

# NIGERIA: COMPLETING OBASANJO'S LEGACY

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Time and again, observers of Nigeria's politics have predicted—so far incorrectly—the nation's ineluctable demise. Recently, this multiethnic country has been coping with intense political strains, including vexatious issues of presidential tenure and entitlement to that office.

In Nigeria, presidential elections are the main events of extended electoral exercises that involve voting to fill the bicameral national assembly, the 36 state legislatures, and the corresponding gubernatorial offices required by Nigeria's federal system. The electoral sequences of 1999 and 2003 were monitored by external as well as domestic observers, who voiced scathing criticisms of electoral malpractice. Yet the Nigerian public was willing to live with the results of both sets of elections.<sup>1</sup> The great game of politics in Nigeria is perilously rough and at times lawless, but one constitutional rule in particular has had broad support: The president and the governors are all limited to two terms in office.

As president since 1999, former general Olusegun Obasanjo has burished his legacy of engagement in two transitions from military dictatorship to constitutional government (in 1979 as retiring head of state and in 1999 as a presidential candidate) by affirming his resolute opposition to militarism as a form of government. To that end, he has raised the level of military professionalism, stressed a zero-tolerance policy toward would-be putschists in the armed forces, and overseen an administration that has taken the lead in delegitimizing military coups and restoring democratic governments elsewhere in Africa.<sup>2</sup> The president has also steered Nigeria toward greater macroeconomic stability and has won international acclaim for his fight against endemic corruption.

In 2005, however, a shadow descended on the president's legacy of dedication to democracy. He evidently favored consideration of a constitutional amendment that would have allowed him to seek a third term despite widespread public disapproval of any such maneuver. A March 2006 Afrobarometer survey had reported that "an overwhelming majority" of 84 percent of Nigerians agreed that the president should "obey the constitution, including serving no more than two terms in office."<sup>3</sup> British and U.S. officials publicly warned that prolongation of the president's stay in office beyond two terms could destabilize Nigeria; privately they advised Obasanjo that his retirement in 2007 would secure for him an important role as an elder statesman.

The problem is not the president personally, but the personalized nature of Nigerian politics. Decades of avaricious military rule have left the Nigerian political landscape dominated by powerful "godfathers" who sit atop vast patronage networks at the local, state, and federal levels. Political outcomes are primarily a function of titanic struggles among these magnates, who bargain among themselves—and at the expense of the impoverished greater public—within a political context of multiple ethnoreligious divisions. If Nigerian democracy is ever to consolidate, most of these elites must perceive that the democratic system serves their interests better than extrasystemic alternatives such as coups or warlordism, and the system must be able to check those elites who conspicuously break the rules. Sadly, since the 2003 elections, these power brokers have grown increasingly bold in circumventing the democratic system, even to the point of attempted constitutional manipulation.

This slide toward godfather politics was curbed on 16 May 2006, when Nigeria experienced a constitutional epiphany: The Senate blocked the most feasible route to tenure extension by decisively rejecting an omnibus bill of amendments to the constitution allowing both presidential and gubernatorial third terms. In the minds of many senators, conviction prevailed against the lure of inducement, financial and otherwise. The president responded by hailing the decision as a "victory for democracy," and congratulated the members of his party who participated on either side of the debate. His graceful acceptance of this defeat will cement his remarkable contributions—both direct and indirect—to Nigeria's young democratic system. His job as the Fourth Republic's founding president, however, is not yet finished. He can still make several critical contributions to democratic consolidation as he prepares to oversee his third and last major transition in 2007: the first handover of the presidency from one civilian to another in Nigerian history.

### A Context of Ethnic Insecurity

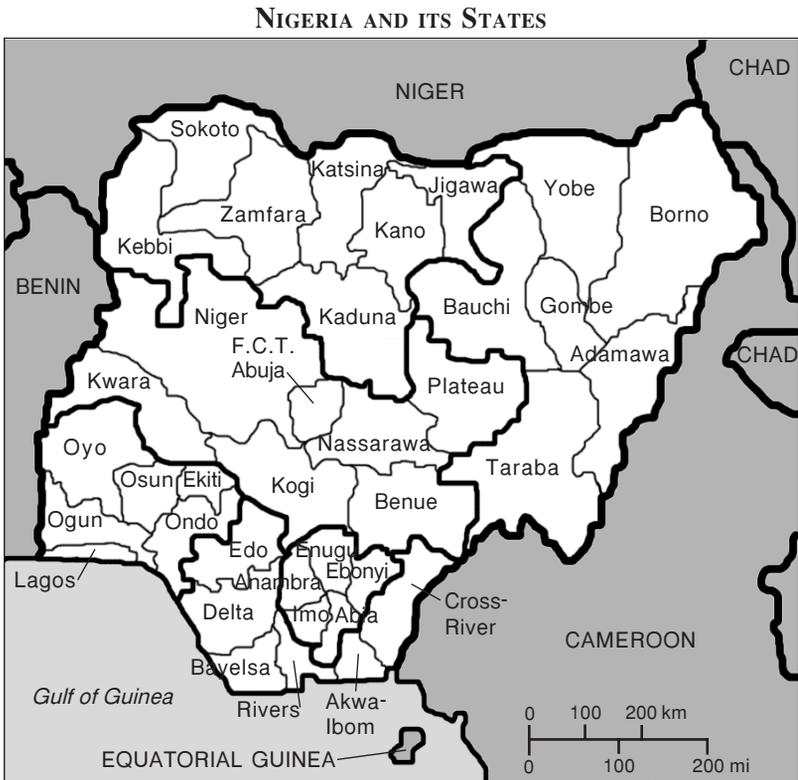
The rise of Nigeria's godfathers can be attributed to several historical developments. The first is what can be called the *ethnic-security*

