

Acta Politica Polonica

nr 2/2024 (58)

Rada Naukowa

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The Central European Journal of Social Sciences and Humanities <http://cejsh.icm.edu.pl>

Pełne wersje opublikowanych artykułów dostępne są w bazach: CEEOL i Bazhum

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ISSN (print): 2451-0432 | ISSN (online): 2719-4388

WYDAWNICTWO NAUKOWE UNIwersYTETU SZCZecińskiego

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Implementation of the Agreement on the Succession of the former SFRY

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Keywords succession, types of succession, conventions on succession, Agreement on Succession, succession of assets and debts of the SFRY

Abstract The process of state succession, according to the rules of classical international law and the dominant theory of universal succession taken from Roman law, is inconsistent due to the sources of international law that regulate it. To standardize the practice of dealing with predecessor states and successor states in cases of succession, two international conventions were adopted: the Convention on the Succession of States Concerning International Treaties in 1978 and the Convention on the Succession of States Concerning State Property, Archives, and Debts in 1983. Although the former convention entered into force in 1996, the latter one never did. However, both conventions attempted to standardize the way succession cases are handled under international law. In the case of the former Socialist Federal Republic of Yugoslavia (SFRY), the process of succession following unconstitutional secession became highly politicized, particularly after the fall of the Berlin Wall in 1989. The instrumentalization of international public law for political purposes in this case is still relevant today, as it highlights the politicization of international relations and legal norms. The Succession Agreement, signed in 2001 was a positive step towards fairly dividing the assets and liabilities of the SFRY among the successor states. However, even 23 years after its signing, this process has not been completed. Furthermore, there have been violations of basic human rights by Croatia and Slovenia regarding the succession of acquired rights of former citizens of the SFRY, despite these countries now having the status of EU members. The conclusion suggests the necessity of further cooperation and the solving of key issues to achieve stability and prosperity in the region.

Introduction

The issue of succession from Roman law to the present day has been the subject of numerous controversies. Regardless of which of the theories of succession we prioritize, each one has shortcomings that, from the time of their creation to the time of their implementation in the question of succession today, cannot provide all the answers within the framework of international law. All of the above has led, through the progressive development of international public law, to attempts at codification that were partially successful because only one of the multilateral conventions that were negotiated and agreed upon, i.e., the Convention on the Succession of States Concerning International Treaties, was adopted in 1978, entered into force in 1996, and became part of the official sources of international public law, as we will discuss more in the rest of the text. The issue of applying the codified rules of international law in the area of succession, as stated by the relevant authors, is permeated by the absence of completely clear and easily applicable rules at the universal level, on the one hand, and on the other hand, by the practice of the states' actions, which are different and often contrary to those in similar or the same situations.

More unity is observed when authors take the view that after each consideration of the issue of state succession, regardless of whether we are talking about the case of the USSR, Czechoslovakia, the Socialist Federal Republic of Yugoslavia (hereinafter the SFRY), or the issue arising after the end of the decolonization process in Asia and Africa, a multidisciplinary approach is required, imbued with political factors. This principle was the same in the case of the former SFRY, which we will clarify in the following part of the text with special emphasis on why the Federal Republic of Yugoslavia (hereinafter the FRY) is not allowed to exist as a predecessor state. Ultimately, the signed Succession Agreement, which was concluded in Vienna on June 29, 2001, provides answers to many previously posed dilemmas, but its implementation has been very complex and is still not finished, which has brought it in the focus of this author as a current issue in the field of international law, which has its own legal, economic, and political aspects. These and other agreements in this area will undoubtedly repeat the position that the issue of using the rights of the previous state and inheriting property is more often successfully resolved than when it comes to assuming debts or securing acquired rights for all residents of the previous state.

This paper investigates the implementation of the Succession Agreement of the Socialist Federal Republic of Yugoslavia (SFRJ) and its impact on the political, economic and social relations between the successor states, with an emphasis on Bosnia and Herzegovina. The aim is to assess the extent to which the Agreement has met its objectives and to identify remaining problems affecting stability and regional cooperation.

The research objective of this paper is to evaluate the effectiveness of the Agreement on Succession of the SFRY in fostering regional stability, economic cooperation, and social cohesion among the successor states, with a particular focus on Bosnia and Herzegovina.

Following this, three research hypotheses were established:

Hypothesis 1: The implementation of the SFRY Succession Agreement is partially successful, but long-term stability and prosperity in the region still require further cooperation and the resolution of key issues.

Hypothesis 2: The shortcomings in the implementation of the SFRY Succession Agreement, such as the unfair distribution of property and the lack of free and open access to archives, contribute to tensions and hinder regional cooperation.

Hypothesis 3:

Although the SFRY Succession Agreement was a significant step forward, the failure to address the issue of private property and acquired rights of citizens and legal entities in the successor states constitutes a violation of basic human rights.

Methodology

This study employed a multi-method approach to comprehensively analyze the implementation of the Agreement on Succession of the Socialist Federal Republic of Yugoslavia (SFRY). Based on the analysis of relevant documents, academic papers and reports of international organizations, the paper tests the hypothesis that the Agreement, although a significant step forward, has remained partially unimplemented, resulting in continuous challenges in interstate relations.

This part of the research consists of three parts: data collection, data analysis, and synthesis of findings.

Firstly, a comprehensive literature search was conducted using academic databases such as Scopus and Web of Science (WoS). The search terms included relevant keywords like “SFRY succession,” “succession agreements,” “implementation challenges,” and “regional cooperation.” This yielded approximately 100 results published before December 2023. After applying selection criteria, 20 key scholarly articles were chosen for in-depth analysis. This review provided a solid foundation for understanding the theoretical and historical context of SFRY succession.

The study compared the implementation process of the SFRY Agreement with similar cases of state succession, including the dissolution of the Soviet Union or Czechoslovakia. This comparison aimed to identify best practices and recurring challenges in post-dissolution scenarios.

Additionally, the research integrated insights from the literature review, as well as legal documents and reports by international organizations, to develop a comprehensive analysis of the opportunities and challenges associated with SFRY succession.

Therefore, the research question is: “How has the implementation of the Agreement on Succession of the Socialist Federal Republic of Yugoslavia (SFRY) impacted the political, economic, and social relations among the successor states, with a particular focus on Bosnia and Herzegovina?”

The concept of succession in international law

To grasp the meaning of the concept of succession, it is important to highlight that the theories proposed so far are primarily based on succession that is carried out in compliance with the rules of international law. Professor Kreća draws our attention to this consideration and concludes

that the term “succession” itself is used in a broader context to emphasize two things: the “territorial change” in the sense of replacing one state with another in taking responsibility for the international relations of a certain area, and the “transfer of part of the rights and obligations” from the predecessor state to the successor state (Kreća, 2012, p. 241). In this way, succession can also be defined as the transfer of rights and obligations from one subject of international law to another, which may involve a partial or complete transfer of rights and obligations that belonged to the predecessor state and which are transferred to one or more successor states. For this to be valid, it must be carried out according to the rules of international public law.

In the past, unclear customary rules were used to deal with the issue of succession, leading to uneven practice among states that made decisions based on their interests rather than the development of international public law as a whole. To codify international public law, two important conventions were adopted: the Convention on the Succession of States Concerning International Treaties in 1978, which entered into force in 1996, and the Convention on State Succession Concerning State Property, Archives and Debts in 1983, which never entered into force due to its contentious nature.

State succession is still one of the most disputed areas in international law, as evidenced by several Supreme Court judgments that have dealt with unresolved issues. For instance, the German Federal Court’s judgment (Ačić, 2018, p. 170) in the “Espinoge Procesuccion” case in 1991 (the Federal Republic of Germany, Federal Supreme Court (BGH), 1991, Case No. 2) confirmed this position.

Other recognized authors in this field, on the other hand, point to the need to distinguish the concept of succession from related issues that are faced in theory. Shaw believes that succession needs to be distinguished from the concept with which it is often identified, which is the question of “succession of governments, especially revolutionary succession, and the consequent models of recognition and responsibility” (Shaw, 2008, p. 957). Unlike Shaw, Professor Brownlie emphasizes that “state succession occurs when there is a definite replacement of one state by another in terms of sovereignty over a certain territory, in accordance with international law” (Brownlie, 1990, p. 654). In the end, Devaney, regarding the concept of succession, claims that it is “the replacement of one State by another in the responsibility for the international relations of the territory. This is a helpful definition as it is broad enough to accommodate the fact that this succession is not one single kind of event but rather takes several forms, as also concluded by the Arbitral tribunal in the Case concerning the Arbitral Award of July 1989, Guinea-Bissau v Senegal” (Devaney, 2020, p. 4).

Rules of State Succession

It is important to note that previous efforts to regulate the rules of international public law regarding succession have not been successful. The customary rules failed to gain widespread acceptance, and the Vienna Conventions of 1978 and 1983, which were created to address issues related to decolonization, had a limited historical impact. Although some of these conventions remain valid,

they are mostly relevant only in Bosnia and Herzegovina (hereinafter: BiH), which is still under the mandate of international organizations with the support of the UN Security Council – appointed High Representatives. The Venice Commission has also provided a clear position on this matter.¹

The law of state succession, in other words, regulates the legal effects of a change in responsibility for international relations of a territory caused by a transfer of territory, unifications, or separations, and so on. Crucially, the law of state succession is not principally concerned with the international legal personality of any continuator state which, despite a rupture in its international legal personality, is recognized as carrying on as the same state as before, by virtue of possessing the same identity (Tams, 2016, p. 314). The cases to which the mentioned rules on state succession have been applied so far have gone in two directions depending on whether it was a universal, full, or partial succession. The theory of universal succession was dominant for a long time during the period of validity of the rules of classical international law. Its beginnings can be found in Roman law and further in the writings of Justinian until the teachings of the late Middle Ages. “It was in the work of Gentili, Grotius, and Pufendorf that had such concepts found their way, in rudimentary form, into the body of international law, with the argument that these rights and duties of the predecessor passed *ipso iure* to a successor sovereign” (Craven, 1998, p. 147).

In the theory of international public law, certain theories contradict the principle of universal succession. These theories suggest that the new state will only inherit the rights of the predecessor state and will not be bound by its obligations. One of these theories, known as singular succession, argues that the new state begins with a blank slate and is not obligated to fulfill the obligations of the predecessor state. However, some believe that the new state should still honor the obligations of the predecessor state as its own.

Through history, we can see examples of universal and partial succession in the following case. “The case of the former USSR, Czechoslovakia, the union of Egypt and Syria during 1958 and 1961 to create Union of Arab Republics. Partial succession can be found in the case of Pakistan separating from India in 1947, Bangladesh from Pakistan 1971, and Eritrea from Ethiopia in 1993. Since Haiti became an independent state from a French colony in 1804, and the cession of Louisiana by the USA through its purchase from France 1803, and so on.” (Bujar and Arber, 2023, p. 47).

¹ “The democratic principle of the sovereignty of the people requires that laws be adopted by a body elected by the people. Article 3 of the (first) Protocol to the European Convention on Human Rights requires that the legislative body be elected by the people, and this right is deprived of its content if laws are adopted by another body. As a member state of the Council of Europe, Bosnia and Herzegovina is responsible for its obligations in relation to that organization, and this obligation must be fulfilled by the country, not the international community. It must also be taken into account that the High Representative’s authority over such decisions is limited. Politically, the High Representative is accountable to the Peace Implementation Council (PIC), and his decisions are often linked to statements by the PIC Governing Board. This, on the other hand, is not a responsibility to the people of Bosnia and Herzegovina. Legally, the Constitutional Court of BiH exercises judicial control over the constitutionality of the content of laws passed by the High Representative in the same way as for laws adopted by the Parliamentary Assembly of BiH. However, it does not consider whether there is sufficient justification for the High Representative to adopt laws, rather than leaving them to democratically elected bodies.” Opinion on the constitutional situation in Bosnia and Herzegovina and the powers of the High Representative. More at: [https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD\(2005\)004 \(19.01.2024\)](https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD(2005)004 (19.01.2024)).

On the other hand, when we talk about the specific application of succession rules to specific legal situations, they can appear in the following cases:

1. The succession of state property, which is determined as such according to the rules of the internal law of the state that was the predecessor, and can occur in the form of movable and immovable property in the country and abroad.
2. According to Professor Kreća, succession concerning international agreements distinguishes between several modalities: “succession that refers to a part of the territory, a succession that refers to states that have gained independence, and to examples of unification and secession of states” (Kreća, pp. 250–251). These rules were expanded and supplemented over time depending on the cases of succession in the world, noting that there is no uniform practice and that doctrinal interpretations are comprehensive. The above is practically shown in the following examples where the states have positioned themselves differently with respect to the international treaties of the predecessor state. “At the time of Ireland’s independence, the question of state succession to treaties arose. From a polling of other nations, five categories of practice appeared: the successor state succeeds to the treaty—Ecuador, Bolivia, Hungary, Luxembourg, no succession occurs—Cuba, Guatemala, the decision is ‘dependent on the wishes of the signatory states’—Denmark, the Netherlands, the successor state is not bound except by its specific declaration—Switzerland, Italy; each treaty is to be decided by agreement: of the signatories and the successor states—Austria, Haiti” (Cowger, 1985, p. 298).
3. Succession concerning membership in international organizations, within drew special attention from legal theorists was due to the different practices of succession to membership in the UN, especially in cases of India, and Pakistan in 1947 after the partition, and in 1992 regarding the status of the FRY after the unconstitutional secession of the republics of the former SFRY.
4. Succession of state debts, especially those incurred under the relevant provisions of international contract law. “Treaties may for succession purposes be generally divided into three categories: territorial ground treaties” (Shaw, pp. 967–971).
5. Succession concerning state archives, in which several criteria considered for division: the connection of archival materials with the territory that is the subject of succession, and the necessity of the archive in the further work of the administration in the middle of the succession, which is divided by the territory or encompasses the entire country.
6. Succession of acquired rights such as citizenship and property rights and other property interests which, bearing in mind that these are the rights of natural persons, are very problematic in the process of succession, knowing that the predecessor state and its successors are often in a certain degree of conflict, which is often the reason for the disintegration of the country and the process of succession. O’Connell and other authorities like Zemanek, Waldock, Tsuroka and Oppenheim support the principle of vested or acquired rights. This principle holds that a change of sovereignty has no effect on the acquired rights of nationals. This principle has also received support from Tribunals: Lighthouses case,

Forests of Central Rodophia case (Brownlie, p. 657). A classic example of the violation of these rules is the status of Serbs in Slovenia after the breakup of the SFRY,² where, although they are large in numbers, they still do not have the status of a national minority, or the Serbs in Croatia (ECHR – The Council of Europe, 2015b), who, although they were constituent people in the SFRY, were reduced to the status of a national minority with a significant degree of jeopardy to their acquired rights. The European Court of Human Rights in Strasbourg also issued several judgments.

Agreement on the succession of the former SFRY

The process of disintegration of the former SFRY indirectly reflected the issues that would arise in the process of succession. Without going deeper into the analysis of the unconstitutional declaration of independence of the former socialist republics and the illegal expansion of the jurisdiction of the Badinter Commission, which declared itself the body whose decisions in the complex case of the disintegration of the SFRY are final and binding, we must emphasize that the consideration of the case of the FRY as a state remained particularly controversial in the entire process of determining predecessor and not successor states. “On the other hand, the United Nations also failed the test of preserving its founding and other documents, which should not have considered the right to self-determination outside the aspects of decolonization, and should not have allowed the application of these rules related to the violent secession of the member republics of the former SFRY.” In support of this, we also cite the views of Professors Avramov and Kreća, who believe that the UN made huge mistakes, first of all, with their resolution no. 713 and 721, whose epilogue is the fact that “secession was treated as an act of liberation, and the preservation of the state as an act of aggression, which history will record as a paradox.” (Ačić, 2017). Regardless of all the above, in the fight against illegality and the instrumentalization of public international law for political purposes, the FRY decided to accept the imposed status of the successor state, which allowed the process of succession of the rights and obligations of the former SFRY to officially begin. The signing of the Agreement on Matters of Succession,³ as an international multilateral agreement, took place on June 29, 2001, in Vienna. “Based on the agreement, the contracting par-

² The Grand Chamber of the European Court of Human Rights, with its judgment of June 26, 2012, in the case of Kurić and Others v. Slovenia, confirmed that the Republic of Slovenia violated the rights of the erased, namely Article 8 (the right to respect for private and family life) and Article 13 (the right to an effective legal remedy) of the European Convention on Human Rights. In doing so, the court confirmed the first instance and also found a violation of Article 14 of the European Convention on Human Rights (prohibition of discrimination), because the complaints were erased as former citizens of the SFRY and treated worse than persons who had the status of foreigners at the time. The court stated that the measures implemented by the Republic of Slovenia from 1999 onward were not sufficient for the complete and timely removal of injustices caused by the government’s deletion of them from the register of permanent residents. The court also considers that the position of the complainant stems from a wider systemic problem and that the erased persons were deprived of their right to compensation for the damage caused due to the statute of limitations. That’s why it issued a “pilot” judgment and requested the state to prepare a special mechanism within one year for recognizing compensation for the erased residents. (ECHR – The Council of Europe, 2015a).

³ Text of the Agreement https://pf.uns.ac.rs/wp-content/uploads/2022/01/Sporazum_o_pitanjima_sukcesije_SFRJ_2001.pdf.

ties agreed that each of them would take all necessary measures and actions concerning property, assets, and other state property to protect them from damage or the occurrence of damage that may lead to a decrease in their value.” All the mentioned goods are classified by the agreement in seven annexes that form an integral part of this Agreement. These are (Ačić, 2018, p. 173):

- Annex A, which refers to movable and immovable property,
- Annex B, which refers to diplomatic and consular archives,
- Annex C, which contains the provisions of financial assets and liabilities, from which only those defined in one of the three appendices to this agreement are excluded,⁴
- Annex D, which regulates the issue of archive succession,
- Annex E, which regulates issues of pensions and their realization,
- Annex F, which in its norms includes other rights, interests and obligations, as well as
- Annex G, which regulates the extremely sensitive matter of private property and acquired rights.

Without going deeper into the analysis of the text of the Succession Agreement itself, we will emphasize only some of its basic features. According to its form, it belongs to a group of very short agreements with only 13 members. Article 4 of the text of the Agreement envisages the establishment of a Permanent Mixed Committee of High Representatives with the task of monitoring the implementation of the agreement itself, for which it can also consult the opinion of experts and act as a forum on which all disputed issues related to the course of succession will be discussed. They are also authorized to give recommendations to the governments of successor states. A particularly interesting issue, according to the authors, is the waiver of the arbitration procedure, which is provided for in Article 42 of the Vienna Convention on the Law of International Treaties, and, on the other hand, the emphasis on negotiation as a way of resolving disputes that has the principle of bona fides at its core. Although this agreement provided a sufficiently clear basis for resolving all outstanding issues between the state successors, this has not been done through several joint meetings and bilateral negotiations to date. The degree of implementation of the Agreement and the difficulties that have remained unsolved until today will be discussed in the rest of the text.

Implementation of the agreement on the succession of the former SFRY

The Agreement on the Succession of the former Socialist Federal Republic of Yugoslavia, signed in Vienna in 2001, is a key document that regulated the succession of the SFRY by the successor countries. The implementation of this agreement required the adoption of various laws and regulations by each signatory to harmonize with the provisions of the agreement (Dimitrijević, 2013, p. 28). Each of the signatories of the Agreement adopted laws that regulate the implementation process, harmonizing their national legislation with the provisions of the Agreement. For example, the Law

⁴ The addition to the succession agreement specified that the agreement of all negotiators was reached that the property of the SFRY, with the consent of the central banks of the newly created states, which was securely held in the Bank for International Settlements, would be distributed in such a way that the contracting parties would receive the agreed percentages. This refers to the FRY receiving 36.52%, Croatia 28.49%, Slovenia 16.39%, Bosnia and Herzegovina 13.20%, and FYR Macedonia 5.40%.

on Succession of the Republic of SFRY was adopted in Serbia. The adjustment of the legislation resulted in some differences in the interpretation and application of the agreement, which created various difficulties in the implementation of the Agreement (Dimitrijević, 2013, p. 48–52). As a result, the impact of the implementation of the SFRY Succession Agreement on the political, economic, and social relations of the successor countries is a complex question with nuanced answers. The agreement had different effects, and its impact varies depending on the specific area and country being considered. The agreement led to greater regional stability through the reduction of border disputes and the establishment of bilateral agreements. However, certain provisions and unimplemented aspects have caused tensions and political disagreements. For example, the question of the inheritance of the archives of the SFRY and the interpretation of the provisions on property continue to cause tensions between the countries.

The agreement precisely defined the process of dividing the property of the SFRY, setting criteria as the basis for fair distribution (Vladušić, 2011, p. 321). These criteria included economic factors, demographic aspects, and historical circumstances, providing the basis for a fair and sustainable solution. The process of property division is complex and still ongoing. The successor countries had to first identify and evaluate the property elements and then divide them according to the established criteria (Antić, 2012, p. 43). The subject of analysis and division included real estate, funds in bank accounts, works of art, gold and foreign exchange reserves, securities, and other key property elements. Each of the signatories had an obligation to comply with the agreement regarding those property elements. Namely, each of the signatories adopted its procedures for managing the acquired property, taking into account the specificities of its territory and the interests of its citizens. These procedures varied but were consistent with the basic principles of the agreement. Each successor country had its procedure for the division of property. In some countries, the procedure was centralized, while in others, the procedure was decentralized. In short, the agreement on the succession of the former SFRY provided various ways of dividing property depending on its category (Antić, 2012, p. 44):

1. Immovable property, such as buildings, land, and infrastructure, was divided according to the territorial principle. Property located on the territory of a certain state belongs to that state. For specific facilities or infrastructure vital for several countries (such as the reconnection of energy networks), commissions were formed with representatives of all countries, who agreed on the method of use and management.
2. Diplomatic and consular property – embassies, consulates, and other representations of the former SFRY abroad – was assigned to successor states based on needs and agreements between states. Some buildings were sold, and the funds were distributed.
3. Financial claims and debts – The clearing debt was settled by bilateral agreements, while other financial debts and claims were divided mainly according to the criteria that reflected the share of each republic in the total national income of the SFRY. The division of banks and other financial institutions was carried out in a complex manner and did not always follow the territorial principle. In some cases, there are still assets today owned by financial institutions from the time of succession.

4. Archive materials – The agreement provided for the digitization of the archives of the SFRY and their exchange between the states. However, the process is slow and still ongoing. There are differences of opinion on access and interpretation of documents, which complicates the process.
5. Pensions of civil servants of the former SFRY – The agreement established the Joint Commission for Pensions. Pensions are paid according to certain rules that take into account the length of service and place of residence of the pensioner.

An agreement was made to settle the clearing debt of the SFRY. The agreement provided clear guidelines and a basis for resolving the debt. The successor states agreed on the distribution of the debt, taking into account their economic capacity and contribution to the SFRY. However, the clearing of debt had a significant impact on the economic relations between the successor countries, creating certain challenges in economic cooperation. Despite these challenges, the settlement of the clearing debt created a foundation for the further development of mutual relations. The contentious issues regarding the exact amount of the debt and the distribution methodology were resolved through additional negotiations and protocols, taking into account the different economic realities of the countries. The disputes related to the clearing debt were ultimately resolved through arbitration and negotiation. Ultimately, the clearing debt of the SFRY was resolved through bilateral agreements between successor countries and other countries.

The agreement includes provisions for the distribution, preservation, and duplication of archival materials from the former Socialist Federal Republic of Yugoslavia (SFRY). This ensures that archivists from interested successor states have free and unrestricted access to written documents, film, audio and video recordings, and other forms of computer records (Novaković, 2017, p. 11).

The division of the financial assets of the former Socialist Federal Republic of Yugoslavia (SFRY) and the National Bank of Yugoslavia is determined by Annex C of the Agreement. The Committee of Successor States, responsible for this division, began its work in 2001 and passed almost 40 resolutions during its sessions. However, the issue of the “old” foreign currency savings guaranteed by the former SFRY turned out to be one of the most difficult and controversial issues. The first round of negotiations, which took place under the guidance of the Bank for International Settlements in the fall of 2001, concluded without an agreement. Due to the different attitudes and laws of the successor states, some depositors whose deposits were not returned initiated numerous court proceedings. In 2014, the European Court of Human Rights ruled in favor of the owners of savings deposits. However, the question of the fair distribution of the debt owed by the former SFRY among the successor states still remains unresolved.

There were different procedures for dealing with different property issues. For example, there was a special procedure for the division of state archives, and another procedure existed for the division of diplomatic property (Čolović, 2013, p. 15). During the implementation of the agreement, specific commissions or bodies were formed to monitor and coordinate the implementation process. These bodies played a crucial role in negotiations, resolving disputed issues, and ensuring that the goals of the agreement were achieved (Stanivuković and Živković, 2004, p. 74). The joint commission for the division of property, which was formed by the Succession Agreement,

faced numerous complex challenges when working on the partition of various categories of property of the former state (Čolović, 2015, p. 49). The successors of the SFRY had differences in economic development, political priorities, and territorial claims, which often resulted in political tensions and made it difficult to reach a consensus in the partition process. Determining the fair value of various types of assets, including buildings, infrastructure, art, and financial instruments, was an extremely demanding task, leading to differences in assessment and disputes between states. There was also insufficient transparency during the distribution process, which caused suspicion and criticism of the Joint Commission. Questions about corruption and political manipulation further complicated the commission's work. The Succession Agreement did not foresee all the details of the property division, which created legal and technical difficulties when interpreting the provisions and implementing the decisions. Limitations in available data and the technical possibilities of digitizing archives added additional complications. Additionally, various political and lobby groups in the successor countries tried to influence the joint commission, making it challenging to maintain neutrality and objectivity.

