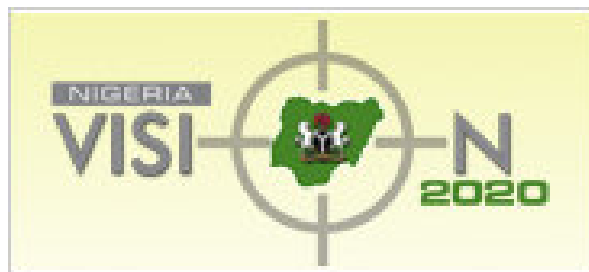
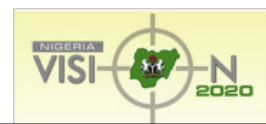




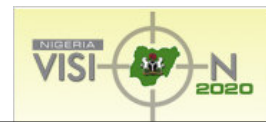
Report of the Vision 2020  
National Technical Working Group  
On  
**Political System**



July, 2009



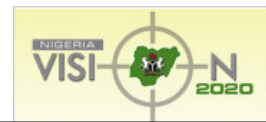
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## GLOSSARY OF TERMS

S/N	ABBREVIATION/ ACCRONYM	DEFINITION
1.	APRM	African Peer Review Mechanism
2.	AU	African Union
3.	BPP	Bureau of Public Procurement
4.	CAC	Corporate Affairs Commission
5.	CAN	Christian Association of Nigeria
6.	CBO	Community Based Organization
7.	CBN	Central Bank of Nigeria
8.	CSO	Civil Society Organization
9.	DSS	Directorate of State Security
10.	ECOWAS	Economic Community of West African States
11.	EFCC	Economic and Financial Crimes Commission
12.	EU	European Union
13.	FCT	Federal Capital Territory
14.	FOI	Freedom of Information
15.	HIV	Human Immune Deficiency Virus
16.	ICPC	Independent Corrupt Practices Commission
17.	ICT	Information and Communication Technology
18.	IMF	International Monetary Fund
19.	INEC	Independent National Electoral Commission
20.	LADB	Local Area Development Board
21.	LFN	Laws of the Federation of Nigeria
22.	LG	Local Government
23.	LGA	Local Government Area
24.	LGC	Local Government Council
25.	MDA	Ministries, Departments and Agencies



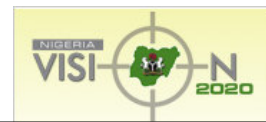
26.	MDG	Millennium Development Goal
27.	MEND	Movement for the Emancipation of the Niger Delta
28.	NBA	Nigerian Bar Association
29.	NDLEA	National Drug Law Enforcement Agency
30.	NEMA	National Emergency Management Authority
31.	NEPA	National Electric Power Authority
32.	NGO	Non-governmental Organization
33.	NIA	National Intelligence Agency
34.	NJC	National Judicial Council
35.	NNPC	Nigerian National Petroleum Corporation
36.	NPA	Nigerian Ports Authority
37.	NPF	Nigeria Police Force
38.	NRC	Nigeria Railway Corporation
39.	NUC	National Universities Commission
40.	NUJ	Nigerian Union of Journalists
41.	NV 20:2020	Nigeria's Vision 20:2020
42.	NTWG	National Technical Working Group
43.	OPL	Oil Prospecting License
44.	PAC	Public Accounts Committee
45.	PHCN	Power Holding Corporation of Nigeria
46.	PDP	Peoples Democratic Party
47.	PP	Private Practice
48.	SA	Special Assistant
49.	SCIA	Supreme Council for Islamic Affairs
50.	SIEC	State Independent Electoral Commission
51.	SSA	Senior Special Assistant
52.	SME	Small and Medium Enterprises
53.	SSS	State Security Services
54.	TWG	Technical Working Group



## Nigeria Vision 2020 Program

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55.	UN	United Nations
56.	USA	United States of America
57.	USSR	Union of Soviet Socialist Republic
58.	VIP	Very Important Person



## List of Abbreviations

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TWG	Technical Working Group
UN	United Nations
USA	United States of America
USSR	Union of Soviet Socialist Republic
VIP	Very Important Person



## Acknowledgements

There are many individuals and institutions to thank for our successful and eventual completion of our task as a result of our call up to help, together with other fellow compatriots, fashion out a workable national blueprint for the growth and sustainable development of our dear country in the next decade and maybe beyond.

