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The Influence of Compliance with International Human Rights Obligations on Democracy and National Development: A Nigerian Perspective

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Abstract

The issue of States' compliance with international human rights law (IHRL) is paramount, since the norms they espouse are useless unless States implement measures to comply with them within their domestic jurisdictions. This article discusses the intersections between compliance with IHRL and democratic governance, on the one hand, and between national development and, on the other. It blends an interdisciplinary legal research approach with a theoretical method to analytically appraise critical issues, such as the factors that determine the extent to which States conform to their obligations under IHRL. Identified and discussed are historical, political, sociocultural, economic and legal factors. The historical fact of the origin of the Nigerian State as an imperial agent of repression and exploitation, coupled with decades of authoritarian military rule, has, for instance, created a public governance space that is antithetical to the recognition and enforcement of human rights norms. The article then offered suggestions aimed at increasing compliance with IHRL, fostering a more entrenched democratic culture, and, consequently, more widespread, inclusive, and significant national developmental strides.

Keywords: International Human Rights Obligations, Compliance, Democracy, National Development, Dualism, International Relations

Introduction

It is incontrovertible that international human rights norms are essential to modern democratic governance and have a significant impact on national development. Indeed, democracy without a robust human rights regime is a dangerous anti-people weapon in the hands of tyrants and autocrats who cloak themselves in false democratic togas and adornments. It is obvious from this that not all governments in modern times are democratic. Some outrightly reject its norms, while some pay lip service to it (The Vienna Declaration and Programme of Action 1993, article 8). This, however, does not negate the fact that the norms espoused in international human rights law (IHRL) are undoubtedly foundational to modern democratic governance. The efficacy of law depends on its ability to inform acts of commission or omission. Any law, rule or obligatory norm devoid of this ability is thus of little social utility. Herein lies the importance of inquiries into the level of compliance with the rules of IHRL, which States have freely consented to and are obliged to implement.

This article, in seeking to answer how compliance with IHRL influences democratic governance and national development, adopted the transnational legal process theory with some modifications, focusing on the impact of compliance on democracy and national development within Nigeria's specific in-country situational experiences. It evaluated the impact of domestic peculiarities and actors on the overall goal of more human rights-compliant democratic and developmental spaces in Nigeria. The article demonstrated how human rights norms could be leveraged for good governance in robust democratic spaces engineered for inclusive national development drives, arguing for a four-point drive through sustained human rights education, empowerment of civil society organisations (CSOs), and utilisation of the principles of auditability and accountability.

Literature Review

Compliance, in its legal sense, seeks to assess State behaviour in terms of its conformity with legal requirements to which the State is subject (Raustiala & Slaughter, 2002; Remezaite, 2024). The legal requirements serve as the baseline for assessing the level of compliance. In its most basic sense, it speaks of "conformity with rules" (Remezaite, 2024, p. 23). The term has been comprehensively described by Neyer and Wolf (2005). The authors, distinguishing compliance from effectiveness or implementation of legal rules, consider it as focused:

neither on the effort to administer authoritatively public policy directives and the changes they undergo during this administrative process (implementation) nor on the efficacy of a given regulation to solve the political problem that preceded its formulation (effectiveness). Compliance research is primarily concerned with the degree to which the addressees of a rule 'adhere to the provision of the accord and to the implementing measures that they have instituted' ... compliance is restricted to the description of the discrepancy between the (legal) text of regulation and the actions and behaviours of its addressees (Neyer & Wolf, 2005, pp. 41-42).

Compliance thus moves beyond the implementation of international legal norms through statutory enactment or even constitutional entrenchment that is judicially enforceable, to an evaluation of practical, institutional, corporate, and other steps undertaken to ensure routine adherence by both public and private actors (Grote, Antoniazzi & Paris, 2021; Remezaite, 2024).

Compliance is not a dichotomous concept as some have contended (Remezaite, 2024). That is, it is not an all-or-nothing affair. Rather, it is a spectrum, a measure of the extent to which a state conforms with norms of international law. As inferred from a comparative study of the Inter-American Court of Human Rights and the European Court of Human Rights (ECtHR) by Hawkins and Jacoby (2010), partial compliance is the more likely outcome in human rights regimes involving decisions of international human rights tribunals. This is especially true in situations where specific remedies available to victims of human rights breaches, other than monetary ones, are left to the discretion of states, as is the case in the European system. According to Remezaite (2024), Hawkins and Jacoby (2010) identify four streams of partial compliance: ambiguity, slow-motion compliance, state substitution, and split decisions. The range of compliance concerns when states are faced with obligations arising from adverse judgments rendered against them by international human rights tribunals has also been a focus. Such obligations are usually in specific forms. As identified by Hillebrecht (2014), these may involve preventing future violations by ensuring changes in domestic laws and practices, securing a retrial by domestic courts of a particular human rights infringement case, or ensuring that violators face the full brunt of the law. It may also involve giving justice to victims through payment of compensation or other measures. Compensation in another context may take the form of reparations to address past wrongs. The obligation owed under a judgment may also be a need to provide “symbolic redress by acknowledging the state’s responsibility and honouring the victims” (Hillebrecht, 2014, p. 12).

