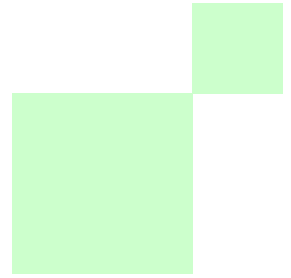




Nigeria

**Country Report based on Research and Dialogue with
Political Parties**



About this report:

Political parties are indispensable for making democracy work and deliver. Finding the proper conditions for better internal functioning and effective legal regulation of political parties is of key importance anywhere.

This report is a result of world-wide research and dialogue with political parties. Together with national and regional research partners, International IDEA is improving insight and comparative knowledge. The purpose is to provide for constructive public debate and reform actions helping political parties to develop.

For more about the Political Parties' programme, please visit www.idea.int/parties

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Research period: **November 2004 to May 2005. Questionnaires were administered in April and May 2005.**

Political parties researched:

Alliance for Democracy;

All Nigeria Peoples Party;

All Progressives Grand Alliance; and

Peoples Democratic Party.

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Methodology

Nigeria currently has 33 registered political parties. Some 24 of them were registered just before the 2003 elections, while three were registered in February 2006 after the completion of the research. Most of them are very small and have little impact on the political process. The four parties chosen for this report were selected because they won the largest number of parliamentary seats in the 2003 elections. The desk study phase on the country context and external regulation of political parties drew on an analysis of the country's constitution and laws, as well as published sources. Unpublished materials—such as party documents, newspaper reports and mimeographs—were also consulted.

Interviews were held with paid, full-time party officials at the party secretariats. The interview process on the internal functioning of the political parties was difficult and time-consuming, since all four parties underwent periods of internal crisis during the research period. Indeed, some of the party offices were closed and under police protection, or were occupied by one faction of the party. The situation improved by April 2005, however, and it was then possible to administer the questionnaires with the help of party staff at their secretariats.

Background

Nigeria is a federation of 36 states and the Federal Capital Territory of Abuja. It has a presidential system of government with an executive President, a judiciary and a bicameral National Assembly (Senate and House of Representatives) whose members are elected. Political crisis during the First Republic led to intervention by the armed forces and a civil war between 1967 and 1970. It also led to 30 years of military rule, except for the four-year period between 1979 and 1983. In 1999, the military government organized general elections and President Olusegun Obasanjo thereafter took office.

The last general elections were in April 2003. The next are scheduled for 2007, because those elected at the state and federal levels have a four-year tenure, with a maximum of two terms for the executive. The human rights situation has improved relative to the period of military rule, but there are still several human rights violations. The population lives in profound poverty, largely due to mismanagement of the economy and widespread corruption. In Transparency International's last report, Nigeria was ranked sixth from last on the organization's Corruption Perception Index (CPI).

The ruling party is the People's Democratic Party (PDP), whose winner-takes-all outlook, coupled to the authoritarian tendencies of incumbent President Olusegun Obasanjo, pose a threat to the country's democracy. Stability is also threatened by communal clashes, as well as violent insurgencies in many parts of the country.

Nigeria's first general elections were held in 1960 when the British colonial authorities were preparing to hand over power to a local political leadership under the parliamentary system of government. The dominant political parties then were the Northern Peoples' Congress (NPC), the National Council of Nigerian Citizens (NCNC) and the Action Group (AG); there were also other opposition parties.

The second general elections in 1964 were marked by boycotts in many areas. This led to the end of the First Republic in January 1966 and a military takeover of power. The armed forces ceded power to civilians in 1979 under the leadership of President Alhaji Shehu Shagari of the National Party of Nigeria (NPN). Widespread electoral irregularities and other malpractices, however, were decried by opposition parties such as the Unity Party of Nigeria (UPN), the Nigerian Peoples Party, the Great Nigerian Peoples Party (GNPP), the People's Redemption Party (PRP) and later the Nigeria Advanced Party (NAP), as well as by civil society following the 1983 elections. This led to another military takeover in December 1983.

The military regime of General Ibrahim Babangida organized elections in 1992. The elections were inconclusive, however, because the result of the presidential election was annulled just before the vote-counting was completed. A new election was held by General Sani Abacha in 1997, but these too were inconclusive. General Abdulsami Abubakar, who succeeded Sani Abacha, organized the elections that brought the present incumbent, President Obasanjo, into power. President Obasanjo presided over the last general elections in April 2003. Both elections have been generally acknowledged by the opposition parties, civil society, and local and international observers as beset by large-scale irregularities.

