

**Nigeria: Too Rich for Dignity and the Law?
Perspectives after the 2007 elections**

**International Conference, Evangelische Akademie Loccum
15 – 17 June, 2007**

**In co-operation with Bonn International Center for Conversion (BICC), Church
Development Service (EED), German Technical Cooperation (GTZ) Nigeria, Heinrich
Boell Foundation, Konrad Adenauer Foundation, sponsored by Federal Ministry for
Economic Cooperation and Development (BMZ), Berlin**

Nigeria after the 2007 Elections: The Tasks Ahead

By Attahiru M. Jega, Bayero University, Kano

This presentation draws a lot from a lecture delivered on May 26, 2007, titled "The Imperative of Good Governance as State Policy Model for Efficient Service Delivery in All Tiers of Administration", at Gidan Matasa, Okada Road, Minna, Niger State. It has also benefited from earlier works by the author on democracy and elections in Nigeria, listed under Readings

Introduction

The April 2007 elections in Nigeria have come and gone, but they have left in their wake frustrations and controversies related to manipulation of nomination processes, violence, undemocratic practices within political parties, inadequate preparations by INEC the electoral body, poor conduct of the elections and disputed outcomes. There is a general dissatisfaction with the outcome by both domestic and international observer groups given a mountain of evidence of irregularities and fraud, which they have compiled. While the jury is still out, and as the electoral tribunals set up by the Federal Court of Appeals are trying to adjudicate on the petitions, it is appropriate that Nigerians and friends of Nigeria reflect over the preparations and conduct of the elections, as well as the tasks ahead in order to ensure credible transition to democracy and stable growth and development.

Hence, as the new President, Umaru Musa YarAdua, was sworn-in on May 29, 2007, and as he now awaits a judicial declaration on the legality of his mandate, a number of questions are begging for answers. For example: How can the electoral system be reformed to ensure that only the genuine and legitimate choices of the people are declared as winners? How can the governance process be made much more democratic and good, to address the genuine needs and aspirations of the people? How can the generalized perceptions of marginalization and exclusion from the political and governance processes be assuaged? Have the mutual fears and suspicions of ethno-regional domination been contained by a rotation of presidency? What is the foreseeable impact of the new presidency in addressing the imbalances in the convoluted Nigerian federal system and in placing Nigeria firmly on the path of stable socio-economic and democratic development? In short, what can we envision as the tasks ahead to ensure peace and stability; genuine democratization and good, democratic governance; growth, prosperity and development, for Nigeria to utilize its vast potentials of becoming a developed democracy in the next few decades?

In this brief presentation, I attempt to explore answers to the listed questions and to discuss what I see as the major tasks ahead. I begin with a discussion of the 2007 elections and the need for electoral reforms. Second, I discuss on the crisis of governance in Nigeria and how to bring about good, democratic governance. Third I discuss the mutual fears and suspicions associated with ethnic, regional and religious identities, which have affected the Nigerian federal arrangement and what needs to be done to strengthen the federal system. Fourth, I highlight in summary the enormous tasks ahead. Fifth, I speculate on the foreseeable impact of the new presidency, without prejudice to the outcome of the petitions before the election tribunals. And, finally, I conclude with an optimistic note about what the future portends, in spite of the problems in contention.

2007 Elections and the Need for Electoral Reforms

The 2007 elections pose significant challenges on the bumpy path to sustainable democratic rule in Nigeria. They marked the turning point when, by the provisions of the 1999 Constitution, those elected in 1999 would have served two terms and therefore were due to hand over to freshly elected officials at both federal and state levels. The challenge of 2007 elections has arisen from the fact that, historically, the aspirations of Nigerians for stable democracy have been constantly frustrated by, among other things, poor administration and conduct of elections. In Nigeria, election administration, has been profoundly inefficient, characterized by muddled up processes and it has been lacking in the desirable attributes of 'free and fair' elections, which often induce acrimonies and even violence. Indeed, as Oyediran has aptly observed,

Elections in Nigeria, with the possible exception of the 1959 and 1979 elections, have been a recurring source of disputes, strong - arm tactics, crises and conflict. Electoral crisis characterized by abuses of the electoral process by political parties, and refusal to accept electoral verdicts have had deleterious effects on democracy in Nigeria (1981: 103)

Statutorily, the Independent National Electoral Commission (INEC), which conducted the 2007 elections, has the mandate to discharge responsibilities, which range as follows:

- Initiation of legislation on elections (draft bills, etc.)
- Issuance of electoral rules and guidelines
- Delimitation of constituencies
- Registration of Parties
- Registration of Voters
- Display of Voters Register
- Periodic revision of Voters' Register
- Registration and screening of contestants
- Drafting of election time-table
- Construction of polling booths and provision of election materials
- Recruitment and training of (ad hoc / temporary as well as permanent) electoral officers
- Provision of logistics and movement of equipment and materials before, during and after elections
- Conduct of election, Counting of votes after election and declaration of results

During the 2007 elections, many problems, which bedeviled previous elections, persisted in spite of declarations of better preparations and adequacy of funding by INEC. They include the following:

