



FROM ELECTION TO SORTITION: A DIALOGICAL STUDY OF A VIABLE ALTERNATIVE TO DEMOCRATIC CONSOLIDATION IN NIGERIA

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Abstract

This essay critically examines the limitations of election-based democracy and advocates sortition as a viable alternative for democratic consolidation in Nigeria. Although elections are widely regarded as the hallmark of democracy, the study argues that electoral systems have increasingly failed to guarantee political equality, accountability, competent leadership, and genuine popular participation. Drawing from the philosophical critiques of thinkers such as Plato, Aristotle, Rousseau, Karl Marx, Nietzsche, Hannah Arendt, Robert Michels, Joseph Schumpeter, Bernard Manin, Jason Brennan, and David Van Reybrouck, the essay demonstrates that elections often promote elite domination, corruption, manipulation, voter ignorance, and political exclusion rather than authentic democracy. The study further examines the Nigerian democratic experience and identifies electoral violence, vote-buying, ethnic and religious politics, weak institutions, judicial interference, corruption, and political godfatherism as major factors responsible for the failure of electoral democracy and the unconsolidated nature of democracy in Nigeria. Against this background, the essay explores sortition, the selection of public officials through random lottery, as an alternative democratic mechanism rooted in the principle of political equality. The research adopted dialogical research methodology while using historical and contemporary perspectives, the study argues that sortition is capable of reducing corruption, weakening elite domination, encouraging deliberation, enhancing inclusiveness, strengthening civic participation, and restoring public trust in governance. The essay concludes that integrating sortition into Nigeria's democratic framework can contribute significantly to democratic consolidation by promoting competence, accountability, equality, and the rule of law.

Keywords: Sortition, Lottery, Election, Democracy, Plutocracy, Consolidation,

Introduction:

Even though democracy has been conceived as and to a large extent regarded as the most appropriate system of government that is capable of meeting the needs of the human person without necessarily violating her rights and dignity. Democratic system of governance have not been able to fulfil the preconceived excellence often associated in many heterogeneous society like Nigeria because of its edifice inherent in electoral process in the contemporary world. Election may be described as the mechanism of choosing leaders via the ballot, it is so fundamental to democracy, however, democracy transcends electoral process. In examining the limitation of election in general and specifically in Nigeria, it would be obvious that when an electoral process is faulty and it is in a hopeless situation, the structure for totalitarianism, authoritarianism, plutocracy, human rights violation in several ramifications are laid. An erroneous electoral system will surely produce incompetent leaders, without electoral process significantly devoid of malpractice democracy cannot be consolidated. To be able to rectify the loopholes intrinsic to electoral democracy, it is important to give adequate attention to democratic edifice especially in its place of origin. Aristotle was conversant with the



limitation of election as not the best approach to choosing leaders when he held that ‘the appointment of magistrates by lot is thought to be democratic, and the election of them oligarchic.’ (Aristotle, trans, 1944, 1294b). In order to consolidate democracy, a return to a system of choosing leaders by the process called Sortition is important.

The advocacy for democracy and the perceived notion of democracy as seminally the best form of governance can be truncated when the electoral process is in a hopeless situation enhanced by the brand of politicians that are at the helm of affairs. The kind of politicians and their followers that seek power, prestige, and income, which leads them to seek winning elections, which in turn implies seeking maximization of votes by any possible means even when they are not needed: “Politicians are interested in gaining office to obtain personal benefits, not in promoting a better society. Political ideologies are just instruments in the struggle for office. On the other hand, the individual citizen seeks self-interest and votes for the political party he or she expects will provide them with more benefits than any other” (Figueroa, 2017, p.40). When electoral democracy reigns with an erroneous electoral process, sincere, guanine and competent incorruptible leaders are most likely to exist in an insignificant number.

In many contemporary democracies, elections have gradually become instruments of elite competition rather than authentic expressions of popular sovereignty. Plutocracy dominates, political parties manipulate public opinion, and citizens often feel alienated from the political process. In developing democracies such as Nigeria, electoral politics is habitually associated with vote-buying, ethnic polarization, electoral violence, judicial controversies, and the concentration of political power in the hands of a privileged few. Consequently, scholars and political theorists have begun to revisit alternative democratic models capable of deepening participation, reducing corruption, and enhancing legitimacy. One of such alternatives is democracy based on sortition as the ideal process for choosing leaders. Scholars like Burnheim in 2014, Reybrouck in 2016, Dowlen in 2010 and many others have proposed the use of sortition for appointing government authorities as the alternative to electoral democracy (Figueroa, 2017, p.79).

Sortition refers to the mechanism of selecting political representatives or public officials through random selection in the form of lottery rather than competitive elections. Democracy actually started in Athens using this means. Even though the concept appears drastic in the context of modern politics, it is one of the secrets of the success recorded in ancient practice of democracy that made it attractive to the contemporary age. Considering the need for competent leaders with the desired passion for human society urgently needed in heterogeneous society like Nigeria, sortition is most likely going provide solutions to the failures of electoral democracy by promoting equality, inclusiveness, deliberation, and civic participation.

