



## Majority Rule and Individual Rights: Can Rousseau's General Will Foster Genuine Democracy in Nigeria?

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**Abstract:** This study examines the tension between majority rule and individual rights in Nigeria's democratic experience, drawing on Jean-Jacques Rousseau's concept of the "General Will." While democracy is premised on majority decision-making, unchecked majoritarianism in Nigeria has often led to electoral manipulation, ethnic exclusion, and the erosion of civil liberties. Using a systematic literature review and critical case analysis, including the 2007 elections and the #EndSARS protests, the study interrogates whether Rousseau's General Will offers a viable framework for balancing collective governance with rights protection in a deeply divided society. It explores three interrelated questions: the extent to which majority rule undermines individual rights, the applicability of the General Will in Nigeria's plural polity, and the structural reforms needed to safeguard inclusivity. Findings suggest that without institutional independence, constitutional pluralism, and enhanced civic participation, the General Will risks being appropriated by elites; however, with reforms, it could guide Nigeria toward a more genuine democracy.

**Keywords:** Majority Rule; Rousseau's General Will; Individual Rights; Democracy; Constitutional Pluralism

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## 1. Introduction

Democracy, often described as government by the people, is characterized by civic participation, constitutional accountability, and respect for human rights (Diamond, 2020). At its core lies the principle of majority rule, where decisions reflect the will of the greater number. Yet, for democracy to be meaningful, majority rule must be balanced with the protection of individual rights, which safeguard minorities against oppression and ensure fundamental freedoms (Locke, 1689). The tension between these principles remains a defining challenge of democratic governance globally, and Nigeria exemplifies this dilemma (Suberu & Diamond, 2002). The country's democratic journey has been marred by electoral malpractice, ethnic domination, and systemic marginalization, producing what often appears to be a façade of democracy, majoritarianism without genuine inclusivity (Okey & Ikechukwu, 2024). Weak democratic institutions, judicial corruption, and elite capture further undermine efforts at deepening democratic practice (Zachariah, Alo, Mbah & Nwafor, 2024).

Jean-Jacques Rousseau's notion of the *General Will* provides a useful lens for interrogating this problem. Rousseau argued that democracy should reflect not merely the will of a transient majority but the collective interest of society as a whole (Rousseau, 1762). The *General Will*, aimed at securing the common good, synthesises individual rights with collective responsibility (Bosanquet, 1894). However, the feasibility of this concept in Nigeria's deeply divided, multi-ethnic, and multi-religious polity raises critical questions (Gabriel & Anietie, 2024).

This study, therefore, examines whether Rousseau's *General Will* can serve as a viable framework for overcoming the distortions of majoritarianism in Nigeria's Fourth Republic. It addresses three interrelated questions: (1) To what extent does majority rule in Nigeria infringe on minority rights and individual freedoms? (2) Can the *General Will* provide a theoretical and practical foundation for inclusive governance in a fragmented society? (3) What legal, institutional, and civic reforms are necessary to build a democracy that balances collective sovereignty with rights protection?

The overarching objective is to critically analyse the interplay between majority rule, individual rights, and the *General Will* within Nigeria's democratic experience. The study examines how legitimacy can be sustained in a plural society without sacrificing civil liberties, and whether Rousseau's normative ideal offers a pathway to more inclusive governance. To this end, it investigates electoral and institutional

practices, assesses the relevance of Rousseau's theory in Nigeria's political context, and proposes structural reforms necessary for democratic deepening.

The paper is structured into six sections. Following this introduction, Section Two reviews relevant literature and the theoretical framework, engaging the philosophies of Rousseau, Locke, and Tocqueville. Section Three outlines the methodology, while Section Four interrogates the majority rule and the Nigerian democratic experience. Section Five presents findings, discussion, implications of findings for Nigerian democracy, and Recommendations. Section six concludes the study.

## **2. Literature Review and Theoretical Framework**

The tension between majority rule and individual rights has long been central to democratic theory. While democracy is often celebrated for embodying popular sovereignty, it risks devolving into majoritarian domination if mechanisms to protect minorities and safeguard civil liberties are weak. This section reviews both theoretical perspectives and empirical studies relevant to Nigeria, drawing on the works of Rousseau, Locke, and Tocqueville to situate the Nigerian experience within broader democratic thought. The review is organized into two parts: the first examines the theoretical foundations of majority rule and rights protection, while the second highlights how these frameworks resonate within Nigeria's political context.

### **2.1. Theoretical Framework**

This study integrates classical and modern democratic theories to analyze the balance—or imbalance—between majority power, individual rights, and Rousseau's notion of the *General Will*. It engages three major traditions: Rousseau's collective sovereignty, Locke's natural rights, and Tocqueville's warning against majority tyranny, situating them within Nigeria's plural and contested democracy.