Issues involving States’ compliance with international law, of which IHRL is a subset, have been the focus of several scholars in both international law and international relations (Howse & Teitel, 2013; Alkoby, 2008). Risse and Sikkink (1999), in their seminal contribution, have noted that the level of acceptance of international human rights norms largely depends on the extent to which a coalition of efforts towards this end exists between “domestic and transnational actors”. These networks serve as advocacy fora, justifying their relevance by their ability to publicise at the international level instances of human rights violations by states, thereby exerting some moral pressure on the latter. They also help legitimise and empower local groups as they coalesce to oppose human rights-repressing regimes, ensuring that both internal and external pressures are continually exerted to enhance states’ human rights-compliant behaviour (Risse & Ropp, 2013). Focusing on activities of domestic actors in compliance with IHRL is, of course, essential since IHRL is not primarily concerned with the behaviour of states at the international level. Instead, it concerns obligatory measures undertaken by states at the domestic level to secure the full enjoyment of rights contained in international human rights instruments for their citizens. (Grote, Antoniazzi & Paris, 2021). Compliance with IHRL thus locates “at the interface of international law and politics with domestic law and politics,” not that of international law and international politics (Grote, Antoniazzi & Paris, 2021: 1). The obligations owed are primarily to citizens, and breaches may only be of secondary impact on interstate relations.

At the national/international sphere, some compliance scholars, according to Risse and Ropp (2013:13-16) have identified four mechanisms by which “various modes of social action interact to bring about human rights change.” These are through persuasion, incentives, capacity building, and coercion. Persuasion as a social mechanism is plain enough and can be achieved through various means, such as diplomatic channels, conferences, summits, membership in international institutions, and others (Cardenas, 2007; Carraro, 2019). Incentives, on the other hand, are based on the logic that behavioural change can be achieved using rewards and sanctions (Fikfak, 2021; McInerney-Lankford, 2021). Capacity building refers to a defined programme of action to improve, update, and enhance the knowledge and skills of State actors, with a view to achieving institutional and administrative competence in adherence to international human rights norms (Carraro, 2019). Coercion, on its part, tilts more towards the use of force to enhance compliance. The prohibition against the use of force (United Nations Charter, 1945, article 2(4)) and the principle of non-interference in the domestic affairs of sovereign States must nevertheless be taken into consideration (United Nations Charter, 1945: article 2(4)).

Theoretical Framework

The consent theory generally underlies the applicability of international law to States (Lister, 2011). According to the theory, states at the international plane act as sovereign entities and may thus only be bound by rules of behaviour by consent. States are thus bound by rules they have agreed to in treaties and by rules evidenced by the way they usually conduct themselves, which, over time, have become obligatory (customary international law). This view is particularly reinforced by the principle of mutual respect and of non-interference in the domestic affairs of states (Naigen, 2016; Wood, 2026). It is also a Grotian view (Parry, 1968). Grotianism, however, goes ahead to admit the limitations of the consent perspective. In this regard, states may unavoidably be bound by certain peremptory norms, breach of which is so outrageous or detrimental to the collective morality, sanctity, and stability of the international order that their bindingness on all trump any contrary claim of sovereign rights. (Abass, 2014). Although it may be said that the bindingness or applicability of peremptory norms is not generally based on explicit consent but on the nature of the rules they embed,

this may still not capture the whole picture. This is because there must certainly be some agreement among international actors on which norms are or are not considered *peremptory*.

It has also been noted that although the idea of consent equally applies to customary international law (CIL), the consent may at the same time be illusory, particularly where the customary rules (the obligatory state practice) have long been fixed before an entity attains the status of a state under international law. (Bradley & Gulati, 2010; Cronin, 2023; d'Aspremont, 2024). Such, for instance, has been the experience of African states which emerged from colonial rule into an international arena where the rules of the game are decided by other countries, including their colonisers. Upon attaining statehood, they quickly realise that not only do CIL rules remain binding on them even though they were never parties to their making, but they may also be unable to withdraw their consent to these rules (Bradley & Gulati, 2010; Ochoa, 2010). It seems axiomatic to aver that the rate of compliance with international legal rules ought to be higher where states have assented to the making of such rules. In practice, however, this may not always be the case (Guzman, 2011). According to Guzman (2002:1834), such a proposition is logically invalid as it confuses “a (possibly) necessary condition for states to be bound with a sufficient condition.” This is because, even if the rules of international law (when made) may not be binding on states except by their consent, this does not necessarily imply that states must, by this fact alone, always comply with such rules. Closely related to the consent theory is the legitimacy theory. The legitimacy theory posits that compliance depends on whether states believe the process by which international law rules came into existence is correct (Franck, 1990; 1995). Franck (1995) believes that compliance will have a high predictive value where the rules are clear and unambiguous (determinacy); connect with general rational values (coherence); comply with secondary rules of interpretation (adherence); and adhere to some procedural rituals by which legitimacy is conferred, some sort of symbolic validation (Franck, 1995; Guzman, 2002). Compliance, in this case, thus draws on some inherent qualities of the rules and the process of their emergence (Delcourt, 2013).