In the First Republic, individuals and/or associations were free to come together to form political parties without restrictions, and many political parties were then active. By 1979, during the second republic, the departing military regime changed this convention by insisting that only political parties registered by the state's election management body could contest elections. The argument was that political parties under the First Republic were ethnic pressure groups whose activities divided the country. It was therefore decided that parties must not henceforth be formed on the basis of ethnic support. The regime also decried the use of religion in politics and decided to set guidelines for the formation and registration of political parties, with a view to promoting national unity. The guidelines included registering the names of officials, open membership, non-sectarian names and logos, situating the party headquarters in the federal capital and establishing party branches in at least two thirds of Nigeria's states. Consequently, at the end of the exercise, only five of 59 associations that submitted applications for registration were actually registered; the NPN, the Nigerian Peoples Party (NPP), the GNPP, the UPN and the PRP. Four years later, the NAP was added.

During the military government of General Ibrahim Babangida (1985-1993), an eight-year transition programme began. General Babangida went further than the earlier regime in the regulation of political parties, decreeing that only two political parties—the Social Democratic Party (SDP) and the National Republican Party (NRC)—would be registered. He instructed politicians to choose one of these parties as the platform for the attainment of their political ambitions. His government also wrote the parties' constitutions, funded them and built offices for them throughout the country.

General Sani Abacha, who succeeded Babangida, registered five political parties. Remarkably, he induced all five parties to adopt him as their sole presidential candidate, but he died shortly thereafter. He was succeeded by General Abdulsalami, who registered three political parties and organized general elections that led to the election of General Obasanjo in 1999.

On the Freedom House World Country Ratings, Nigeria is classified as partly free in terms of political rights and civil liberties. This rating has been unchanged for the past five years.

Regulatory framework

Sections 221-229 of the 1999 constitution make elaborate provision for the registration, functioning, conduct and finances of political parties. These stipulations are mainly patterned on the provisions of the 1979 constitution, which set difficult conditions for the registration of political parties. As a result, only three parties were registered to contest the 1999 elections. This was partly because the Independent National Electoral Commission (INEC), the country's election management body, imposed conditions for registration that were more stringent than the provisions of the constitution. That decision was challenged judicially by those parties that were seeking to register in 2003 but whose registration was being denied by INEC. The case went to the Supreme Court and INEC was overruled. The Electoral Act was later amended and the procedure for registering parties was liberalized somewhat.

Nonetheless, Nigeria retains a very illiberal regulatory regime for the registration and functioning of political parties. Section 222 of the constitution restricts the definition of a political party to organizations registered by INEC under the stringent conditions stipulated by Sections 221-229. Section 229 defines a political party as 'any association whose activities include canvassing for votes in support of a candidate for election to the office of President, Vice-President, Governor, Deputy Governor or membership of a legislative house or of a local government council'. This is a very narrow definition that reduces the essence of political parties to canvassing for votes.

Section 222 of the constitution specifies the conditions under which an association can function as a political party. It states that no association by whatever name called shall function as a political party unless:

- the names and addresses of its national officers are registered with INEC;
- the membership of the association is open to all citizens of Nigeria irrespective of their place of origin, circumstance of birth, sex, religion or ethnic grouping;
- a copy of its constitution is registered in the main office of INEC in such form as may be prescribed by INEC;
- any alteration in its registered constitution is also registered in the main office of INEC within 30 days of the alteration being made;

- the name of the association, its symbol or logo does not contain any ethnic or religious connotation or give the appearance that the activities of the association are confined to only a part of the national territory;
- the headquarters of the association is situated in Abuja; and
- the names and addresses of its national officers are registered with INEC.

The effect of these conditions is that parties that emerge must be very big, very rich and have the capacity to bring together money-wielding forces from different parts of the country. In effect, the major factor in party formation is not the aggregation of people with similar ideologies or interests but the establishment of ethnic coalitions led by regional barons with strong financial backing.

Internal functioning and structure

Election of leadership

The most important aspect of the parties' internal functioning is that the regulatory framework outlined above tends to give rise to a situation in which political 'godfathers' play a major role in internal party politics. Parties have formal procedures for the election of their leaders but these procedures are often disregarded; when they are adhered to, the godfathers have means of determining the outcomes.

