

CURRENT HISTORY

May 2010

“Three years after Nigerians gave the largely unknown Yar’Adua the benefit of the doubt despite his disputed electoral victory, their hopes again rest with an untested leader.”

Nigeria’s Season of Uncertainty

RICHARD JOSEPH AND ALEXANDRA GILLIES

“Nothing,” wrote Reuben Abati, the editor of Nigeria’s *The Guardian*, “can be more tragic than the present season of uncertainty in which Nigeria has found itself.” Indeed, in recent months the country has experienced an extraordinary and often surreal political drama seemingly scripted by a writer of fantasies.

On November 23, 2009, Nigerian President Umaru Yar’Adua was flown to Saudi Arabia for emergency medical treatment. Confusion swirled about his condition, though the immediate problem was reported to be pericarditis, an inflammation of tissues around his heart.

When, on Christmas Day, a young Nigerian named Umar Farouk Abdulmutallab tried (but failed) to ignite an explosive device on an airliner that was approaching the airport in Detroit, Michigan, no Nigerian head of state was available to engage with the US government over this alarming event. Following the attempted attack, the United States placed Nigeria on a terrorism watch list of 14 nations whose air travelers were subjected to increased security screening. (On April 2, that watch list was discarded in favor of a different set of policies.)

ILL-FATED POLITICS

Yet, as serious as these developments were, a more intense drama for Nigerians was unfolding in the nation’s capital, Abuja. For a harrowing three months, this country of approximately 150 million people was without a captain at the helm.

Yar’Adua had been elected president in April 2007. He owed his position to the political

achievements of two individuals: his older brother, Shehu Yar’Adua; and Olusegun Obasanjo, who served on two occasions as head of state. Shehu Yar’Adua had been Obasanjo’s deputy when the latter led a military government from 1976 to 1979. The two were accused in 1995 by Sani Abacha, the military dictator at that time, of planning his overthrow. Shehu Yar’Adua was later murdered in prison, but Obasanjo survived and was elected president in 1999.

When Obasanjo in May 2006 failed in an effort to amend the constitution and thus secure a third term in office, he installed as the 2007 presidential candidate of the ruling People’s Democratic Party (PDP) the younger Yar’Adua, then the governor of the small northern state of Katsina. Obasanjo proceeded to manipulate Nigeria’s political and electoral machinery to ensure Yar’Adua’s victory. The outcome was disputed by several losing candidates but was upheld by the Supreme Court in December 2008.

Yar’Adua in some ways resembled another president from northern Nigeria, Shehu Shagari, whom Obasanjo had also shepherded into office, in 1979. Shagari, a well-meaning patrician, was unable to control the plunderers around him. Military putschists ended his tenure in December 1983, shortly after he had begun a second term in the wake of flawed and chaotic elections.

But Yar’Adua, a northern successor to the southern Obasanjo, was handicapped not only politically but physically. Yar’Adua had been known to suffer from kidney disease even as governor of Katsina. At the time of the Christmas bombing attempt in the United States, the president had been absent for a month, receiving medical treatment in Saudi Arabia, but had not transferred power to his vice president, Goodluck Jonathan. Nigeria did not even have an ambassador to the United States who could be summoned for con-

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sultations, since the US government had earlier rejected the Nigerian designee.

On January 12, 2010, Yar'Adua, most likely provoked by press reports of his dire physical condition, granted a telephone interview to the BBC. He spoke in a weak voice of his intention to return to Nigeria as soon as his health permitted, but he did not mention any transfer of authority.

Nigeria's 1999 constitution provides two ways for power to be temporarily transferred to the vice president. The simplest mode is the transmission of a letter from the president to the National Assembly informing that body of his absence. The second requires the Federal Executive Council (the cabinet) to appoint, together with the Senate, a medical panel to provide a report on the president. If he is found unable to execute his duties, the vice president is made acting president. Neither of these constitutional paths was taken.

