

The state of Nigerian democracy

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West Africa's oil-rich giant is convulsed over the president's plans to run for a third term in office. Ron Singer maps the debates among political and civil-society activists who are asking if Nigerians can escape from the legacy of "one-man democracy".

As citizens prepare to return to the polls in 2007, Nigeria's future hangs in the balance. A current initiative to change the constitution so that President Olusegun Obasanjo could run for a third term threatens to turn the nation into another of those familiar African one-man "democracies", such as Uganda, ruled for twenty years now by Yoweri Museveni. Alternately, the initiative could plunge Nigeria into chaos.

Over the last six months, two constitutional conferences have suggested radically different futures for the nation. The third-term initiative stems from President Obasanjo's National Political Reform Conference (NPRC), which took place in the capital, Abuja, in July 2005. Meanwhile, since July, under the aegis of a pro-democracy umbrella group, Pro-National Conference Organisations (Pronaco) led by noted activist Chief Anthony "Pa" Enahoro (1923-) and others, including Nobel laureate Wole Soyinka, plans have been moving forward for a rival conference, the People's National Conference (PNC).

The NPRC was Obasanjo's belated response to long and loud calls by Enahoro and others for reform of the constitution bequeathed the nation seven years ago by

its last military ruler, Sani Abacha. Ironically, given the conference's first stated aim of making Nigerian democracy more effective, the third-term initiative was one of only two principal themes to emerge. The proposed amendment would affect not only the president, but federal legislators. According to critics, the former would act as a "beard" for the latter.

The second major theme of the NPRC, revenue derivation, partially derailed the conference. Delegates from the six oil states of the Niger delta proposed an amendment to raise their current 13% of revenues to 17%, and, when that seemed acceptable, gradual escalation to 25%, 50%, and 100%. When anything above 17% was voted down, the oil faction walked out in time to boycott the closing banquet. No one called them back.

At the banquet, the president was ceremonially presented with six volumes of recommendations. Besides its dubious motivation, the NPRC was flawed in several other respects: no support from the national assembly or senate, delegates handpicked (by Obasanjo), no impartial monitors, a pre-set and limited agenda, and no guarantee of, or even specific provision for, implementation.

Politics and kleptocracy

As flaws in the NPRC suggest, two-term president and former military ruler Obasanjo has been, at best, an uncertain democrat. As military ruler in 1979, he allowed elections that resulted in the second republic of Shehu Shagari (1979-83). Paradoxically, General Obasanjo may thus have done more for democracy than has President Obasanjo. In 2003, the President's People's Democratic Party (PDP – or, to its enemies, "People Deceiving People") stole elections it most likely would have won, anyway, if not so overwhelmingly. To a large extent, Nigeria in 2003 became a one-party democracy.

Since 2003, internecine PDP strife has escalated. Perceived as being insufficiently loyal to the president, many figures – including a party chairman, Audu Ogbah, and the house speaker, Ghali Na'Abba – have been removed. Vice-president Atiku Abubakar, the target of a current Obasanjo vendetta, has now joined with several of these other ex-PDP-ers to form a new party of their own, which is currently seeking to register for the 2007 elections. Rumours say that the only reason Obasanjo has not yet sacked Atiku is that the v-p knows where too many bodies are buried. One could say that, having dismantled the opposition in 2003, the president's demands, since then, for absolute personal loyalty, and his efforts to squelch dissent within the ranks have left the PDP – and the Nigerian polity – in tatters. And, now, the third term!

Aside from his efforts to achieve personal rule, how well has President Obasanjo ruled Nigeria? Consider several of the nation's deepest problems: corruption, the north-south divide, revenue derivation, and local conflicts.

Obasanjo's efforts to gain control of party and country have had a major impact on one of the initiatives for which he is lauded, his sustained, Herculean efforts to cleanse Nigeria's den of thieves. The president has appointed to key posts people who are known to be clean and competent, such as finance minister Ngozi Okonjo-Iweala. While still near the top of the world corruption tables, Nigeria has recently slipped a few notches. Notable kleptocrats like federal police chief, Tafa Balogun, have been successfully prosecuted by the Economic and Financial Crimes Commission (EFCC), and, in cases of gross inefficiency or notable malfeasance, several governors have been suspended or removed.

However, the question remains whether this effort has been selectively tainted by politics. For instance, the recent removal of Anambra governor, Chris Ngige, for stealing the 2003 election is still in play, in part because the man who bankrolled him, Obasanjo protégé, Chris Uba, has remained untouched. Immune so far, as well, have been other notoriously corrupt, but loyal, PDP governors, such as Peter Odili of Rivers state. A particularly sensational current case centers on Bayelsa governor, Diepreye Alamieyeseigha, who jumped bail in England dressed as a woman, and is in the process of being removed from office and sent back to face trial for money laundering. Alamieyeseigha's ties to vice-president Atiku may taint the federal government's firmness in this instance. According to Orji Uzor Kalu, governor of Abia state, "corruption is under Obasanjo's table."

