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## Challenges Confronting Buhari in Nigeria

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### Part I. Political Inclusion, Violent Conflict, and Corruption

Rotimi T. Suberu

*On the eve of the highly anticipated meeting between U.S. president Barack Obama and Nigerian president, Muhammadu Buhari, on July 20, 2015, Professor Rotimi Suberu has written a magisterial review of the major issues confronting the new Nigerian government. This important document is being published by AfricaPlus in two parts. The first concerns the challenge of meeting the demand for equitable participation in the affairs of government by the country's diverse identity groups, reducing persistent violent conflict especially by Boko Haram, and reducing corruption that has crippled many institutions. The second will cover economic policies to expand growth and reduce pervasive poverty, and incremental reforms of N*

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*federal constitution and government practices. Professor Suberu contends that the euphoria which greeted Buhari's election and the successful operation of the voting system, will soon give way to insistent demands for the fulfillment of electoral promises.*

Confounding expert and popular predictions of an electoral fiasco and ethno-political mayhem, Nigeria's March-April 2015 general elections were conducted successfully, marking a prodigious advance in the country's democracy. In addition to producing the first inter-party alternation at the national level, the elections represented a milestone in Nigeria's political evolution in multiple ways. First, the elections marked a tectonic realignment in the country's party system, with a previously rudderless and fractured opposition constructing an electoral alliance, the All Progressives Congress (APC). The APC victories, at federal and state levels, ended the 16-year old dominance of the Peoples Democratic Party (PDP). Second, the electoral outcome saw the ascension to power of a driven, four-time, presidential candidate, ex-military head of state Muhammadu Buhari, in sharp contrast to the reluctant or "compromise" leaders, from Abubakar Balewa (1957 -1966) to Goodluck Jonathan(2010-2015), who have dominated Nigeria's post-independence history. Third, policy issues like corruption, insecurity, and the need for systemic "change" and governance reforms heavily shaped the APC's successful electoral campaign against Jonathan's government, significantly moderating Nigeria's traditional politics of ethnic patronage distribution.

Fourth, the electoral process highlighted remarkable advances in the professionalism, sophistication, integrity, and neutrality of Nigeria's Independent National Electoral Commission (INEC), which was led, 2010-2015, by the academic and civil society luminary, Professor Attahiru Jega. Fifth, the elections demonstrated Nigeria's success in evolving a national political culture of reconciliation and accommodation as evidenced by the robust electoral conflict mediation work of the National Peace Committee (led by former military ruler, Abdulsalami Abubakar) and the gracious and prompt concession of defeat by Jonathan. Finally, in sharp contrast to previous patterns of diplomatic indulgence and appeasement of Nigeria's corrupt governments, the election period witnessed unusually forthright and forceful support for Nigerian democratization by major international actors, especially the United States and the United Kingdom.

Yet, with the APC alliance already showing evidence of internal schism, and with Buhari unable or unwilling to name a cabinet more than six weeks into his presidency, the national euphoria

engendered by Nigeria's electoral success is giving way to acknowledging the enormity of the challenges confronting the country. In these pages, I address five interrelated challenges that the Buhari administration must address if it hopes to provide meaningful change from the negligence and under-performance of the Jonathan presidency. These include fair political inclusion of Nigeria's diverse ethnic elites, reducing mass-based ethno-regional conflict and insurgency, promoting anti-corruption reform, judiciously managing the country's oil economy, and implementing constitutional change.

### ***Elite Ethnic Power-Sharing***

As one of the world's most deeply divided countries, Nigeria faces a perennial challenge of incorporating diverse ethnic, regional and religious elites into stable power-sharing arrangements. The imperative of ethnic power sharing has spawned Nigeria's iconic federal character principle, which constitutionally mandates the equitable political inclusion of indigenes of the country's 36 federal states. A related but more informal principle involves the pervasive practice of distributing political patronage among six unofficial geopolitical zones: the northwest, northeast and middle belt in the north, and the southwest, southeast and south-south (Niger Delta) in the south. Such creative ethnic arithmetic notwithstanding, successive Nigerian administrations have faced bitter suspicions and allegations of ethnic domination and marginalization.