All these challenges required intensive negotiations and additional protocols to reach a final solution. The identification and assessment of SFRY assets were one of the biggest challenges in the implementation of the agreement. There was also a dispute about how to divide certain property elements, such as works of art and cultural heritage.

Position of BiH

Bosnia and Herzegovina is an “independent state” as confirmed by the Dayton Peace Agreement, a project of the international community (Ačić and Grujić, 2022, p. 16). However, there are still some open questions related to specific property elements, such as artworks from the National Museum in Belgrade and the archives of Yugoslavia. Some aspects of the agreement have not been fully implemented yet, which could lead to tensions between the successor states. For instance, the digitization and exchange of archives of the SFRY have not been completed. Apart from the incompletely implemented aspects of the agreement, there are also new challenges that may affect future relations between the successor states, such as issues of national minorities and regional collaboration.

The division of the property of the SFRY had significant political and economic implications for the successor states. The division was based on the territorial principle, which means that property located on the territory of a certain successor state belongs to that state. This gave an advantage to some countries, such as Croatia and Slovenia, which had a more developed infrastructure and economy. According to estimates, the total value of military assets to be divided among the former members amounts to around \$70 billion. This includes helicopters, trucks, tanks, military aircraft, and other movable assets that were at the disposal of the former JNA. Earlier estimates show that Bosnia and Herzegovina demanded a return of about \$8.5 billion from Serbia on that basis. Annex B, i.e. the list of diplomatic and consular property of the former Yugoslavia, is of particular interest to the public (Vidačak, 2021, p. 2021).

The SFRY had 123 diplomatic and consular missions. Bosnia and Herzegovina, as defined by the agreement, is entitled to 15 percent of the value of the property in each of the regions, and so far it has received facilities in 15 destinations. These include an apartment in Italy, a house in Brazil, part of a building in India, and a ten percent share in the property in Bolivia. The total value of the property was estimated at \$32.6 million (Vidačak). BiH earned several million KM from sales. Assets in Ankara, Washington, Bonn, and Tokyo were sold, and heirs agreed to sell the buildings of the DKPs of the former SFRY, in which no successor state was interested. In 2001, BiH received about 195,000 ounces of gold from the assets of the succession of the former SFRY, but it was sold immediately afterwards that at a price of \$273 per ounce, which is around 53.5 million KM. In 2009, BiH received another 42,360 ounces of gold from the succession funds, which it had to sell because then the High Representative Valentin Inzko imposed the Law on the Distribution, Purpose and Use of Financial Resources Obtained under Annex C of the Agreement on Succession Issues.

What remains to be distributed are 16 facilities in 11 countries. Annex B regulates the distribution of diplomatic and consular property of the former SFRY. Regarding Annex B, there has been some progress in the negotiations, but there are still many challenges. In Annex C, the key issues are the debts to Libya and the Czech Republic and the distribution of Jugobanka's assets. Private ownership and acquired rights apply to all successor states of the former SFRY, and Bosnia and Herzegovina has the most open issues with Croatia. Bosnia and Herzegovina has protected the interests of every individual who owned any type of property until December 31, 1991. It is expected that all the successor states of the former SFRY will provide access to the property and contribute to the faster signing of the agreement.

Conclusion

Although the Agreement on the Succession of the SFRY represented a significant step forward, its incomplete implementation and unresolved issues may still affect stability and regional cooperation. Future cooperation and resolution of key challenges are necessary for long-term friendly relations and prosperity in the region.

The analysis confirmed the hypothesis that the Agreement, although a significant step forward, has remained partially unsuccessful. While some key assets have been shared and a long-term economic framework has been established, there is still much work to be done to implement the Agreement. Solving these problems will be crucial for strengthening long-term positive relations and regional prosperity. While the Agreement on Succession of the SFRY established a framework for dividing assets and fostering regional cooperation, its incomplete implementation and lingering issues pose challenges to long-term stability and prosperity.

The agreement did not demonstrably reduce economic disparities, and some regions remain underdeveloped, highlighting the need for further collaborative efforts toward inclusive development.

Partially confirming the initial hypothesis, the agreement facilitated citizen mobility and softened tensions between civil societies, although some barriers persist. Property division remains the most contentious issue, with unresolved disputes highlighting the complexity of such processes and the potential value of arbitration in reaching settlements. This analysis underscores the importance of multilateral negotiations and agreements in navigating state succession.

In conclusion, the Agreement on the Succession of the SFRY, while a significant step forward, remains only partially successful due to incomplete implementation. The key asset distribution and a framework for cooperation were established, but challenges persist. Uneven economic development necessitates further collaboration. Citizen mobility has improved, partially confirming the hypothesis of eased social tensions. Property division remains the most contentious issue. This analysis underscores the importance of addressing unresolved issues through continued cooperation and the potential use of arbitration. Full implementation, including solutions for foreign currency deposits, diplomatic facilities, cultural heritage, archives, debt, financial assets, and property rights, is crucial for lasting positive relations and regional prosperity.

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Citation

- M. Ačić, M. Grujić (2024). Implementation of the Agreement on the Succession of the former SFRY. *Acta Politica Polonica*, 2 (58), 5–18. DOI: 10.18276/ap.2024.58-01.

Pakt senacki jako strategia polskich partii demokratycznych w wyborach parlamentarnych 2019–2023

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Słowa kluczowe Senat RP, pakt senacki, opozycja demokratyczna, wybory parlamentarne

Abstrakt

W 2019 roku ugrupowania reprezentujące polską opozycję demokratyczną, zdecydowały się przed wyborami parlamentarnymi na zawarcie nieformalnego porozumienia, nazwanego paktem senackim. Porozumienie to nie tylko zwiększyło szanse na uzyskanie w Senacie RP przewagi nad partią rządzącą, ale z sukcesem powtórzono je przed kolejnymi wyborami. Autor artykułu zwraca uwagę na to, że pakt senacki jest zupełnie nowym i przy tym szczególnie przemyślanym rozwiązaniem opozycji demokratycznej, który przyniósł oczekiwane rezultaty. Autor scharakteryzował również rządy Prawa i Sprawiedliwości w latach 2015–2023, które były główną przyczyną nawiązania porozumienia. Tezą niniejszego artykułu jest ukazanie wpływu paktu senackiego na przewagę demokratycznych ugrupowań politycznych w wyborach parlamentarnych do Senatu RP. Przyjęta hipoteza zakłada natomiast, że przed nawiązaniem paktu senackiego istniało realne zagrożenie stosowania przez PiS tzw. ustawodawczego ekspresu, który prowadził do wprowadzania w życie ważnych, zahaczających o zmianę konstytucji ustaw lub projektów szkodliwych, wątpliwych pod względem legalności prawnej. Zastosowanymi w artykule metodami badawczymi są metody deskryptywna oraz prognostyczna. Ze względu na to, że tematyka nawiązania paktu senackiego i jego analiza jako *novum* w polskiej polityce jest stosunkowo młodym zjawiskiem, nie powstało jeszcze zbyt wiele opracowań naukowych, które wyczerpywałyby temat wpływu porozumienia na wybory parlamentarne.

The Senate Pact as a strategy of polish democratic parties in parliamentary elections in 2019–2023

Keywords

Senate of the Republic of Poland, senate pact, democratic opposition, parliamentary elections

Abstract

In 2019, the parties representing the Polish democratic opposition, decided to conclude an informal agreement before the parliamentary elections, called the Senate Pact. This agreement not only increased the chances of gaining an advantage over the ruling party in the Senate of the Republic of Poland, but also – was successfully repeated before the next elections. The author of the article points out that the Senate pact is a completely new and at the same time

thoroughly thought-out handout of the democratic opposition, which brought the expected results. He also makes a characterization of the rule of Law and Justice in 2015–2023, which was the main reason for the establishment of the agreement. The thesis of this paper is the statement of the impact of the Senate pact on the advantage of democratic political groups in the parliamentary elections for the Polish Senate. The hypothesis adopted, on the other hand, assumes that prior to the establishment of the Senate pact, there was a real threat of the Law and Justice party's use of the so-called "legislative express", which led to the implementation of important laws that hooked on the amendment of the Constitution or harmful bills that were questionable in terms of legal legality. The research method used in the article is descriptive and predictive. Because the subject of the establishment of the Senate pact and its analysis as a novelty in Polish politics, is a relatively new phenomenon, not many scientific studies have yet been written that exhaust the subject of the impact of the agreement on parliamentary elections.

Wprowadzenie

Senat Rzeczypospolitej Polskiej będący izbą wyższą parlamentu, pełni kluczową rolę w procesie legislacyjnym, a także kontroli nad działaniami rządu. To ważny element systemu demokratycznego w Polsce, którego większość po wyborach parlamentarnych w 2019 roku, została „przejęta” przez opozycję demokratyczną. W praktyce oznacza to, że opozycja zyskała możliwość skutecznej blokady niektórych inicjatyw legislacyjnych podejmowanych przez partię rządzącą. Chociaż z założenia, system wyborczy do Senatu RP był przez ostatnie trzy dekady znacznie bardziej stabilny niż do Sejmu RP, nie oznacza to, że nie podlegał on większym zmianom czy modyfikacjom (Danel, 2020, s. 124). Do jednej ze zmian można zaliczyć zawarte przed wyborami parlamentarnymi w 2019 roku nieformalne porozumienie, nazwane paktem senackim. Porozumienie to, utworzone przez partie opozycji demokratycznej, nie tylko zwiększyło szanse na uzyskanie w Senacie RP przewagi nad partią rządzącą, ale również zostało powtórzone przed wyborami w 2023 roku.

Celem artykułu jest ukazanie i wyjaśnienie roli, jaką odgrywa Senat RP w procesie budowania polskiego ustroju państwowego, a także dlaczego pakt senacki uznano za nowe, a przy tym ciekawe rozwiązanie polityczne opozycji demokratycznej. Autor publikacji przytacza przykłady charakteryzujące procesy legislacyjne w okresie rządów Prawa i Sprawiedliwości oraz ustawy, które były skutecznie blokowane w Senacie RP przez demokratyczną opozycję. Tym samym, autor nawiązuje do nieformalnego porozumienia opozycyjnego zawartego przed wyborami parlamentarnymi w 2019 roku, nazywanego paktem senackim, stanowiącego swego rodzaju nowe rozdanie polityczne.

Tezą niniejszego artykułu jest zaprezentowanie wpływu paktu senackiego na przewagę demokratycznych ugrupowań politycznych w wyborach parlamentarnych do Senatu RP. Przyjęta hipoteza zakłada natomiast, że przed zawiązaniem paktu senackiego, istniało realne zagrożenie stosowania przez PiS tzw. ustawodawczego ekspresu, który prowadził do wprowadzania w życie ważnych, zahaczających o zmianę konstytucji ustaw lub projektów szkodliwych, wątpliwych pod względem legalności prawnej. W artykule zadano następujące pytania badawcze: 1) w jaki sposób pakt senacki przyczynił się do sukcesu opozycji demokratycznej w wyborach parlamentarnych oraz 2) w jaki sposób Senat RP dokonuje kontroli legislacyjnej działań rządu.

W artykule zastosowano następujące metody badawcze – dyskryptywną oraz prognostyczną. Pierwsza z wymienionych metod – deskryptywna – posłużyła do stworzenia charakterystyki i genezy utworzenia paktu senackiego, roli Senatu RP w polskim systemie ustrojowym, a także działań podejmowanych przez partię Prawo i Sprawiedliwość, w okresie pełnienia przez nią rządów w latach 2015–2023. Za pomocą metody prognostycznej zaprezentowano perspektywy funkcjonowania polskiego systemu politycznego po wyborach parlamentarnych w 2023 roku.

Pakt senacki jako strategia działania politycznego

Osiągnięcie długoterminowych celów czy też dobór środków niezbędnych do ich realizacji wymaga systematycznego podejścia do zarządzania dysponowanymi zasobami. Bez względu na to, czy mowa o biznesie czy właśnie o polityce, odpowiednio przygotowana strategia jest kluczowym narzędziem, które może ułatwić osiągnięcie sukcesu w dynamicznym i konkurencyjnym otoczeniu. Jak wskazuje Sylwia Mrozowska, w naukach politycznych strategia jest rozumiana jako racjonalna sugestia i hipoteza co do zmiany stosunków politycznych w bliższej lub dalszej perspektywie czasowej. To właśnie na jej podstawie, elity polityczne przystępują do formułowania konkretnych wytycznych w zakresie ogólnego kierunku postępowania oraz konkretnych rozstrzygnięć (Mrozowska, 2012, s. 31).

W przypadku strategii jako koncepcji działań, zarówno państwo, jak i partia polityczna czy grupy interesu biorą pod uwagę różne warianty rozwoju sytuacji. W opinii Mrozowskiej, podmioty te uznają, że między nimi oraz innymi instytucjami zachodzi wzajemna zależność, czyli że zachowanie jednego wpływa na sytuację drugiego. Oprócz tego, dysponowanie strategią często jest równoznaczne z tym, że dany podmiot chce wpływać na swoją sytuację – w tym przypadku sukcesem będzie zachowanie celu, nawet przy zmianie sposobów jego realizacji (Mrozowska, 2012, s. 31). Sławomir Zalewski zauważa natomiast, że odpowiednia strategia wpływa także na wewnętrzne warunki funkcjonowania społeczeństwa i jego bezpieczeństwo polityczne, co oznacza stabilność systemu politycznego, wyrażającą interesy podstawowych grup społecznych i zapewniającą społeczno-polityczną równowagę społeczeństwa, przy braku społecznych i politycznych konfliktów (Zalewski, 2009, s. 32).

Zrozumienie potrzeb otoczenia, wyraźne sformułowanie długoterminowych celów oraz określenie metod i działań niezbędnych do ich osiągnięcia, to tylko niektóre z kluczowych elementów, składających się na budowę strategii politycznej. Nie inaczej było w przypadku powstawania paktu senackiego, którego strategia – zbudowana przez ówczesną opozycję demokratyczną – odpowiadająca na potrzeby społeczeństwa, doprowadziła do uzyskania większości w izbie wyższej parlamentu.

Geneza utworzenia paktu senackiego

Pakt senacki jest nieformalnym porozumieniem zawartym przed wyborami parlamentarnymi w 2019 roku. Zgodnie z jego nazwą, porozumienie to dotyczyło wyborów do Senatu RP i zakładało, że biorące w nim udział podmioty nie będą wystawiały przeciwko sobie kandydatów

w jednomandatowych okręgach senackich, w których – zgodnie z przyjętą zasadą – „zwycięzca bierze wszystko”. Warto przypomnieć, że w każdym z okręgów możliwy do zdobycia jest tylko jeden mandat – zwycięzca zostaje senatorem, a pozostali kandydaci, nawet w przypadku uzyskania dwucyfrowego, równie wysokiego wyniku, przystawowo „odchodzą z niczym” (tvn24.pl, 2023; <https://tvn24.pl/wybory-parlamentarne-2023/wybory-2023-kandydaci-do-senatu-okregi-od-51-do-100-lista-7383010>).

Geneza zawarcia paktu senackiego między tworzącymi go podmiotami, związana była ze zwycięstwem konserwatywnej, chrześcijańsko-demokratycznej partii Prawa i Sprawiedliwości w wyborach w 2015 roku, która wówczas zdobyła większość zarówno w Sejmie RP (izba niższa parlamentu), jak i Senacie RP (izba wyższa parlamentu). Zdecydowane zwycięstwo partii na poziomie parlamentarnym, kilka miesięcy wcześniej poprzedzone zdobyciem poparcia dla wystawionego przez PiS kandydata na prezydenta – pozwoliło jej na przeprowadzenie wielu reform oraz wprowadzenie wielu nowych regulacji. Obok zarzucanej PiS stagnacji gospodarczej, prowadzenia polityki odwracania reform rynkowych rozpoczętych w 1989 roku, czy też upolitycznienia władz i ograniczenia niezależności sądownictwa, wielokrotnie podkreślane jest również, że partii towarzyszyło pospieszne uchwalanie ważnych aktów prawnych. Posądzana była ona także o nadużywanie ścieżki poselskiej oraz nieuzasadnione skracanie czasu trwania i fasadowość konsultacji publicznych (for.org.pl, 2023; <https://for.org.pl/pl/a/9465,8-lat-pis-niszczenie-gospodarki-i-praworzadnosci>). Wobec powyższego uznaje się, że wybory parlamentarne z 2019 roku wieńczyły czteroletnią kadencję rządów Prawa i Sprawiedliwości, która naznaczona była:

silną polaryzacją, silnym konfliktem społecznym, bezpardonową, coraz brutalniejszą i bardziej agresywną walką polityczną. A także charakteryzującą się spektakularnym zerwaniem z dziedzictwem Okrągłego Stołu i polskiej pokojowej transformacji lat 1989–1990 (Cześnik, Miśta, Żerkowska-Bałas, 2020, s. 92).

Odpowiedzieć na te zarzuty postanowiła Lewica, która przed wyborami, jako pierwsze ugrupowanie – wystąpiła publicznie z inicjatywą utworzenia paktu senackiego, który mógłby zapewnić demokratycznej opozycji zwycięstwo, a co za tym idzie, przejście władzy w izbę wyższej parlamentu. Jak postulowali przedstawiciele partii:

Ostatnie cztery lata pokazały, jak niebezpieczne jest oddanie pełni władzy w Sejmie, Senacie i Pałacu Prezydenckim w ręce jednej partii. Silna demokracja potrzebuje równowagi. Każda władza musi być poddana kontroli, inaczej przeradza się w dyktat siły. Parlament, w którym rządzący nie muszą się liczyć z opozycją, zmienia się we własną parodię (tvn24.pl, 2019; <https://tvn24.pl/polska/pakt-senacki-i-razem-sld-i-wiosna-proponuja-calej-opozycji-wspolny-start-do-senatu-ra956716-2302946>).

Zgodnie z oczekiwaniami, do inicjatywy szybko dołączyły: Koalicja Obywatelska, Koalicja Polska i Lewica, które zawarły porozumienie polegające na wystawieniu w każdym okręgu wyborczym do Senatu RP po jednym uzgodnionym kandydacie. Celem tego działania było to, aby zapobiec rozproszaniu głosów i tym samym – zwiększenie szans opozycji (jako kilku określonych

ugrupowań, a nie wybranej partii) na uzyskanie w tej izbie przewagi właśnie nad partią rządzącą (Andruszewska, 2023).

Podjęta współpraca doprowadziła do powstania szczegółowo ustalonego podziału okręgów między poszczególne ugrupowania. Choć nie wszędzie udało się osiągnąć porozumienie, to ostatecznie pakt senacki okazał się sukcesem. Mimo że wybory parlamentarne w 2019 roku zakończyły się zdobyciem przez PiS największej liczby mandatów (48), to kandydatom związanym z opozycją udało się wspólnie uzyskać 51 na 100 możliwych mandatów (sejmsenat2019.pkv.gov.pl, 2019; <https://sejmsenat2019.pkv.gov.pl/sejmsenat2019/pl/wyniki/senat/pl>). Niewielka, ale nadal, poważna przewaga, pozwoliła przedstawicielom demokratycznej strony polskiej sceny politycznej na przejście władzy w izbie wyższej, którą udało się utrzymać do końca ówczesnej kadencji Senatu RP.

Przed wyborami parlamentarnymi w 2023 roku, pakt senacki został ponownie nawiązany i odnowiony. Jego stronami ponownie zostały Koalicja Obywatelska, Koalicja Polska oraz Lewica, a dołączyły do nich również Polska 2050 oraz ruch Tak! Dla Polski. Tym samym, inicjatywa odniosła kolejny sukces, uzyskując 66 mandatów (wybory.gov.pl, 2023; <https://wybory.gov.pl/sejmsenat2023/pl/senat/wynik/pl>).

Rola Senatu RP w polskim systemie ustrojowym

Ze względu na swoją ważną w procesie legislacyjnym rolę, Senat RP w polskim systemie ustrojowym nazywany jest „izbą refleksji”. Wynika to z konieczności rozpatrywania ustaw przyjętych przez Sejm RP w trzech czytaniach, przed odesłaniem ustawy do prezydenta. Ten etap procesu legislacyjnego umożliwia usunięcie wad prawnych z ustawy, Senat RP może również zdecydować się na odrzucenie ustawy większością głosów. Naniesienie poprawek przez Senat RP albo odrzucenie ustawy sprawia jednak, że wraca ona do Sejmu RP, który może skorzystać z odrzucenia poprawek izby wyższej lub odrzucenia uchwały odrzucającej ustawę przyjętą przez Senat RP (wymagana jest bezwzględna większość głosów w obecności co najmniej połowy ustawowej liczby posłów). Gdy to Prawo i Sprawiedliwość osiągnęło większość w Sejmie, ale nie w Senacie RP, oznaczało to, że izba wyższa może opóźniać prace izby niższej (rp.pl, 2019; <https://www.rp.pl/polityka/art9174101-jakie-znaczenie-w-polskim-systemie-politycznym-ma-senat>). Choć, jak w swojej publikacji wskazuje Jarosław Szymanek, Senat nanosi poprawki do ustaw, w myśl zasady, że ma on być wcześniej wspomnianym „stróżem dobrego prawa”, „izbą refleksji i rozważli”, „izbą drugiego czytania” czy też „izbą powściągliwości ustawodawczej”, to nadal odgrywa kluczową rolę w procesie wprowadzania niektórych zmian, a szczególnie tych ustrojowych (Szymanek, 2004, s. 15).

Zgodnie z oczekiwaniami ugrupowań opozycji demokratycznej, biorącymi udział w pakcie senackim, zdobyta większość w tej izbie stanowiła ważny element zabezpieczający przed zbyt dużą koncentracją władzy w rękach jednej partii. Zdobycie większości w tej izbie jest więc postrzegane jako poważny krok ku utrzymaniu równowagi i kontroli procesu legislacyjnego oraz działań władzy wykonawczej. Należy jednak zaznaczyć, że kontrola parlamentu jest funkcją genetyczną,

nierozerwalnie związaną z narodzinami i późniejszym rozwojem zgromadzeń parlamentarnych (Szymanek, 2004, s. 15). Jak kontynuuje Jarosław Szymanek – skoro Senat rozpatruje rządowe projekty ustaw, działając tym samym w charakterze „instancji rewizyjnej”, jest to ewidentny przejaw realizacji przez tę izbę parlamentu uprawnień kontrolnych oraz uprawnień z wyraźnymi pozytywnymi cechami kontroli wstępnej (prewencyjnej) w stosunku do zamierzeń rządu (Szymanek, 2004, s. 15).

Chociaż po wyborach parlamentarnych w 2019 roku Prawo i Sprawiedliwość nadal miało solidną większość w Sejmie RP, co pozwoliło partii m.in. na odrzucanie poprawek Senatowi RP, to senacka – niewielka, ale nadal – większość, wielokrotnie utrudniła izbie niższej proces legislacyjny. Jak wskazał w swoim artykule dziennikarz Krzysztof Sobczak, zdobyta przez opozycję większość w Senacie RP, uniemożliwiła partii rządzącej stosowanie tzw. ustawodawczego ekspresu, który można było zaobserwować w latach 2015–2019, kiedy to w ciągu dwóch lub trzech dni procedowane były ważne, a nawet dotyczące zmian konstytucji, ustawy. Dziennikarz jasno podkreśla również, że terminy te dotyczyły także podpisu prezydenta, a czasami nawet publikacji w dzienniku ustaw (włącznie) (Sobczak, 2019).

Koalicja przedstawicieli opozycji sprawiła jednak, że Senat RP wielokrotnie blokował ustawy, otwarcie nazywane szkodliwymi, m.in. ustawę Lex Czarnek, wprowadzającą chociażby cenzurę zajęć prowadzonych przez organizacje społeczne czy też drastyczne zwiększenie władzy ministra nad szkołami (Ambroziak, 2022). Ogromne poruszenie wzbudził również projekt ustawy dyscyplinującej, która zakładała drastyczne poszerzenie odpowiedzialności dyscyplinarnej sędziów i prokuratorów, mogła także znacząco wpłynąć na funkcjonowanie Sądu Najwyższego. Przeciwno pracom nad ustawą protestowała wówczas Komisja Europejska oraz organy Rady Europy, tj. Zgromadzenie Parlamentarne, Komisarz Praw Człowieka oraz Komisja Wenecka (Sitnicka, 2020).

Warto jednak zauważyć, że Senat RP często stawał się również polityczną areną, na której rozgrywały się intensywne dyskusje nad dalszymi losami państwa. Przykładem może być m.in. odrzucenie ustawy o wyborach korespondencyjnych, które partia rządząca chciała zorganizować, bez względu na ich legalność prawną. Nie byłoby w tym nic zaskakującego, gdyby nie to, że Senat nieoczekiwanie przeprowadził głosowanie dzień wcześniej niż pierwotnie było planowane (Szczęśniak, 2020). Jak się później okazało, wpływ na podjętą przez Marszałka Senatu decyzję miały próby zablokowania obrad oraz problemy z głosowaniami. Przedstawiciele Prawa i Sprawiedliwości do ostatniej chwili walczyli o to, aby do głosowania nie dopuścić – gdyby tak się stało, ustawa o głosowaniu korespondencyjnym trafiłaby prosto na biurko prezydenta z pominięciem głosowania w Sejmie RP (Szczęśniak, 2020).

Wybory parlamentarne 2023 roku – perspektywy na przyszłość

Zakończona w 2019 roku pierwsza kadencja rządów Prawa i Sprawiedliwości wykazała, że politycy partii nie zrealizowali nawet częściowo, blisko 40% obietnic (demagog.org.pl, 2020; https://demagog.org.pl/analizy_i_raporty/czy-pis-realizuje-swoje-obietnice-sprawdzilismy-50-z-nich/). W rozpoczętej w tym samym roku drugiej kadencji PiS-u, zakładano złożenie przez partię

50 obietnic – po 5 z 10 różnych obszarów. Według Stowarzyszenia Demagog, do 2023 roku partii rządzącej w pełni udało się zrealizować niecałe 40% z nich (https://demagog.org.pl/analizy_i_raporty/czy-pis-realizuje-swoje-obietnice-sprawdzilismy-50-z-nich/). W odniesieniu do obietnic zrealizowanych zaś, warto zauważyć, że wiele z nich poddano szczególnej krytyce, np. zwiększenie liczby godzin historii w szkołach średnich, przez wprowadzenie do podstawy programowej przedmiotu historia i terażniejszość.