On the basis of proffering solution to the problem of democracy in Nigeria, this essay critically opt for a paradigm shift from election based democracy to sortition based democracy as a possible strategy for democratic consolidation in Nigeria. It argues that while elections remain important, their loopholes compel the need for alternative democratic mechanisms capable of restoring public trust and reducing elite domination. The essay examines the philosophical foundations of democracy and sortition, the historical development of electoral systems, the crisis of representative democracy, the merits and criticisms of sortition, and the prospects of implementing sortition within modern democratic states, particularly in unconsolidated democracies such as Nigeria.

The Assumptions on Election as the Appropriate Process for Choosing Leaders

Democracy is not tantamount to election but as a process for selecting leaders, election plays a key role in democratic system of government because bad elections are most likely to produce bad leaders.



Democracy is not merely about election, even though there is an argument that elections are the central institution of democratic representative governments because they provide citizens the opportunity to choose their leaders (Matsheza & Kututwa, 2005, p.25). However the limitations of this opportunity has the potential of becoming a cankerworm that destroys the substance of democracy. The increasing discontent with elected governments worldwide has raised philosophical questions about whether elections genuinely work in accordance with the confidence placed on its process. Voter apathy, plutocracy, political corruption, authoritarian populism, and electoral violence have proven how limited election is in aiding ideal democratic practices. The confidence on election as a process that guarantees good leadership in democratic governance has failed to a large extent.

Much confidence have been placed on the electoral process as the ideal process for choosing leaders in democratic systems of governance, however, the situation at hand in several countries has negated such confidence. Considering the origin and the birthplace of democracy, much confidence was not place on electoral process as we have it today. Contrary to the perceived confidence on election, in ancient Athens, elections were the primary mechanism for choosing leaders because it was believed that elections are in favour of the wealthy and influential individuals regardless of their leadership competence. Aristotle acknowledged this in *Politics* when he argued that elections is aristocratic because it is a tool that persuade citizens to choose individuals perceived as superior, however, sortition remains a mechanism that prompt democratic equality by giving citizens equal opportunities for public offices (Aristotle, trans, 1944, p.1294b). In ancient Athens, representatives were chosen through sortition thereby ensuring adequate participation of citizens on equal platform. The evidence of the modus operandi of democracy in ancient Athens, the birthplace of democracy challenges the claim that elections are inherently democratic and the perceived confidence in the process. Unfortunately, elections around the world often fail frequently because of the intrinsic limitations embedded in electoral processes.

The adoption of elections as the mechanism for choosing political leaders was developed without given attention to the possibility of reforming sortition to meet with the increasing population of participants in democracy. It was during the modern era, the seventeenth and eighteenth centuries that representative democracy that is focused on electoral approach emerged primarily through political philosophers like John Locke, Montesquieu, and Jean-Jacques Rousseau who influenced the development of constitutional government, popular sovereignty and separation of powers (Tripura, 2023, p.5). Notwithstanding the appealing nature of the contributions of the modern era to democracy, the election components remains one of the loopholes inherent in their contributions. To this end, democracy at large often fail to accomplish its basic tenets primarily because election that served as mechanism for chosen leaders tend to pay way incompetent leaders to emerge, once the process or the foundation is faulty, necessarily the end result would be faulty. This to a large extent account for the failure of democracy in different parts of Africa. Nigeria is a testimony of how election can render a democratic system unconsolidated. At this point, it is necessary to identify why elections fail on the general note and on a specific note in Nigeria, and why sortition is a better alternative.

The Failure of Election as the Appropriate Process for Choosing Leaders

Elections have been commended as the most appropriate and legitimate mechanism for choosing political leaders because of the perceived confidence in the process yielding freedom, equality, accountability and political participation. Despite its ubiquitous nature, philosophers throughout the ages have vehemently criticized electoral systems for its intrinsic loopholes Philosophers such as Plato, Aristotle, Jean Jacques Rousseau, Karl Marx, Friedrich Nietzsche, Robert Michels, Joseph Schumpeter, Hannah Arendt, Jason Brennan, Bernard Manin, and David Van Reybrouck have each



presented persuasive arguments uncovering the limitations of electoral systems. Such criticism buttressed the failure of election as the appropriate process or system of choosing political leaders.

Plato's criticism of election extends to democracy on a general note, however, his criticism of democracy has a lot to do with the limitations and possible outcome of elections. Ordinary citizens in Plato's view do not have the adequate knowledge and virtue needed for governance, to this end, involving in election would necessarily yield incompetent leaders to the extent that the supposed freedom and accountability may become impossible. Disorder and tyranny are most likely going to be the product of engaging in election. Only philosopher-kings have the competence for political leadership in the view of Plato because "the excess of liberty, whether in states or individuals, seems only to pass into excess of slavery" (Plato, trans, 2004, p. 276). The supposed freedom embedded in election can become an instrument of slavery. The danger of election lies in fact that politicians often appeal to the public emotions, so, electorate are only focused on rewarding rhetoric and popularity instead of competence. It is important to note that Plato's discontent with democracy is because of the electoral process producing incompetent leaders, one can assume that if other alternatives are utilized to the point of producing competent leaders, democracy is likely to be rejected in Plato's thought. Sortition as proposed in this essay has the capacity of overcoming the limitation envisaged by Plato.

In a similar approach, Aristotle made distinction between democracy and aristocracy and claimed that democracy can easily degenerate into mob rule when personal interests overshadow common good. It is on this note that he argued in *Politics* that election is an instrument of oligarchy: "election by vote is the aristocratic way, and appointment by lot the democratic" (Aristotle, trans. 1944, p.1300a). In this regard, sortition has the capacity of accomplishing the aspiration of accountability, equality, freedom and political participation for democracy rather than elections, sortition reflected true political equality because it has the capacity of giving all citizens equal chances of participating in governance.

