
ASSESSMENT REPORT

Nigeria's Initial Steps Towards Democracy:

the Transition and the Elections

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EXECUTIVE SUMMARY

Nigeria's military leader, General Sani Abacha died on June 7, 1998. During the pre-dawn hours of June 8, 1998, Major General Abdulsalam Abubakar was promoted to the full rank of General and appointed as the new Head of State. The Government of Nigeria then put forth an amended transition program and timetable for a return to civilian rule. A seven-person USAID/State team¹ visited Nigeria from August 24 through September 11, 1998 to assess prospects for that transition. The team learned that Nigerians are "cautiously optimistic" that upcoming scheduled elections will be successful and credible. Nigerians are worried, however, that the election process is comprised of more form than substance--leaving basic issues unresolved. Most importantly, the ground rules for governance--under an elected civilian administration--are not at all clear. Once the elections are held, a newly elected government can be undermined by the myriad of problems that it will invariably inherit. This includes a vetted but unratified 1995 draft constitution, pervasive poverty, insecurity, limited experience with representative government, lingering questions regarding the military's long-term acceptance of civilian rule, the need to develop equitable revenue sharing schemes for oil wealth, ethnic and religious cleavages, conflict in the Niger delta, and corruption. Most agree, though, that staging successful elections is a necessary first step. USAID recommends launching a modest program to assist with the election process. During this time frame, special attention should also be paid to developing a strategic approach that facilitates the transition from military rule to sustainable peace and development.

¹ The team consisted of Gerald Hyman (USAID Team Leader), Donald Krumm (USAID Nigeria Task Force Coordinator), Jennifer Douglas (USAID/A), Sylvia Fletcher (USAID/OTI), Dana Peterson (USAID/G/DG), Dana Ott (USAID/AFR/SD), and Susan Sutton (State/DRL).

I. CONTEXT FOR THE VISIT

The team travelled extensively throughout Nigeria. It encountered gasoline lines in all locations visited, a collapsing economy, extensive poverty, substantial education and health system decay, a populace traumatized by the Abacha regime depredations, all ethnic groups feeling marginalized, and the Niger delta in ferment with determined sabotage being committed against oil facilities.

The team also found a relatively peaceful Nigeria--as compared to Congo/Kinshasa, Liberia or Angola. The military was back in the barracks in the North and reportedly moving in that direction in other parts of the country; road networks, where the team traveled, were good and being repaired; road blocks for the most part were down in the areas visited; the commitment to hold Nigeria together and the impulse for civilian rule were strong; a free press was operating; and freedom for people to assemble and express themselves was being exercised. Almost everyone was confident about Head of State Abubakar and the transition he has launched.

Throughout the assessment, the team was mindful of the 1993 election transition from military head-of-state Babangida to M.K.O. Abiola, the annulment of that election, and the ensuing military takeover by Sani Abacha. Several activists advised the team not to forget that the military is still in charge. They urged us to remember that the present transition today looks remarkably similar to the lead up to Abiola's election.

The success of the assessment was made possible as a result of the sound work of USAID's implementing partners--the Center for Educational Development and Population Action (CEDPA), Johns Hopkins University (JHU) and the Basics program. USAID has managed a \$7 million program through these organizations focusing on population, health, and civil society strengthening for the past several years. All resources have been delivered through non-governmental organizations (NGOs) because the President's narcotics decertification prohibits working directly through the Nigerian government. Any USAID follow-on program will also be managed solely through NGOs, until such time as relations with Nigeria can be certified as normal. This is also in line with what was recommended to the team by most individuals and organizations consulted. USAID was urged to use its resources as leverage and as an incentive to encourage the Government of Nigeria to invest in initiatives that will enhance development opportunities and bring them within the reach of the poor majority.

II. THE TRANSITION

Nigeria's transition will be judged domestically by two criteria: first, whether it produces a credible electoral process resulting in a reasonably legitimate government; and second, whether that government forthrightly sets out to address Nigeria's fundamental structural problems. The structural impediments that must be addressed include deep regional, ethnic, religious and economic class divisions; the roles of the state and the military; distribution of power and resources between the central government and other units of government; and the extent to which its newly elected leaders govern effectively, transparently, accountably and non-corruptly. Successful performance in staging elections is a precondition for, but no assurance of, effective delivery of good governance. Moreover, the critical issues for a successful electoral transition are not the same as those for a real democratic transition.

