POLITICAL INSTITUTIONS

In its long history, Nigeria has experienced many different regime types. In its pre-colonial days, the regime type varied from one area to another. In the north and west, well-developed large states with hereditary monarchs developed, and in the south, small communal kinship-based rule predominated. The Hausa people in the west were organized into powerful trading city-states. The regime-type changed dramatically with colonization, with the British imposition of indirect rule. Where chiefs did not exist, the British created them, and authoritarian rule under British direction was well developed by the mid-20th century. Authoritarian rule has continued into the independence era, when a military-style regime emerged by 1966.

Today the government structure is formally federalist and democratic, but it has not generally operated as such. The British controlled economic life during the colonial era, and the economy remains under state control today. However, international factors have forced Nigeria to turn to supranational organizations – such as the World Bank and the International Monetary Fund – for help in restructuring the economy.

LINKAGE INSTITUTIONS

Because Nigeria's efforts to democratize are so far incomplete, linkage institutions in general are both newly developed and highly fluid. However, Nigerian citizens have organized in a number of ways with varying degrees of impact on Nigerian politics.

POLITICAL PARTIES

Predictably, political parties in Nigeria have almost always been regionally and ethnically based. Unlike Mexico, Nigeria did not develop a one-party system in the 20th century that contributed to political stability. Instead, Nigeria’s extreme factionalism led to the development of so many parties that it was almost impossible to create a coherent party system. The resulting multi-party system has reinforced and deepened ethnic and religious cleavages. Parties also form around powerful individuals, and so tend to fade with leadership changes.

Parties have appeared, disappeared, and reorganized frequently. However, in the election of 2007, these parties supported major presidential candidates:

- **The People's Democratic Party (PDP)** – This is one of the better-established parties, having run candidates for office as early as 1998. The PDP is the party of Olusegun Obasanjo, and in 2003 he
received about 62% of the vote for president. In 2007, amidst widespread fraud, Umaru Yar’Adua received almost 70% of the vote. The party also gained the overwhelming majority in the National Assembly, and most of the governors elected were candidates of the PDP. However, because the elections were fraudulent, it is very difficult to know how much real support the PDP actually has. Obasanjo is a Christian and Yoruba from the south, but the party won elections throughout the country. Yar’Adua is Muslim from the north.

- **All Nigeria People’s Party (ANPP)** – Former General Muhammadu Buhari, a Muslim from the north, was the ANPP candidate in 2003 and 2007. In 2003 his running mate was Chuba Okadigbo, an Igbo from the Southeast, who is probably the Igbo’s best hope for a run for future presidential elections. Buhari received about 32% of the vote in 2003, and not quite 19% in 2007.

- **Action Congress (AC)** – This political party formed with the merger of the Alliance for Democracy, the Justice Party, the Advance Congress of Democrats, and several other minor political parties in September 2006. The party ran Vice President Atiku Abubakar, who defected from the People’s Democratic Party, as its presidential candidate in the 2007 presidential election. Abubakar was disqualified from the election by the Independent National Electoral Commission, but the disqualification was later overturned by the Supreme Court. He received more than 7% of the vote.

The fact that several parties merged to form Action Congress may be an indication that the major parties are coalescing. One trend since 1999 is for parties to lose their regional base and to draw support from many parts of the country. The PDP originated in the Muslim north, but deliberately ran Obasanjo, a Christian Yoruba from the south, as its candidate in 1999 and 2003. As a result, it has become the dominant party; however, all three elections were fraudulent, and the violence levels were high enough (more than 200 people were killed in protests surrounding the 2007 elections) that it is difficult for PDP to claim legitimacy.