Eksperci raportu *Jaka Polska po wyborach 2023? Rekomendacje siedemnastu debat programowych* zgodnie twierdzą, że przyszłe rządy powinny odrzucić koncepcje:

państwa centralizmu i jedynowładztwa odwołującego się do nacjonalizmu genetycznego, przyznającego prawo do uznania i szczęścia tylko tym, którzy postrzegają siebie wyłącznie jako lud stojący u stóp tronu i ołtarza, a swoje interesy utożsamiającym z łaskami wpływającymi od władzy (Jaka Polska, 2023).

Eksperci uznają, że tak rozumiana konstrukcja państwa uniemożliwia jego naturalny rozwój i ewolucję społeczeństwa, które adaptuje się do rzeczywistości i wytwarza innowacyjne formy organizacji. Eksperci, wśród których znaleźli się zarówno obecni, jak i byli m.in. prezydenci oraz posłowie i senatorowie, przygotowali zbiór rekomendacji programowych, które mają zapewnić „lepsze życie w sprawnym państwie według uzgodnionego, wielobarwnego programu szczegółowych rozwiązań” (Jaka Polska, 2023). Wypracowane przez ekspertów rekomendacje dotyczą m.in.: odbudowy legalności i funkcjonowania sądownictwa w zgodzie z regułami konstytucji, stworzenia platformy programowej i wyborczej w zakresie edukacji, wyprowadzenia komunikacji społecznej z zapaści ideowej oraz etycznej i ekonomicznej, stworzenia jasnych kompetencji dla organów samorządu terytorialnego, przeprowadzenia ekologicznej transformacji, przeprowadzenia odłożonych inwestycji, powrotu do służby pracy funkcjonariuszy, zapewnienia świeckości państwa, wprowadzenia oferty usług publicznych i asysty w kryzysowych sytuacjach oraz pogłębienia integracji w ramach Unii Europejskiej (Jaka Polska, 2023).

Nie ulega wątpliwości, że spełnienia powyższych postulatów oczekują obywatele, którzy podczas wyborów parlamentarnych wspólnymi siłami przekroczyli dotychczasowy rekord wyborczy, który wynosił 62,7% i został zanotowany w I turze wyborów do Sejmu w 1989 roku. „Rekordowa frekwencja w wyborach, które odbyły się 15 października w Polsce pokazała po raz kolejny, że Polacy są mocno przywiązani do demokracji” – powiedziała przewodnicząca Komisji Europejskiej Ursula von der Leyen tuż przed spotkaniem z Donaldem Tuskiem, który kilka dni po wyborach przyjechał do Brukseli, aby „przyspieszyć proces powrotu do pełnej obecności Polski w UE” (Osiński, Ciechanowicz, 2023).

Podsumowanie

Odniesiony przez opozycję sukces w Senacie niewątpliwie umożliwił zablokowanie projektów niektórych ustaw, które mogły odcisnąć piętno na polskim systemie politycznym, ale również mogły niekorzystnie wpłynąć na wizerunek Polski na arenie międzynarodowej oraz na relacje z Unią Europejską.

Celem powyższego artykułu było ukazanie i wyjaśnienie roli, jaką odgrywa Senat Rzeczypospolitej Polskiej w procesie budowania polskiego ustroju państwowego, a także wyjaśnienie, dlaczego pakt senacki został uznany za nowe, a przy tym ciekawe rozdanie polityczne opozycji demokratycznej. Tezą niniejszego artykułu było natomiast stwierdzenie o wpływie paktu senackiego na przewagę demokratycznych ugrupowań politycznych w wyborach parlamentarnych do Senatu RP. Przyjęta hipoteza zakładała, że przed nawiązaniem paktu senackiego, istniało realne zagrożenie stosowania przez PiS tzw. ustawodawczego ekspresu.

Ze względu na powyższe, należy uznać, że pakt senacki, który miał na celu skoordynowanie działań opozycji w wyborach do senatu, w celu maksymalnego wykorzystania mechanizmu uzyskiwania głosów, odniósł poważny, z politycznego punktu widzenia, sukces i na tle rządów Prawa i Sprawiedliwości, stał się pewnego rodzaju *novum*, które ma szansę na kolejną powtórkę – tym razem jednak na poziomie samorządowym. Uzyskana przez demokratyczną stronę polskiej sceny politycznej większość wyborcza jasno wskazuje, że pakt ten stał się wstępem do dalszej współpracy politycznej zjednoczonych partii.

Senat Rzeczypospolitej Polskiej przez ostatnie pięć lat był ostatnim miejscem, które umacniało rolę polskiego parlamentaryzmu, w którym niejednokrotnie prowadzono także głębokie debaty nad ustrojem polskiego państwa. Maksymalnie zminimalizowano bowiem sytuacje, gdzie ustawy były przyjmowane w pośpiechu, niejednokrotnie bez przygotowania czy bez konsultacji. Warto przypomnieć, że tylko podczas pierwszych 100 dni rządów PiS-u na przełomie 2015 i 2016 roku, Sejm RP przyjął aż 42 ustawy, czyli trzy i pół raza więcej niż w tym samym okresie drugi rząd Donalda Tuska (2011–2015) (Konopczyński, Pacewicz 2016).

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“Politics of memory” in Poland in the first half of the 21st Century: Historical narratives, challenges, and disputes. A case study

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Keywords politics of memory, Poland, 21st century, case study

Abstract

The aim of the article is to present the specifics of Polish memory policy at the turn of the 20th and 21st centuries and to trace the most important threads of the discourse surrounding it. The aim of the author is to characterize the conditions of continuation and modifications, and, above all, the challenges facing the Polish historical narrative. The research method used in analysis was the case study. The shaping of Polish politics of memory in the last three decades has been the result of many factors, including the post-communist nature of the state, the dispute over its role in narrating history, the Polish-Russian conflict over memory, the discourse on Polish-Jewish wartime relations, the internationalization of Polish historical narrative, as well as the “memory boom” and the development of public diplomacy. All the factors mentioned above influence the content of the Polish historical narrative. The Polish historical narrative, as in the case of many countries, includes a path of narrative about freedom and the presentation of the greatest scientific and cultural achievements. Regardless of the content of the Polish historical narrative, its greatest challenge is the asymmetry of knowledge about Polish past beyond its borders, not only in the context of losses suffered during World War II.

Introduction

The article consists of three parts. In the first, theoretical part, key issues regarding the concept of memory policy and a case study will be discussed. The second part concerns the internal debate on the shape of Polish politics of memory and the changes in it after 1989 in the Third Polish Republic. The last part is an analysis of the main challenges of the Remembrance Policy in recent years.

A part of the nation-building process is extracting values from those elements of the past that are considered relevant today, as nations build their image of the past to shape their present and future. The term describing the process of referring nations to history is “politics of memory”. The concept of “politics of memory” was created at the turn of the 1970s and the 1980s and was

understood as a combination of political concepts and strategies for applying history in the public sphere. Professor Stefan Troebst links the birth of this concept to the publication of Howard Zinn's landmark book *The Politics of History* in 1970 and to the so-called the German dispute of historians (Zinn, 1970; Augstein et al., 1986; Troebst, 2013, pp. 15–34). Politics of memory is the organisation of collective memory by political agents; the political means by which events are remembered and recorded, or discarded. It consciously supports the memory of specific events and characters. Four groups of tools are used to implement politics of memory: management of public space in the public and material dimension (monuments, national days); activity of memory institutions (archives, libraries, museums); education, upbringing, and science (central education standards); and justice (settling the past by identifying and punishing those responsible, e.g., for crimes against nation) (Ruchniewicz, 2018, pp. 77–78).

Politics of memory in Third Polish Republic: Internal debate, changes, and continuity in historical narration

The shaping of Polish politics of memory in the last three decades has been the result of many factors, including the post-communist nature of the state, the dispute over its role in narrating history, the Polish-Russian conflict over memory, the discourse on Polish-Jewish wartime relations, the internationalization of Polish historical narrative, as well as the “memory boom” and the development of public diplomacy. For reasons quite clear, World War II has become the most important reference point for this politics. As a result of the agreement between the Third Reich and the USSR known as the Ribbentrop-Molotov Pact (August 23, 1939), Poland was invaded by the German (September 1) and Soviet (September 17) armies, with its territory subsequently divided between the two occupiers (28 September 1939) (Davies, 2005; Kłoczowski and Łaskiewicz, 2011; Moorhouse, 2019; Kaminsky, et al., 2011; Müller and Troebst, 2016). The Polish government in exile (in France, and after June 1940 in Britain) continued the fight for “freedom and independence,” establishing the Polish Armed Forces in the West and the subordinate structures of the Polish Underground State operating in the occupied country. However, due to the decision of the Big Three (Roosevelt, Churchill, and Stalin) at Yalta in 1945, the territory of Poland was reduced – 45% of the pre-war area was incorporated into the Soviet Union – and its borders shifted to the west. Under the terms of the agreement, Poland found itself in the Soviet sphere of influence during the Cold War, with what would later become the Polish People's Republic emerging from the Soviet occupation in the years 1944–1945, administered by Polish communists loyal to Moscow. In 1989, communism collapsed, and the democratic Third Republic of Poland was established.

Before examining contemporary historical narratives in Poland, it is necessary to mention that they stem from a critical assessment of the historiography written under the Polish People's Republic. One characteristic element of this assessment has been the rehabilitation of Polish historical events and figures previously absent from or presented in unambiguously negative ways by communist historians during 1944–1989 (Nijakowski, 2008, pp. 123–126; Traba, 2009). Recovered historical elements include the history of the Second Polish Republic and the presence of Poles in

the Eastern Borderlands (*Kresy Wschodnie*) from 1918-1939, the Polish government-in-exile from 1939–1989 and the Polish Armed Forces in the West, the armed anti-communist opposition as well as the communist repression of this opposition. According to its critics, the politics of memory of the Third Republic is a symbolic space built upon the negation of the symbols and myths of the Polish People's Republic, where monuments and communist squares are removed and German and Soviet crimes equated. In contrast, supporters of the de-communisation of public space present this process, which includes the renaming of streets or monuments, as an attempt to protect history from falsification. The monuments to the Red Army soldiers who "liberated" Poland during the years 1944–1945 remain relics of Russian domination, which lasted until the early 1990s. The creation of the Museum of Cursed Soldiers and Political Prisoners in the People's Republic of Poland¹ and the establishment of the Cursed Soldiers' Memorial Day (March 1) are intended to restore the memory of armed and civil resistance against the communist totalitarian regime.

The years 1989–2020 have also been a period of internal debate about the role of the state in relation to history. Historian Professor Antoni Dudek interprets the practice of avoiding historical topics by President Aleksander Kwaśniewski (a former communist minister and president from 1995–2005) as stemming from his camp's fear of critical assessments of the communist period in Poland (Dudek, 2011, p. 43). This post-communist dodging is also related to the choice to place modernization as a priority: the political and economic transformation of the state and the process of integration with the structures of the Western world (NATO and the EU). Such criticism of the alleged passivity of the Third Polish Republic's political class toward the past has been rejected by other historians. Professors Anna Wolff-Powęska and Paweł Machcewicz have pointed out that the creation of the cemeteries of Polish officers in Katyn, Kharkiv, and Mednoye in 2000 as well as the Eaglets' cemetery in Lviv in 2005 were ironically a result of activities carried out by post-communist politicians (Wolff-Powęska, 2007, p. 18; Machcewicz, 2012, pp. 90–91).

This discussion can be seen in the framework of a broader debate over whether the discipline of history should comfort and glorify or question national mythos.² As historian Piotr Wandycz noted, the need to believe in one's own nation, tinged with certain mythology, "seems necessary," but it is harmful in excess (Wandycz, 2009, pp. 46–47). He considered the acceptance of the axiom that "chosen" nations do not exist as a barometer of normality in national narratives. Opponents of the idea of state involvement in history argue that states should only create "frames" for the circulation of various, often contradictory representations of the past and ensure the integrity of historical research and education (Tokarz, 2012, pp. 15–37). In contrast, defenders of the active role of the state point out that it has not only the right but also the obligation to shape collective memory and select historical content. This means building a community around "tradition" understood as

¹ "Cursed Soldiers" is a term applied to various anti-Soviet and anti-communist Polish resistance movements formed in the later stages of World War II and its aftermath by members of the Polish Underground State. The Museum of Cursed Soldiers and Political Prisoners of the Polish People's Republic in Warsaw is located at a part of the former Warszawa-Mokotów Remand Centre. The opening of exhibitions is planned for March 1, 2023. "Otwarcie Ekspozycji Muzeum Żołnierzy Wyklętych i Więźniów Politycznych PRL w 2023 r." Retrieved from: <https://dzieje.pl/aktualnosci/otwarcie-ekspozycji-muzeum-zolnierzy-wykletych-i-wiezniow-politycznych-prl-w-2023-r> (2.07.2021).

² Clio is the Greek muse of history, and the name means "to make famous" or "to celebrate".

a collection of elements used to identify the national community: rituals, symbols, and founding myths and heroes. They dismiss the fear that the state can create a mythologised and one-sided vision of history, stating that in free and democratic societies this is impossible. This debate can be seen as an expression of a desire to re-evaluate the role of state and national interpretations of history after the period of historical propaganda by right-wing and communist leaders in the 20th century. Finally, the conditions that contribute to the shaping of Polish historical narration also include the so-called “memory boom,” (Kwiatkowski, 2014) or the need to discuss history and its practical significance for the betterment of society (Beiner, 2008, pp. 107–112; Huysen, 2003, p. 18; Berliner, 2005, pp. 197–211). This cultural change is complemented by the development of public diplomacy, whose role is to shape and support a positive image of the country and its society abroad (Ociepka, 2013, p. 70).

Filip Musiał from the Institute of National Remembrance has called politics of memory (*polityka historyczna*) “the reliable use of history as one of the tools of politics” to strengthen the identity of a society and build its external image (Musiał, 2011, p. 149). As tools of this politics, he mentioned the creation of specialized institutions to conduct scientific research and the commemoration of dates, places, and objects. In Poland’s case, the focus of politics of memory is broadly understood national freedom, with the alternating periods of independence and loss of sovereignty having perpetuated this. Another focal point of the national narrative is the coexistence, at other times competition, between “tradition” and “modernity” (Kostro, Wójcicki, Wysocki, 2014, pp. 322–360). By “tradition” is understood the defense of highest interests and values, with freedom and independence being inalienable imponderables. On the other hand, “modernity” and “modernisation” are political, social, economic, and cultural changes, including development. Naturally, the 20th century occupies a special role in Polish historical politics, leading to the appearance of new monuments dedicated to historical figures and episodes as well as new institutions: Marshal Piłsudski, the Battle of Monte Cassino, General Maczek, the Underground State, the Home Army, Roman Dmowski, Stefan Rowecki, Henryk Sienkiewicz, the Katyn Museum, the Warsaw Rising Museum, the KARTA Center (Habielski, 2011, p. 87). This emphasis stems from the apocalyptic nature of World War II, which constituted a hecatomb for Poland’s population, destroyed its national elite, and permanently changed the country’s ethnic and cultural mosaic.

In addition to those already listed, the last three decades have seen the establishment of institutions that narrate Polish history more cross-sectionally, for example, the Emigration Museum in Gdynia, the Museum of Polish Jews, and the Museum of Polish History. Institutions that decenter the ethnic Polish nation are partly a response to the powerful cultural shock that Poles, proud of their “beautiful” and “glorious” past and believing in exceptional suffering, experienced in the recent decades (Wysocki, 2018). The emerging accusations of Polish anti-Semitism and participation in the Holocaust by Jan Tomasz Gross (Gross, 2001; Gross, 2007) and others forced society to reflect on Polish historical narrative in general, and more deeply on the notion of Poland’s martyrdom during World War II. The pogrom of the Jewish population of Jedwabne in July 1941, inspired by the Germans and carried out by Poles, (“Pogrom Żydów w Jedwabnem”) became the topic of the most heated debate on contemporary Polish history in the 21st century

(Michlic, 2002, p. 7). One positive effect of this experience was that it drew attention to the need for historical research on Polish-Jewish relations and the dissemination of their results through education (Forecki, 2010, p. 33). The Jedwabne case forced Poles to look at their wartime history differently and re-evaluate certain episodes; the investigation conducted by the Institute of National Remembrance confirmed that at least 340 Jews were murdered in Jedwabne, and that the perpetrators were Poles. Every year, official celebrations take place to commemorate Jedwabne with the participation of representatives of the President of Poland, the Embassy of Israel, the Chief Rabbi of Poland, a representative of the Catholic Church, and representatives of the Evangelical-Augsburg and Evangelical-Reformed Churches. (“Obchody 77 rocznicy zamordowania Żydów w Jedwabnem”, 2018).³ At the same time, despite this admittance of (some) guilt, the accusation of collective—as opposed to individual – Polish anti-Semitism and of materially benefitting from the Holocaust has encouraged an uptake in Polish historical politics.

Politics of memory: Major challenges

It is not surprising that Polish politics of memory is preoccupied with reacting to subtle accusations and insinuations that appear in international discourse alongside more legitimate scholarly pursuits that increase our knowledge about Poles during the Holocaust. In the first place, the false and hurtful phrase “Polish extermination camps” has prompted a number of actions from Polish officials, including protests, demands for correction by journalists and legal actions, which most significantly led to the recommendation by the *New York Times* Manual of Style and Usage against using the expression (“The New York Times bans Polish concentration camps”, 2011). In a similar manner, in 2007 the Auschwitz-Birkenau death camp – a world symbol of terror, genocide, and the Shoah world – changed its name to “Memorial and Museum Auschwitz-Birkenau. Former German Nazi Concentration Camp.” Polish officials and others are also trying to speak more effectively about the help provided by Poles to Jews during the Holocaust (Polish Righteous Among the Nations) by means of educational initiatives and institutions such as the Ulma Family – Museum of Poles Saving Jews in World War II.⁴ On the initiative of the Jewish Historical Institute, the POLIN Museum of Polish Jews was also established in Warsaw, documenting the experience of nearly 1,000 years of Polish-Jewish relations. The joint commemoration of those who tried to help Jews during the war is meant to demonstrate the complementarity of the Polish-Jewish memory of the Holocaust while putting Poles in a more sympathetic light.

Poland’s efforts to underline Polish suffering during World War II and to fight back against “Polish concentration/death camps” and similar phraseology have been plagued by multiple setbacks, however, some of which were of its own making. In late January and early February of 2018, the Polish Sejm (Parliament) passed an amendment to the Act on the Institute of National

³ The first hierarch of the Catholic Church, who took part in the celebrations in Jedwabne (2011) was Bishop Mieczysław Cisek (chairman of the Polish Episcopal Committee for Dialogue with Judaism).

⁴ During II World War, Józef and Wiktoria Ulma from the village of Markowa gave shelter to eight Jews. In 1944, the family was denounced to the Germans and killed. See “The Ulma Family,” Retrieved from: <https://muzeumulmow.pl/en/museum/history-of-the-ulma-family/>.

Remembrance that penalised those who “accuse, publicly and against the facts, the Polish nation, or the Polish state, of being responsible or complicit in the Nazi crimes committed by the Third German Reich” (precise wording of Article 55A of the amended Act)(The 2018 Amendment to the Act on the Institute of National Remembrance. Amendments to the Act on the Institute of National Remembrance, 19 January 2018). Regardless of its original intentions, the Israeli government and society interpreted this law as an attempt to punish historians who dare to write and speak about Poles who collaborated with the Third Reich in its persecution of Jews, in particular about the so-called *shmaltsovníks* (Levine, 2018; Arens, 2018). The ensuing crisis between Poland and Israel was defused with the publication of a joint statement by Polish Prime Minister Mateusz Morawiecki and Israeli Prime Minister Benjamin Netanyahu on June 27, 2018. Netanyahu conceded to the Polish government by asserting that the phrases “Polish concentration camp” and “Polish death camp” were ‘blatantly erroneous and diminished the responsibility of Germans for establishing those camps’ (“Joint declaration of prime ministers of the State of Israel and the Republic of Poland,” June 27, 2018). For his part, the Polish Prime Minister supported the “free and open historical expression and research on all aspects of the Holocaust so that it can be conducted without any fear of legal obstacles,” a provision of the declaration.

Beyond Polish-Jewish relations, the last three decades have witnessed an attempt to internationalise Polish historical narrative by universalising its message. For example, along with other countries of Central and Eastern Europe that experienced long-term consequences of the Molotov-Ribbentrop Pact, Poland has sought to have the anniversary of its signing recognised as the European Day of Commemoration of the Victims of Totalitarian Regimes. The recognition of that day by the European Parliament is also one successful attempt to overcome the European asymmetry of memory with regard to the experience of communist crimes in Western and Eastern Europe. Moreover, exposing the Hitler-Stalin pact is a powerful challenge to the Russian myth of the Great Patriotic War and one of the manifestations of the Polish-Russian memory conflict (Wielomski, 2016, p. 105). On September 17, 2015, both Polish and foreign media quoted Sergey Andreev, the Russian ambassador to Warsaw, as stating that Poland was responsible for the outbreak of World War II (“Poland strongly protests against Russian ambassador’s statements,” Polish Press Agency, September 29, 2015). Andreev insinuated that Polish diplomats had allegedly halted the building of an international anti-Hitler coalition in the 1930s, which made Poland partly responsible for the 6,000,000 casualties of the Holocaust. In the same interview, the Russian ambassador expressed his dissatisfaction with Poland’s conduct toward Russia, saying that it paused all political and cultural contacts with Russia. Nowhere was this more blatant than after the initiation of the conflict in Crimea and eastern Ukraine by Russia, which led to one of the biggest political crises in Europe since World War II. On the Polish side, perhaps provoked by this statement, there were cases of hooligans devastating Red Army cemeteries in Poland, which exacerbated animosities between the two countries. It should be noted, however, that formal apologies for these despicable actions were issued by the Polish Minister of Foreign Affairs. It should be further noted that in its memory conflict with Moscow, Warsaw enjoys the support of Brussels: on the 80th anniversary of the outbreak of World War II, the European Parliament

adopted a Joint Resolution on the importance of European remembrance for the future of Europe, in which it strongly condemned the actions of the Soviet Union in the years 1939–1940 (“European Parliament resolution on the importance of European remembrance for the future of Europe”, September 18, 2019).

Conclusions

The development of Polish “politics of memory” during the Third Republic focuses on the story of freedom. The concept of a historical Polish path of freedom was created by Joachim Lelewel in his *Remarks on the History of Poland and its People* (Lelewel, 1855, pp. 275–276). According to Lelewel, the foundation of the Commonwealth was its communal civic administration by all nobles, which allowed for its multicultural and multireligious character.

Nowadays, the freedom story refers to the experience of a state that resisted two criminal totalitarian regimes, with the Round Table Talks of 1989 as the latest installment of that struggle. Furthermore, there is also the modernity element that underlines cultural and scientific achievements across Polish history, which, next to the creation of “Solidarity,” also includes the passing of the Articles of the Warsaw Confederation, a symbol of religious tolerance of the First Republic of Poland inscribed on the UNESCO Memory of the World list, and the Constitution of May 3. At the same time, the challenges to the success of politics of memory include not only the black stains on Poland’s wartime record such as Jedwabne but also the international skepticism toward any overarching national narratives, which become instruments of right-wing and left-wing political propaganda.

The greatest challenge to the Polish politics of memory is the knowledge asymmetry between Poland and other countries regarding the experiences of World War II (Troebst, 2011, pp. 117–154). This results in attempts to impart onto the Polish historical narrative a character of consonance and complementation with other storylines. Examples include the development of Polish-German dialogical memory in relation to World War II and Polish-Jewish dialogical memory regarding the Holocaust, as well as the reinforcing of shared memory regarding communist rule in Central and Eastern Europe. In this respect, the Polish-Russian war of remembrance, which results from different assessments of Stalin’s role in the outbreak of World War II, remains one of the obstacles. Perhaps a greater one is the ongoing conflict with Israel, during which the right-wing Polish government has made blunders that damaged the country’s public image. In the difficult task of dealing with this issue, in which geopolitical and financial considerations affect an emotional historical dispute, Warsaw might wish to manifest special caution and a delicate approach, refraining from populist posturing directed at its domestic audience while successfully opposing hurtful stereotypes. In some ways, despite an indisputably smaller amount of inherited wartime guilt, Warsaw has a more difficult balance to strike in the current international climate, which encourages admission of wrong and discourages national martyrology.

It is very difficult to determine the effectiveness of Polish politics of memory. Daniel Fried from the Atlantic Council put Poland among “honest countries” that came to terms with

their history, in contrast to Russia, which still has something to do in this matter (Fried, 2020). In Polish public opinion, the last thirty years of Polish politics of memory are disappointing. Despite the great Polish contribution to the overthrow of communism, neither Solidarity nor the Round Table Talks have been encoded in Europe's memory to the same extent as the fall of the Berlin Wall (Ociepka, 2013, pp. 155–156). Nor do Germans or Russians have much knowledge of Polish history. The 2020 study by the Russian Levada Center showed that 70% of respondents were not able to name any famous Pole, which indicates that Polish culture and history in contemporary Russia are little known (“Raport: ponad 70 proc. Rosjan nie potrafi wymienić żadnego sławnego Polaka”, 2020). Likewise, Poland and Germany need to implement joint projects to improve knowledge of Polish history in Germany, including a four-volume history textbook written by historians from both countries (“Blaski i cienie polsko-niemieckiego podręcznika do historii”, 2022). There is also the planned monument dedicated to the Polish victims of World War II, which is soon to be erected in Berlin, but it remains unclear whether it will please the Polish side (“Bundestag will Gedenkort in Berlin für polnische Weltkriegsopfer”, 2020). We will need to wait a little longer to assess the fruits of Polish politics of memory.