A. Cautious Optimism

The team found most Nigerians were cautiously optimistic that successful elections could be held. Principal concerns remain regarding the military government's commitment to transferring power to a civilian government; the very short time frame allotted for staging four different sets of elections; the questions surrounding the quality of civilian political leadership; and the terms and conditions for holding Nigeria together given its regional, religious and ethnic divisions. Most Nigerians expressed a willingness to accept an imperfect transition to install an elected government and what they recognize is likely to be imperfect civilian rule. When asked what the international community could do to support the transition, the nearly uniform response--from ordinary citizens to likely presidential candidates--was, "watch the process," "pressure the government to keep on track." In short, monitor the elections. USAID was also encouraged to support the strengthening of civil society institutions that have historically scrutinized past and present transitions so that they might effectively monitor the present one. It was urged to support these institutions because they were devastated by the Abacha regime.

B. Political Approaches to Power Sharing

The team found that Nigerians already are advancing tentative proposals to address a critical concern facing the country---the redistribution of power between the regions, and ethnic and religious groups. For example, a consensus appears to have developed that the next Head of State should come from the South--unlike most previous ones that hailed from the North. The South, particularly the Yoruba Southwest, demands a "power shift," and many northerners concede the point.

Other positive political actions and suggestions that further the goal of redistributing power include:

- o simple agreements within the major political parties that their presidential candidates should be southerners;
- o a more complicated constitutional proposal calling for six "zones" with a 30 year rotation of five year presidential incumbencies;
- o a proposal to supplement the presidency with three vice presidents (still with undefined authority), a Speaker of the House and a President of the Senate. These six offices would be distributed among the six zones and would all rotate over the 30 year period;
- o the Independent National Electoral Commission (INEC) ruling that political parties must receive at least 10% of the vote in 24 of Nigeria's 36 states in December's local elections in order to retain their registration and to contest subsequent state and national elections. That distributional requirement was designed to encourage the formation of national parties--as opposed to ethnic or regional ones--at least in elections for state and national offices; and
- o a consensus within Nigeria that the unitary state must give way to a federal one with power decentralized from Abuja to the states and localities. It was felt that a truly federal Nigeria would diminish the concern that any one region would use its power to advantage itself over the others.

Neglected, however, are substantive measures that would increase and strengthen the roles of women and youth in the political life of a "transforming" Nigeria.

C. Women

The point was argued that the emancipation of women has not resulted in a significant expansion of opportunities for women in the political party arena: "The first female Nigerian Lawyer was in 1918, the first female doctor in 1922. And yet, today Nigerian women are practically invisible in the political sphere." Current practices do not encourage the participation of women. For example, party meetings are often held late at night which is a barrier since "no self-respecting woman" would be out attending meetings at night. Ironically, women may find it easier to be elected than to be involved in party formation since women can use the "old boy network" to get into the system. Women are also considered to be better as party delegates because they are perceived of as "more reliable" [than are men]. Culture also has an impact on the degree to which women participate in

politics: Igbo and Muslim women, for example, traditionally are less engaged in politics than are women from other cultural groups. In order to participate in politics, women must have the support of their husbands. For this reason, many argue that men must be educated in order to see the value in women's political participation and to become more supportive. There are other cultural obstacles to women's political participation as candidates, specifically that they often have no real constituency. A woman typically "leaves" her home constituency when she marries and cannot claim her husband's constituency because she was not born into it. While there are no laws prohibiting such representation, pervasive cultural norms may impede it. It is believed that the devolution of power may enable more women to become politically active since they will have a greater chance of participating at the local level.