Jean Jaques Rousseau presented his critique on electoral representation in compliance with his view that sovereignty primarily belongs to the people and cannot be delegated to representatives using election as a justifying means. He held that "the English people thinks itself free; it is greatly mistaken; it is free only during the election of Member of Parliament" (Rousseau, trans. 1968, p.141). Conversely, elections are just tools that create temporal political participation devoid of actual power which rest in the hand of elites after the electorate have taken their decisions. The nature of representative democracy as viewed by Rousseau essentially destroys genuine popular sovereignty on the bases of the egocentric nature of most elected officials to the detriment of the collective will of the people. The relevance of Rousseau's criticism can be seen in the contemporary model of most democratic nations where citizen often participate mainly through periodic voting while political elites dominate governance processes and citizens feel disconnected from political institutions. Distrust in politicians, voter apathy, and the influence of political elites buttress Rousseau's argument that election weakens authentic popular sovereignty.

Karl Marx criticism of election as the appropriate means of choosing political leaders is from a socialist viewpoint which content that elections are instrument for the domination of the ruling capitalist class. Even though elections has the appearance of enhancing political equality, the economic inequality inherent in electoral democracy ensures the wealthy control political institutions. In Marx's view, "the oppressed are allowed once every few years to decide which particular representatives of the oppressing class shall represent and repress them in parliament" (Marx, 1972, p. 230). In this viewpoint, election is seen as a tool for deciding which evil to accept not fundamentally an instrument for freedom, political participation, equality and accountability. Election competition



do not guarantee freedom, equality and justice but creates false consciousness by compelling citizens that they possess political powers while in reality political powers remains in the hands of the economic elites. “Political power, properly so called, is merely the organized power of one class for oppressing another.” (Marx & Engels, 1848/1978, p. 490). This assertion about political power is arguably made possible because of the limitations inherent in electoral mechanism.

Nietzsche’s discontent for election and subsequently for democracy are entrenched in his comprehensive philosophical disapproval for equality, mass culture and herd mentality. He expressed his fear that electoral politics authorizes the majority at the detriment of the exceptional individuals and reduces politics to a tussle for popularity instead of competence and moral values. It is on this note he held that “morality in Europe today is herd-animal morality” (Nietzsche, 2002, p. 116). The idea of herd morality is used to show that democratic politics encourage citizens to think alike in a manner that follow the crowd instead of being critical, independent, and focus on moral valued judgment. Politicians appeal to mass emotions as a manipulative tool for governance.

Election, in this perspective frequently become competitions for mass endorsement rather than competence. Contrary to the popular opinion that that the voice of the people is the voice of God, Nietzsche insisted that “the voice of the people is not the voice of God” (Nietzsche, 1968, p. 153). In this regard, majority is not always morally correct and as such electoral outcomes cannot be considered as expression of truth or justice.

Hannah Arendt is intentional in regarding election as an inappropriate instrument for political system, she criticized modern representative democracy for its reductionism in terms of citizenship and political engagement. For her, politics requires direct participation in public affairs, on the contrary, electoral democracy converts citizens into passive spectators whose major concern is in occasional voting. Accordingly, Arendt argued that representative democracy is inclined to reducing citizens to passive voters rather than active participants in public life (Arendt, 1963, pp. 268–273). To this end, election remains a stereotypical system for establishing oligarchy, inherent in election is a deceptive strategy for wading democracy. Voting in an election is a passive activity devoid of true action necessary for democracy. To this end, it is argued that electoral democracy necessarily leads to decline in the treasure inherent in council system. Elections are deeply flawed because of the its substance that is contradictory to the values of democracy at large, Arendt suggested an alternative system has the merit of engaging citizens that must ‘protect the island of freedom they have come to inhabit against the surrounding sea of necessity’ (Arendt, 1963, p.267).

One of the benefits of the council system is that, it “would not strip citizens of any of their current civil rights or constitutional guarantees, rather, it encourages all citizens to participate directly in government while maintaining the right of freedom from politics for those who choose ((Muldoon, 2011 , p. 398). The council system is to be preferred because it does not institutionalize the rule of the elite that entails the denial of freedom to the majority of citizens as it is common with electoral systems. “A council system allows citizens to participate directly in government through a participatory structure based on the principles of political equality and plurality” ((Muldoon, 2011, p. 399). In all, Arendt is not absolutely against democracy but against the limitations that the electoral system impose on democracy. “Arendt’s council system preserves the institutional safeguards of current liberal representative democracy while allowing for greater participation in government by ordinary citizens” ((Muldoon, 2011, p. 403).

One of the most popular critique of election as a process that does not guarantee democracy is Robert Michael in his ‘iron law of Oligarchy’ joined Aristotle to regarding democracy as oligarchy. In compliance with his popular saying “who says organization, says oligarchy” (Michel, 1915, p.401),



it is argued that every organized political system, democratic electoral system inclusive, eventually concentrate power in the hand of few influential and wealthy individuals that often served as leaders: “the leaders, who were at first no more than the executants of the collective will, soon become independent of the mass and dominate it” (Michels, 1915, p. 70). This indicates how representatives gradually detach themselves from the people and pursue their own interest thereby defeating the aim of democracy in being accountable to the people. In the end, elections inescapably is a tool that produce professional political elite that monopolizes decision-making power thereby reducing citizens to passive participants.