*dilemma.*<sup>4</sup> This dilemma arises when ethnic categories become the primary lens through which the public views political events, thereby constraining and aggravating the choices of political elites. In the absence of other viable social categories for the protection of group interests, one ethnic group's apparent political gain is viewed by others as a potential loss. This zero-sum prospect creates an incentive for elites to maximize their ethnic group's position, which in turn makes other groups feel insecure and forces them to follow suit. Consequently, Nigerian politics occurs within a broader context of ethnic insecurity and an ethnic calculus of "Who's up, who's down?" in terms of relative power within the federation.

Thirty years of military rule, with its promotion of political and economic centralization, made all this worse. Overwhelming political power was concentrated in the presidency and the executive branch, which also dominate the all-important oil industry. Control of the presidency and the governorships, therefore, is prized above all other offices, creating powerful incentives for politicians and their supporters to win them at all costs. In addition, Nigeria's 36 states and 774 local governments are largely dependent on the federal government to finance their functions. Centralization is reinforced by constitutional provisions that establish a single national police force and prohibit separate state forces.

Current proposals to decentralize the federation encounter obstacles posed by Nigeria's highly complex pattern of ethnolinguistic diversity. With about 130 million people, Nigeria is the world's fifth-largest federation—only India, the United States, Brazil, and Russia are more populous. In Nigeria, the term "nationality" is normally used to connote ethnolinguistic identity. Politicians who favor remodeling the federation along ethnic lines have suggested that it would be feasible to recognize as few as 70 of Nigeria's estimated 350 nationalities for political purposes. Three nationalities, Hausa, Yoruba, and Igbo, account for nearly 60 percent of the national population; other nationalities range in size from several thousand to several million people.<sup>5</sup>

In order to escape the ethnic-security dilemma as exacerbated by political centralization, a number of leaders have proposed a reconstruction of the federation based on the distribution of ethnolinguistic nationalities that would consolidate the existing 36 states into six geopolitical zones.<sup>6</sup> These six zones are currently recognized in practice, even though the federal constitution makes no mention of them. Proposals for zonal (or regional) reconstruction emanate mainly from the three southern zones: the Igbo-speaking southeast; the Yoruba-speaking southwest; and what Nigerians call the south-south, a six-state region containing diverse ethnolinguistic groups including inhabitants of the Niger Delta and adjacent wetlands. This zone's oil and natural-gas production, supplemented by deepwater offshore wells, accounts for more than 90 percent of the total value of Nigeria's exports. While the Igbo and Yoruba zones are



politically cohesive, the south-south, including large Edo-, Efik-, and Ijaw-speaking nationalities among others, shares little with those other zones beyond their common grievances against the Nigerian central government and the international oil companies. The groups of the south-south aspire to gain control of the oil and gas industry and thereby realize benefits that will compensate them for the destruction of their traditional economies by pollution and environmental despoliation.

The political watchword of the Niger Delta and its environs is “resource control,” connoting the acquisition of ownership and management rights by the indigenous people of that (or any other) zone, probably through agencies of their state governments, as well as the receipt of a much higher volume of export revenue than that to which zones of origin are presently entitled. The two other southern zones, however, are ambivalent about resource control. While many Igbo and Yoruba political leaders have generally regionalist dispositions, they are far less motivated to support the principle of resource control than are the claimants to oil-bearing lands, seabed, and petrochemical production facilities in the multilingual south-south zone.

All three northern zones have pronounced antiregionalist political tendencies, but with different emphases. The northwest is culturally

and politically cohesive. It is the heartland of Nigeria's so-called emirate sector. Nearly all the indigenes of the seven states that compose this zone are Hausa-speaking and live in emirates—Muslim polities over which emirs and their counselors presided directly in precolonial times—whose traditional institutions retain important political influence. The emirate sector extends into the northeastern and north-central zones, although these two zones are linguistically diverse.