The Jonathan presidency, in particular, provoked intense opprobrium and widespread opposition in the north for allegedly concentrating key appointments (for example, secretary to the government of the federation, ministers of finance and petroleum, governor of the central bank, and headships of many strategic public departments and agencies) among elites from the Niger Delta (Jonathan's home region) and the neighboring Ibo-dominated southeast. This resentment influenced the outcome of the 2015 presidential election, with Jonathan winning overwhelmingly in those two zones while losing to Buhari in the remaining four zones of the federation.

Buhari, an indigene of Katsina state in the northwest, won plaudits for proclaiming in his May 29 inaugural speech that he belonged "to everybody and...to nobody" (Buhari 2015a). Yet he has already provoked a southern "uproar" over perceived northern disproportionate appropriation of his initial appointments (Oketola 2015). Moreover, with northerners currently occupying the positions of executive president, senate president, house speaker, and chief justice of the federation (thereby excluding the south from leadership of any of the three branches of Nigerian

administration), the new government has reignited deep-seated southern paranoia about northern hegemonic domination.

Nigeria's fraught inter-ethnic politics suggests that the country's strong executive presidential system has so far failed to fulfill its integrative mandate. Despite a constitutional requirement for broad inter-regional electoral support for the president, none of Nigeria's putatively trans-ethnic national leaders since the introduction of the presidential system in 1979 has escaped credible charges of ethnic bias. The noted political scientist and civil society leader, Jibrin Ibrahim, for example, perceived an interconnection between "the ethnicity of the president" and "the monopolization of political power by the Yoruba political elite" during Olusegun Obasanjo's presidency (Ibrahim 2002, 198). In a vitriolic December 2013 letter, Obasanjo paradoxically denounced Jonathan for not rising "above ethnic factionalism" and for allowing "yourself to be possessed...to the exclusion of the rest of Nigerians as...of, and for, [the] Ijaw nation" (Obasanjo 2013).

President Buhari's conduct will continue to be scrupulously, even viciously, scrutinized for signs of ethno-regional bias. To neutralize the syndrome of perceived or actual ethnic marginalization, Buhari should assign important and strategic ministerial appointments to individuals from outside his northern Muslim base. With the broad availability of talent in every section of the country, there is really no fundamental contradiction between the logic of meritocratic recruitment and the principle of ethnic inclusiveness. Beyond dispersing political appointments and patronage among diverse ethnic elites, such inclusiveness is crucial for engendering a sense of belonging, security, dignity and group worth among mass ethnic constituencies, thereby reducing the risk that a feeling of exclusion from the state could fuel large-scale ethnic anxiety, protest and violence.



President Muhammad Buhari (L) and Vice President Yemi Osinbajo (Source: 50report.com)

### ***Ethnic Insurgencies and Violence***

Nigeria's three ongoing violent ethno-regional conflicts (Boko Haram's Islamist insurgency in the north, clashes between local indigenes and non-indigenes in the ethnically-mixed middle belt, and the struggles for subnational resource control in the oil-rich Niger Delta) are, to varying degrees, symptomatic of broad deficits of economic opportunity, social justice and political accountability. Buhari's government cannot achieve sustainable conflict resolution without attention to the systemic roots of mass sectarian violence.

There was and remains widespread expectation that Buhari's presidency will significantly reduce Boko Haram's murderous rampage. For starters, as a respected, practicing, northern Muslim, Buhari is well placed to mobilize support for the fight against Boko Haram among the governments and peoples of the north (especially the three most affected northeastern states of Borno, Yobe and Adamawa) that were alienated by Jonathan's perceived anti-northern bias. Second, Buhari's resume as a former military commander and head of state includes a record of patriotic and professional decisiveness in responding to security threats in northern Nigeria. Third, given his strong anti-corruption credentials, Buhari is expected to staunch the hemorrhage in security budgets that hobbled the military's anti-insurgency operations under

Jonathan.

Fourth, despite a spike in Boko Haram's attacks since Buhari's inauguration, the president's initial actions on the insurgency have demonstrated a resolve and responsiveness that was largely lacking until the final months of Jonathan's presidency. Since his inauguration, for instance, Buhari has relocated the Nigerian military's command center to the epicenter of the insurgency in Maiduguri, replaced the heads of military and security agencies, launched vigorous diplomatic initiatives to cement and coordinate Nigeria's military cooperation with neighboring countries (Chad, Niger, Cameroon, and Benin) affected by the insurgency, and engaged local civic groups, such as the *Bring Back Our Girls* movement that campaigned vigorously for a robust governmental response to Boko Haram's depredations.

