

GOVERNANCE AND POLITICS IN NIGERIA

**A LECTURE
DELIVERED ON**

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- **Introduction**

It is an honour being here, once again, in the midst of colleagues with whom I shared almost ten years grappling with the **essence** of Politics and Government as we prepared a new generation of Nigerian Political Scientists and Public Administrators. It has been 17 years since I congregated with you in such an environment. I thank Professor Augustine Ikelegbe, the Acting Head of the Department of Political Science & Public Administration at UNIBEN for granting me the opportunity to, once again, share my thoughts with you on an issue of vital importance to Nigeria, especially at this crucial time in the Political History of the country. It is less important that my thoughts should converge with yours, or reinforce yours or in fact are incongruous to yours. The critical element of this discourse is that we agree to trade our ideas on the subject-matter.

This lecture examines the concept of governance and its relationship to politics, with emphasis on Nigeria. The issue of governance has gained universal currency as nations and international institutions seek appropriate mechanisms to enhance the role of government by making it more transparent, accountable, responsive and responsible to the constituencies. We will take a broad view of the concept and juxtapose it with the functions of politics. This general theoretical escapade will set the stage for zeroing in on Nigeria as a case study. The intent is to identify gaps in the Nigerian polity and prescribe some remedial measures to bridge those gaps. Our objective is to provoke critical intellectual debate on how best to ensure good governance in Nigeria. A systemic analytic approach will be employed as we examine the array of problems that beset the Nigerian polity. We shall focus on the salient features of those problems and illustrate how the incompetence of the Nigerian state to grapple with them has caused the society to drift toward anarchy and potential disintegration.

- **On Governance and Politics**

The question of good governance has captured the attention of international institutions, including the World Bank¹ and several inter-governmental organizations like the G-8². Both institutions have made this issue a critical prerequisite in their aid and donation policies to countries with poor records on governance.

But what do we mean by *governance*? There is a temptation to use governance and government interchangeably. *Government* is said to derive from the Greek word *kyberman* which means *to steer*. Being in the company of Political Scientists, I do not have any urge to define government in greater details. But, let us agree to define a *government* as a collective body of elected and appointed institutions empowered to legislate and adjudicate for the good of society, while *governance* is conceptualized as

¹ See, The World Bank, Reforming Public Institutions and Strengthening Governance. A World Bank Strategy, Washington, D.C., November 2000.

² The G8 gave prominence to this issue at its 2005 Summit. See, G8 Gleneagles 2005, SUMMIT DOCUMENTS, <http://www.g8.gov.uk/servlet/Front?pagename=OpenMarket/Xcelerate/ShowPage&c=Page&cid=1094235524805>

the processes and systems by which a government manages the resources of a society to address socio-economic and political challenges in the polity. Thus, a *government* is elected or appointed to provide good, effective and efficient *governance*. According to Daniel Kaufmann, governance embodies “the traditions and institutions by which authority in a country is exercised for the common good.”³

A good governance system is defined by its relationship to some key prerequisites, including Accountability, Transparency, Participation, and Predictability. Let us briefly review these elements.

► **Accountability**

In a democracy, elected and appointed government officials, from the president down to the office messenger in a local government council, must be accountable for their actions and policies. They must provide answers for their activities to the general population. It is imperative that the population demands this from all government officials at all levels of the political system. One way of doing this is for members of each electoral constituency to construct a performance measurement framework compelling respective government officials to provide answers for their activities and policies. They must demand regular meetings with their respective elected officials at the constituency level.

► **Transparency**

Simply put, transparency is the easy and unrestricted access of government information by the population. The general public must have access to information on government policies and programmes. It is vital that ministers and bureaucrats ensure the unedited dissemination of such information as demanded by the general public, excluding information pertaining to a nation’s security. The general public should agitate for the enactment of an Access to Information Act that guarantees the unrestricted access of the public to information on government policies and programmes. The enactment of such an Act will compel governments to adhere to the tenets of transparency in their decision making process as well as limiting the chances of government officials engaging in corrupt practices.

► **Participation**

This is a very important component of the elements of governance. It is imperative that citizens participate at all levels of their government’s decision making process. Their participation does not end with merely casting their votes on Election Day. They must insist and ensure that their votes are counted. For effective participation in public policy, it is essential for citizens to organize themselves into credible interest groups (professional associations, academic unions, students’ unions, labour unions, non-governmental organizations, etc) that constantly review government policies, articulate the positions of the general population, and engage elected officials in public debates regarding the rationale and impact of their policies and programmes on the population.

³ Daniel Kaufmann, “Myths and Realities of Governance and Corruption,” in Working Papers & Articles, World Bank, Washington, D.C., September 2005, p. 82

► **Predictability**

A democratic polity is governed by laws and regulations anchored on the Constitution of the country. Therefore, it is imperative that the application of these be fair and consistent, and thus predictable, within the boundaries of the Constitution. Any arbitrary application of the laws and regulations would vitiate the Constitution and inhibit good governance. A critical element of this is the recognition of the principles of jurisdictional responsibilities, especially in a federal polity like Nigeria. For example, can a federal government establish an Act empowering itself to review the finances, policies and activities of state governments and punish erring state officials?

The above elements presuppose an educated, politically conscious, enlightened and an actively proactive population. Where the population is ill equipped to engage in any of the above, it is a certainty that the rudiments of good governance will readily be compromised by the government of the day. This situation buttresses the view that a society gets the government that it deserves.

It is pertinent to note that, Daniel Kaufmann *et.al* have identified six dimensions of governance which could be collapsed into the above categories. Their six dimensions of governance are:

1. “Voice and accountability (VA), the extent to which a country’s citizens are able to participate in selecting their government, as well as freedom of expression, freedom of association, and free media
2. Political stability and absence of violence (PV), perceptions of the likelihood that the government will be destabilized or overthrown by unconstitutional or violent means, including political violence and terrorism
3. Government effectiveness (GE), the quality of public services, the quality of the civil service and the degree of its independence from political pressures, the quality of policy formulation and implementation, and the credibility of the government’s commitment to such policies
4. Regulatory quality (RQ), the ability of the government to formulate and implement sound policies and regulations that permit and promote private sector development
5. Rule of law (RL), the extent to which agents have confidence in and abide by the rules of society, and in particular the quality of contract enforcement, the police, and the courts, as well as the likelihood of crime and violence
6. Control of corruption (CC), the extent to which public power is exercised for private gain, including both petty and grand forms of corruption, as well as ‘capture’ of the state by elites and private interests.”⁴

⁴ Daniel Kaufmann, Aart Kraay, and Masimo Mastruzzi, Governance Matters V: Aggregate and Individual Governance Indicators for 1999-2005, World Bank Institute, World Bank, Washington, D.C., September 2006, p.4.