The managerial theory, as advanced by Chayes and Chayes (1995), also recognises the consent basis of international (treaty) law, arguing that because states must ensure that the treaties they ratify embody principles that align with their national interests, this serves as an impetus for compliance. As put by Delcourt (2013), compliance consequently “avoids the need to recalculate the costs and benefits of a particular decision and saves transaction costs by providing organisational structures, procedures, and forums within which political decisions may be reached”. The theory posits that a culture of compliance norm so developed is bound to encourage greater compliance with international law in the future. Also, non-compliance may, in fact, be dictated by a lack of state capacity rather than by wilful action. Next is the transnational legal process theory (Koh, 1996; Jefferies, 2021; Jefferies, 2025). The theory views compliance as a function of mutually beneficial interactions between public and private entities or actors at both international and domestic levels in promoting the making, interpretation, enforcement, and internalisation of international legal rules (Guzman, 2002; Jefferies, 2025). Koh, according to Guzman (2002: 1835), “argues that as transnational entities, including both state and nonstate actors, interact, patterns of behaviour and norms emerge and are internalised, leading to their incorporation within the domestic legal institutions of states and, in turn, compliance.” The transnational legal process theory is the nearest to the theoretical framework adopted in this study. Its recognition of domestic actors makes it preferable to the central thesis advanced here: that any quest to understand how compliance with IHRL affects democracy and national development in a state requires robust engagement with important local peculiarities and factors. Domestic actors are bound to understand these peculiarities better due to their intimate knowledge of them.

Methodology

The study, primarily grounded in the legal scholarly tradition, blends interdisciplinary legal scholarship with theoretical methods to evaluate the links among human rights, democracy, and national development. The interdisciplinary legal scholarship method is employed because the issues relating to the study's subject matter straddle international law and political science, particularly international relations (Alkoby, 2008). The theoretical method in legal research is analogous to the doctrinal method, as it also involves critical examination, interpretation, analysis, and evaluation of texts, drawing out the nature, implications, and impact of legal rules and related issues, depending on the research focus (Ihugba, 2020). It, however, differs from the doctrinal method in that its primary focus is not on “a systematic exposition of the rules governing a particular legal category,” analysing the relationships between them, and explaining areas of difficulty or defects, among others (Ihugba, 2020: 5). The study's research design is purely qualitative, relying on both primary and secondary legal sources to interrogate a Nigerian perspective on the influence of compliance with IHRL on democracy and national development. Primary legal sources such as the Constitution of the Federal Republic of Nigeria (CFRN) 1999, Vienna Convention on the Law of Treaties (VCLT) 1969, African Charter on Democracy, Elections and Governance 2007, and the Inter-American Democratic Charter 2001 were utilised. Secondary sources utilised vary from articles in learned journals to diverse texts in both online and offline formats. A rigorous and systematic search strategy using various Boolean operators such as “human rights and democracy”, “human rights and development”, “compliance with and

enforcement of international human rights”, “compliance with international human rights and democracy”, “compliance with international human rights and national development”, and “challenges and prospects of human rights regime in Nigeria” was employed across diverse databases to diminish bias and obtain varied perspectives across different jurisdictions. The resulting documents were then systematically screened for relevance and thematically analysed.

Issues in Human Rights Compliance in Nigeria

Compliance with IHRL norms in Nigeria is currently significantly challenged. In 2025, the National Human Rights Commission (NHRC) received 3,724,822 complaints, of which 1,154,695 were still pending at the end of the year (NHRC, 2026). This figure conveys an idea of the extent of routine breaches of human rights norms in Nigeria, knowing many other cases remain unreported. The country is, in the 2026 report of Freedom House, rated “partly free” with a score of 44 per cent (Freedom House, 2026). An area of concern is the unabating incidence of extrajudicial killings and torture by the military, law enforcement agencies, and various non-state actors such as Islamist jihadists, bandits, irate mobs and others. This, of course, compromises the right to life, and such cases go without justice being obtained on behalf of deceased victims. Other areas of human rights breaches are cases of discrimination based on ethnic identity, religious intolerance, and the invocation of criminal libel laws against journalists (Freedom House, 2026). Some factors which tend to hinder or enhance compliance with human rights norms within domestic jurisdictions may be identified. These factors affect the extent of States’ compliance with human rights norms, with the impact varying depending on the in-country peculiarities of the State in focus. Examined here are those that are political, legal, social, historical, and economic in nature.

