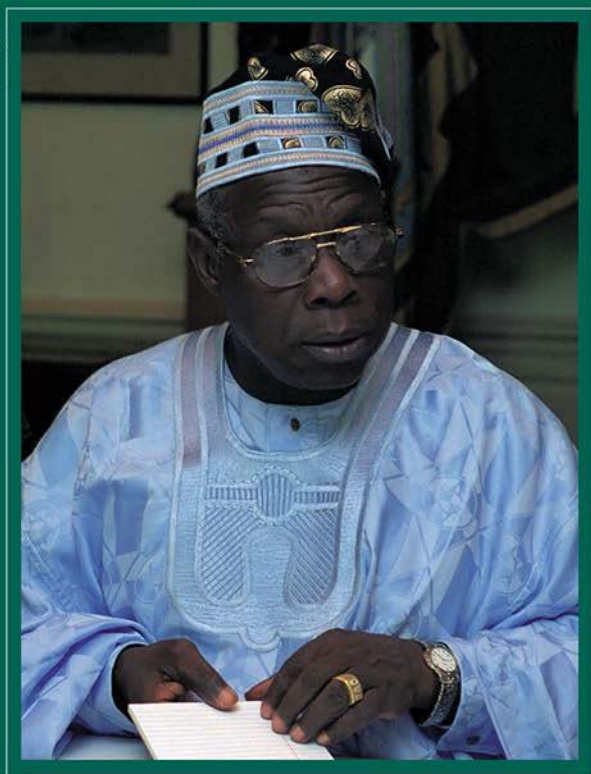


# Governance and Politics in Post-Military Nigeria

*Changes and Challenges*



Edited by Said Adejumobi



GOVERNANCE AND POLITICS IN  
POST-MILITARY NIGERIA

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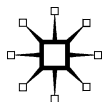
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*Edited by*

*Said Adejumbi*

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GOVERNANCE AND POLITICS IN POST-MILITARY NIGERIA

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*To Chima Ubani, Beko Ransome-Kuti, and Gani Fawehinmi*

*Three progressive Nigerians, who labored for but  
never saw a Nigeria of their dreams*

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## ACKNOWLEDGMENTS

This book is one of two volumes that emerged from a national research project on “The Travails of Democracy in Nigeria,” initiated and coordinated by me, but supported by the Open Society Initiative for West Africa (OSIWA), Abuja and Dakar. The project was driven by two main objectives. First, Nigeria’s democratization process under the Obasanjo civilian administration did not play out as many Nigerians and non-Nigerians alike had expected. Hence, many people were concerned about the direction and future of democratic governance in the country. The question in embarking on the research project was, what went wrong under the Obasanjo presidency? Was Nigeria confronted with a structural problem beyond the capacity and ingenuity of the political leadership? Or was the political leadership part of the problem rather than the solution? Beyond media sensationalization and reporting, there was need for thorough intellectual reflection and analyses of Nigeria’s faltering democratic project. Second, the research was driven by a policy agenda. The need was to explore the strengths, challenges and pitfalls of democratic governance in post-military Nigeria and make appropriate policy recommendations, which subsequent regimes can find useful and adopt for improving governance in the country. Thus, many of the chapters in this book (as well as the second volume) end with key policy recommendations. With these two objectives, the book assembles some of the most profound and seasoned scholars and activists on Nigeria’s political economy.

I would like to thank Nana Tanko, the Executive Director of OSIWA, Dakar, Senegal, who remains a sister, outgoing friend, colleague, and dear comrade, for the confidence reposed in me in supporting this worthy project, and for her unwavering commitment to a better and well-governed Nigeria. In leading OSIWA, Nana never shied away from supporting worthy, yet controversial projects. Under her leadership OSIWA supported the civil society crusade against the third-term agenda of former President Olusegun Obasanjo. Also, Nana Afadzinu, the former Country Director of OSIWA, and Peter

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*Said Adejumobi*  
*Addis Ababa, Ethiopia*