We have provided a macroscopic view of governance. Now let us view *politics*. In a political system, particularly in a multi party democratic system, political parties are established to articulate contending interests of the population. Members of a political party meet to elect their officials. Citizens cast their votes on Election Day to elect their representatives in parliament. Members of parliament (National Assembly, etc) debate their contending views on national development and seek a compromise resolution. An elected government formulates policies and enacts laws that determine how the nation's policies and programmes are to be administered. Citizens involved in the above *processes* are engaged in *politics*. What is politics? This is a question that we expect students of Political Science 101 to be able to answer.

In his celebrated book entitled **Politics: Who Gets What, When, How**, published in 1936, Harold Lasswell opined that politics is a process engaged by elected officials to determine “who gets what, when, where, and how.” This formulation subsequently influenced the widely held notion of politics in the West as a contest for power for the distribution of resources in the polity. Thus, politics is a process of resolving societal conflicts that arise when determining who gets what, when and how. On the other hand, Marxist scholars perceive politics as an ideological struggle for power for the acquisition and distribution of resources. By injecting *ideological struggle* into their definition, Marxists sharpened the content of the concept with the emphasis on class differentiation in the political process. Mao Zedong offered an interesting definition when he declared that: “Politics is war without bloodshed while war is politics with bloodshed.”⁵ Unfortunately, Mao Zedong did not live long enough to see that in Nigeria, politics is war with bloodshed.

At this juncture, I would like us to explore the relationship between governance and politics, while we hold constant the above definitions of both phenomena. We will use as an example, the process of policy formulation in a matured democratic environment where the above identified elements of governance are at play. By a matured democratic environment is meant one where citizens are actively engaged in the political process, and where elected officials are responsive to the elements of governance. Policy formulation in such an environment elicits the active participation of various citizen's groups, professional organizations, etc., at every stage of policy debate in the country's parliament. Effective policy formulation requires a solid policy making environment and, as noted by the World Bank, “policy reforms are less likely to succeed when public institutions and governance are weak.”⁶

The process and quality of policy formulation and implementation are critical elements in determining the level of engagement of the population and measuring the quality of governance of the society. To what extent is the process, to paraphrase Kaufmann *et.al.* a

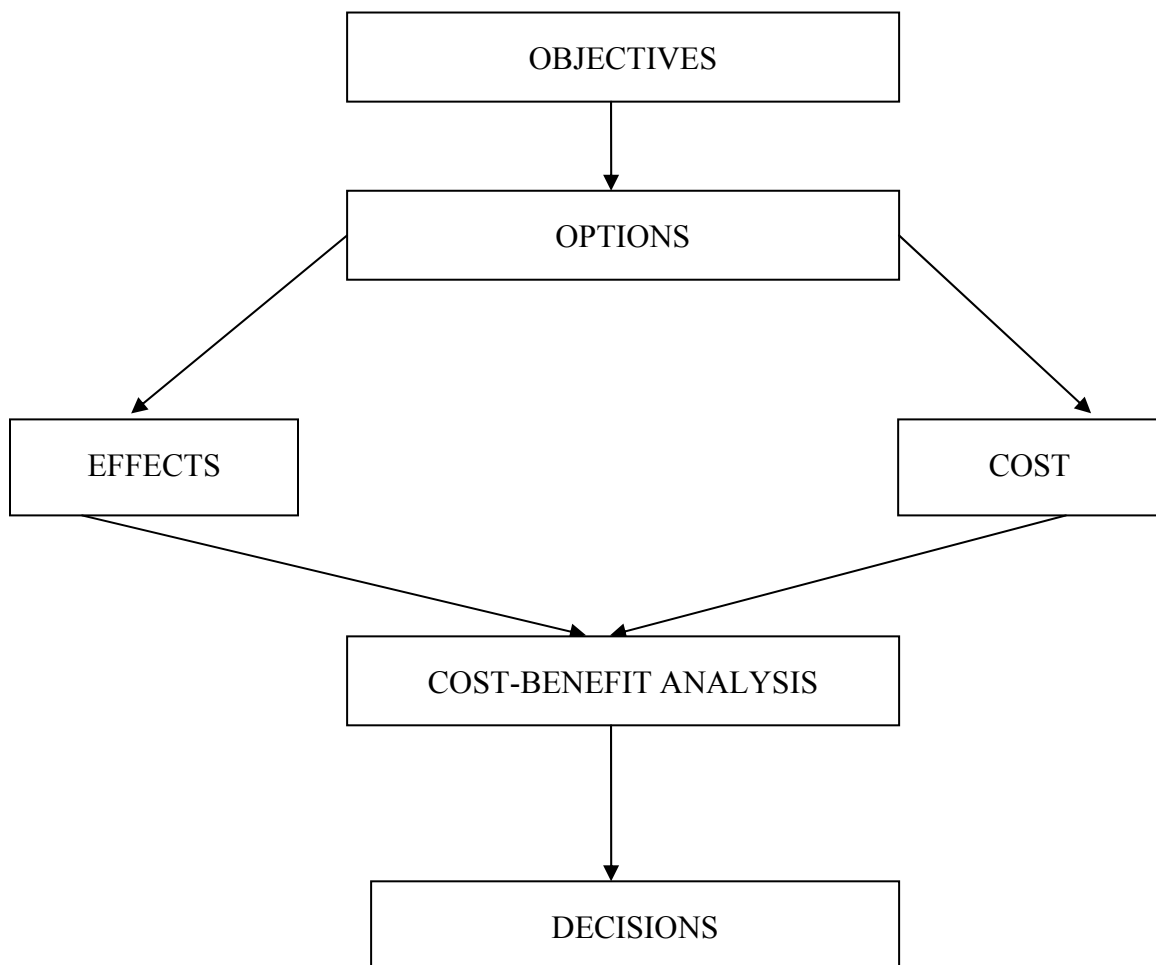
⁵ Mao Zedong, “On Protracted War,” in Selected Works: Vol 2, Peking, 1965.