Legal Factors

Incurring International Obligations

There are four principal means by which a State, including Nigeria, may commit to incurring obligations under certain international conventions or treaties. These are “through signature, ratification, accession, and succession” (Comstock, 2021, p. 46; Vienna Convention on the Law of Treaties 1969, article 11). The first two describe the outcomes of the deliberate act of participating in the negotiation and adoption of a treaty, while the other two are ex post facto acts of agreeing to be bound by its terms. Also important is the status of the international human rights instrument. That is, is it a binding instrument or a non-binding one? Under international law, a declaration by a resolution of an international organisation, such as the United Nations General Assembly (UNGA), is generally not binding on Member States, whereas a multilateral treaty adopted under the auspices of the United Nations is binding if the concerned State has ratified it (Acosta, 2015). A declaration may, however, become soft law or even develop into international customary law on its subject matter, depending on its widespread adoption and use by a significant number of States. For example, the Universal Declaration of Human Rights of 1948 is now widely regarded as constituting international customary law on its subject matter. Moreover, it has subsequently been codified in several international human rights treaties, particularly the International Covenant on Civil and Political Rights, 1966 (United Nations, 1966) and the International Covenant on Economic, Social and Cultural Rights, 1966 (Office of the United Nations High Commissioner for Human Rights, 2006; United Nations, 2017).

However, the extent to which these obligations translate into domestic practice often depends on internal legislative procedures and institutional constraints. As Yusuf et al. (2025) show in their review of parliamentary rules in Nigeria, domestic legislative processes can impose significant limits on how international commitments are interpreted, operationalised, or enforced, thereby shaping the practical reach of treaty obligations within the national legal order. In certain instances, as demonstrated below, ratification may not even make a State bound to comply with the provisions of the instrument within its domestic jurisdiction. Nevertheless, once ratified, a treaty becomes binding on a State at the international level, and an international tribunal will not take the fact of non-conformity with the Constitution or laws of a State into consideration in absolving the State of its obligations under a treaty (Vienna Convention on the Law of Treaties (VCLT), 1969, article 27).

Applicability of International Law in Nigeria

Nigeria, in line with its English legal system heritage, ostensibly follows a dualist approach to the relationship between its domestic and international legal systems. This approach is constitutionalised, as evidenced by the provisions of section 12 of the Constitution of the Federal Republic of Nigeria (CFRN), 1999 (Laws of the Federation, 2004). Dualism is a positivist theory seeking to explain the relationship between international law and municipal law, positing both as operating in parallel realms, stressing that “the rules of the systems of international law and municipal law exist separately and cannot purport to have an effect on, or overrule, the other” (Shaw, 2017, p. 97). The doctrine of transformation, therefore, applies by which a rule of international law would only become applicable in the domestic arena upon its specific adoption or

domestication as part of the laws within the municipal jurisdiction. All of these are widely accepted presuppositions regarding theoretical postulations about the application of international law within domestic jurisdictions.

The above, however, fails to recognise the arguments surrounding the weakness of the dualist position. First, as a theory, it does not completely capture the domestic legal systems it seeks to describe. This, of course, is most theories, as gaps with empirical realities usually result from their postulations. As Abass (2014: 306) succinctly puts it, States, in practice, “hardly ever claim that they act under one theory or another or that these theories influence their behaviour.” This defect leads to the second argument that the dualist position affects only the legal effect of treaties within domestic legal systems, not that of international customary law, both of which constitute the main sources of international law (The Statute of the International Court of Justice, 1945, article 38). It is common knowledge that international customs are automatically part of the English legal system and, by extension, of the legal systems of the majority of States with common law jurisdictions. The only exceptions are in States where constitutional or legal intervention prescribes a contrary position (Ako & Oppong, 2019; Killander, 2024).

Now, the point that “Nigeria ... inherited the English common law rules governing the municipal application of international law” (Akinrinade, 2011, pp. 461-462) has been made by Wali JSC in *Ibidapo v Lufthansa Airlines* (1997). It might therefore not be surprising that a careful reading of section 12, CFRN 1999 (Laws of the Federation, 2004) evinces support for the point previously made, as the section applies only to treaties, not to all international legal rules generally. It is therefore here submitted that international customs are *stricto sensu* applicable in Nigeria, provided the persistent objector rule, which shields a State which has persistently and consistently objected to the validity of a particular international custom from being under any obligation imposed by the custom, is inoperable (Charney, 1985; Green, 2016; Yeini, 2021). Thirdly, as correctly pointed out by Okebukola (2020), all treaties on employment, workplace, industrial relations, labour or similar matters are self-executing in Nigeria, provided they have been ratified by the country. They are self-executing in the sense that they are automatically part of Nigeria’s laws, without the need for specific incorporation, and are applicable by the National Industrial Court (CFRN, 1999, section 254C (2); Shaw, 2017). The only criterion for their applicability is ratification by Nigeria. Now, as we know, ratification of a treaty signifies the intention of a State to be bound thereby, and its nature depends on the treaty in question (VCLT, 1969, article 14).