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Citation

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The dynamics and challenges of elections and democratic consolidation in Nigeria: A study of the 2019 and 2023 gubernatorial elections in Kano State

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Keywords Democratic Consolidation, Election, Political Party, Kano State

Abstract

This study examines the elections and democratic consolidation in Nigeria: A study of the 2019 and 2023 gubernatorial elections in Kano State. An multi-stage cluster sampling procedure was used in sampling the population for this study. First, clusters of local governments in each of the selected states were randomly selected. Secondly, clusters of political wards in each of the selected Local Government Areas were randomly selected. A total of four hundred questionnaires were distributed across all the selected areas to elicit information on the subject matter but three hundred and eighty four were retrieved. The findings revealed that most voters were induced with money by politicians, both those in power and those seeking to be in power, to influence voters' choice of candidate or political party in order to retain or capture political power during elections, particularly during the 2019 and 2023 general elections. The findings also revealed that voter turnout during presidential and national assembly elections was higher than during gubernatorial and state assembly elections, posing a challenge to grassroots democracy. Additionally, the degree of rigging, malpractices, and irregularities was found to be higher in presidential and national assembly elections compared to gubernatorial and state assembly elections. To address this, for Nigeria to maintain international legitimacy, the value orientation of politicians must change. Elections should no longer be viewed as the ultimate goal.

Introduction

Throughout the world today, political systems are undergoing qualitative transformation from authoritarian to participatory regimes. This worldwide trend, otherwise known as democratization, has made the issue of elections a critical political imperative. Elections as a democratic practice refer to the system whereby the citizenry (organized as the electorate) consciously chooses people into civic roles through a competitive selection process (Raymond, 2000).

The essence of a democratic election is freedom of choice. During elections, the electorate is given the opportunity to choose between alternative programs of contestants. Elections have the potential to confer legitimacy, moderate dissent, engender compliance, and heighten citizen efficacy (Elekwa, 2008). Ideally, an election is a means of determining the will of the people regarding their choice of political leaders and regime types. In essence, both the process and the outcome of the election should reflect the consent and aspirations of the people as an organized electorate (Olu, 2007). This implies that, apart from being a routine periodic democratic exercise, an election must be competitive, transparent, free, and fair, as well as credible, in order to live up to its democratic essence and merit.

In Nigeria, the issue of elections has been a problematic endeavor over the years. Ironically, elections in Nigeria have been bereft of democratic ideals, has and have been characterized by untoward circumstances. According to Ibeanu, (2007), the electoral process, as currently constituted in Nigeria, is psychologically alienating for the vast majority of the people, who are largely outsiders and are only periodically inserted in the process when they cast votes. At the same time, this alienation is underscored by the fact that even when these vote casters have completed the ritual of voting, the outcome bears little semblance to what they chose in their ballots.

According to Yusuf (2019), the Kano gubernatorial election reflects the trajectory of irresponsible politicians, political violence, messy elections, and a compromised judiciary that have characterized the Fourth Republic. Incrementally, politicians have become more desperate and violent, elections rowdier, and outcomes more contested. Habu (2023) claims that the state institutions are weak; lawlessness is rising; the judiciary has lost respect and its aura of safety; and elections and their outcomes are distrusted. Violence and the threat of violence are increasingly deployed by politicians and their hired thugs.

Besides, there have been problems of electoral violence and fraud, the bulk of which may arise from the excesses of politicians in their desperate bid to consolidate, capture, or control state power. In the face of this, therefore, electoral experiences in Nigeria so far have left much to be considered. The centrality of competitive, credible, free, fair, and acceptable elections in democracy cannot be over-emphasized. However, contrary to this has been the experience in Nigeria, as over the years elections have been characterized by a high incidence of electoral malaise, manifesting in the prevalence of electoral rigging, fraud, violence, and other forms of electoral malpractices and irregularities, which tend to erode established electoral standards and pose a challenge to the conduct of free, fair, and credible elections in the country. It is against this background that this study examines the challenges of conducting free and fair elections in Nigeria. The study

will investigate the challenges encountered during the conduct of elections which do not augur well for democratic governance in the country. An election is considered to be a critical element of modern representative government, which is closely linked to the growth and development of a democratic political order, and as is the most singular indicator of democracy. Elections also offer the electorate the freedom of choice, the power to hold elected leaders accountable, and to provide protection against the perpetuation of arbitrary rule.

Kano State's activities revolve around its political power and power is popularly acquired through elections. Therefore, the election period in Kano State becomes contentious and controversial or destructive and divisive with its undermining effects on democratic consolidation. The information explosion and availability that characterize contemporary times have intensified these issues. The systematic examination of the literature shows that both electoral malpractice and violence accounts for the contentious electoral credibility and voter participation (indicating democratic consolidation), leading to the rising internal governance issues (IGEs) in Kano State. According to Garba (2023) in 2019 and 2023 gubernatorial elections conducted in Kano State, they were concerted efforts by the Independent National Electoral Commission (INEC), Civil Society Groups (CSGs), Non-Governmental Organizations (NGOs), and Community Based Organizations (CBOs), to educate voters on their rights and civil responsibilities. However, it was discovered that many voters were ignorant of the provisions of the Electoral Act with respect to voting procedures. This ignorance resulted in to cancellation and voided in many local governments of Kano State.

Kano State's experience with elections over the years has thrown up a number of issues pertaining to the processes, conduct, and outcome of elections. So far, not enough scholarly work has been done to address these issues. Given the increasing relevance and topicality of elections in Kano State's current democratic dispensation, more research such as this is certainly needed to examine the challenges of conducting free and fair elections in Kano State. In fact, the flawed Gubernatorial Elections of 2019 and 2023 have threatened the fragile democratic experiment in Kano State due to the irregularities associated with the elections. This is the rationale for this study. It is also expected that the salient issues raised and addressed in the course of this study will help to provoke further studies and academic discourse on relevant aspects of the subject matter towards the cumulative advancement of knowledge. This study aims at achieving the following grand objectives:

1. To examine the nature and character of Kano State's electoral politics during the 2019–2023 gubernatorial elections in Kano State.
2. To establish a relationship between politicians and the challenges of conducting free and fair elections in Kano State.
3. To examine the role politicians played in the 2019 and 2023 electoral processes and outcomes in Kano State.
4. To recommend ways of addressing the identified challenges of the 2019–2023 gubernatorial elections in Kano State.

The concept and nature of election

According to Ujoh (2004), an election can be described as a procedure that allows members of an organization to choose representatives who will hold positions of authority within it. The above definition emphasizes the ideas of popular decision-making and representation. Ideally, these constitute the essence of elections in contemporary democracies.

Gwinn and Norton (2012) opine that an election is the formal process of selecting a person for public office or accepting a political position by voting. They add that an election is one of the means by which a society may organize itself and make specific formal decisions, adding that where voting is free, it acts simultaneously as a system for making certain decisions regarding the power relations in a society, and a method for seeking political obedience with a minimum of sacrifice of the individual's freedom. The essence of an election is freedom of choice.

Dunmoye (2010) defines election as the process of selecting one person or more for an office, public or private from a wider field of candidates. Thus, the public of a jurisdiction elects its highest officials, a democratic state elects its political leaders, a corporation's shareholders elect its board of directors and the members of a club elect their officials. He argued that an election is a government administered process by which people, whether opposed or unopposed seek a political party's nomination for, or election to public office. In the contemporary world, elections are the only legitimate way by which governments can claim the right to power. It is in the light of this that even totalitarian regimes and military dictatorships use elections to justify their hold on power and feign claims to legitimacy, though the elections might be fraudulent and neither free nor fair. Elections constitute a critical component of the democratic process. In other words, there is an inextricable link between elections and sustainable democracy.

Dunmoye (2010) submits that elections have the following functions, among others:

1. Provide a means of selecting office holders.
2. Provide for popular control, ensuring that those who govern are within the constraints of the choices offered to the voters.
3. It ensure legitimacy by guaranteeing that citizen's support will be given to the elected government.
4. Ensure political stability if conducted freely and fairly.
5. It allow for alternation of political power and public offices; and lastly.
6. It allow the electorate to know the programs of the candidates through their political campaigns and manifestoes of their political parties.

Bain (2014) states that an election is a formal process by which the electorate selects officials and determines the issues submitted to it. It is, therefore, a procedure for choosing officers or making binding decisions concerning policy by the vote of those formally qualified to participate. Meanwhile, to vote is to make a decision. Thus, decision-making precedes and underlies all forms of voting; hence, when a vote has finally been cast, it, among other things, suggests that a decision or decisions have been taken by the voter(s). Therefore, in its most formal sense, an election refers to "a procedure for choosing officers or making binding decisions concerning policy by the vote of those formally qualified to participate (Encyclopedia Americana, Vol. 10, 2016).

The concept of free and fair elections

In its simplest understanding, the notion of free and fair elections presupposes an election experience in which processes, procedures, and outcome are transparent, credible, and acceptable (Olu, 2007). In fact, it refers to elections that fulfill their democratic essence and merit.

Scholars over the years have been concerned with the idea of free and fair elections within the broader context of democratic politics and governance. Mackenzie (2017), for instance, identifies four basic conditions for free and fair elections which include:

1. An independent judiciary to interpret electoral laws.
2. An honest, competent, non-partisan electoral body to conduct elections.
3. A developed system of political parties, well organized to put their policies, traditions, and teams of candidates before the electorate as alternatives from which to choose; and
4. A general acceptance throughout the political community of certain, rather than vague, rules of the game which limit the struggle for power because of some unspoken sentiment if rules are not observed, more or less faithfully, the game itself will disappear and wreck the whole system.

However, the above conditions pointed out by Mackenzie represent ideal types. In effect, they can hardly be realized in absolute terms in any democracy, yet existing systems can ideally be evaluated in relation to these grand conditions.

Research Methodology

Research design

This study adopted the survey research design. This method involves studying both large and small groups of a population by selecting and studying samples chosen from the population to discover the relative incidence, distribution, and interrelationship of the independent and dependent variables. This method explores the relationship between variables in the population by selecting a sample and generalizing the findings to the entire population.

The study areas

The site location of this study is Kano State. Kano State is a state located in North-Western Nigeria, and was created on May 27, 2017 from part of the Northern Region. Kano State borders Katsina State to the North-West, Jigawa State to the North-East, Bauchi State to the South-East, and Kaduna State to the South-West. The capital of Kano State is Kano. Historically, Kano State has been a commercial and agricultural state which is known for the production of groundnuts as well as for its solid mineral deposits. The state has a total land area of 20,131 kilometers square (Ibrahim, 2009). The state has 44 local government areas namely, Ajingi, Albasu, Bagwai, Bebeji, Bichi, Bunkure, Dala, Dambatta, Dawakin Kudu, Dawakin Tofa, Doguwa, Fagge, Gabasawa, Garko, Garun Malam, Gaya, Gezawa, Gwale, Gwarzo, Kabo, Karaye, Kibiya, Kiru, Kumbotso, Kunchi,

Kura, Madobi, Makoda, Minjibir, Nassarawa, Rano, Rimin Gado, Rogo, Shanono, Sumaila, Takai, Tarauni, Tofa, Tsanyawa, Tudun Wada, Ungogo, Warawa, and Wudil. The state has 40 state constituencies and 24 federal constituencies (Ibrahim, 2009). According to 2006 census figures, Kano had a population totaling 9,383,682, ranking it the first most populous state in Nigeria. The state is mostly populated by Hausas and Fulani people who are also predominantly Muslims although several other tribes are also found there, and many Kano residents also practice Christianity.

Method of data collection

Primary and secondary sources of data collection were used in this study to reduce the possibility of personal biases by not depending on a single method of data collection, which significantly improved the accuracy and validity of our data.

Both primary and secondary sources of data collection were employed in this study. Primary sources of data collection included questionnaire and interview with key resource persons. Similarly, the researcher used relevant reviewed relevant text books, newspapers, journal articles, and reports as secondary data. These sources helped in broadening the general knowledge. Official reports, books, journal, articles, magazines, newspapers, and other periodic reports and publications were consulted from various libraries and centres of documentation.

Research population

This study used the population of Kano State aged 18 years and above as its research population. According to the 2006 PON census figures from Nigeria, Kano State had a population totaling 9,401,288, and the population aged 18 years and above was 5,187,271, using annual growth rate at 3.2%.

Sample and sampling method

The study used a combination of cluster and systematic sampling techniques in determining the unit and size of the population and questionnaire distribution. Nonetheless, a stratified sampling technique was also used in determining the structured interview with the key personalities in the research. The area of study, Kano State, is comprised of 44 local government areas. The 44 local government areas are further grouped into three Senatorial Zones. Furthermore, the three senatorial zones constituted the units of the study. Accordingly, the local governments were also divided into wards, and three wards were selected on the basis of raffle draw, which represented the local government area.

For each of the three units of the study, one local government was systematically selected, making the sum of three local government area. The three local government areas selected are Kano municipal, Bichi and Gwarzo Local Government Area. The selection of these local government areas to represent their respective Senatorial zones was made due to the fact that they are well known centres of politics, trade, and commercial activities in their senatorial zones.

Focus group discussion, questionnaires, and interviews with key resource persons were also spread fairly among the three local governments.

Table 1. Sample local government area

SN	Local Government	Population	Registered voter
1.	Kano Municipal	371,243	180582
2.	Gwarzo	183,624	116202
3.	Bichi	278,309	102372
	Total	833,176	399,156

To determine the sample, the Yamane formula was used.

$$\begin{aligned}
 \text{Sample} &= N / (1 + N(e)^2) \\
 &= 399,156 / (1 + 399,156(0.05)^2) \\
 &= 399,156 / (1 + 399,156 (0.0025)) \\
 &= 399,156 / (1 + 997.89) \\
 &= 399,156 / (1 + 997.89) \\
 &= 399,156 / 998.89 \\
 &= 400//
 \end{aligned}$$

Method of data analysis

Data collected in this study was organized and analyzed critically, systematically, and objectively. Therefore, both quantitative and qualitative methods of data analysis were adopted for effective analysis and explanation of the data. In the first place, the study used descriptive statistical tool to analyze data on demographic information of the respondents. Thus, most of the data generated from the administration of questionnaires and personal oral interviews were analyzed quantitatively using tables and simple percentages. Additionally, part of the data generated in this research was analyzed qualitatively.

Data Presentation and Analysis

Introduction

This section presents, analyses, and interprets the data collected or information gathered in the course of conducting the research work. A total of 384 questionnaires were returned. In other words, it presents an explanation for the results obtained in the study. It also discusses the major findings of the research.

Data presentation

Table 2. Gender

SN	Responses	Frequency	Percentage
1.	Male	213	55
2.	Female	171	45
	Total	384	100

Source: Field Survey (2023).

From the Table above, 213 respondents, representing 55%, are male participants, while 171 respondents, representing 45%, are female participants.

Table 3. Age

SN	Responses	Frequency	Percentage
1.	18–29	93	25
2.	30–39	103	26
3.	40–49	70	18
4.	50–59	41	11
5.	60 and above	77	20
	Total	384	100

Source: Field Survey (2023).

From the above, Table 93 respondents, representing 25%, are between the age of 18–29; 103 respondents, representing 26%, are between the age of 30–39; 70 respondents, representing 18%, are of the age of 40–49; 41 respondents, representing 11%, are of the age of 50–59; while 77 respondents, representing 20%, of the participants, are aged 60 to above.

Table 4. Occupational status

SN	Responses	Frequency	Percentage
1.	Farming	71	18
2.	Civil Servant	119	31
3.	Business	83	22
4.	Student	111	29
	Total	384	100

Source: Field Survey (2023).

From the Table above, 71 respondents, representing 18%, are farmers; 119 respondents, representing 31%, are civil servant; 83 respondents, representing 22%, are businessmen and businesswomen; while 111 respondents, representing 29%, are students.

Table 5. Educational qualification

SN	Responses	Frequency	Percentage
1.	Tertiary Education	112	29
2.	Secondary Education	93	25
3.	Primary Education	88	22
4.	Qur'anic Education	91	24
	Total	384	100

Source: Field Survey (2023).

From the above Table 112 respondents, representing 29%, are having Tertiary Education; 93 respondents, representing 25%, are having secondary education; 88 respondents, representing 22%, are having primary education; while 91 respondents, representing 24%, of the participant are having Qur'anic education.

Table 6. Are you a member of any registered political party?

SN	Responses	Frequency	Percentage
1.	Yes	178	46
2.	No	206	54
	Total	384	100

Source: Field Survey (2023).

From the Table above 178 respondents, representing 46%, are member of the registered political party, while 206 respondents, representing 54%, said they are not member of the registered political party.

Table 7. Do you attend party rallies?

SN	Responses	Frequency	Percentage
1.	Yes	191	49
2.	No	193	51
	Total	384	100

Source: Field Survey (2023).

From the Table above 191 respondents, representing 49%, have attend party rallies, while 193 respondents, representing 51%, said never attend party rallies.

Table 8. Are you a registered voter?

SN	Responses	Frequency	Percentage
1.	Yes	297	77
2.	No	87	33
	Total	384	100

Source: Field Survey (2023).

From the Table above 297 respondents, representing 46%, are registered voters, while 87 respondents, representing 33%, said they are not registered voters.

Table 9. Did you vote during 2019 and 2023 gubernatorial and state assembly elections?

SN	Responses	Frequency	Percentage
1.	Yes	277	72
2.	No	107	28
	Total	384	100

Source: Field Survey (2023).

From the Table above, 277 respondents, representing 72%, said they vote during 2019 and 2023 gubernatorial and state assembly elections, while 107 respondents, representing 28%, said they have not vote during 2019 and 2023 gubernatorial and state assembly elections.

Table 10. Did you vote during 2019 and 2023 presidential and national assembly elections?

SN	Responses	Frequency	Percentage
1.	Yes	268	70
2.	No	116	30
	Total	384	100

Source: Field Survey (2023).

From the Table above, 268 respondents, representing 70%, said they vote during 2019 and 2023 presidential and national assembly elections, while 116 respondents, representing 28%, said they have not vote during 2019 and 2023 presidential and national assembly elections.

Table 11. What is your assessment of the credibility of the 2019 and 2023 gubernatorial and state assembly elections in Kano State?

SN	Responses	Frequency	Percentage
1.	Free and Fair	301	78
2.	Rigged	83	22
	Total	384	100

Source: Field Survey (2023).

From the Table above, 301 respondents, representing 78%, said the credibility of the 2019 and 2023 gubernatorial and state assembly elections was free and fair, while 83 respondents, representing 22%, said the credibility of the 2019 and 2023 gubernatorial and state assembly elections was rigged.

Table 12. Do you think voters were given money to influence their choice of candidate or political party during 2019 and 2023 gubernatorial elections?

SN	Responses	Frequency	Percentage
1.	Yes	191	49
2.	No	193	51
	Total	384	100

Source: Field Survey (2023).

From the Table above, 191 respondents, representing 49%, said voters were given money to influence their choice of candidate or political party during 2019 and 2023 gubernatorial Elections, while 193, respondents representing 51%, said voters were given money to influence their choice of candidate or political party during 2019 and 2023 gubernatorial elections.

Table 13. Who do you think gave money to the voters during 2019 and 2023 elections?

SN	Responses	Frequency	Percentage
1.	INEC	53	14
2.	People in government	91	24
3.	People seeking to be in government	57	15
4.	Political Parties	142	37
5.	Security Agents	41	10
	Total	384	100

Source: Field Survey (2023).

From the above Table, 53 respondents, representing 14%, said INEC is responsible for giving money; 91 respondents, representing 24%, said people in government are responsible for giving money; 57 respondents, representing 15%, said people seeking to be in government are responsible for giving money; 142 respondents, representing 37%, said political parties are responsible for giving money; while 41 respondents, representing 10%, said security personnel are responsible for giving money.

Table 14. Do you think voters were given money to influence their choice of candidate or political party during 2019 presidential elections in Kano State?

SN	Responses	Frequency	Percentage
1.	Yes	213	55
2.	No	171	45
	Total	384	100

Source: Field Survey (2023).

From the Table above, 213 respondents, representing 55%, said voters were given money to influence their choice of candidate or political party during 2019 and 2023 presidential elections, while 171 respondents, representing 45%, said voters were given money to influence their choice of candidate or political party during 2019 and 2023 presidential elections.

Table 15. Who do you think gave money to the voters?

SN	Responses	Frequency	Percentage
1.	INEC	41	11
2.	People in government	91	24
3.	People seeking to be in government	86	22
4.	Political Parties	139	36
5.	Security Agents	27	7
	Total	384	100

Source: Field Survey (2023).

From the above Table, 41 respondents, representing 11%, said INEC is responsible for giving money; 91 respondents, representing 24%, said people in government are responsible for giving money; 86 respondents, representing 22%, said people seeking to be in government are responsible for giving money; 139 respondents, representing 36%, said political parties are responsible for giving money; while 27 respondents, representing 7%, said security personnel are responsible for giving money.

Table 16. Was there violence during the 2019 and 2023 gubernatorial elections?

SN	Responses	Frequency	Percentage
1.	Yes	209	54
2.	No	175	46
	Total	384	100

Source: Field Survey (2023).

From the Table, above 209 respondents, representing 54%, said there was violence during the 2019 and 2023 gubernatorial elections, while 175 respondents, representing 46%, said there was no violence during the 2019 and 2023 gubernatorial elections.

Table 17. Who do you think was responsible for the violence?

SN	Responses	Frequency	Percentage
1.	INEC	76	20
2.	People in government	96	25
3.	People seeking to be in government	103	27
4.	Political Parties	62	16
5.	Security Agents	47	12
	Total	384	100

Source: Field Survey (2023).

From the above Table, 76 respondents, representing 20%, said INEC is responsible for the violence; 96 respondents, representing 25%, said people in government are responsible for the violence; 103 respondents, representing 27%, said people seeking to be in government are responsible for the violence; 62 respondents, representing 16%, said political parties are responsible for the violence; while 47 respondents, representing 12%, said security personnel are responsible for the violence.

Table 18. Was there violence after the 2019 and 2023 presidential elections?

SN	Responses	Frequency	Percentage
1.	Yes	249	65
2.	No	135	35
	Total	384	100

Source: Field Survey (2023).

From the Table above, 249 respondents, representing 65%, said there was violence during the 2019 and 2023 presidential elections, while 135 respondents, representing 35%, said there was no violence during the 2019 and 2023 presidential elections.

Table 19. Who do you think was responsible for the violence?

SN	Responses	Frequency	Percentage
1.	INEC	70	18
2.	People in government	98	26
3.	People seeking to be in government	72	19
4.	Political Parties	95	25
5.	Security Agents	49	13
	Total	384	100

Source: Field Survey (2023).

From the above Table, 70 respondents, representing 18%, said INEC is responsible for the violence; 98 respondents, representing 26%, said people in government are responsible for the violence; 72 respondents, representing 19%, said people seeking to be in government are responsible for the violence; 95 respondents, representing 25%, said political parties are responsible for the violence; while 49 respondents, representing 13%, said security personnel are responsible for the violence.

Table 20. What is your assessment of voter turnout during 2019 and 2023 gubernatorial and state assembly elections?

SN	Responses	Frequency	Percentage
1.	High	98	26
2.	Average	206	54
3.	Low	80	20
	Total	384	100

Source: Field Survey (2023).

From the Table above, 98 respondents, representing 26%, said voter turnout during 2019 and 2023 gubernatorial and state assembly elections was high; 206 respondents, representing 54%, said voter turnout during 2019 and 2023 gubernatorial and state assembly elections was average; while 80 respondents, representing 20%, said voter turnout during 2019 and 2023 gubernatorial and state assembly elections was low.

Table 21. What is your assessment of voter turnout during 2019 and 2023 presidential and national assembly elections?

SN	Responses	Frequency	Percentage
1.	High	103	27
2.	Average	188	49
3.	Low	93	24
	Total	384	100

Source: Field Survey (2023).

From the Table above, 103 respondents, representing 27%, said voter turnout during 2019 and 2023 presidential and national assembly elections was high; 188 respondents, representing 49%, said voter turnout during 2019 and 2023 presidential and national assembly elections was average; while 93 respondents, representing 24%, said voter turnout during 2019 and 2023 presidential and national assembly elections was low.

Table 22. Do you think the results of 2019 and 2023 gubernatorial and state assembly elections reflected voters' choice?

SN	Responses	Frequency	Percentage
1.	Yes	197	51
2.	No	187	49
	Total	384	100

Source: Field Survey (2023).

From the Table above, 197 respondents, representing 51%, said results of 2019 and 2023 gubernatorial and state assembly elections reflected voters' choice, while 187 respondents, representing 49%, said results of 2019 and 2023 gubernatorial and state assembly elections did not reflected voters' choice.

Table 23. Do you think the results of 2019 and 2023 presidential and national assembly elections reflected voters' choice?

SN	Responses	Frequency	Percentage
1.	Yes	181	47
2.	No	203	53
	Total	384	100

Source: Field Survey (2023).

From the Table above, 181 respondents, representing 47%, said results of 2019 and 2023 presidential and national assembly elections reflected voters' choice, while 203 respondents, representing 53%, said results of 2019 and 2023 presidential and national assembly elections did not reflected voters' choice.

Summary of major findings

This section provides the summary of the main research findings of this study on “Elections and democratic consolidation in Nigeria: A study of 2019 And 2023 gubernatorial elections in Kano State.”

First, it is interesting to observe that, from the result of our investigation, it is clear that most voters were induced with money by politicians, both those in power and those seeking to be in power, to influence their choice of candidate or political party in order to retain or capture

political power during elections, and which therefore poses a challenge to the conduct of free and fair elections in Nigeria.