⁶ The World Bank, Reforming Public Institutions and Strengthening Governance: A World Bank Strategy, p.1.

“ ‘capture’ of the state by elites and private interests.”⁷ The environment for policy formulation must be democratic and it is imperative that the process be transparent. The degree of citizens’ participation in this process is determined by the level of their education and political consciousness, as well as on the access to political elites and effective communication.

For example, if the debate is on the banning of methyl bromide in agriculture, we expect spirited contributions from opposite sides of the issue, including farmers’ unions, scientists, labour unions, and legislators representing their contending views, to actively participate in the debate to shape the policy decision making process.

POLICY FORMULATION



The process of policy debate is captured by the above diagram. First, the objectives of the proposed policy are thoroughly defined and debated. The next stage is to consider the

⁷ Kaufmann *et.al.* Governance Matters V, p.4.

options available. Arising from the options' debate is a consideration of the corresponding effects and cost of adopting the respective options. This is followed by a detailed cost-benefit analysis of the effects and cost. The result of the cost-benefit analysis will inform the policy decisions. In a matured democratic environment with a high degree of confidence in the elements of governance exemplified, for example, by Canada and the United States of America (USA), (Accountability, Transparency, Participation, and Predictability) policy decisions reached via this approach have a higher probability of reflecting a balanced option anchored on informed reasoning, as compared to an infantile democratic environment represented by, for example, the Nigerian polity.

But there is an important qualifier in this comparative analysis. That is, the level and scope of corruption in either system. As a prerequisite for granting "poor countries" including Nigeria, debt forgiveness by the G8 at the Gleneagles 2005 Summit, the summit agreed, *inter alia*:

- "To provide extra resources for Africa's peace keeping forces so that they can better deter, prevent and resolve conflicts in Africa; and
- To give enhanced support for greater democracy, effective governance and transparency and to help fight corruption and return stolen assets."⁸

The determination to enhance "greater democracy, effective governance and transparency, and to help fight corruption" in Africa was a pivotal theme on African development at the 2005 G8 Summit.

Democratic practices and good governance flourish in an environment where political elites possess the required leadership skills anchored on the tenets of democracy. It is essential that they represent a broader constituency beyond their immediate surroundings in articulating their respective policies, which derive from a sound knowledge of the rudiments of interest aggregation. Education, political consciousness and the level of poverty have a vital role to play in this process. It has been argued that "the euphoria of independence disguised the reality that (beyond a consensus in favor of independence) support for many African regimes was drawn from a narrow base, often with quite weak roots in the society at large."⁹ The political history of immediate post colonial African countries, including Nigeria, would lend credence to this thesis. For instance, national support for the Northern Peoples' Congress-National Council of Nigerian Citizens (NPC-NCNC) coalition government of Nigeria between 1960 and 1963 was weak. The senior partner of the coalition, NPC, was a regional Northern-based party with insignificant following in other regions of Nigeria. National support for the coalition further weakened in the 1963-1965 period, because of the glaring absence of a universal construct to bind the diverse constituencies represented in the coalition and in the entire country.

⁸ G8 Gleneagles 2005, SUMMIT DOCUMENTS

⁹ The World Bank, Reforming Public Institutions and Strengthening Governance: A World Bank Strategy, p.73,

It is instructive to note, however, that the failure of politics and poor governance in less developed countries is not always due to the leaders of the respective countries. Very often the policies of international donor institutions, including the World Bank, play a crucial role in setting the countries astray as donor policies contribute to “undermining the ability of governments to affect national and strategic choices in public” policy.¹⁰ While governments, without exception, recognize the value of good governance practices, most of them, especially in the less developed countries, face systemic challenges that hinder their implementation of those practices. First, as observed by the World Bank, “the major political players who dominate the state apparatus are fundamentally unwilling to change their behaviour and to move toward more accountable governance.”¹¹ Second, the regime lacks the capacity to affect good governance. Third, and perhaps of more vital importance is the role of donor organizations in dictating policy choices to recipient governments. The World Bank represents this group of donors, as witnessed by its structural adjustment policy (SAP) that was imposed on several Asian and African countries, including Nigeria. As now recognized by the World Bank, “many of the earlier failures of” its public sector management “initiatives were the result of a failure to recognize this diversity in political and institutional starting points, and to tailor the reform program accordingly. Yet donors, including the Bank, persisted in providing technical assistance for improved management in contexts where the pre-conditions were not present.”¹² Irrespective of the admitted policy failures of the World Bank, it must be stressed, however, that the success of good governance in any country depends on the leadership skills of the elected leaders and their attitude towards democratic practice.

- **The Issue**

A random conversation with people across Nigeria reveals a growing sense of disenchantment vis-à-vis the various levels of government, particularly towards the Nigerian federal government. In varying degrees, this disillusionment is evident in all regions and communities in the country. Citizens do not see the value of participatory democracy, they wonder about the existence of any government in Nigeria, they are baffled and overwhelmed by the deteriorating political institutions and devastated by the chronic unemployment rate in the population, high crime rate, and the theft of public money by those entrusted with the governance of the country. Engagement in Nigerian politics renders obsolete the concept of fair play and justice in a supposedly federal democratic polity. On the eve of the April 2003 federal elections, a Lagos-based national newspaper, THISDAY published a disturbing catalogue of the escalation of violence, murders and attempted assassinations of political opponents.¹³ Between that publication and the elections of April 12 & 19, 2003, there were incidents of armed conflict directed against candidates of rival political parties in various parts of the country. This wave of political assassinations has been repeated in mid 2006 as the nation, once again, prepares for another federal election in March 2007. Governorship candidates in Lagos, Ekiti, and

¹⁰ Ibid., p.74.