A flurry of party registrations with the **Independent National Election Commission (INEC)** followed the death of President Abacha in 1998. In order to run candidates for the legislative and presidential elections of 1999, a party had to qualify by earning at least 5% of the votes in two-thirds of the states in the December 1998 local elections. This practice effectively cut the number of parties running to three, and also limited the eligible parties to five in the presidential election of 2003. The INEC was widely accused of corruption in the election of 2007, and of complying with President Obasanjo’s desire to keep Vice President Abubakar from running for the presidency. The INEC left his name off the list of official candidates, but his disqualification was overturned by the Supreme Court.

### ELECTIONS AND ELECTORAL PROCEDURES

Citizens vote for candidates on three levels: local, state, and national. On the national level, they vote for the president, representatives to the House of Representatives, and for senators from their states.

#### National Elections

- **Presidential elections** – The first presidential election after the annulled election of 1993 took place in 1999, followed by a second election in 2003. If a presidential candidate does not receive an outright majority, a second ballot election may take place. This has not happened yet. An unusual requirement, however, reflects Nigeria’s attempt to unite its people. A president also must receive at least 25% of all the votes cast in 2/3 of the states. In other words, a purely regional candidate cannot win the presidency. The requirement also indicates how difficult unification has been for Nigeria since independence in 1960.
• Legislative elections – The Senate has 109 senators, three from each of 36 states, and one from the federal capital territory, Abuja. They are elected by direct popular vote. The 539 representatives are elected from single member districts by **plurality vote**. No run-offs take place for these seats. The result in both houses is regional representation, with a wide array of ethnicities that try to form coalitions, even though legislative policymaking power is very weak anyway.

**Election Fraud**

Many observers believe that Nigeria has made significant progress simply to be able to sustain three regularly scheduled popular elections in a row. During the April 12, 2003 legislative election, about a dozen people died, but many commented that it was not as bad as it could have been. Additionally, several politicians were assassinated, including Marshall Harry, one of the leaders of Mr. Buhari’s All Nigeria People’s Party. However, the Independent National Electoral Commission (INEC), with outside pressure, made an attempt to cleanse the electoral process when it declared almost six million names to be fraudulent. The names were struck from the voter rolls. On the other hand, international teams that observed the election generally concluded that the election was corrupt, with ballot boxes being vandalized, stolen, and stuffed with fraudulent votes. Some concluded that voting patterns in the south were particularly suspicious.

The elections of 2007 were even worse, with national legislative and presidential races deeply flawed, as were the state and local contests. The year before the election President Obasanjo sponsored a plan to modify the 1999 constitution that would allow him to run for a third term of office, but the National Assembly failed to ratify it. Next, the Independent National Election Committee disqualified Vice President Abubakar from running for president, but the Supreme Court declared that the INEC had no such power. Last-minute ballots were printed and distributed to include him, but the ballots showed only party symbols, not the names of candidates, and lacked serial numbers that help reduce fraud. On election day, international observers, including some from the European Union and some from the United States, witnessed instances of ballot-box theft, long delays in the delivery of ballots and other materials, and a shortage of ballots for the presidential race. Often there was no privacy for voters to mark their ballots in secret. Observers also witnessed unused ballots being marked and stuffed into ballot boxes. Frustrated voters erupted in protest, and the ensuing violence ended in the deaths of about 200 people.

One positive development, however, is that President Yar’Adua allowed the tribunals set up to challenge the election results to operate freely, and by early 2008 the tribunals had ordered six governors, over a dozen senators, and dozens of local-government officials to leave office for various misbehaviors in the electoral process. However, the tribunal rejected petitions by Buhari and Abubakar to have the results of the presidential election invalidated.