D. Youth

According to a number of student organizations and organizations involved with Nigerian youth, youth are not being brought into the transition process. Most are disengaged from the political process and are very focused on their narrow interests. They have few opportunities for employment and/or for advancement available to them. As a result, youth are ripe for manipulation and may be willing to sell their votes. During the Abacha years, with no interest in politics, many young people were willing to go to Abuja and demonstrated in favor of Abacha in order to seek financial rewards. Due to the fact that Nigeria's youth have seen and participated in rampant fraud, they believe that their votes do not matter. This perception needs to be changed. Nigeria's youth have not experienced democracy, nor have they received the kind of education and training that those over 40 years of age have received. Many youth join the military because they see it as a path to power and a source of livelihood.

E. Maintaining the Unity of the State

While political realignment among Nigerian elites is fundamental to maintaining a united Nigeria, so are efforts to prevent and contain violent conflict. Poverty, insecurity and limited access to opportunities underpin conflict and nurture calls for the dissolution of the state. Those cries were once heard when Biafrans attempted to secede a few decades ago. Today, such calls are threatening to become more vocal in the Niger Delta region where the oil is to be found and where few benefits accrue to the region's inhabitants. Of the regions visited, the environment within the Niger Delta and Middle Belt regions appear to be volatile. Anyone wishing to assist Nigeria make a true transition to civilian rule--while maintaining itself as a unified state--must be aware of the fact that violence, resource-based conflict or the threat of both permeate life throughout Nigeria.

Until now, the military has been the primary provider of security--even though it has at times contributed to increased divisions within Nigerian society. With the transition from military to civilian rule, Nigerians recognize the need to strengthen existing official providers of security (i.e. professionalizing the police and judiciary, and restructuring/demobilizing the military) as well as relying on civil and cultural institutions to resolve disputes without violence and to promote reconciliation.

The team found numerous organizations that are working on conflict resolution. Strengthening the organizations that facilitate the nonviolent resolution of conflicts at all levels--particularly at the local level is essential to consolidating a democratic transition.

Practical steps to promote peaceful coexistence among Nigeria's diverse groups and regions and security at all levels of society must be developed to address the role of the military in society. As stated above, the military has often played a role in the past in preventing disputes from getting out of hand, and at other times, it has fueled others through the use of "divide and rule" tactics. In other parts of Africa, former military leaders are increasingly engaging in conflict resolution work. They have formed non-governmental organizations and networks to facilitate their efforts in this important area. The team suggests that the organizations and networks of Africa's former military leaders be contacted to determine if there is an interest in working with Nigeria's military leadership to develop tangible and practical strategies to equip it to play a constructive role in a newly democratized nation.

F. Economic Issues

Thorny economic issues remain to be resolved by the incoming civilian governments--including the devolution of power over finances, formulas for revenue allocation, the extent of subsidization by rich regions of poor ones, and the government level (zone, state, local) to which economic decisions should be devolved. These issues will play out in an environment where all ethnic groups believe they are marginalized to one degree or another, and where no matter how small the political unit, each would have yet additional minorities.

III. THE CHALLENGE: Staging Credible Elections

A. Timetable

The team found a very fluid, if not chaotic, electoral environment. INEC was appointed on August 11, 1998. By February

27, 1999, it must design the election procedures, define the criteria for and then register political parties, re-register approximately 50 million citizens, and administer four sets of elections. The election schedule is as follows: elections for local government are scheduled for December 5, elections for gubernatorial and state government for January 9, elections for national assembly for February 20, and the presidential election for February 27. This frenzied timetable places tremendous pressure on the disorganized political parties, and disadvantages neophytes, minorities and women. Nonetheless, Nigerians at all levels told the team they favor following the tight timetable to achieve their primary objective: a return to democratically elected civilian government.

B. Political Parties

The distributional rule for parties, the Abacha regime's stifling of political and civil society organizations, and the short party registration time frame have forced Nigerians to form national political parties which are neither organizationally nor ideologically coherent. They are merely collections of political notables from past regimes.

Further, the parties appear to agree on almost all major political issues--including the need to put civilians in charge of the government and the economy, decentralization, a greater role for the "South," and a market economy. Each party is already experiencing intense internal power struggles between various contenders jockeying for nominations to key posts. The team could foresee little that would hold them together after the elections. The USG may want to respond, despite having heard no requests for direct party assistance, and even some active opposition to assistance from some party leaders. (One Nigerian conflict resolution NGO, the Prime Peace Project, has provided training in alternative dispute resolution techniques to parties in the past. They found that party members were eager to receive additional training in this and related areas. This organization and the expertise it possesses could make a major contribution as part of any USG response.)