¹¹ Ibid., p.76.

¹² Ibid.

¹³ See THISDAY, Lagos, March 06, 2003.

Plateau states were assassinated between June and September 2006. Thus, these cases which indicate a crisis of governance would seem to suggest a deliberate attempt by some Nigerian political actors to return to the politics of the 1962-65 period that precipitated the military intervention on January 15, 1966.

Nigeria is experiencing a fundamental crisis in governance. Though the people of Nigeria share a collective identity as **Nigerians**, they are by no means united in their prism of Nigeria. The shared collective identity is merely a geographical descriptor of their location within a state in the international system, and does not reflect any concerted stratagem to mould a **NIGERIAN**. Therefore, the citizens of Nigeria are more comfortable identifying themselves as Angas, Bini, Efik, Esan, Fulani, Hausa, Ibibio, Idoma, Igbo, Ijaw, Isoko, Itsekiri, Kalabari, Kanuri, Nupe, Okpe, Tiv, Urhobo, Yoruba, etc. These are the *nations* of Nigeria. They are hardly collaborative nations, but intensely confrontational and hostile in their political discourse as a result of the failure of the Nigerian State to construct a viable strategy of national integration.¹⁴

In his address to the African Ministerial Forum on Integrated Transport in Africa, in Abuja on March 11, 2003, President Olusegun Obasanjo explained the abysmal economic development of Africa as a reflection of the “poor and sometimes outrightly irresponsible leadership” in several African countries. He acknowledged that “poverty remains a major challenge, and most countries on the continent have not benefited fully from the opportunities of globalisation.”¹⁵ Any perceptive observer of Nigeria’s political scene will readily conclude that President Obasanjo was describing the failure of governance in Nigeria as a consequence of the “poor and sometimes outrightly irresponsible leadership” that has characterized his presidency since 1999.

The issue of corruption, which is a major hindrance in ensuring good governance, is a political economy phenomenon. In a matured democratic environment, like the USA, influence peddling, also known as “*legal corruption*,” plays a prominent role in America’s policy decision making process. Lobbyists spend billions of dollars annually in influencing American legislators to enact laws favourable to their respective private sector clients, in return for which such legislators receive contributions from those lobbyists for their electoral campaigns and all expense-paid vacations. As argued by Daniel Kaufmann and Pedro C. Vicente, legal corruption has an “impact of inequality in influence, which is reported to generate a self-reinforcing dynamic in which institutions are subverted.”¹⁶ This subversion of public institutions to favour private sector clients, which is legitimized by a lobbyist act, is in actual fact a corrupt practice with severe consequences on good governance. It depicts societies whose policies are determined by the wealthy private sector, and thus reflect private sector interests to the detriment of the

¹⁴ See, O. Igbo Natufe, “Identity Crisis and Political Contest in Nigeria,” <http://www.okpenation.org/politics.html>

¹⁵ See **THISDAY**, Lagos, March 12, 2003.

¹⁶ Daniel Kaufmann and Pedro C. Vicente, “Legal Corruption,” p. 3 www.worldbank.org/wbi/governance/pubs/legalcorporatecorruption.html

gross majority of the population. The difference in this type of (legal) corruption from that of Nigeria is that, in the latter's case, heads of government and legislators, in collusion with their colleagues and members of the private sector, engage in *illegal corruption* by looting public treasuries.

It is instructive to note that, in these two variants of corrupt practices, the system of *legal corruption* is financed by the private sector, while that of *illegal corruption* is financed by the treasury of the public sector. In global discourse on corruption, it is the Nigerian variant that has captured the attention of the international community, a view of corruption which Kaufmann perceives as too narrow due to its focus on the "abuse of public office for private gains." His analysis places responsibility on the private sector which operates under "many acts which are not ethical (and thus may be regarded as corrupt) may not necessarily be illegal." His empirical evidence points to the "extent to which many powerful private firms engage in undue influence, to shape state policies, laws and regulations, for their own benefits..." by making "campaign contributions, which may, in fact, be legal, but which unduly influences the rules of the game, for their benefits."¹⁷

There is a tendency in political economy parlance to describe legal corruption as functional corruption, while illegal corruption is categorized as dysfunctional corruption. Such a dichotomy seeks to justify legal corruption as a legitimate practice anchored on the ethos of matured democratic polities, while it condemns the other variant with roots in less developed democratic systems. Thus we have a "good thief, bad thief" scenario. In both scenarios, however, the state is captured by a group of political elites in collusion with the private sector, a phenomenon which leads to the privatization of the state for private sector interests.

In the case of illegal corruption, however, the impact on the population is immediate, visible and more devastating as socio-economic infrastructures completely break down, driving the poor into extreme poverty and obliterating the middle class of society. Using the state of Nigerian roads as a demonstration of the failure of governance in Nigeria, Reuben Abati lamented:

"The state of Nigerian roads is the state of Nigeria and a reflection of the level of governance in the country. Every sphere of national life is like the roads: pot-hole ridden, abandoned to the vagaries of nature, crying out loudly, for vision and difference....The roads are bad; the hospitals are ill-equipped, the school system is in disarray, access to health remains a problem, human life in both the cities and the rural areas, is on the edge of despair....Since 1999, contracts have been awarded by governments at all levels for the repair, rehabilitation and construction of roads. There have been stories told of how this has provided great

¹⁷ Kaufmann, "Myths and Realities of Governance and Corruption," p.82.

opportunities for corrupt self-enrichment; the beneficiaries being contractors, public officials and consultants.”¹⁸

Abati’s analysis succinctly encapsulates the failure of politics and poor governance in Nigeria. In early 2003 President Obasanjo questioned where were the roads that his government had spent over 300 billion naira constructing. His confidant, Chief Anthony Anenih was the minister responsible for that portfolio. Neither Obasanjo nor Anenih answered the question, but the public knew in whose pockets the money was diverted to. In rendering his assessment on the quality of state governors in the Fourth Republic, the secretary general of the Arewa Consultative Forum, Col. Hamid Ibrahim Ali (rtd) declared that “Ninety percent of them are corrupt, absolutely corrupt.”¹⁹ While Nigeria boasts a legion of millionaires and billionaires, there are no corresponding industrial plants to justify the rise of *le club des riches*. It is interesting to note that while oil has intensified the rate of corruption in Nigeria, the polity has become less democratic and ridden with poverty.