Another scholar who contended with the popular democratic notion that elections necessarily reflect the will of the people is Joseph A. Schumpeter who held that “the will of the people is the product and not the motive power of the political process” (Schumpeter, 1942, p. 263). Inherent in this is the argument that public opinion is often shaped and manipulated by political leaders, parties, propaganda, and institutions instead of being formed independently by citizens on the basis of their conviction and deep-rooted knowledge of their political environment. To this end, elections do not necessarily express the supposed pre-existing popular will or expectations of the people and as such election is not the cornerstone of democracy. Schumpeter’s view on election encompasses the anticipated modern concerns about media influence, political marketing, misinformation, and populism. Contemporary democracies fueled by electoral systems is commonly based on campaigns driven by emotional polarization devoid of substantive policy discussions.

Bernard Manin’s viewpoints on elections were presented in his book titled *The Principles of Representative Government*. Manin argued that elections historically emerged not as democratic institutions but as aristocratic mechanisms for selecting elites: “the method of election contains an undeniable aristocratic element” (Manin, 1997, p. 132). In this regard, it is obvious that “election does not produce a democratic distribution of public offices; it necessarily favors individuals who enjoy a high social status” (Manin, 1997, p. 134). He affirmed that electoral systems tend to encourage the wealthy, educated, charismatic, and socially influential individuals. Consequently, elections reproduce social inequalities rather than political equality that is meant to establish: “election selects individuals who are judged superior to others” (Manin, 1997, p. 134). Accordingly, the logic of elections is based on choosing “better” people. This makes elections inherently aristocratic because citizens do not govern directly; rather, they choose a small elite to govern on their behalf. “Candidates for election generally possess resources that distinguish them from most citizens” (Manin, 1997, p. 148). Such resources are part of what buttressed election as instrument of oligarchy. Furthermore, such resources places the wealthy in electoral politics at advantageous positions that ordinary citizens rarely possess. David Van Reybrouck presented a similar approach to election in his argument concerning elections as tools of elite domination when he contends that “elections are the fossil fuel of politics” (Reybrouck, 2016, p. 43). In this perspective, election is an outlet that creates professional political classes that are often disconnected from ordinary citizens. Hence, rather than solving democratic problems, elections intensify polarization, corruption, and public distrust.

In an attempt to defend epistocracy or rule by the knowledgeable, Jason Brennan a contemporary philosopher revitalized criticism of electoral democracy. He argued in *Against Democracy*, that “most citizens are ignorant, irrational, and misinformed about politics” (Brennan, 2016, p. 4). To this end, most citizens are incompetent to engage in election and any decision taken by such citizen is likely going to be detrimental because most of such decisions are often based on emotions, tribal loyalty, religion, ethnicity, propaganda, or misinformation rather than rational analysis. In compliance with Brennan perspective, democratic participation is capable of worsening political outcomes since uninformed voters are most likely to support incompetent leaders and harmful policies. Universal suffrage is compared to the harm that can be caused when allowing medically untrained individuals



to perform surgery. Brennan therefore advocates epistocracy as a system in which political power is distributed based on knowledge and competence instead of equal voting rights of electoral democracy. Brennan's criticism of electoral democracy gave special attention to the idea that voter's participation essentially leads to good governance: "the ignorant and misinformed may have a right to participate in politics, but it does not follow that they ought to rule" (Brennan, 2016, p.15). Voter's participation do not amount to being part of the leadership because many voters lack sufficient political knowledge to make competent electoral decisions which undermines the efficacy of democracy. When election is equated with democracy, the danger of producing undemocratic leaders through election cannot be avoided.

Philosophers' arguments against electoral democracy constitute one of the most significant traditions in political philosophy, their criticism reveal the problems of voter's ignorance, corruption, manipulations, elite domination, political apathy, plutocracy and majority tyranny. Their criticism further reveals that election is not automatically tantamount with justice, accountability, freedom, political participation, rationality, equality, competent leadership or genuine popular rule. The persistent importance of democracy depend on the logic that despite its limitations, it remains a valuable system capable of reformation. It is expected as argued in this system essay that such reformation is found in sortition.

Nigeria as Template of the Failure of Electoral System in Democracy

The use of election as a pathway to political offices that has been equated with democracy has failed in Nigeria because the supposed accountability, freedom, equality and adequate political participation that ought to be embedded in electoral system is now a mirage. All the aforementioned limitations of elections in a democratic settings are present in Nigeria's approach to democracy, however, these limitation are unique in the way they are experienced in Nigeria. Since the commencement of the fourth republic, Nigeria has conducted several elections that has proven the limitations entrenched in elections in general. Most elections in Nigeria have been criticized by local and international observers for irregularities and malpractice. The major reasons why elections fail in Nigerian democracy are based on factors such as electoral violence, corruption, vote-buying, ethnic and religious politics, weak electoral institutions, judicial interference, poverty, political godfatherism, and insecurity.