To adopt the term widely used in Nigeria, a "cabal" that consisted of the president's wife, Turai Yar'Adua, along with a few ministers and close political allies, worked to block a full transfer of power to Vice President Jonathan. Meanwhile, throughout the eerie interregnum, Jonathan presided over cabinet meetings that made decisions of questionable legality.

Bullying the cabinet and the nation during this political parenthesis was the attorney general and minister of justice, Michael Aondoakaa, who defended Yar'Adua's authority and justified not making Jonathan the officially acting president.

These maneuvers alarmingly recalled the political gyrations that preceded Sani Abacha's assumption of power in November 1993. Then, Moshood Abiola, elected to the presidency in June of that year, was blocked from taking office and subsequently imprisoned, eventually dying behind bars. This time, however, the armed forces did not intervene, either by fully assuming power as they had done several times, or by imposing a military-civilian diarchy, as they did briefly in 1993.

BACK FROM THE BRINK

February 9 and 10, 2010, may be remembered as the days when the Nigerian nation pulled back from a precipice along which it had tottered for more than 11 weeks. Following unanimous votes in the Senate and House of Representatives,

Jonathan was declared acting president, a decision subsequently confirmed by the cabinet.

Senior legislators found an ingenious way around constitutional obstacles by citing a "doctrine of necessity," never before invoked in Nigeria. The BBC interview with Yar'Adua, they claimed, fulfilled the constitutional requirement that a letter be transmitted to the National Assembly, albeit via modern technology. Jonathan therefore became acting president through an appointment process that deviated from the two paths set forth in the constitution. One of his first acts was to remove Aondoakaa from his ministry and from the commanding position he had assumed during Yar'Adua's absence.

"Goodluck Jonathan" could be a name invented by whatever mischievous deities look over the Nigerian nation. He had the good luck to be deputy governor of the oil-rich delta state Bayelsa in 2005, when the governor, Diepreye Alamieyeseigha, was apprehended by the London Metropolitan Police at Heathrow Airport with suitcases filled with state money. (Tragicomically, Alamieyeseigha skipped bail and returned to Nigeria allegedly by disguising himself as a woman.)

At that time, Obasanjo was using Nigeria's anti-corruption authorities to prosecute governors who crossed him, or crossed whatever line he inserted between the permissible and non-permissible theft of public funds. Jonathan stepped in as governor when Alamieyeseigha became the target of one such prosecution. It was also fortuitous for Jonathan to be elevated to the vice presidency—Obasanjo orchestrated his selection as Yar'Adua's running mate in the 2007 election.

In the early hours of February 24, 2010, Yar'Adua was hurriedly flown back to Nigeria by air ambulance. Six of his cabinet ministers had arrived in Saudi Arabia earlier that day, ostensibly to thank the Saudi government for looking after him but really—as the third high-level Nigerian delegation to visit that country during the crisis—in the hopes of seeing their ailing president. Jonathan was kept in the dark about Yar'Adua's precipitous return, which involved the alarming deployment of a military brigade in Abuja.

For almost two days, Nigerians experienced renewed uncertainty, especially since the first pub-

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lic statement by Yar'Adua's spokesman referred to Jonathan as vice, not acting, president. It seemed as if a fierce struggle over presidential authority would erupt. American and British diplomats quickly released strong cautionary statements.

Another announcement on behalf of the still unseen president, on February 26, acknowledged Jonathan as acting president and declared that all government officials should report to him. That communication lessened but did not completely disperse the constitutional cloud over Nigeria's federal institutions. It did, however, reduce the political tensions and anxiety.

Nigeria's season of uncertainty is likely to persist for some time. Crucial questions still await answers. Will the nation be given a full report on Yar'Adua's medical status, and told if he can ever resume the presidency? In the meantime, will Jonathan prove up to the task of managing the affairs of this complex and disputatious country?