This report would not have been possible without the spirit of team work exhibited by all the members of the Political System Thematic Working Group. Though there were sometimes heated arguments and considerable disagreements during our brainstorming exercises throughout our plenary sessions, yet there is a certain community of experience and outlook behind the making of this report. Because all of us regard ourselves as democrats, critical, of the evils of the present operating system, hostile to all forms of dictatorship, committed to a new democratic social order for our country, based on the principles of mutual understanding, tolerance, fairness, equity, justice and the rule of law, it was not too difficult to reach consensus on almost all the vexing issues troubling our country. Luckily too, we had as members such magnificent elder statesman like Alhaji Tanko Yakasai, Chief Segun Osoba and Ibrahim Tahir whose wisdom and experiences both inside and outside government before now helped us to enrich our knowledge of certain issues that in the past had tended to rattle our peaceful co-existence as a people and nation. Their honesty and patriotic contributions assisted the young turks amongst us to come to a better understanding of complex national issues and challenges of a democratic conflict governance in a development process of a multi-ethnic, multi-religious country like ours. We salute them and more especially, Chief Segun Osoba who was selected as chairman for the group from the first day we were inaugurated. He conducted all our meetings with wisdom and maturity. He was just wonderful and we all give kudos to him.

I must single out here for special recommendation, Professor F.O. Nyemuta Roberts to whom we owe so much of our success. Prof. Roberts was elected the Secretary of The Group unanimously after our inauguration at our first meeting. Of course, he did not disappoint. Recognizing the mood of all members that if we, Nigerians, can solve Nigeria's political problems quickly and get our acts together at all levels and sectors of our politics then, the master key for realizing Vision 20: 2020 would have been found. Prof. Roberts set out doggedly, patiently and selflessly to tackle his task clinically even under most difficult circumstances. To Prof. Roberts, I give a big hand on behalf of all members of the Political System Thematic Group.

As we go home after our assignment here in Abuja, I extend my sincere and warmest gratitude, on behalf of all our members to the Honourable Minister / Deputy Chairman National Planning Commission, Dr. Shamsuddeen Usman. He has fulfilled our every expectation in his role as leader and chief driver of the powerful engine taking us in the direction of a more meaningful new beginning to transform our country.

I thank also the lieutenants in the persons of Mr. Arikawe, Mallam Sani Zorro and Dr. Musa Rabi, who were always there to lend a helping hand whenever it was needed. I am immensely grateful.

I salute the rank and file members of the Administration and Finance Departments of the National Planning Commission. You sacrificed time and energy in the pursuit of the noble cause of the search for a new Nigeria creditably. To Mrs. Gloria Inyangabasi, who served the Political System





Thematic Group as Administrative Secretary, I say a big thank you. Your organized strength remains a pride to us all.

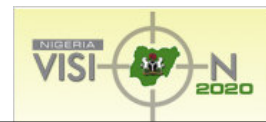
I also salute the Director General of the Nigerian Institute of Social and Economic Research (NISER) Ibadan, and his able fellow researchers / colleagues over there for their solidarity. Ideas, we know rule the world; and from the fountain of knowledge, such ideas nurture in patriotic men and women spring powerful living nations. I thank them for the publications, they sent to us through one of them, Prof. F.O.N. Roberts. I pledge our love for their devotion to scholarships and painstaking efforts in our continuous search for a better Nigeria.

I appreciate the opportunity the Managing Director of Northern Nigeria Development Company, Kaduna provided members of our Rapporteur Group at the company's guest house in Kaduna when out of sessions, the group needed a cool atmosphere to continue its work on updating the report. Mr. Managing Director, I thank you immensely for that brotherly love which you have extended to members of our group.

I extend my greetings to the Director General of the State Security Service (SSS). Abuja and his hardworking rank and file officers for the conducive atmosphere they provided us to make our work succeed without hitches. The memory of the sumptuous meals your organization provided for us during our sessions will be cherished for a long time to come.