Electoral violence entails the use of force by illegal or legal entities to manipulate, intimidate and harm the preparatory period of elections, the act of elections itself and the outcome of elections. Election period in Nigeria are volatile season because of widespread violence and insecurity. In Nigeria, political actors often rely on violence as a strategy for winning elections. The confidence in electoral violence by most politicians in Nigeria has made it almost impossible to separate it from election: "electoral violence in Nigeria has continued to defy every policy put in place to check it" (Ikpe, 2015, p.51). Electoral violence happens before, during, and after elections. Before elections, political thugs are recruited to disrupt campaigns and intimidate voters. During elections, ballot boxes are snatched, polling units attacked, and electoral officials threatened. After elections, violence often erupt due to dissatisfaction with results. The violence that erupted after 2011 general election in Northern Nigeria, which led to the deaths of many people, is an example of how electoral violence threatens democracy. It has been observed that "violence mar as high as 70 percent of Nigerian elections resulting in deaths, destruction of properties, maiming, etc" (Harry & Kalagbor, 2021, p.112). Violence in electoral process creates voter's apathy, political participation, undermines the legitimacy of election and weakens the institutions of democracy. Violence in an election is capable of turning democracy to totalitarianism.



Vote buying is one of the major factors in Nigerian elections processes that necessitate the failure of election as the appropriate means of choosing political leaders. Poverty and illiteracy to a large extent has encourage vote buying to be part and parcel of election in Nigeria. “Domestic and global studies including election observers have established that there has always been widespread vote buying (Adebowale & Olumide, 2024, p.3). The negative effect of vote buying is that the electorate or the electoral officials often sacrifice their rights and responsibility on the altar of avarice to the detriment of generations. Vote buying hampers the integrity of any election, without integrity in election process the perceived confidence in election yielding accountability, equality, freedom and political participation are rendered ineffective. Vote buying remains a threat to the integrity, sustainability and consolidation of democracy in significant ramifications. Often associated with vote buying is corruption which encompasses the use of money by politicians to bribe electoral officials, security personnel and judicial officers. The democratic principle of free choice is undermined by corruption which turns election to commercial transaction rather than authentic expression of popular will. Corruption dwindles electoral institutions such as the Independent National Electoral Commission (INEC). When electoral officials are bribed, election results can no longer be a reflection of the will of the electorate and as such, public confidence in the electoral process are reduced to the barest minimum.

The weakness of electoral institution like INEC is one of the fundamental reasons why election is not the appropriate means of choosing political leaders. The internal structure of the so-called independent electoral institution has made it difficult for election to reflect the will of the people. The officials of the electoral institution in Nigeria are appointees of incumbent political leaders, it is therefore difficult and almost impossible for an appointee to work against his appointer. Weak institutions make it difficult to make and enforce electoral laws, and punish offenders. Politicians involved in electoral malpractice are rarely prosecuted successfully. The absence of accountability encourages further violations of electoral rules. “Where electoral institutions are weak, electoral fraud and political violence become inevitable” (Diamond, 2008, p.27). Strong democratic institutions are essential for credible elections. When institutions are weak, politicians can easily manipulate the system for personal and political gain. “Democracy cannot thrive where institutions saddled with electoral responsibilities lack autonomy, capacity and legitimacy” (Ibrahim, 2007, p.3). The weakness of the main electoral institution that is the INEC has made election in Nigeria inappropriate mechanism for selecting ideal leaders.

Political parties play a very important role in that standard of election because they are at the epicenter of all electoral malpractices. “Rather than serving as platforms for policy articulation, many Nigerian political parties function merely as instruments for capturing state power” (Osaghae, 1998, p.121). Operating under such atmosphere, many political parties in Nigeria lack clear ideologies and internal democracy. A system devoid of ideology to propel its operations cannot represent the interest of the citizenry. On a general note, the “weakness of political parties in Nigeria stems from the failure of institutionalize internal democracy and transparent leadership recruitment (Jinadu, 2011, p.39). What characterizes political parties in Nigeria are weak organization, elite domination, godfatherism, and persistent factionalism. To this end, “most Nigerian political parties are fragile electoral vehicle built around personalities rather than enduring political institutions” (Diamond, 2008, p.112). Primary elections are often characterized by bribery, violence, imposition of candidates, and lack of transparency. This creates dissatisfaction among party members and encourages defections and political conflicts. The focus of weak political parties systems as it is operated in Nigeria is on winning power instead of promoting democratic values and national development. In the absence of strong ideological edifice, political parties are mere opportunistic and personality-driven platforms. Considering the limitation of political parties in Nigeria, one cannot depend on such institutes as ideal platforms for appropriate democratic dividend.



It is a cliché noting that judiciary is the last hope of the common man, however, when there is no confidence in the supposed last hope, the situation is mostly to be in an irredeemable state. Such is the situation in Nigeria where there are several allegations of judicial corruption and manipulation that have weakened public trust in the electoral justice system. When citizens believe that courts are unable to deliver justice fairly, confidence in electoral systems decline. Judicial inconsistency and political interference weaken the legitimacy of electoral outcomes and encourage further malpractices. “The increasingly judicialization of electoral outcomes in Nigeria has shifted democratic legitimacy from the ballot box to the courtroom” (Sule & Sambo, 2026, p.9). The influence of judiciary has gotten to the point that court has now become the key determinant of most elections in Nigeria: “the court have become alternative arena for determining electoral victories, thereby weakening the sovereignty of voters” (Anda & Dera, 2023, p.54). The involvement of the judiciary ought to be limited under an ideal electoral system, however the situation in Nigeria is such that what the general public often see as flawed election are given judicial endorsement. “Judicial endorsement of flawed elections has contributed significantly to democratic distrust and political instability in Nigeria” (Orie, 2024, p.76). In the face of judicial takeover of electoral process, the use of election as the appropriate mechanism for selecting political leaders cannot be trustworthy.