- Evident partiality in the screening of candidates for elections. Both INEC and EFCC are alleged to have been used by the presidency and the ruling party to use the screening exercise to frustrate key opponents and 'disrespectful' party members.
- Chaotic and fraudulent methods of compilation and /or display of voters' Register. The final voters' register was not displayed before the elections.
- late commencement of registration or inadequate time for both registration and display of the Voters' Register, or even improper display, characterized by omissions, placement in wrong polling areas, etc. [It is widely believed by Nigerian politicians that elections can be won and lost even at the stage of registration of voters. Ability to get election officials to pad the voter's register in favor of a candidate or party and/or provide fraudulent registration cards to them, would determine the outcome of elections long before they are conducted].
- Haphazard introduction of so-called 'direct capture' method of registration and electronic voting, which had to be abandoned due to lack of adequate preparation
- Inadequate logistics preparation, in provisioning and location of polling stations / booths and ballot boxes. No polling station is supposed to have more than 500 registered voters. However, largely on account of lack of reliable data or due to haphazard planning, areas with a large concentration of population may have fewer polling booths, while those with fewer people may have more polling booths.
- Inadequacy of ballot papers; or skillful rationing of the ballot papers to influence outcomes
- Inadequacy of funds; 'too little too late'. Funds are not adequately provided as and when needed, resulting in a situation in which scheduling of elections and design of a timetable is seriously hampered.
- Bad officiating: False / fraudulent counting, entries and declaration of results
- Role of police, army and other security agencies in election administration has been inefficient, corrupt and often counter productive. Security personnel are known to be induced by contestants to either harass or intimidate voters, or to look the other way while officials commit fraudulent acts during elections.

There is, therefore, no doubt that a lot of that happened preceding the 2007 elections, during the conduct of the elections itself and the electoral outcomes leave much to be desired and a great cause for concern about the future of democratization in Nigeria. Reports of the election monitors / observer teams, such as those from NDI, IRI, the Commonwealth, etc., have detailed the irregularities and some

have even described the elections as the worst ever anywhere in the world. Domestic opposition groups have rejected the results and have called for nullification and fresh conduct of the elections. Some have recommended an Interim Government to supervise the fresh elections. But all these are unconstitutional or extra-constitutional, partisan political measures. The constitution recognizes only the use of election tribunals by aggrieved parties. The tribunals have been set up by the Federal Court of Appeals and the jury is still out as election tribunals are busy considering petitions. Indeed, the consolation is that of recent, the Nigerian judiciary has shown remarkable courage, forthrightness and efficacy in discharging its constitutional responsibility.

What is required most, post-2007 elections, is a determined and credible effort to reform the electoral process, to grant greater institutional and financial autonomy to the INEC, to control the use of money through campaign financing regulations, and to appoint competent and credible officials for INEC. Some of the recent declarations made by President Yar Adua on electoral reforms are welcome. What remains to be seen is how words would be followed by swift action.

Towards Good, Democratic and People-Oriented Governance

Nigeria has been afflicted by bad governance engendered by reckless rulers. It is craving for good, democratic governance. Governance is the critical variable in the mobilization and utilization of societal resources for the satisfaction of popular expectations and fundamental needs, and the protection and promotion of citizens' rights. Governance can be good or bad. Whether governance is good or bad is related to the extent to which government addresses the basic needs of the people. The nature of governance is also correlated with the extent to which policies are made, and implemented, with requisite efficiency and effectiveness, to address societal problems in all ramifications.

Looking back in history, Nigeria has grappled and battled with a profound paradox: of profound poverty amidst plenty. We have plenty of everything but then we seem as if we have nothing. Nigerians excel everywhere in almost everything. Yet, back home we literally stew and suffocate in our own mess. Our country has enormous resources endowments, ranging from human resources, to physical resources, to mineral resources, and other vast potentialities. Sadly, unfortunately, a lot of these have been wasted, squandered even vandalized. Opportunities for purposeful socioeconomic development have been misused with reckless abandon. In general, except for very few isolated cases, credible, competent and patriotic leadership at the collective level has eluded us. Instead, we have been, in general, bedeviled by inept, corrupt, incompetent, egotistic and selfish personalities occupying critical positions of responsibility, which they discharge irresponsibly. In the circumstances, governance has not been good and desirable; government has been feeble and unresponsive to popular expectations and 'governors' broadly defined have been predatory and prebendal in their management of societal resources.

Under prolonged military rule and in the past eight years of civil rule, Nigerians have been traumatized by the crisis of governance and failure of leadership, which have depleted national resources, privatized public treasury and increased the poverty and misery which have engulfed the populace. Public institutions have decayed if not decomposed, procedures have been jettisoned and public officers have become uncivil lords taking it out on the public, as if they are their servants.

Consequently, it is a sad fact of today's Nigeria that more and more ordinary people find government remote and distant. They see government institutions as alien and strange contraptions increasingly incapable of solving their problems and indeed as capable of only adding to their problems. And they see those in government as uncaring and unresponsive to their needs. Indeed, as we embark upon this second leg of transition toward consolidated democracy, many Nigerians are cynical or apathetic

towards the governance process. They wonder whether government and 'governors' broadly defined can be trusted to get things right. They doubt that the governance process would turn round and address their problems and satisfy their hopes and aspirations.