In *The Social Contract*, Rousseau proposed the *General Will* as the foundation of genuine democracy: a collective interest that transcends temporary majorities. Laws grounded in the *General Will* embody the common good and legitimate self-rule (Rousseau, 1762; Bosanquet, 1894). However, critics note that Rousseau's theory is susceptible to elite manipulation, where leaders claim to speak for the “people” while pursuing partisan interests. In Nigeria, this danger is evident in state narratives of acting in the “national interest” while marginalizing minorities and repressing dissent, as during the #EndSARS protests when state violence was justified as

preserving public order (Cai, 2024). Such cases underscore the difficulty of distinguishing between the authentic *General Will* and the self-serving claims of political elites.

Furthermore, John Locke emphasized that individuals possess inalienable rights to life, liberty, and property, and that governments derive legitimacy only by protecting them (Two Treatises of Government, 1689). His framework remains highly relevant to Nigeria, where constitutional guarantees of rights frequently clash with political practice. Arbitrary arrests of journalists, harassment of opposition parties, and restrictions on free speech illustrate how individual rights are routinely sacrificed in the name of majority rule (Echeonwu, Odey & Sumaila, n.d.). Locke's framework is deeply relevant in Nigeria, where the Constitution formally guarantees freedoms of speech, association, and political participation, yet practice frequently diverges from principle. The arbitrary arrest of journalists, harassment of opposition parties, and clampdowns on activists illustrate the sacrifice of individual rights in the name of enforcing majority rule. Such practices expose the fragility of rights protection in Nigeria's democracy. At the same time, Locke's framework highlights a paradox: in plural societies like Nigeria, efforts to defend individual rights are sometimes portrayed as undermining national unity or collective identity. This tension complicates the realization of a democratic system that equally values both individual freedoms and shared citizenship.

Besides, Tocqueville, in *Democracy in America* (1835), cautioned against the "tyranny of the majority," whereby numerical majorities suppress minority groups and dissenting voices, ultimately hollowing out democracy. He observed that, absence of strong institutions and legal safeguards, democracy could entrench oppression under the guise of equality. This concern resonates with Nigeria's experience, where electoral majorities and legislative dominance have often justified exclusionary governance. The ruling party's overwhelming control of the National Assembly has frequently resulted in legislation that favors political elites rather than marginalized groups. A striking example is the controversial 2019 Social Media Bill, which sought to criminalize online dissent and curtail freedom of expression (Abdullateef, 2021). By attempting to institutionalize restrictions on speech in the name of public order, the bill reflected Tocqueville's warning of majoritarian impulses undermining liberty. Similarly, policies that disproportionately benefit dominant ethnic or religious groups highlight how majority rule, unchecked by institutional safeguards, exacerbates inequality and fuels unrest.

Thus, Rousseau emphasizes the normative ideal of collective will, Locke foregrounds the protection of individual liberties, and Tocqueville warns against the abuse of majority power. These theoretical lenses are invaluable for analysing Nigeria's democracy, where electoral majoritarianism, elite dominance, and weak institutions have repeatedly tipped the balance against inclusivity and rights protection.

## **2.2. Majority Rule Versus Individual Rights in Nigeria's Democratic Institutions**

Empirical studies on democracy in Nigeria reveal persistent contradictions between the ideals of majority rule and the protection of individual rights. Elections, the judiciary, civil society, ethnic politics, and corruption all demonstrate how democratic institutions have been manipulated by elites, thereby undermining inclusivity and legitimacy.

Elections, the cornerstone of majority rule, are consistently undermined in Nigeria by systemic fraud, violence, and manipulation. The 2007 presidential election, marked by rampant ballot rigging, intimidation, and disenfranchisement, was condemned by both domestic and international observers, including the European Union Election Observation Mission, as neither free nor fair (Saliu & Ifejika, 2017). Such practices distort the essence of majority rule and transform elections into instruments of elite dominance rather than reflections of the *General Will*. Far from uniting society, electoral manipulation deepens ethnic and religious divisions, leaving minority groups alienated from governance.

The judiciary, expected to protect civil liberties and balance majority excesses, often succumbs to political interference and corruption (Omojowo, Moliki, Oyekanmi & Adenuga, 2024). While landmark cases such as *Attorney General of Lagos State v. Attorney General of the Federation* (2004) illustrate judicial potential, politically sensitive cases are frequently decided in favour of ruling elites. The routine arrest and harassment of journalists and activists reflect the fragility of rights protection in Nigeria (Fagbadebo, 2016), underscoring the urgent need for judicial reform.

