THIS HOUSE MUST NOT FALL: CONSTITUTIONAL REFORM AND THE PEOPLE’S WILL

THE HOUSE OF AFRICA IN DISREPAIR: THE QUEST FOR NEW FOUNDATIONS

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In these early decades of the twentieth-first century major trends have been discernible in Africa’s historical change. Some of these trends have been paradoxical and even contradictory. The Senegalese elections of 2012 demonstrated that the African people were increasing their influence on their governments, but at a time when the African governments have been losing their influence in world affairs. The African state has seemed to be moving deeper into the global periphery, while the African people were moving closer to the national center. North Africa in the wake of the Afro-Arab Spring has been experiencing internal democratization and external marginalization at the same time. The African state has been receding into the global shadows; the African people have been emerging into the national light. Let us look at these parallel trends of the twenty-first century more closely.

In parts of Africa absolute presidentialism is on the decline, while parliamentary influence is often reasserting itself. In many parts of Africa the executive branch is on the defensive while the legislative branch seeks to share power after thirty years of presidential monopoly. The African Union and some Black presidents tried to broker a compromise in the Libyan conflict of 2011, but Black leaders were ignored by the anti-Gaddafi forces. The African Union was humiliated by the North Atlantic Treaty Organization.

But perhaps a more fundamental paradox of the age is the simple fact that Africa is getting democratized at home at just about the time when it is getting marginalized abroad. Within African countries the people indeed are trying to
assert greater control over their governments — at exactly the time when African
governments are losing influence on world events. While African people are
getting empowered, African states are getting enfeebled. The end of the old Cold
War between the Warsaw Pact and the North Atlantic Treaty Organization reduced
Africa’s strategic value but paradoxically increased the United States’ military
presence in Africa. It remains to be seen if the rise of China and its needs will
restore Africa’s standing.

TOWARDS RE-DEMOCRATIZING AFRICA

The forces of democratization in Africa vary in their success from country
to country. But almost everywhere even African dictators know that they are on
notice and under siege. Charles Taylor, former President of Liberia, has been
convicted and sentenced at The Hague. President Bashir has been indicted by the
International Criminal Court. Robert Mugabe has been in power since 1980.

However, since 1990 some 20 countries have taken steps towards
democracy, such as legalizing the political opposition. Pluralism is respectable
again. The African one-party state is becoming an endangered species.

Pro-democracy tendencies in Africa have taken a variety of forms. Firstly,
there have been those pro-democracy movements which have resulted into
changing one-party states into pluralistic multiparty systems. Countries which have
been transformed in this way since the concluding decade of the twentieth century
include Tanzania, Côte d’Ivoire, Kenya, Zambia, Malawi and Musevini’s Uganda.
Partly related have been pro-democracy movements which have led to the overthrow of long-standing heads of state. The North African versions of the Afrabian spring ousted the Presidents of Tunisia, Egypt and Libya in 2011. Earlier sensational ousters included the electoral defeat of Kenneth Kaunda in Zambia in 1991 and the defeat of Hastings Banda in Malawi in 1994. General Olusegun Obasanjo gave up power as military ruler of Nigeria in 1979. He was later democratically elected as a civilian president in 1999.

Another impressive case was that of Flt. Lieutenant Jerry Rawlings of Ghana, who was freely elected in 1991 and re-elected in 1996 in contests which were internationally supervised. Rawlings started his political career as a brutal dictator. He later retired as a democrat.

The 1980s and 1990s also witnessed the phenomenon of the voluntary retirement of major African political leaders. There was the voluntary retirement of Leopold Sedar Senghor as President of Senegal in 1980, setting a very impressive precedent. This was followed by the more hesitant retirement of Ahmadou Ahidjo of Cameroon in 1982. President Julius K. Nyerere of Tanzania retired in installments from 1985 onwards.

As for a military ruler handing over power to a freely elected civilian administration, the best precedent was still that of General Olusegun Obasanjo when he handed over power to Alhaji Shehu Shagari in Nigeria in 1979. In 1986 General A. Siwar al-Dahab of the Sudan handed over power to the elected civilian
Prime Minister Sadiq el Mahdi. However, while Nigeria has managed to keep the soldiers out of politics in this twenty-first century, Sudan is still militarized.

Africa since the 1980s has also experienced pro-democracy wars. War is of course a dangerous method of seeking democracy, but it has sometimes been the ultimate resort. The most successful pro-democracy war was that waged by Yoweri Museveni when he created his own army to fight the government of Milton Obote in Uganda. After half a decade Museveni’s private army finally defeated the official army of the state. Museveni started the reconstruction of Uganda devastated by more than twenty years of tyranny and conflict. The country moved towards democratization. It became more peaceful and more politically transparent. Economic development was impressively revived at last.

But there are risks when opposition to tyranny takes a military form. The ensuing civil war could get out of hand. This has been the problem in Algeria since the pro-Islamic elections were aborted in 1992. This was true of Somalia’s struggle against the dictatorship of Muhammad Siad Barre, who had been in power since 1969. The dictatorship was indeed overthrown in 1991 — but what followed were anarchy, starvation, the secession of former British Somaliland, and persistent conflict. The Cold War rivalry between the superpowers had poured too many weapons into Somalia. The post-Cold War era turned those weapons against the Somali people themselves. There has been a transition from pastoralism to piracy.