Now it is very necessary that I should thank the entire staff of Accenture, Mrs. Omobola Johnson and more especially Miss Adekemi Gbolade whose responsibility it was to liaise between the group and Accenture throughout the duration of our sessions. You no doubt have energized our efforts. I salute you all.

**Dr. Okey Emodi**  
**Coordinator Political System Thematic Group**  
**Nigeria Vision 20: 2020**



### List of Members in Attendance

S/No.	Name	Designation
1.	Chief Olusegun Osoba, CON	Chairman
2.	Sen. Joseph Kennedy Waku	Dep. Chairman
3.	Abba Abdulkadir Kaka	Member
4.	Hon. Mohammed Wakil	Member
5.	Hon. Kolo Bukar	Member
6.	Aminu Tijjani	Member
7.	Ahmed Abdulganiyu	Member
8.	Yantandu Ibrahim Ali	Member
9.	Alhaji SA Tanko Yakasai, OFR	Member/ Father of the Group
10.	Prof. FO Nyemutu Roberts	Member/ Secretary
11.	Mallam Musa Abdu Auyo	Member
12.	Dr. Ibrahim Tahir, Talba of Bauchi	Member
13.	Ahmadu Rufai Othman	Member
14.	Dr. Muhd. Tahar Adamu	Member
15.	Alhaji Abba Dabo	Member
16.	Chief T. Adebowale Omotosho	Member
17.	Said A Ahmed	Member
18.	Hon. Nze Chidi Duru	Member
19.	Abubakar Achimugu	Member
20.	Al-Hassan Bello	Member
21.	Dr. Okey Emodi	Member/ Coordinator
22.	Mrs. Hamra Imam	Member/ Mother of the Group
23.	Hon. Mustapha Maigandi	Member
24.	Prince Kabir Bayero	Member
25.	Prof. Julius Ihonvbere	Member

### Rapporteurs/ Support Group

S/No.	Name	Designation
1.	Dr. Ibrahim Tahir	Chairman
2.	Prof. FON Roberts	Secretary
3.	Dr. Okey Emodi	Member
4.	Hon. Mohammed Wakil	Member
5.	Hon. Nze Chidi Dure	Member
6.	Mrs. Hamra Imam	Member
7.	Mr. Yakubu Bello	NPC Representative



8.	Mrs. Gloria Inyangabasi	Administrative Secretary
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## 1 Executive Summary

### ***Introduction***

The Political System Thematic Area Technical Working Group met and conducted its business as scheduled by the coordinating organs of the Vision 20:2020 programme. The Group was fairly representative of the Nigerian community. The high quality and, sometimes agitated, discussions confirmed this.

### ***Procedure, Scope and Strategic Plan***

The Technical Working Group (TWG) adopted the following procedure.

- Brainstorming on identified pertinent issues under political system in Nigeria
- Critical discussion of each issue, highlighting the current position, challenges and opportunities, vision of on the issue, and what needs to be done to attain the desired vision.
- Rejection of the imposition of comparator countries whose political systems and values may be ill-suited to the Nigerian condition.
- Working as 'Committee of the Whole' and arriving at decisions by consensus.

The issues listed in our strategic plan covers eleven sub-themes, namely:

1. Elections and the electoral system;
2. Political party system and political parties;
3. Local government;
4. System of government;
5. Forms of executive power – presidential; parliamentary; mixed or afro-french;
6. Formal institutions of governance;
7. The role of civil society groups;
8. Ethnicity, religion and politics;
9. Role of universities and higher educational institutions in the political system;
10. Globalization and regionalization and response from the (Nigerian) nation-state ahead 2020, and
11. Corruption.



In the discussions, the TWG paid strong heed to the effectiveness of the political system, balancing the systemic goals of democracy with how the Nigerian political system may be put in a position to achieve 20:2020 objectives.

### ***Overview of Nigeria's Political System***

During the deliberations, members unanimously recognized the crucial position and the dominant influence of politics, political issues and especially the unhappy and turbulent circumstances surrounding politics and the management of the nation's affairs since independence in 1960. It was a generally held belief that virtually every aspect of the problems of this nation is associated one way or the other with the fortunes of the nation in the political arena.