Civil society has emerged as a key actor in defending individual rights. The #EndSARS protests of 2020 began as a movement against police brutality but evolved into broader demands for institutional reform and democratic accountability. The government's violent crackdown and censorship highlighted the risks of unchecked majoritarianism in the absence of constitutional safeguards (Akindoyin,

2024). Yet, the movement also underscored the capacity of civic actors to mobilize for rights protection and accountability in a hostile political environment.

Nigeria's politics are deeply shaped by ethnic and sectarian identities. Political participation is frequently driven by ethnic loyalty rather than ideological choice, leading to exclusionary patronage systems (Bangura, 2006). Persistent conflicts—such as violent clashes between Fulani herders and farming communities—are symptomatic of this identity-based politics, reflecting the state's failure to build a unifying national identity (Ojelade, 2019). This erodes inclusiveness and undermines democratic equality. Corruption remains a defining obstacle to democratic consolidation. Elections are plagued by vote buying and rigging, while political elites maintain control through patron-client networks that entrench inequality (Ojelade, 2018). Democracy thus functions less as a mechanism for popular sovereignty than as a tool for elite reproduction, eroding public trust and widening socio-economic divides.

A broader African perspective highlights both shared challenges and alternative trajectories. Ghana provides a relatively stronger example of electoral credibility and judicial independence. Peaceful transfers of power since 2000, coupled with active civil society engagement through organizations like the Coalition of Domestic Election Observers (CODEO), demonstrate the importance of institutional integrity (Sakyi & Odudo, 2002). The Ghanaian Supreme Court's adjudication of the disputed 2012 presidential election illustrates how judicial oversight can bolster legitimacy, even under strain (Owusu-Mensah, 2018). South Africa offers further lessons in rights protection through its Constitutional Court, which has upheld minority and individual rights against majoritarian pressures in landmark cases such as *Larbi-Odam v MEC for Education* (1997) and *National Coalition for Gay and Lesbian Equality v Minister of Home Affairs* (1999). Despite its own challenges of corruption and inequality, South Africa demonstrates the role of strong constitutional safeguards in sustaining democracy (Smith, 2017).

In contrast to Ghana and South Africa, Nigeria's experience reveals how weak institutions, entrenched corruption, and identity politics undermine the balance between majority rule and individual rights. These comparative insights show that Nigeria's democratic fragility is not inevitable. Rather, it reflects structural deficiencies that can be addressed through reforms that strengthen institutions, guarantee rights, and empower civil society.

### 3. Methodology

This study adopts a qualitative interpretivist approach anchored on a **Systematic Literature Review (SLR)** combined with critical case examination. The SLR ensures a rigorous, transparent, and replicable process of gathering and synthesizing existing knowledge, while the case study approach provides contextual depth by focusing on critical junctures in Nigeria's democratic development. Together, these methods facilitate the assessment of Rousseau's *General Will* as a normative framework for understanding the strain between majority rule and the protection of individual rights in Nigeria's Fourth Republic (1999–2023).

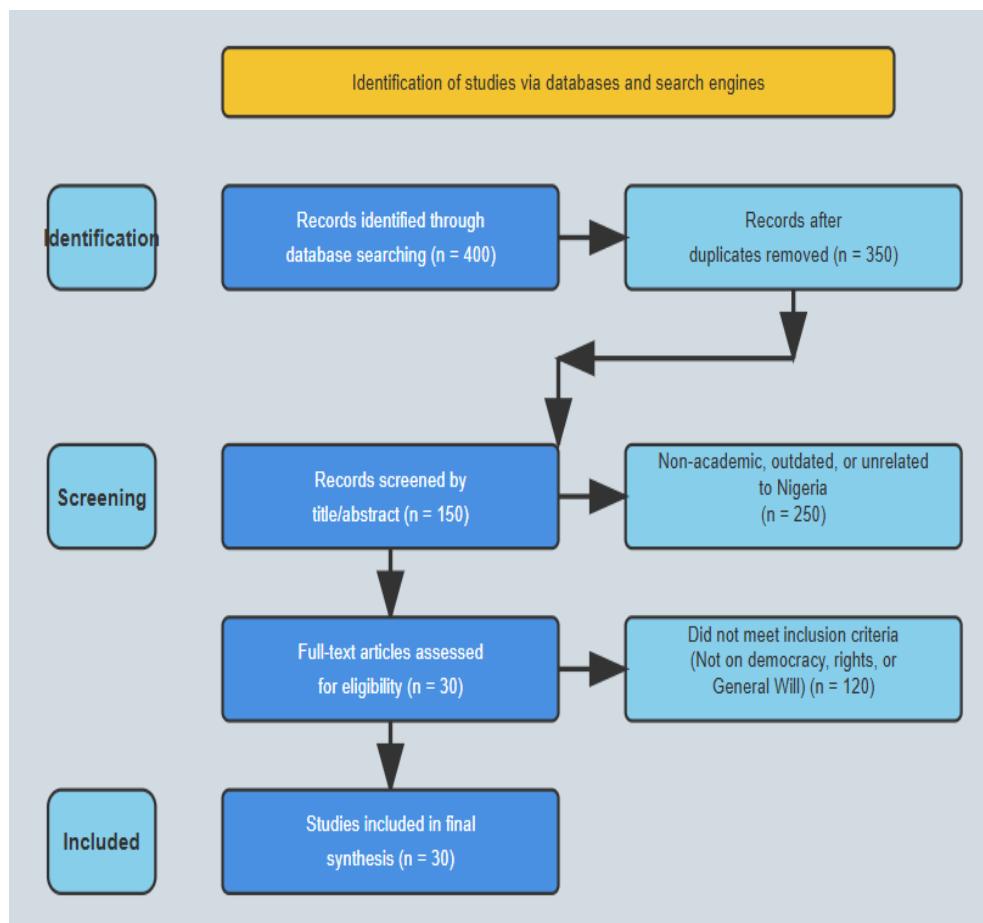
**Table 1. Overview of Systematic Literature Review (SLR) Process**