The Liberian civil war also started as a military opposition to the brutal dictatorship of Sergeant Doe. While Doe himself was in the end tortured and
killed, the country was plunged into the depths of anarchy and conflict. Democratization through armed struggle may sometimes be necessary (as it was during the American war of independence) but it is an extremely risky route to take towards democracy. Charles Taylor initiated his own military excesses. He exported war crimes to Sierra Leone and aggravated a bloody scramble for diamonds.

The Sudanese People’s Liberation Army (SPLA) was also fighting a war for political freedom and religious tolerance in Sudan, but the human costs in the continuing Sudanese wars have been heavy. Southern Sudan has now seceded and become independent since 2011.

A happier story is that of Namibia, where armed struggle did finally result in ending South Africa’s racist control of the country. Namibia became an independent multiparty country in 1990.

A more distinctive experiment in democratization is that of Ethiopia since the overthrow of the military Marxist-Leninist regime of Mengistu Haile-Mariam in 1991. The old regime collapsed partly because it was abandoned by its Russian patrons. The new government attempted to construct a federation of cultures, decentralizing power substantially to regions and ethnic alliances. A thousand years of centralized government in Ethiopia was in the process of being replaced by a confederation of tribes and nationalities. Power was, in this special sense, being returned to the grassroots. This has been the Ethiopian constitutional theory. There was also the remarkable case of Eritrea attaining independence in 1992 after
thirty years of war against the central forces of Ethiopia. When independence for Eritrea finally came, it was initially with the blessing of Addis Ababa. Unfortunately, stability has continued to elude both Ethiopia and Eritrea.

Will South Africa after apartheid follow a similar path of returning power to the grassroots? Will South Africa too be forced eventually to become a federation of ethnic and racial regions after dismantling the centralized power? The post-apartheid Constitution of South Africa turned out to be the most liberal in Africa if not in the world. US Justice Ruth Bader Ginsberg recommended it to Egyptians in 2011 as more relevant for the twenty-first century than the Constitution of the United States.

Let us now turn to the special case of Nigeria, Africa’s most populous country and potentially a regional leader.

**IN SEARCH OF A NATIONAL AGENDA**

The most fundamental goals in political planning which Nigeria needs are in the following areas:

(a) How to release the developmental energies of the Nigerian people;

(b) How to balance agriculture and industry;

(c) How to reduce socio-economic inequalities especially between regions, social classes, ethnic groups and religious communities;

(d) How to sanitize the political and economic system — and reduce corruption;
(e) How to empower women in the Nigerian system;
(f) How to stabilize civilian supremacy in Nigeria’s civil-military relations;
(g) How to entrench human rights and civil liberties in actual practice and not just in the document of the Constitution;
(h) How to reconcile the cultural autonomy of states with the collective principles of the whole nation.

It was in his 1975 Tom Mboya Memorial Lecture in Kenya that Adebayo Adedeji described the idea of a national plan as one of the three symbols of post-colonial sovereignty in Africa. Almost every African country had adopted a national economic plan — alongside a national flag and a national anthem.

Two decades later national economic plans in Africa had become an endangered species, partly in response to the declining economic role of the state from the 1980s.

*Market socialism* is one solution. This seems to be the route chosen by the People’s Republic of China. One might even call the strategy “Market Marxism.” But it has dealt a death blow to central economic planning even in Communist China.

The Nigerian plutocratic elite in the first few decades of independence has been a money making elite rather than a wealth-creating elite. Individual Nigerians have become wealthy while Nigeria itself has become poorer. Great skills have been developed for making money, but not enough talent has been cultivated to create wealth. We have had urbanization in Nigeria without adequate
industrialization, Western consumption patterns without Western productive techniques. We need to find ways of motivating Nigerians towards genuine entrepreneurial, innovative and risk-taking developmental strategies.

Corruption has been part of the problem which has produced money-makers rather than wealth creators. From time to time Nigerian regimes have attempted major anti-corruption campaigns. The brief administration of Murtala Muhammad included a vigorous attempt to clean up the public service and the university bureaucracies in Nigeria — a sometimes ruthless campaign to remove deadwood and eliminate nepotism. The Buhari Administration also embarked on vigorous efforts to restore greater integrity and ethical standards — though at the expense of individual liberty and due process.

The new Nigeria of the 21st century should consider having a special and effective Ombudsman System on Corruption Control both at the federal level and in each state. Complaints about bribery, nepotism and other forms of corruption would be lodged to the Ombudsman who would be equipped with resources and staff to investigate, warn, and where necessary sue. Corruption can be a deadly cancer on both the economy and the political system, and deserves considerable investment of resources. The Ombudsman system may need the support of a Corruption Investigative Police.

There will need to be a different Ombudsman for Human Rights and Clean Governance. Complaints about violations of civil liberties or economic ethics at either the state or the federal level would initially be lodged within the
Ombudsman system. One of the purposes is to increase mediation and reduce litigation.

**NORTH-SOUTH**

**BETWEEN DIVISION OF LABOUR AND DIVISION OF CONTROL**

The Concept of a Division of Labour is familiar enough on a farm of mixed husbandry in Africa. There is sometimes a gender division of labour as women cultivate the crops while men are in charge of the cattle. Or men go to the mines or cities to work for wages, while their wives look after the family farm and the children back home.

While division of labour as a concept is so familiar, *division of control* in society may be less clearly articulated. In Malaysia political power is overwhelmingly in the hands of the ethnic Malays, which economic leverage is disproportionately in the hands of the ethnic Chinese.