This negative attitude, which is becoming pervasive amongst the citizens, and which has been nurtured and engendered by years of reckless misrule, poses a formidable challenge to all those credible public officials who wish to make a difference and provide honest and purposeful leadership. For our journey to democratic consolidation and stable socio-economic development to succeed, this attitude has to change and the governance process has to acquire legitimacy and respectability.

In my opinion, only good, democratic governance can change the course of Nigeria's socio-political journey towards desirable, stable democratic development.

In broad terms, Good governance can be defined as a process of management of public affairs, across all tiers of government, which is seen to be responsible and responsive to the basic needs and aspirations of the people. Bad governance, on the other hand, is unresponsive, irresponsible, exclusive, authoritarian, corrupt, indecent and crude process of management of public affairs.

However, it is significant to note that, while bad governance is invariably undemocratic, good governance is not necessarily democratic. Also, although good governance is a necessary condition for democratic development, it is not a sufficient condition. The so-called pursuit of 'happiness, security and development' for citizens in modern, especially European nation-states, which is said to be the purpose of government, can and has been pursued using so-called 'good governance', but in systems and models other than democratic (e.g. Hitler's Germany; Stalin's USSR; HB's Ivory Coast, Apartheid South Africa, Pinochet's Chile, etc). Government in each of these countries at the time sought to efficiently and effectively deliver services to their people. But then, it systematically dehumanized, traumatized and brutalized them. Their fundamental rights were trampled upon, their voices were muzzled and they were denied the freedom to choose. On balance in the long run, the people preferred their human dignity to effective delivery of services to them by an authoritarian and despotic government. The development models of these countries looked more like 'good, authoritarian governance', which no doubt is a contradiction in terms, an inherent contradiction which invariably denied the majority of the people the benefits of development, created mass discontent and led to the disgraceful collapse of those regimes.

In contrast, what can be termed as 'good, democratic governance' has proved so far to be the best model of providing for the greater happiness and security of the greater number of people in more holistic manner. It is the development model, which has generally nurtured stable socio-economic development in most countries of the world and addressed the physical quality of life of their citizens, although with varying degrees of success. It is important therefore not to focus simply on 'good governance' with little if any concern for the democratic content of that governance process. For, 'Good governance', as defined and promoted along with neo-liberal economic reform packages by the World Bank and its associates, is not essentially focused on imperatives of democratization. It is important to recognize this at the outset, so that we do not mix up issues pertaining to democratic transition and neo-liberal economic reforms.

For the World Bank neo-liberal reformers, in essence, 'good governance' means efficient and effective implementation of their promoted 'economic reform / development' packages by ruthless and dispassionate technocrats. These reform packages are essentially anti-people (e.g. retrenchment, removal of subsidies on social services, privatization, pursuit of foreign investment through EPZs, etc.) and require authoritarian disposition to effect.

It is confusing enough that countries, such as ours, Nigeria, are engaged in democratic transition and pursuing democratization at the same time that they are being pursued with packages of neo-liberal economic reforms. The two do not necessarily move in the same direction. Contradictory dynamics, both internally generated and externally imposed, bedevil these processes when pursued simultaneously. Indeed, there is a sense in which the overzealous pursuit of neo-liberal reforms obstructs the attainment of the desirable goals of democratization. And the Nigerian case illustrates this.

From the liberal democratic perspective, the purpose of government is often defined in terms of raising revenues through taxation and using these to provide for the protection of lives and property, as well as the provision of other goods and services for societal progress, reproduction and sustainability. Actualizing the purpose of government is done through the governance processes, which require institutions, in addition to personnel and good behavior. And, it is often argued that, the stronger the institutions, the better the governance process, in terms of satisfying the needs, yearnings and aspirations of the people.

However, I argue that negating, or deleting, **the democratic** out of the notion of good governance, renders the concept somewhat undesirable for countries, such as Nigeria, which truly need not just good governance, but good, democratic governance. So-called 'good governance', if it is not democratic, and yet backed by strong institutions, would only further pauperize ordinary Nigerians and then structurally adjust the Nigerian political economy to the requirements of the imperialist forces controlling and influencing the processes of globalization and neo-colonization, as for example, it has done for countries such as Taiwan, South Korea, Brazil and Singapore; but in the case of Nigeria it would be with even more devastating consequences, because of the failure of leadership.

The question of how to bring about good democratic governance is certainly one of the most engaging as Nigeria moves towards the new political dispensation after May 29, 2007. Nigerians have to say enough is enough to 'business as usual'. On May 29 1999, the then newly sworn-in President Obasanjo declared that 'it will no longer be business as usual'. In some senses, that came to pass, but in many fundamental respects, 'business as usual' took a firm root in the Nigerian political economy. So it is not enough for just one person no matter how highly placed to say no to 'business as usual'; all or most public officials have to say so, and in addition, we all, collectively, have to affirm and be committed to rooting out 'business as usual'. For this behemoth, 'business as usual' is the sum total of our national malaise.

To end 'business as usual' and bring about good democratic governance, first and foremost, we need people in positions of authority and responsibility who, Nigerians would say, have the fear of God – not just on their lips but deep in their heart and souls. Significantly, we need people who possess the requisite leadership qualities of inspiring others to follow them by their sheer exemplary conduct: not by mere patronage and patrimony or intimidation and harassment. Most Nigerian elite in government assume that wielding power brings respect and follower-ship. Well, it does not. All it does is attract sycophants and parasites and drive away decent and principled people. Respect is earned by responsible, exemplary and visionary conduct.