Nigerians believe in, espouse and desire fervently a democratic political system. Nigeria's troubles appear to us to revolve around the numerous contradictions in the conduct of politics, particularly, violations upon violations of agreed norms, rules and regulations. Thus, even though free and fair elections are the most fundamental irreducible qualification for a democratic system, 49 years after independence, Nigerians have failed to run a successful election or to accept the result of one when conducted, as was the case in 1993.

Generally speaking, an anti-politician mood, a distrust of government and a most negative stigmatization of politics and political office holders – elective or appointive, presently pervades the nation. The Political System Group is of the view the resolution of Nigeria's political quagmires at all levels and sectors of politics, will provide the Master Key to Vision 20:2020.

### ***Current Assessment of the Thematic Area***

For sometime now, the international environment has witnessed critical changes. The technologically-driven world-without-border has posed critical challenges across diverse spheres. In the political sphere, such changes include an enduring wave of democratization, inclusive of zero-tolerance for *coups d'etat*, and political restructuring. The changes have compelled many countries to experiment with new approaches to reform their social policies and political systems. In some cases, the changes have involved radical changes to existing structures for service provision and delivery systems.

There is a recognition that sovereignty resides in the people and participatory systems of governance are in vogue. The prevailing sentiment also frowns at undemocratic political



tendencies, and this includes *coups d'etat* of whatever nature – military or civilian. Thus, the guiding political practices presently are dominated by public accountability, and free, fair and transparent elections. How well Nigeria adapts to the emerging scenarios will be a crucial determinant of its success in attaining the Vision 20:2020 objectives.

Since 1999, significant inroads have been made in improving various aspects of the workings of Nigeria's political system. Some of the plans and programmes adopted in this respect include the following:

- Reform of the civil service
- Combating corruption
- The Seven-Point Agenda
- Executive Reform Bills on various aspects of the political system already submitted for consideration by the National Assembly, including:
  - Electoral Reform
  - Regulation of Political Parties

***Issues and challenges/ Strategic Imperatives***

The TWG discussed the issues, challenges and threats to the Nigerian political system under the broad headings listed in Para. 3 above. Based on the detailed discussions, the Group recommended the following strategic imperatives, among others.

***Strategies for the Thematic Area***

***Federalism***

- For the time being, the current legislative distribution of functions should be retained.
- The office of Federal Agent should be re-activated to monitor and take care of all federal institutions and functions in the State, and otherwise to perform general liaison functions between the States and the Federal Government, and between LGs and federal institutions.
- The Council of State should be retained; but note must be taken of its original conception as a purely advisory body to the President. The use of it as a supra Federal Executive Council and supra legislature should cease.
- As far as possible, the Federal Government should cultivate, fine-tune and widely use the grant system (grants-in-aid) or counterpart funding or joint development programmes in specific areas of weakness such as the Niger Delta and other poorly developed sectors, e.g., in education, economic empowerment and poverty alleviation, and agriculture, etc.



- The Federal Government should continue to be involved in LG matters, particularly in the areas of grants-in-aid, and regulation of relations between the States and the LGCs in an appropriate manner, etc. In particular the LG creation exercise should cease to be a State Government function. To that end, a once and for all review of the LG structure of the country should be carried out, so that subject to issues of demographic scatter and awkward topography, LGAs should as much as possible approximate each other in size by population.
- In respect of the observation that Nigeria's federal constitution ignores a major area of adjustment, namely, the destruction of coordinate sovereignty, we recommend a proper evaluation of those attributes of federalism which relate to coordinate sovereignty because they are part and parcel of our confusion in Nigeria. This committee recommends that a high-powered re-evaluation of the constitutional implications of events from 1963 to 1996 when the final act of creation of States and LGAs took place. It is better for the nation to be clear headed about what it is than to walk or dance in the blind.