Ethnicity and religion play important roles in Nigerian politics and often determine electoral failure. Supports for candidates in most elections by voters primarily depend on the religion and ethnicity of the candidates instead of their competence or ideology. “The political elite divide the electorates along ethnic and religious lines in the season of elections... thereby undermining Nigeria’s democracy” (Eze & Karibi-Botoye, 2024, p.112). Ethnic and religious sentiments are potent tools in the hands of political parties who frequently exploit ethnic and religious sentiments to gain support. Elections that are highly influenced by religion and ethnicity are often, instruments for division and hatred among different groups, as it is in Nigeria, elections generate tension that is comparable to war and conflict. Ethnic politics cannot create unity among over 250 ethnic groups in Nigeria, to this end, election is inappropriate for selecting political leaders. Competent candidates who do not belong reigning religion or ethnic group often lose elections. As a result, elections fail to produce the best leaders for national development. Ethnicity and religion are often used by politicians in Nigeria whereby religious houses are used to propagate not the ideal but to promote religion and also encourage violence and manipulation when election is not in their favor. Politicians may use inflammatory statements to mobilize supporters against perceived opponents. This deepens mistrust among citizens and undermines democratic stability.

Considering the failure of election as the appropriate mechanism for selecting political leaders, democracy in Nigeria has remained in an unconsolidated state after almost three decade of democratization to the point that democracy seems to promote illegitimacy as citizens hardly trust government institutions. Bad governance which is a product of illegitimate means of selecting political leaders has been fully established courtesy of election. In the midst of these dilemma, one question begging for answer is can there be a way to consolidate democracy in Nigeria devoid of the limitation inherent in her electoral process? Can the perceived benefits and confidence in democracy be restored in such a way that competent persons will rule the country? A modernized form of Sortition is capable of answering these questions.

An Exploration of Sortition Based Approach to Democracy

Sortition is a process of selecting officials either political or otherwise by random lottery. In politics, it gives eligible citizens equal chances of occupying public offices, its main philosophical foundation is entrenched in the principle of political equality. Democracy. The link between the origins of democracy as it relates to sortition have been affirmed by several philosophers like Aristotle,



Montesquieu, Rousseau, Bernard Manin, Jacques Rancière and many others who have insisted that selection by lot is inseparably linked to democracy (Sintomer, 2023, p.250). Considering the principle of equality and fairness as the drive of sortition, it is laden with the assumption that “just about anyone who wishes to be involved in decision-making is capable of making useful contribution, and that the fairest way to ensure that everyone has such an opportunity is to give them an equal chance to be involved” (Sintomer, 2023, p.5). The watch word when considering sortition is competence, the selection process is devoid of sentiments like religion, ethnicity, godfatherism and other limitations that serve as veil that are likely to block competent persons from getting the position. The use of sortition is targeted at eliminating the sentiments and egoism inherent as it may be associated with election where the politicians appeal to the emotion and uses manipulative means in getting votes from the citizens.

In ancient times, sortition or the use of lottery system in selecting political leaders engage a special lottery machine that handles the random selection. This form of mechanical decision-making tool is very important in any sortition-based democracy. The use of lottery usually often based on the conviction that this type of choice will be more useful to them than the type of choice that relies on human sentiments. “The decision to use a lottery is an active, rational decision, but it has a calculated arational element within that rational context” (Dowlen, 2008, p.12). The arational component of lottery form of decision indicates that human faculty is not engaged and as such appeal to emotion or sentiments cannot be part of the decision, to this end, the decision is neutral. It is based on this neutrality and its benefits to democracy and politics at large that philosophers and historiographers have devoted much attention to the use of sortition during Greek and Roman Antiquity as well as during the middle Ages in Italy and Spain.

The scheme of sortition-based democracy as it was used in ancient Athens for example, include the City Council that was in charge of the administration and has 50 citizens positioned by sortition from the list of candidates who had passed the required assessment and were older than 30 years. Citizens exercised direct democracy in the Assembly with total control over the City Council. This system do not include political parties in its scheme, political rights and citizenship were approved only to adult males while women and slaves were excluded (Figueroa, 2017, p.79). It was imperial invasion that ended the reign of sortition in ancient Athens. It is therefore important to note that: “We cannot rebuild Ancient Athens or renaissance Florence in the twenty-first century, but if we are aware of the constitutional context of any lottery scheme we can then make an intelligent appraisal of how well a similar scheme might address similar needs in the modern polity” (Dowlen, 2008, p.4).