What was the *de facto* deal struck between Blacks and whites in South Africa after Nelson Mandela’s release? In order to avert a racial war, the whites said to the Blacks: “You take the crown, we shall keep the jewels.”

The whites transferred political power to the Blacks but retained the bulk of economic control. The whites retained disproportionately the best businesses, the best mines, the best jobs, the best shops in the major cities. The Blacks acquired the power to govern within those constraints. The Blacks had received the political crown; the whites retained the economic jewels. Here again is a situation not of a
division of labour but of a division of control — similar to the deal between ethnic Malays and ethnic Chinese in Malaysia.

The question arises whether in a *de facto* kind of way a similar division of control had developed between the North and the South in Nigeria. Was the North to be the hub of political power, while the South was the hub of economic activity and wealth? Were Northerners originally the equivalent of ethnic Malays — numerically strong, militarily protected but entrepreneurially less developed? Were Southerners in Nigeria the equivalent of ethnic Chinese in Malaysia — more westernized, more entrepreneurial and better endowed in material resources? Was this the original *de facto* division of control between North and South? Was the North supposed to have the political crown while the South kept the bulk of the economic jewels? Was that the vision in the early decades of independence?

If this was Nigeria’s national compact of division of control in much of the second half of the twentieth century, has it broken down in the twenty-first century?

Whenever this *de facto* division of control is seriously challenged, Nigeria’s stability is at risk. The Igbo-led military coup of January 1966 challenged the division of control. Suddenly Northerners saw that they were not only economically marginal. They would now become politically marginal as well.

The root cause of the Nigerian civil war was not the anti-Igbo riots in the North late in 1966. It was the destabilization of the North-South division of control
by the Ironsi-led military coup of January 1966. Also causal was the uneven
distribution of economic skills between the Igbo and the Northern indigenes.

With the democratic election of Olusegun Obasanjo to the presidency in 1999, another challenge to the North-South division of control was posed. Will Northerners feel that their historic economic marginalization would once again be compounded by political marginalization?

Brilliant Nigerian minds have spent a lot of time exploring how to share political power in Nigeria more justly. Nigerian federalism has been studied with great sophistication. Some reformers have called for confederation in Nigeria.

But not enough time has been spent by Nigerian intellects exploring how to share economic power and economic skills more justly across ethnic and regional lines. The most dangerous economic inequalities in Nigeria are not class inequalities. They are economic inequalities between ethnic groups, religious communities, and between regions. Particularly difficult to handle is the problem of the maldistribution of economic skills.

Privatization of state industries could result in an ethnic take-over. For example, if Southern ethnic groups in Nigeria are stronger entrepreneurs than Northern ethnic groups, the privatization of the oil industry could result in a Southern private take-over of the oil industry.

The Northern sense of economic marginalization could be aggravated. The breakup of commodity Marketing Boards in Nigeria also resulted in opening up entrepreneurial opportunities. If the market forces were allowed free-play, these
opportunities would have been swallowed up dramatically by southern entrepreneurs.

Against the background that one of the causes of the Biafra war was Igbo entrepreneurship in the North, it is most important that any new ventures in economic privatization should include a minimum quota for Northern entrepreneurs.

A form of affirmative action is needed in Nigeria if we still believe in saving the Union.

**BETWEEN THEOCRACY AND DEMOCRACY**

In the politics of Nigeria religion, ethnicity and regionalism are indeed intermingled. Almost all Hausa are Muslim and overwhelmingly located in the North. Almost all Igbos are Christian who are geographically concentrated in the East. The Yoruba, on the other hand, are half Christian and half Muslim — and concentrated mainly in Western Nigeria. The national politics of the country have been bedeviled since independence in 1960 by sectarianism, (Christian vs. Muslim), and regionalism (especially North vs. South), and ethnicity (especially among the three largest groups — Hausa, Igbo and Yoruba).

The militant Islamic movement called “Boko Haram” consists mainly of young Hausa in the north of the country. The movement signifies a different kind of radicalization from that which precipitated the Shari’a movement in northern
states since the 1990s. The resurrection of the criminal law aspects of the Sharia in Nigeria was first triggered in Zamfara state in 1999.

This Shari’a movement consisted of an older generation in age, and was a response to the political decline of the northern elite, especially after the election of General Olusegun Obasanjo towards the end of the 20th century. General Obasanjo was a Yoruba Christian from the West, who was initially elected with massive Northern Muslim support. But it was soon clear that Northerners had voted against their own political pre-eminence in Nigeria.

The Shari’a movement was a cultural assertion by Northern elites at the state level to compensate for their political decline at the federal level. Although Nigeria as a country was supposed to be a secular state, one Northern state after another established Shari’a Islamic law within their state boundaries. Of the 36 states of Nigeria, about a third opted to go Islamic in law and governance. The world woke up to its implications when Amina Lawal, an unmarried pregnant woman, was sentenced to death for adultery by a Shari’a court. The sentence was never carried out mainly because of national and global outcry, not least among fellow Muslims worldwide. But Islamic law remained theoretically operational in most northern Nigerian states for the time being, but the militancy declined among the elite.

But while the Shari’a movement was ultimately an assertion of pride in Islam, Boko Haram’s ideology is adversarial towards other religions. The Shari’a movement in Nigeria was a declaration of loyalty and adherence to Islam, while
Boko Haram is substantially a declaration of hostility towards Christianity and aspects of Western civilization within Nigeria.