**INTEREST GROUPS**

Perhaps surprisingly, interest groups have played an important role in Nigerian government and politics. Although the development of an active civil society has been hampered by pre-bendalism and corruption, there is an array of civil society organizations that often cooperate with political parties. Some of them are based on religion, such as the Christian Association of Nigeria that protested loudly when Babangida decided to change Nigeria’s status in the Organization of the Islamic Conference from observer to member. A large number of Muslim civil society organizations in the north work to support the sharia court system. They have had to work around military control, but citizens have sought to have an impact on political life through labor unions, student groups, and populist groups.
Labor Unions

Labor unions before the military oppression of the 1980s were independent and politically powerful. Organized labor challenged governments during both the colonial and post-colonial eras, but the Babangida regime devised methods to limit their influence. This was established through corporatism, or government-approved interest groups that provide feedback to the government. A central labor organization supplanted the older unions, and only candidates approved by Babangida could be elected as labor leaders. However, the labor movement still is alive in Nigeria, and retains an active membership. If democracy indeed is established, labor unions could play a vital role in the policymaking process. For example, in July 2003 labor unions widely and openly protested the government's attempt to raise oil prices for Nigerian consumers.

By 2007 it was clear that labor unions had regained much of their previous power when the Nigeria Labor Congress called and successfully orchestrated a general strike of workers in cities across Nigeria. The strike was organized to protest the government's hike in fuel prices and taxes. The government agreed to rescind their hikes, but strike organizers wanted further reductions. The Nigerian government has subsidized fuel heavily, just as the Iranian government has, and in both cases, the subsidies are quite expensive. Nigeria especially is under international pressure to cut the subsidies so that the immense national debt can be paid.

Business Interests

Business interests have tended to work in collaboration with the military regimes during the last decades, and have shared the spoils of the corruption within the elite classes. However, some business associations have operated outside the realm of government influence in the private sector. Associations for manufacturers, butchers, and car rental firms are only a few groups that have organized. In the 1990s, some of these groups became a leading force in promoting economic reform in Nigeria.

Human Rights Groups

Other interest groups have organized to promote human rights. University students, teachers, civil liberties organizations, and professional groups (doctors, lawyers) protested the abuses of the Babangida and Abacha regimes, and remain active promoters of democratic reform. They staged street demonstrations and protests in 1997-98 as Abacha prepared to orchestrate a campaign to succeed himself. Although the groups are now only loosely connected, their willingness to collaborate and remain active might play an important role in creating a true democracy in Nigeria.

MASS MEDIA

In contrast to most less developed countries, Nigeria has long had a well-developed, independent press. General Abacha moved to muffle its criticisms of his rule when he closed several of the most influential and respected Nigerian newspapers and magazines in 1994. However, the tradition remains intact, although the press reflects, like so many other institutions, the ethnic divisions within the country. Most of the outspoken newspapers are in the south, although a few have been published in the north. Generals from the north have often interpreted criticisms of the press as ethnic slurs reflective of region-based stereotypes. The media actively spread news as the events of the 2007 elections unfolded, and many journalists were highly critical of the government's actions.

Radio is the main source of information for most Nigerians, with newspapers and TV more common in the cities. All 36 states run their own radio stations.
THE INSTITUTIONS OF NATIONAL GOVERNMENT

Nigeria is in theory a federal political system with government organizations on local, state, and national levels. Its various constitutions have provided for three branches of government, but in reality its executive branch has dominated policymaking. In the Second, Third, and Fourth Republics (all since 1979), Nigeria has had a presidential system, with a strong president theoretically checked by a bicameral legislature and an independent judiciary. Each of the 36 state governments and 774 local governments has an executive and a legislative branch, and a network of local, district, and state courts exists. Currently, neither federalism nor checks and balances operate, and state and local governments are totally dependent on the central government.

THE EXECUTIVE

In 1979, with the establishment of the Second Republic, the parliamentary system modeled after Britain was replaced by a presidential system. Nigeria's many ethnicities fragmented its multi-party system and legislature so seriously that a prime minister could not gain the necessary authority to rule. The belief was that a popularly-elected president could symbolize unity and rise above the weak party system. The U.S. presidential model was followed, including a two-term limit for the chief executive. Nigeria followed the model until 1983, when Major-General Muhammadu Buhari (also a candidate for president in the 2003 and 2007 elections) staged a palace coup. He in turn was ousted by General Babangida in 1985, who was replaced by General Abacha in 1993. Civilian rule returned in 1999, and President Obasanjo was reelected in 2003, and in 2007 Nigeria had its first experience of one civilian president handing power to another, no matter how flawed the election.