## ABBREVIATIONS

AC	Action Congress Party
ACE	Alliance for Credible Elections
ACP	African, Caribbean, and Pacific
AD	Alliance for Democracy
AfDB	African Development Bank
AFRICOM	U.S. Command for Africa
AFRIGOV	African Centre for Democratic Governance
AIT	Africa Independent Television
AMIS	African Union Mission in Sudan
ANPP	All Nigeria Peoples Party
APP	All People Party
APRM	African Peer Review Mechanism
ASCL	Ajaokuta Steel Company Limited
AU	African Union
BPE	Bureau for Public Enterprises
CA	Constituent Assembly
CAN	Christian Association of Nigeria
CAPP	Community Action for Popular Participation
CBN	Central Bank of Nigeria
CDD	Centre for Democracy and Development
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CEN-SAD	Sahel-Saharan Community
CET	Common External Tariff
CFCR	Citizens' Forum for Constitutional Reform
CHOGM	Commonwealth Heads of Government Meeting
CIDA	Canadian International Development Agency
CLEEN	Centre for Law Enforcement Education
CLO	Civil Liberties Organization
CMAG	Commonwealth Ministerial Action Group
CMC	Citizens Mediation Centre
COR	Cross River Ogoja State Movement
DFID	UK Department for International Development
DMO	Debt Management Office

DPA	Darfur Peace Accord
DCGG	Donor Coordinating Group on Gender
DDCM	Direct Data Capturing Machine
DPGG	Donor Group on Political Governance
DRC	Democratic Republic of the Congo
DTCA	Directorate for Technical Cooperation in Africa
ECA	Economic Commission for Africa
ECOMIL	ECOWAS Mission in Liberia
ECOSOC	UN Economic and Social Council
ECOWAS	Economic Community for West African States
EFCC	Economic and Financial Crimes Commission
EOM	European Union Election Observer Mission
ERN	Electoral Reform Network
ERP	Economic Recovery Programme
EU	European Union
FCT	Federal Capital Territory
FEDECO	Federal Electoral Commission
FGN	Federal Government of Nigeria
FIRS	Federal Inland Revenue Service
GCC	Gulf of Guinea Commission
GDP	gross domestic product
GECORN	Gender and Constitution Reform Network
HDI	Human Development Index
HYPPADEC	Hydro-Electric Power Areas Development Commission
ICJ	International Court of Justice
ICPC	Independent Corrupt Practices Commission
IDEA	International Institute for Democracy and Electoral Assistance
IDPs	internally displaced persons
IGAD	Inter-Governmental Authority on Development
IGP	Inspector General of Police
IMF	International Monetary Fund
INEC	Independent National Electoral Commission
IPCR	Institute for Peace and Conflict Resolution
IPPA	Investment Promotion and Protection Agreement
JDPC	Justice Development and Peace Commission
KM	Kaiama Declaration
MAN	Manufacturers Association of Nigeria
MCIA	Ministry of Cooperation and Integration in Africa
MFA	Ministry of Foreign Affairs
MNOCs	multinational oil corporations

MNR	Movement for National Reformation
MTel	Mobile Telecommunication of Nigeria
MOPOL	Mobile Police
MPRI	Military Professional Resources Incorporated
MULAC	Muslim League for Accountability
NADECO	National Democratic Coalition
NAFDAC	National Agency for Food and Drug Administration and Control
NANS	National Association of Nigerian Students
NAPTIP	National Agency for the Prohibition of Trafficking in Persons
NBOS	National Bureau of Statistics
NDDC	Niger Delta Development Commission
NDI	National Democratic Institute
NDLEA	National Drug Law Enforcement Agency
NEC	National Electoral Commission
NEEDS	National Economic Empowerment and Development Strategy
NEITI	Nigeria Extractive Industries Transparency Initiative
NEPAD	New Partnership for Africa's Development
NGOs	nongovernmental organizations
NHRC	National Human Rights Commission
NIDO	Nigerians in Diaspora Organization
NIIA	Nigerian Institute of International Affairs
NIOMCO	National Iron Ore Mining Company
NIPC	Nigerian Investment Promotion Commission
NITEL	Nigerian Telecommunications Limited
NLC	Nigeria Labor Congress
NNPC	Nigerian National Petroleum Corporation
NNVS	Nigerian National Volunteer Service
NPRC	National Political Reform Conference
NSCIA	Nigerian Supreme Council for Islamic Affairs
NTF	Nigerian Trust Fund
NYM	Nigerian Youth Movement
OUA	Organization of African Unity
OPC	Oodua Peoples Congress
OSI	Open Society Institute
OSIWA	Open Society Initiative for West Africa
PAIGC	African Party for the Independence of Guinea and Cape Verde
PDP	Peoples Democratic Party
PEFS	Programme on Ethnic and Federal Studies