**Local Government Institutions**

- a. A constitutional surgical operation which involves:
  - A thorough going nation-wide programme to explicate the political payload conveyed by the notion of local government.
  - A constitutional unambiguous emphasis on the status of local government as the third tier of governance with full autonomy.
  - The development, and passing into law, of a fresh book of rules of procedures as well as codes of conduct to be made binding on all LGCs.
- b. Their financial independence as a third tier of government should be recognized and confirmed by law, viz,
  - Their statutory allocation from the Federal Government must be paid directly into their own account or held in their name in such an account in the branch of the Central Bank of Nigeria in their State capital.
  - The institution of joint accounts between LGs and State governments should be completely abolished. Rather,
  - Unless mutually and independently agreed, State governments should cease the practice of determining LG projects, approving their budgets, or in any way interfering with their development processes.



- c. Finance being an irreducible input for economic development, the third tier of government should be made to resuscitate or invigorate standard independent revenue sources which have been allowed to fall into disuse and also to create new avenues for raising revenues in the manner Lagos State, among others, has done.
- d. Without prejudice to what may eventually emerge in the consideration of the position of traditional institutions under the constitution, laws creating LGCs should provide for ex-officio, non-voting but contributing membership to the district traditional rulers making up a Local Government Council, providing that they do not hold office within the political executive arm of the LGC.
- e. Providing that such reforms as suggested can be enforced, NV 20:2020 plans should make vigorous use of the LGCs and their institutions to achieve defined targets such as in poverty alleviation.

### ***Forms/Modes of Executive Power***

The Political System Group noted the proposal for change in the mode of organization of executive power in Nigeria, from the current executive presidency mode to the mixed French system, but the majority was for the retention of the existing mode. Accordingly, it was decided that:

- Nigeria should try and see how to make the presidential system work better. We should address the associated problems first, and see if they are connected with the system. Only if the problems are connected with the system should we then address the system.
- We should concentrate on the fidelity of the electoral system.

### ***Formal Institutions and Processes of Government***

#### ***Civil service***

Nigeria's Vision 20:2020 has as much chance as a lamp of butter in a blast furnace unless far reaching changes take place in the conduct of those who run the (civil service) system. We recommend that:

- We have to have a civil service with the right quality. One way of achieving this is to emphasize merit and educational background, rather than just specifying qualifications.
- The remuneration of the service needs to be enhanced.





- Reposition the civil service in the governance system. We must insulate the service from the politicians. There should be sacrosanct provisions to curtail executive excesses.
- Professionalism should be re-introduced into the civil service.
- The civil service in all tiers of the federation should be development-oriented, and therefore, Vision 20:2020 conscious and oriented.
- In respect of the apparent dissonance between the existence of a tenured bureaucracy alongside the executive presidential system, the TWG recommends reorganizing the civil service to conform with the practice of the classical presidentialism (wherein the top bureaucracy is not tenured) or adopting the Belgian system.
- The civil service is definitely too large and should be pruned down to an optimal size for effectiveness and efficiency in service delivery.

### ***Executive***

- Enactment of the Freedom of Information (FOI) Act.
- Include in the constitution a ceiling on the size of cabinets at all levels of government, howsoever designated – Ministers, Special Assistant (SA), Senior Special Assistant (SSA), etc. This will reduce the cost of governance.
- Take seriously the concept of auditing. A second look should be taken at the positions of Auditor-Generals at both the Federal and State levels. It should be mandatory for them to publish audit reports for mandatory debate by the respective legislative houses. Penalty must be specified for an Auditor-General who does not submit a report.
- The law is clear on the appointment process of Auditor-General but this has been subject to abuse. The Head of Service should have a role in nominating the prospective appointee.

### ***Legislature***

The Group's recommendations include the following.

- Curtail the cost of running the legislature. Limit the number of ministries and this should limit the number of parallel legislative committees.
- The volume of overseas travel at expense of government is prohibitive and so should be checked.
- Constitutional prohibition to the effect that the process of appropriation should be streamlined in such a way that variations in the budget should not be outside the framework of the submission made by the executive.



### ***Judiciary***

- Encourage and strengthen the NJC.
- Accelerate the dispensation of justice.