Before the recent elections, I had cause to state that: 'If the truth is to be told, with very few exceptions, our crop of so-called leaders have essentially been self-serving rulers, some even despots, and not leaders in the true sense of the word. They lack(ed) vision, focus, selflessness and even enlightened self-interest. Most of our so-called leaders are unimaginably corrupt; they are greedy, they are vindictive, they are reckless and in many fundamental respects, senseless and even careless. Most of those who have access to power abuse it. The exceptions are very few, indeed. There is perhaps no other country in the world where power corrupts and absolute power corrupts as absolutely as in Nigeria'.

The failure of leadership, I believe, is the major cause of the erosion of the Nigerian democratization process. Only decent, forthright leadership, with the requisite administrative skills and strong political will can provide good democratic governance, use societal resources efficiently and effectively to provide essential services to the people and accelerate the democratization process in a positive manner.

Exemplary and visionary Leadership is, therefore a requirement of good democratic governance, for it leads the way towards doing things right and getting things right. Such a leadership can be expected to be guided by the constitution, to respect the rule of law and to gather around a competent and selfless group of professionals to pilot affairs in key ministries, institutions and agencies. They can be expected to be patient, to show understanding, to be respectful of differing opinion, to utilize dialogue and consultations in both the partisan political arena and the policy making and administrative spheres. They can also be expected to be selfless, to eschew corruption and to abhor, and indeed penalize, all who indulge in it, without partiality. They can, thus, be expected to be responsible and respectable, as well as responsive to the genuine demands of the people for needed services.

But, even exemplary and visionary leadership would require strong institutions as a framework for good democratic governance. A major constraint if not weakness of the Nigerian transition to democracy is that it is proceeding in the context of very weak institutions and slow and subverted processes of institutionalization. Given this situation, strong institutions are required for consolidation of the gains of transition and for sustainability of the democratization process. Long and sustained neglect has virtually resulted in institutional decay or decomposition. Nigeria needs to re-institutionalize. There is need for strong, dependable and functioning institutions. Several institutional domains require urgent reforms. Strong political will, or 'the will to reform' is needed by those who occupy high public positions. The focus should be on building institutional capacities, to address imbedded corruption and inefficiencies, and to facilitate popular democratic participation. We need to go back to the basics of running a government as a public trust, with due process, and characterized by transparency and accountability. Good competent people should be recruited on a competitive basis placed or deployed appropriately. They should be motivated and well – trained – and continuously re-trained.

A third way of bringing about good democratic governance is to pay attention to nurturing popular participatory processes for well-informed, active citizens, so that respected voices can be heard as input to policy making process, and to facilitate the making of credible choices. For example, it may be worthwhile to further reform, decentralize and democratize local governance by creating District Assemblies or Town Hall meetings, below the LGA level, which could meet at intervals to discuss issues of concern to the community, to identify priority projects for funding by the state and local governments, or plan self-help community development projects. These additional layers of grassroots governance structures could be constituted semi-democratically by representations of interest groups and stakeholders or democratically by elections. In such a way, governance would be truly grassroots oriented and participatory. Not only can these participatory and consultative assemblies serve as a medium for offering input into policy decision making they can also serve as platform for the periodic assessment of the efficacy, efficiency and effectiveness of government policies, projects and programmes. In addition, a Consultative Assembly of CSOs, NGOs and CBOs at the state and LGA levels could be established, to meet periodically to make input on the policy making and execution processes.

Fourth, effort towards public enlightenment to engender attitudinal changes and social reorientation are also required in order to bring about good democratic governance. While exemplary leadership may impact positively towards attitudinal changes and reorientation amongst the populace, some of

the entrenched anti-democratic and anti-government attitudes can only be systematically cleansed from the psyche of Nigerians through rigorous political and civic education. Use of public enlightenment campaigns, e.g. using mobile film shows in towns and villages, and other IEC materials would go a long way in this regard.

Fifth, and quite significantly, the fight against corruption has to be sustained, widened in scope, reformed and intensified. In a contribution to Media Trust Dialogue on the theme of corruption last year, I observed that there is phenomenal corruption in Nigeria and that the range of corrupt practices is quite vast. Although corruption is not peculiar or original to us, the way in which we have allowed it to be the underlying framework of public and official conduct, has ensured that the basis of genuine progress and development for our country and our people has been greatly circumscribed and profoundly constrained by it. If we can reform the public sphere and deal decisively with corruption, we would go a very long way in addressing the malaise and ineffectiveness in governance and creating the right atmosphere for democratization.

For Nigeria to progress, no doubt, we have to decisively tackle corruption. We have to revive and entrench the culture of open, impersonal public conduct and doing things by the book; in accordance with established rules and regulations. It is significant to introduce or reintroduce mechanisms for checking excesses and lawlessness in the discharge of public responsibilities. Entrenching a culture of transparency, accountability and due process is a significant move that must be made to put Nigeria on the path of progress, and self-sustaining development. No doubt, EFCC under Nuhu Ribadu has been doing a commendable, even though sometimes controversial, job in the fight against corruption. They have shown courage and been effective in many respects in exposing, containing and penalizing crass corrupt practices. But as we move beyond May 29 2007, there is the need to learn lessons from the past eight years, reassess strategies and tactics, broaden the scope of activities and unrelentingly intensify the fight against corruption as dispassionately as possible; in as non-partisan or a-political manner as is humanly possible.