North and south

One reason the third-term initiative is so explosive is that it raises the spectre of north-south conflict, which has been endemic since colonial days. At the Berlin conference of 1884-85, existing and aspiring colonial powers notoriously carved Africa into unviable units. In Nigeria's case, a largely conservative

Islamic north and Christian/animist south were welded into one fragile whole. Nigeria may simply have been set up in such a way that centrifugal forces will always tear it apart.

It is widely known that Obasanjo was sponsored in 1999 by northern elements, including strongman billionaire kleptocrat and former military ruler Ibrahim Babangida (1985-93). The idea was to find an acceptable – i.e. malleable – figure who could placate the clamour in the south for an end to northern domination. Whose turn is it in 2007?

There is no clear constitutional basis for, or zonal "right" to, the presidency. Of Nigeria's six zones, each could make a claim. How do you count time in office when so many regimes have been truncated by coups? Does military rule count? Regimes that were puppets of other zones? The two main contenders are either the neglected south-south or southeast, or one of the northern zones.

Sacked house speaker Na'Abba contends that a deal was reached in 2002 at Aso Rock, the presidential seat in Abuja, in the presence of himself, Ogbah, and Atiku. The deal was that, in return for sponsoring Obasanjo, the north would regain the presidency in 2007.

Na'Abba hinted that Babangida (aka "IBB," or "Maradona") guaranteed this deal because he thought Obasanjo would play ball, but that Obasanjo has now reneged.

The north-south divide has already manifested itself in some of Nigeria's most dreadful conflicts. Since independence, the nation has been bedeviled by constant outbreaks of ethnic strife, of which the Igbo secession/civil war/Biafran interlude (1967-70) was certainly the most traumatic: Biafra remains a festering wound. A second, related legacy of the colonial era also roils today's polity. In a provision of the 1946 constitution immediately dubbed by Enahoro "the four obnoxious ordinances", the federal government was accorded permanent control of all natural resources. This provision has been a particular bone of contention since the 1970s, when the discovery of oil turned the nation into a den of thieves, exacerbating north-south, federal/zonal/statal, and local ethnic divisions.

Oil and power

Perhaps the most contentious issue of all, then, because it is an umbrella issue for problems such as corruption and the north-south conflict, is revenue derivation. 85-90% of revenues come from oil and natural-gas exploitation. Federal control remains in force, and, as mentioned, the current system allocates 13% to the six producer states of the Niger delta, with the rest going into federal coffers, to be shared equally among all thirty-six states, including those of the north, which collectively produce about 2% of revenues. The oil and gas producers' demands for a larger share of this pie have, in some cases, included an offer to pay 87% back to the federal government in taxes. So both the amount and control of revenues are in play. Whatever the formula for division, with Nigeria's light sweet crude oil at more than \$63 bbl in early 2006, the money is rolling in, plus there is an informal system of direct payment by oil companies to "anointed" local villages, creating another layer of corruption and local conflict.

In Nigeria today, pockets of chaos and local conflict are numerous, the most serious involving oil. Ethnic militias in the delta, freedom fighters-cum-thieves, disrupt production. In 2004, for instance, according to Shell estimates, \$2 billion worth of oil was "bunkered" (stolen) by these groups and others. Local conflicts and disruption of production, in turn, prompt crackdowns and depredations among the populace by the federal military, further weakening Nigeria's already shaky human-rights record.

Beyond the delta, there are also many local conflicts, ranging from brush fires to near-conflagrations. A secessionist movement centered in Anambra state, the direct legacy of Biafra, finds widespread support among the perhaps 30 million Igbos of the southeast zone. On a smaller scale is the farmer/Christian v herder/Muslim dispute that quickly merged with political conflict in Plateau state. Other recent Nigerian conflicts reflect international geopolitical issues. For instance, there have been militant Islamist skirmishes with police in the north and *Shi'a-Sunni* clashes in Sokoto, also in the north. The general sense of anarchy is heightened by rampant crime in Lagos and elsewhere, prompting US state department travel advisories.

Given President Obasanjo's attempts to consolidate power and his general failure to solve the huge problems of this fissiparous nation, it is small wonder that opponents have treated his conference, the NPRC, as an irrelevance, if not a menace. Hence, the efforts of Pronaco to convene the People's National Conference.