The Shari’a movement was basically non-violent except under the legal sanctions of the more stringent aspects of Islamic law (the hudud like the death penalty). Boko Haram, on the other hand, is more directly violent as an ideology of terror. The targets of its violence have been churches, institutions of law-enforcement, liquor stores, some officials of the Federal government, and some military and educational institutions associated with promoting Western culture. Almost all the casualties have been fellow Nigerians, but occasionally Boko Haram has attacked international organizations within Nigeria, including representatives of the United Nations.

One of the broader positive aspects of the Shari’a movement was to stimulate an awakening of Islamic studies within Nigeria as scholars and learned citizens sought to understand the theology of Islamic law better. Even Nigerian Christians sought to understand what the fuss over the Shari’a was all about.

On the other hand, among the negative aspects of Boko Haram has been the militant denunciation of Western education and disapproval of learned modernity.

Ironically, among the justifications for a Muslim uprising in Nigeria has been the relative denial of good Western education to disproportionate numbers of young Muslims. Far fewer Muslims than Christians from Nigeria are seen studying in prestigious Western universities abroad in spite of the fact that the population of Muslims in Nigeria is arguably larger than the population of Christians. Muslims
are educationally an underprivileged majority in Nigeria or are they a
disadvantaged plurality?.

Part of the reason is cultural. Hausa values on attainment of Nigeria’s
independence were still suspicious of Western education and disproportionately
attached to Qur’anic schools and basic Islamic education.

Fifty years of Nigeria’s independence have created more numerous rich
Christians than rich Muslims. Petro-wealth has resulted in a Nigerian plutocracy
with gross economic and educational inequalities not only between social classes
but also between regions, ethnic groups and religious denominations.

In the wake of these postcolonial changes are problems of communal
morale and collective self-worth in some groups. Some ethnic and religious groups
suffer from low levels of self-confidence and high levels of victim-psychology.
Such groups may feel discriminated against and denied equal opportunities.
Nigeria needs to embark on confidence-building measures to restore the morale of
the underprivileged.

Finally, there is the distinction between cultural genocide and ethnic
cleansing. The Shari’a movement was accused by its critics of cultural genocide.
The Shari’a champions were not guilty of killing their adversaries, but they were
hostile to Nigerian values which contradicted Islam. This was perceived as a
version of cultural genocide. The prohibition of alcohol was a major attack on the
values of non-Muslim Nigerians.
On the other hand, Boko Haram’s program included the ambition of expelling Nigerian Christians out of the North. If fulfilled this program would be a kind of sectarian displacement, otherwise known as ethnic cleansing.

Neither the Shari’a movement nor Boko Haram has attempted a full implementation of their exclusion programs. There is still time for religious, political and educational leaders of Nigeria to seek solutions to some of the political and sectarian grievances which have recurrently plunged the country into ethnic and religious conflicts.

There is need to restore a sense of self-worth and a widening of opportunities for disadvantaged young people in Nigeria. This would be the best antidote to political and religious extremism in the unfolding decades of Nigeria’s history.

**DEMOCRACY BETWEEN PLUTOCRACY AND MERITOCRACY**

Oil-rich Third World countries are caught between the reality of plutocracy (rule by the rich) and the aspiration towards democracy (rule by the people). The wealth of petroleum creates great disparities in income and major differences in economic power. On the other hand, the population as a whole can become restless for a greater say in how the wealth of the nation is distributed.

In addition to the choice between plutocracy (the power of wealth) and democracy (the power of votes) Nigeria was for awhile disrupted by militocracy (the power of soldiers and the military). Indeed, during much of the second half of
the twentieth century Nigeria was controlled more by soldiers than by either the
economically rich or by people’s power.

Here it is worth distinguishing between coup-prone African countries like
Sierra Leone, Ghana and Nigeria from the mid-1960s to the end of the twentieth
century, and coup-proof African states which have never experienced military
governments since independence. Coup-proof African states include Senegal,
Tanzania, Zambia, Kenya, Zimbabwe as well as the Kingdom of Morocco.

In this twenty-first century Ghana has become less coup-prone by
demonstrating how an incumbent ruling party can be outvoted and be peacefully
replaced. When such a change occurs though the ballot box more than once (as it
has in Ghana) the prospects of becoming a coup-proof country improve.

In the case of Nigeria this twenty first century seems to have made Nigeria
less and less coup-prone but unfortunately more and more conflict-prone. The
Niger-Delta has been repeatedly disrupted by conflict and terrorism. And the
tensions between Christians and Muslims have often exploded into violence —
including terrorism against such foreigners, as United Nations personnel.

In addition to plutocracy, democracy and militocracy, Nigeria has been
struggling with meritocracy (rule by the learned and the skilled). Independent
Nigeria’s first Head of State was Nnamdi Azikiwe (popularly known as Zik).
Azikiwe was not a philosopher-King, but he was arguably a philosopher President.
This was interpreted as a sign that Nigeria would develop into a meritocratic
system of government — with leadership coming disproportionately from the
educated class. Unfortunately the military coup in Lagos in January 1966 interrupted this merit-symphony. Instead a whole generation of militocracy (rule by the military) was inaugurated.

Ironically, the Nigerian civil war (1967–1970) reactivated elements of meritocracy within the separatist Eastern Region (Biafra). The Igbo had revealed technological skills in the second half of the twentieth century. Indeed, their triumphant economic skills in Northern Nigeria in the 1950s and 1960s contributed to their vulnerability as a people in 1966.