The northeastern zone includes both emirate and nonemirate peoples as well as the populous Kanuri kingdom, which has a traditional organization that is similar in form to those of the emirates. In the north-central zone, however, a vast majority of the numerous (approximately 250) ethnolinguistic nationalities have political orientations that emphatically affirm their separation from the emirates and their preference for a strong central government that can counteract threats emanating from the three largest nationalities. Neither the restoration of emirate-based hegemony in their sector nor deprivation of revenues from an oil industry that might be regionalized by southerners would be tolerated without protest by those who lead the nationalities of Nigeria's often overlooked "middle belt."

Perceptions of the regional (zonal) question throughout Nigeria have been deeply affected by the adoption of the *shari'a* (Islamic law) criminal code in the emirate sector. During 2000 and 2001, all seven states in the northwest, four out of six states in the northeast, and one of the six north-central states, containing altogether about a third of Nigeria's total population, adopted the *shari'a* criminal code. The *shari'a* civil code had been in place across most of the north since 1979, and both civil and criminal codes exist alongside the secular legal systems. Muslims are widely believed to make up half the Nigerian population and to slightly outnumber Christians; approximately two-thirds of Muslims live in the twelve *shari'a* states.

It is important to recognize that the Christian-Muslim cleavage in Nigeria is less significant politically than the emirate-nonemirate cleavage. Half the southwestern Yoruba nationality is Muslim, but Yoruba leaders are not inclined to adopt the *shari'a* criminal code in their states. In the northwestern zone, where Hausa-speaking emirates are nearly ubiquitous, there are few regionalists, owing to that area's strong cultural and historical links with emirates in the northeastern and north-central zones. Economic considerations also militate against regionalism in all three northern zones, since increased regional or subregional resource control would hardly help the oil-free north.

Although regionalism is particularly unpopular in the northern zones, leaders nationwide have come to an informal understanding that the most important political offices must be distributed as evenly as possible across all six of the country's zones. At a minimum, the president, vice-president, Senate president, and speaker of the House must come from different zones, and the cabinet must contain at least one minister

from each of the 36 states. Moreover, when a president steps down, it is expected that political parties will rotate their candidates to give another zone a chance to win, although party leaders are divided as to which of the remaining five zones that should be.

### **Godfathers and the Nation**

Within this context of zonal or regional struggles driven by ethnic insecurity, Nigeria's political titans vie for power and control over the vast spoils of office. Under military rule (which lasted from 1966 to 1999, except for the Second Republic of 1979 to 1983), political and economic centralization made the military and civilian individuals who controlled key state posts fabulously wealthy, while 70 percent of Nigerians fell into abject poverty. Although many leaders began their political careers in traditional ethnic-based power structures, their vastly superior wealth and access moved them into a select club of elites from across the nation who increasingly came to dominate national politics. These elites became the country's godfathers or "Big Men." They sit atop vast, pyramid-structured patronage networks based on regular "cash and carry" kickback relationships, such that every level of Nigerian government has its relevant Big Men and their supporters—a phenomenon that scholars call neopatrimonialism.<sup>7</sup>

Over time, a degree of class consciousness has developed among the members of this powerful club, and they generally share more in common with each other than with their own relatively impoverished supporters. Consequently, their deeper motives are rarely ethnonationalistic; they are primarily self-interested wealth and power seekers. In fact, the most powerful among them have built vast networks that stretch across ethnic and religious lines. Because the larger political categories of the nation are palpably ethnic and beset by the security dilemma, however, the godfathers must operate within these divisions to some degree. In some ways, traditional cultural norms may constrain their political maneuvers, but such norms also give them an "ethnic card" that they play against rivals in other ethnic groups. Consequently, the current godfather networks of political elites have modified the more deeply divisive ethnic divisions that undermined the First and Second Republics, leading to a realignment in which godfather-led multiethnic coalitions have emerged.

The growing distance between this political elite and the general public, however, has undermined accountability and left the elite free to play the ethnic card for selfish ends. Moreover, poverty and frustration over the slow pace of change fan public anger, providing increasingly dry tinder that ethnic friction can ignite. So far, the Big Men have shown surprising capacity to negotiate compromise solutions that serve most of their ends, often at the expense of the public good, but their penchant for displays of

brinkmanship could inadvertently—or in some cases deliberately—send their political struggles spiraling out of control and into the streets.