Stage	Description
<b>Databases Searched</b>	JSTOR, Scopus, Google Scholar, Web of Science, Legal Archives (Nigerian Supreme Court cases), Reports from Civil Society Organizations
<b>Search Keywords</b>	“Majority rule” AND “individual rights” AND “Nigeria”; “Rousseau” AND “General Will” AND “democracy”; “Tyranny of the majority” AND “ethnic politics”; “#EndSARS” AND “civil liberties” AND “governance”
<b>Inclusion Criteria</b>	Peer-reviewed journal articles, legal/policy documents, and reports focused on Nigerian democracy; materials providing theoretical or empirical insights into majority rule, individual rights, and General Will; published between 1999 and 2024
<b>Exclusion Criteria</b>	Non-academic sources, duplicate publications, studies not focused on Nigeria, and outdated materials before 1999
<b>Date Range</b>	Studies and documents published between 1999 and 2024
<b>Search Results</b>	Initial search identified <b>400</b> publications; after de-duplication and screening, <b>350</b> were retained for abstract/full-text review.
<b>Final Selection</b>	<b>30 articles and legal/policy documents</b> found relevant after full-text screening
<b>Data Extraction</b>	Key themes identified: (1) expressions of majority rule (elections, legislative dominance), (2) violations/protections of individual rights (judicial rulings, protest suppression), and (3) invocations of the General Will/public interest by state actors
<b>Analysis Methods</b>	Thematic analysis (Braun & Clarke, 2006) using deductive coding guided by three core categories: majority rule, individual rights, and the General Will. Case illustrations (2007 elections, #EndSARS, Supreme Court decisions) were selected purposively as critical junctures in Nigeria's democratic trajectory.

*Adapted from (Murana and Emmanuel, 2024)*

**Prisma Diagram: Systematic Literature Review (SLR) Process**

A PRISMA (Preferred Reporting Items for Systematic Reviews and Meta-Analyses) diagram is employed to represent the process of article and case selection during the SLR visually. The description of the steps for the selection process is shown in Figure 1: Prisma Search Strategy.



**Figure 1. Prisma Search Strategy (Adapted from Murana & Emmanuel, 2024)**

### 3.2. Analytical Framework

The selected materials were analysed thematically using qualitative content analysis and deductive coding guided by three core themes:

- Expressions of majority rule (e.g., elections, legislative dominance)

- b) Violations or protections of individual rights (e.g., judicial rulings, protest suppression)
- c) Invocations of the General Will or “public interest” by state actors

The method draws on Braun and Clarke’s (2006) thematic analysis technique and is situated within a constructivist epistemology, recognizing that concepts like “the majority” or “public interest” are socially constructed and politically instrumentalized.

Case illustrations (e.g., the 2007 elections and the #EndSARS movement) were selected using purposive sampling, ensuring they represent critical junctures where state legitimacy, popular sovereignty, and rights collided.

## **4. Majority Rule and the Nigerian Democratic Experience**

### **4.1. Electoral Majoritarianism and Institutional Capture**

Electoral majoritarianism in Nigeria has consistently undermined the normative principles of fair representation, eroding democratic legitimacy through systemic manipulation. While majority rule is formally the bedrock of democratic decision-making, in practice, Nigeria’s electoral outcomes often reflect elite dominance rather than the collective will of the citizenry. The 2007 presidential election offers a striking illustration: marred by ballot stuffing, voter intimidation, and pervasive irregularities, it was widely condemned as one of the most flawed elections in the country’s history (Saliu & Ifejika, 2017). Instead of consolidating democratic legitimacy, the process entrenched elite hegemony and exposed the fragility of institutional safeguards meant to protect electoral integrity.

