Philip N., he stated:

The problem of Africa has a link with the saying of the Xhosa people of south Africa that “I am because we are”. The individual self has been derailed by the crowd, collectivism or many. The oppressive nature of crowd reduces the individual self. Africans in Europe do better than the Africans in the African continent because in the in the African continent individual self is tied to a body larger than the self which place one a perpetual slave [14].

Our leaders have used what Africans are known for to destroy us including the system of government that has liberated many countries in the world from poverty and underdevelopment. The culture of dependence (Communalism) and paternalism which paves ways for laziness and slavery encourages the abuse of political and economic power, dictatorship and corruption. Why do Nigerians prefer receiving one thousand naira only to vote in a tyrant for four years without benefiting anything again from the person? According to Turok, independence and liberation in Africa means “raising the flag and singing a national anthem and then later going back to the bush”. [15] Our leaders have been influenced by African traditional political institutions that are

autocratic and corrupt and such cannot provide the superstructure, the bases, appropriate historical and cultural foundations for liberal democracy in Africa. In traditional African societies, kings and chiefs rule for life and our political office holders want to stay in office for life, examples Mugabe and Mobuto Seseseko. In Nigeria many governors, senators, house of assembly members and even president want to be in office for life thereby controlling others as slaves and many want to have dynasties. The emphatic issue is that many political office holders want to be like kings and chiefs that are obtainable in traditional African societies. They want everything to revolve around them for life.

In Africa the electorates experience the ideas of multi-parties and frequent elections that are periodic without yielding the demands of the masses. The essence of having multiparty and conducting periodic election remains in the world of oblivion. Free and fair elections for Africans is the fundamental bases and major steps towards democratic society but it is purely characterized by money politics which involves the inducement of the electorates to vote a particular individual or candidate. Most of the free and fair elections in Africa are rigged elections. Nigeria and many other African countries have been witnessing this anomaly in the name of having a better measure for democracy. The political atmosphere before and during elections is always volatile. For example 2019 elections in Nigeria particularly in Bayles state, in the eve of presidential elections the special assistant to governor on grassroots mobilization and a professional photographer working in the government house were murdered. Pre, in and post 2019 elections witnessed a lot of killings, war and crisis in many states and many electorates lived in fear and mostly seeked political asylum in neighbouring countries. That is why Solomon and Liebenberg were of the view that liberal democratic state in Africa has given rise to corruption, civil war, tyranny and dictatorship etc and wars in different countries in Africa-Nigeria, Angola, Mozambique, Chad, Somalia, Lizeria and DRC are emphatic truth that liberal democracy is not in line with its positivity towards the continent [16].

Most of all these problems have led to ethnic and religious crisis which began with deadly political differences engulfed with armed conflict. Africa has not witnessed the benefits of liberal democracy. Democracy is controlled by the cultists mostly political godfathers who are thugs and war mongers in Africa instead of true leaders that are God fearing and intelligent. Politics in

Nigeria involves the sharing of the national cake to enhance the conditions or the interests of those at the cogwheel of liberal democracy. Saul stated vehemently that it will take long before Africa will experience development because of the attitude of the ruling classes that is unfavourable to mankind [17]. The idea of the selected or chosen few by the godfathers becoming the ruling class is very alarming and this calls for urgent attention. The worst part is that the bizarre constitutions cannot offer proper checks and balances of the attitudes of the politicians. The target of the liberal democratic philosophy is to better the living conditions of the people but what is on the practice is the contrary. Our leaders lack vision in dealing with the civil society to the level of generating and causing ethnic conflicts in order to be in power. Mafeje A. stated that Europe was known for corrupt absolute monarchs and predatory and callous feudal lords” but liberal democracy triumphed over them” [18]. While in Africa such remains a contrary issue. The failure of liberal democracy in Africa is due to one-party dictatorship although some parts of our culture are undemocratic while some parts are democratic. It is necessary to remove the parts that are undemocratic for better development in Africa. The failure of liberal democracy in Africa is based on the unwillingness of our leaders and weak democratic structure in our culture. All these gave ground for underdeveloped political institutions in Africa. As captured in the work of Van Hoek, *Africa in Search of Institutional Revival* Jacques Attali stated that “a democracy without institutions is anarchy and a market economy without institutions is a mafia” [19]. The weak nature of liberal democratic system in Africa is associated with under developed institutions especially in the following areas; accountability and constitutionalism. Other areas include non separation of powers, weak political parties, lack of transparency and power concentration at the centre. The non functionality of liberal democratic system in Africa due to non-function or absolute absence of political will both from the leaders and the followers resulted to weak institutional frameworks. The unwillingness of our leaders to deliver has resulted to absolute decay of our democratic system in Africa. Rotberg captured that failure in our democratic system in Africa is due to weak constitution and weak institutions which undermine public interests towards governance [20]. For William Reno the major cause of weak African politics is due to state failure since neoliberal global order [21] All these problems have led to lack of security and peace in many African countries.