Also, will the northern political class accept a southern leader during what they consider *their* turn to hold the highest political office, according to Nigeria's unwritten "rotational" principle? Will Nigeria, whose international reputation has been severely damaged by the Abdulmutallab incident, the bizarre events in Abuja and Saudi Arabia, and continuing intercommunal bloodletting in Plateau state, regain its political composure? And, most importantly, will this bewildered nation, as it prepares for its fiftieth anniversary on October 1, 2010, make progress in addressing the long unfinished agenda left behind by the tempestuous Obasanjo and the enfeebled Yar'Adua?

A DAUNTING AGENDA

Following the chaotic 2007 elections, a number of losing candidates mounted legal challenges to the results. High courts, demonstrating their relative independence, overturned elections in seven states, including some won by the ruling party. Appeals by two leading opponents of Yar'Adua in the presidential election—Atiku Abubakar, Obasanjo's estranged vice president, and Muhammadu Buhari, a former military ruler—were heard by the Supreme Court. In December 2008 the court upheld Yar'Adua's victory, despite a preponderance of electoral irregularities.

During the 20 months between the elections and this ruling, uncertainty prevailed as the Nigerian political elite considered the possibility of annulled presidential voting. The president's obviously declining health compounded the dis-

may, as did the infrequency of his public appearances. Meetings with Yar'Adua became harder for important individuals, both domestic and foreign, to secure. Even after the court upheld his election, intrigue and incessant politicking persisted, generating a *fin de régime* atmosphere. At his inauguration in May 2007, Yar'Adua had proposed a far-reaching "Seven-Point Agenda." After two and a half years of weak leadership, little progress has been made toward achieving any of his objectives.

Atop the list of challenges that the president in 2007 committed to addressing is the country's eroded infrastructure, which constrains economic activity. Daily life for many Nigerians involves a grim pursuit of water, electricity, fuel, and transport. In 2007, Yar'Adua announced his intention to "declare an emergency" regarding what Nigerians call the "epileptic" power supply. He promised to increase the supply to 6,000 megawatts by the end of 2009, a paltry amount for such a large nation. (Power production in South Africa, also considered insufficient, is several times as large.)

Despite the government's release of \$10 billion in its foreign exchange reserves to fund improvements in power infrastructure, available supplies today languish at around 3,000 megawatts. Transportation projects, such as a long-promised east-west highway from Port Harcourt to Lagos, and the revamping of a railway linking the two major industrial sites in the north and south, Kano and Lagos, have failed to get off the drawing board.

Yar'Adua's government initially halted several transportation and power sector projects commissioned by Obasanjo, questioning the ways in which the contracts had been awarded. Yet alternate strategies have not emerged. In the power sector, progress requires coordination among several entities, such as the ministry of power, the Power Holding Company of Nigeria, the Nigerian National Petroleum Corporation (NNPC), and private businesses involved in gas production. Only with strong and consistent leadership will the requisite coordination occur.

LOW ON FUEL

In addition to his promise to increase power generation, Yar'Adua pledged to remove government subsidies that push down the prices of petroleum products—subsidies that, according to the *Financial Times*, cost the country as much as \$11 billion from 2007 to 2009. Few dispute

the punishing cost of the subsidies to the nation's treasury, though their removal will cause hardship for road travelers and transporters.

Government-owned petroleum refineries produce well below capacity despite large sums repeatedly allocated for their upkeep and refitting. To make up for the resulting shortfall in supplies, most petroleum products are imported. However, like the refineries, these operations are riddled with mismanagement, inefficiency, and corruption. Private firms import fuel through a system overseen by the NNPC, but significant quantities of subsidized supplies are diverted to the black market or smuggled to neighboring countries.

The government officials and private interests that control these transactions profit handsomely at the expense of the intended beneficiaries of the subsidies. Yar'Adua has characterized this system as "the greatest institutional corruption in the history of the nation." Yet it persists. Moreover, the government often falls behind in paying the subsidies' costs, which results in paralyzing fuel shortages. Despite these widely known shortcomings, the deregulation of this sector, or some alternate solution, has not been advanced.