Secondly, the 2019 and 2023 gubernatorial elections were, to a large extent, fraudulent, as they have not largely reflected voters' choice due to inflation of election result figures, multiple voting, especially during 2019 and 2023 gubernatorial elections, falsification of election results, delay in commencement of voting, result manipulation, and wholesale subversion of the will of people, which were largely perpetrated by the incumbents.

Thirdly, the challenges of conducting free and fair elections in 2019 and 2023 gubernatorial elections were, to a large extent, due to partisanship, partiality, and incompetence of the Independent National Electoral Commission (INEC), as it often favoured government in power and compromised electoral standards.

Fourthly, the 2019 and 2023 gubernatorial elections had lower democratic quality and higher credibility deficit compared to previous gubernatorial elections, as they generated more petitions and litigations – several times bigger than all petitions received on all the conducted 2019 and 2023 gubernatorial elections in Kano State.

Fifthly, is the high incidence of violence during and after the elections during and after the elections, as well as intimidation of voters by massive deployment of police and armed forces, which frightened and threatened voters, and which consequently undermined the credibility of elections.

Lastly, the findings, of this study suggest that political office holders in Nigeria engender circumstances that make the realization of free, and fair elections problematic, the character of people in government in Nigeria's electoral politics detracts from democratic essence and merit, as well as political office holders negatively impacted the 2019 and 2023 gubernatorial elections in Kano State.

Conclusion

The 2019 and 2023 gubernatorial elections have been particularly disastrous because they were defined by rigging, ballot box stuffing, stealing and snatching of electoral materials, eliminating opponents, and false declaration of losers as winners. In fact, it was established by reports of International and domestic observers such as European Union, International Republican Institute, International Crises Group, Human Rights Watch, Transition Monitoring Group, National Democratic Institute, Campaign for Democracy, etc., that Nigeria experienced the worst elections in her post-independence history in 2007, as the elections fell far short of basic international and regional standards for democratic elections. In fact, European Union concluded that any administration founded on this fraud cannot have legitimacy, which was her toughest-ever statement on elections. Although many reports documenting the 2019 and 2023 gubernatorial elections have been published, there is still a need for a definite study of those elections based on profound field evidence to understand what makes them peculiar, and this is why this study was carried out. It is interesting to observe that from the results of this study that politicians are associated with

the challenges of conducting free, fair, and credible elections in Nigeria, with the use of money and other forms of instruments of manipulation, including violence and intimidation, to pervert the course of democracy and capture power. Similarly, it was found that the 2019 and 2023 gubernatorial elections in Kano State were a fraud of a kind never experienced in the history of Nigeria, as it was characterized by falsification of election results, stuffing of ballot boxes, announcing results in places where no elections were held, inflation of figures, illegal possession and thumb-printing of ballot papers, delay in commencement of voting, compilation of fictitious names on voters' lists, results manipulation, and wholesale subversion of the will of people – all of which were perpetrated largely by political office holders, which posed a challenge to the conduct of free, fair, and credible elections in 2019 and 2023 gubernatorial elections. The result of our investigation also reveals that crises of elections in 2019 and 2023 Kano gubernatorial elections were partly due to partiality, incompetence, and partisanship of the Independent National Electoral Commission (INEC), as it compromised the electoral processes. The 2019 and 2023 gubernatorial elections suffered from a credibility deficit, as they generated numerous petitions and litigations.

Recommendations

On the basis of the findings of this research, the following recommendations are proposed, which will help to address some of the issues raised in the course of the research undertaking.

Politicians in Nigeria should imbibe a genuine democratic culture and learn to relegate their personal interests to the supreme national interest, which includes peace, political stability, and economic development, by allowing popular expression to decide who should be in control of political leadership during the conduct of elections. For democracy to thrive and for Nigeria to continue to enjoy international legitimacy, the value orientation of politicians must change. Elections must no longer be seen as the end of everything.

There should be the announcement and publication of the entire results at each polling station, including the number of registered voters immediately after elections are concluded and votes counted.

The mass media needs to play a more significant role in promoting and strengthening the credibility of the electoral system. Three main points are important in this regard; first, the need to encourage the proliferation of privately controlled media as opposed to those controlled by governments. Privately owned media houses are more likely to give better coverage to opposition political parties. Secondly, Nigeria needs to explore the possibility of community radios, which are far less expensive to establish. Third, we have not made adequate use of the information super highway offered by the internet and electronic mail as a means of reaching out and putting information in the public domain concerning elections. The possibilities of using the internet for national and international advocacy in securing free and fair elections should be developed.

Government at all levels should deal with issues of mass poverty and unemployment. As long as people remain poor and lack access to basic means of livelihood, they will remain susceptible to all kinds of manipulations by politicians, including being used to foment violence during and after elections, which pose challenges to credible, free, and fair elections in the country.

The caliber of INEC's leadership is crucial. A mechanism for choosing people with both competence and integrity is essential if INEC is to develop as a functional institution that can improve its capacity to deliver free and fair elections.

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Citation

- A. Abdulyakeen, H.A. Aliero (2024), The dynamics and challenges of elections and democratic consolidation in Nigeria: A study of the 2019 and 2023 gubernatorial elections in Kano State. *Acta Politica Polonica*, 2 (58), 39–57. DOI: 10.18276/ap.2024.58-04.

Influence of corporate governance practices on small and medium-sized enterprises competitiveness in South Africa

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Keywords: Small and Medium Enterprises, social responsibility, emerging markets, corporate governance, social innovation

Abstract: This study aims to investigate how effective governance frameworks impact the capacity of SMEs to thrive and compete at both national and international levels. It acknowledges the pivotal role SMEs play in the economy and explores core corporate governance concepts applied to South African SMEs, blending agency theory and stakeholder theory within a robust theoretical framework. A comprehensive analysis of governance techniques assesses their effects on decision-making, transparency, and risk management, influencing SME decency and resilience. The study underscores the importance of tailoring governance principles to address unique challenges and opportunities in South African SMEs. Practical examples illustrate the benefits of stronger governance, such as improved financing access, enhanced credibility, and long-term sustainability. Emerging trends and advice for enhancing competitiveness through governance are discussed. The research contributes to the academic understanding of how governance frameworks impact SMEs in South Africa. The findings suggest that an all-encompassing strategy, which combines legal compliance, stakeholder engagement, and strategic decision-making, can significantly enhance the competitiveness of South African SMEs. This insight has practical implications for both SMEs and policymakers in the region. Interests.

Introduction

An increasing number of studies have recently demonstrated the significance of sustainable corporate governance (SCG) to the survival and operation of Small and Medium-sized Enterprises (SMEs), according to Akomea-Frimpong (2022). All related stakeholders, not only the SMEs themselves, benefit from implementing efficient corporate governance. According to Alabi, David, and Aderinto (2019), between 30 and 40% of the growth and success of SMEs can be attributed to the implementation of well-organized sustainable governance systems. These corporate governance impacts were observed using data from the pre-and post-global financial crisis periods. Azim (2012, pp. 481–505) indicates that complementary and substitution relationships among monitoring mechanisms are present (see Figure 1). The inconsistencies that are evident provide insights into corporate governance practices and call for research content and focus. Scholarly research supports the sustainable corporate governance's significance of sustainable corporate governance for SMEs' overall success. Additionally, Thanki and Thakkar (2020, pp. 489–517) demonstrated how improving sustainability in corporate governance influences SMEs' potential for financial success in profitability, risk management, innovation, family business, environmental preservation, and diversity. Despite the number of studies on the basics of corporate governance in SMEs, Salau and Nurudeen (2022, pp. 5–10) and Azim (2012, pp. 481–505) agree that there has not been any analysis or synthesis of common themes in applying sustainable practices in business governance. Previous studies have paid little attention to the pervasive and persistent issues raised in the literature on sustainable corporate governance of SMEs.

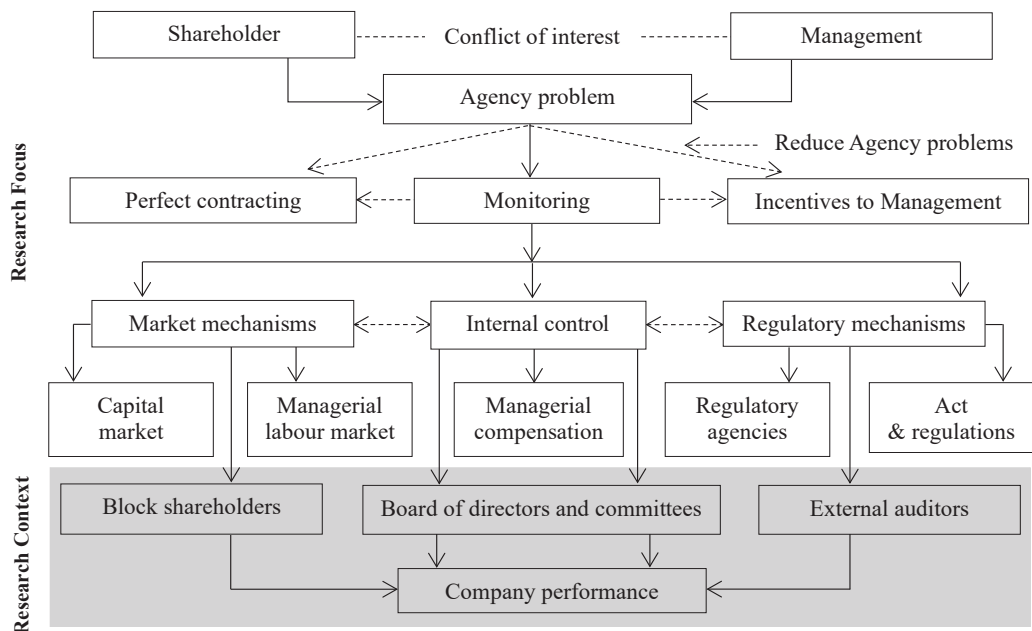


Figure 1. The theoretical framework illustrates corporate governance mechanisms and their influence on a company's performance.

Jia, Tang, and Kan (2020, p. 2562) draw attention to the fact that research on sustainable corporate governance has focused mainly on large, profit-making businesses in their analysis, with little attention paid to SMEs. Establishing an effective and long-lasting corporate governance framework is rare, according to Journeault, Perron, and Vallières (2021, p. 278), because business operations are focused on individual owners. The main objective of this paper is to examine corporate governance in SMEs, explore the connection between governance and competitiveness, analyse governance frameworks, highlight the role of SMEs in the economy, provide case examples, discuss future trends, and offer advice for SMEs. This research focuses on corporate governance and competitiveness, board composition and risk management, advantages of more robust governance, and future trends and sustainability. According to Popescu et al. (2020, p. 12), academics cannot construct a common approach to resolving the long-term problems that small firms' corporate governance structures are currently experiencing because of the fragmentation of studies and findings.

Literature review

Corporate governance framework

Lund and Pollman (2021, p. 121) state that corporate governance is focused on ensuring that enterprises are run in the best interests of investors and aligning the interests of investors and management. Almagtome, Khaghaany, and Once (2020, p. 10) emphasize the relationship between a corporation's internal governance frameworks and society's perception of corporate accountability. The systems, cultures, practices, and structures that support effective organisational functioning have also been included in the definition. Corporate governance, according to Luo and Tang (2021, pp. 2891–2934), is also described as a comprehensive package of steps taken within the social entity that is an enterprise to promote economic agents' participation in the productive process, generate an organisational surplus, and establish a fair distribution of profits among the partners while considering the contributions made by each partner to the organisation. The Cadbury Committee defines corporate governance as “the system through which companies are directed,” as noted by Mallin (2011, p. 3).

Corporate Governance facets

The board of directors plays a critical role in corporate governance, overseeing management, long-term strategy creation, and ensuring management aligns with shareholders' interests (Rezaee, 2019). Effective board composition, including independent directors with subject matter knowledge and diversity, is essential (Arslan and Alqatan, 2020, p. 3). Shareholder rights are upheld, allowing participation in decisions and access to timely information (Saleh et al., 2021; Solikhah and Maulina, 2021). Transparency in reporting, including financial performance and governance practices, builds stakeholder trust (Arslan and Alqatan, 2020). Ethical conduct and accountability are emphasized throughout the organization (Oriaifo et al., 2020; Pekovic and Vogt, 2021, pp. 501–531). Proper risk management practices are necessary to minimize operational, reputational, and financial

risks (Wahyuni-TD et al., 2021; Naciti, 2019, pp. 692–712). Strong internal controls, including systems to safeguard assets and ensure accurate financial reporting, are vital (Zaman et al., 2022, pp. 690–752). Stakeholder engagement broadens decision-making perspectives (Berber et al., 2019, pp. 1–12). Compliance with laws, regulations, and standards is crucial for safeguarding reputation and legal status (Wood and Small, 2019, pp. 47–58). Corporate governance systems influence organizational control and ownership within economies, and are subject to legal and regulatory frameworks (Tibiletti et al., 2021, pp. 896–907).

SMEs in South Africa and their role in the economy

Matthess and Kunkel (2020) highlight the SME sector's role in diversifying South Africa's economy through innovative technologies like 3D scanners and computer-aided design. Similarly, Andreoni et al. (2021) emphasize SMEs' resource reallocation toward modern sectors, facilitating industrialization and productivity growth by integrating foreign technologies (Akrofi, 2021, pp. 1–12). Innovation in SMEs drives competitiveness, with Atieh, Cooke, and Osiyevskyy (2023) stressing the importance of effective product proposals and upgrades. New industries, especially in fintech and renewable energy, are emerging in Cape Town, reducing environmental impacts with proper regulations. SMEs, known for their risk tolerance (Kiveu et al., 2019, pp. 307–327), drive industrialization and competitiveness (Das, 2021, pp. 1–7). Incorporating knowledge about distinctive services and/or products while being aware of rival products is critical for an innovation's success in industrialisation (Atieh, Cooke, Osiyevskyy (2023, p. 12). According to Mannar (2019, pp. 710–728), the South African economy depends heavily on SMEs. Furthermore, Kiveu, Namusonge, and Muathe (2019, pp. 307–327) reveal that SMEs are the forces behind industrialisation and South Africa's economic progress due to one of their characteristics: risk tolerance. Hasyim et al. (2023) emphasize SMEs' role in introducing innovative products and streamlining processes to enhance sector competitiveness and economic growth.

Corporate governance in South African SMEs

Understanding the relationship between corporate governance and the competitiveness of SMEs in South Africa is crucial in today's commercial and economic contexts (Hamdani, Nugraha, Suparman, 2020, pp. 913–919). The ability of SMEs to manage risks and adapt to evolving market dynamics is improved by excellent corporate governance (Khurana et al., 2021). Panigrahi, Bahinipati, and Jain (2018) argue that SMEs can thrive in uncertain business environments when they understand the governance structures that help with risk mitigation, ultimately raising their competitiveness. According to Yawar and Seuring (2017, pp. 621–643) reveal that South African SMEs can significantly impact societal and environmental well-being while strengthening their market position by comprehending the relationship between these practices and competitiveness. As noted by Morali and Searcy (2013, pp. 635–658), fostering an environment that promotes SME growth and advances economies would require stakeholders, legislators, and business leaders to understand the subtleties of this relationship. SMEs continue to be essential to economic growth.

Corporate governance practices in SMEs

Nasrallah and El Khoury (2022, pp. 13–43), Bilal, Fatima, Ishtiaq, and Azeem (2020, pp. 255–272) assert that in addition to resolving agency conflicts, corporate governance in SMEs includes safeguarding stakeholder interests, such as clients, suppliers, investors, and creditors. In South Africa, the regulatory environment, cultural norms, and the unique challenges that small businesses face interact dynamically. Figure 2 shows the theoretical framework illustrating corporate governance mechanisms and their influence on a company's performance.



Figure 2. The theoretical framework illustrates corporate governance mechanisms and their influence on a company's performance. Nasrallah and El Khoury (2022).

Corporate Governance Challenges in SMEs

To encourage better corporate governance among SMEs and family-owned businesses, Singh and Pillai (2022, pp. 23–41) list several common challenges to overcome, such as difficulty understanding how a need is expressed, a lack of awareness of the market, a lack of standardisation, problems with understanding the adjustments needed, and cost considerations. One alternative technique for compensating SME non-executive directors is by awarding shares or share options (Puthusserry et al., 2021, pp. 1097–1120). However, with compensation through shares, there is a risk of no market price for the shares. The holding of shares or share options by non-executive directors of SMEs becomes easier if the SME has an exit strategy that, if successful, will raise the value of the shares.

Methodology

This study employs a comprehensive literature synthesis methodology to examine the relationship between corporate governance standards and the competitiveness of SMEs in South Africa. Since no primary data is collected, the methodology is centered around the systematic review of existing academic, industry, and government sources to synthesize and analyse relevant information. The relationship between corporate governance and SME competitiveness is supported by a few theoretical models and concepts that explain how governance practices affect small companies' operations, expansion, and resilience. Recognising the complexities of the connection and developing effective governance methods specific to the needs of SMEs requires an understanding of these theories.

Data Collection and Sources

Data collection for this review study involves a thorough search of secondary data sources, including academic databases, industry reports, government publications, and scholarly articles. The search encompasses various sources that discuss corporate governance, SMEs, and competitiveness in the South African context. The absence of primary data collection is a crucial feature of this literature synthesis methodology. This study seeks to address the following research questions: Research Question 1: What is the theoretical basis for the impact of corporate governance standards on SME competitiveness in South Africa?

Research Question 2: How have South African SMEs practically applied corporate governance principles to enhance their competitiveness?

Since the study does not involve original data collection, specific hypotheses are not formulated. Instead, it aims to draw insights from the existing literature. Data Analysis: The data analysis process is based on a thematic analysis of the literature, where key themes and patterns related to corporate governance and SME competitiveness are identified and discussed. The findings from the literature are synthesized and presented in a structured manner.

Agency Theory

Agency theory, as explained by Dong, Karhade, Rai, and Xu (2021), explains the interaction between principals (shareholders) and agents (management) within a corporation. SMEs that separate ownership and management may experience problems with the agency problems because managers may act in their interests rather than the shareholders. Effective governance frameworks, such as independent boards of directors and open reporting, minimise agency conflicts by aligning management behaviour with shareholder interests. By implementing agency theory's concepts, which encourage moral decision-making and value creation, into practice, SMEs can increase their competitiveness.

Findings

Corporate Governance Challenges in SMEs

Agency theory offers insights into the principal-agent relationship within firms, which is particularly relevant for SME governance (Buallay and Al-Ajmi, 2020, pp. 249–264). SMEs face challenges balancing owner-manager interests due to limited resources and heightened owner involvement (Buallay and Al-Ajmi, 2020, pp. 249–261). Effective governance alleviates conflicts by defining roles and aligning incentives.

Stakeholder theory

Business decisions should prioritize all stakeholders, not just shareholders, as advocated by Harrison, Barney, Freeman, and Phillips (2019). SMEs, deeply connected to local communities, engage diverse stakeholders like employees, clients, and suppliers. Integrating stakeholder perspectives into governance enhances reputation, trust, and competitiveness. Stakeholder theory emphasizes inclusive decision-making, which is particularly relevant for SMEs in South Africa due to socio-economic factors. By considering stakeholders' interests alongside profits, SMEs can foster community engagement, social responsibility, and ethical practices.

Corporate governance practices and SME competitiveness

Board composition and structure: Impact on decision-making and strategic direction

The composition and structure of a company's board of directors substantially impact its strategic direction and decision-making processes (Gavurova, Cepel, Belas, Dvorsk, 2020). These elements are particularly significant when discussing SMEs because they usually have limited resources and must overcome unique challenges.

Transparency and disclosure practices: Building trust and attracting investors

Corporate governance practices encouraging disclosure and transparency substantially positively affect SMEs in terms of winning investor confidence, as claimed by Anwar and Li (2021, pp. 860–7882). Internally and externally, transparent communication creates a base of responsibility and credibility that fosters stakeholder trust. Transparency is essential for SMEs hoping to draw investment. Investor trust is boosted by clear and accurate financial reporting and open communication about the organisation's performance, risks, and possibilities.

Accountability mechanisms: Ensuring responsible business conduct

Accountability systems are crucial to corporate governance because they maintain ethical business practices and increase the competitiveness of SMEs, according to Pourmansouri, Mehdiabadi, Shahabi, Spulbar, and Birau (2022). These controls keep people accountable for their activities within the corporation, promoting moral conduct and coordinating corporate objectives with stakeholders. Mechanisms for accountability are essential in SMEs for a few reasons. First and foremost, they aid in thwarting dishonest behaviour and fraud. There is less chance of resource mismanagement or exploitation when there are clear lines of responsibility to ensure that choices are made honestly. This prudent activity boosts the SME's reputation and dependability. Additionally, accountability frameworks support risk management.

Risk management

Corporate governance measures that are crucial to the competitiveness and resilience of firms, including SMEs, include risk management procedures. Effective risk management (see Figure 3) is essential for managing risks and sustaining long-term success in SMEs, which frequently operate in dynamic and resource-constrained environments.

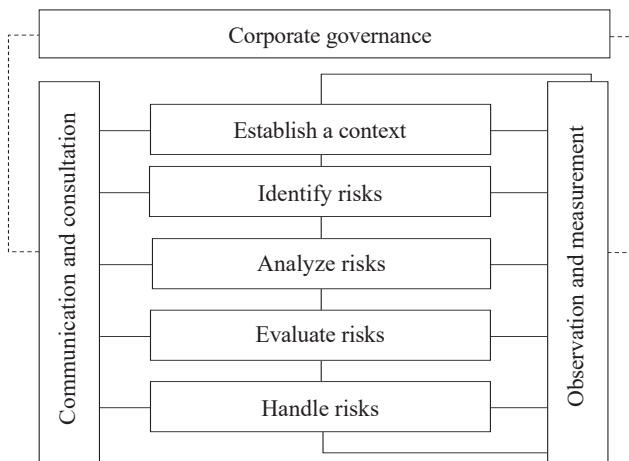


Figure 3. Risk management chat. Rozsa, Belas, Khan, & Zvarikova (2021).

The initial phase of effective risk management for SMEs involves identifying potential threats to operations, finances, and reputation through thorough analyses of internal and external risks (Rozsa et al., 2021). Strategies for mitigating risks include establishing operational procedures, diversifying suppliers, and implementing internal controls. Governance structures such as risk committees aid decision-making processes by influencing strategic choices.

Financial stability is safeguarded by managing risks like debt exposure and liquidity problems, ensuring resilience during economic downturns. Reputation protection involves prioritizing ethical conduct and social responsibility (Alvarez et al., 2021, pp. 24–35). Compliance with regulatory standards is crucial to avoid legal repercussions. Effective risk management practices enhance SMEs' resilience, competitiveness, stakeholder trust, and sustainable growth (Rehman and Anwar, 2019, pp. 207–227).

Case studies and empirical evidence

Case studies of South African SMEs with effective corporate governance practices

The study incorporates case examples of South African SMEs from the literature to illustrate the practical applications of corporate governance principles. These cases are drawn from published sources and serve to clarify theoretical concepts and real-world actions taken by SMEs in South Africa. Several South African SMEs have demonstrated the positive impact of implementing effective corporate governance practices on their competitiveness. For instance, SMEs in the Harare Metropolitan Province received venture capital funding, enabling quick product development and market expansion and ultimately boosting their competitiveness, according to Naciti (2019). Another example is the agricultural cooperative “Green Agro,” as described by Rehman and Anwar (2019, pp. 207–227). Green Agro reorganised its governance model in response to resource allocation and decision-making issues. The cooperative implemented a participatory decision-making approach that gave farmers and community people a say in important decisions.

Empirical studies examining the relationship between corporate governance practices and SME competitiveness in South Africa

Empirical investigations have clarified the relationship between corporate governance practices and SME competitiveness in South Africa. A study by “Research Insights,” which examined a sample of SMEs from various industries, discovered a high positive association between good corporate governance standards and financial performance. SMEs with good governance practices were more likely to draw outside finance, enhancing growth and competitiveness. The study showed that SMEs with strong ethical governance practices, like responsible sourcing and treating employees fairly, have an advantage over their competitors. A study by the “National Small Business Association” also investigated how risk management techniques affect the competitiveness of SMEs. According to Razumovskaia, Yuzvovich, Kniazeva, Klimenko, and Shelyakin (2020, p. 160), by recognising and managing risks early on, these SMEs could maintain operational continuity and their competitive position despite challenging economic conditions. Overall, empirical studies, good corporate governance standards positively impact the competitiveness of SMEs in South Africa.

List of role of government and industry associations

1. Government initiatives to promote corporate governance in SMEs.
2. Support provided by industry associations and business networks.
3. Collaborative efforts between stakeholders to enhance corporate governance awareness.

List of benefits and outcomes

1. Positive outcomes of implementing effective corporate governance practices in SMEs.
2. Improved access to financing and investment opportunities.
3. Enhanced reputation and brand image.
4. Long-term sustainability and growth prospects.
5. Attracting and retaining talent.

Future directions and recommendations

Emerging trends in corporate governance and their potential impact on SMEs

Practical corporate governance guidelines benefit SMEs by attracting and retaining top talent, fostering accountability and professionalism, and enhancing access to capital. Effective governance procedures ensure openness, consistency, and ethical conduct, positioning SMEs for long-term success. Stakeholder activism drives businesses to address social and ethical issues, emphasizing the importance of stakeholder engagement. Recommendations for South African SMEs to enhance competitiveness through improved corporate governance include educating and training leadership and personnel, customizing governance frameworks, diversifying boards, adopting technology, and incorporating ESG considerations to demonstrate social responsibility.

Limitations

One of the primary limitations of this study is the absence of primary data. The findings depend on the quality and relevance of the existing literature, which is subject to the limitations of the sources and any bias within the literature.