On page 4 above, where we discussed Predictability as an element of governance, we identified the recognition of the principles of jurisdictional responsibilities as a critical property of this element, especially in a federal polity like Nigeria. We posed the question whether a federal government can establish an Act empowering itself to review the finances, policies and activities of state governments and punish erring state officials. Nigerians are familiar with the Economic and Financial Crimes Commission (EFCC) that was established by President Obasanjo to fight corruption in Nigeria. We shall return to the EFCC later.

Nigeria is a federal political system, a system that defines the structure of the polity in a way that underlines the independence of the federating units vis-à-vis the central government in key areas of national economy and politics. Being a federal system, it is imperative that we discuss the properties of good governance under federalism. As has been argued elsewhere,²⁰ a federal system “provides a vital conceptual base for good governance as it emphasises the two fundamental premises of federalism. First, both levels of government – the central government and the states (federating unites) – are independent, but never subordinate to one another. Second, the relationship between the central government and the federating units is horizontal and not vertical....When any of these elements are vitiated, federalism is compromised and the basis of good governance under federalism is eroded.” For there to be good governance under federalism, it is vital that elected officials at all levels of the political system are conversant with the tenets of federalism.

¹⁸ Reuben Abati, “Nigeria’s deplorable roads,” [The Guardian](#), Lagos, Friday, October 13, 2006.

¹⁹ See, [ThisDay online](#), Lagos, Monday, June 12, 2006.

²⁰ O. Igbo Natufe, “Toward The Demilitarization of Nigerian Politics: A Prerequisite for Good Governance,” A Keynote Address presented at a seminar on NIGERIA: THE WAY FORWARD organized by the Nigerian Awareness Group in Zurich, Switzerland, on June 24, 2006, pp.7-8.

Since the inception of Nigeria's Fourth Republic in May 1999, elected officials, especially those on the platform of the Peoples' Democratic Party (PDP), have contributed to the erosion of federalism by their actions which have facilitated the entrenchment of unitary practices in a supposedly federally polity. The regular visits, either voluntary or mandated, of State governors belonging to the PDP, to the Presidency and party headquarters in Abuja for instructions considerably weaken the premise of federalism. The federal government has assumed the status of a *national government* akin to that of a unitary system, with the state governments reduced to mere administrative arms of the presidency in Abuja. Because the state governors have acquiesced to the erosion of the fundamental premises of federalism, they lack the audacity to challenge President Obasanjo when it is clear that his policies negate those premises. The establishment of the EFCC vividly illustrates this point.

Instead of challenging the locus standi of the EFCC, federal legislators, state governors and their respective legislative assemblies blindly accept the EFCC as a normal instrument with multiple jurisdictional responsibilities under a federal political system. The question is not whether the federal government can establish the EFCC to investigate federal institutions, but whether the federal government has the jurisdiction to investigate the fiscal management of the state governments and punish state officials. The role of the EFCC in the impeachment proceedings of state governors, and the fact that the head of the EFCC is a member of President Obasanjo's "kitchen cabinet," makes a mockery of the EFCC. But state governors and other elected officials have come to accept the EFCC as a legitimate institution with the authority to investigate state and local government performance. This display of acquiescence by elected officials (federal legislators, state governors and state legislators) emboldened President Obasanjo to establish a 20-man committee in June 2006 "to go round the 36 states of the Federation and Abuja for the purpose of compiling reports on how allocations to the states have been spent."²¹ In a critique of this committee, I took issues with state governors for mortgaging "the independence of the federating units to the extent that their respective state administrations are now managed as a department under the presidency in Aso Rock..." as "they seem to be at awe of President Obasanjo whom they reverently refer to as 'Baba,' and thus are prepared to accept as legal any directives"²² emanating from him. It has become "normal" for local and state matters to be brought to the attention of President Obasanjo for resolution. It was on the basis of this premise that the president of the Senate, Ken Nnamani, sent a petition to President Obasanjo in July 2005, detailing his allegations against Governor Chirmanoke Nnamani of Enugu State – his home state. In the petition, he accused Governor Nnamani of "undemocratic tendencies" and "corruption," requesting that President Obasanjo authorize an investigation of the governor's assets.²³

²¹ See, Vanguard, Lagos, Wednesday, June 21, 2006.

²² See, O. Igho Natufe, "Another Assault on Federalism," Nigeria Today Online, Lagos, Friday, June 23, 2006.

²³ See, Alifa Daniel, "Call Enugu Governor to Order," The Guardian, Lagos, Monday, July 18, 2005.

President Obasanjo governs Nigeria and the PDP as his fiefdom with state governors and members of the PDP as his indentured serfs whose freedom from servitude depends on their unquestioned loyalty to him. Indicative of this is the statement by the embattled governor of Ekiti State, Ayodele Fayose, whose impeachment by the state's legislative assembly on October 16, 2006 has posed serious constitutional challenges for the polity. In a telephone interview with the Nigerian Tribune from his hide-out, he declared: "I want to appeal to the President like he did in Sao Tome and Principe to use the goodwill of his office to restore me to my office. I have always been his boy."²⁴