There have been renewed interest in sortition since the 1990s, several studies on sortition has been presented to show its benefits over elections. Mogens H. Hansen’s seminal work on Ancient Athens in 1995 mark a turning point in the renewed interest on sortition, other studies followed suit, Boegehold, 1995, Demont, 2003 and many others. In like manner, studies on Ancient Rome revealing the benefits of sortition was carried out by Claude Nicolet in 1976, Claude Nicolet and Azedine Beschouch in 1991, Robert Stewart in 1998, Frederic Hurler in 2006 and many others. There were further studies on Italian Communes as part of the indication in the benefits of sortition. John N. Najemy in 1982 and subsequent studies by Tanzini in 2014, Keller in 2015, these interests transcends the West to include China as shown in the work of Will, 2002, Wang, in 2018 and in Mexico as shown in the work of Agilar Rivera in 2000. The perceived benefits of sortition has led to several studies. The French scholar Étienne Chouard and the Belgian intellectual David Van Reybrouck in 2016 published a number of popular essays on the subject. Several other scholars assisted in rehabilitating the concept of sortition (Sintomer, & Rabatel, 2020, pp. 2 - 3).



Benefits of Sortition-based Democracy

One of the major benefits of sortition is that it promotes authentic political equality. Democracy devoid of egalitarian principle in its operation cannot be termed a consolidated democracy, for democracy to be worthy of its name, equality is a necessity, sortition is capable of establishing equality in a political scene than election: “the central democratic virtue of lotteries is that they treat citizens as political equals because every citizen has the same chance of being selected” (Dowlen, 2008, p.13). Furthermore, “sortition counters structural inequalities produced by electoral systems because it does not reward wealth, charisma, social status or party affiliation” (Reybrouck, 2016, p.81). In all, sortition gives ordinary citizens direct opportunities to contribute to decision-making. By so doing, sortition system reflects the democratic principle that all citizens are equally capable of participating in public affairs.

Sortition is capable of reducing corruption significantly because political offices are not product of expensive campaigns or political competition. The absence of election reduces the use of money to manipulate political decisions, plutocracy cannot dominate governance by sortition. Hence, “the use of lotteries in politics reduces opportunities for bribery and factional manipulation that commonly accompany elections” (Sintomer, 2023, p.74). Since representatives are selected by lot, there is less incentive for politicians to buy votes or manipulate electoral processes or tenure in office: “in systems based on sortition, the absence of reelection incentives diminishes the likelihood that office holders will engage in corrupt practices to secure political survival” (Stone, 2011, p.88). In an unconsolidated democracy like Nigeria, sortition holds a lot of promises for consolidating democracy devoid of electoral influences.

Sortition is a better pathway to authentic representation of a society than election. The privileged background of most elected representatives do not perfectly reflect society’s diversity. In contrast, sortition produces assemblies that are more representative of the population in several ramifications: “A key advantage of sortition is its capacity to create descriptively representative assemblies that resemble the population as a whole” (Sintomer, 2023, p.71). The suppression of the minority can hardly be possible when sortition is used this is because sortition pave way for authentic representation of the various groups. In a country with over 250 ethnic groups like Nigeria, sortition remains the solution for adequate representative devoid of gender, religious and ethnic suppression entrenched in electoral system.

Sortition encourages deliberation rather than political competition. Several scholars have affirmed this advantage of sortition over election on several pedestal. Helene Landermore (2020, p.121) opined that “sortition fosters deliberative democracy because randomly selected citizens are more likely to engage in reasoned discussion rather than partisan competition.” For David Van Reybrouck (2016, p.99), “because members chosen through sortition are freed from reelection pressures, they are more disposed towards thoughtful deliberation and compromise.” In a similar argument, Oliver Dowlen (2008), held that “sortition supports deliberative democracy by shifting political emphasis from campaigning and competition to dialogue and reflective decision-making.” In all, decision-making under sortition-based democracy is more genuine than decision-making under election-based democracy. Jürgen Habermas in his political philosophy emphasized communicative rationality and public deliberation as substantial components of democratic legitimacy, these components are in compliance with sortition system than election, hence, sortition remains a platform for a robust deliberation.

Since sortition eliminates electoral competition, it is capable of reducing political hostility and polarization. In this line of thought, “sortition can reduce political polarization because randomly



selected citizens are less constrained by party loyalties and ideological divisions that elected politicians” (Landemore, 2020, p.128). When deliberative bodies are chosen by lot, they are more likely to avoid extremes in decision-making compared to those associated with political parties and other sentimental entities. “Random selection encourages citizens to deliberate across social and ideological boundaries, thereby mitigating political fragmentation and polarization” (Sintomer, 2023, p.89). Deliberative discussions among ordinary citizens has higher capacity to promote mutual understanding, compromise, and social cohesion. This creates healthier democratic relationships compared to highly competitive electoral systems.

Considering the limitations of election-based democracy such as corruption, manipulation, and elite domination, one of the harm often caused is distrust in public offices and governance. Sortition-based democracy on the other hand is equipped with approaches that are capable of restoring public trust. It is in conformity with this assertion that Helene Landemore (2020, p.132) held that “sortition can restore public trust in democratic institutions because citizens perceive randomly selected assemblies are more independent and less captured by elites.” Unlike election that derives its legitimacy from voters that have been manipulated, sortition derives its legitimacy from the public perception that every citizen is entitled to equal and fair opportunity to be part of governance. “Random selection strengthens confidence in political institutions by reducing suspicions of manipulation, elite domination and partisan favoritism” (Reybrouck, 2016, p. 108).