INEC and the Independent State Electoral Commissions have powers under the Electoral Act 2002 to be present as observers at the parties' conventions, congresses, conferences or meetings. Section 75 of the Electoral Act provides that:

- Every registered party shall give the Commission at least 21 days notice of any convention, congress, conference or meeting convened for the purpose of electing members of its executive committees, other governing bodies or nominating candidates for any of the elective offices specified under the Act.
- The Commission may, with or without prior notice to the party, monitor and attend any convention, congress, conference or meeting convened by a party for the purpose of (i) electing members of its executive committees or other governing bodies; (ii) nominating candidates for an election at any level; or (iii) approving a merger with another registered party.

At the party congresses, leaders are elected and candidates are nominated for elective positions. The elections, however, are usually pre-determined and party bosses tend to have the final say in the selection of leaders. This process leads to the continual internal party crisis that the country has experienced. Party bosses or godfathers are unwilling to allow internal party democracy, a circumstance that leads to frequent conflicts and constrains the development of parties as popular organizations. Indeed, over the years these party bosses have developed comprehensive techniques for eliminating popular aspirants from party posts and for preventing them from being nominated for elective positions.

Techniques for the elimination of popular aspirants

Nigerian parties have a wide range of techniques to eliminate people from party primaries, including:

- A declaration by powerful 'party owners', party barons, state governors, godfathers and so on that those entitled to vote must support one candidate and other aspirants must withdraw. Since these people are very powerful and feared in their communities, their declarations carry much weight.
- Zoning and other forms of administrative fiat are used to exclude unwanted aspirants simply by taking the party zone out of the seat or position in question to an area where the aspirant being excluded is not indigenous.
- Aspirants who oppose the godfathers' candidates are often subject to violence by thugs or security personnel.
- Money, a significant factor in party primaries, is used to bribe officials and to induce voters to support particular candidates. Since the godfather generally has more money than the 'independent' aspirants

trying to gain access, many are eliminated because they simply cannot match their opponents' spending.

- One disturbing technique is what Nigerians call 'results by declaration', whereby an aspirant wins a nomination or election, but polling officials simply disregard the results and declare the loser as the winner.

Policy development

Given this history, policy development tends to be disarticulated from policy implementation. While formal party structures such as the National Conventions and the National Executive Council have responsibility for policy formulation, the policies that get implemented in practice tend to reflect the desires of godfathers rather than formal party organs. Given this context, Nigerian party life is characterised by a very low level of debate on policy options. There is urgent need for Nigerian parties to prioritise the issue of policy development. Unfortunately, the arsenal of sophisticated techniques for the elimination of candidates from democratic party arenas means that democratizing the parties' internal processes poses a huge challenge for party reform.

Membership

All the parties indicated that their members are active only during elections. In non-election periods there are very few activities that concern the membership, and thus the opportunity to consult members on policy issues hardly arises. Party membership is male-dominated and very few women manage to become active in party affairs.

Funding

Parties are partly funded by the state. The regulatory framework requires that parties prepare regular audited financial reports. Most party funds, however, come through party financiers and the details of these sums rarely enter the formal process of party accounts. Indeed, the role of money in contemporary Nigerian politics is so overwhelming that it tends to supersede other considerations. Precisely for this reason, the country's political parties provide only very limited opportunities for marginalized individuals—youths, the poor and women..

Marginalization of women in politics

Women are marginalized from political power. According to the Declaration of the Summit of All Women Politicians in Nigeria, held in Abuja on 28 June 2002, the 'women of Nigeria have noticed with utter dismay the almost complete deterioration of our political and social values, born out of more than three decades of continued male-dominated and -oriented misrule. The obvious conclusion is that enough is enough; the time for positive change has arrived ... The systematic entrenchment of practices aimed at the continued marginalization of women in the political process must stop.'¹

The marginalization of women in Nigeria's patriarchal political system is not new. It dates back to the colonial era, and women were not allowed to vote in Northern Nigeria until 1976. This marginalization has continued into the Fourth Republic. Of the 11,881 electable positions available during the 1999 elections, only 631 women were in contention. Only 181 of them won (a mere 1.62 per cent of the total positions).