Central to this problem is institutional capture, whereby agencies mandated to safeguard democratic processes are subordinated to partisan or elite control. The Independent National Electoral Commission (INEC), constitutionally mandated to function as a neutral arbiter, has repeatedly been accused of bias, particularly during high-stakes elections (Abada et al., 2023). Although reform initiatives have been periodically introduced, they have often been cosmetic, failing to address entrenched structural weaknesses. The judiciary, which should serve as the final arbiter of electoral disputes and guardian of fundamental rights, has also been susceptible to political influence. While landmark rulings, such as the 2004 *Attorney General of Lagos State v. Attorney General of the Federation*, which reinforced principles of federalism, demonstrate judicial independence (Fagbadebo, 2016), politically

expedient decisions in subsequent cases have cast doubt on its credibility (Omojowo, Moliki, Oyekanmi & Adenuga, 2024).

This institutional vulnerability has far-reaching consequences for civil liberties and minority representation. Electoral violence, vote rigging, and judicial partisanship reinforce a system in which authoritarian practices are cloaked in the rhetoric of democracy. Legislative dominance by ruling parties further entrenches exclusionary politics, privileging elite interests over inclusive governance. As Ejura and Tochukwu (2024) argue in their analysis of the 2023 general elections, such “elite capture” transforms democracy into its antithesis: a mechanism of exclusion where the so-called “majority” is merely a narrow coalition of elites claiming to speak for the people.

Over time, these dynamics hollow out the democratic project. Electoral commissions and judicial institutions—rather than functioning as impartial guardians of the democratic order—become arenas for elite competition. This dynamic corrodes public trust in democratic institutions, exacerbates the suppression of dissent, and disempowers citizens from meaningfully participating in governance. Unless institutional reforms are undertaken to insulate electoral and judicial bodies from partisan capture, Nigeria risks perpetuating a pseudo-democracy: a system where exclusion is normalized, civil liberties are routinely curtailed, and the principle of majority rule serves as a façade for elite domination.

#### **4.2. Democratic Erosion and Civic Repression**

Nigeria’s democratic trajectory reveals a troubling pattern of erosion, where plurality is gradually subsumed under majoritarianism, curtailing opposing voices and undermining pluralistic representation. A key dimension of this decline is legislative overreach, particularly within the National Assembly, where ruling coalitions often craft laws that prioritize elite political and economic interests while marginalizing minority input. The proposed 2019 Social Media Bill exemplifies this trend. By seeking to criminalize dissent expressed in cyberspace, the bill threatened to erode freedom of expression and weaken one of the few remaining platforms for citizen accountability (Abdullateef, 2021). Such attempts demonstrate how unchecked majoritarianism corrodes the foundations of inclusivity by trading civil liberties for the rhetoric of public order.

Equally significant is the silencing of civic engagement, which has become emblematic of Nigeria's democratic backsliding. The 2020 #EndSARS protests, initially mobilized against police brutality, rapidly evolved into a nationwide demand for institutional reform and broader democratic accountability. Yet the state's response, characterized by the use of violence, digital censorship, and the freezing of activists' bank accounts, exposed the fragility of rights protection in Nigeria (Akindoyin, 2024). Rather than embracing protest as a legitimate avenue of democratic participation, the government invoked narratives of "national security" and "public interest" to rationalize repression (Okey & Ikechukwu, 2024). This episode laid bare the extent to which weak institutional safeguards permit ruling elites to equate governance with domination, thereby dismantling participatory democracy.

Another crucial dimension of this erosion lies in the failure of Nigeria's civic federalism. Designed to accommodate the country's ethnic and religious plurality by dispersing power and fostering inclusion, the federal framework has, in practice, been compromised by centralization and elite capture. Dominance at the federal level often cascades into exclusionary practices at state and local levels, narrowing opportunities for minority voices to shape governance (Suberu & Diamond, 2002). Judicial institutions, which should function as impartial adjudicators of federal balance, have instead frequently aligned with the executive, thereby enabling policies that marginalize subnational identities (Omojowo, Moliki, Oyekanmi & Adenuga, 2024). The inefficiency and politicization of the judiciary further reinforce this failure, leaving plural representation unrealized.

Thus, the restrictions on protest, legislative excesses, and the erosion of federal inclusivity embody Nigeria's ongoing democratic recession. While the principle of majority rule is formally upheld as the cornerstone of legitimacy, its practical application often undermines the democratic ethos. Procedures such as elections and legislative processes remain intact, yet the essence of democracy, pluralism, inclusivity, and the protection of minority rights, is progressively hollowed out. Nigeria's contemporary democratic experience thus reflects a paradox: it performs the rituals of majority rule, but in substance it entrenches exclusion and curtails civic freedom, leaving the democratic project fragile and unfulfilled.