Towards Strengthening the Federal System

The Nigerian federal system has been a very precarious balancing act. Introduced and nurtured by British colonial rule, to achieve colonial objectives and subsequently conditioned and influenced by military authoritarian rule, to serve selfish and parochial objectives, the Nigerian federation became characterized by sharp ethno-regional and religious divides, which for decades have threatened to upset the balance and dismember the country. The British colonial masters constructed the federal arrangement using divide and rule tactics and the manipulation of mutual fears and suspicions of ethnic, regional and religious domination. They somehow maintained 'unity in diversity' by politically balancing north and south.

For example, to assuage the fears of 'southern domination' by the elite in the educationally backward, economically weaker and predominantly Muslim north, the British introduced a loose federal system and a multi-party electoral democracy, and through this ensured political control of the federal government by a northern led coalition government in a parliamentary system.. The educationally advanced and predominantly Christian southern elite controlled the economy and the federal bureaucracy and could not fathom why they should concede political power to the northerners. The northern led coalition government strove to guarantee political hegemony by controlling the military through massive recruitment of northerners and rapid promotions to command positions. Perceptions of favoritism led some junior southern officers to organize the January 15 1966 coup, which though a failure had resulted in the assassination of leading northern politicians and military officers. This led to heightened ethnic and religious mobilizations and a counter coup led by northern officers in July 1966.

A politicized Nigerian military ruled between 1966 until 1999, except for a brief period of four years (1979-83). During this period, the Nigerian federation was re-structured (from four regions to 36 states), centralized (with the federal government having more powers, responsibilities and resources than the states) and vandalized, as reckless authoritarian rulers corruptly enriched themselves and their clients from government coffers. The governance processes were weakened and made exclusive rather than inclusive, intensifying perceptions of marginalization and exploitation of one group by another. Similarly, ethnic, regional and religious identities were mobilized and exploited by successive rulers, thereby heightening mutual fears and suspicions.

The Obasanjo civilian government between 1999 and 2007 seemed to have tried but did not succeed in addressing the perceptions of marginalization and the mutual fears and suspicions of ethno-regional and religious domination. This period witnessed many violent conflicts on these accounts. Reluctance / refusal to honor promises made to some northern elite prior to the 1999 elections reinforced suspicions and fears of marginalization. Similarly while the Obasanjo government tried to pump more revenues to the oil producing states in an effort to redress deep-seated perceptions and feelings of deprivation, failed promises and politicization of the revenue sharing formula, further alienated the restive youth in the Niger Delta, resulting in more violent conflicts, assassinations and abductions for ransom.

Thus, the Obasanjo government more or less came, saw and left, without fundamentally addressing the structural defects of the Nigerian federal system, thereby, in many respects reinforcing rather than assuaging mutual fears and suspicions. Reforming the federal arrangement, through constitutional reforms, which would reduce the powers of the federal government, give more powers to the states and enshrine a more equitable and politically acceptable fiscal regime, remains a major formidable challenge facing the new government.

Summary of the Tasks Ahead

In summary therefore, it can be said that the following are the major tasks ahead, which the new presidency must tackle in order to reposition and fast-track Nigeria towards stable socio-economic development:

1. The major task of restoring hope in transition to democracy: Be back 'on the road again'. To be achieved through:
 - reforming the electoral and party systems
 - strengthening constitutionalism and Rule of Law
 - promoting and protecting the rights and freedoms of the people
 - Initiating a credible process of constitutional review to deal with the most glaring weaknesses / deficiencies of the 1999 Constitution, such as concentration powers and resources in the federal government at the expense of state governments.
 - Promoting good, democratic governance; curbing prebendalism and patrimonialism in government.
2. Reviving and strengthening institutions
 - reforming the bureaucracy
 - engendering a competent and efficient technocracy
 - reforming police and security agencies
 - further reforming and strengthening the judiciary
3. Addressing, concretely, the fundamental needs and aspirations of the people
 - reviving the economy
 - creating / providing jobs

- addressing youth unemployment and restlessness
 - investing adequately in education / human capital development
 - facilitating rural and community development
4. Reconstructing infrastructure and facilities
- focusing and placing priority on power generation and distribution
 - rehabilitating and expanding roads and highways
 -
5. Fighting corruption
- arresting partisanship and vindictiveness in the fight against corruption
 - broadening the scope of the fight against corruption and targeting local governance
 - setting real examples
6. Broadening popular participation in governance
- promoting inclusiveness rather than exclusion
 - expanding the scope of, and further democratizing, local governance

One of the main challenges confronting the Nigerian transition to democracy is how to make participation broadly inclusive; that is, how to give marginalized groups a say and a sense of belonging. For decades under military rule, the political space was very narrow and relatively exclusive. Although the military handed over power to civilians in May 1999, for eight years the political space has barely been opened up. Deep-seated legacies of authoritarian military rule obstructed the rule of law and due process. By the time of the April 2007 elections, there was heightened anxiety and concern about the sustainability of the democratic transition, given its thrusts and direction. Undemocratic, repressive and exclusionary tendencies and practices characterized the whole processes in the preparations leading to the elections. A major task ahead of the new government therefore, is to broaden popular participation in governance and promote inclusiveness rather than exclusion. Disadvantaged and marginalized groups need to be given a voice and brought on board. Legacies of military authoritarian rule need to be systematically dismantled.