When President Obasanjo entered office in 1999, he wielded political influence, particularly within the military, but he was by no means a godfather himself. The Big Men of the ascendant People's Democratic Party (PDP), itself largely an alliance of convenience among these powerful individuals, had in fact chosen Obasanjo on the faulty assumption that they could control him. Consequently, he arrived in office constrained within the webs of their various networks. Over the past seven years, however, he has gradually gained ground against the godfathers, using the powers of the presidency to build alliances with some and to undermine others, most notably Vice-President Atiku Abubakar. In a similar fashion, most of the current governors arrived as protégés of godfathers and power networks within their states, but have used the executive branch to build increasingly independent bases of their own. Some, such as the governor of Enugu, have succeeded. Others, such as the governors of Anambra and Oyo states, have found themselves losing to their former sponsors.

Obasanjo may have been open to calls for a third term precisely because he is an outsider surrounded by powerful men whom he perceives as having insufficient interest in continuing his reform agenda. Having deftly allied himself with several key godfathers and certain governors who share his need to outflank their former sponsors, the president moved to challenge his many rivals and let his supporters propose the third-term amendment.

Nigerian democracy activists argue that Obasanjo's supporters have devised two additional high-risk strategies to extend his tenure even after the failure of the amendment gambit. First, the president could simply push his allies in the National Assembly to delay elections on logistical grounds. The Independent National Electoral Commission (INEC) is woefully unprepared to hold elections as scheduled in April 2007—in no small part because the Obasanjo administration has for the past four years deliberately starved it of funds in order to keep it beholden to the presidency. The Senate has already attempted to delay elections until December 2007, but the House has rejected the move. The second possible strategy would be to cite the kinds of Muslim-Christian clashes that erupted in parts of the country in February 2006, as well as insurgencies in the Niger Delta, as pretexts for declaring a state of emergency. The president's acceptance of the Senate's quashing of the third-term proposal in May 2006 should put an end to such schemes, but ominous references from some of his advisors to "other options" indicate that they may still harbor troubling intentions.

The third-term gambit marked a neopatrimonial moment for Nigeria, when a supragodfather sought ascendancy while old godfathers tried to decide whether sustaining or destroying the democratic system would best serve their interests. The decision to reject the third term and the aftermath

of this decision signal the most significant moment in Nigerian democratic development since the 1999 handover of power to civilians. The nation's powerful political elites are deciding, consciously or not, whether they prefer to extend the neopatrimonial structure to the nation, with little respect for institutional checks, or whether they will support a more democratic arrangement of respected rules and alternation in power. The Senate's rejection of third terms and the president's embrace of its decision was a victory for democratic institutions and a powerful blow against godfather politics. This progress could be jeopardized, however, as the godfathers spare no expense in their competition to succeed President Obasanjo.

Neopatrimonialism is bad for Nigeria, as for other countries, because power is excessively personalized while national policy is driven by elite relationships rather than by public needs. Neopatrimonialism may randomly allow more enlightened rulers to govern and even to install some reforms for a time, but these inevitably come second to the unending need to service the expensive elite relationships that keep one in power.

With legislatures weak and beholden to executives, as in Nigeria, term limits offer elites what is often the first institutional assurance that they too have a chance to win control of high offices. Moreover, in transitional democracies where formal checks and balances are frequently circumvented, an informal balance of power among political elites is often necessary to provide the all-important self-regulating check on the ambitions of political godfathers. In other, more successful electoral democracies, such as Ghana, Benin, and perhaps Kenya, this balance of power has been manifest in the rise of viable political opposition movements that first fought for meaningful elections. When elites contest by means of relatively fair elections and confine their struggles thereafter largely within the democratic system, these elites will find themselves increasingly driven to provide beneficial policies to the public at the expense of elite patronage. In addition, real elections create important incentives for elites to expose the corruption of opponents.

President Obasanjo's gambit for a third term did more than endanger the fundamental rule of term limits that Nigerian elites have been depending upon for their chance at the top. The move also threatened to upset the growing balance of power among the Nigerian elite, a balance that has been increasingly energizing the dormant institutional checks and balances of Nigeria's young democracy. Moreover, numerous reports of the president showering largesse on allies and using the anticorruption machinery to harass political opponents indicate that he was, for a time at least, willing to play the godfather game in support of the third-term gambit at the expense of democratic development.

The third-term debate, as well as the regional politics of *shari'a*, resource control, and restructuring the federation, have strengthened zonal factions within the PDP, and opposition parties have been moving to woo away the discontented. In particular, advocates of emirate-

based views argue that after eight years of the southerner Obasanjo, the next president must come from their zones, and that abrogation of term limits would have been a *de facto* attack on the principle of zonal rotation. Overlaying this ethnic calculus is the struggle between the governors and their respective local godfathers, which has increased the attractiveness of opposition parties to the losers of these struggles.