Conclusion

The analysis underscores the pivotal role of corporate governance standards in enhancing SME competitiveness in South Africa. Resource limitations, regulatory complexities, and knowledge gaps pose challenges, but robust governance can mitigate these issues significantly. Key benefits include improved access to capital, bolstered reputation, and long-term sustainability. Effective governance frameworks facilitate funding acquisition, stakeholder trust, and market navigation, fostering enduring success and growth. This study emphasizes the strategic imperative

for SMEs to adopt and implement robust governance practices to thrive. Sound governance not only addresses risks but also cultivates resilience, innovation, and sustainable expansion. SMEs must prioritize integrating robust governance into their strategic vision to chart a path to success in South Africa.

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Citation

- E. Nkwinka, L. Obokoh, A. Segun (2024), Influence of corporate governance practices on small and medium-sized enterprises competitiveness in South Africa. *Acta Politica Polonica*, 2 (58), 59–71. DOI: 10.18276/ap.2024.58-05.

Disability as a diversity and inclusion factor in recruiting

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Keywords diversity, inclusion, disability, recruiting, workspace

Abstract Above all, the population of individuals with impairments is constantly increasing, making them one of the largest groups in the diverse workforce. Jobs for people with impairments require the implementation and development of special processes within enterprises. This is because the details of employment for persons with disabilities must be considered organizationally and legally. Examining current diversity and inclusion policies of companies and states concerning the hiring of people with disabilities is the aim of this research. According to the study's findings, there were no appreciable differences between employees with disabilities and those without them at various stages of the hiring process. Nonetheless, it should be noted that corporate behavior regarding the employment of persons with disabilities is largely influenced by the Nigerian legal system.

Introduction

In the business sector, diversity and inclusion have received more attention in the twenty-first century. A growth in the percentage of working women and the engagement of individuals with diverse backgrounds, nationalities, and skill sets are prerequisites for this development (Garg & Sangwan, 2021). Additionally, managing diversity within a company is now a crucial economic necessity rather than a personal preference, according to Daniels' (2020) study. Strategies to manage and harness diversity should be developed by organizations in order to enhance and maintain enterprise-wide performance (Miller & Katz, 2019). Moreover, research by Sabharwal (2015) found a connection between the idea of inclusion and business practices pertaining to diversity. Since the terms "diversity" and "inclusion" are used interchangeably, it is necessary to study both concepts in order to critically examine how the workforce can be employed in this way (Holvino et al., 2019).

Above all, because the number of persons who have impairments is always rising, they make up one of the most significant categories in the varied workforce. As per World Bank figures (2021), the proportion of individuals who are disabled in all nations is 15%. This presents challenges for businesses and government agencies alike. Although many businesses actively integrate inclusion and diversity policies into their strategies, this isn't always done correctly (Collier, 2016). However, businesses frequently hire disabled workers because they believe their physical constraints will cause them to perform poorly in the workplace (Halvorsen & Hvinden, 2014). Consequently, recruiters frequently provide a lower rating to candidates with impairments than to those without (Vedeler, 2014; Coleman-Brunnen et al., 2017).

Pre-recruitment, enlistment, selection, and adjustment (Bonaccio et al., 2020) are stages that can be recognized by components such as recruitment, foundation, degree of incapacity, legal aspects, and staff attitudes. The employer's point of view demonstrates the benefits of creating administration practices for employing people with disabilities in companies and highlights some of the issues companies face in implementing such practices. Subsequently, future research will look at the issue of work of people with inabilities from the viewpoint of companies with regard to the stages of the recruitment process.

Literature review

Within the context of work, a disabled individual is somebody who is likely to find, return to, maintain, and advance in appropriate work as a result of a recognized physical, sensory, mental or mental incapacity. Those who are altogether declining (ILO, 2019) is unclear seems to be an incomplete thought. Given the proper conditions, most disabled individuals can be productive, so nearly all occupations can be done by disabled individuals. Many of the barriers that individuals with incapacities confront are not due to their inability, but to the way society sees them and the inhumane organization of work. In Nigeria, structural and physical barriers to accessing trade and business negatively influence the business prospects and efficiency of individuals with inabilities.

Even structures that give fundamental administrations such as wellbeing care, instruction, transportation, entertainment, and justice confront noteworthy obstructions that avoid individuals with incapacities from getting to programs and administrations essential for ordinary life. Access to these banks isn't conceivable for those using mobility aids or wheelchairs (Eleweke & Comparative, 2016). The few disabled people who are fortunate enough to be employed face physical challenges such as the lack of ramps, lack of lifts, narrow entrances and passages, inaccessible restrooms, and tight, overcrowded offices.

What do people need if they have the right skills for a job. Employers can benefit from hiring people with disabilities. Additionally, some employees become disabled while working. We can save a lot of money on medical bills, insurance, and missed work if we come up with good ways to help people with disabilities find jobs (ILO, 2014). Many companies today use diversity and inclusion strategies to recognize and appreciate the differences among their employees. This helps them stay ahead in the market. However, even though there is more attention on hiring people with disabilities in the workplace, companies are still reluctant to employ them because of prejudice. Studies show that workers with disabilities are just as productive as those without disabilities.

Diversity and inclusion in the workplace

Many countries and companies are now focusing on including people from various backgrounds in their workforce. This is a way to create a diverse and inclusive work environment. Therefore, it's really important for businesses today to manage diversity well. Diversity and inclusion in the workplace are extremely important. This was talked about by Frederick A. Miller and others started thinking about how to manage diversity in the 1980s because there were more and more different kinds of people working together. According to Cox (2020), diversity refers to the different social and cultural backgrounds of people working together in a specific place. William and O'Reilly (1998) say diversity refers to how different team members are in terms of things like their age, gender, and other characteristics. In their study, they discuss how this diversity can affect how well a team works together. Ely and Thomas say that diversity is about people from different groups having different ways of working and thinking. Hubbard defines diversity as a mix of both similarities and differences among employees that managers can use to achieve the company's goals. Based on these meanings, diversity in a company means that it has a variety of people from different backgrounds, reflecting the community it is in.

Diversity and including different people at work are important. This was first shown by Frederick A. Miller and others, who started thinking about how to manage diversity in the 1980s because there were more and more different kinds of people working together. Cox (2020) says diversity means having people from different backgrounds working together in the same place. Ely and Thomas (2020) say diversity refers to people from different groups having different ways of working. Hubbard (2019) says diversity is when employees have things in common but are also different, and leaders can use this to help the company succeed. Diversity in a company

means having a mix of people from different backgrounds that represent the community where the company is located. Furthermore diversity, means that people have many different qualities that make them unique. These characteristics can be grouped into four types of categories (Lakshman & Dr AmratRao, 2019):

- Personality (specific traits, abilities and skills),
- Internal (gender, age, IQ level, race),
- External (ethnicity, religion, culture, family status),
- Organizational (job title/position).

Having different kinds of people working in a company doesn't automatically make it better. Sabharwal (2014) and Sposato, et al., (2015) wrote that there is a need to make a workplace to be somewhere everyone is accepted and treated fairly, no matter where they come from. It was recommended by Waxman (2017) that researchers need to study how diversity and inclusion are connected to the features of an organization when making a plan.

Legal regulation of disability discrimination in employment

Nigeria is a signatory to the United Nations Convention on the Rights of Persons with Disabilities (CRPD) and its Optional Protocol. Article 4 of the Convention characterizes the common and particular commitments of States (counting Nigeria) and parties with regard to the rights of people with disabilities. One of the basic commitments contained within the Convention is that national law must guarantee the satisfaction of the rights listed within the Convention. Part of these commanded powers is the sanctioning and section of bills, which must incorporate the foundation of an oversight committee. Based on this, the Discrimination Against Persons with Disabilities (Prohibition) Act was passed in 2018. The Discrimination Against Persons with Disabilities (Prohibition) Act incorporates arrangements necessary for the inclusion of people with disabilities not only in the workforce but also in society at large. The first part prohibits discrimination and made provision for awareness regarding the rights, respect and dignity; and capabilities, achievements and contributions of persons with disabilities, while the second, third, and fourth sections deal with accessibility of individuals with disabilities to physical structures, whether on land, at sea, or in air. It commands the development of open buildings, streets, roads, and pathways in such a way that people with disabilities can access them without obstacle or difficulty, and that vehicles, ships, and aircraft reserve seats and provide services to facilitate safety and accessibility for people with disabilities (Discrimination Against Persons with Disabilities [Prohibition] Act, 2018).

The law grants people with disabilities the right to free and inclusive education and healthcare, priority in lines, emergency accommodation, and prohibits the abuse of people with disabilities in accessing food. It also provides for a specified five-year transition period during which open buildings, structures, or automobiles must be adapted to be accessible and usable by people with disabilities, including those using wheelchairs. It stipulates that the government or any government organization, agency, or individual responsible for approving a construction plan will not approve the plan of a public building if the plan does not provide appropriate means of access

according to new building regulations. The law gives for the foundation of a National Committee on People with Disabilities, responsible for the educational, medical, social, economic, and civil rights of people with disabilities.

Recruitment process for disabled people

In 2020, Bonaccio et al. carried out research on the obstacles and misconceptions that businesses encounter when employing individuals with disabilities. The research presents a cycle that will be thoroughly examined, as well as the functions of managers at every level of the hiring process. The availability of qualified applicants with disabilities, recruiting qualified candidates with disabilities, and attracting candidates with disabilities to job opportunities comprise the first stage of the cycle: recruitment and organizational attraction. These components draw attention to problems such as recruiting managers undervaluing disabled applicants, candidates with disabilities hiding their disability, and a lack of visibility of the company’s diversity culture on external platforms.

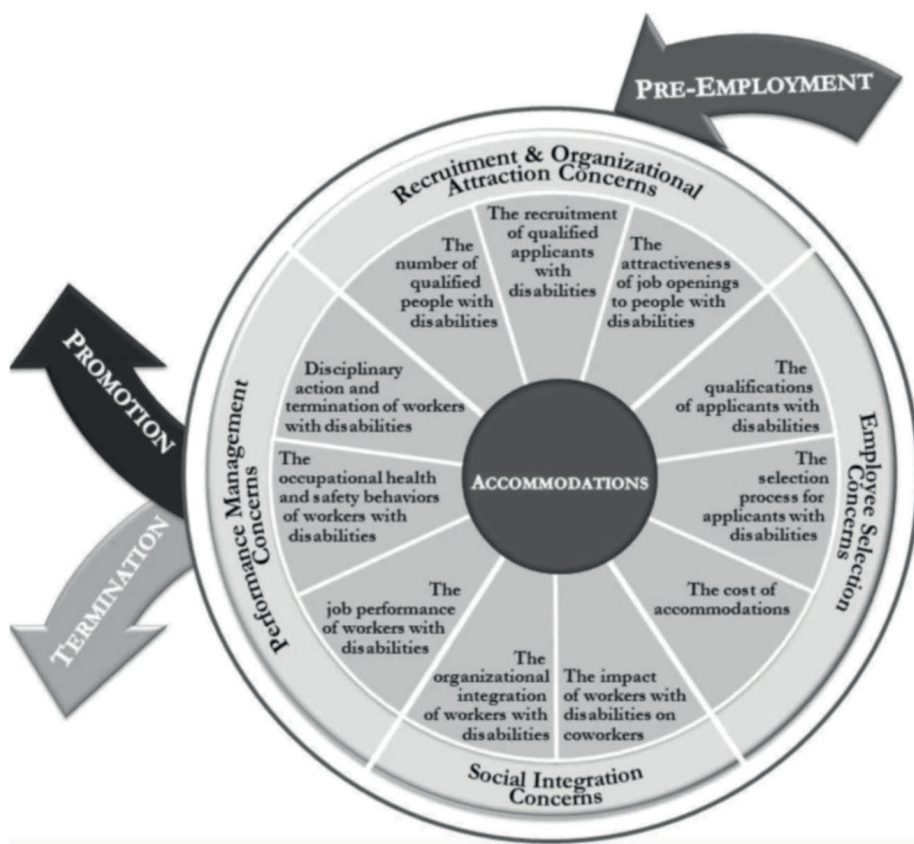


Figure 1: Employers’ concerns regarding individuals with disabilities and the job cycle. Bonaccio et al. (2020).

The number of qualified people with disabilities

As pointed out in the study by Kaye et al. (2019) many HR managers pointed out that they rarely see individuals with disabilities among the candidates. The issue, however, is often that potential candidates are hesitant to inform prospective employers of their disability. Statistics show that, on average, only 10-16% of disabled people of working age report having a physical disability. Looking at information by nation, we found that the number of people who did not inform their employer of their disability included 11% in Canada (Turcote, 2014), 10% to 16% in the United States (Kraus, 2017; Lauer & Houtenville, 2018), etc. This data covers all forms of disability, with physical disability being the most common among people of working age (Arim, 2015; Kraus, 2017).

The recruitment of qualified applicants with disabilities

Numerous studies demonstrate that HR managers frequently undervalue individuals with disabilities the most (Kulkarni & Kote, 2014; Schur et al., 2014). At the same time, managers note that it is challenging to employ a qualified workforce with disabilities, as demonstrated by Domzal et al. (2020). Employers must reduce the possibility of potential obstacles for potential workers in order to hire competent disabilities personnel.

The attractiveness of job openings to people with disabilities

As a rule, the positions for disabled and non-disabled individuals don't differ much in terms of requirements, responsibilities, etc., but there are a few particular focuses that candidates with incapacities pay attention to. First, candidates with disabilities place more emphasis on certain traits, such as working hours, benefits, etc. (as defined by the state disability pension) (Fabian, 2013). Second, studies show that candidates with disabilities prefer public institutions (Ali et al., 2019; Jans et al., 2012).

The qualifications of applicants with disabilities

During the employee selection process, managers assess the knowledge, abilities, and skills of job applicants. However, disabled candidates may sometimes face underestimation from managers due to the stereotype that their physical limitations may prevent them from performing certain job tasks (Kulkarni & Kote, 2014). This notion is misguided as there are various types of disabilities, some of which would not hinder job performance or be visible to someone without a disability (Baldrige et al., 2018).

The selection process for candidates with disabilities

Hiring managers must have certain information and abilities to screen candidates with disabilities. For example, job seekers can sue if a manager asks the wrong question (e.g., about a candidate's

disability) (Hernandez & McDonald, 2021). In addition, research shows that managers' report a lack of knowledge about the disability recruitment process (Kaye et al., 2019). This gap in knowledge can lead to increased lodging costs.

The effect of workers with disabilities on their co-workers

Company management is often concerned that employees with disabilities may have a negative instead of positive impact on their co-workers (Kaye et al., 2019; Withered & Lengnick-Hall, 2014). Co-worker concerns may arise from the perception that employees with disabilities have reduced working hours or lower productivity, which could lead to colleagues having to work more, even though the compensation is the same for all employees.

The organisational integration of workers with disabilities

Including employees with disabilities within the corporate culture is an important part of developing a company's diversity and inclusion strategy. An organizational culture in which all team members (counting company pioneers) practice and adhere to inclusive practices will contribute to effective accommodation for employees with disabilities (Schur et al., 2018; Vornholt, Uitdewilligen, & Nijhuis, 2013). It should be noted that the significant number of disabled employees contributes to the socialization of new disabled workers (Kulkarni & Lengnick-Hall, 2019).

Work productivity of workers with disabilities

Among hiring managers, there's a common recognition that workers with disabilities are less profitable (Domzal et al., 2020; Fredeen et al., 2013). This can make it difficult for managers to implement a diversity and inclusion strategy when it comes to hiring disabled employees.

The occupational health and safety practices of workers with disabilities

Workers with disabilities are more concerned with safety in the workplace than those without disabilities (Kaletta et al., 2012). They pay attention to the fundamental inconsistencies.

Disciplinary action and termination of workers with disabilities

Hiring managers must have a great understanding of the legal considerations when hiring, working with, and terminating employees with disabilities (Kaye et al., 2019; Withered & Lengnick-Hall, 2014). Terminating an employee can result in a lawsuit, which would not be in the company's best interest. Thus, it is imperative to establish a feedback system between employees and employers to communicate terminations without any negative repercussions (Gröschl, 2013).

Non-discrimination clauses

The non-discrimination clauses in standard laws, such as Discrimination Against Persons with Disabilities (Prohibition) Act, can have a significant impact on promoting the inclusion of people with disabilities in the workplace. While this legislation may not have as direct an impact on disability employment as quota legislation, it has the potential to have a substantial systemic impact. It often requires companies to assess their internal practices to ensure that their policies don't directly or indirectly discriminate against people with disabilities.

Theory

The field of disability research is spread out over many disciplines and there are various concepts and understandings of how disability is interpreted. How these terms are used in relation to the social model are important in discussing the findings later on in this study and in providing a framework for the study.

Social understanding

The social model of disability shifts the focus from an individualistic and medical perspective of disability to the person's environment and how it may create disabling barriers. This model can be seen as a response to the confinements of the one-dimensional restorative view of disability. According to Vedeler (2014a), there are two forms of the social model of disability: a strong version and a weak version. In the strong version, disability is explained by systemic and structural barriers established by society that exclude and oppress individuals with disabilities. These barriers can include inaccessible buildings and transport services, for example. The weak version incorporates subjective experiences of the body and illness as essential conditions for identity and understanding of self, highlighting how prejudiced elements can create disability (Vedeler, 2014b). In the social model of disability, impairment is not denied, but it is not considered the cause of the economic and social disadvantage of disabled people. Rather, the focus is on how society limits their opportunities to participate in mainstream economic and social activities. This implies that disability is seen as a result of an oppressive relationship between individuals with disabilities and society. The social model emphasizes the shared experiences of oppression and exclusion that disabled individuals face and highlights how political action and social change can improve their lives (Finkelstein in Oliver & Barnes, 2012).

Relational understanding

A relational understanding of disability emphasizes the significance of the social and physical environment in the interaction with the person's disability (Vedeler, 2014a). This understanding highlights that the meaning of physical characteristics is determined by the social conditions in which an individual is situated. In other words, the presence of a physical or mental disability does not solely determine the extent of a person's disability, because it is the interaction with

the environment that creates the actual disability. Therefore, to fully understand disability, it must be contextualized. Priestley (1998) also examines different models of disability and expands upon the idea that disability theory requires more than just the distinction between individual and social models. He argues that there are numerous approaches to disability that appear to be concerned with social phenomena but are, in reality, individualistic models. For example, Wood and Badley's study recognizes the role of attitudes and physical barriers in disability, but they don't fully consider how attitudes are reinforced by structural contexts and regulatory systems. Moreover, Priestley highlights the lack of foresight in assuming that changing individual attitudes would eliminate disability.

Conclusion

A survey of the literature demonstrates that having a diverse and inclusive workforce has a positive impact on team productivity and overall company performance (Cox & Blake, 1991; Levine et al., 2014; Phillips, 2014, etc.). Thus, many modern companies prioritize implementing diversity strategies. It is important to recognize, however, that diversity and inclusion management should be considered as part of human resource management (Shen et al., 2018).

Individuals with disabilities represent one of the largest diversity groups, according to Richard & Hennekam's (2021) study. However, companies may have different attitudes towards employees with disabilities, with some seeing them as having a positive impact and others viewing them as presenting risks. Factors such as the sort and degree of disability, working accessibility, and company size and industry can impact a company's attitude towards individuals with disabilities (Unger, 2019; Domzal et al., 2020; Gustafsson et al., 2014). Despite the importance of diversity and inclusion, companies often fail to provide additional specialized training for HR managers and colleagues on the subject of disability. As such, it should be a priority for development and ought to be considered when implementing a strategy of diversity and inclusion within the company.

Recommendations

The social policy of Nigeria regarding the hiring of people with disabilities may require reconsideration. Experience from Nigerian companies suggests that state support and a bonus system can increase their motivation to create job opportunities for people with disabilities. Collaborating with non-profit organizations that assist in hiring and legal documentation can also streamline the recruitment process. Due to the pandemic, remote work has become more common, making it easier to recruit professionals with disabilities, without incurring additional costs for workplace equipment. Nigeria's Disability Act of 2018 mandates the government to take steps to promote the employment of disabled persons, and prohibits discrimination against them. The National Commission for People with Disability should be empowered to monitor recruitment and institute legal action in cases of infraction by employers. In the development and implementation of disability inclusion policies, it is crucial to actively involve people with disabilities through their representative organizations. Employers should have a legal obligation to make reasonable

adjustments that enable a disabled person to work, but should not be liable if an adjustment is unreasonably expensive or cumbersome. Policies on vocational education and training, inclusive of students and trainees with disabilities, are necessary to address the issue of skills mismatch between job vacancies and jobseekers with disabilities. Effective employment and placement agencies and disability-based non-governmental organizations can assist in matching jobseekers with disabilities with appropriate job opportunities. Finally, disability-based organizations and the National Disability Commission can increase awareness of disability issues among staff, transforming mindsets and attitudes of both employees and managers.

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Citation

- T.S. Olaniyan, K.W. Olawoyin & I.O. Okunade (2024), Disability as a diversity and inclusion factor in recruiting. *Acta Politica Polonica*, 2 (58), 73–84. DOI: 10.18276/ap.2024.58-06.

Leadership crisis and democratic consolidation in Nigeria: A discourse using Awolowo's political philosophy

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Keywords Awolowo, democracy, political philosophy, leadership crisis, Nigeria

Abstract In Nigeria, poor leadership has been a major barrier to the country's progress and survival. The political class's reckless pursuit of power has made democracy's journey more difficult over the past twenty years. This study uses Awolowo's political philosophy to explore the relationship between Nigeria's Democratic Consolidation and Leadership Crisis. In this context, the modernization theory was used as a foundation. Nigeria has been shown to have shortcomings in three main areas: security of property and life, descriptive analysis, and data generated from secondary sources. These areas include advancing the rule of law and offering inspirational guidance. The study concludes that a nation's ability to survive and develop depends on a number of key factors, including the rule of law, the management of plurality, accountability, peace and security, tolerance of opposition, and equality. The study's recommendations for improving good governance are based on its findings, which suggest that fundamental governance should support self-participation, communal services, motivation, and responsiveness to public needs.

Introduction

Philosophers are the society's mirror, using their glass to examine and evaluate many human issues objectively and then provide a possible solution. Awolowo's political theory on the practice of good governance provides guidance to all legitimate democratic leaders who are in positions of power with the intention of serving mankind and improving the lives of their people. Nigeria has had multiple cycles of democratic and authoritarian government since gaining independence in 1960. During the post-colonial era, the military ruled for a total of 29 years. When General Ibrahim Babangida canceled transitional elections for a civilian president in 1993, an unsuccessful Third Republic came to an end. President Olusegun Obasanjo led the Fourth Republic that was proclaimed after new elections in 1999. The Nigerian people welcomed this most recent regime shift with a fervor that frequently bordered on joy. Many people expressed expectations

for a “democracy dividend” that would reduce government wrongdoing, restore political liberties, include marginalized groups, and stimulate the economy (Lawal et al., 2012).

But great hopes were short-lived, and widespread disappointment emerged. There has been a great deal of disagreement in politics regarding the division of authorities, the scope of rights, and, most importantly, distributive tensions. Thousands of people were killed nationwide by acts of communal violence, whether related to disagreements over land ownership in the Middle Belt or oil profits in the Niger Delta. Many Nigerians were also uneasy due to the pervasive insecurity, which also raised criticism of the government’s inability to control the conflict (Lawal et al., 2012). It is reasonable to say that the core causes of Nigeria’s underdevelopment issues are poor governance practices. In Nigeria, underdevelopment is mostly caused by bad administration (Ibrahim and Cheri, 2013; Abdulyakeen, 2021).

Sadly, despite years of protests and grousing, poor leadership performance has persisted, according to Odekunle (2007). We have allowed political misfits to lead us, thereby consenting to our own progressive ruin. It’s unsurprising that the majority of people failed to reap the much-anticipated benefits of democracy while the ruling class continued to avoid taking responsibility for their actions.

Furthermore, according to Odekunle (2007) and Nwekeaku (2014), the majority of Nigeria’s current challenges, particularly those related to development, are the result of our past and present leaders’ harsh actions. Our leaders have not been at their best when it comes to accountability, transparency, and service delivery; after all, Nigerians’ hopes and dreams of a better future have long since been dashed, and the country still lacks the governance elements that will make it the envy of many. Nigeria has struggled with leadership ever since gaining independence, which is worsening the country’s political situation. Very few, if any, of the leaders contribute to the nation’s progress; instead, their policies are frequently poorly thought out and implemented. The underdevelopment and widespread misery of Nigerians, who have previously experienced colonial exploitation at the hands of their colonial masters and neocolonial degradation at the hands of their post-independence leadership, have been greatly exacerbated by bad administration.

The quotes from Nwekeaku (2014), if anything, simply serve to highlight how applicable the Awolowo’s political and governance ideology is to Nigeria today. Therefore, it must be carefully researched.

Awolowo is one person who was worried about the state of good governance and leadership in Nigeria. Indeed, a 1999 report by awake correspondent on the collapsing values in our society embodies a long-standing belief of his. As a statesman, he emphasized that education and strong leadership are the keys to achieving a high standard of living for all state citizens. Awolowo also shares the same views as to what is necessary for human society to run well: stable families, robust labor forces, a reliable government, honorable law enforcement, and law going citizenry. Nonetheless, leaders who are able to develop both spiritual profundity and mental acuity are the only ones who can establish a reliable government. These are leaders who have overcome the “tyranny of the flesh,” as Awolowo (1968) referred to it, by rising above corruption and selfishness as well as base desires. Therefore, Awolowo believed that it is the duty of the government to provide

the circumstances necessary for residents of the state to have access to jobs, adequate health care, and education. In other words, the claim is that the state has a duty to offer social security to its people. People turn to illegal activity when the government fails to fulfill its obligations to the people. Awolowo created and carried out initiatives that demonstrated his love, generosity, and selflessness to the people he ruled over. No one could quickly forget Awolowo's love for the people who benefited from his free education policy, which began in 1955; his scholarship program; his reformed health program; his industrialization program; his promotion of agriculture (particularly the establishment of plantations for farmers); and his increased salary and emoluments for workers (earning 5 shillings, when their counterparts, in the other two regions, were earning 2 shillings and 6 pence). His catchphrase, "LIFE MORE ABUNDANT; FREEDOM FOR ALL" (Awolowo, 1981a:196), along with the actions that follow, may be seen as a subtly revolutionary approach to enact democratic socialism, but his insistence on eschewing the sanctimoniousness that is frequently connected to this ideology raises serious concerns about his readiness for democratic socialism. This study aims to investigate how Awolowo political philosophy may be applied to address Nigeria's leadership dilemma in a more practical manner.