During the Nigerian Civil War innovativeness among the Igbo produced Africa’s first-locally-made gun-vehicles. During that Biafran conflict the Igbo displayed levels of innovation which were unprecedented in post colonial African history. The Igbo created rough-and-ready armed militarized vehicles as well as the beginnings of Africa’s industrial revolution. This renaissance was aborted by the oil bonanza from 1997 onwards.

During the Biafra war Nigeria was more internally innovative than externally prosperous. The Nigerian Civil War produced some of the high points of Nigeria’s experience with technological innovation. Meritocracy manifested itself. However, the Nigerian oil bonanza after the 1973 OPEC price escalation created disincentives to Nigerian enterprise.

War had brought out both the best and the worst of Nigeria in human terms. But technologically the power of spilt blood in Nigeria produced greater
innovation than the power of sprouting petroleum. The pain of Biafra was technologically more fruitful than the profit of OPEC, at least for awhile.

NIGERIA AND THE DIGITAL DIVIDE

In this twenty first century almost all economies of the world are bound to be significantly affected by the computer revolution and the commercialization of the internet. But the cultures differ in their responsiveness to the computer and the internet. Indeed, while some cultures are calculus-friendly (at ease with mathematics) other cultures are calculus-challenged (ill-at-ease with mathematics). Technical skills are often culturally-relative.

In the United States there is increasing evidence that recent immigrants from South Asia (especially India and Pakistan) have responded faster to the computer culture than most other Americans. Indeed, India is already emerging as one of the great digital powers of the twenty-first century. South Korea is also highly computerized.

On campuses in the United States there is indeed evidence that Korean-American students seem to be more calculus-friendly than Italian-American students. And Jewish-American students seem to be more at ease with the digital revolution than African-American students.

The question arises whether such differences also occur between the various cultures of Nigeria. Are some Southern cultures in Nigeria more calculus-friendly than some Northern cultures? Will this difference affect their comparative
performance in the computer revolution? Is a digital divide in Nigeria likely to aggravate the North-South divide?

Mathematical prowess differs by individuals as well as by cultures. Calculus-friendly cultures produce a larger proportion of people who are comfortable with mathematics. This does not mean that calculus-challenged cultures produce no brilliant mathematicians at all; it only means that they produce far fewer.

Nor should we forget economic factors. Sometimes what may appear like cultural reasons for the digital divide may in fact be due to economic differences and financial access. If Southern Nigeria is economically richer per capita than Northern Nigeria, then the digital divide between North and South is likely to have economic as well as cultural reasons. Indeed, at this stage of this kind of research, we cannot be sure which reasons are weightier than which economic or cultural reasons.

Nor should these issues imply that Northerners are outskilled by Southerners on all fronts. While there is indeed evidence that Southerners are more economically skilled than Northerners, most of the post-colonial period reveals that Northerners are better at the political game. Even the electoral successes of Moshood Abiola in 1993 and Olusegun Obasanjo in 1999 were due largely to the Northern support they received. Indeed, Obasanjo was initially rejected electorally by his fellow Yoruba in 1999, and supported substantially by Northerners. The only question which arises is whether Northerners were “too clever by half” when
they supported Obasanjo. Was Obasanjo a good political investment for the North? Or was he a miscalculation?

The secret of ultimate stability in Nigeria does not simply lie in increasing the political power of the South — as the Obasanjo election might have done. It also lies in increasing the economic leverage and benefits of the North. There are wide-ranging proposals about how to increase the political power of the South — from rotation of the presidency to a confederal constitution. But few minds have addressed the problem of how to increase the economic wealth per capita of the North and enhance the North’s economic leverage.

When economic privatization is more widely implemented, Northerners would have to be protected with a quota system and other safeguards. Methods of training young Northerners to become better entrepreneurs may have to be explored — ranging from special training to special loans to make their business more competitive. It is important to make Northerners more than merely inactive shareholders in the economy. Northerners should be energetic participants in wealth-creation.

Closing the digital divide between North and South may be part of closing the more general skill divide in the economy between the two regions. And closing the skill divide may be a precondition for closing the gap in wealth per capita between North and South. It is not enough to have a few highly visible Northern billionaires (the so-called “Kaduna Al-Hajis,” as their critics call them). The people of the North generally need a fairer share of the wealth of their country. In
the past Northerners benefitted from militocracy, but the future of Nigeria required greater Northern involvement in meritocracy — and wider federal democracy for all Nigerians.

Does Nigeria need a national ideology? Socio-economic ideologies try to appeal to such economic interests as class, economic equity, trade union rights and the like. Plutocracy may thrive on this. Marxism, *u*am*aa* and most other forms of socio-economic ideologies are weak in Black Africa. Ethnicity, nationalism and regional allegiance are *socio-cultural* ideologies. These are stronger systems of values.

In Nigeria — as indeed in most other parts of Africa — ethno-cultural ideologies are much stronger than ethno-economic ones. My favorite Nigerian example is Obafemi Awolowo’s effort to move Nigeria a little to the left. When he looked to see who was following him, it was not the dispossessed of all ethnic groups of Nigeria; it was his fellow Yoruba of all social classes and levels of income. People voted for the messenger — not the message.