With the third-term crisis averted, the Nigerian political picture is now dominated by elite negotiations and struggles among powerful individuals, with decisions at the national level filtering down to the state and local levels, leading to reactions at each level that then reflect back up to the top. These negotiations will continue throughout the campaign leading up to the 2007 elections as various powerful figures calculate their best interests and shift their factional alignments accordingly. Tremendous amounts of largesse will change hands, and some of the players will likely resort to force.

Now that the president has rejected his supporters' bid to open the neopatrimonial path to him, he can still take bold action to reinforce Nigerian democracy further against the threat of godfather politics. He can address several threats to his legacy and deficiencies in democratic institutions, so that the godfathers face both greater rewards for playing by the rules and more potent sanctions for transgressing them. In particular, he can strengthen the balance of power among the godfathers through the legislatures and secure a credible election system.

### **Threats to Obasanjo's Legacy**

The end of the third-term fracas comes at a time when the issue of control over the nation's oil wealth has sharpened the ethnic-security dilemma. President Obasanjo convened a national conference in early 2005 to begin a process of amending the constitution, at which time an early proposal to extend the presidential term of office was rejected. South-south leaders, however, seized the moment to demand greater local control of the oil revenues earned from their lands. Northern leaders from the emirate states responded by refusing to approve more than a four-point increase in the percentage of oil revenues paid to the states of origin, which currently stands at 13 percent. Had the northerners accepted a compromise put forward by middle-belt (mostly north-central) delegates and agreed to an immediate increase from 13 to 25 percent, the national conference could have concluded harmoniously, rather than with acrimony. South-south leaders had, by then, adopted a reasonable posture with regard to resource control, and the coastal states would soon thereafter be buoyed by a Supreme Court decision upholding an act of the National Assembly that affirmed these states' entitlement to revenue derived from offshore as well as onshore oil production.

Subsequently, nearly all the southern governors went on record de-

manding continuation of a process, initiated by the national conference, aimed at amending the constitution. They called for an immediate increase from 13 to 25 percent of the share of oil-export and other revenues directed to states and zones of origin, going up to 50 percent in five years. Should these changes not happen by 2007, the southern leaders have said, dire consequences will ensue: The south will boycott the 2007 elections and will “consider the reconstitution of the country as a Confederation on the basis of the six geopolitical zones, with each zone retaining its resources and contributing to the center on the basis of an agreed principle.”<sup>8</sup> Should agreement on this matter be lacking, the southern leaders continue, their zones will cease to contribute resources to the federal government. And should the next president be from anywhere other than the south-south or southeastern zones, the option of confederation among—and full resource control by—the states of origin will be on the table.<sup>9</sup> Were the southern states to rally behind such a strategy, the survival of a federal form of government in Nigeria might well be at risk.

In addition to the threat that ethnic insecurity poses to the federation, President Obasanjo’s legacy may be shaken by the growing gangsterism in state government that surfaced in his second term. In July 2003, the governor of Anambra in the southeast survived a crude attempt to compel his resignation when he was abducted briefly by policemen acting illegally in collusion with the governor’s estranged political godfather, who is a presidential ally. This bitter dispute peaked with terrifying effects in November 2004, when armed arsonists destroyed government buildings in the state capital but failed in an attempt to assassinate the governor. Despite these outrages, the well-connected godfather was subsequently appointed to the Board of Trustees of the People’s Democratic Party.

A comparable sequence of events roiled Oyo State (southwestern zone) in December 2005, when a godfather acquired the allegiance of policemen who allowed his hirelings to vandalize government offices, including that of the governor, after a clash at the state House of Assembly involving gunfire and several casualties. As in Anambra, the governor of Oyo had displeased his erstwhile godfather by not forwarding him the demanded amount of the state budget or control of key appointments. Once again, national leaders of the PDP made conciliatory gestures toward the patron, his criminality notwithstanding. Moreover, a majority of the members of the House of Assembly backed the godfather. They initiated impeachment proceedings against the governor and voted to remove him from office. Even though the vote was less than the constitutionally required two-thirds margin, the governor was forced from office.

Meanwhile, in December 2005, the governor of Bayelsa in the south-south zone was impeached and removed from office by his state’s House of Assembly. This action followed his flight from Britain, disguised as a woman, where he had been arrested and released on bail pending trial for money laundering and illegal expenditures on personal property in

London exceeding several million British pounds. Once impeached, the former governor was arrested by the federal Economic and Financial Crimes Commission on charges involving a yet far greater sum of money stolen from the Bayelsa state treasury. Local militias subsequently attacked oil installations, took hostages, and demanded the release of the ex-governor and a former militia leader. Militia activity across the Niger Delta region continues to target the oil industry while living off trade from stolen oil, and some armed groups have proclaimed the goal of political self-determination, particularly for the Ijaw people.