The reason for introduction of New Partnership for Africa’s Development (NEPAD) is to address all these problems that militate against liberal democracy in Africa. One of its major objectives is for promotion of the awareness through peace and security, good governance and liberal democracy for sustainable development in. Liberal democracy creates the avenue for the respect of human rights, political stability and good governance, security and peace. NEPAD strengthens the political and administrative approach of different countries involved precisely in line with internationally principles of good governance which involves respect for the rule of law including building and institutional reformation.

Mechanisms of Accountability and Constitutionalism:

Accountability and constitutionalism are fundamental and basic to the theory and practice of liberal democracy. In Africa, the imperatives of accountability and constitutional implementation in governance for political economic and social development remain virtually unrealistic. Many have taken accountability as that which defines the essence of liberal democracy. For Schedler, “scholars now tend to perceive public accountability as a key attribute of democracy and democratic quality as well as an ingredient of democracy’s long-term sustainability” [21]. Accountability reduces the political abuse of power and empower political leaders to manifest greatly the essence of liberal democracy for a better development. Likewise constitution reduces the idea of abuse of power and guides political office holders in their governance with emphasis that constitution is supreme and people are sovereignty. It is very important to clarify all these terms or concepts although they are old in democracy.

Accountability in democracy involves proper responsiveness of the political leaders to the followers (people) and appropriate answerability to the laws when they are needed. Domestic accountability is also necessary in democratic accountability and such accountability involves account to external bodies like foreign aid donors and the legal constraints put in place by the international law. In consideration of the difference between domestic accountability and democratic accountability, Ranker and Gloppen gave out ideas that are important. They stated that domestic accountability is a particular ground where the principal is “the people”: and the parties owing accountability are the political office holders that have political power [22]. In a critical analysis people mainly should work as an instrument of

accountability. The question now is how can people exhibit efficient attitude and work towards the idea of being an instrument of accountability? First of all, democratic accountability is a process or mechanism in making a government appropriately accountable to society (people) fundamentally through those that are elected democratically or the elected body which is the representative of the masses and the body endorses democratic values or ideas or to the agents mandated or assigned by the body which operate within the framework of the rule of law. The explanation gives us the enormous duties or functions of the people (masses). The government cannot be accountable when people inappropriately elected the questionable leaders without sound characters and qualities. Nigeria is a clear example of that where people are induced with certain amount of money to elect bad leaders.

Moreover there is a long chain of accountability process in government which is wholistic in nature. It starts from the junior workers or officials and they are accountable to their managers, heads of departments in civil service accountable to their political masters, the government accountable to parliament while the parliament accountable to people. For the chain of accountability in government to be effective the accountability rules must also be functional. When there is no interrelationship between accountability and the responsibilities of the various agents, the productivity would be minimal. Dunn pinpointed that "the requirement that agents be accountable to their principal for the way they act on their responsibilities by exercising authority and carrying out their duties indicates the interrelationship of accountability and responsibility [23]. In the relationship both direct and indirect are obtainable and that is why Mainwaring was of the view that, not every relationship of accountability centred on a direct relationship between an agent and the principal that formed or created the agents [24].