Foreseeable impact of the new presidency

Notwithstanding the controversy surrounding the elections, we may as yet all be surprised by the likely direction and positive impact of the new government. A few pointers illustrate this view-point.

To the extent that an individual can make a difference, President Yar Adua may be one such individual, given his record as a governor for eight years, relative to that of his contemporaries. In terms of policy making and implementation, he was an action governor of sorts. His state experienced relatively prudent management and utilization of resources with many achievements in human capital, social and infrastructure development, and acknowledged surplus / savings at the end of his tenure. His humility and respect for due process are widely acknowledged. In spite of his seeming meekness, he is also said to have a strong-willed disposition. These are qualities, which can catalyze the national quest for good, democratic governance.

At a different level, the new presidency is set to institutionalize zoning and rotation of the presidency broadly between the north and the south and more specifically between the six geo-political zones. Zoning has for long been canvassed by the political elite as a means of rotating power amongst regional groups and guaranteeing access to power and federal resources. It is a measure aimed at

assuaging feelings of marginalization and exclusion. With Yar Adua, a northerner, replacing Obasanjo, a southerner, the issue of rotation seems to have been settled.

At yet another level, the new presidency marks the emergence of the most educationally advanced crop of national leadership in Nigeria's history, as both the president and vice president are university graduates. At least, theoretically, they can be expected to have an intellectual and a more educated approach to issues. Perhaps they may be a bit more analytical, with a broader vision and greater intellectual horizon.

As things stand presently, the president and the vice president are, by Nigerian standards, relatively cleaner politicians, essentially not corrupt or less corrupt than the rest of the pack. They may therefore be more likely to have credible impact in the fight against corruption.

Given the role of the former president Obasanjo in helping to bring them to power, they are likely to not too much upset the apple-chart; very likely to continue with some of the economic reform policies of the Obasanjo government, and also likely to please foreign investors and multilateral lending agencies.

As the vice president comes from the volatile south-south geo-political zone, he may help the government to craft a negotiated settlement with the militants, which can go a long way to address the environmental degradation of the oil producing areas.

So far, the new presidency has been saying the right things, uncontroversial and placatory. The president has neither been combative nor abrasive. He seems to be a listener. The new president has promised electoral and other political reforms to strengthen transition to democracy. He has invited the opposition to join his government. He has promised good working relations with the national legislature. And given his antecedents, he is likely to honor his pledges and achieve appreciable results. In any case, time will tell.

Conclusion

In the 47 years that Nigeria has been an independent country, the ruling elite have squandered the country's riches and wasted opportunities for stable economic growth, socio-economic development, peace and tranquility and national greatness. They utilized vain and parochial tactics, which once led to a civil war and on a few more occasions pushed the country to the precipice. Nigerians have generally muddled through their problems but remained virtually stuck in the mud. We need to get out and move forward on a clean slate. The civilian to civilian transition, which occurred on May 29, 2007, offered yet another opportunity to forge ahead and get it right. The controversies associated with the elections are threatening to hold and push us back into the muddle. There is anger and frustration with this development, which is making otherwise sane and sober Nigerians, who previously so strenuously struggled against military rule, now contradictorily, begin to place hopes in unconstitutional or extra constitutional means. I believe that we must guard against this tendency and must continue to place our hopes on democratic and constitutional means of solving the problems. There is clear evidence that the Nigerian judiciary is getting its act together and becoming more assertive, and so would be capable of dispensing justice and addressing any illegalities that may be identified in the electoral process.

I believe that the greatest challenge facing the new presidency is on how to forge Nigeria ahead, cross the Rubicon and nurture good, democratic governance, on the basis of credible leadership and

inclusive popular participation. Notwithstanding the formidable problems and obstacles posed by the 2007 elections, I see greater potential for this more than at any other time in Nigeria's political history. Thus, I look toward the future with great hope, of course with anxiety, praying that such hopes would not be quickly dashed.

Nigeria may be rich, and may have squandered this and the opportunities that come along with it; **but it is not too rich for dignity and the law**, as the theme of this conference implies. Most Nigerians are striving hard to become dignified and lawful citizens of their country and members of the international community, in spite of the recklessness of the ruling elite. And the balance of forces is shifting in favor of those inclined towards good, democratic governance. We need understanding, cooperation and assistance to get it right. But whatever the case, democracy inclined individuals and groups in Nigeria shall keep struggling to get it right.

Readings

Ake, C., 2001: *Democracy and Development in Africa*, Spectrum Books Limited

Bratton, M. and N. van de Walle, 1997: *Democratic Experiments in Africa. Regime Transition in Comparative Perspective*. Cambridge.

Crawford and Beckett (1998): *Dilemmas of Democratization in Nigeria*. Madison: University of Wisconsin Press

Diamond, L., 1999: *Developing Democracy. Towards Consolidation* Baltimore and London: The JHU Press.

Diamond, L., M. F. Plattner, Y. Chu and H. Tien, Eds. (1997): *Consolidating the Third Wave Democracies*. The Johns Hopkins University Press.