PR	proportional representation
PRC	Provisional Ruling Council
PRONACO	Pro-National Conference
PWYP	Publish What You Pay
REC	resident electoral commissioner
SAP	Structural Adjustment Programme
SERAC	Social and Economic Rights Action Centre
SRI	Shelter Rights Initiative
TAC	Technical Aid Corps
TI	Transparency International
TMG	Transition Monitoring Group
TRANSCORP	Transnational Corporation of Nigeria
UMBC	United Middle Belt Congress
UNDP	United Nations Development Programme
UNMIL	United Nations Mission in Liberia
UNSC	United Nations Security Council
USAID	United States Agency for International Development
VP	vice president
WAGP	West African Gas Pipeline
WARDC	Women Advocates Research and Documentation Center
WORNACO	Women for Representative National Conference

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# Democracy and Governance in Nigeria: Between Consolidation and Reversal

*Said Adejumobi*

*First of all, I want you to leave democracy out of it. We don't have a democracy in Nigeria, at least for now . . . We have a government that is not responsible to anybody. Nobody to question them, it is a sad situation.*

—Anthony Enahoro (2006)

*The entire political system is a fraud against the Nigerian people and the present dispensation—at all levels—emerged fraudulently from the fraudulent political system.*

—Edwin Madunagu (2010)

## INTRODUCTION

Democracy and governance in Africa generally, as Larry Diamond (2008, 137) rightly observed, are in a “state of transition, or some will say, suspension.” The democratization process in Africa has seen many forms, and the course, trajectory, and outcomes have been mixed. In the last two decades in which re-democratization begun, the overall picture is that there has been only marginal progress on governance in Africa (UNECA 2009; Lindberg 2009; Diamond 2007 & 2008) but this overall picture masks sharp disparities among African countries. In some countries, progress has been visible with the conduct of credible elections, alternation of power among political parties, expansion of the political and civil space with better observance of human rights

and the rule of law, flourishing media, and modest economic progress.<sup>1</sup> Regrettably, many countries are neck-deep in a crisis of transition, in which there is large-scale election rigging, the trend toward a one-party state, marked inter-ethnic electoral conflicts and political violence, the concentration and personalization of power, and a new phenomenon of political dynasty in which leaders stage-manage power transfer to their children—all constituting ominous signs of a downward political slope in Africa's recent democratization effort.<sup>2</sup> In short, there is a huge gap between the demand and the supply of democracy and good governance in many African countries. While the people yearn for and prefer democratic governance as the most viable alternative for constructing a decent society and assuring a better future, the supply of it by the political elite is very limited, incongruent with the expectations of the people. As Elke Zuern (2009, 588) rightly noted, "Clearly, peoples' expectations are not being matched by the reality of governance." The frustration and cynicism that accompany this have provoked thoughts as to whether the "second liberation" in Africa is foundering and democracy is on the retreat.

In Nigeria, the return of the country to civilian rule in April 1999 ushered in a renewed hope that the lost opportunities for political progress and economic development squandered by successive despotic military regimes would be regained with the unleashing of the creative energies of the people in a new era of governance and democracy. But the nature of the political transition that would facilitate this change remained an issue of contention among Nigerian and Nigerianist scholars. Some argue that a smooth transition to civil rule will speedily assure the enthronement of democracy as long as adequate institutional design is crafted for the new system (Olagunju, Adele-Jinadu and Oyovbaire 1993). Others contend that given the depth of the decay and destruction of the political infrastructure and democratic culture of society, entrenched dominant interests will not likely give way easily, and the process of transition to democracy and good governance will be in two phases: first when civilian rule is consummated with the conduct of elections and second when democratic institutions are strengthened and democratic culture reigns (Adejumobi 1995). Current evidence suggests that there is a long and tortuous route to achieving democracy and good governance in Nigeria, and the process of democratic consolidation will be a long haul. Indeed, Larry Diamond (2008, 140) avers that in real terms, there is no democracy at all in Nigeria, as in four other big countries in Africa, which constitute a large chunk of the continent's population.<sup>3</sup> For Adigun Agbaje (2004), Nigeria is a mere showcase of