### ***Office of First Lady***

- Nigerians should recognize and be tolerant of the human element in the Office of First Lady. However, the excesses in the practice of Office of First Lady should be curbed.
- The office should not be institutionalized.
- Since the constitution does not recognize it, and the National Assembly does not budget for it (and if they did it would be unconstitutional), the role of the First Lady should be recognized but should be brought under control and limited to purely informal matters.

### ***Military, Police and the Security System***

- The police and the military should be kept completely out of the political arena, save for the role of the police in the maintenance of public order. The role of the Police in maintaining law and order should be clearly delimited and a sense of impartiality should be inculcated into the Force.
- It should be made mandatory for the State Security Service (SSS) to prepare reports on elections, which could be tendered as evidence in court, should a dispute arise. Essentially the reports of the SSS and the Police should be made justiceable.
- When an election tribunal upturns an election because they have been rigged and policemen and INEC officials are implicated, those indicted by Election Tribunals should be sanctioned.
- The abuse of the police by politicians and their spouses who use them as status symbols should be curtailed.
- The creeping metamorphosis of the Civil Defence Corps and the Peace Corps into formal state organizations should be checked. The Civil Defence Corps should not perform any security function and the Peace Corps should not be absorbed by Government.

### ***The State Security Service (SSS)***

- Like the military, the security services should not be used in a sinecure manner. The Service should be periodically monitored by higher political authority to ensure there is no nepotism and corruption in the service. There is definitely a need for sharpening the supervisory capacity over SSS as over the military.



- There should be adequate funding of the SSS to ensure that they are not subject to corruption.
- Nigeria needs a professional security organization that should concentrate primarily on intelligence gathering (in tandem with internal reform measures to ensure respect for the rule of law).
- The SSS should copy from the police to establish a Department for Protection of VIPs.
- The deepening of democracy in Nigeria should include the civilianization of the post of the National Security Adviser. The office should be made open and not restricted to retired military or police personnel. This way, the nation can get the best security advice.

### ***Elections***

- There should be a system of vetting the credibility of appointees into INEC. The focus should be on the character of those to be appointed, not those who appoint them. It is recommended that only men of proven character be appointed.
- The preparation and delivery of electoral materials must take place well in advance – at least 30 days before each voting, but this must be subjected to the highest secrecy and protection and be deposited in the vaults of the CBN branch in each State capital.
- Disallow by law the use of party vanguards at polling stations.
- There is need to put in place a holistic system of political education on elections that is philosophy-driven.
- The Report of the Electoral Reform Committee (December 2008) recommended, and Government has accepted, the Modified Open Secret Ballot System: The Group agrees to this, subject to the fact that prohibition against movement should be extended to the time the polling stations announce results.
- The Group endorses the recommendation of the recognition of independent candidature. The condition for qualification for election into political office should, therefore, exclude membership of political parties as presently contained in the 1999 Constitution.
- Government should set up high-powered machinery to examine the issue of diaspora voting.

### ***Political Parties***

- The current approach to natural evolution of political parties which does not limit the number of parties, which satisfy the constitutional registration criteria, should be sustained.



- Beginning with the 2011 elections, parties that fail to win a certain percentage of the votes to be determined by law should cease to receive any government subvention. This is without prejudice to their continued existence if they can pay their way.
- The proposed Act creating the Commission (for regulating political parties) should give it powers to adjudicate in internal disputes within political parties and to insist on such matters as internal democracy and the imposition of penalty against a high-handed approach, victimization, and other forms of molestation or exclusion.
- The TWG invites the re-examination of the current zoning procedure among political parties in view of its inconsistency with democracy. This should aim at encouraging reversion to pure democracy and normal party horse trading which builds organic solidarity.
- For party funding, the current situation where the government gives subventions to political parties should be upheld, providing that between now and 2011 elections, all parties should receive the same amount of subventions; but after the 2011 elections, those who fail to qualify for subvention should cease to receive it and qualifiers should be funded pro rata their performance rating based on a compound index relating to all the election.
- The law shall ban and disqualify parties for the receipt of funds from drug and human trafficking, smuggling, kickbacks, stooge contracts, and funds taken from the treasury of any level of government.