C. INEC Role

The elections will be implemented by INEC which has administrative and quasi-legislative powers. For example, INEC adopted on its own authority the national party qualification distributional rule (10% in 24 states) and could make substantive judgments about which parties' manifestos are sufficient to qualify for registration and which are not. Unlike its Abacha-appointed predecessor organization, INEC professes it has no intention to intervene in substance--except to disallow "non-national" parties based on region, tribe or religion.

INEC enjoys widespread confidence primarily because its chairman, retired Supreme Court Justice Ephraim Akpata, has a sound reputation for integrity. Akpata has publicly admonished INEC's state secretaries and lower staff, declaring that "the commission has received numerous complaints about the unwholesome activities of some of you especially with regards to your conduct in the recent past... [Anyone] who is found wanting in the performance of his duties will be shown the way out. He reiterated their desire to 'conduct the freest and fairest election his country has ever witnessed. This is what this nation expects of us and this is what we intend to do.'" (Guardian Sept. 4 1998)

Moreover, Akpata has consulted the political parties regarding major decisions--including establishing 111,000 polling sites, re-registering more than 50 million voters and mounting a voter education program. He told the team that he is confident his staff can manage all this successfully. In short, INEC indicated it has the budget and the professional capability to implement the elections with little donor assistance. While the team received no requests for funding, Chairman Akpata said "we are drawing up our list of needs." Interviews with INEC staff revealed that specific needs lists indeed were being prepared for use with donors. If INEC does appeal to the donors, it will probably do so through the United Nations (UN), the Commonwealth or the Organization of African Unity (OAU).

D. Monitoring

When asked what primary problems INEC will encounter, Akpata responded with one word: rigging. Although this transition is being given the benefit of the doubt, skepticism is prevalent. Monitoring can help inject confidence. The team also believes that a credible monitoring effort can help prevent the election's losers from rejecting defeat, from blaming the process, and from encouraging centrifugal, separatist tendencies rather than "playing the game."

The team believes that international monitors cannot possibly cover the entire country over the next 5 months. However, they serve as a complement to a broad domestic monitoring effort. Moreover, a national domestic monitoring effort also will help re-build civil society structures for the post-election period. However, in the absence of any national organizations with reputations for impartiality, a domestic monitoring effort will depend on piecing together a coalition of organizations with enough constituents to cover 111,000 polling places, and training them. The team believes that a regionally balanced collection of women's groups, labor, democracy and human rights activists and possibly the religious communities can form the basis for a "credible" monitoring effort.

IV. THE LONGER TRANSITION

In the end, however, the election must be seen as only a first step in addressing Nigeria's problems. Nigeria's newly elected civilian government will be faced with daunting challenges: the contest over power within the parties; the lack of any principled distinctions or coherent party platforms; the need for military reform (including its size and role); the need to strengthen civil and civic institutions that maintain security from the national to the local level; the expectations of Nigeria's poor majority that the transition to democratic rule will be accompanied by tangible improvements in the quality of life opportunities available to them; and most importantly, the alienation of regions, tribes and religions from one another. The present military government decided against giving serious considerations to many important and basic issues that ultimately must be addressed. For example, the military government opted against forming a government of national unity or staging a national conference before the elections to discuss, and possibly renegotiate the fundamental organizing principles of the Nigerian state.

Apart from the normal policy issues that any national government must address---basic services, fiscal and monetary policy, foreign policy---three issues have plagued Nigerian regimes since independence in 1960:

- o the role of the military inside Nigeria;
- o religious, tribal and regional conflicts and the resultant insecurity;
- o good governance, especially controlling corruption and developing broad-based economic growth.

A. The Military

The greatest threat to democracy is the military. Two democratically elected governments have already faltered, and were replaced by the military. An entire generation of Nigerians has no experience with civilian rule. Distinct factions exist within the military. If things "go wrong" inside the military or in the country at large, the military could easily succumb to temptations of one or another bloc or "big man" to "seize the moment."