Historical factors

Historical factors also greatly affect a state’s level of compliance with international human rights norms. Nigeria, for example, was established from very diverse ethnic groups, kingdoms and communities as an imperial agent of coercion and exploitation. It was a product of imposed foreign rule and an authoritarian governmental system where the rights of citizens were routinely trampled upon and denied. Colonialism was indeed a highly dehumanising experience for millions of Nigerians; a system where they were treated as second-class citizens in their own land. Public officials were agents of the imperial State, not of the people. Law enforcement agents were agents of oppression and repression, free to use violence on citizens for little or no cause at all. This heritage, no doubt, is not conducive to human rights-compliant democratic governance (Shomade, 2022). To make matters worse, the elites, upon assuming political power at independence, only perpetuated the repressive nature of the Nigerian State, without any deliberate paradigm shift to run a successful independent nation for and on behalf of the Nigerian people. Extended years of military rule have only made matters worse, resulting in the current state of things where governance remains crude, brutish, and self-centred (Agozino & Idem, 2008).

Economic factors

Compliance with IHRL, especially socioeconomic rights, depends on the State's economic capacity or prosperity. Socioeconomic rights such as the right to employment, the right to food security, the right to housing, the right to education, and the right to health undoubtedly require a considerable level of economic prosperity as measured by certain indices. Some of the important ones are the gross domestic product (GDP), gross national product (GNP), employment/unemployment rate, standard of living, poverty rate, income inequality, infrastructure development, trade balance (exports versus imports), savings and investments, human development index (HDI), and per capita income. Low economic capacity will affect the extent to which a State may implement these rights. Low economic capacity has, for instance, brought millions of Nigerians into poverty, and there currently does not seem to be any concerted effort to lift a significant portion of citizens out of poverty in the foreseeable future. With about 87 million people living in abject poverty, Nigeria has indeed earned the label “poverty capital of the world” (Agidi, 2023).

Sociocultural factors

Culture has been broadly defined “as the goals, values and pictures of the world that are made manifest in the speech, norms, and routine practices of a group of people” (Alkoby, 2008, p. 158). The influence of social and cultural practices, including religious sentiments, on human rights compliance in African states is incontestable. States receive life from their citizens, who, in turn, are shaped by particular social and cultural experiences, practices, biases, and rules that may either advance or conflict with human rights norms (Walsh, 2010). In the Nigerian context, some of these cultural and religious norms have been shown to reinforce behaviours that undermine rights-based protections, including those affecting women, as noted by Yusuf and Agbonifo (2025). Their observations simply underscore how deeply embedded cultural expectations can complicate efforts to align domestic practices with international human rights obligations. Cultural sources are important to human rights discourse on at least two levels. First, human rights norms find meaning and expression in cultural values tightly held by the people; second, the evolutionary nature of these cultural values means they may change in appropriate circumstances (Walsh, 2010). The persistence of ethnic identity politics in Nigeria is closely tied to the deeper cultural and legal dynamics that shape how communities negotiate power and belonging. As Yusuf and Agbonifo (2026) observe, cultural resistance to formal legal norms often weakens the enforcement of rights-based protections, allowing long-standing discriminatory practices and identity hierarchies to endure. This tension between cultural authority and legal obligation helps explain why certain exclusionary practices remain resilient despite constitutional guarantees. A parallel pattern is evident in gender relations, where Yusuf and Fagbadebo (2026a) show that widowhood practices continue to function as a form of gender-based violence sustained by cultural expectations that override legal safeguards. These insights highlight how cultural power structures, whether expressed through ethnic mobilisation or gendered norms, can obstruct compliance with legal standards and reinforce the structural inequalities that underpin Nigeria’s political and social landscape.

Gerontocracy is another social and cultural norm that favours the rule of elders, who are always right and cannot be wrong. The immediate implication of this is the closing of social and political spaces against the youth, who must suffer the incompetence and misdeeds of those in positions of authority in silence, as they are expected to wait for their own time. This, of course, is unacceptable in a human rights-compliant democratic State, particularly in the current information age and in a country like Nigeria, where about 70 per cent of the population is under 35 years old (Westminster for Democracy, 2019). Some immediate negative consequences of this practice are the Not Too Young to Run movement, which eventually led to a reduction in the ages of those contesting for political offices in 2018 (Constitution of the Federal Republic of Nigeria (CFRN), 1999 (Fourth Alteration Act, No. 27, 2017), the End SARS Protest of 2020 and the 2024 End Bad Governance Protests.