Along with these major infrastructural challenges, Nigeria's economy has suffered from oil price volatility. For more than three decades, the country has relied on petroleum exports for about 80 percent of government revenues and over 90 percent of export earnings. To minimize the risks associated with oil price fluctuations, Obasanjo and his economic reform team—which was led by Ngozi Okonjo-Iweala, now director of the World Bank—created the Excess Crude Account in 2003. The purpose of the account was to encourage savings instead of spending during periods of high oil prices, a stabilization measure that would make financial reserves available when oil prices dropped.

Under Yar'Adua, however, the Excess Crude Account dwindled—despite an upward price spike in 2008. A major reason for this was several multibillion-dollar allocations to state governors. The size and manner of these allocations reflect how power has been dispersed from the center to the states since Obasanjo departed. A \$2 billion allocation from the Excess Crude Account to the governors by Jonathan, just days after his

appointment, continued this trend. The allocation reportedly facilitated the strong support shown by the governors for his elevation to the acting presidency.

ALIENATION AND VIOLENCE

In addition to economic challenges, Nigeria's leaders must address widening socioeconomic fissures that can cause violent clashes. Conflicts erupted between Muslim and Christian residents of the city of Jos and its environs in Plateau state in November 2008, and again in January and March 2010. Each of these violent episodes has been fueled not just by religion and ethnicity but also by disputes over citizenship rights, land use, and political power.

In July 2009, a militant Islamic group called Boko Haram attacked government authorities, whose response included extrajudicial killings. In the past, public investigations into these sorts of incidents have neither brought to justice those responsible nor advanced strategies for addressing underlying issues. Jonathan has promised greater

accountability for such tragedies. Several police officers have been arrested in relation to the use of excess force in the Boko Haram affair.

Islamic extremism has long existed in Nigeria, alongside the country's more

moderate Muslim strains. Now—though the Christmas Day terrorist, Abdulmutallab, who was largely educated abroad, was not directly affiliated with any of these extremist groups—one can no longer deny that deep economic hardship and profound frustration over a corrupt and unresponsive political system have caused extremist ideas to resonate among the many alienated Muslims in northern Nigeria.

Violent conflict also persisted in the Niger Delta during Yar'Adua's tenure. In 2007 and 2008, militant groups stepped up their kidnappings and attacks on oil industry facilities. Oil bunkering—the theft of oil from pipelines or export terminals—continues to generate illicit funds that finance the thuggish party politics of the region. Until the Nigerian military conducted a major offensive in the spring of 2009, multiple efforts to reduce bunkering and the role of armed militias in the Niger Delta region had had little impact.

The offensive was followed by a cease-fire and amnesty in August 2009, amid plans for the

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demobilization and reintegration of combatants. Militants broke the cease-fire during Yar'Adua's absence in Saudi Arabia. On becoming acting president, Jonathan pledged to release funds promised for the amnesty program and to tackle aggressively the region's problems, the ramifications of which are now felt throughout the nation.

Securing a lasting peace in the Niger Delta, after decades of violence and disruptions of oil production, will require more than short-term payoffs for militia leaders and rank-and-file fighters. Since Jonathan comes from this region, hopes are high that he will prove more decisive than his predecessors in achieving progress, although as vice president he accomplished little.

Reducing turmoil in the delta will require a mix of strategies including political concessions, economic renewal, and effective but lawful use of force. It may also require foreign assistance, which Jonathan has indicated he would contemplate accepting. Seeking outside help would mark a significant departure from the attitude of all previous Nigerian governments. In any event, with the other enormous challenges confronting Nigeria's accidental acting president, it is a daunting task for his administration to try to reduce

the deep grievances in the delta and tamp down the armed insurgency, while also overseeing fierce competition for state and federal offices in the region. Even modest achievements in tackling these perennial challenges would be applauded after decades of failure.