After the elections, the civilian and military leadership will need to define the proper role for the military which presently is discredited and illegitimate, even in its own eyes. Almost certainly that will mean a substantial demobilization and reintegration strategy must be developed and implemented. Incentives will invariably have to be developed to encourage

military personnel to return to civilian life. No doubt there will be inclinations to "seek justice," but Nigerians of all stripes are surprisingly realistic. For the moment, at least, they appear willing to forego revenge in favor of finding a "proper role" for the military, a role which is both honorable and circumscribed.

B. Poverty

Poverty and lack of economic opportunity were cited by almost everyone encountered as major problems for the incoming civilian government to address. As one individual put it: "Democracy means nothing to a poor or hungry person."

In Nigeria today, most Nigerians with jobs are unable to maintain a reasonable standard of living on their wages. There is a whole generation of Nigerians that are unemployed and underemployed because jobs simply do not exist for many unskilled in the work force. People emphasized basic human needs--food, shelter, electricity and water--as areas that must be priorities for the new government. So much deterioration has occurred, particularly during the Abacha years, that the middle class had been decimated. There is serious income inequality as manifested by wealthy elites at the very top and the mass of Nigerians struggling to get by on a daily basis at the grassroots. Providing visible material gains for people will go a long way towards instilling confidence in the new government.

C. Reconciliation

By far the most complicated and potentially divisive issue will be "reconciliation" among the many ethnic and religious groups in Nigeria. All groups told the team they feel marginalized, creating the image of a nation of victims. Stereotyping is prevalent. A pronounced tendency exists to define everything, from political opinions to personality characteristics, as a function of ethnic or religious affiliation. People are first Hausa, Igbo, Yoruba, Ogoni, and only secondly---and contingently---Nigerian. Citizenship in Nigeria, the team was told several times, has little meaning at present. No matter how the political units are organized or divided, majorities and minorities will be present with their antennae finely tuned to discerning inequalities. Perhaps, one of the most disturbing things that a visitor hears is that "Nigerians are 'mixed': there are a lot of intermarriages between people of different ethnic and/or religious groups." (This cliché reminded one team member of what Rwandans used to say about themselves before the 1994 genocide: "we are all one people. We are mixed." And yet, they killed their children, wives, neighbors and in-laws over the "identity question".)

Poverty, insecurity and limited access to opportunities underpin

conflict and serve as deterrents to reconciliation. Political elites, collaborating with their military counterparts, are thought to feed the divisions that impede reconciliation.

Conflicts, at the individual level, often take on a violent character that have the potential to spread quickly from that level to the community, municipal, state, regional and national levels. In the North, it was reported that a dispute, between two individuals, can result in over 4,000 casualties within a 24 hour period. Strengthening mechanisms that facilitate the nonviolent resolution of conflicts at all levels--particularly at the local level--is a must if the expected benefits of a successful transition are to be sustained. While at times contributing to conflict, the military on other occasions, contained disputes. Now that troops are "going back to the barracks," attention will have to be given to strengthening other mechanisms that contribute to the nonviolent resolution of disputes, to reconciliation, and to security.

In the post-election period, USAID's transition/development program should be designed to address the root causes of conflict and delivered in a manner that contributes to reconciliation. This would require addressing basic developmental problems that negatively impact opportunities for the poor majority, supporting initiatives that build constructive linkages between communities that have traditionally been enemies and supporting initiatives that seek to strengthen the institutions of civil society--particularly those engaged in conflict resolution and reconciliation work. Both the Africa Bureau and the Democracy and Governance portfolios should include assistance for the process of reconciliation, and that assistance should be initiated before the elections, perhaps through regional NGOs like the African Center for the Constructive Resolution of Disputes (ACCORD).

D. Good Governance

Ultimately, a successful transition to democracy in Nigeria will depend on the integrity, commitment, competencies and performance of its newly elected leaders, and support by the international community. Transparency, accountability, effectiveness, efficiency, and honesty are the fundamental building blocks of good governance. Poor governance by democratically elected officials can result in implosion or military intervention or both. If the transition and concomitant election schedule are adhered to, 36 new state governments and a federal one will be elected and installed by June 1999. Those elected are likely to have little or no previous experience with democratic governance.