My favorite Kenyan example is Oginga Odinga’s modest attempt to move Kenyans a little to the left. When Oginga looked to see who was following him, once again it was not the dispossessed of Kenya of all ethnic groups. It was his fellow Luo of all social classes and levels of income. Oginga’s son, Raila Odinga, has been more successful in mobilizing non-Luo—but not by ideological appeal.

Can we measure political development by the yardstick of declining scale of political violence? Let us try with Nigeria. The first two decades of Nigeria’s
independence were the age of *regicide* and primary violence. The killing of the King or Head Executive as a trend was regicide. Of the eight supreme leaders of Nigeria in the first 20 years of independence, four had been assassinated. These were the years of *regicide proneness* — plotting to kill the Head of State.

The eight supreme leaders were Azikiwe, Balewa, Ahmadu Bello, Ironsi, Gowon, Murtala, Obasanjo and Shagari. The 50 percent who were assassinated were of course *Balewa, Ahmadu Bello, Ironsi* and *Murtala Muhammad*. Regicide was at a 50% rate — a high rate indeed. Ahmadu Bello was technically a regional leader but with immense federal and national power.

The next 30 years of Nigeria’s independence (1970 to the year 2000) were to be of militarism and constitutional experimentation. These were the last years of Shagari, those of Buhari, those of Babangida and his immediate successors, and the emergence of Sani Abacha. Militocracy was still triumphant. The most promising experiment was the Babangida transition which collapsed inexplicably with the aborted election of June 1993. That transition would apparently have brought M.K.O. Abiola into power. Nigeria came quite close to democratization in 1993.

**THE NIGERIAN WOMAN:**

**BETWEEN MERITOCRACY AND PLUTOCRACY**

Nigeria probably leads Africa in economically independent women, but it does not lead Africa in politically empowered women.
Uganda has had a woman for vice-president under Yoweri Museveni (on and off) since the 1990s, but Uganda had a woman foreign minister as far back as the regime of the Idi Amin in the 1970s.

Both Liberia and Kenya have had women presidential candidates who had campaigned hard for the ultimate political office. Ellen Johnson Sirleaf in Liberia did lose to Charles Taylor and Charity Ngilu in Kenya did lose to Daniel arap Moi. But both women put a spirited fight and demonstrated substantial support. Since then Ellen Johnson Sirleaf has after all served as the first elected woman President in Africa’s history. Liberia has led the way in female empowerment.

In the 1980’s Winnie Mandela was the most famous African woman in the world. She was of course a South African. Mrs. W. Sisulu is another high ranking South African woman. Fran Ginwalla served as speaker of the post-apartheid parliament in the Republic of South Africa before the United States had a female speaker in the House (Nancy Pelosi).

Before Rwanda and Burundi collapsed in the 1990s they were experimenting with women Prime Ministers. Unfortunately Rwanda soon exploded into inter-ethnic genocide. 1994 was the fastest genocide in recorded history.

Nigeria for quite a while was at the level of having its highest-ranking woman as a minister for women’s affairs. Nigeria has since moved up to have full female Ministers and a couple of other Ministers of State. Female empowerment has since included a brilliant woman-Minister of the economy. This may be significantly below a number of other African countries. Female Nigerian talent
has included reciprocal transfer between the Nigerian Government and the World Bank in Washington, DC. Ngozi Okonjo-Iweala has served both as Director of the World Bank and Nigeria’s Finance Minister.

On the other hand, Nigerian women are among the most economically independent in the whole of Africa. They are assertive individuals, and many of them know how to play the market. In some cities a female plutocracy is in the making.

As for Nigerian women in scholarship and science, Nigerian ladies compare well. It is true that Liberia had a woman president of a university long before Nigeria had a woman Vice-Chancellor, but as a country Liberia has since been led by a woman Nobel Laureate. And now Nigeria is catching up — first with a woman Vice-Chancellor at the University of Benin and later another female chief executive at the University of Abuja. Lagos State also started early with female academic leadership. Female academic leaders have become widespread. In 2012 a Nigerian woman nearly became the President of the World Bank. This candidate was Dr. Ngozi Okonjo-Iweala, Nigeria’s Finance Minister.

How does the gender divide relate to the digital divide? And what indeed is the digital divide?

The digital divide arises out of either unequal access to the computer and the Internet or unequal skill in utilizing them. In a March 2000 lecture in Lagos, I first raised the issue of whether there is a digital divide between different ethnic groups in Nigeria. Were certain ethnic groups in Southern Nigeria more computer
literate than certain ones in the North? Were the reasons cultural or due to different degrees of *economic* access to computers?

On this occasion, I would like to relate the digital divide to *gender* rather than to *ethnicity*. Among Africans in the Diaspora there is strong evidence that African women are almost keeping pace with African men in computer literacy. At a conference at the Ohio State University at the beginning of June 2000 on “The Internet and Culture Change,” about half of the paper presenters were African women, complete with computer demonstrations and illustrations in the course of the conference, operated by the women themselves. Both in Africa and in the Diaspora, computer-literate women have since multiplied. A female meritocracy is in the making.

**TOWARDS THE FUTURE:**

**A CONCLUSION**

The most powerful trends in Africa from the late twentieth century include a domestic tendency towards democratization and an external tendency towards marginality. The African state has, at the global level, receded deeper into the shadows of the periphery. On the other hand, the African people have, at the national level, emerged more openly into the center. While the African state has become globally enfeebled, the African people are getting nationally more empowered. The big question globally is whether the rise of China as a
superpower will compensate for the marginalizing consequences of the end of the Cold War.