The alleged role of President Obasanjo and the PDP in the impeachment of Governor Fayose is an example of poor governance. It was reported that President Obasanjo and the leadership of the PDP had met with PDP leaders of the Ekiti State House of Assembly in Abuja to discuss the impeachment of Governor Fayose, and pleaded with the House leaders that the deputy governor, Mrs. Abiodun Olujimi "should be spared." According to the report, the President allegedly instructed the Federal Minister of Justice and Attorney General, Bayo Ojo, to declare the impeachment as unconstitutional when the Ekiti State House of Assembly impeached the deputy governor together with the governor. President Obasanjo and the leadership of the PDP subsequently "rejected the impeachment of the Deputy Governor, Chief (Mrs) Abiodun Olujimi, insisting that the state House of Assembly as a matter of urgency reverse the impeachment."²⁵ In a national broadcast declaring a state of emergency on Ekiti State on October 19, 2006, President Obasanjo cited relevant sections of the Constitution of the Federal Republic of Nigeria 1999 to demonstrate the unconstitutional actions of the Ekiti State House of Assembly in effecting the impeachment of Governor Fayose and Deputy Governor Olujimi, and to justify his constitutional powers in dismissing the Ekiti State House of Assembly. He appointed Brig.-General Tunji Olurin (rtd) as the Administrator of Ekiti State for six months. According to him his action was to resolve the counter claims of three governors and to "preserve law and order, good governance and ensure probity in governance in Ekiti State."²⁶ It is instructive that President Obasanjo would appoint a (retired) military officer as the Administrator of Ekiti State. If there was a breach of the constitution that led to three claimants of the governorship, one would have thought that the Judiciary would have been the appropriate authority to interpret the constitution and decide accordingly and not the Presidency.

Irrespective of the imperfections in the 1999 Constitution of Nigeria as a federalist treaty, it is difficult to find any justification therein for the way state governors, especially those of the PDP-ruled states, have accepted the interference of President Obasanjo in the

²⁴ Tope Abiola and Gbenga Olumide, "Fayose: I'm still Ekiti gov – Wife arrested inside church," Nigerian Tribune, Ibadan, Wednesday, October 18, 2006.

²⁵ See, "FG considers state of emergency in Ekiti – Olujimi, Aderemi runs parallel govts," Nigerian Tribune, Ibadan, Wednesday, October 18, 2006.

²⁶ See, The Times of Nigeria, Thursday, October 19, 2006, http://www.thetimesofnigeria.com/index.php?option=com_content&task=view&id=1247&PHPSESSID=636d0905a8d01b80cd60c97642b3dbf8

administration of their respective states. By so doing, they have not only abrogated the independence of the federating units but aided President Obasanjo in subverting the fundamental tenets of federalism. This is exemplified by the role of President Obasanjo in determining when and how a state governor can be impeached. In briefing journalists on the outcome of his telephone conversation with President Obasanjo, the embattled governor of Anambra State, Peter Obi, revealed that President Obasanjo “told me to face my work because the matter is being looked into by the PDP. He also told me that he is saddened about what is happening but asked me to continue my work in the state.”²⁷ Unfortunately for Governor Obi, the PDP looked into the matter from a different perspective and impeached him on November 03, 2006.

Since the defeat of the proposed amendment to elongate the term of President Obasanjo beyond May 2007, by the National Assembly in May 2006, there has been heightened unpredictability in the polity. Will President Obasanjo hand over power in May 2007 if his successor is not his personal choice? Will President Obasanjo allow a free and fair election? Will the Independent National electoral Commission (INEC) be able to conduct a free and fair election in 2007? Will there even be an election in 2007? These questions are only legitimate in a political system riddled with poor governance, one where the rules of political contest are determined by undemocratic practices. That the population, as reported in various Nigerian newspapers, will even contemplate whether or not President Obasanjo will hand over power in May 2007 is indicative of the failure of politics and governance in the system.

How do we explain these troubling developments?

An explanation is located in two inter-related phenomena. The first is the military background of President Obasanjo that moulded his anti federalist policies. Secondly, we have the weak personalities of state governors and most of the elected federal and state legislators vis-à-vis federalism. For the purpose of this lecture we shall focus mainly on the first phenomenon. The intrusion of the military in governance in January 1966 ushered in a systematic dismantling of federalism in Nigeria, in favour of a military-command system. President Obasanjo was a product of that military-command system. He operated this system during his tenure as Nigeria’s military dictator in 1976-1979.

Thus, by electing a former military dictator as their president in a civilian democratic regime, Nigerians unwittingly entrenched the military command system of government inimical to good governance and federalism. Given his military command background, President Obasanjo does not appreciate the need to separate *party* and *state* jurisdictions. For him, party intrusion in state legislative jurisdictions is a normal political activity even under a federal system. As is argued elsewhere,²⁸ the “authority of the PDP national

²⁷ See, “Face Your Job, Obasanjo Tells Obi,” Daily Independent, Lagos, Friday, October 20, 2006.

²⁸ Natufe, “Toward The Demilitarization of Nigerian Politics: A Prerequisite for Good Governance,” p.6. See also, O. Igho Natufe, “Discordant Chords in Nigerian Politics,” in Nigeria Today Online, Lagos, December 09, 12, 13, & 14, 2005.

executive committee replicates that of the supreme military council under the military regime that Obasanjo was familiar with. Unable to extricate himself from the military concept of governance, he accords semi state jurisdictional powers to the PDP in assisting him to handle PDP state governors and PDP elected legislators, just as the supreme military council had over state military governors,” under his military dictatorship. His undue interference in the governance of the constituent states is influenced by his conception of governance from his tenure as a military dictator. That his two principal aides, Chief Anthony Anenih and Dr. (Col.) Ahmadu Ali are products of the command system, being former police and military offices respectively, underlines his preference for the military command system of governance.

Nigerians recall the role of the PDP in Akwa Ibom, Anambra, Bayelsa, Delta, Edo, Ekiti, Oyo, and Plateau states where, in varying degrees, the intrusion of the party into areas of exclusive state jurisdictions has further entrenched corruption and compromised good governance in Nigeria. These events were headline newspaper stories.²⁹ The role of the PDP in compromising good governance is best illustrated in the cases of Anambra and Oyo states, where the party’s godfathers were encouraged and aided by the federal government’s security forces to incapacitate the elected governments of those states. With Chris Uba and Lamidi Adedibu in Anambra and Oyo states respectively, President Obasanjo, in his dual role as the head of state and leader of the PDP, encouraged the policies of these PDP godfathers in their undermining of the governments of those states.