Political factors

Politics is the grandstand upon which human rights norms are both advanced and repressed. Political actors and institutions, depending on their calculations of political costs and benefits, thus cherry-pick the type and extent to which human rights norms are either advanced or repressed. This political calculation is carried out continuously, sometimes leading to inconsistencies in official policies (Mayrhofer, 2017). The continuous advancement of human rights norms, therefore, depends not only on political actors and institutions but also on forces external to them. These forces include electorates, constituents, opposition parties, the organised private sector, civil society organisations (CSOs), labour unions, international actors, and others. The ability of these groups to exert meaningful pressure on political actors and institutions is shaped by their political awareness and economic empowerment. In a society like Nigeria, where widespread poverty appears to have been weaponised to enable those in government to act without restraint, it is unsurprising that groups which ought to function as external checks have struggled to be effective in recent times. This challenge is compounded by the manipulation of constitutional accountability mechanisms, as highlighted in Yusuf’s (2026) analysis of impeachment practices, where elite interests often override institutional safeguards, further weakening the capacity of external forces to demand compliance with human rights norms.

Indeed, the innate political culture of political actors often plays out as they navigate the corridors of power. It is well known that the indigenous form of governance in most parts of Africa, including Nigeria, is the monarchical system, which promotes lifetime rule. As it is often said among the Yorubas, another king is never installed while the current one is still alive. The immediate consequences of this are the sit-tight syndrome, godfatherism (maintaining a grip on those in power even after the godfathers have left office), constitutional amendments to elongate terms of office, and repressive rule to stifle the voice of the opposition. This perhaps explains the current traces of autocracy in the Nigerian governmental space, with almost zero tolerance for protests and critical voices raised in opposition to certain policies and programmes. The only welcome voices are those of charlatans and praise singers. One can, of course, not overlook the crucial importance of the political will of the government of the day in ensuring compliance with international human rights norms.

Implications for Democracy and Development

Human rights and democracy

Democracy is undoubtedly the preferred form of governance in contemporary times, and the impact of international human rights norms on it is indisputable. This readily manifests in the links between human rights norms and the principles of democratic governance. Of note are principles such as representative governance; rule of law; openness; transparency; accountability; transparent, free and fair periodic elections; the right to vote and be voted for; equality of all before the law; responsiveness; ethical conduct; commitment to human rights enforcement; political tolerance; multi-party system; limited or defined governmental powers; judicial independence; free economy; acceptance of election results; and smooth transition or transfer of power from one government to another (African Charter on Democracy, Elections and Governance 2007; The Inter-American Democratic Charter 2001; Klein, 2011; Day, 2022). These principles also underscore the centrality of inclusive participation in democratic processes, a point reinforced by Yusuf and Fagbadebo (2026b), whose analysis of women in the electoral process highlights that meaningful democratic practice requires removing structural barriers that hinder equal political participation for democratic consolidation. This emphasis on inclusion aligns with broader findings on the role of women's political leadership in strengthening governance and development outcomes in West Africa, as noted by Fagbadebo et al. (2026). Therefore, democracy is undoubtedly the preferred form of governance in contemporary times, and the impact of international human rights norms on it is indisputable.

It is hardly contestable that human rights can be meaningfully recognised and enforced only within a democratic governance space. Likewise, it follows that only a human rights-compliant government can fully embrace and implement the principles of democracy. Undoubtedly, the impact of human rights consciousness, compliance and enforcement on the nature, quality, resilience, and benefits of democratic governance is real and tangible enough to make a finding of a mutually reinforcing and beneficial relationship between the two. Indeed, human rights enforcement may be fully concretised, promoted, and normalised only within a vibrant democratic culture, beyond the constitutional and legal norms that prescribe the formal features of democracy. In other words, a country may organise elections and purportedly run a democratic government without being recognised as a democratic State.

This fact is obvious enough, given the great disappointment that has been a lot of citizens in many African countries since the widespread return to constitutional democracy in the 1990s. In Nigeria, for example, the hope of many at the dawn of the return to democratic rule in 1999 was high and infectious. Unfortunately, citizens' experiences over the years have not been palatable due to the persistent below-par performance of political office holders at all levels of government. A human rights-compliant democratic government would no doubt be a people-oriented one, offering responsive, welfarist governance in recognition that the powers a political officeholder holds belong to the people. These powers are exercisable only on behalf of the people and for the people. A problem arises when political office holders elevate themselves above the people for whom they have been vested with powers of governance. Such an attitudinal disposition can surely not but engender repression and autocratic tendencies as currently manifest in Nigeria.