However, we have noted that the real picture is not as neat and tidy as all that. Nigeria, one of Africa’s leaders, is still struggling to find the right balance between sovereignty and human rights. South Africa, another African leader, is still struggling to add victory over economic apartheid to the triumph over political apartheid.

Africa’s marginalization is not in any case irreversible. The struggle continues to find the right equilibrium between popular empowerment at home and adequate African involvement in world affairs. As the twenty-first century unfolds the Africans have made some progress towards expanding political participation within Africa itself. The struggle continues towards enhancing African participation at the global level.

It would make sense for Africa to distinguish between fundamental rights and instrumental rights. The right to vote, for example, is an instrumental right designed to help us achieve the fundamental right of government by consent. The right to a free press is an instrumental right designed to help us achieve the open society and freedom of information.

By the same token we can distinguish between democracy as means and democracy as goals. The most fundamental of the goals of democracy are probably four in number. Firstly, to make the rulers accountable and answerable for their actions and policies. Secondly to make the citizens effective participants in
choosing those rulers and in regulating their actions. Thirdly, to make the society as open and the economy as transparent as possible; and fourthly to make the social order fundamentally just and equitable to the greatest number possible.

Accountable rulers, actively participating citizens, open society and social justice — those are the four fundamental ends of democracy.

How to achieve these goals has elicited different means. In making the rulers more accountable some democracies (like the United States) have chosen separation of powers and checks and balances, while other democracies (like the United Kingdom) have chosen the more concentrated notion of sovereignty of parliament. These are different means towards making the executive branch more accountable and answerable in its use of power.

In an open society, freedom of the Press and of speech, there is also a difference in how the United States and Great Britain regulate it. Under the first Amendment of its Constitution, the United States has a highly permissive legal system on freedom of speech, but more restrictive public opinion.

The United Kingdom has a more restrictive legal system on freedom of the Press, but a more tolerant public opinion. The British political system overprotects its “official secrets.”

When in my television series The Africans: A Triple Heritage, I accused Kaiser Aluminum of having exploited Ghana, the multinational corporation threatened legal action, unless that accusation was deleted from the TV series.
We consulted the lawyers of my television producers and my own lawyers in the United States as to whether Kaiser Aluminum could stop me from accusing them of the exploitation of Ghana. All the American lawyers were unanimous. Kaiser Aluminum did not stand a chance under US law. We therefore went ahead and showed the TV series in the United States without deleting my accusation. Kaiser decided discretion was the better part of valour. They did not take legal action. In London, however, the BBC capitulated and censored the program. In the United States the law was on the side of the open society. In Nigeria, on the other hand, the law of libel can be used to stop the flow of information, rather than to facilitate it. Libel law in Nigeria can be an ally of censorship, rather a partner of the open society.

Does the future Constitution of Nigeria need a truly enforcible Freedom of Information Clause? Or are there alternative democratic means of promoting the democratic goal of the open society?

If the goals of democracy are the same, while the means for achieving them differ, are there African means of achieving those same four goals of accountability of rulers, participation of the citizens, openness of the society and greater social justice?

That is the challenge facing constitution makers in Africa — how to keep the democratic goals constant while looking for democratic means more appropriate to Africa.
The ethnic proneness of African politics affects not only who is elected, but how jobs are allocated and affects the triumph of ethnic nepotism as one branch of corruption. Power-plays, capital-transfers, loyalties and solidarities, jobs and opportunities, scholarships and bursaries, loans and gifts, are all influenced in one degree or another by the pervasive power of ethnicity in Africa.⁵

In Nigeria whoever becomes President can help his home district or province or state enormously in development and enhancement of the infrastructure. Western Nigeria and the Yoruba had extra support during the Obasanjo presidency.

Strangely enough Northern Uganda gained very little during the years of Milton Obote and Idi Amin although they belonged to Northern “tribes.” Similarly Northern Nigeria benefited less than it should have done during the long years of Northern military dominance.

There is therefore, one thing worse than a President who favours his own district or state — and that is a President who totally neglects his district or state and just favours his own pocket.

One ethnic check which has been suggested in countries like Nigeria (and indeed Kenya) is a regionally-rotating presidency. Nigeria had Heads of States coming repeatedly form the North and usually Muslim. One solution was a constitutional provision for regional or zonal rotation of the Presidency. Moshood Abiola would have been an ideal rotation without a constitutional provision — he could have been another Muslim President, but this one from Southern Nigeria.
Later, Nigeria had Olusegun Obasanjo, a Non-Muslim Southerner, followed by Yar Adua (a Muslim) and Goodluck Jonathan (a Christian). A rotation has occurred without a constitutional provision. Tanzania has rotated Julius Nyerere (Christian), Ali Hassan Mwinyi (Christian) Benjamin Mkapa (Christian), and now Jakaya Kikwete (Muslim).

Another ethnic check which both Nigeria and Kenya have tried out is to require that a president is not electible unless he or she has a minimum of multi-provincial or multi-state support. It is not enough that a head of state has a majority of the people on his or her side. That majority must also be well-distributed nationally. Perhaps the President should demonstrate support in at least a quarter of the provinces and states. Nigerians and Kenyans are already familiar with this kind of safeguard against an ethnic-specific Head of State.