“electoralism,” a caricature of electoral democracy, or what some others refer to as “electoral authoritarian regimes” (Lindberg 2009, 86). This introductory chapter briefly overviews Nigeria’s nascent democratic governance in the post-military era (post May 1999) and its shortfalls, and it sets up the arguments contained elsewhere in the book. The other chapters of the book elaborate on the dilemma of democracy and governance in Nigeria—its progress and challenges—and proffer key policy recommendations. The emphasis is on the period 1999–2007, which constitutes the two-term tenure of President Obasanjo, a period expected to lay a solid foundation for democracy in Nigeria.

### STUNTED DEMOCRATIZATION OR DEMOCRATIC EROSION?

The literature on democratization in the third wave covers three major areas, which evolved as the progress and challenges of the process unfolded. These are democratic transition, democratic consolidation, and democratic quality. These issues are in a progressional form, and only countries that succeed in the former can in fact transition to the latter. Nigeria seems to be stuck in the initial democratization phase. Democratization involves the emergence and expansion of the democratic space and the building of the institutional infrastructure of a democratic system to ensure voice, accountability, due process and rule of law, and popular choice (Adejumobi 2002). Democratization is a continuous process of reforms and modifications of the institutions and practices in a given political regime, from fewer to more degrees of free and fair contestation and participation. As such, democratic norms and values as well as democratic institutions and practices are permanently open to revision—to include new aspirations, to exclude outdated practices, to embrace new standards of freedom, justice, and equality, and to have better material provisioning (Gonzalez and King 2004, 195). Democratization is therefore a continuum of progress or regression; of advances or setbacks/retreats, which countries make in their democratic journey. Thus, the issues of democratic consolidation, deconsolidation, or democratic erosion all exist within the democratization spectrum depicting the stage and performance of countries in the democratic maze. Democratic consolidation connotes a phase in which there is cumulative democratic progress—a process in which rules, institutions, and constraints of democracy come to constitute the “only game in town,” the only legitimate framework for seeking and exercising political power (Diamond 1997, xvii).

Democratic consolidation is about the gradual institutionalization of democratic culture and practices, and the predictability and regularization of political conduct based on democratic rules and norms in society. It is the routinization of democratic life. Democratic quality is the standard set and performance of democratic institutions and the dividends of the democratic process within a consolidating or consolidated democratic system. The antithesis of democratic consolidation is democratic deconsolidation or erosion and democratic breakdown or collapse, both depicting different forms of democratic regression. What are the main features or elements of democratic erosion, deconsolidating or nonconsolidating democracy?

- a) *Executive arrogation of power and a culture of impunity*: When executive leaders concentrate and consolidate power, subordinate other arms of government, and perpetuate impunity, democratic governance cannot function or flourish. What exists is personalized political rule, and civilian authoritarianism, negating the logic of separated powers and institutional autonomy central to democratic rule.
- b) *Rampant rights violations*: Democracy is a regime of rights. When the rights of the people, groups, and citizens are regularly violated, democratization would be undermined or significantly eroded.
- c) *Uncertainty of rules and procedure*: The routinization of democratic life central to democratic consolidation implies that rules, procedures, and processes are codified, well known, and predictable in their applicability. When this does not exist, the ‘rules of the jungle’ apply in which there are no set standards, and democracy is imperiled.
- d) *Lack of trust and cooperation among political stakeholders especially the political elite*: While democracy is based on competitive politics, its virtue, strength, and credibility rest on political trust and cooperation amongst key political stakeholders. The common understanding is that the “rules of the game” will be respected by all, electoral outcomes would be credible, and antidemocratic means will not be deployed for political gains or advantage by any party or individual. However, in eroding or deconsolidating democracy, there is usually a low level of trust and cooperation amongst political actors, with those outside the power equation in perpetual fear that state instrumentalities will be used against them, and they would be denied fair rules of political engagement.