These instances of malfeasance in state government are not exceptions, but represent tendencies that are discernible throughout the federation. Ineffective government in the states and corruption in the federally run police have resulted in the creation of publicly financed “vigilante services.”<sup>10</sup> In several states, vigilantes have been used to perpetrate violence against ethnic and religious communities.<sup>11</sup> Other discontented groups have organized criminal militias in furtherance of ethno-separatist political causes. Toward the end of 2005, the federal government imprisoned the leaders of three violent separatist groups, one in each of the southern zones. In the south-south zone in particular, criminal syndicates and militias continue to steal immense quantities of crude oil from vulnerable pipelines, tankers, and production sites. The current annual cash flow to criminals has been estimated conservatively at more than US\$1.5 billion.<sup>12</sup> These cases illustrate the depth of public frustration and the dangers posed by chaotic political forces that practitioners of democratic representation have not as yet found a way to tame.

## **A House Divided**

The president’s legacy is also threatened by deep dysfunctions in the ruling PDP. A 2003 attempt by northern critics of Obasanjo to persuade Vice-President Atiku, an emirate personality and powerful businessman, to vie for the party’s presidential nomination created a rift with President Obasanjo that has been deep and lasting. The president’s determination to block Atiku’s nomination to succeed him in 2007 can scarcely be doubted.<sup>13</sup>

In December 2004, the national chairman of the PDP, an ally of the vice-president, publicly criticized the president’s failure to mitigate the violent conflict in Anambra. He warned bluntly that Nigeria might be drifting yet again toward a coup. Angered, the president demanded and obtained the chairman’s resignation. The party’s national executive committee then installed a presidential loyalist as national chairman, and party rules were changed to provide for direct presidential control of party officials, effectively rigging PDP party congresses to ensure their domination by a chorus of Obasanjo supporters. While the ability of party barons and governors throughout the country to reassert their preroga-

tives should not be discounted, the PDP of Obasanjo's second term has been transformed into an instrument of presidential power and supremacy.

One upshot of the struggle within the PDP, bolstered by the extraordinary resistance to the third-term gambit, may be the emergence of a viable opposition party or coalition. This could set Nigeria on a Ghana-like path toward real party contestation and better governance. Given PDP dominance over INEC, however, that path would likely be long and would require that the opposition engage the public to confront what will almost certainly be a PDP strategy of sharp practices in the 2007 elections. Effective opposition would also require the substantive engagement of civil society groups, particularly trade unions and professional associations. In addition, opposition leaders would have to forge a sustainable coalition among their own members and forestall defections to the PDP by fighting the "follow the money" instincts that so often grip members of the political elite, as well as by fending off punitive anticorruption investigations that the president might launch in order to discredit the opposition.

The National Assembly's dramatic rejection of tenure extension for the president and governors is highly relevant to the dynamics that shape the unstable Nigerian party system. Should Vice-President Atiku or another consensus northern candidate secure the PDP presidential nomination, the PDP might then be able to restore its political standing as the sole big-tent party for the nation. To that end, the party would have to satisfy southern demands for a substantial increase in revenue derived from exports, engineer some decentralization of oil-industry management, and provide for the constitutional recognition of the six geopolitical zones. If, on the other hand, a southern presidential strategy were to prevail, northerners would be embittered; many of them might abandon the PDP for the All Nigeria Peoples Party (ANPP), which won seven northern (emirate-area) governorships and state assemblies in 2003. The ANPP, however, has faced its own internal divisions, and several of its governors supported President Obasanjo and were leaning toward decamping to the PDP. Consequently, the leading opposition party appears to be the Advanced Congress of Democrats (ACD), a new party consisting primarily of former PDP members who oppose the president and a section of the Alliance for Democracy (AD), which holds one governorship in the southwest.

If northern politicians flock to the ANPP and ACD, reconstruction of the PDP as a reasonably national predominant party would depend on the ability of the southern majority within the party to forge a comprehensive alliance with the multiethnic middle belt (primarily the north-central zone). A southern candidate, however, would probably mean that the north would not have to face exigent southern demands for a confederal form of government that would entail a steep decline in the entitlement of northern states to oil revenues.

Opposition parties are also in flux, as the most powerful politicians decide whether their interests are better served by restoring the PDP's big tent or by building a challenge to PDP dominance. If Atiku withdraws from the PDP, which seems likely given President Obasanjo's lock on the party leadership, the vice-president could be nominated by the ACD. If several of the ANPP governors do in fact join the PDP, the remainder of the ANPP (particularly the faction led by the ANPP's 2003 presidential candidate, retired general Muhammadu Buhari) may merge with the ACD, or at least join it in coalition. Igbo leaders of the south-eastern zone, for their part, will face the choice of siding with Obasanjo's PDP or joining the Igbo-dominated All Peoples Grand Alliance (APGA), which holds one governor's seat and has also been leaning toward joining the ACD and AD.