Table 1. Number of Women Elected in the 1999 and 2003 Elections

Office	No. available	No. in 1999	No. in 2003	% (2003)
President	1	0	0	0
Vice-President	1	0	0	0
Senate	109	3	3	2.80
House of Representatives	360	12	21	5.80
Governors	36	0	0	0
Deputy Governors	36	1	2	5.60
State House of Assembly-Speakers	36	1	2	5.60
State House of Assembly	990	12	23	
Cabinet Ministers	34	4 (of 49)	6	17.65

Source: Habiba M. Lawal Overview of Political Participation of Women in Nigeria: Challenges, Triumphs, and the Way Forward. Paper for IRI, 30 March 2004, p. 12.

Conscious of the need for change, many gender activists and civil society organizations in Nigeria have organized programs of advocacy, training and research on affirmative action for women leaders in political parties. They have succeeded in encouraging a significant number of women to compete for political office in an effort to ensure that women, in line with Nigeria's National Policy on Women, occupy at least 30 per cent of all appointed and elected posts.

Following the political party primaries for candidates in the 2003 elections, it became evident that the elimination of women through a well-orchestrated process of manipulating the outcome of most primaries was virtually party policy across the board. Most of the women that sought to compete in the primaries were eliminated, although the parties had previously promised that many female aspirants would be encouraged and supported in their search for nominations. Indeed, the primaries were a charade because most popular candidates—female and male—were eliminated by party barons and replaced by other candidates who enjoyed the support of state and party executives. Studies of 15 female political aspirants reveal the following means of marginalizing women.²

Labelling as a strategy of exclusion: subverting affirmative action

In general, party officials refused to take the candidacies of female aspirants seriously. Ironically, one of their main reasons was the affirmative action policy adopted by some parties, which waived nomination fees for female aspirants. In most constituencies, party executives set out to portray women as having insufficient commitment to the party. Local party barons repeatedly argued that by convincing the national executives to waive nomination fees, women had demonstrated a lack of commitment to party development. It was said that male candidates are more committed because they made their financial contributions willingly.

Labelling women aspirants as cultural deviants

A second labelling strategy to exclude women concerns 'cultural deviancy'. The argument is that Nigerian culture does not accept assertive, or public, or leadership roles for women. Concerted campaigns portraying female aspirants as acting in contravention of their culture were designed to marginalize them. Many party officials made overt or covert statements that some female aspirants are too assertive and independent, and therefore cannot be team players.

The politics of invective: undermining the moral standing of female aspirants

Closely associated with negative labelling is the use of invective—that is, abusive language to demoralize and delegitimize female aspirants. Many of them were subject to smear campaigns centred on their alleged loose moral standing, and some were insulted directly.

The indigeneity ploy

The 1979 constitution introduced the concept of ‘indigeneity’ into Nigerian public law to guarantee a fair regional distribution of power. Over the years, the principle has been subverted to discriminate against Nigerian citizens who are not indigenous to the places where they live and work. Women married to men who are non-indigenes of their local governments suffer discrimination. In their own constituencies, they are told that by marrying out, they have lost their indigeneity. In their husband’s constituency, they are told they do not really belong because indigeneity is based on the consanguinity principle.

Challenges and opportunities

Nigerian political parties were conceived to be cohesive, national bourgeois parties. Nonetheless, the aim or political project of most Nigerian parties has been the development of a national system for sharing out the ‘national cake’ as a system of patronage. This is why the parties are established as coalitions of various factions of regional and economic rent-seekers. Most party leaders see their political party activity as a means to further their business interests.

In his analysis of the American political system, Max Weber showed that the emergence of the party machine led to the development of a spoils system, whereby politics became a business in which entrepreneurs invest so as to obtain material profit by distributing patronage, while clients also vote for state resources. In a sense, Nigerian political parties are the highest form of development of this process.

Nigerian political parties face two challenges. First, an extremely high level of corruption has made politics a competitive business. Second, the regulatory framework for the establishment of parties should be changed so that new parties do not have to forge coalitions of the wealthy as a basis for their registration.

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Founded in 1995, the International Institute for Democracy and Electoral Assistance (IDEA) is an intergovernmental organization that seeks to promote and develop sustainable democracy world-wide. For information about IDEA, its work and publications, please visit www.idea.int

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The Centre for Democracy and Development is a non-governmental organisation which aims to promote the values of democracy, peace & human rights in Africa and especially in the West African sub-region.

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¹ Declaration at the National Summit for All Women Politicians held in Abuja on 28 June 2002 by Global Rights, in collaboration with Centre for Population and Development Activities (CEDPA) and Gender and Development Action (GADA).

² For details, see Ibrahim and Salihu (2004).