The anti-federal characteristics that define federal-state relations in Nigeria are replicated in state-local government relations across the country, where a local government council is considered a division of the governor’s office. In fact, a chairman of a local government (equivalent to a Mayor in North America) holds his seat at the mercy of his state governor. These levels of dependency akin to a unitary system hinder the practice of federalism, and thus compromise good governance in the polity. As was the practice in feudal societies, where the principle of *the serf of my serf is my serf* defined the power and authority of the feudal lord, President Obasanjo presides over a similar system in Nigeria as he controls state and local government officials. This strangulation of federalism is more pronounced in the 28 (out of 36) states controlled by the PDP, as the monolithic philosophy of the party further subjugates state and local party officials under the rule of President Obasanjo.

It is obvious that the decades of military dictatorship (1966-1979; 1983-1999) since independence in 1960 have left scars injurious to good governance and federalism in the fabric of Nigerian politics. To the extent that Nigeria has survived 8 years of post military rule, under the Obasanjo civilian presidency, can be considered a *victory* for democracy. It is tempting to postulate that General (President) Obasanjo’s influence on the military

²⁹ See, for example, “PDP probes Akwa Ibom impeachment,” Vanguard, Lagos, Tuesday, June 28, 2005; “PDP Wades into Budget Probe,” THISDAY, Lagos, Thursday, August 04, 2005; “PDP speakers meet Ali, plead for Lalong,” Daily Independent, Lagos, Thursday, August 18, 2005; and “PDP orders reinstatement of suspended Igueben LG chief,” The Punch, Lagos, Thursday, August 18, 2005.

may help to explain the longevity of the Fourth Republic. Irrespective of this, the population has been denied any dividends of democracy. Religious and inter-ethnic conflicts, the epileptic supply of electricity, the collapse of socio-economic infrastructures – education, health and roads, etc - and the confrontations between Niger Delta youths and federal military forces in the Niger Delta are all symptoms of poor governance on the part of the three levels of government in Nigeria.

Without prejudice to the negative effect of military rule on Nigerian politics, it will be preposterous to place all the blames of poor governance on this phenomenon. Elected public officials, a vast majority of whom were never in the military, have compromised the tenets of federalism in their various offices. State governors, who are supposed to defend the sovereignty of their respective states, have mortgaged this imperative to monolithic forces outside their state jurisdictions. Governor James Ibori of Delta State exemplifies this category of elected officials. He demonstrated his debility of thought on this issue when he “blamed the abandoned projects in the state on party patronage.” He revealed that “party pressure had often led to the award of contracts to members who turned out to be inefficient.” He declared: “The problem is due to patronage. You will be accused of not looking after your party constituency.”³⁰ It is interesting to note that Governor Ibori issued this declaration on August 10, 2006, more than 7 years after his initial election in May 1999. When did he know of these “abandoned projects?” Why should “party pressure” compel him to award contracts to “inefficient” party members? Is the problem “due to patronage” as he alleged, or is it due to mutually agreed corrupt practices between the contractors and his government? Why did his government fail to ensure that the contracts were fully executed with the best quality and technology? These are some of the vital questions that Governor Ibori failed to answer. But the effect of his government’s supervision of abandoned projects was to deny the citizens of Delta State the benefits of their investments in schools, health centers, roads, employment, etc. In late 2005, it will be recalled, Governor Ibori also imputed the reason of dissolving his cabinet and appointing a new one to the directives of the national executive committee of the PDP.

- **Resolving the Issue**

The 1960 Independence Constitution and the 1963 Republican Constitution provided solid foundations for good governance under a federal system in the country. The practice of federalism was on the right track until the military struck on January 15, 1966. There is an urgent need to recapture elements of that period. As entrenched in those documents, Nigerian federalism in the pre January 1966 period respected the jurisdictions of the federating units in key areas, including revenue derivation, agriculture and local police force. Each Region had its own constitution and flag. Therefore, in order to construct a renewed federalism it is vital that we recognize and respect the premises of good governance in a *federal democratic* polity. Thus, particular attention must be paid to the following:

³⁰ PUNCH ON THE WEB, Lagos, Friday, August 11, 2006.

► **A genuine federal system.**

While it is conceded that federalism is not synonymous with good governance, the fact that Nigeria is a federal system suggests that we consider the properties of federalism as prerequisites for good governance in a federal polity. As we indicated above, in a federal system, both levels of government – the central government and the states (federating units) – are independent, but never subordinate to one another, and the relationship between the central government and the federating units is horizontal and not vertical. Furthermore, federating units exercise exclusive jurisdictions over key areas of the economy and natural resources, and decide on which of their powers they would each concede to the federal government, excluding Defense, custom, and foreign policy which reside under exclusive jurisdiction of the federal government. There is a federation because federating units agree to federate. Adherence to these fundamental premises is essential in establishing a solid conceptual base for good governance in a Federal Republic of Nigeria.

The persistent clamour for state creation suggests that rationale thought be given to the number of federating units that the system, as a whole, can adequately support. The fact that the four federating units as of 1963 have been balkanized into 36 states underlines a fundamental problem with the approach Nigerians have adopted on this issue. Besides the Midwest State which was constitutionally created in 1963 under a civilian government, most of the subsequent 32 states created by successive military dictatorships lack the capacity to survive as independent entities.

In restructuring Nigerian federalism thought must be given to the idea of basing it on ethnic nationalities. As a framework for a renewed federalism in Nigeria, we propose the construction of homogeneous federating units (states) for the top 10 most populous ethnic nationalities that have *contiguous* territories, and a maximum of 15 multi-ethnic federating units (states) for the other ethnic groups. Thus, there will be homogeneous ethnic-based states for the Hausa, Igbo, Ijaw, Kanuri, and Yoruba, etc., while the others will constitute a maximum of 15 multi-ethnic states (federating units). ethnic nationality in a heterogeneous state will constitute an *autonomous region* with due constitutional jurisdictions. An ethnic group with multiple kingdoms in a heterogeneous state will fuse into one kingdom to constitute an autonomous region in the given heterogeneous state. An autonomous region shall have concurrent jurisdiction with the heterogeneous state over natural resources (mines, minerals, oil and gas) found in its territory, but shall exercise exclusive jurisdiction over primary education, culture, language, and traditional institutions. Depending on its capability, an autonomous region may also establish its own Autonomous Regional Police Force. If an Autonomous Region cannot have its police force, it could contract the State police for its policing duties. A Charter of Rights and Freedoms protecting minority rights will anchor this renewed federalism.