THE ABSENT LEADER

Weak leadership and uncertainty in Abuja have led to the neglect not just of domestic issues but of international ones as well. Past Nigerian presidents have adopted a leadership role in West Africa. They acted to block armed insurgents in Liberia and Sierra Leone. Obasanjo forced authoritarian interlopers in São Tomé and Príncipe and in Togo to back down in 2003 and 2005.

In 2009, Yar'Adua was serving a term as chairman of the Economic Community of West African States, whose mandate now includes tackling interstate and urgent intra-state problems. However, his frailty and insularity kept Nigeria from responding to growing turmoil in Guinea, Guinea-Bissau, and Niger. Yar'Adua did not intervene in 2009 when President Mamadou Tandja in neighboring Niger ripped up that country's constitution, extended his tenure in

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Publication Details
 Volume 3, 2010
 4 issues per year
 ISSN Print 1939-2206
 ISSN Online 1939-2214

View an online sample! www.tandf.co.uk/journals/UAFS

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THE JOURNAL OF THE MIDDLE EAST AND AFRICA

Editor
Dr. J. Peter Pham
James Madison University

Publication Details
 Volume 1, 2010 • Biannual
 ISSN Print 2152-0844
 ISSN Online 2152-0852

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office, and had term limits on his rule abolished. And neither Yar'Adua nor the acting president responded to a military coup that ousted Tandja in February 2010.

In addition to neglecting turbulent regional events, a Nigeria without firm leadership will be unable to capitalize on important opportunities afforded by its non-permanent seat on the United Nations Security Council. A healthy and assertive president could use that post to reclaim for Nigeria a leading role in African and global affairs, as is now exercised by South Africa and other countries.

FRAGILE DEMOCRACY

Elections scheduled for April 2011, if they are fair, relatively peaceful, and competitive, offer a slender chance for a credible leader to emerge from the current political imbroglio. After committing to electoral reform following the deplorable 2007 contests, Yar'Adua equivocated over taking any decisive action in this arena. Maurice Iwu, the discredited head of the Independent National Electoral Commission, remains in place; Jonathan's anticipated appointment of his successor will be widely welcomed. Yar'Adua did establish an electoral reform committee in 2008, but the committee's extensive recommendations have yet to be implemented.

Election abuses during the Obasanjo years left a trail of court cases and mandated reruns, such as for governor of Ekiti state, around which appeals are pending. While the February 2010 reelection of opposition governor Peter Obi in the state of Anambra suggested a possible respite from PDP manipulation, the extremely poor organization of the election and very low turnout demonstrate that Nigeria has yet to reverse the continued decline of its democratic electoral institutions.

A weak electoral system is just one of the barriers blocking the ascension of Nigerian leaders who can effectively and responsibly serve the public interest. Much of the process by which key officials are selected takes place within the PDP. Governors and legislators who have gained significant power under Yar'Adua will want to maintain their positions, and have little interest in leveling the electoral playing field.

Opposition parties, on the other hand, invigorated by the turbulence in Abuja, will ramp up

their election efforts. Money, violence, fraud, and the manipulation of alliances usually determine who wins and retains "elected" positions in Nigeria. Nongovernmental actors, including media, professional associations, and civil society groups, have been agitating to move the country to a more democratic path. So far, however, these groups have lacked the capacity to counter the ruling elite's determination to maintain the current, defective system.

While central authority has weakened since Obasanjo's departure, effective governance has been demonstrated in some cases at the state level, where governors possess substantial authority and enjoy access to considerable outlays from the federal treasury. Several governors have chosen to use their political and financial resources to make economic and social progress. Their achievements could spur residents of other states with underperforming governments to demand greater accountability and improved services. Babatunde Fashola, the governor of Lagos state, heads the list

of reform governors and has received widespread praise for his efforts to improve urban transportation and waste collection systems, attract investment, and collect taxes in Lagos, the country's largest city.