Fayemi, K., Ed, 2003. *Deepening the Culture of Constitutionalism: Regional Institutions and Constitutional Development in Africa*. Lagos: CDD

Gana, A. ,Y. B. C. Omelle, Eds, 2005: *Democratic Rebirth in Nigeria, 1990-2003*. Vol.1. AFRIGOV.

Gana, J, Ed., 2005: *Democracy and the Challenges of Development. Democracy Day Lecture Series*. Vol. 1. Abuja

Huntington, S. P., 1991: *The Third Wave: Democratization in the Late Twentieth Century*. University of Oklahoma Press.

Ibrahim, J., Ed, 1997: *Expanding Democratic Space in Nigeria*. CODESRIA National Studies Series.

Jega, A. M. 2007: "The Imperative of Good Governance as State Policy Model for Efficient Service Delivery in All Tiers of Administration", Presentation at the Pre-Inaugural Lecture, May 26, Gidan Matasa, Okada Road, Minna, Niger State.

Jega, A. M. 2006: "Democratization and the Culture of Violence in Nigeria", Lecture delivered at the 5th year Commemoration of Late Chief Bola Ige, SAN, Premier Hotel, Ibadan, 13th September.

Jega, A. M. 2006: *Democratization in Nigeria: Problems and Prospects*, Port Harcourt: Centre for Advanced Social Sciences.

Jega, A. M. 2006: "Strengthening the Nigerian Democracy: The Challenges of 2007 Elections", Keynote Address at the Symposium Organized by the Institute for Advancement of Democracy (TIAD) in Collaboration with International Leadership Institute (ILI), April 29, at the Newark Airport Marriott Hotel, New Jersey, USA.

Jega, A. M. 2003: "Public Policy and Democratization", in *Nigerian Journal of Policy & Strategy*, Volume 13, Nos. 1&2 (December), pp. 19 – 36.

Jega, A., Wakili, H and M. Ahmad, 2002: *Democracy and Democratization in Nigeria, 1999 – 2001*. Mambayya House

Jega, A. M. 2002: "The Impact of Military Rule on Governance in Nigeria", in Jega, A. M., H. Wakili and M. Ahmad, Eds., *Democracy and Democratization in Nigeria, 1999 – 2001*. Kano: CDRT, Mambayya House, Bayero University.

Jega, A. M., H. Wakili and M. Ahmad, Eds., 2001: *Corruption and Governance in Nigeria*, Kano: Mambayya House, Centre for Democratic Research and Training.

Joseph, R., Ed, 1999: *State, Conflict and Democracy in Africa*. Lynne Rienner Publishers.

Mainwarring, S., G. O'Donnell and J. S. Valenzuela, Eds, 1992: *Issues in Democratic Consolidation. The New South American Democracies in Comparative Perspective*. University of Notre Dame Press

Momoh, A., and G. Onu, Eds, 2005. *Elections and Democratic Consolidation in Nigeria*. Proceedings of the 23rd Annual Conference of the Nigerian Political Science Association.

Moore, B., 1966: *The Social Origins of Dictatorship and Democracy*.

Olowu, D., K. Soremekun and A. Williams, Eds., 1995: *Governance and Democratization in Nigeria*. Spectrum Books Limited.

Omoweh, D. A. and D. van den Boom, 2005: *Blocked Democracy in Africa: Experiment with Democratization in Nigeria, 1999 – 2003*. Abuja: Konrad Adenauer Foundation.

Onoge, O., 1998: *The Democratic Imperative in Africa*. Claude Ake Memorial Lecture Series No. 1. Jos: Afrigov.

Oyovbaire, S. and Olagunju, 1996: *Crisis of Democratization in Nigeria*. Lagos: Malthouse

Przeworski, A. 'The Games of Transition' in Mainwarring, S., G. O'Donnell and J. S. Valenzuela, Eds, 1992, pp. 105 – 152.

Schedler, A., L. Diamond and M. F. Plattner, 1999: *The Self-Restraining State. Power and Accountability in New Democracies*. Lynne Rienner Publishers.

Newspapers publications

"Towards a One-Party Dictatorship", a statement by the Action Congress (AC) on 18th April 2007, on the worsening political crisis in Nigeria

Communiqué issued at the end of the Post-Election Civil Society Summit organized by the Alliance for Credible Elections (ACE), on Wednesday April 25, 2007

“Elections a ‘failed process’ – Madeleine Albright” news item in the *New Nigerian*, April 24 2007, p.2

“Nigeria’s elections below acceptable standards – US Republican Institute”, news item in *Daily Trust*, April 23, 2007, p. 9

“Elections marred by irregularities – Commonwealth”, news item in *Daily Trust*, April 23, 2007, p. 5

“Presidential election: Neither free nor fair” Statement by General Muhammadu Buhari (rtd), presidential candidate of the ANPP, in *The Guardian*, April 24, 2007, p.76

“Elections didn’t reflect the will of Nigerians – Foreign observers (National Democratic Institute)”, news item in *Daily Trust*, April 26, 2007, p.7

23/07 Nigeria: Too Rich for Dignity and the Law?