Nigeria would have made progress toward genuine nationhood and integration had it not been bound by the shackles of underdevelopment after gaining independence nearly sixty years ago. But not quite so much in Nigeria, where independence has, more than anything else, meant the opening of the country's Pandora's Box, resulting in political unrest, economic stagnation, and – more pitifully a growing sense of apathy and distrust among the people. Why, sixty years after gaining independence, has Nigeria not been able to govern itself successfully, or at least not appeared to do so, with three disastrous republics interspersed with several military takeovers and counter take overs? Novelist Chinua Achebe summed up Nigeria's problems in one word: leadership. He pointed out that our founding fathers' lack of intellectual rigor in politics was a major problem (Awolowo). History does, in fact, show that whether a leader comes during the military or the civilian age and transforms lives for the better or worse, it truly does not matter. Nigerians' strong ethnic and religious fanaticism is one of the main causes of the country's leadership dilemma, according to Yeruna (1988), who also notes that conditions in society create leaders rather than them emerging out of thin air. The lack of a clear leadership structure among such minorities, whether in the north or the south, does not imply that the larger tribal blocs voluntarily support their dominance. Awolowo would have been spot on, in my opinion, if he had predicted that injustice and its attendant bad tendencies would persist as long as capitalism endures, rather than capitalism per se. This is especially true given the numerous instances of lawlessness that exist in Nigeria today. The paper specifically aims to:

1. Analyze Awolowo's political ideology in light of Nigeria's Democratic consolidation.
2. Investigate the reasons behind Nigeria's lack of progress despite all efforts to reform the nation.
3. Argue that Nigeria's state's much-discussed "post-colonial" character is a barrier to the consolidation of democracy.
4. Suggest legislative actions that ought to be taken in order to give our democracy a stronger development-oriented focus.

Defining political philosophy

Any intellectual endeavor needs to define its concepts in order to place the discourse in context, “delineate its scope, and perhaps teleguide the reader” (Corma and Rehner, 1968). There are very few academic subjects that elicit as much anxiety as philosophy. The term philosophy derives its name from the desire of wisdom. Philosophy is both revolutionary and essential to a fulfilling life. It all began with a proposition made public by Socrates, the father of moral philosophy, which holds that while thoughtful consideration of significant matters disturbs, it also comforts. As Aristotle stated more than 2,000 years ago, philosophy starts with awe at the wonders and mysteries of the universe. It culminates in a life lived with ardent moral and intellectual integrity. Philosophy starts in amazement in the search of wisdom and truth.

Pojman (1993) defined philosophy as the contemplation or study of the most significant issues facing humanity with the goal of advancing enlightenment, comprehension, and a holistic perspective. Its operations of concept clarification, analysis, and argument construction as potential responses to these age-old issues draw on reason, sense perception, imagination, and intuition. Argumentation is the cornerstone of the philosophical approach. The main responsibility of philosophers is to analyze and develop arguments, however they also clarify concepts and examine, evaluate, and test claims and beliefs (Projman, 1993). In support of this viewpoint, Azenabor (2002) states that argument is a method common to philosophy and that philosophy involves reflections, arguments, rationalities, and critical assessments. According to Wiredu (1989), without initiative, justifications, and explanations, philosophy does not exist in a strict sense.

Argument analysis and construction are not done by philosophers for their own sake. The goal of a philosopher is to present a comprehensive understanding of the problem under study. Philosophy’s critical, all-encompassing, and revolutionary qualities enable it to accomplish this. This means that philosophy typically challenges the majority as the latter is frequently the result of prior biases or philosophical conflicts. A deeper truth or better piece of evidence frequently challenges the status quo and compels us to reevaluate or reject certain parts of our ideas.

Democracy

In order to have a deeper comprehension of the research, we shall define terms like democracy, governance, and social contract. Democracy has gained popularity in today’s world and is discussed in many modern discourses. These days, as people fight for freedom and a better life, it is a word that strikes a chord with them and speaks naturally.

Scholars cannot agree upon a precise definition of democracy. Democracy was described as the governance of the people, for the people by the Athenians of antiquity. This merely indicates that individuals in government are willingly appointed to work the populace without facing prejudice due to their social standing. The aforementioned perspective was held by Euripides, a Greek philosopher who lived long before Plato. He defined a democratic society as one that is run by the representatives of the people and for the many who are born without property or status. (Sabine and Thorson, 1973). Another Greek philosopher, Plato, shared a similar perspective on democracy.

In his book *The Republic*, he described a democratic state as one headed by philosopher kings who live together in barracks, which are modern parlours, and formulate policies for the welfare of the populace as a whole. The philosopher kings neither marry nor own private property. But when Plato defined democracy as the rule of the people, where the law is supreme and both the ruler and the subjects are subject to it, in his second and third volumes, the *Statesman* and the *Laws*, he changed his original definition.

In the Nigerian context of democracy and sustainable national development, this is illuminating. This is due to an apparent Nigerian ideology that holds that majority rule translates to democracy. Nonetheless, a fundamental tenet of democracy is that the well-being of its constituents must be ensured. However, studies conducted in Nigeria (Jega et al., 2002) have shown that democracy in that country disregards the well-being of its people. Therefore, it will be challenging to sell any form of governance as democracy if it cannot ensure the well-being of its constituents. A more appropriate term for such a regime would be ceremonial democracy. Nonetheless, it seems as though the foundations of African democracy clearly demonstrate the characteristics of democratic capitalism, also referred to as capitalist democracy. In the context of this research, democracy is defined as a form of government established by the people that respects the principles of the social contract between the state and the people, guarantees equal opportunity and resource distribution to all of its citizens, and operates under the rule of law.

Consolidation process

Democratic consolidation cannot be conceptualized in a way that is widely agreed upon. Scholars differ in how they conceptualize it. Adam Przeworski contends that rather than any widespread agreement on democratic institutions, democratic thinking is predicated more on economic progress. He contends that there is no such thing as consolidation based on this premise (Przeworski, Alvarez, Cimonji, 1996).

Andreas Schedler maintains that consolidation is a real phenomenon, which sets him apart from Przeworski. According to Schedler (1998), democratic consolidation is the process of creating the institutions required to advance a government beyond simple elections and toward a contemporary liberal democracy. Thus, consolidation is more commonly understood according to Linz and Stepan's definition. According to Linz and Stepan (1978), democratic consolidation is the result of a process in which a sizable majority of the public agrees that democracy is the ideal form of government and in which governmental and non-governmental actors cooperate to resolve disputes in accordance with democratic norms.

When examining African democracies, this idea of a consolidated democracy is helpful. Elections and democratic institutions exist in Africa, but democracy itself often does not. In Africa, elections lack legitimacy as fair processes; instead, they are merely a means of reusing public resources to support corrupt political figures who threaten opponents, amass fortunes, and cling to power against popular will. The issue lies in the fact that African democratic elections and advancements, such as those in Cote d'Ivoire, Tunisia, Sudan, Somalia, Zimbabwe,

and Nigeria, have never produced democratic stability but have instead been beset by political instability, violence following elections, the rise of dangerous militant groups, and political protests or revolutions.

The practice of democracy has resulted in the rise of a small class of political elites who are more concerned with actualizing their own self-interests than with advancing democracy. Government representatives impose unjustifiable, wasteful initiatives, suppress dissenting opinions, and undermine individual interests through harsh economic measures. As a result, there is widespread poverty and corruption. This weakens democracy and causes citizens to lose faith in it as the best form of social governance, which in turn stalls the development of democracy in Africa.

Leadership crisis in Nigeria

Concerns today about good governance are mostly a result of the general realization that many governments, particularly those in Africa, have manifestly failed to provide their constituents with the better life they so desperately desire. The discontent among Nigerians with the current state of affairs can be directly attributed to the loud calls for the polity and public policy to be redirected toward goals that could help improve the standard of living for the populace in all its aspects. This situation, demonstrated by the stresses and strains the Nigerian political system has experienced over the years, merely serves to highlight a few of the clearly noticeable issues with the way the country's political system and its procedures are run, including the state of the institutions, structures, and procedures in place to support and oversee efficient governance.

According to Lawan (2010), Oshiomole (2010), and Nwekeaki (2014), the return to democracy was met with a great deal of hope and expectations from the populace, which is understandable. But what the people have after 20 years of democracy is a ruling class that is domineering, stealing mandates, and crushing hopes. In reality, the only distinction between the military administration that the democratic government overthrew and the one that came before it was that the former was installed through a military coup, while the latter was installed through an electoral fraud. With confidence, one can argue against the Nigerian state, which theoretically serves all people but in practice only serves a few group of wealthy people. This supports the Marxian theory of the state, which holds that it did not develop as a result of social compact or consent. Accordingly, it is perceived as a tool of exploitation and class or ethnic dominance (Okaneme, 2010; Ademola, 2011; Saliu, 2012). Thus, the interests of those (class, ethnic, or religious group) in control of the state are prioritized over those who do not hold political authority.

According to a different analytical viewpoint (Saliu, 2012; Achmuga et al., 2013; Ibrahim and Cheri, 2013), Nigerian governance has, regrettably, performed poorly since the country's independence in 1960. The majority of our officials support things like military control, corruption, nepotism, regionalism, and a lack of commitment to democratic ideals. Bad governance is the result. As a result, citizens frequently turn to violence to either draw the attention of the government or to handle problems in their communities in their own unique way because they believe

that the government will not solve their problems for them. To better comprehend and evaluate Nigeria's democratic path to date, discussions must continue in order to foster informed discourses. A thoughtful contribution to the current discussions on good governance is the study "Awolowo Political Ideas as a Panacea to Governance Crisis in Nigeria."

Obafemi Awolowo (1909–1987)

Awolowo was raised in Ikenne as the son of a farmer and received legal training. His political career began in the 1940s, and in 1951 he founded the Action Group (AG). From 1954 until 1959, when he was elected as the Federal House of Representatives opposition leader, he served as Western Nigeria's premier. He was a staunch supporter of federalism who was detained in 1962 on suspicion of trying to overturn the government. General Yakubu Gowon later set him free and appointed him as the Federal Commissioner for Finance (1976–71). He resigned in protest as a result of the delay in the implementation of civilian government. In 1979, he entered the presidential race but was unsuccessful. He passed away in 1987.

Awolowo's contribution to African political thought

He actively participated in the pan-Africanist movement, which advocated for African unity and freedom. In 1945, he had the honor of attending the Pan-African Congress in Manchester, United Kingdom. He supported the federalism movement in Nigeria and became a vocal nationalist who demanded both African and Nigerian independence. He saw the British Empire as a representation of brutal mass exploitation by a wealthy and powerful minority, as well as oppressive dictatorship. He was, in fact, a strong advocate for of African liberation and independence from colonial rule.

One indivisible Nigeria with a constitution

The majority of Nigerians currently hold to Awolowo's concept, which has persisted over time and is summarized as follows: "Let there be one Nigeria, an indivisible entity." He had such a strong belief in Nigeria that he dedicated his memoirs to "A new and free Nigeria where individual freedom and more abundant life are guaranteed to all her citizens," rather than to his beloved wife. Even though he believed that Nigeria was an artificial territory created by the British, he did not advocate for the country to fall apart. He thought that political leaders should be dedicated to preserving the nation's unity.

Another school of thought holds that a republican constitution is necessary for Awolowo. States ought to be federating, semi-autonomous entities with their local governments. He wrote extensively about his thoughts on the concept of federalism and its application. He identified democracy as the foundation of federalism. Those who claimed he desired to impose his willful takeover of government should be reminded of his conviction that a tyrannical or dictatorial government can only be upheld by the use of force and various forms of repression and oppression directed at those who oppose or criticize the tyrant or dictator.

In the end, this demonstrated his conviction that the business of government is to serve people. He was adamant that funds be allocated toward ending poverty. He opposed costly military and defense spending because he believed it was inefficient to divert resources intended for economic development to the military. His support was for the creation of an army to defend the nation and its borders, not to uphold an oppressive system of government. He issued a dire warning: “Any government that does not enjoy the goodwill of the people should resign; it must not use the people’s money to enslave and starve the people” (Awolowo, 1968).

Progress and development

He played a key role in the Western Region’s 1955 implementation of free universal primary education, which emphasized the importance of education for all inhabitants. The nation’s resources must be actively developed by its educated populace. He maintained that in order for Nigeria to advance, the government must make use of the country’s resources to provide for the needs of the populace through the creation of jobs, access to education, and the creation of conditions that allow people to have access to the necessities of life, which include food, clothing, housing, and health. He made a connection between a set of economic goals and the overarching principles of state aims, saying that a state is less vulnerable to the threat of internal instability and more capable of deterring external aggression if it is wealthier and its wealth is more equally and justly distributed.

The goals outlined in his work were based on welfare politics. His personal accounts of escaping poverty found their way into the initiative to enable others to follow suit. He firmly believed that no one should live in poverty, and he was happiest when he was creating and carrying out anti-poverty measures. According to him, poverty is man-made and the natural result of an unjust and cruel social structure where a powerful, self-centered, and brutal minority exploits and deprives the vast majority of people on both a political and economic level. According to Olufemi (2013), the state alone possesses the means and capacity to eradicate poverty and guarantee equal opportunities for all children, regardless of their parents’ income.

Welfare politics

Awolowo’s recommendation for the application of welfare politics is the most crucial lesson to learn from his writings. This is a proposal for critical ideas that political leadership needs to adopt. He maintained that ethics – a morality of more prudent resource use, devoid of corruption, and compassion for others – must underpin leadership. Leadership cannot be founded on the use of force or the repression of different political ideologies; instead, it must respect human rights and the law. Politics, in his words, is about vision, the politics of articulating ideas and goals, the politics of putting those goals forward, and the politics of carrying them out. It is unrealistic to expect people to accept goals that are at odds with their personal ambitions. They won’t tolerate leaders who act in contradiction to their words or who approve project budgets merely to take funds from the public coffers and deposit them in their own personal accounts. Service is the core of leadership; neither more nor less. Wesley College’s motto, “Bi Eniti Nse Iranse,” which is derived from Luke 22:27, is spot on.

Public service now seems to be about personal growth and acquisition, where the servant becomes the leader. The state becomes more imperialist, turning people into subjects and turning resources into private property. The game of politics is about outwitting rivals to gain more access to the benefits of office. Politics is about controlling people and resources. Power, not public service, yields money, fame, and admiration in that setting.

The same words, spoken more than sixty years ago, would still hold true if he were still with us: “Our greatness and happiness as a people will be measured by the amount of patriotism, un-stinting effort, and wisdom which we apply to the exploitation of our vast resources, and of the just and equitable distribution of the results of such exploitation” (Awolowo, 1968).

Education, leadership, and good governance

When it comes to politics, leadership refers to the capacity to persuade a group of individuals to pursue their objectives (Robbins and Judge 2007). It demonstrates a leader’s capacity to align his goals with the circumstances of his surroundings. The quote from Awolowo about self-control reads, “I will subject myself to severe self-discipline more than ever before.” He believed that men who are masters of themselves are the only ones who can easily master others. Consequently, I will constantly maintain rigorous control over my ideas, words, and behavior (Awolowo, 1985).

Awolowo makes it very evident that a leader needs to be able to exercise self-control. According to Aboluwodi (2012), he views the preservation of a just and peaceful social order that offers a variety of options, including liberty, justice, fairness, high-quality education, and legal equality, as the true measure of effective governance. The pursuit of good governance is becoming a worldwide concern, not only in Nigeria. He believes that a leader’s lack of mental development leads to corruption. In his study, he also paints a picture of a corrupt mind that lacks self-control and is driven by earthly cravings. People with this kind of thinking have a hard time controlling their hunger. As a result, their instinct and desires carry them away. In his attempts to explain how some people are occasionally enslaved by their instincts and emotions, Awolowo references to this subject. In his quotation, he said, “Any educational system that does not assist a man in having a sound and healthy body, an alert mind, and balanced and disciplined instinctive urges is both misconceived and dangerous” (Awolowo 1960).

Awolowo blames the leaders for the underdevelopment of the nation and does not hesitate to attribute the structural decay in Nigeria to the current economic system, namely capitalism. He thinks that those in power are leaders who don’t really understand what is best for Nigeria. Awolowo acknowledges that the lack of education is the root of the issue, but he continues to believe that Nigeria’s issues stem from the leaders’ inability to let reason – that is, critical thinking – be a part of their decisions. He connects reasonable behavior with sound governance.

Awolowo approaches Nigeria’s political development from the standpoint of social transformation, namely;

1. The removal of ignorance and illiteracy among the citizens.
2. The education of the leaders.

According to Awolowo, the main obstacle to achieving excellent government is ignorance and illiteracy, which frequently shows up in two main areas. These are in the domains of uneducated voters who support election tampering and inept leaders who support dishonest members of the public. He argues that education is necessary to produce an informed voter in society; as he succinctly states, “I have often emphasized that an informed populace is essential to the successful operation of democracy.” He argues that while it might not be enough for excellent governance, strong leadership is a prerequisite for administrative competence. He adds that one of the advantages of sound administration is that leadership entails the capacity to convert ideals (love, justice, and fairness) into reality. At this point, he makes the decision to draw the conclusion that a leader must be extremely disciplined and educated in order to befit leading his or her nation.

Adherence to accountability, openness, the rule of law, and human rights policy are characteristics of good governance. Love, social justice, equity, and fairness are also aspects of it.

He argues that a man is vulnerable to exploitation if his body develops but his mind and intellect do not. This group includes those who commit acts of terrorism (like Boko Haram) for religious reasons. Awolowo (1968) asserted that a corrupt, greedy, and wicked government will eventually succumb to the overwhelming demand and clamor from the public for a welfare system that ensures equal benefits for all. There will eventually be a conflict between the exploiters’ and the victims’ desires and wills. These conflicts of interest will then compel the universal consciousness to act, and an event will transpire that will result in the overthrow or drastic alteration of the avaricious and malevolent regime (Awolowo, 1968).

Awolowo sees Africa as a whole, not just Nigeria. After receiving the appropriate education, leaders need to have grown mentally, physically, and intellectually so they can think critically and rationally enough to know how their actions affect other people. Awolowo appears to be referring to General Muhammadu Buhari (Rtd) of Nigeria, who lost an election in 2011 but permitted his supporters to incite his fellow countrymen against the same citizens he had promised to serve, as well as Professor Laurent Gbagbo of Ivory Coast, who lost elections but insists on holding onto his position. People such as these are outside the purview of Awolowo’s leadership style. The Gambia’s Yahyah Jammeh made similar remarks during the most recent general elections. Therefore, Awolowo contends that in order for successful governance to exist in Africa, individuals who aspire to leadership positions must be guided by logic rather than by unfavorable emotions. Leaders can only comprehend that meeting the needs of all citizens is the primary focus of any government in this regard. He has “a highly analytical mind, a compelling vision, and terrific ideas,” according to Robbins and Judge (Robbins and Judge, 2007).

Awolowo introduces two forms of education:

1. Education for the masses.
2. Education for the leaders.

His main goal for the general public is to educate people so they can overcome the issues of superstition, ignorance, and illiteracy. Higher education is to be given to the leaders in order to liberate their minds from the shackles of instinct. According to Akinjide Aboluwodi (2012),

Awolowo introduced universal primary education in Western Nigeria based on this idea. According to Simpson (2006), “the provision of universal education does not necessarily imply that people will be educated,” which is a gap in Awolowo’s thinking that I agree with.

Assessment of Obafemi Awolowo’s political philosophy vis-à-vis contemporary issues for democratic consolidation in Nigeria: A discourse

Nigeria has had multiple cycles of democratic and authoritarian government since gaining independence in 1960. During the post-colonial era, the military ruled for a total of 29 years. When General Ibrahim Babangida canceled transitional elections for a civilian president in 1993, an unsuccessful Third Republic came to an end. President Olusegun Obasanjo led the Fourth Republic that was proclaimed after new elections in 1999. The Nigerian people welcomed this most recent regime shift with a fervor that frequently bordered on joy. A lot of people expressed expectations for a “democracy dividend” that would reduce government wrongdoing, restore political liberties, include marginalized groups, and stimulate the economy (Lawal et al., 2012).

But great hopes were short-lived, and widespread disappointment emerged. There has been a great deal of disagreement in politics regarding division of authorities, the scope of rights, and, most importantly, distributive tensions. Thousands of people were killed nationwide by acts of communal violence, whether related to disagreements over land ownership in the Middle Belt or oil profits in the Niger Delta. Many Nigerians were also uneasy due to the pervasive insecurity, which also raised criticism of the government’s inability to control the conflict (Lawal et al., 2012). It is reasonable sense to say that the core causes of Nigeria’s underdevelopment issues are poor governance practices. In Nigeria, underdevelopment is mostly caused by bad administration (Ibrahim and Cheri, 2013; Abdulyakeen, 2021).

Odekunle (2007) states that “despite years of complaints and grouching, our sadly poor leadership performance has persisted, and we have allowed ourselves to be gradually destroyed by surrendering to the leadership of political misfits.” It is surprising that the majority of people failed to reap the much-anticipated benefits of democracy while the ruling class continued to avoid taking responsibility for their actions.

Furthermore, according to Odekunle (2007) and Nwekeaku (2014), the majority of Nigeria’s current challenges, particularly those related to development, are the result of our past and present leaders’ harsh actions. Our leaders have not been at their best when it comes to accountability, transparency, and service delivery; after all, Nigerians’ hopes and dreams of a better future have long since been dashed, and the country still lacks the governance elements that would make it the envy of many. Nigeria has struggled with leadership ever since gaining independence, which is worsening the country’s political situation. Very few, if any, of the leaders contribute to the nation’s progress; instead, their policies are frequently poorly thought out and implemented. The underdevelopment and widespread misery of Nigerians, who have previously experienced colonial exploitation at the hands of their colonial masters and neocolonial degradation at the hands of their post-independence leadership, have been greatly exacerbated by bad administration.

As the Premier of the Western region of Nigeria, Awolowo exemplifies the importance of leadership in governance. A leader who is “placed in a position of leadership must be prepared to grasp the nettle...set a worthy example and a marathon on pace in probity, unselfishness, and self-sacrifice,” according to his leadership philosophy. “Africa has produced more self-seeking leaders than public spirited ones,” he said. According to this, “only men who are masters of themselves become masters of others easily.” As the Premier of Western Nigeria, Awolowo exemplifies effective leadership. He is credited with the following achievements: a. ensuring that primary education is free and mandatory for everyone in the Western Region; b. founding the first television station in Africa, WNTV, in 1959; c. offering free health care to anybody under the age of eighteen; d. integrating rural development; e. achieving full employment; and f. constructing the Liberty Stadium in Ibadan, as reported in the *Journal of Education and Human Development*, Vol. 3 (2), June 2014 (Odusote, 2013).

Corruption

Corruption is one of the numerous issues that Nigeria still has not addressed. For Nigeria, it continues to be a significant long-term political and economic concern (Osudare, 2012). In Nigeria, corruption has been so obvious and pervasive that it seems to have been made lawful (Premium Times, 2013). The disease of corruption has deeply ingrained itself into the structure of the Nigerian state, as noted by Ekumankama (2012). As a result, it has affected every government that has come after independence. In fact, since gaining independence in 1960, Nigeria has lost almost \$400 billion due to corruption and rent-seeking, according to Nuhu Ribadu, the former Chair of the Economic and Financial Crimes Commission (EFCC), who made this revelation in 2004. Similarly, since 1999, nearly N8 trillion has been stolen, according to the Executive Director of the Centre for Ethics and Self Value Orientation (Weekly Trust, 2014, p. 3).

He thinks that a leader’s lack of mental development leads to corruption. In his study, he also paints a picture of a corrupt mind that lacks self-control and is driven by earthly cravings. People with this kind of thinking have a hard time controlling their desires. As a result, their instincts and desires carry them away. In his attempts to explain how some people are occasionally enslaved by their instincts and emotions, Awolowo references to this subject.

Awolowo made the following important proposition regarding public officers’ surveillance: In actuality, leadership is about providing service backed by a goal. Leadership is defined as the “ability to influence a group toward the achievement of a vision or a set of goals” by Robbins and Judge (2007). In terms of politics, leadership refers to the capacity to persuade a group of individuals to pursue their objectives. It appears to demonstrate a leader’s capacity to align his goals with the circumstances of his surroundings. Fiedler’s contingency theory, which states that a leader’s effectiveness stems from a good fit between the leader’s aims and the extent to which the circumstances are favorable for the leader to carry out his tasks, is the best illustration of this.

Political considerations and nepotism prevade the Nigerian Civil Service, which is meant to be based on seniority and productivity. Promotional rules do not distinguish between workers who are productive and those who are not. Dismissal is rare, unless there are administrative bottlenecks

and a high level of corruption. In terms of qualifications for employment, those who join the Civil Service through familial or political connections might not possess the necessary technical abilities for their roles. Furthermore, programs for on-the-job training are inadequate and ineffectual (Nwaze, 2011). Although appointments to the Civil Service should be made solely on the basis of merit, in reality, political, familial, ethnic, and religious factors play a significant role. Awolowo (1963) asserted that the transformation of our institutions and societies must inevitably start with a thorough understanding and appreciation of the responsibilities of leadership, its foundation, and the essential qualities that make a successful leader. His talks on public affairs, good governance, leadership, the traits of a leader, the foundations of leadership, and the battle against corruption provide new insights into transformational leadership and its function in social change.