When this is occasioned, the normal goal of good governance or what in Nigerian parlance is referred to as “the dividends of democracy”, becomes seriously compromised. The indices of good governance, which should be the natural result of a human rights-compliant democratic government, are clear enough, though often defined in line with the actionable principles of democratic governance (United Nations Economic and Social Commission for Asia and the Pacific, 2024). This has made the indices to be redefined as measures of perceptions espousing indicators such as regulatory quality (RQ); control of corruption (CC); political stability and absence of violence (PS); voice and accountability (VA); rule of law (RL); and government effectiveness (GE) (Centre of Expertise for Multilevel Governance, 2008; Sundaram & Anis Chowdhury, 2012).

Human rights and national development

The links between effective compliance with international human rights obligations and national development are also obvious. Unlike those that obtain in previous purely economic models of development, current development models are people-focused (Farazmand, 2019; Naseemullah, 2023; Oleksandra & Safonov, 2023). Moreover, the enforcement of socioeconomic rights accelerates national development more than it would otherwise. For example, recognition of the right to employment implies that the State runs the economy in a way that ensures sufficient new jobs are regularly created for the gainful employment of its citizens, while an emphasis on the payment of living wages means that high living standards and quality of life are daily assured. Likewise, when the right to health is recognised and enforced, general health indices such as the provision of, access to, and wide availability of health services and resources, including the lifespan of citizens, become significantly improved.

Also important are the links among human rights compliance, good governance, the reduction of corrupt practices, and direct foreign investment in the local economy, as previously highlighted. Regarding direct foreign investments, the argument here is that human rights-compliant governance increases the perception of governmental, political, social, and economic stability, which in turn serves as an incentive for foreign and even local investors to decide the extent and frequency of their investment in the local economy. Where this perception is high, the frequency and scale of investments rise accordingly, and where it is low, investment declines. This is particularly relevant in Nigeria, where persistent governance deficits and corruption issues, underscored by Akindele et al. (2026) and further illustrated in Yusuf and Fagbadebo's (2025) analysis of institutional integrity, have eroded public confidence to the point that many Nigerians are unwilling to invest in the domestic economy because of the distrust of the government and the high rate of corruption.

It may also be added that, since a human rights-compliant democratic government places a high premium on the human factor in development, additional measurable benefits are associated (Declaration on the Right to Development, 1986). First, such an orientation ensures people's needs are easily met. This is so because placing a high premium on the human factor in development requires that developmental efforts not be top-down. Instead, a bottom-up approach is adopted. This mandates consultation and collaboration with those for whom specific developmental projects are intended, among other things, to understand their preferences and needs and ensure their cooperation. This approach encourages people to own the projects, thereby ensuring their success and sustainability. The current approach of governments to embarking on white elephant projects that often become abandoned, incomplete, or unsustainable needs to stop.

Secondly, when people's needs are met, restiveness and conflict in the polity are curbed, resulting in peaceful, cohesive living among the populace. Poverty is the current reality of most Nigerians, and the results are increasingly threatening and ominous. Unstable academic calendars, labour unrest, strikes, protests by organised and not-so-organised civil groups, including blatant criminal acts by individuals and organised groups like bandits, ethnic militias, and terrorist groups, now dot the sociopolitical space of Nigeria and Nigerians. The time to act is now. The third benefit is a direct corollary to the last point. Enhanced peace in the polity equals enhanced security in the polity. When people's needs are met, the fertile recruiting ground hitherto afforded to criminal groups is removed, and when few members of the populace engage in criminality, it becomes much easier for the government to enforce the law and enhance public order and security. There is no gainsaying the fact that enforcement of law and order becomes impossible when a high portion of the population engages in criminal acts due to, among others, poverty and very poor conditions of living. Law enforcement agencies will only be fighting a losing battle, since a significant portion of law enforcement agents are equally criminally minded.

Fourthly, significant developmental strides become achievable when a human-focused approach is adopted as the cornerstone of national development efforts. These are the natural results of a robust economy, significant improvements in living standards, peace, security, direct foreign investment, a stable polity, loyalty, and patriotism. Fifthly, this approach encourages inclusiveness, fairness and equity in the nature and spread of developmental efforts. This is particularly important in a place like Nigeria, where much of the restiveness in the polity is because of perceived marginalisation not only by people from minority ethnic groups but also by people from so-called majority groups whenever the President is not one of theirs.

In fact, the adoption of a human rights-compliant governance system in Nigeria is bound to make everyone accept the fact that, in federal terms, there is really no majority ethnic group in Nigeria. After all, a majority ethnic group in a federal system is one which needs the support of no other ethnic group to form and exercise the powers of the Federal Government. This is not the case in Nigeria. This means that all ethnic groups in Nigeria are minorities, and there is a need for sincerity, unanimity, and total commitment in forging the bonds of unity for national development. Lastly, on this point, human rights compliance mandates honouring international investment agreements and providing a stable, easy-to-do-business environment in the country. There have been enough awards of punitive compensation in favour of parties with a beef with the Nigerian Government in this area. International and foreign tribunals are no longer hesitant to sanction States in breach of international investment agreements, as the principle of sovereign immunity no longer applies in such instances. Public officials need to be mindful of this.