Although reports of better governance issue from some states, this trend is still fragile. Even in Lagos, the corrupt and inefficient use of public funds continues. A reported rift between Fashola and his predecessor and "political godfather" Bola Tinubu threatens to derail Fashola's remarkable achievements. Nevertheless, a performance ethos is emerging among several governors. So also are expectations that the current set of state executives should outperform their predecessors. If elections became more democratic, and the exercise of power more transparent, performance could continue to surpass the admittedly low standards of the past.

GLIMMERS OF REFORM

Within the federal government, the record of a few senior officials shows what Yar'Adua could have accomplished had he been healthier and more assertive. Lamido Sanusi, on his appointment to the central bank in June 2009, immediately tackled problems in a banking sector that had nearly collapsed following a spree of irresponsible

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lending, insider trading, and other manipulations. In moves that targeted some of Nigeria's most influential citizens, he called for the removal of several bank chief executives and published a list of Nigerian companies that had not repaid their debts.

Sanusi frequently mentioned the president's support for his bold approach, and he was apparently not blocked by those who lost out during these reforms. A few other officials took decisive action from within the administration. For example, a new head of the civil service, Steve Oronsaye, has insisted on computer literacy, merit-based standards for appointment and promotion, and tenure limits for top officials.

Another effort at reform is the Petroleum Industry Bill, an ambitious piece of legislation that would restructure the governance of Nigeria's oil sector. The NNPC earns little money for the government, produces a negligible portion of the country's oil, and has assumed roles for which it is not suited. Its control over policy making and regulatory functions creates conflicts of interest and bureaucratic bottlenecks that erode the sector's profitability.

Unlike the successful national oil companies of countries such as Brazil, Malaysia, and, increasingly, Angola, the NNPC functions more like a government agency subject to the whims of those holding political power. The Petroleum Industry Bill seeks to address these shortcomings, in part by restructuring the government agencies that participate in the oil sector.

Although Yar'Adua and the cabinet approved this reform proposal and submitted it to the National Assembly in December 2008, it has failed to advance beyond this stage. Part of the holdup is that the bill seeks to increase the government's earnings relative to its private company partners. Not surprisingly, this has attracted significant resistance from international oil companies whose executives argue that the terms of the bill would render their Nigerian operations commercially unviable.

Such tussles are common in the oil business and are usually resolved through negotiation. But the ongoing political uncertainty in the country has been very damaging to such a complex, vital, and sensitive reform. If and when the political

storm in Abuja subsides, high on the country's unfinished agenda will be the effort to bring this important reform exercise to a successful conclusion.

POLITICS WITHOUT PROGRESS

Nigerian politicians engage incessantly in complex maneuvers to win and retain their positions. This practice has reached a new climax in the leadership crisis that the country has recently endured. From street protests to myriad meetings among political and civic leaders, the drama has drawn in a cast of thousands. In the wings, the president's wife moved players about, including the unseen and disabled Yar'Adua. And now, three years after Nigerians gave the largely unknown Yar'Adua the benefit of the doubt despite his disputed electoral victory, their hopes again rest with an untested leader.

The Economist responded soberly to Jonathan's assumption of power: "Mr. Jonathan is taking over the leadership of one of the world's least governable countries in the least promising circumstances." His tenure may yet turn out to be another display of Nigeria's Sisyphean politics, in which the stone of good intentions periodically comes careening down the hill, crushing at the bottom the hopes of the country's distressed population.

Indeed, poverty, conflict, and instability have been the bitter fruits of a half-century of misrule. If Nigeria's ruling elite muddles through the current crisis only to resume the familiar pattern of contentious politics without progress, two things are certain: The country's international prestige will continue to erode, and so will the security and quality of life of Nigeria's people.

So far, however, Jonathan has signaled his intention to do more than steady the battered ship of state. And the dissolution of the cabinet on March 17, following the appointment of the veteran military insider Aliyu Muhammed Gusau as national security adviser, has enhanced Jonathan's control of the federal executive. Nigeria has been deprived of honest, effective, and constitutional leadership for so long that, should Jonathan choose that course, he will have a great store of domestic and international goodwill on which to draw. ■