The symmetrical relationship between accountability and constitutionalism cannot be overemphasized. A nation that values, adheres and attaches her strength on constitution derives her power from constitution. Countries that do not have written constitution depend mainly on certain constitutional rules and conventions that are codified in various ways. Constitution safeguards the essence of making the government accountable. The constitution fundamentally addresses the basic ways to provide what people need that is why it provides and authorizes institutions of accountability. It specifies the

powers of the various institutions including the checks and balances between the executive, judiciary, legislature and other agencies. It defines and limits the power of the various institution, the three arms of government and other bodies and agencies. Notwithstanding the fact that courts are not above the law or constitution but the judiciary power is taken as the bedrock of constitutional protection. Another basic tools of accountability are extra-constitutional. If such are not specified in the constitution, they are taken to be self-evident because of the fact that we have freedom of association, freedom of speech and access to information and other rights which are indispensable in assorting extra-constitutional actors in calling people in power to be accountable. So through the empirical approach the relationship between the constitutional status of an accountability instrument and its effectiveness can be determined.

Considering the areas of constitutional choices, such must involve proper distribution of power existing in society at that time. For the fact that the constitution of any country precisely in liberal democracy should meet up with yearnings of the people, it means that it is subject to criticisms and critical rationalism. The constitution of any country must be with the current trend and that was why formal president Goodluck Jonathan called for national conference that looked into the Nigerian constitution deliberated extensively and came up with wonderful result but such was rejected by the cabals. After constitutional document has been authorized it would be followed by constitutional implementation. The democratically elected government should govern in line with the constitution but in Africa especially in Nigeria it is contrary. The essence of the constitution is to give and limit the powers of the political office holders. In Africa most constitutions for many countries are not functional the reason being that they are not periodically revisited and fine-tuned to meet up with the realities in place. The constitution of any country should capture the local realities and lack of that may create difficulty in implementation. The first among the local realities is the idea of separation of powers. There would be proper accountability together with effective or functional constitution when there are checks and balances. Lack of checks and balances lead to unaccountability and constitutional failure.

Constitutional failure involves failures in implementation and the constitutional weakness is mainly due to inability to enhance the culture of constitutionalism. There are many factors that can lead to

that like weakness in designing of constitution. A constitution that is characterized with confusion, incoherence, inconsistency, contradictions and lack of clarity cannot be productive. Some of all these negative characteristics have been accommodated in many constitutions of many countries in Africa by the political cabals to entrench their selfish interests precisely to undermine democratic accountability. This leads to bad leadership and bad constitutional arrangement that affects the development of any country. A situation that a constitution is repeatedly ignored by the leaders and lacks proper amendment at when due such will lead to series of under development. Another critical issue in making constitution is the idea of participatory approach. The failure to adopt the participatory approach in making constitution would not grant the opportunity in having a genuine constitution. The problem we have in Africa especially in Nigeria is that the constitution of the party in power is superior and greater than the constitution of the country. Many African leaders have used party constitution to destroy our democratic system. Imagining a situation a president of a country will travel abroad without proper handover to his vice or deputy. African democratic system is engulfed with autocratic system of government. There is a need for proper checks and balances to reduce such anomaly in the system.

Separation of Powers: A Necessity for Accountability and Constitutionalism: Separation of powers involve necessary structural features that assist for good governance. The idea of the separation of powers that centred on checks and balances it involves the specific responsibilities, function and duties that are assigned to distinctive bodies (Institutions) that have a defined mean of competence including jurisdiction. It has to do with the separation of three main spheres of government-legislature, judiciary and executive and separation of powers have become a universal criterion or yardstick for liberal democratic government or the constitutional government. In line with this view Ville was of the view concerning Montesquieu that he advocated:

The way for the doctrine of the separation of powers to emerge again as an autonomous theory of government. This theory was to develop in very different ways in Britain, in America and on the continent of Europe but from this time on, the doctrine of the separation of powers was no longer an English theory; it hard become a universal criterion of a constitutional government [8].

It was Madison that gave a pragmatic approach of Montesquieu's vision precisely in the areas of checks and balances. The checks and balances involves the dialectic approach that grants constant tension and conflict between the branches or arms of government.