Similarly, institutions required to strengthen and maintain the rule of law in Nigeria were weakened under military rule. These are in need of total restoration and reorganization. A major

concern in Nigeria is corruption. For many, it is considered to be one of the most important issues that must be addressed by the civilian government. Those, with whom the team interacted, expressed the belief that the elected government must make discernable progress in routing out the corruption that has characterized every facet of public life in Nigeria for several decades. If there is a single benchmark which Nigerians will apply to the new, democratic government, it is that it be accountable and above corruption. The efficient, effective delivery of minimal services is a close second. A committed and competent government, a true rule of law, and a stronger civil society will all be necessary to restore the faith of Nigerians in their own country and government.

In short, Nigeria's requirements in the post-election period are likely to be varied and substantial. Elections are important, but they are not dispositive. They are the beginning not the end. What role the USG should play will depend in great measure on the outcome of the elections. The team believes that there will be a strategic and substantive role for the USG to play in post-election Nigeria. The interests of the international community in general and the US in particular will be served by providing assistance to this, possibly last, chance at establishing democratic governance in Nigeria.

V. RECOMMENDATIONS

The consensus exists within Nigeria that good governance, credible elections and accountable leadership, a vibrant civil society, a professionalized military, and nonviolent means to resolve conflicts are all essential ingredients in a successful transition to democracy. Presented below are the major elements that the team recommends for USG support in order to contribute to Nigeria's efforts to successfully manage the immediate phase of its democratic transition.

A. Contributing to Credible Elections

- o Provide funding for domestic and international election monitors;
- o Support voter education--especially efforts aimed at acquainting voters with the new requirement for voter registration and with the complex election rules and schedules associated with the upcoming elections;
- o Assist election-related media work, including the provision of financial support for the placement of programs to elevate the level of discourse in the campaign;
- o Provide technical and other expert assistance to the

political parties--including rendering direct advice on campaign mechanics, message, organization, poll watching, and indirectly through production assistance of campaign messages;

B. Investing in Civil Society

- o Continue to support civil society strengthening-- particularly through networks and organizations comprised of women and youth, and of organizations that challenged the human rights violations of the Abacha regime as they engage the political process;

C. Professionalizing the Military

- o Engage the military. International Military Education and Training (IMET) programs and other military-military initiatives should be re-established when and if narcotics de-certification is lifted and the Nigerian military accepts its proper role under civilian jurisdiction;
- o Explore support for civil-military relations program(s) of African NGOs--comprised of ex-military officials--in the effort to contribute to Nigeria's efforts to professionalize, streamline, demobilize and reintegrate its military;
- o Continue to emphasize the USG's message--embodied in a policy currently implemented by the Nigerian armed forces through the Economic Community of West African Observer Group (ECOMOG)--that coup d'etats against democratically elected governments will bring isolation and sanctions;

D. Strengthening Conflict Resolution/Prevention and Reconciliation Capacities

- o Provide assistance to conflict resolution organizations and initiatives working to promote the nonviolent resolution of conflicts and reconciliation in conflict-prone areas such as the Niger Delta, the Middle Belt, and the North;
- o Support a more active grassroots-based conflict resolution strategy through NGOs--including those engaged in work in such areas as conflict early warning, mapping ethnic and religious rivalry, strengthening the role of existing conflict resolution and reconciliation capacities at the local level;
- o Use development resources as a conflict prevention tool by targeting resources to the development problems that are considered most important by people at the grassroots in conflict-prone areas. If their basic needs are met, then

they will have more of an incentive to resolve conflicts without violence rather than giving into the truculent urgings of individuals and groups that feed on divisiveness and greed--i.e. the military and elites;

- o Give preference in funding to activities that facilitate communications between identity groups in one part of the country to expose them to the experiences of groups in other parts of Nigeria, particularly between and among groups that have historically been prone to conflict;
- o Conduct a comprehensive assessment of conflict and reconciliation groups in Nigeria and begin to provide support to their efforts, particularly to those organizations that will truly be able to bridge regional divides.

These recommendations will be used to help guide USAID's engagement with Nigeria's effort of a real democratic transition.