► **Federalism compliant institutions.**

Just as a federating unit (the state) is independent of and not subordinate to the central government, political parties in the states must be independent of the parties' national executive committees that they are affiliated with. The unitary structure of political

parties vis-à-vis the federating units is at variance with the tenets of federalism. If we argue in favour of federating units (state) maintaining their independence from the central government, and postulate that they are coordinate with and not subordinate to the central government, then it is incongruous for us to permit a national unitary command structure in political parties that govern those federating units. Irrespective of the fact that a state chapter of a political party shares similar philosophical positions with a particular national political party with which it is affiliated, the state party concerned must be governed by the core interests of the given state whose interests may conflict with those of the national executive committee of the party. Similarly, the state executive committee of the party is not obliged to endorse the presidential candidate of the party if, in its judgment, such a candidate espouses policies inimical to the core interests of the given state. Thus, the national executive committee of the party has no jurisdiction over the state executive committee. This is a core aspect of federalism. It also dictates that political parties do not need to satisfy any geographical spread as a criterion for contesting elections for any office in the polity. Respect for this fundamental principle will eliminate the interference of a party's national executive committee in the internal affairs of a state, and thus facilitate the prospect of good governance.

► **Credentials of elected officials.**

Elected officials must possess and demonstrate excellent leadership qualities and credentials for the offices they occupy. The question of leadership quality is crucial to the rudiments of good governance, as the quality of leadership determines the incorruptibility, accountability and transparency of the government. In addition, they must recognize their constitutional jurisdictions and the superiority of their public elected offices vis-à-vis the diktat of their respective political parties. Compared to the caliber of leaders that had presided over state affairs in Nigeria's previous republics, the collection of leaders in the Fourth Republic (1999 - present) are the most corrupt, the least accountable, and the least qualified. Besides the vexing issue of corruption, which has damaged Nigeria's image in the international community, the quality of leadership, especially at the third tier of government, has contributed significantly to the poor governance in the polity. This factor accounts for the increasing absence of government at the local government level. Local government council is the bedrock of governance in a federal democratic system. As the government closest to the population, the measurement of the success of governance begins at this level. Unfortunately, most of the chairmen and councilors across the local government councils in Nigeria do not seem to possess the prerequisite skills and experience required to manage a government institution.

For this level of government to play its constitutional role in governance, it is vital that it enjoys a degree of independence from the undue interference of a state government. The idea of a state governor determining the choice of chairmen and councilors of local government councils is injurious to the basic construct of free and fair elections that underline a democratic polity. Because of the characterization of local government chairmen as errand boys of their state governors, qualified people with the knowledge, experience and integrity to manage government institutions are dissuaded from vying for

offices at this level. That Mr. Andrew Young, a former United States Ambassador to the United Nations Organization would later become the mayor of Atlanta (that is, local government council chairman in Nigeria) underlines the caliber of leadership and experience that is required mostly at the local government council level. When Nigeria's counterparts of Andrew Young vacate this crucial level of government, then it is inevitable that the least qualified and those more susceptible to corruption would fill the void to serve as militant brigade for their respective state governors. The nature of Nigerian politics dissuades many qualified and principled persons from seeking elective positions at all levels of government in Nigeria. For as long as "Ghana-must-go-bags" continue to determine the qualifications for such offices, corruption, mediocrity and ineptitude will remain supreme in Nigerian politics. The challenge, therefore, is for Nigerians to alter this construct.

The intrusion of the military in Nigerian politics has severely damaged the fabric of federalism and democratic institutions in the country. This is reflected in the caricature nature of federalism and the unitary command system that has come to characterize political discourse on federalism in Nigeria. Thus, in line with the proposal of General David Ejor (rtd), a 20-year ban of the involvement of retired military officials in contesting for elective offices in government and political parties will help to gradually cleanse the polity of these undemocratic tendencies. Furthermore, it is ironic and contradictory that while Nigerians perceive military rule as an aberration and undemocratic, they find it necessary to legitimize those responsible for these infractions by assigning them constitutional responsibilities via the Council of State in a democratic polity. If Nigerians are resolute in their condemnation of military rule as undemocratic, it remains a bafflement that certain political leaders take this abnormality into consideration in their calculation of the number of years that military dictators from some "geopolitical" zones have occupied the presidency (head of state) in Nigeria as they argue for a power shift or rotational presidency in favour of their "turn" to produce the next president. Such an argument lends credence to a military coup as a legitimate and democratic process of regime change.

► **Electoral independence.**

Each state must have its own electoral commission whose responsibility it is to conduct and supervise elections for the offices of governor, deputy governor, state house of assembly, and local government council on a schedule different from or coinciding with national elections for the presidency and national assembly. As an independent entity in a federal system, federating units must possess exclusive jurisdiction over the institution that is responsible for conducting and supervising elections for political offices in their respective territories. To accord this function to a national electoral commission is to vitiate the independence of the federating units and to compromise federalism.

► **Governors' security votes.**

It is alleged that each state governor receives 65 million naira monthly³¹ as a security vote, for which he is not required to render any accounts. It is either this practice is abolished or state governors are compelled to render monthly accounts on how this public fund is spent. Failure to do this would be tantamount to encouraging corruption in the system. It is safe to postulate that state governors divert this sum to their respective personal uses, including the maintenance of armed youth brigades that have become agents of terror against political opponents within and outside their political parties.

In conclusion, I once again thank Professor Ikelegbe and his colleagues for giving me this opportunity to share my views with you. I hope that I have succeeded in provoking your thoughts on the subject matter. The future of Nigeria depends on our collective preparedness to engage in such debates, and ensuring that the rule of law and good governance underline political contest in a Federal Republic of Nigeria.

³¹ See, Ugochukwu Ejinkeonye, "Echoes From The Jungle," [Nigeria Today Online](#), Lagos, Friday, February 03, 2006.