There is one idea which has not been pursued in Africa. Can we have a multi-party parliament combined with a no-party Executive President? Can we have a Constitution in which candidates for President belong to no political party and are required to be non-partisan as executive Heads of State — while Parliament operates on the basis of a multi-party competition?

This would enable the Head of State to be truly above the inter-party squabbles and attain a higher level of political objectivity. The disadvantage of this system is that only the exceptionally rich candidates would be able to run for office without the support of a political party.
We mentioned earlier that the democratic goal of making the government more accountable has, in Britain, involved the democratic means of sovereignty of Parliament — while in the United States the democratic means are of checks and balances.

Can Africa find new democratic means which combine a new concept of sovereignty of parliament and an even newer concept of checks and balances?

In most of sub-Saharan Africa the challenge lies in finding ethnic checks and balances which are appropriate and effective, and combining them with gender checks and balances.

On attainment of independence Nigeria’s federalism tried to balance the three largest groups. But this was inadequate as an experiment in ethnic checks and balances. In reality all sub-Saharan African countries should have started experimenting with constitutions partially based on realistic ethnic checks and balances.

Instead, most African countries behaved as if they were ready-made nation-states in full bloom as unitary states. Federalism was almost a dirty word virtually everywhere outside Nigeria. Nor did federalism work in Nigeria, since the country was previously under military rule two-thirds of the time.7

Creating a system of ethnic checks and balances has often been confused with the quest for the detribalization or dis-ethnicization of politics. The system of ethnic checks and balances accepts the legitimacy of the ethnic factor in politics. It only tries to channel it into areas of constructive accommodation and fairness.
On the other hand, the quest for dis-ethnicization of politics often treats ethnicity and tribality as political pathologies. Many African policy-makers have been in a state of denial about the reality of political ethnicity. Some value their own ethnic group, but distrust all others.

*In reality all ethnic groups constitute a rich cultural legacy. Just as Africa needs to learn how to manage economic wealth, it needs to learn the management of its cultural wealth at least as much.*

While the case for ethnic checks and balances is ultimately to avert the destructiveness of ethnic conflict, the case for gender checks and balances is ultimately to promote greater androgynous creativity and development. Happy ethnic relations are necessary because the alternative is the danger of devastation. Better gender relations are necessary because the alternative is waste of talent as well as injustice.

The ultimate developmental case for ethnic checks and balances is to avert destruction. The ultimate developmental case for gender checks and balances is to promote innovation and creativity. Of course, gender equity is also an issue of human rights in the moral sphere.\(^8\)

In parliamentary constitutional reform, there should be gender reservation of seats in three stages. Between now and the year 2030 (70th anniversary of Nigeria’s sovereignty) a third of the legislature should be parliamentary seats for women, occupied by women and voted by a female electorate — without prejudice
to female participation and election on the common electoral roll. The other two-thirds of seats should be open for competition to both men and women.

After 2030 a review should take place to see whether or not it is time to change the electorate for those one-third female seats. The seats would still be reserved for women, but should the voters for those women now be both men and women? Should the female candidates learn to address male concerns as well as female ones? The remaining two-thirds of the legislature would still be on a common electoral roll.

The reserved seats for women would remain part of Parliament until such time as the number of women elected on the regular common electoral roll is no less than a third of the total parliamentary membership repeatedly.

In every government in Nigeria from the year 2030, regardless of political party, no less than a minimum of ten ministries would be headed by women. This would require that political parties field many more women candidates for Parliament than they have done so far.

Local loyalties are perfectly compatible with national patriotism, provided the whole system is inclusive and accommodates difference without marginalizing smaller groups. As a wise voice from Kisii has reminded fellow Kenyans:

It is important to accept at this stage that the aspect of ethnicity is so entrenched in the country’s politics that it is impossible to put the country together without a system of inclusive government. The first
step towards this is to find a way of dealing with ethnicity from a positive perspective, and rehabilitate the national consciousness as a process of restructuring the country’s political economy.\textsuperscript{9}

But in Africa no ethnic checks and balances can endure unless women are also involved in a serious way. That is why we also need gender checks and balances. British colonialists may never forget Nana Yaa Asantewa, the warrior Queen Mother of Ashanti who challenged British forces. Nor will Yoweri Museveni forget Alice Lakwena, the woman who led the Acholi to battle against Musevini. We do need to know more about the role of women in traditional political systems, and see what we can learn from these ancestral cultures about gender and governance.

But we know enough already about men and women to insist that the next Nigerian constitution or Bill of Rights should more systematically defend, protect and promote the participation of women in the political destiny of Nigeria. We must go to the extent of reserving seats for women until such a time as the Nigerian legislature is least one-third female through normal competitive politics. The Great Gold Coast philosopher Aggrey once said:

“You can play a tune of a sort on the black keys of a piano,
And you can play another tune of a sort on the white keys.
But for real harmony you need both the black and the white keys.”
So far we have been able to play a tune of a sort with the masculine keys on the piano of Nigerian politics.

If women were in charge, we would be playing feminine keys on the piano of national politics. A softer note. But for genuine historical harmony and great political symphony, let us make sure that both the feminine and the masculine keys are playing music together on Nigeria’s grand political piano. A new musical composition is under way.
NOTES


9. Simoen Nyachae EGH. M.P. “An Inclusive and Accommodative way Forward: The Case for a Government of National Unity in Kenya,” paper published in Nairobi, May 2001 (e-mail: sansora@swiftkeny.com)