Pervasive corruption was a significant factor that shattered the 16-year control of the People's Democratic Party in Nigeria. Voting for All Progressive Congress (APC) presidential candidate Muhammadu Buhari in the 2015 general election was one way Nigerians expressed their dissatisfaction. Buhari pledged to combat terrorism, eradicate corruption, and improve the economy. But as bandits abduct for ransom and herdsman conflict with rural towns, jeopardizing food security and national unity, Boko Haram terrorists continue to inflict havoc (Tade, 2021). After two years of Buhari's second term as president, corruption has not diminished. The three pillars of Buhari's anti-corruption campaign are the introduction of the "Whistle Blowing" policy, the Biometric Verification Number (BVN), and the Treasury Single Account. As seen by the higher savings, these have garnered praise (Tade, 2021). But problems like the politicization of the fight against corruption and the unwillingness to look into allegations have made the fight seem questionable. Among these are the accusations of double standards in Buhari's handling of his supporters and the suspension of Ibrahim Magu, the acting director of the Economic and Financial Crimes Commission, due to corruption charges. Party politics protects those who are obedient to the ruling class from prosecution. Adams Oshiomole, the previous head of Buhari's party, has urged opposition party defectors to join the ruling party in order to have their "sins" pardoned (pulse.ng, January 17, 2019).

In Transparency International's Corruption Perception Index, Nigeria fell to 146 by the end of 2019 when President Buhari was elected to a second term, and by 2020, it was placed 149. The Buhari administration has referred to the ranking as "senseless and baseless," yet data from the 2019 National Bureau of Statistics show that Nigerians have encountered corruption when dealing with governmental authorities. The information on instances of corruption in the public eye demonstrates that corruption is still a serious issue. One major problem is that there are no ethical norms in place in Nigerian government and commercial institutions. Ethics, in the words of Bowman (1991), is action, the way we live out our morals; it is a framework for decision-making. The topic of ethics in the public (and private) spheres is wide-ranging and includes, among other things, the importance of deference to authority, the use of logic in moral reasoning, and the application of moral judgment in real-world situations (Bowman, 1991). Sadly, a large number of elected and appointed officials in Nigeria lack a strong understanding of the moral obligations associated with their posts. This concept is receiving little, if any, attention while unethical behavior is skyrocketing.

The current Buhari administration is never slow to draw attention to the crimes carried out by the Goodluck Jonathan administration that was previously in office. The parallel is certainly appropriate; under Jonathan, the PDP essentially destroyed Nigeria. It is peculiar, though, that Buhari, who was elected with great anticipation that he would remove the remnants of the previous PDP administration, has demonstrated beyond a shadow of a doubt that the faith bestowed upon him was misplaced. Given Buhari's appalling performance, one is forced to infer that Awolowo's prediction – that giving greed or naked self-interest priority in Nigeria's social structure would have the unintended consequence of cultivating a competing cycle of greed and naked self-interest – has come true. However, Awolowo's conclusion that the "process of time" will put an end to the mess is illogical and unjustified. Maybe Awolowo's unquenchable optimism – despite his knowledge that corruption has a way of striking back – is what has brought him to this untenable conclusion. It is naive to believe that the passage of time, in place of decisive action, can automatically end impunity inside the system. This is especially true for Awolowo, who associates the term "process of time" with "aeons of time," which implies eternity. The reductionism theory, which reduces governance to "efficiency and rationality in allocating resources, curbing corruption which inhibits development and investment, guarantee of civil and human rights, and accountability of the people," seems to be in line with Awolowo's definition of good governance (Ologbenla, 2007). The most valuable aspect of Awolowo's leadership paradigm is the attention he pays to the leader's existence; this approach views leadership from the perspective of the person in office rather than what they accomplish. "Leadership springs from within; it's about who I am as much as what I do," according to Awolowo. (Stiglitz, 2008). The idea behind the leadership notion is that a leader's decisions, actions, attitudes, and behaviors are informed, influenced, and guided by his or her beliefs, values, and principles (Stiglitz, 2008). As a result, Awolowo's leadership style, like Stiglitz's, is holistic and strives for the development of the full individual, the being.

Democracy and election rigging

One of the most contentious aspects of "neo-representative democracy" that has been introduced into Africa is the adoption of competitive elections by various political factions. Commentators have pointed out that in most African societies, different ethnic or social groupings associate political "opposition" with warfare. Politicians have based electoral campaigns in most African nations on dividing voters along ethnic lines. Codes of conduct, which impose a duty to return gifts from others, are anticipated to keep politicians from winning elections. Among many ethnic groups in Nigeria, accepting a gift from someone else forges a connection that politicians use to bind rural communities to whom they have given consumer goods (which can range from motorcycles to edible salt, textiles, rice, and maize flour) and thereby remove them from appeals by other political parties.

The use of violence in political campaigns and during voting is a sign that a new tool is being used, one that hasn't developed from within communities' consensus-building mechanisms and local worldviews. The People's Democratic Party (PDP) presidential candidate was accused of engaging in a number of "malpractices" by the Congress for Progressive Change (CPC), one of the main opposition parties in the April 2011 elections in Nigeria. The CPC listed these

“malpractices” to judges in an election tribunal, including: voter fraud, ballot paper tampering, multiple voting, giving money to presiding officers, arbitrary vote distribution throughout the nation, and failure to provide election materials (Daily Trust, Wednesday, November, 2011, p. 3).

These are signs of a conflict over cultures of political power struggles, such as rules that forbid ideas of “accepting to be defeated by another” or giving legitimacy to “winners” of electoral contests.

Similar to Plato, Awolowo emphasizes the importance of leadership and education in the growth of the individual and the country. Perhaps in response to the issue of illiteracy and ignorance that plague Nigerian society and pose a barrier to a sustained democratic culture in that nation, he pushes for free and compulsory education. This issue frequently appears in two main areas: uneducated voters who support electoral tampering and inept leaders who support governmental corruption. According to Awolowo (1981), education is necessary to produce an educated electorate in the state. Awolowo adopts Plato’s position, having previously contended that a leader’s involvement in dishonest and deceitful activities stems from their lack of formal education. Awolowo compares such a leader to a person who gets lost in a cave. He is able to break free from the chains of ignorance after his body, mind, and brain have fully matured through education. Nyerere (2006) shares Awolowo’s temperament when it comes to the goal of education, which is why he thinks that the main objective of education should be to free people from the constraints and restrictions of ignorance and dependency. According to Nyerere (2006), thinking is how man develops consciousness; hence education of this kind should also empower people to think for themselves. Fisher (2005, pp. 7–8) makes a similar case, urging us to understand that “the quality of life depends on the quality of our thinking.” According to Fisher (2005, pp. 7–8), a society that is successful will be one in which its citizens’ capacities for lifelong learning are most fully fulfilled. In this sense, developing critical thinking skills is something that people should strive for in their education.

The time has come for Nigerians to support Awolowo’s claim that he will serve as the focal point for this social reengineering and to urgently articulate the philosophical ideas that will keep the sinking Nigerian state afloat, because ideas truly do change the world and philosophical ideas serve as a catalyst for positive social change.

Second, Awolowo’s philosophical moral ideas have promoted moral behavior on the part of the individual as well as improved governmental systems that protect human rights, freedom, and peace and the advancement and well-being of the economy. Thus, the Awolowo ideology has made a significant contribution to the finest possible organization of human society, one that enables its individuals to reach their full potential. Awolowo’s idea of mental magnitude effectively encapsulates the concept of ethical leadership by drawing a distinction between leaders who prioritize wealth and materialism and those who choose to serve their community. While reason governs the latter, instincts and emotions govern the former. When Awolowo refers to emotions, he means unpleasant feelings like fear, wrath, worry, jealousy, selfishness, and the like. For Awolowo, leaders who choose to serve are those who are guided by reason rather than emotions. Preaching accountability and openness is challenging when the leaders – like those in Nigeria – don’t live up to these principles. The adoption of Awolowo ideas on leadership and administration, along with curriculum

modifications to include critical thinking instruction, are the keys to resolving Nigeria's present image crisis. According to Awolowo, administrative competency requires effective leadership. In his opinion, people who want to be in positions of leadership need to have a solid education in order to understand the need for good governance. According to him, the growth of the body, mind, and brain constitutes true education. Those who have created a mental magnitude routine are the ones whose mind, brain, and body are developed. People who adopt this mindset are able to regulate their cravings, emotions, and appetites because reason now governs their thoughts and behaviors.

Therefore, it makes sense that Awolowo's philosophical concepts should seize the bull by the horns and help Nigeria overcome its urgent ethical, sociopolitical, and economic concerns in the current times. His moral philosophy ought to be put into effect in order to offer direction out of the unsettling and intolerable predicament the nation finds itself in.

Summary of major findings

To prevent a leadership crisis in Nigeria, the following conclusions seem crucial to our developing democracy's existence and well-being:

1. According to the study, the establishment of popular sovereignty that affects people's daily lives, imbues meaning to citizenship, and extends beyond the borders of the country's constitution is essential to the survival of democratic governance in Nigeria. Democracy can only endure in the nation if and when it transforms into a reality that is deserving of defense. Additionally, research indicates that social life and political affairs should be planned and carried out in a way that promotes equal distribution of the benefits of democracy among the many social classes and strata in society as well as effective access to decision-making for all.
2. The study found that the majority of Nigerians rely on the government for employment, favors, and a living. Nigeria's economy would benefit from a shift away from oil and toward other industries like agriculture, solid minerals, and etc., as this would help to lower poverty on the continent and create jobs for the vast majority of unemployed youth.
3. The study went on to argue that in order for popular democracy to succeed, it needs accountable leaders and informed followers who understand the link between democratic practices and socioeconomic advancement. This development should center on the social welfare of the populace, support political and cultural pluralism, place a strong emphasis on democratic accountability, ensure that people's human rights are protected, and guarantee that opposing viewpoints are represented in the political process.
4. The study found that in order to reverse some societal problems like electoral violence, which is detrimental to elections and democratic practice, there is an absolute necessity for real attitude change. African politicians would no longer view politics as a business focused on generating money or a "do or die" situation, but rather as an endeavor involving community service if they were to truly adopt a new mindset. This will undoubtedly contribute to reducing the nation's economic resource vandalism as well as the ruthless rivalry that political leaders and job seekers typically participate in. In the same spirit,

the ruling class will stray from the colonial legacy of intolerance toward alternative viewpoints that were inherited at independence, and the government will develop sincere programs of empowerment that are focused on the needs of the people and will actually reduce poverty. The ruling elites would be prevented from using security personnel, election body officials, the media, the judiciary, young people, and etc., as tools for electoral violence and fraud by a complete shift in value orientation.

5. The study makes the argument that effective governance is the best defense against corruption. Whatever the measures implemented, they ought to be ones that support accountability, control, and good governance. This framework is the only one that would enable policy frameworks and their execution to have a respectable level of symbolic coherence.

Conclusion

The study makes the case that Nigeria's democratic government hasn't yet brought about the required and ideal growth. Nigeria's democratic experience has markedly diverged from the paradigm of people-centered governance. The people's personal gains from democracy are not increased overall development or welfare but rather hopelessness and annoyance. Nigeria has an abundance of natural and human resources. The problem seems to be in effectively and efficiently utilizing these resources through a system that guarantees equitable resource allocation, an improvement in the majority's standard of living, and the defense of the rights of the impoverished. It appears that the standard of governance is declining, which is causing unrest and the erosion of some public institutions to the point that the continent is being considered a failed state. Through the prism of Awolowo, his stance and philosophical concepts have established a course for societies to pursue in order to maximize happiness for the largest number of people. Because Awolowo had an impact that extended in many directions beyond his own era and nation. While Nigeria has made some progress in terms of human capital and infrastructure development, political squabbling, corruption, injustices, and the threat to people's lives and property have prevented most citizens from receiving the benefits of democracy and responsible governance that have been promised by democratic governments in the past. This article argues that the attainment of sustainable development in Nigeria would only occur when the global community observes a discernible shift in the leadership style, mindset, values, and attitudes of individuals in positions of authority. There is no denying that Nigeria is in desperate need of devoted leaders capable of realizing the benefits of democracy. The ability to alter the governance process, structures, and leadership styles in order to promote sustainable growth in our country's economy, however, remains uncertain.

Prospects for the 21st century

1. **Reducing the appeal of political office through salary regulations for politicians is the answer to this dilemma.** As long as political office holders earn four times as much as academics, Chief Justices, experienced engineers, and other professionals, political offices will continue to be a gold mine that everyone who finds will sell everything they own to get.

2. **Enough knowledge must exist for Nigerian voters to be dissuaded from selling their consciences to support existing leaders.** When voters are aware of the potential consequences of selling their votes, they will not engage in this behavior. However, if the nation's poverty rate remains high, this will not be effective. The government must make every effort to raise the typical Nigerian's standard of living by establishing job opportunities and social programs for the unemployed.
3. **The pressing necessity to alleviate the widespread poverty that is destroying the populace.** Africa has to implement a successful plan for reducing poverty in order to address the multifaceted character of this deadly illness known as poverty. Poverty's social, cultural, political, and economic aspects must all be taken into account in this strategy. People must have a means of subsistence, such as work that allows them to take care of themselves, in order to combat poverty on the continent and ensure that democracy functions.
4. **Offering Africans access to practical education.** In order for its citizens to become self-sufficient and politically aware enough to engage in politics with intelligence, the government must provide them with an education.
5. **African economies must be restructured in order to become economically independent of the world capitalist system.** This can be accomplished by diversifying our economy to lessen our exposure to the whims of the global marketplace. Our agriculture industry needs to be redesigned. In order to attain economic growth and development, an effort must be made to guarantee sectoral linkages within the agricultural economy.
6. **Good political instruction.** The National Orientation Agency (NOA) must immediately reorient its mission from that of a government propaganda machine to that of a genuinely national and people-oriented organization tasked with informing and enlightening the Nigerian populace about the value of good governance and democratic processes. This agency ought to participate in civic and moral education as well. Along with disseminating government initiatives in an effort to get public feedback.
7. **Dealing with the corruption issue.** The African anti-corruption institutions ought to be given the authority to carry out their mandate free from outside intervention. I think that if all of the previously mentioned points are carefully taken into account, it will significantly contribute to the establishment of a robust democracy in Africa.
8. **The study suggests that candidates for any political office be subject to a mid-term assessment.** After serving for two years in a four-year term or for two and a half years in a five-year term, politicians should be forced to return to their constituents and ask them to reaffirm their mandate. With this clause in place, voters will know that elected officials are accountable and responsive to their constituents and will be able to deliver on the benefits of democracy.

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Citation

N.A. Mumuni, (2024), Leadership crisis and democratic consolidation in Nigeria: A discourse using Awolowo's political philosophy, *Acta Politica Polonica*, 2 (58), 85–103. DOI: 10.18276/ap.2024.58-07.

Sprawozdanie z debaty „Konieczne zmiany prawa wyborczego” (Poznań, 28.02.2024)*

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W ramach Ogólnopolskiej Konferencji Naukowej „Wybory i prawo wyborcze. Wymiar europejski, krajowy i samorządowy”, zorganizowanej na Wydziale Nauk Politycznych i Dziennikarstwa Uniwersytetu im. Adama Mickiewicza w Poznaniu (28.02.2024 r.), odbyła się debata przygotowana przez Fundację im. Stefana Batorego – „Konieczne zmiany prawa wyborczego”.

Dyskusji przewodniczyła dr Anna Materska-Sosnowska (Fundacja im. Stefana Batorego, Uniwersytet Warszawski), w której udział wzięli: Róża Rzeplińska (Stowarzyszenie 61), Zofia Lutkiewicz (Odpowiedzialna Polityka), prof. Mikołaj Cześniak (Uniwersytet SWPS), prof. Bartłomiej Michalak (Uniwersytet Mikołaja Kopernika w Toruniu).

Na początku A. Materska Sosnowska zidentyfikowała najważniejsze, jej zdaniem, obszary wymagające zmiany, takie jak: administracja wyborcza, równość i dostępność wyborów w kraju i zagranicą, finansowanie komitetów wyborczych, zwiększanie przejrzystości finansowania kampanii wyborczej, konflikty terminów w procesie wyborczym, sytuacje nadzwyczajne, mężowie zaufania i obserwatorzy wyborczy.

Zdaniem R. Rzeplińskiej, brakuje jasnego stanowiska PKW wobec referendum i prekampanii (jej finansowania), czy zbieżności haseł wyborczych umożliwiających podwójne finansowanie. W opinii mówcy ponadto, brakuje aktywności PKW odnośnie do zagadnienia możliwości głosowania zagranicą. W składzie PKW brakuje także sędziów, co gwarantowałoby brak uwikłania politycznego tego organu.

Dyskutantka zauważyła, że brakuje dostępu w przestrzeni publicznej do obwieszczeń o kandydatach w wyborach. W jej opinii ponadto, potrzebna jest edukacja wyborcza osób dorosłych (co wymusiłoby zadawanie pytań w fundamentalnych sprawach dla jednostek, rozwinęłoby umiejętności w korzystaniu z prawa wyborczego). Zdaniem R. Rzeplińskiej, regulacja finansowania

* Słowa zawarte w niniejszym sprawozdaniu odzwierciedlają myśli i wypowiedzi mówców, a nie autora niniejszego sprawozdania.

kampanii wyborczej komitetów wyborczych przez takie działania, jak: promowane programu 800+, rozdawanie promes przez posłów, transferowanie środków przeznaczonych dla organizacji pozarządowych do szefów kampanii wyborczych, wymaga doregulowania wykluczającego powyżej stwierdzone nadużycia. W opinii mówczyni, niezbędna jest prawna regulacja platform cyfrowych, które starają się targetować przekazywane treści.

Zdaniem Z. Lutkiewicz, należy wypracować nowy model funkcjonowania administracji wyborczej. Koreferentka podkreśliła konieczność przeprowadzenia dyskusji akademickiej. Wyraziła chęć współpracy fundacji i organizacji pozarządowych z PKW. W jej opinii, wskazana byłaby komunikacja PKW z tymi podmiotami odnośnie do wielu elementów procesu wyborczego (np. kwestii kompetencji kandydatów na członków PKW). Zwrócono uwagę na ogromne koszty wdrożenia aplikacji „mąż zaufania”, z której w elekcji z 2023 roku skorzystało 8 osób w skali kraju. Jak powiedziała Z. Lutkiewicz, Fundacja Odpowiedzialna Polityka monitorowała udział spółek Skarbu Państwa w kampanii wyborczej, w efekcie czego FOP wyraziła konieczność uregulowania udziału podmiotów trzecich w kampanii wyborczej i jego finansowania. Kolejnym wyzwaniem, w opinii mówczyni, jest większa digitalizacja sprawozdań finansowych (czy w ogóle kwestia bieżącej kontroli nad wydatkami komitetów na kampanię). W tym obszarze postuluje ona bardziej aktywną rolę PKW lub przesunięcie jej uprawnień w zakres kompetencji NIK-u. Przedostatnią kwestią, na którą zwrócono uwagę, było to, że w dniu głosowania członkowie obwodowych komisji wyborczych prezentują kiepski poziom wykszolenia (np. w kwestiach takich jak problem zachowania tajności głosowania). Zauważono, że system szkolenia członków obwodowych komisji wyborczych nie jest jednolity. Na koniec poruszono zagadnienie społecznej obserwacji wyborów jako młodej instytucji polskiego prawa wyborczego (występującej od 2018 r.). Obserwatorzy społeczni nie mogą przyglądać się jedynie działaniom PKW – Sąd Najwyższy w swoich orzeczeniach z października 2023 roku przyznał im prawo obserwacji referendum.

Zdaniem B. Michalaka, głosowanie Polaków zagranicą jest kolejnym ważnym problemem. Skala zjawiska jest duża, bowiem liczba uprawnionych ostatnio wzrasta o ponad 0,5 mln w porównaniu do 2011 roku. Wyborcy zagranicą ponoszą koszty związane z organizacją możliwości oddania głosu w wyborach, w porównaniu z wyborcami krajowymi, głosującymi „za darmo”. Organizacja obwodu zagranicą powoduje ogromne trudności i koszty, skompletowanie składu komisji także jest problematyczne. W związku z tym postulowano przywrócenie głosowania korespondencyjnego zagranicą. W opinii B. Michalaka, państwo utrudnia zagłosowanie uprawnionemu zagranicą (m.in. przez ustanowienie prawnego wymogu dostarczenia gotowego protokołu z głosowania w obwodzie w ciągu 24 godz. od jego zakończenia).

W opinii M. Cześnika, należy zwrócić uwagę na powszechność głosowania – tak, aby procedura oddania głosu nie była dla uprawnionych trudna. Wyzwaniem w przyszłości będzie stworzenie sytuacji, w której wyborca nie będzie brał udziału w wyborach, gdyż nie chce a nie dlatego, że nie może. Remedium może okazać się głosowanie pocztowe czy przez pełnomocnika. Drugi problem to kwestia równości wpływu na to, jak obywatelki i obywatele wybierają przedstawicieli.

Na zakończenie A. Materska-Sosnowska rozpoczęła dyskusję, w której wzięli udział goście konferencyjni i publiczność zgromadzona na auli obrad. Zdaniem urzędnika wyborczego, należałoby ustanowić wymóg zbierania podpisów poparcia także przez kandydatów na wójta. Ważna jest kwestia umożliwienia cyfrowego zgłaszania kandydatur w wyborach samorządowych. Student znajdujący się wśród publiczności zwrócił uwagę na to, że komitety lokalne stoją na straconej pozycji w kontekście zbierania funduszy na prowadzenie kampanii wyborczej. Inną rzeczą jest możliwość podpisania się na liście poparcia dla komitetów czy kandydatów za pomocą nowoczesnych rozwiązań technologicznych. Tymczasem członek Rady Miasta Poznań zauważył, że rozwój w tym zakresie kiedyś nastąpi, akcentował jednak niebezpieczeństwo wykluczenia cyfrowego wynikającego z gwałtownego rozwoju nowoczesnych technologii.

Głos zabrali przedstawiciele doktryny. Jako pierwszy K. Skotnicki, który zauważył, że postulaty omówione przez B. Michalaka nie są nowe, jednak kiedyś uprawnionych do głosowania zagranicą nie było wielu. K. Skotnicki nie zgodził się z refleksją na temat przygotowania członków obwodowych komisji wyborczych. Lepiej byłoby stworzyć stały korpus obwodowych komisji wyborczych.

Nie zabrakło wypowiedzi także praktyków. Przewodniczący PKW jest zwolennikiem społeczeństwa obywatelskiego, w jego opinii dobrym rozwiązaniem jest uczestnictwo w PKW przedstawicieli świata nauki i praktyki prawniczej (przy respektowaniu cechy apolityczności). W opinii publiczności, konieczne jest przekazanie sformułowanych postulatów członkom władzy ustawodawczej jako decydom w zakresie zmiany legislacji. Zdaniem T. Gąsiora, ważne są motywacje osób do udziału w pracach obwodowych komisji wyborczych. Jak podkreślił R. Balicki, rolą PKW nie jest tonizowanie stwierdzonych uchybień. Zauważył także, że prekampania jest problematyczna, bo jak oddzielić aktywność parlamentarzystów od potencjalnego ich kandydowania w przyszłości? Należy wprowadzić elementy bieżącej kontroli finansowania kampanii wyborczej. W opinii dyskutanta, mimo że szkolenia są przygotowane, to udział członków obwodowych komisji wyborczych w nich jest niewystarczający. Dla ludzi ważniejsze jest ponadto uzyskanie gratyfikacji finansowej niż sam udział w pracach obwodowych komisji wyborczych.

Na zakończenie R. Rzeplińska postulowała, aby zaprezentowane propozycje zmian zaimplementowano po wyborach do Parlamentu Europejskiego, a przed elekcją na urząd Prezydenta RP (w połowie 2025 r.). Z kolei Z. Lutkiewicz podkreśliła, że jest zwolenniczką digitalizacji procesu wyborczego, a nie głosowania internetowego. Głos strony społecznej powinien być brany pod większą rozwagę. Według M. Cześnika, nie można oddawać organizacji digitalizacji procesu wyborczego podmiotowi niemającemu do tego legitymacji, stojącemu poza kontrolą państwową. W opinii B. Michalaka, wójt kandyduje na radnego z uwagi na motywacje polityczne. Proces szkolenia członków obwodowych komisji wyborczych powinien być rozłożony w czasie przed wyborami. Dyskutant nie jest zwolennikiem korpusu wyborczego, uznając postulat elektronizacji procesu wyborczego, uznał ponadto, że nie jest zwolennikiem oddawania głosu przez internet. W opinii referenta, kwestia głosowania zagranicą nie musi implikować tworzenia osobnego okręgu. Na zakończenie obrad B. Michalak zauważył, że każda propozycja zmiany tworzy określone problemy.

W debacie „Konieczne zmiany prawa wyborczego” sformułowano wiele interesujących opinii mogących być inspiracją dla prawodawcy. Głosy wyrażane w polemice miały tym ważniejsze znaczenie, że formułowali je nie tylko prawnicy, ale także politolodzy czy socjolodzy. Ujęcie takie dowodzi potrzeby wielowymiarowej analizy zagadnienia dokonywania zmian dotyczących wyborów. Skoro wybory są „świętem demokracji”, to tym bardziej pożądana byłaby refleksja nad nimi w szerszym gronie, z udziałem także obywateli. Dobrze zatem się stało, że elementem poznańskiej Konferencji była debata, albowiem stała się ona forum wymiany ciekawych spostrzeżeń i postulatów. Uświadomiła także i to, jakie obszary wymagają doprecyzowania czy modyfikacji.

Cytowanie

R. Zych (2024), Sprawozdanie z debaty „Konieczne zmiany prawa wyborczego” (Poznań, 28.02.2024). *Acta Politica Polonica*, 2 (58), 105–108. DOI: 10.18276/ap.2024.58-08.