- e) *Poor accountability—horizontal and vertical*: Democracy by its very nature is a system of accountability—of vertical political accountability between the leaders and the led, and of horizontal institutional accountability among the various organs and establishments of the state, with counteracting powers designed to checkmate institutional arbitrariness and corruption. When democratization erodes, accountability both vertical and horizontal tends to be weak or virtually nonexistent.
- f) *Flawed elections*: Elections are foundations of democratic governance. While elections do not approximate democracy, democracy is impossible or unrealizable without elections. Wherever and whenever elections are flawed, democracy is in jeopardy.

Table 1.1 depicts the stages of democratization in Africa and the features of the different stages and the place of different countries in this classification.

In the table 1.1, Nigeria is classified among stunted or eroding democratization. The section below describes the trends and dynamics of Nigeria's democratic governance sketching the deficits of Africa's biggest yet squandered hope of democratization. Three issues are isolated in the discussion on the trends—executive arrogation, institutional erosion, and welfare deficit.

## EXECUTIVE ARROGATION

Samuel Huntington, writing about the challenges faced by the third wave of democratization in the Third World, noted that “threats to third wave democracies are likely to come not from generals and revolutionaries who have nothing but contempt for democracy, but rather from participants in the democratic process. These are political leaders and groups who win elections, take power and then manipulate the mechanisms of democracy to curtail or destroy democracy” (Huntington 1997, 8). One of such major threats to a nascent democracy from “within” is the issue of executive arrogation. Executive arrogation is a situation in which an elected executive or president concentrates power in his own hands, subordinates or even suspends the legislature, and rules with elements of impunity (Huntington 1997, 9). The transition to democracy in Africa has increasingly seen various levels of executive arrogation, in which authoritarian civilian leaders have emerged largely undistinguishable from their military predecessors. Regime types, whether presidential

**Table 1.1** Stages of Democratization in Africa

<i>Stage of Democratization</i>	<i>Features</i>	<i>Countries (Examples)</i>
Consolidating Democratization	<ol style="list-style-type: none"> <li>1. Conduct of transparent and credible elections</li> <li>2. Relative consensus and commitment to 'rules of the game' by the Political elite</li> <li>3. Alternation of power</li> <li>4. Fair guarantee and protection of civil and political liberties</li> <li>5. Modest economic progress</li> </ol>	Ghana, South Africa, Botswana, Mauritius, Cape Verde, Benin
Post-War fragile Democratization	<ol style="list-style-type: none"> <li>1. Gradual restoration of order and stability</li> <li>2. Conduct of fairly credible elections</li> <li>3. Political consensus and settlement by political elite</li> <li>4. Gradual restoration of civil and political rights</li> <li>5. Rebuilding of shattered economies and institutions</li> </ol>	Sierra Leone, and Liberia
Stunted or Eroding Democratization	<ol style="list-style-type: none"> <li>1. Corrupt and non-credible elections</li> <li>2. Lack of respect and commitment to democratic rules and ethos by the political elite</li> <li>3. Deep social divisions and political and electoral conflicts</li> <li>4. Poor constitutionalism Limited space for opposition parties</li> </ol>	Nigeria, Kenya, Uganda, Zimbabwe, Senegal, Ethiopia, Cameroon, Chad, Algeria, Egypt
Collapsed Democratization or enduring autocracies	<ol style="list-style-type: none"> <li>1. Resurgence of military rule</li> <li>2. Lack of elections/massaged elections</li> <li>3. Limited space for civil and political liberties</li> <li>4. Personalized rule and executive arrogation of power</li> <li>5. Poor accountability</li> </ol>	Mauritania, Guinea Conakry, Libya, Niger, Madagacar