### 4.3. The General Will and Its Applicability in Nigeria

Jean-Jacques Rousseau's concept of the *General Will*, articulated in *The Social Contract* (1762), remains one of the most contested yet influential ideas in democratic theory. The General Will represents the collective orientation of a political community toward the common good, distinct both from the aggregate of individual preferences and from the will of a numerical majority (Bosanquet, 1894). Rousseau insisted that genuine democracy requires laws and institutions that embody the enduring interests of society as a whole, rather than the shifting whims of electorates or the ruling elite. For states like Nigeria, fractured by ethnic, religious, and regional divisions, the concept offers a potentially powerful normative framework for overcoming the distortions of majoritarianism and identity politics. Properly applied, the General Will could guide institutional design toward inclusivity, equity, and unity in diversity.

Yet Nigeria's democratic experience demonstrates the profound challenges of realizing such a vision. One obstacle lies in the capture of democratic institutions by political elites, which renders the formation of a genuine civic will nearly impossible. As Ejura and Tochukwu (2024) observe, elections, political parties, and even constitutional mechanisms are frequently manipulated by elites who cloak their pursuit of self-interest in the language of the "national interest." This reflects one of the central criticisms of Rousseau's model: that the General Will can be appropriated by dominant groups to legitimize exclusion and entrench patronage. Spencer's critique, echoed by contemporary scholarship, emphasizes that ruling classes often invoke ideals of "stability" and "unity" while formulating policies that consolidate power and silence opposition (Cai, 2024).

A second challenge arises from Nigeria's entrenched identity politics. The plural character of Nigerian society, while potentially a source of democratic vibrancy, has been consistently undermined by ethnic and religious cleavages. Political competition is often framed as a zero-sum struggle among Hausa-Fulani, Yoruba, and Igbo elites, with smaller groups further marginalized (Gabriel & Anietie, 2024). Rather than fostering deliberation on shared national interests, this dynamic entrenches sectional loyalties and obstructs the articulation of a genuine collective good. The 2007 elections, marked by ethnic polarization, manipulation, and widespread irregularities, highlight how electoral majorities in Nigeria rarely translate into collective legitimacy or a unifying democratic will (Salu & Ifejika, 2017).

Equally significant is the erosion of civic trust, which undermines the possibility of sustaining collective commitments. The #EndSARS protests of 2020 briefly illustrated the latent potential of a Nigerian General Will. Citizens across ethnic and regional divides rallied around the universal principles of human rights, justice, and accountability (Akindoyin, 2024). For a moment, the protests embodied Rousseau's idea of transcending parochial interests in favour of a higher civic good. However, the violent state crackdown and subsequent attempts to delegitimize the movement revealed the fragility of such unity under conditions of elite dominance and authoritarian reflexes (Okey & Ikechukwu, 2024). These events highlight the fragility and vulnerability of collective expressions in the absence of institutional safeguards.

Ultimately, while Rousseau's General Will offers a compelling theoretical alternative to the narrowness of majority rule, its applicability in Nigeria is constrained by entrenched elite capture, identity fragmentation, and weak institutional safeguards. For Nigeria to meaningfully approximate a General Will, structural reforms are necessary: inclusive deliberative mechanisms must be institutionalized, civic education should cultivate plural rather than sectional identities, and elite monopolization of the "national interest" must be curtailed. Absent such transformations, invocations of the General Will risk degenerating into rhetorical tools that legitimize authoritarian consolidation rather than facilitating genuine collective self-determination.

#### **4.4. Between Majoritarianism and Constitutional Pluralism: Rethinking Democracy in Nigeria**

Democracy in its classical form is often grounded in the principle of majority rule. This principle, while crucial in attempting to guarantee that governance captures the wishes of the greater number, risks devolving into the 'tyranny of the majority' as described by Alexis de Tocqueville (1835). In such circumstances, the dominant group's preferences may override the rights of minorities and dissenting individuals, thereby eroding the essence of democracy. The Nigerian democratic experience illustrates this problem. In Nigeria, the practice of electoral majoritarianism, legislative and institutional capture, coupled with the exclusionary governance by the political class, has entrenched exclusionary practices as opposed to the anticipated inclusive governance responding to the needs of the population (Salau & Ifejika, 2017; Okey & Ikechukwu, 2024). As such, democracy in Nigeria, although

procedurally legitimate, remains substantively fragile because the exercise of majority rule has repeatedly eroded, instead of being safeguarded, pluralistic representation.