Perspectives after the 2007 elections

International Conference, June 15 to 17, 2007

In co-operation with Bonn International Center for Conversion (BICC), Church Development Service (EED), German Technical Cooperation (GTZ) Nigeria, Heinrich Boell Foundation, Konrad Adenauer Foundation, sponsored by Federal Ministry for Economic Cooperation and Development (BMZ), Berlin

Subject

Nigeria, the demographically largest country with the most extensive oil resources in Africa has become an important power in the region despite its conflict-ridden history. Economic interests dominating the use of resources from outside, large-scale poverty stirring ethnic-religious rivalries about social and political participation, and also disparate structures of government, administration and the security sector have created complex tensions between controversial perspectives of the stakeholders involved.

The ways in which Nigeria will enable itself to deal with the causes of the conflicts make the country an important case of scholarly and political interest far beyond its borders.

Short after the local and federal elections in Nigeria in April 2007, the conference aims at discussing the following issues: How to empower the various segments of the Nigerian population, politically and economically, enhance good governance, fight rampant corruption, conduct appropriate methods of conflict resolution and implement conflict-sensitive codes of conduct for international corporations? How much responsibility, in close cooperation with Nigerian players, for a policy focussed on human security, peace and justice may be assumed by external governmental and non-governmental initiatives?

Our hope is to provide a forum for Nigerian players such as politicians, scholars and analysts along with representatives of civil society to discuss their views with German and international organisations involved in development and conflict resolution. We encourage people with expertise in these fields to share their knowledge and to help identify future areas of cooperation.

Dr. Corinna **Hauswedell**, Director of Studies for International Politics

Program

Friday, June 15, 2007

Welcome and opening of the conference

Dr. Corinna **Hauswedell**, Loccum

Nigeria After the Elections

Introductions to the conference

Prof. Attahiru **Jega**, Präsident, Bayero Universität Kano

Heinrich **Bergstresser**, Journalist, Köln

World Order - Africa - Nigeria

Dr. Denis **Tull**, Stiftung Wissenschaft und Politik, Berlin

Saturday, June 16, 2007

Representative of the Nigerian Embassy in Germany

Introductions to the Workshops

Federalism, Governance and Security

Prof. Dr. J. Isawa **Elaiwu**, Jos

Responsible Use of Resources

Bunu **Lawan**, Principal Accountant, Economic Community of West African States (ECOWAS), Abuja

Ethnic-religious Dimensions of Political Conflicts

Prof. Dr. Klaus **Hock**, University Rostock

Workshop I: Democracy and Security - Issues of Participatory Governance

Chair: Dr. Andreas **Heinemann-Grüder**, BICC, Bonn

Prof. Attahiru **Jega**, Vice Chancellor, Bayero University, Kano

Ibrahim **Biu**, Director Voter Education, Independent National Electoral Commission Headquarters (INEC), Abuja

Heinz **Jockers** / Ralph-Michael **Peters**, Core-Team, European Union Election Observation Mission (EUEOM), Hamburg

Dr. Etham **Mijah**, Nigerian Defense Academy, Kaduna (to be confirmed)

Olufunmi **Olayinka**, Deputy Governor candidate for Ekiti State, Lagos

Dr. Klaus **Pähler**, Representative to Nigeria, Konrad Adenauer Foundation, Abuja

Workshop II: Too Much of Plenty - Too Little to Share?

Issues of Responsible Resource Use and Economic Development

Chair: Kristina **Steenbock**, German Watch, Berlin

Abbia **Udofia**, Chief Legal Officer, Independent Corrupt Practices Commission (ICPC), Abuja

David **Ugolor**, African Network for Environmental and Economic Justice, Lagos

Dr. Rose **Ngomba**, University of Göttingen, Germany

Dr. Stefan **Cramer**, Director, Heinrich Boell Foundation, Lagos

Dr. Andreas **Dally**, Academy Loccum

Yahaya **Ahmed**, Development Association for Renewable Energies Kaduna, Bonn

Workshop III: Beyond North and South - Ethnic, Religious and Social Dimensions of Conflict

Chair: Dr. Lidwina **Meyer**, Academy Loccum

Ms Hauwa **Ibrahim**, Abuja

Rev. Habila **Istifanus**, General Secretary of ACLA; Justice, Peace and Reconciliation Movement, Jos

Rev. Ike **Okorie**, General Secretary, Christian Council of Churches in Nigeria, Lagos

Fr. Dr. George **Ehusani**, former General Secretary, Catholic Secretariat of Nigeria, Lagos

Dr. Nick **Idoko**, Centre for Peace in Africa, Lagos

Future Perspectives I:

How do the different players in Nigeria articulate, position themselves and co-operate on the issues at stake?

Round table feedback from the workshops

Facilitator: Dr. Corinna **Hauswedell**

Sunday, June 17, 2007

Future Perspectives II:

How to address a policy focussed on human security, peace and justice through external initiatives and in close cooperation with Nigerian players?

Panel discussion

Facilitator: Dr. Corinna **Hauswedell**

Dr. Viktor **Matz**, Federal Ministry for Economic Cooperation and Development, Berlin

Gabriele **Groneberg**, MP/Social Democratic Party, Berlin

Hartwig **Fischer**, MP/Christian Democratic Union, Berlin

Bunu **Lawan**, ECOWAS

Dapo **Oyewole**, Centre for African Policy & Peace Strategy (CAPPS), London & Lagos