Unity and diversity

The PNC has been spearheaded by Anthony Enahoro, sole survivor among the founding fathers of independent Nigeria, and regarded by many as the torchbearer of Nigerian democracy. Enahoro, who was a close associate of both giants of independence, Nnamdi Azikiwe ("Zik") and Obafemi Awolowo ("Awo"), is notable for having helped organize the general strike of 1945, for opposition to the "four obnoxious ordinances", for first proposing independence (1953), and for his subsequent leadership of the pro-democratic opposition to a succession of Nigeria's homegrown military kleptocrats and dictators. Enahoro may be the only living Nigerian statesman who even approaches the stature of Nelson Mandela.

Plans for the PNC were kick-started at a meeting 23 July 2005 in Flushing, Queens, and these plans are now well along the rocky road either to nowhere or to reform proposals that could push Nigeria toward real democracy. Whereas the president's NPRC was very much a selective, "top down" affair, the PNC is "bottom up". The 405 delegates already chosen by the end of August represent 294 organisations, comprising women, the diaspora, political parties, professional associations, religious groups, governmental agencies, and the security sector.

The president has called those who boycotted the NPRC "cynics...diehards and professional opportunists." But legitimacy has been conferred on

Pronaco's bottom-up approach, both by the failure of the NPRC and by the release in early 2005 of the long-awaited report of the Human Rights Violations Investigation Committee, popularly known as the Oputa panel. Modelled after the South African Truth and Reconciliation Commission, this panel was initiated by the president, himself, in 1999, but in early 2005 the report was finally leaked by NGOs because its own sponsor had suppressed it. An exhaustive, impartial study of Nigeria's vexed history since independence, the Oputa report significantly concludes that the country's deep problems call for grassroots, "bottom-up palavers".

The PNC differs from the NPRC in several other respects. Constituencies have selected their own delegates, who convened in Lagos in October. The agenda is wide open, positions will be staked out and debated, and decisions for change taken and brought, first, to a binding national referendum and, then, to the federal legislature for implementation, and possibly beyond Nigeria, to the attention of international groups. Civil disobedience will also be an option, as well as organisation by participant groups to back only those 2007 candidates who accept PNC resolutions.

All this may sound too good to be true. Pronaco, alas, shows signs of being as fissiparous as the PDP and Nigeria as a whole, and it is conceivable that the PNC will implode. The plenary session planned for independence day, 1 October, has now been postponed twice: 1 October turned into the planning session, itself fraught with crisis, and the current target date is February or March 2006. Money is also a problem, partly because the plan to draw tiny contributions from millions of Nigerians has yielded insufficient amounts for such a huge gathering. Pronaco leaders realise that 2007 is getting all too close.

More serious are fissures among the leadership, with causes as various as personal jealousies, objections to leadership style, disputes about the timetable, and, finally, the substantive question of the *tabula rasa* agenda. As early as July 2005, a faction is said to have gathered around physician-activist Beko Ransome-Kuti in order to challenge Enahoro's leadership, but that breach has now supposedly been healed, through the mediation of Wole Soyinka and others.

Some of the young people involved in the PNC want Pronaco to stake out radical positions and to move quickly toward challenging the government head-on. For example, at the 23 July meeting, leaders were pressured to take a stand on revenue derivation, although they were at pains to point out that preconceptions were anathema to the spirit of the enterprise. Historically, Enahoro and other conference attendees had been sympathetic to local control (the 87% solution), but, perhaps in light of the recent history of local theft, Enahoro's personal position appears to have shifted to the idea of a mandated national "bill of rights", or safety-net, so that education, poverty relief, and so on should first be guaranteed, after which the several robber constituencies could fight over the residue. However, Enahoro and the other July leaders were at pains to point out that they would not impose their own positions on the PNC. Related to revenue derivation is federalism, since local control of the purse presumes a weaker center. Again, the young Turks include breakaway advocates.

The government says it is cracking down on those who would challenge Nigerian unity, charges include treason, which can carry the death penalty.

The PNC and the nation

So what is the current outlook for the PNC and for the nation? Unsettled. In recent months, the conference has been further distracted by government arrests of leaders of several prominent radical ethnic groups participating in the PNC, whose participation is in itself an impressive gauge of the conference's inclusiveness. Charged with treason are "Mujahid" Asari Dokubo of the Niger Delta People's Volunteer Force (NDPVF), an Ijaw youth group at the forefront of militant protest in the oil region; Ralph Uwazurike of the Movement for the Actualisation of the Sovereign State of Biafra (Massob), an Igbo separatist group; and Frederick Fasehun and Gani Adams of the militant Yoruba Oodua People's Congress (OPC). Fear of the vindictive Obasanjo has even caused the northern youth group, the Arewa Youth Consultative Forum (AYCF), to participate only covertly in the PNC.