The concept of constitutional pluralism offers more enduring solutions to these issues of democratic deficits. It acknowledges that no single political majority is able to claim in good faith to represent the ‘national will’ in deeply divided and heterogeneous societies like Nigeria. Instead, multiple centers of legitimacy, federal and state governments, minority groups, civil society, and judicial institutions must be recognized as essential actors in shaping collective governance (Suberu & Diamond, 2002). This approach, unlike rigid majoritarianism, seeks to accommodate diversity and prevent political domination by ensuring that multiple identities and interests find legitimate expression within the democratic order. As Zachariah, Alo, Mbah and Nwafor (2024) observe, constitutional safeguards for minority rights and institutional inclusivity are indispensable in transitioning Nigeria from a fragile electoral democracy to a more substantive model of governance.

The theoretical underpinnings of this transition can be traced to the works of Locke, Rousseau, and Tocqueville. Locke (1689), in *Two Treatises of Government*, emphasized that governments derive legitimacy not merely from majority decision-making but from their ability to protect inherent natural rights such as life, liberty, and property. Rousseau (1762), on the other hand, anchored legitimacy in the concept of the General Will, which stands in stark contrast to the transient will of the majority, as it embodies the enduring collective good of society. Tocqueville (1835) warned against the potential harms of unchecked majoritarianism and accentuated the need for institutional protection to avoid the subjugation of liberty under majority preference. The culmination of these lines of philosophy emphasizes that democracy needs to transcend the mechanistic counting of votes and create frameworks that balance majority rule with the respect of individual rights and plural identities. This intersection of theory and practice is particularly salient for Nigeria, where the deepening erosion of democratic frameworks has turned the contests of elite maneuver and soothed the genuine expression of the people’s will (Ejura & Tochukwu, 2024).

Transforming Nigeria’s democracy with the concept of constitutional pluralism in mind will require comprehensive reforms across various dimensions. From an institutional perspective, the independence of the judiciary ought to be reinforced to enable it to function properly as a credible counterbalance to the excesses of majority rule and executive dominance (Omojowo, Moliki, Oyekanmi & Adenuga, 2024).

Also, electoral bodies like the Independent National Electoral Commission (INEC) need to be shielded from political meddling and given the independence necessary to conduct credible elections (Abada et al., 2023). Constitutionally, Nigeria needs to move away from a winner-takes-all system to proportional representation coupled with greater federalism to ensure inclusive governance and the participation of marginalized groups and opposition parties (Ajie & Wokekoro, 2012). From a civics perspective, strengthening civil society and enhancing civic education are essential to nurturing an electorate, as seen in the #EndSARS protest (Akindoyin, 2024). Lastly, marginalized groups should be constitutionally guaranteed protection from exclusionary practices that would allow the dominant ethnic or religious majorities to impose their will in the name of the collective interest (Gabriel & Anietie, 2024).

Given these factors, Nigeria's democratic advancement is possible through the adoption of a more pluralistic and rights-respecting framework rather than a narrow and majoritarian model. Uncontrolled majoritarianism risks maintaining cycles of exclusion, repression, and instability. However, constitutional pluralism provides a more reconciliatory approach to balancing majority decision-making with adequate protection of the minority and individual rights. This approach captures the normative charm of Rousseau's General Will yet incorporates Locke's insistence on rights and Tocqueville's caution on tyranny. In Nigeria's case, the democratic deepening path requires shifting from being devoid of 'electoral arithmetic' to a pluralistic framework, civic engagement, and institutional framework. Only this way can the democracy of Nigeria's federation reflect the aspirations of the various peoples of the country and not the few.

## 5. Findings, Discussion, Implications, and Recommendations

### 5.1. Findings

This study critically analysed the relationship between majority rule, individual rights, and Rousseau's General Will within Nigeria's democratic setting. Key findings include:

- a) Majority rule in Nigeria frequently undermines individual rights and minority protections. Electoral processes, notably the 2007 elections, are characterized by manipulation, exclusion, and elite dominance, compromising the democratic ideal of fair representation. Judicial institutions, instead of safeguarding civil liberties, often exhibit political interference, undermining citizens' rights to dissent and participation.

- b) Rousseau's General Will, while theoretically promising as a framework for inclusive governance, faces significant challenges in Nigeria's plural society. Elite appropriation of the national interest narrative and entrenched ethnic and religious divisions hinder the formation of a genuine collective will. The #EndSARS protests temporarily embodied the potential of a General Will but also highlighted its fragility under state repression.
- c) Weak institutional autonomy, insufficient constitutional safeguards, political apathy, and centralized power structures perpetuate democratic erosion. These conditions enable majoritarian practices to suppress minority voices and civic freedoms, fostering exclusion rather than inclusive democratic governance.
- d) Comparative African cases such as Ghana and South Africa demonstrate the feasibility of stronger electoral integrity and minority rights protection through independent institutions and constitutional pluralism, which Nigeria currently lacks.