Towards Democratic Consolidation through Sortition-based Democracy in Nigeria

According to Larry Diamond (1999, p.65), “democratic consolidation means a political situation in which democracy has become broadly and profoundly legitimate among both elites and masses”. The legitimacy of democracy in any society is based on its ability to conform to certain indicators. The failure of democracy in Nigeria with reference to the approach to election indicates that it is unconsolidated, significant political actors frequently attempt to achieve their political objectives through non-democratic means. For Amobi Chiamogu and Uchechukwu P. Chiamogu (2025, p.3), “electoral participation and citizens’ trust in democratic institutions remain crucial indicators of democratic consolidation in Nigeria.” Their assertion conforms to the benefits of sortition stated above. Civic participation, equality, absence of corruption, adequate deliberative mechanism, separation of powers, absence of polarization and increased public trust as benefits of sortition are *sine qua non* for democratic consolidation. Engaging sortition in a democratic system therefore is tantamount to consolidating democracy. The negativity inherent in Nigerian approach to democracy; electoral violence, vote-buying, godfatherism, weak democratic institutions, ethnic and religious sentiments, plutocracy and their likes has sortition as their panacea.

Inculcating sortition into democracy in Nigeria is capable of addressing the major challenges responsible for the unconsolidated nature of democracy in Nigeria. With sortition, the oligarchy system called the influence of political godfatherism can be reduced to its barest minimum. Plutocracy has no place in sortition, hence, wealth and money politics that controls the current democratic practice in Nigeria can be replaced by a politics of morals and accountability, courtesy of the undeniable benefits of sortition-based democracy. Sortition diminishes the advantages enjoyed by wealthy political elites.

It is impossible for democracy to be consolidated without rule of law. The supremacy of the law in a democratic system as a constituent element of the rule of law has become a practical falsity in Nigeria. That is why the immunity clause in section 308 of the 1999 constitution is an official license for the president and governors to breach the law at will. This clause grants the president, vice president, governors and deputy governors’ absolute immunity from civil and criminal proceedings while in office. The immunity clause to a large extent is an evidence that the application of the rule of law in



Nigerian democracy is clearly bound up with class relations. Another element of the rule of law which has been greatly truncated in Nigeria's democratic experience since 1999 is the idea of equality before the law. In practice, Nigerians not really equal before the law. "Nigeria's democratic process remains deeply constrained by executive impunity, selective justice, and weak institutional enforcement of legal norms" (Aiyede, 2021, p.118). More so, "the persistent disregard for constitutional provisions and judicial independence in Nigeria continues to undermine the rule of law and weakens democratic consolidation" (Omotola, 2022, p.74).

The concentration of political power in the executive arm of the government is one of the key factors that has made democracy in Nigeria in an unconsolidated state. When sortition is part of a democratic system, such abnormality can hardly be possible: "lottery democratic institutions reduce opportunities for the concentration of political authority, a necessary condition for maintaining the supremacy of law over personal or factional interest" (Sintomer, 2023, p.98). In a situation where political office holders are selected by sortition, power cannot be concentrated on any class. It is important to note that "sortition can promote the rule of law because ordinary citizens chosen by lot are less likely to be tied to entrenched political interests that often distort legal and constitutional process" (Dowlen, 2008, p.27). The sortition mechanism remains a portent tool for strengthening the rule of law because political office holders are not attached to political parties and such not liable to electoral competition and elite manipulations. Rule of law remains a very important components of democratic consolidation, sortition has the mechanism for establishing democratic consolidation.

Engaging sortition in Nigeria' approach to democracy has the capacity of enhancing inclusion by ensuring broader representation of marginalized groups, including women, youths, and minorities. Sortition remains an avenue for the reign of competency over mediocrity, in a nation with several groups and talents whose voices are yearning for recognition, citizen assemblies based on competence is capable of promoting national dialogue and reduce ethnic polarization by encouraging deliberative engagement across social divisions. In the final analysis, sortition will strengthen civic culture by encouraging ordinary Nigerians to participate actively in governance, by so doing, democracy in Nigeria would be consolidated.

Concluding Remark

The crisis confronting democracy in Nigeria is fundamentally connected to the persistent failure of the electoral system to produce accountable leadership, political equality, national unity, and genuine popular participation. Elections, which ought to serve as instruments of democratic legitimacy, have increasingly become mechanisms for elite domination, corruption, violence, manipulation, and political exclusion. The recurring electoral irregularities, ethnic and religious divisions, judicial controversies, and influence of money politics have weakened public trust in democratic institutions and undermined the prospects of democratic consolidation in Nigeria. As demonstrated through the arguments of several political philosophers and contemporary democratic theorists, elections are not inherently synonymous with democracy, nor do they automatically guarantee justice, competence, or freedom.

Against this backdrop, sortition emerges as a viable alternative capable of revitalizing democratic practice in Nigeria. By selecting representatives through random lottery rather than competitive elections, sortition promotes political equality, inclusiveness, civic participation, deliberation, and accountability while reducing the influence of wealth, political godfatherism, and partisan manipulation. More importantly, sortition has the capacity to strengthen the rule of law, encourage broader representation of marginalized groups, and restore public confidence in governance. Although sortition may not completely replace elections in modern democratic societies, its



incorporation into Nigeria's democratic framework can significantly reduce the failures associated with electoral politics. Therefore, democratic consolidation in Nigeria requires a paradigm shift from an excessive dependence on election-based democracy toward a more participatory and inclusive democratic model in which sortition plays a central role.

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