*Source:* Author

or parliamentary, have made little difference in the construction and potency of power by Africa's political leaders (Cranenburgh 2008, 952–75; Cranenburgh 2003). The constitution and institutional framework of governance appropriates a large scope of power for Africa's executive leaders, and this combined with the personal penchant for control and subordination makes for a “larger than life” image of Africa's new political leaders. No Nigerian head of state, as Jean Herskovits (2007, 116) noted, had ever come into office with as much goodwill, at home and abroad, as did Obasanjo in 1999. The failure of military rule and Obasanjo's personal ordeal of unjust incarceration on trumped-up treason charges by the Abacha military junta engendered public sympathy and goodwill for him. On May 29, 1999, Obasanjo, in his inaugural speech as president of a traumatized nation, pledged to restore hope and confidence back into governance and rule according to the spirit and letters of the constitution. In his words:

I am very aware of the widespread cynicism and total lack of confidence in government arising from the bad faith, deceit and evil actions of recent administrations. Where official pronouncements are repeatedly made and not matched by action, government forfeits the confidence of the people and their trust. One of the immediate acts of this administration will be to implement quickly and decisively, measures that would restore confidence in governance . . . . . On my part, I will give the forthright, purposeful, committed, honest and transparent leadership that the situation demands. (Obasanjo 1999, 2)

However, the reality of power and governance under the Obasanjo presidency played out quite differently from his declared intentions. There was a constant and perpetual accumulation of power in which the president became the fulcrum of policies, decisions, actions, and virtually all matters of state. Legal and extra-legal means were used in governance, opposition views were hardly accommodated but often ruthlessly suppressed (see chapters 5 and 7), horizontal and vertical accountability were almost absent, and institutional restraints by the executive especially in its dealings with other organs and layers of government became anathema. In this context, the culture of executive impunity or what some refer to as executive lawlessness assumed the norm. The Obasanjo regime regularly disobeyed court orders<sup>4</sup> (see chapter 5) that it considered unfavorable

to it, determined whether and when to release constitutionally sanctioned statutory allocation funds to state and local governments, and assumed a paternal control over the local government authorities—all in contravention of the constitutional provisions on intergovernmental relations in the federation. A Nigerian public commentator, Levi Obijiofor, put it thus:

For eight years, Obasanjo led a government in which no one dared disagree with the president. It was a government in which alternative viewpoints were repressed because they were perceived as confrontational. And yet, each time Obasanjo travelled overseas, he took with him the hype that his government was democratic in name and practice. The jury is yet to reach a decision on that claim. (Obijiofor 2007, 15)

The Ikeja branch of the Nigerian Bar Association (NBA), displeased with the level of executive power arrogation and impunity in governance, declared in June 2004 that “illegality is synonymous with the Obasanjo government” (*Daily Independent*, June 3, 2004). Similarly, the then chief justice of the federation, Justice Mohammed Uwais, noted in his speech at the All Nigeria Judges Conference on December 5, 2005, that disregard and contempt for court orders was a regular pattern of the Obasanjo administration. Uwais lamented, “in a democratic set up like ours, obedience to the constitution is paramount and imperative since all key office holders under the constitution are made to take oaths of office, which enjoins us to protect and defend the constitution . . . failure to do so is an affront to the constitution and a clear evidence of bad governance . . . *those in authority and their agencies cannot pick and choose what court orders to obey. If they are aggrieved by the order, the only remedy open to them is to appeal, but in the meantime, the order must be obeyed*” (Uwais 2005). State governors could hardly disagree with the president, and they were expected to toe his political line. Those who were suspected of being “disloyal,” especially those from the same political party as the president—the Peoples Democratic Party (PDP)—were removed from office through questionable means, sidelined, or “punished” by the federal authority. A gale of impeachments of state governors swept across the country in states like Balyesa, Plateau, Ekiti, and Oyo (Adejumobi and Kehinde 2007; Agbaje and Adejumobi 2006; *Sunday Independent*, October 15, 2006). Obasanjo’s vice president, Atiku Abubakar, was also unconstitutionally removed from office in 2006 owing to differences between him and the president. It took a

Supreme Court decision voiding such action before Atiku Abubakar regained his position.