All the main opposition parties held merger talks when it appeared that the third-term amendment would pass, and momentum from their successful resistance to the president is continuing to propel these discussions apace. With the field now open and a dozen presidential contenders vying to win, however, opposition unity will be affected by the outcomes of elite negotiations across the nation and the new configuration of power that will develop. In addition to the vice-president, several northern governors are in contention for the presidency, as are governors from the south-south and Igbo southeast, popular reformists from the Obasanjo administration, and the national-security advisor, plus the multibillionaire, middle-belt indigene, and former military ruler Ibrahim Babangida. Memories of Babangida's arbitrary rule and his annulment of the credible 1993 elections, however, make him a highly controversial candidate, especially among southwestern voters, since the 1993 presidential-election victor whom Babangida upended was of Yoruba origin.

## A Place in History

With President Obasanjo now intent upon retiring in 2007, his long-term legacy will probably attain historic proportions. He ushered the military out of politics and instituted important macroeconomic reforms, including the negotiation of extensive debt forgiveness in Nigeria's favor. His war against corruption has involved the creation of agencies, notably the Economic and Financial Crimes Commission, that have registered important achievements but also need to be better shielded from politicization. In addition, the president has promoted the emergence of technocratic and managerial leaders from all sections of the country who are prominently associated with a welcome change in the tone of national public life, manifest in vigorous anticorruption efforts, civil-service reform, consolidation of the banking industry, substantial waste reduction in public contracting, and more transparent management of oilfield operations. To these durable aspects of Obasanjo's legacy one

may add the capacity of a strong national government to exercise continental leadership in the furtherance of peace and security.

The president's main legacy, however, could lie in his influence on the structure of Nigeria's federal republic. In opposition to the preferences of many democratic intellectuals, including eloquent voices in his own, southwestern, part of the country, Obasanjo has firmly favored the preservation of Nigeria's centralized form of federal government, albeit perhaps as modified by modestly decentralizing constitutional changes.<sup>14</sup> Chief among these could be formal incorporation of the six geopolitical zones into the constitutional system as a new level of coordination but without abolishing the 36 existing states as the main constituent units of the federation. Federalist thinkers will likely see this as an instance of creative adaptation to Africa's highly complex pattern of ethnic-group organization.

Over the coming months, the president will doubtless be reflecting on how best to protect his reformist legacy, and his thoughts will certainly focus on a successor. To outflank his multibillionaire opponents Atiku and Babangida, the president may turn to reformists in his cabinet or to friendly northern governors to carry the PDP mantle. President Obasanjo does not, however, have to trust the personalized politics of the PDP's political godfathers, who will want him to use the party's machinery and dominance over INEC in order to rig a comfortable 2007 victory for the PDP candidate. Rather, the president could seize the opportunity to strike another blow at the godfather networks and better protect his legacy by leaving behind an even stronger democratic system that a successor with integrity could well utilize to continue his reforms.

The path to consolidated democracy in Nigeria begins with reinforcement of the balance of power among the nation's political elite through state institutions and in the polity writ large. This can be done, first, by strengthening the National Assembly and state assemblies by giving them full control over public revenues and by repositioning one of the anticorruption commissions (the Independent Corrupt Practices Commission) and the auditor-general's office so that they report directly to the National Assembly. Next should come comprehensive electoral reforms that give INEC full independence and full funding. Vote-collation processes should be streamlined, with overambitious proposals to attempt electronic voting set aside. Most importantly, opposition parties and civil society groups should receive greater oversight roles in INEC. Party primaries should also be openly contested by any interested candidates and decided by elections run through INEC.

If constitutional reform is still possible, the president could seek full independence for INEC. This would mean a guaranteed minimum percentage of the national budget for the commission, as well as an extended tenure for its chairman, perhaps 7 to 10 years, subject to impeachment for cause. The president could also revive his effort to remove the con-

stitutional immunities that currently shield governors from prosecution. The multiethnic composition of political parties at the federal level could also be preserved, preferably by constitutional provisions (reflecting rules that INEC laid down in 1999) that would require parties to win at least 5 percent of local-government seats in at least 24 of the 36 states in order to compete at the federal level, with a mandatory registration of the second-largest party should only one party pass this hurdle. Lastly, the president could also request constitutional amendments and other legislation to make permanent those reforms that he is afraid will be reversed by a new government. Vice-President Atiku has also recently called for this kind of legislation.<sup>15</sup>

The developing balance of power among the political elite is also in need of support in the political arena. This will require the free functioning of a viable, loyal political opposition and a vibrant civil society, as well as protections for civil liberties and press freedom, including speedy passage of the Freedom of Information Act. Efforts to promote peaceful resolution of disputes are also in need of stepping up. In the wake of the third-term debate, President Obasanjo may be inclined to view the opposition groups as his enemies, but if his successor seeks to reverse his reform agenda after 2007, the opposition parties will be his best friends.