Advancing human rights-compliant governance in Nigeria

The following are suggestions for attaining democratic governance that respects, honours, and enforces Nigeria's international human rights obligations. Human rights education must be organised for political office holders and other public officials (that is, elected and appointed officials such as the president, governors, legislators, law enforcement agents, civil servants, and the like) upon assumption of office and continuously thereafter. This is essential to curb ignorance, misconceptions, and biases that have been reinforced by years of bad governance left by colonial and military regimes in the country. As Yusuf et al. (2026) note, the legacy of military rule in Africa continues to shape governance cultures, often entrenching practices that undermine rights-based administration and inclusive democratic participation. Nigeria's own

experience, including the military's role in election administration during the June 12, 1993, election, further illustrates how historical patterns of military involvement in politics have contributed to weak civic traditions and limited respect for human rights norms, as discussed by Fagbadebo and Yusuf (2026). These realities make continuous human rights education not only necessary but urgent for transforming governance behaviour and strengthening democratic accountability.

There is also the need to empower civil society organisations (CSOs). Although embedded in constitutional democratic rule are principles of separation of powers, checks and balances, an independent judiciary, and the rule of law, these by themselves are not enough to keep governments on their toes and within the boundaries of their constitutional powers. Needed are strong, virile, and vibrant civil society organisations with no affiliation to any government of the day, who can act as pressure groups to keep the government within those boundaries. An effective anti-corruption regime is also necessary. A better, more robust anti-corruption regime with a primary focus on prevention rather than prosecution is also essential. One strong tactic that should be urgently adopted is the principle of auditability in public governance. This principle speaks to the closing off of public finance systems to prevent fraud by making it impossible for public funds to be disbursed or moved into individual hands or accounts for onward payments for goods or services provided by vendors, contractors, or even citizens. Rather, payments should be directly made into the verifiable and auditable accounts of the intended beneficiaries who have either provided economic value to the State or who, by reason of meeting certain criteria, are deserving of certain social or economic assistance from the State.

In other words, it should become the rule that public funds must not be disbursed in a manner that makes it not auditable. For instance, the mode of disbursing funds and materials for the various palliative programmes at both the federal and state levels cannot but be fraught with fraud and atrocious corrupt practices, as it is based on the practice of political patronage and prebendal politics (Mayer, 1988; Suberu, 2013; Demarest, 2021). When individuals are vested with the responsibility of distributing substantial welfare funds or materials on behalf of the State, they become the sole determining factor in the manner, extent, spread, and quality of the distribution, with very few means of ensuring that the inputs match the outputs. The principle of auditability is thrown overboard, leading to wastages, unmet goals, and unrest in the polity. Another is the principle of accountability. This describes real, measurable accountability procedures deliberately embedded into governance. It is trite that a vibrant democratic system is accountable. But in many African countries, including Nigeria, reality presents a parody of democratic governance that is anything but accountable. The parody becomes more pitiable when it is realised that accountability for political appointees is measured by the appointees' loyalty to the one exercising the power of appointment on behalf of the State. Power is wielded first for self-interest, next for the perpetuation of elite interest and then for ethnic or religious interest. Public interest is not within this parochial scheme of interests, and the concept of popular sovereignty falls on deaf ears.

The principle of accountability mandates a system of reward for both positive and negative performance of public officials. Of course, the reward will be positive when performance is positive and negative when performance is negative. The era of abysmal failure in public efficiency and competence, with no one taking responsibility, should become a thing of the past. Taking responsibility includes appropriate punishments, which may range from removal or dismissal from office and demotion to criminal prosecution and other measures. There are enough rules in the books to take care of these. Even constitutionally, there are provisions for removing the President, Vice President, Governor, and Deputy Governor from office. Similar rules exist for the recall of legislators. These provisions should be utilised as and when necessary, not as a tool of political witch-hunting.

Conclusion

From the preceding discussion, it is obvious that international human rights norms serve as an ethical base for good governance, national development, peaceful coexistence, and public order and security. They imbue governance and development efforts with a people-oriented focus, thereby ensuring a more cohesive society better positioned to overcome its challenges. Some of these challenges, as recognised in this article, are political, historical, legal, sociocultural, and economic. It takes deliberate action to achieve effective, human rights-compliant democratic governance, and a masterly blend of strategies in human rights education, empowerment of civil society groups, effective anti-corruption measures, and concrete accountability policies will go a long way toward ensuring success.

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