The legislature has the power to make amend and repeal rule of law, the executive enforces those rules of law while the judiciary interprets thereby determining what the law is and how it should be applied. Africa needs good governance and it depends on the ground to hold the government accountable through proper checks and balances which are manifested when the three arms of government confine on their duties and responsibilities. The separation of powers reduces the excessive accumulation of powers and encourages multiparty system. In liberal democracy independent judiciary is very important because it is saddled with responsibility of arbitrating between the other arms of government when dispute (conflict) arises and between citizens and the state. The essence of the separation of powers centred on the division of government responsibilities into distinct and specified branches. Montesquieu was of the view that three branches of power must be divided in person and in function and they must discharge their duties independently, limiting any one branch from exercising the core functions of another. The major target is to safeguard liberties and reduce the introduction of the tyrants. The three arms of government have exclusive domains to operate for good governance. The implications of the separation of powers are as follows; A particular person should not form part of more than one arm of government. Secondly the idea of interference with the work of another or business should not be in place and thirdly, one arm of government should not discharge the duties of another arm. This helps for proper adherence of the constitutional terms. That was why Montesquieu emphasized that it would be in vain if one person does the whole functions of the three arms of government.

In furtherance of the objectives of the separation of powers, it prevents the abuse of power [19]. The immunity clause enshrined in Nigerian constitution has aided the abuse of power and because of that it needs to be subjected to critical rationalism for proper amendment. In liberal democracy, public power is subject to constitutional control. Different arms of government should perform their duties based on their boundaries. So within the context of the separation of powers, the courts have the mandate to ensure that the exercise of other two arms of government should be in conformity with the

constitutional context. The doctrine of the separation of powers rests on the ground of preventing government, the legislature including the courts from interfering on one another duties or responsibilities. Many African countries like Nigeria do not implement the doctrine of separation of powers. The purpose of checks and balances is for the three arms of government to have internal control of themselves which involves the limitation of power that can strengthen accountability and constitutionalism. In Nigeria the three arms are totally corrupt and the reason being that we do not have the right persons in the system.

Concerning the checks and balances of legislature over executive, the executive derives most of its power from the constitution and legislation. Then any exercise of power by the executive that is not in line with the law, the courts may declare such invalid. The legislature pass the bill, amend or repeal on the side of executive over legislature, the executive has the basic responsibilities for the execution and administration of all the legislation. The executive (president) must assent to and sign national bills before they become law. On the part of relationship between the executive and the judiciary, the executive should not resolve legal disputes between individuals while the judiciary should not execute laws. The essence of all these is to avoid one arm making itself an omnipotent [7]. The separation of powers begets functions and division of labour that are under watch, most importantly under critical rationalism. It creates the possibility of having a division of the government into distinct and specific departments where a department has a will to act based on the law or constitution. Most importantly, checks and balances prevent arbitrary separation of the three arms of government and recommend, a harmonious separation.

CONCLUSION

The compatibility of liberal democracy and capitalism remains questionable. For Karl Marx, capitalism is exploitative and alienating and capitalism and democracy are different concepts, with different historical origin including different principles. For wood, modern democracy originated in France while capitalism came to be from England and the reason of their existence is due to French revolution and industrial revolution respectively. The concepts have a link that centred on political liberalism and economic liberalism. It is believed that economic liberation is the super structure while the political liberalism is the surface structure. That was why Marx was of the view that capitalist economy formed

the supra structure of Western or European societies while democracy was taken as the surface phenomenon. The strict capitalist model is compatible with the principles of liberal democracy. The difference centred on the ground that in capitalism the economic control and decision making are for the private sector (few) while in democracy people are the sovereignty. The essence of the popular sovereignty is that government is controlled by the dictates of people (Many). The principles of liberal democracy are in contrast with the nature of capitalism. In capitalist society one's opinion is determined by the wealth of the person including the total neglect of evaluation and criticism of the leaders.

In line with that, Owen stated:

Under capitalism, the power to criticize governmental authorities of otherwise participate in political life is not necessarily distributed equally. This is because one's ability to participate in political activities or to make one's voice heard reflects inequality in income whether from wages and salaries or from returns on investments [22]

In conclusion the widespread problem of governance in Africa is centred on the ground that the system of government (liberal democracy) has been totally influenced by the capitalism. Liberal democracy is under the veil of strict capitalist model which bears a class nature. The media and political parties are subsumed by the web of capitalism. The three arms of government that should be accountable to people are in competition over the acquisition of the public assess (Fund). Most of the constitutions are not for the people that have the government but for the few (Capitalist). They are always subjected for amendment for the interests of the few. The ideas of building a true liberal democracy in Africa especially in Nigeria is very hard due to strong influence of the capitalism. The mechanisms of accountability, constitutionalism and genuine separation of powers including other principles of democracy should guide our system of government (Liberal democracy in Africa).

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