## 5.2. Discussion

The study situates Nigeria's democratic challenges within the broader theoretical frameworks of Rousseau, Locke, and Tocqueville, offering a nuanced understanding of how majority rule can conflict with rights protection in plural societies. Rousseau's vision of the General Will as a collective good transcending transient majorities provides a normative ideal but requires robust institutional and civic foundations, absent in Nigeria. The Nigerian context illustrates Tocqueville's warnings about the tyranny of the majority, where unchecked majoritarianism not only excludes minorities but also erodes democratic legitimacy and citizen trust.

The persistent elite capture of political processes and institutions distorts the representation of the collective interest. Rather than true civic participation, electoral manipulation and judicial partiality entrench the dominance of narrow coalitions, undermining Rousseau's concept of genuine popular sovereignty. Furthermore, ethnic identity politics deepen societal cleavages, obstructing the articulation of a unifying General Will.

The #EndSARS protests exemplify the fragile spaces where inclusivity and collective will briefly flourish but are quickly repressed due to authoritarian reflexes and weak constitutional protections. This dynamic highlights the urgent need for

structural reforms that can foster sustained citizen engagement, judicial independence, and political decentralization.

Constitutional pluralism emerges as a promising paradigm, balancing majority decision-making with rights protection and minority inclusion. It demands a reconceptualization of democracy beyond numeric majorities toward institutional frameworks that respect Nigeria's heterogeneous composition.

### **5.3. Implications of the Findings for Nigerian Democracy**

The study's findings vividly illustrate that Nigeria's democratic sustainability depends on overcoming the entrenched paradox of majoritarianism and rights violations. Without addressing institutional weaknesses and elite dominance, Nigeria risks perpetuating a pseudo-democracy characterized by symbolic elections and substantive exclusion.

The erosion of civil liberties and the narrowing of democratic space threaten the legitimacy and stability of governance. This undermines prospects for peaceful coexistence in a multi-ethnic, multi-religious society where political power is often zero-sum. Protecting individual rights and minority voices is essential not only for justice but also for national cohesion.

Adopting Rousseau's General Will as a guiding principle requires Nigeria to move beyond majoritarian electoralism toward active civic republicanism, where citizens are informed, engaged, and institutions effectively mediate competing interests. Constitutional pluralism, decentralization, and judicial independence are critical pillars for this transition, ensuring that democracy reflects both collective aspirations and individual freedoms.

### **5.4. Recommendations**

Grounded in the study's analysis, the following recommendations aim to strengthen Nigeria's democracy:

- a) Enhance Institutional Autonomy: Urgently insulate electoral bodies such as INEC and the judiciary from political interference through legal reforms, transparent appointment processes, and adequate funding.

- b) Strengthen Constitutional Safeguards: Amend the constitution to institutionalize proportional representation, robust minority protections, and empower judicial review mechanisms to check majority excesses.
- c) Promote Civic Education and Participation: Implement comprehensive civic education programs across formal and informal sectors to cultivate political awareness, encourage plural identities, and empower citizens to resist manipulation.
- d) Decentralize Political Power: Reform Nigeria's federal structure to devolve authority, empower subnational entities, and institutionalize power-sharing arrangements that ensure representation for diverse ethnic and religious groups.
- e) Support Civil Society and Rights Defenders: Foster a safe environment for activism, protect freedoms of expression and assembly, and promote accountability to enhance democratic resilience.
- f) Learn from Comparative African Models: Adapt best practices from Ghana and South Africa regarding electoral integrity, judicial independence, and constitutional pluralism to the Nigerian context.

## 6. Conclusion

The Nigerian democratic experience reveals the enduring dilemma of reconciling majority rule with the protection of individual rights in a plural and divided society. While democracy rests on the principle of popular sovereignty, unchecked majoritarianism in Nigeria has often degenerated into exclusion, repression, and elite domination. Rousseau's notion of the General Will offers a normative framework that emphasizes the common good over transient majorities; however, its practical application in Nigeria is constrained by institutional weaknesses, identity-based politics, and elite manipulation. This study finds that the pathway toward a more genuine democracy requires strengthening judicial and electoral independence, embedding constitutional safeguards, decentralizing governance, and fostering civic engagement. Only through these reforms can Nigeria move beyond a fragile procedural democracy toward a more inclusive and rights-protective order. Ultimately, the promise of the General Will lies not in abstract theory but in its potential to inspire reforms that balance collective governance with the dignity and liberty of all citizens.

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