President Obasanjo is truly a historic figure, but he does not hold office after centuries of democratic development in his nation like Franklin Roosevelt or Tony Blair, who could stand for third terms without upsetting a fragile systemic balance. His tenure is more akin to those of George Washington or Nelson Mandela, who were the first presidents of new democratic systems and who set necessary examples for their successors by showing that the system should be ensured regular alternation of executives in order to thrive. The president now appears ready to instill this noble tradition in Nigeria. Before he leaves in 2007, President Obasanjo can give his nation additional parting gifts—a stronger National Assembly and a credible election system that brings the godfathers further under democratic control. With such reforms, he will be seen as having presided authoritatively over the consolidation of Nigeria's nationhood and the modernization of its economic and democratic institutions.

## NOTES

1. See Darren Kew, "The 2003 Elections: Hardly Credible, but Acceptable," in Robert I. Rotberg, ed., *Crafting the New Nigeria: Confronting the Challenges* (Boulder, Colo.: Lynne Rienner, 2004), 139–73. The European Union retreated from the harsh judgment of its own observer mission.

2. A recent example, involving Nigerian initiatives within the framework of the African Union (then chaired by Obasanjo) and the Economic Community of West African States, includes the restoration of an electoral process, albeit a flawed one, in the Republic of Togo.

3. *Afrobarometer* press release, 14 March 2006. See [www.afrobarometer.org/results/PressReleaseNigeriaTermLimits3.pdf](http://www.afrobarometer.org/results/PressReleaseNigeriaTermLimits3.pdf).

4. For further explanation of this concept, see Darren Kew, "Building Democracy in 21<sup>st</sup> Century Africa: Two Africas, One Solution," *Seton Hall Journal of Diplomacy and International Relations* 1 (Winter–Spring 2005): 149–61.

5. The results of a national census, conducted in March 2006, are due for release shortly. While no data on ethnicity and religion were collected, rough estimates based on state-population figures may be expected to provoke controversy.

6. For commentaries, see Rotimi T. Suberu, *Federalism and Ethnic Conflict in Nigeria* (Washington, D.C.: U.S. Institute of Peace Press, 2001), 189–97; Ebere Onwudiwe, "Geopolitical Zones and the Consolidation of Democracy," in Adigun A. B. Agbaje, Larry Diamond, and Ebere Onwudiwe, eds., *Nigeria's Struggle for Democracy and Good Governance* (Ibadan: University of Ibadan Press, 2004), 267–76.

7. For the development of this phenomenon, see Richard Joseph, *Democracy and Prebendal Politics in Nigeria: The Rise and Fall of the Second Republic* (Cambridge: Cambridge University Press, 1987) and Michael Bratton and Nicolas van de Walle, *Democratic Experiments in Africa* (Cambridge: Cambridge University Press, 1997).

8. *Guardian Online* (Lagos), 20 December 2005, [www.ngrguardiannews.com](http://www.ngrguardiannews.com).

9. *Guardian Online*, 13 January 2006, [www.ngrguardiannews.com](http://www.ngrguardiannews.com).

10. World Bank, *Nigeria: State and Local Governance in Nigeria*, Report No. 24477-UNI, 23 July 2002, 20.

11. Johannes Harnischfeger, "The Bakassi Boys: Fighting Crime in Nigeria," *Journal of Modern African Studies* 41 (March 2003): 23–49; William Reno, "The Roots of Sectarian Violence, and Its Cure," in Robert I. Rotberg, ed., *Crafting the New Nigeria*, 233.

12. Council on Foreign Relations, *More than Humanitarianism: A Strategic U.S. Approach Toward Africa*, Report of an Independent Task Force (New York: 2005), 30–31. Nigeria has recently entered into an agreement with the United States to bolster security, combat financial crimes, and foster community development in the Niger Delta.

13. While Atiku is a Muslim and Obasanjo an evangelical Baptist Christian, all indications are that religious differences have played no role in what has been purely a political rupture.

14. Richard L. Sklar, "Unity or Regionalism: The Nationalities Question," in Robert I. Rotberg, ed., *Crafting the New Nigeria*, 39–59.

15. See Kabiru Yusuf, "Obasanjo's Reforms Should Be Irreversible," *Daily Triumph* (Lagos), 5 April 2006.