A spiritual interpretation of power was infused into the Obasanjo presidency (by his “followers”) in which the president was considered as a political messiah, rescued in his own words “from the valleys of the shadows of death” (Obasanjo 1999) to take Nigeria to new heights. Obasanjo therefore tended to rule with messianic bent, wherein his powers and “vision” was not to be bounded or constrained by any individual, organ, or institution. Adebayo Williams puts it poignantly:

But hampered and hamstrung from day one by a messianic zeal and a bemusing self-importance strangely at odds with its modest talents, the Obasanjo regime has ruled Nigeria like many of its predecessors: an occupied territory that can be vandalized and violated at will. In an unelected military regime drunken with power without responsibility this would not have mattered. But with an administration that is supposed to owe its existence to the electoral will of the national populace, this contradiction is bound to produce a harvest of nation-threatening crises and conflicts. (Williams 2007, 10)

Obasanjo’s reinforcement of the nature of executive presidency, and the reluctance to undertake constitutional reforms, affected the growth and stability of democratic governance and the essence of the structure of the Nigerian federal system. Rather than multiple centers of power and influence in a democratic system, and a robust atmosphere of democratic bargaining, dissent, and contestation, what existed were a unified centre of power and a political milieu of fear, frenzy, and docility diametrical to democratic progress. Public trust and confidence in governance, particularly in the Obasanjo regime, ebbed as the context was not particularly different from that of previous military rule. As Linus Obogo sums it up: “gradually, all the goodwill loaned to him to legitimize his spurious victory in 1999 began to ebb. The general mood of his band of faithful went sour, just as public confidence, hope and expectation took a downward swing” (Obogo 2007, 15).

## INSTITUTIONAL EROSION

The logic of separation of powers and the growth of democratic institutions constitute the crux on which an enduring democracy rests. The institutions central to democratic functioning are the executive, parliament, the judiciary, political parties, civil society, and organs/institutions of restraint and oversight like the national human rights

institution, anticorruption bodies, the auditor general's office, and ombudsman. The Obasanjo regime created new institutions like the two anticorruption bodies—the Economic and Financial Crimes Commission (EFCC) and the Independent Corrupt Practices Commission (ICPC)—but did little to nurture or strengthen key institutions of democracy. Rather, in a systematic way, those institutions were abused and undermined, diluting and compromising their limited capacity to support the democratic agenda. The parliament, the judiciary, and political parties were badly affected by executive interference and subordination. The National Assembly, especially the Senate, was subjected to the presidency playing a key role in its affairs—major areas of executive intrusion include deciding who headed the Senate and House of Representatives and what issues were to be considered. The appointment of the Senate president, and consequently the course to take, were issues the presidency was deeply involved in. The level of leadership turnover of the Senate was very high—there were five Senate presidents in eight years, with an average of less than two years each in office.<sup>5</sup> Their appointment and removal were in all cases orchestrated and covertly managed by the presidency. The National Assembly was often times split into factions sometimes with violent outbursts, mostly around the interests and politics of the executive. As Linus Obogo (2007, 15) observed, “single handedly, Obasanjo brought indiscretion into the hallowed chamber of the National Assembly by ensuring that peace was a rarity in both the Senate and the House of Representatives.”

Political parties including the ruling Peoples Democratic Party (PDP) also came under the sledgehammer of executive power. The need to build a personal political machine through gaining control of the ruling PDP compelled the Obasanjo regime to take drastic steps, which were in most cases antidemocratic and eroded the party's capacity for internal democracy and reform. First, most of the founding members of the party who could have insisted on order and procedure and provide resistance to presidential dominance of the party were either hounded out of the party or silenced.<sup>6</sup> Second, the executive suborned the leadership of the party and ensured that it (the executive) played a lead role in appointing the party's leadership. As in the Senate, there was also a high leadership turnover rate in the PDP. In eight years, no less than four party chairmen were appointed.<sup>7</sup> The internal party machinery was overhauled to give control to the presidency; hence, the party congresses and intraparty elections were mostly geared toward “electing” “presidentially sanctioned or approved candidates.” Executive loyalty and control took precedence

over internal party democracy. In this undemocratic context, a chain of informal networks of party control and loyalists from the national to the local level were erected, prompting violence, disorder, political assassination, and general insecurity in the internal workings and intraparty electoral processes of the PDP. A prominent founding member of the party, David Jemibewon, had this to say:

The aim of the founders of PDP was that it should be an all-embracing party of various opinions and attempt for the first time to have the principal political figures in the three major ethnic groups in this country—the East, West and North. And so every effort was geared to realize this. . . . *The initial hope, the initial vision, and initial objective of the PDP seem to have been lost. The founding fathers of the PDP did not imagine that what is happening today will happen. And so, there was no kind of anticipated remedy against Obasanjo having a tight grip on the party* [emphasis added]. (Jemibewon 2007, 3)

The other political parties were not particularly different from the PDP. They were mostly authoritarian, undemocratic, and weak. The executive at the federal level also used elements of infiltration, cooptation, patronage, and intimidation to balkanize and disable those opposition political parties. In sum, virtually all the political parties, as Adigun Agbaje observes in chapter 3 of this volume, do not deserve being referred to as political parties.

The institutions of restraint created by the Obasanjo regime—the anticorruption bodies and the national human rights institution, among others—had varying degrees of performance but were mostly subjected not to public accountability but to the personal accountability and loyalty of the president. Some of them exercised extrajudicial powers and regularly disobeyed court orders and legislative summonses.<sup>8</sup> Indeed, it was not unusual for the heads of these institutions to publicly deride members of the National Assembly and disrespect the institution openly. The head of the national human rights institution, Bukhari Bello, was unprocedurally removed from office for what was generally believed to be his increasingly assertive and bold stance on human rights issues in Nigeria and the continent.

The judiciary as earlier noted had a rough exchange with the executive arm of government. Executive intimidation tactics included threats of demolition order on judges' homes, false accusations of corruption, and removal from the bench. There was the disobedience of court orders and the creation of patronage networks in the system in which spurious and unpopular judgments and court injunctions were given on behalf of the state and its agents. A group of prominent

Nigerians led by Nobel laureate Wole Soyinka, appalled by the affront to the rule of law and sanctity of the judiciary, issued a public statement entitled “*Rule of Law is the only peaceful option*” in April 2007. In the statement, the group noted:

Executive interference in the judiciary. The executive having failed in its primary responsibility has decided not only to pollute the spring of justice but also to destroy the temple. The executive has refused on many occasions to obey court orders as a result of which lawyers in 2006 had to go on strike . . . . The contempt which the Executive has for the courts no doubt encouraged attacks on some judges outside and inside the courts. (*The Nation*, April 13, 2007)

The consequence of the foregoing was that Nigeria’s nascent democratic governance was not complemented by institutional capacity, stability, and growth. Instead, there was uncertainty and instability in the institutional processes of governance, institutional capacity erosion and loss of credibility, the informalization of power in state and democratic institutions, and a decline in people’s trust and confidence once again in governance in the country, contrary to the inauguration promise Obasanjo handed Nigerians at the inception of his rule.

## WELFARE DEFICIT

The Obasanjo regime undertook far-reaching economic reforms in the country. There was financial and banking sector reform, large scale privatization programs, liberalization of the telecommunication sector, and the introduction of an economic blueprint: the National Economic Empowerment and Development Strategy (NEEDS). The economy responded positively to those reforms with an average growth rate of about 6 percent from 2003 to 2007. There was also about 2 percent industrial growth rate from 2004 to 2006. However, this economic progress veils the deteriorating living conditions of the people in which basic social welfare services and economic infrastructure remained poor and dilapidated. Electricity generation remained erratic and grossly inadequate despite gulping billions of dollars under the regime, access to improved sanitation for urban residents declined, and life expectancy remained stagnant at 47 years—one of the lowest in the world. Paradoxically, poverty deepened as the country earned more oil wealth. In the course of Obasanjo’s eight-year rule, as Jean Herskovits (2007, 119) noted, Nigeria earned about