Pronaco lawyers are currently representing the arrested leaders, whose detention is regarded as an attempt to sabotage the conference. The government says it is cracking down on those who would challenge Nigerian unity. Charges include treason, which can carry the death penalty. There is also some feeling within Pronaco that government provocateurs have

not working, and that they, the pro-Democrats, at least have a plan to fix it.

As a May 2005 report by the CIA put it, "Nigeria's leaders are locked in a bad marriage that all dislike, but dare not leave", and the possible collapse of Nigeria "could drag down a large part of the West African region". Historically, the US has supported "strong men" in Africa. Nevertheless, the state department has thus far strongly opposed the third-term initiative, and would presumably not welcome a state of emergency, either.

Events are now moving fast. Until recently, Obasanjo had been coy about the third term, preserving deniability. As recently as 23 December, he said: "Those who are talking about a third-term agenda are irresponsible". However, that statement was prompted by a 19 December meeting of tame PDP governors from the three southern zones, which produced a very curious combination of praise and demands.

Calling for zoning of the presidency to the south in 2007, the governors also demanded a change in revenue derivation, going immediately to 25%, then on to 50%. They called for "constitutional reform", threatening to push toward confederation if such reform were not forthcoming. Stopping short of suggesting the third term, their communiqué nevertheless praised the president for his "reform efforts ...laudable and rewarding crusade against corruption ...historic achievement of debt relief, and ...unceasing and practical efforts at keeping Nigeria united and indivisible."

If those hosannas sound like an oblique endorsement of the third-term agenda, a few days after this meeting, thirty PDP governors did, indeed, endorse the third term. Then, on 27 December, Obasanjo told the US to stop preaching to him about democracy. Assuming the initiative does go forward, which looks more likely every day, it remains to be seen whether he could convince the US that stability and, of course, the uninterrupted supply of oil and gas require this extreme measure.

What the "northern elements" will actually do about a third-term bid remains to be seen, but it certainly seems possible they will foment violent protest. Audu Ogbah and Muhammadu Buhari, another former military dictator (1983-85) and defeated presidential candidate in 2003, contend that Obasanjo is reneging on the zoning agreement in order intentionally to provoke a north-south crisis as a pretext for staying in power. This conspiracy theory has wide support. The succession dispute, coming as it does at the same time

as crackdowns on Nigeria's three main ethnic militias, has led many commentators, such as Wole Soyinka (private communication, 23 December), to agree that Obasanjo is pushing the country toward a state of emergency and/or the third-term amendment.

Those who support the extension of office point to Nigeria's need for strong (i.e. anti-democratic) leadership and to the president's notable economic reforms and progress (the basis, efficiency and effects of which are another, very complicated question). Of course, controlling the purse strings, as he does, as well as the (rump) party apparatus, if he did run again Obasanjo would once more be in a strong position to bribe his way to victory. Those who oppose the third-term initiative cry "dictatorship!" Soyinka has called activists "back to the trenches", and Beko Ransome-Kuti is among many who have called on Obasanjo to disavow any third-term ambitions "clearly and unequivocally".

The more hopeful, but increasingly less likely, scenario for 2007 is that the president will respond to the loud opposition by unequivocally withdrawing the third-term initiative and then supporting a candidate of his choosing – rumoured to be a southerner – who would very likely be opposed by Atiku. Are the PNC reformers being rendered irrelevant? Assuming that the plenary session does occur, and in time, exactly what resolutions are reached, will presumably determine the nature and amount of influence the PNC might have on election platforms, whoever the candidates turn out to be.

Finally, consider the PNC mantra: the will of the people. A poll by the Nigerian newspaper, the *Guardian*, between 26 November and 7 December, indicates that Nigerians in all areas, including Obasanjo's own Ogun state, are strongly (more than 80%) opposed to the third term. People also feel that the federal legislature lacks the credibility and integrity (i.e. they are not bribe-proof) to effectively check the president. Strong sentiment to this effect was found even in the north central zone, home to deputy senate president and Obasanjo lieutenant, Ibrahim Mantu.

Nigerians sorely crave democracy. According to Peter Lewis, in another new survey (not yet released), Obasanjo's approval rating has fallen below 33%, and there is overwhelming opposition to the third term. Given this resounding non-mandate, if the president plunges ahead, Nigeria may well plunge into widespread conflict. As the orchestrator of several recent regional military efforts to rescue other west African failed states, Olusegun Obasanjo should be wary of pursuing this potentially disastrous course.

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