Above all, Buhari's pronouncements demonstrate keen sensitivity to the underlying drivers of Boko Haram, a sect that has not only sprouted in Nigeria's most impoverished region, but has also been violently radicalized since 2009 by extravagant political corruption and excessive police repression. Boko Haram's extremist ideology, Buhari cogently acknowledged, "feeds off despair...lack of hope...[in] the promise of a better Nigeria," and the callous treatment, including extra-judicial murders, suffered by the sect "at the hands of the police" (Buhari 2015, a and b).

Addressing the ethno-religious pogroms that have plagued middle belt states like Plateau, Nassarawa and southern parts of Kaduna, will similarly require a forthright acknowledgement of official complicity in the generation of mass violence. These ethnic clashes reflect longstanding grievances and disputes between so-called non-indigenes (whose historic ethnic roots lie outside their current states or localities of residence or settlement) and indigenes over cultural, religious, political and economic control. But the clashes have been sorely exacerbated by "divisive state and local government policies that discriminate on ethnic or religious lines and... the failure of authorities to hold to account those responsible for the violence" (Human Rights Watch 2013, 8).

In the Niger Delta, violent struggles for subnational resource control cannot be dissociated from unfair state policies and practices toward the oil-rich region. These have aggressively appropriated the region's oil wealth, but failed to curtail oil-industry degradation of the livelihoods and ecology (fisheries, farmlands, water and air) of oil-bearing areas. Such neglect has been compounded by brazen official plunder of oil revenues funneled to the Niger Delta states and localities through the federal revenue allocation system and via national bodies like the Niger Delta Development Commission and the Ministry of the Niger Delta.

Significantly, violence in the Delta eased considerably under an amnesty process for militants launched in 1999 under the short-lived presidency of Umaru Yar'Adua. It was continued and heavily funded by the Jonathan presidency. Although marred by corruption and unsustainable financial practices, the amnesty pacified and coopted militants through government contracts, monthly stipends, and access to vocational and educational training within and outside Nigeria. However, the Niger Delta faces the prospect of renewed violence owing to the scheduled termination of the amnesty in December 2015 and the sense of status loss felt by militants and other elements in the region as a result of the electoral defeat of Jonathan (Nigeria's first political head from the Niger Delta). But nothing is more damaging to peace in the Delta than the rampant corruption that continues to ravage all government programs and operations in the region and elsewhere in Nigeria.

### ***Unrestrained Fraud and Corruption***

Ahmed Joda, chairman of Buhari's Transition Committee, underscored the legacy of unrestrained corruption bequeathed by the Jonathan administration in the following words: "The biggest [challenge]...is corruption; it is everywhere. There is no department, no ministry that can be said to be free of corruption. There is nowhere that fraud does not take place on a daily basis" (Mac-Leva and Abdallah 2015). Several multi-billion dollar scandals in the oil industry highlighted the scale of corruption during the Jonathan presidency. These included the failure of the national oil company, the Nigerian National Petroleum Corporation (NNPC), to remit \$18.5 billion in oil revenues to the national treasury between January 2012 and July 2013; diversion by NNPC of at least \$3.4 billion of the aforementioned funds to a non-existent kerosene subsidy scheme; and the loss of 84.8 million barrels of oil in 2013 at a cost of \$6.7 billion through "bunkering" or organized theft by Niger Delta gangs in collaboration with senior politicians and security officers (see Sanusi 2015; Wallis 2015).

Three broader and more insidious trends illustrate the catastrophic scale of corruption in contemporary Nigeria. These are: (i) the increasing legalization of fraud and criminality through formal schemes and laws that pay outrageous allowances, security votes, and pensions to legislators, governors, or former governors; (ii) the entrenchment of a culture of official secrecy and lack of transparency regarding the financial operations of government; and (iii) the subordination, manipulation and corruption of the institutions that have been established to combat the country's pervasive corruption.