The Executive under Military Rule

Nigeria's seven military leaders have not all ruled in the same fashion. All have promised a "transition to democracy," but only two have given power over to elected leaders: General Obasanjo in 1979, and General Abubakar in 1999. Generals Buhari (1983-1985), Babangida (1985-1993), and Abacha (1993-1998) are known for their use of repressive tactics during their rule, but virtually all military and civilian administrations have concentrated power in the hands of the executive. The presidents have appointed senior officials without legislative approval, and neither the legislature nor the judiciary has consistently checked executive power.

Patrimonialism

The generals have ruled under a system of patrimonialism, in which the president is the head of an intricate patron-client system and dispenses government jobs and resources as rewards to supporters. As a result, cabinet positions, bureaucracy chiefs, and virtually all other government jobs are part of the president's patronage system. The fact that generals repeatedly have been overthrown indicates that the system is unstable, or possibly that the impulse toward democracy is keeping patrimonialism from working.

THE BUREAUCRACY

The British put an elaborate civil service in place in Nigeria during colonial days, allowing Nigerians to fill lower-level jobs in the bureaucracy. After independence, the civil service remained in place, and has grown tremendously over the past decades. Many observers believe that the bureaucracy is bloated, and it is a generally accepted fact that it is corrupt and inefficient. Bribery is common, and jobs are awarded through the patron-client system, or prebendalism. Not surprisingly, this system has led to a rapid increase in the number of bureaucratic jobs.
Para-statals

Like Mexican organizations before the 1980s, many Nigerian government agencies are actually para-statals, or corporations owned by the state and designated to provide commercial and social welfare services. Theoretically the para-statals are privately owned, but their boards are appointed by government ministers, and their executives are interwoven into the president’s patronage system. Para-statals commonly provide public utilities, such as water, electricity, public transportation, and agricultural subsidies. Others control major industries such as steel, defense products, and petroleum.

State Corporatism

As we saw in Mexico in its pre-democracy days, corporatism may function in an authoritarian political system where the government allows political input from selected interest groups outside the government structure. Although corporatism in PRI-dominated Mexico was far from democratic, political leaders generally did take into consideration the opinions of these selected groups. In Nigeria, as in Iran, para-statals provide this input, but because they are controlled by the government, they create state corporatism. Para-statals fulfill important economic and social functions, and they insure that the state controls private interests as well. They serve as contact points between the government and business interests, but the state ultimately controls the interactions. Para-statals generally are inefficiently run and corrupt, and many believe that they must be disbanded if democracy is to survive in Nigeria. One para-statatal, founded by President Obasanjo to provide better electrical service, was known as N.E.P.A., but Nigerians joked that the initials stood for “Never Expect Power Again.” When the para-statatal was renamed the Power Holding Company, the new joke was that it stood for “Please Hold Candle.”

THE LEGISLATURE

The Nigerian legislature has taken several different forms since independence, and it has been disbanded a number of times by military rulers. A parliamentary system was in place until 1979, when it was replaced by a presidential system with a bicameral legislature, known collectively as The National Assembly. Both representatives and senators serve four-year renewable terms, and elections are held the week preceding the presidential election.

- **The Senate** – Currently the upper house is composed of 109 senators, three from each of 36 states and one from the federal capital territory of Abuja. Senators are elected directly by popular vote. Its equal representation model for states is based on that of the United States Senate, so some senators represent much smaller populations than others do. However, the ethnic and religious diversity of the 36 states means that senators are also a diverse lot.