Owing to the “jumbo” allowances that Nigeria’s federal legislators have appropriated to themselves since 1999, the total annual compensation (salaries and allowances) for each federal legislator is currently about US \$1.7 million for a senator, and \$1.4 million for a member of the house of representative, making Nigerian legislators “the highest paid in the world” (Sagay 2011). A related swindle involves the millions of dollars, amounting to more than 10 percent of the total budgets in some Nigerian states, which several governors collect under an opaque and unaccountable budget item called “security votes” (Egbo et al 2012). Furthermore, because they (along with the president) are limited to two terms in office, governors have pressured their legislatures to enact pension laws awarding lavish retirement benefits to past governors. An example is the APC-controlled Lagos state (ironically often regarded as Nigeria’s best-governed state), whose pension law for ex-governors is comparable to those of other states. Among many other perquisites, the law gives a former governor not only his official salary “for life, but also two houses (one in Lagos and another in Abuja), six cars replaceable every three years, and furniture allowance of 300 per cent of his salary as governor to be paid every two years.” In some states, the pension legislation “provides for estacode [or generous per diems] for a former governor and his wife for 30 days of annual vacation abroad” (Guardian 2015).



Nigerians rally against corruption in 2012 (Source: Associated Press).

These abuses have been aided by systematic concealment of information regarding the financial operations of government. The National Assembly, for instance, has persistently refused to make its budgetary transactions public, going so far as appealing a federal high court order to disclose details of the huge constituency allowances paid to legislators. In response to a March 2015 request from a civic group for a breakdown and performance report of its budgets



for the years 2011-2014, the Assembly spuriously claimed that such “information is personal, third party related, ...privileged...and exempted under the Freedom of Information Act” (Onigbinde 2015). However, the pertinent sections of the FOI Act merely protect personal information of individuals (as distinct from a publicly funded budget) where such privacy does not conflict with an overriding public interest. A similar opaqueness surrounds the budgetary operations of state governments, several of which have openly repudiated the FOI Act.

Further compounding the immense challenge posed by fraud and corruption is the sorry state of the country’s supposedly anti-corruption institutions. The judicial system, for instance, is notoriously weak, overburdened, compromised, and tardy, all of which have rendered it a facilitator of impunity and “an obstacle to accountability” and effective anti-corruption reform (Human Rights Watch 2011, 2). The Economic and Financial Crimes Commission (EFCC), although it has launched several high-profile anti-corruption cases, is often hobbled by prosecutorial incompetence and by the fact that the president can dismiss its chairman and members at whim. Not surprisingly, the commission often functions as a tool of presidential intimidation, victimization and retaliation.

While it is relatively more politically insulated and statutorily empowered than the EFCC, the Independent Corrupt Practices Commission (ICPC) has “been consistently hobbled by lethargic and deeply conservative leadership” (Human Rights Watch 2011, 48). Meanwhile, the Code of Conduct Bureau (CBC) and Code of Conduct Tribunal (CCT), which receive and adjudicate declarations of assets by public officials, have been rendered ineffectual by the failure of the National Assembly to enact a constitutionally required law to prescribe conditions for making such declarations available for public inspection.

Buhari’s anti-corruption drive thus faces almost insurmountable obstacles. To be a credible champion of anti-corruption reform, and to set an example of transparency, the president should promptly fulfill his pre-election pledge “to publicly declare my assets and liabilities and encourage my political appointees to also publicly declare their assets and liabilities” (see Aziken 2015). Beyond demonstrated acts of personal transparency, Buhari must implement critical reforms to strengthen and professionalize Nigeria’s decrepit and dysfunctional institutions for fighting corruption. This would involve promoting legislation and reforms that guarantee the tenure of anti-corruption officials, insulate the appointment of these officials from partisan politics, and give civic organizations prominent roles in shaping the composition and direction of these institutions. Such reforms should also target the sinister veils shrouding public finances. Ultimately, a sustainable and viable anti-corruption strategy will require broader

changes in the architecture of economic management and constitutional governance.



*Rotimi Suberu is a Professor of Political Science at Bennington College. His main research interests are Nigerian government and politics, the management of ethnic and religious conflicts, federalism and democratization.*

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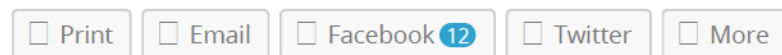
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