- **The House of Representatives** – The House of Representatives has 360 members from single-member districts. They are elected by plurality, and like the senators, represent many different ethnicities. After the elections of 2003, only 23 representatives were women, as were only 4 of the 109 senators, but those figures were up slightly from 1999.

Nigerian legislatures under military governments have had almost no power, and even under civilian control, the legislature has only recently become an effective check on the president’s power. A notable example is the National Assembly’s failure to ratify President Obasanjo’s plan to alter the Constitution to allow him to run for a third term in 2007. Even though the president’s party (PNP) held a majority in the Assembly, the legislative leaders were highly critical of the fraud and violence associated with the election of 2007. However, like so many other government officials, representatives and senators have often been implicated in corruption scandals. For example, in 1999 the president of the Senate and the speaker of the House of Rep-
resentatives were removed from their positions for perjury and forgery. In August 2000 the Senate president was removed on suspicion of accepting kickbacks for government contracts.

THE JUDICIARY

During the early years of independence the Nigerian judiciary actually had a great deal of autonomy. Courts combined British common law with an assortment of traditional or customary law, including sharia in the Northern Region. They were known for rendering objective decisions and for operating independently from the executive. However, the years of military rule ravaged the court system. The judiciary was undermined by military decrees that nullified court decisions, and the generals even set up quasi-judicial tribunals outside the regular system. Judicial review was suspended, and the presidents’ cronies were appointed as judges. As a result, many judges today are not well versed in law and render decisions that are manipulated by the government.

Today the judiciary is charged with interpreting the laws in accordance with the Constitution, so judicial review exists in theory. Court structures exist at both federal and state levels, with the highest court in the land being the Supreme Court. The court structure is complicated by the sharia courts that exist side by side with courts based on the British model. The 1999 constitution established a Supreme Court, a Federal Court of Appeals, and a single unified court system at the national and state levels. Individual states may also authorize traditional subsidiary courts, with the most controversial being the Islamic sharia courts, which now function in twelve of the predominantly Muslim northern states.

Two notorious cases from the 1990s indicate to many people how deeply the Nigerian judiciary fell under the sway of military rulers. Mshood Abiola, the winner of the 1993 election annulled by Babangida, was detained and eventually died while in custody. The presiding judges for his detention changed often, and critics of the government believe that justice was not served. In 1995, activist Ken Saro-Wiwa and eight other Ogonis were detained and hanged under orders from a court arranged by the military, consisting primarily of military officers.

The establishment of tribunals to hear accusations of voting fraud during the election of 2007 is an indication that Nigeria’s institutions are taking the rule of law seriously. The fact that they actually had the power to remove officials from their positions reflects the fact that the judiciary is stronger and more independent now than in the past. The courts set the bar high for proving election irregularities, and it is unlikely that Yar’Adua will ever be removed from office, but the procedures were followed, and the cases were referred to the Supreme Court.

THE MILITARY

It goes without saying that the military is a strong force behind policymaking in Nigeria. Yet by becoming so active in political affairs, the military lost its credibility as a temporary, objective organization that keeps order and brings stability. Starting in 1966 when the first coup took place, the military made distinctions between the “military in government” and the “military in barracks.” The latter fulfills traditional duties of the military, and its leaders often have been critical of military control of political power. As a result, the military has been subject to internal discord, and the military presidents often had to keep a close eye on other military leaders. Babangida protected his authority by constantly moving military personnel around and by appointing senior officers through his patronage system.

Although the military is a strongly intimidating force in the Nigerian political system that has often blocked democratic reforms, it is important to understand that it is one of the few institutions in the country that is truly national in character. When the deep ethnic cleavages within Nigerian society have threatened instabil-
ity, the military has been there to restore order. Nigeria’s best, brightest, and most ambitious have often made their way by rising through the military, a fact particularly important for the ethnic Muslims of northern Nigeria who have not had the same opportunities that many in the south have had. Because of these factors, generals had the ability to keep control of the government for many years, and it helps to explain why the democracy has been so fragile so far.