The aim of all these is to remove from the political system all forms of rancour which would militate against united approach to Vision 20:2020. At the moment, NV 20:2020 is slowly being turned into a partisan issue and that is inappropriate.

### ***Ethnicity and Religion***

The key to violence all over the country is economic privation and the foreclosing of opportunities for gainful employment. In this respect, curbing of violence on ethnic or religious or any other grounds generally should serve the NV 20:2020 initiative well. In this respect, the nation requires to accept:

- The challenge of rapid economic improvement through a universal approach for accelerated industrialization, heavier investment in agriculture, and intensification of efforts to attain the MDGs, etc.



- The political system must accept responsibility to educate Nigerian groups about each other. Policies once adopted and abandoned, such as the knowledge of one language other than one's own should be resuscitated.
- There is need to be established a National Inter-Group Relations Commission to formalize the present informal arrangements for attending to group-related matters in admonitory, adjudicatory and reconciliatory capacities.
- Government should study intensely the link between aggressive religiosity and politics and be mindful of the growing trends of Mallams and Christian priests pontificating on politics on the ground.
- In respect of the growing resort to 'spiritualism' to achieve political goals Government should do everything to end cultism of all types, ritual murder, homosexuality, etc. and this should be backed with sanction of at least, 10 years imprisonment for contravention.

### ***Civil Society Groups***

#### ***NGOs***

- The political system should pay special attention to NGOs such as may include the creation of a special unit in an appropriate ministry to oversee and regulate their affairs..
- Government should undertake a proper overview of existing NGOs to determine which of them it can ally with to accelerate the development process and attainment of the goals of NV 20: 2020. Providing that it proves convenient, Government may embrace a partnership with all NGOs sector by sector at all levels of government as appropriate.
- If that is done, then rigorous checks must be mounted on their activities to ensure accountability, transparency and security.
- A cautionary word must be entered in respect of NGOs which link the Nigerian community with the national communities of other lands to avoid the subversion of our national conscience.

### ***Participation of Women in politics***

To ameliorate the difficulties experienced by women in politics, the Group recommended that:

- Nigerian politics should continue to be based on universal suffrage.
- There should be gender equity, not gender equality.
- The bottom line is that there shall be no law or provision that bars women from politics.



### ***Role of Universities and Institutions of Higher Education and Research***

- There should be a clear definition of what a university is and its optimal size so as to create an institution that can be regulated, costed and operated on the basis of philosophy.
- There should be a very serious effort to evolve a Nigerian higher education philosophy and its relationship with the society. This would include a clear vision of a seriousness of purpose on the part of the state to see the virtue of higher education and the necessity of funding and accepting the burden that fall on the state.
- Government should encourage the emergence of a proper university culture where standards are maintained comparable to that anywhere in the world, and where research is geared towards national and societal goals.
- One way or the other, Government must evolve a machinery to rectify the conditions in which it owns, federal and State universities, and enforce standards in privately-owned institutions such that when the university in Nigeria is talked about, we know what we are talking about.
- There should be evolved a compulsory one year course, for all disciplines, on history and philosophy of higher education, state, nation and society, which function is to fit the mind of every student to have a focus on society and on the nation and its purpose.
- Any improvements in the university should include an effort to make them relevant to improvements in the political system.

### ***Globalization***

Nigeria should make much better use of its international position, its advantages in West Africa, the most obedient UN member, than obtains now. Accordingly:

- Government should develop a proper policy of harnessing benefits – a quiet programme using the security agencies to lay the groundwork for its dominance of the sub-region.
- To protect ourselves from the negative influence of Western propaganda, there is need to invest in arts and culture. We must have a new policy in arts and culture, in particular, in the performance or plastic arts, and also in sports, especially football.
- We must encourage an all round investment in developing a programme whereby the externalization of the consciousness of Nigerians must refocused inward through invests in Nollywood.



### **Corruption**

- We present the full details of our recipe on corruption as an envelope item under the term Resolution of Absolution (See Appendix 3), which should fit in with the constitutional review being currently undertaken. Meanwhile, the TWG recommends as follows:
- To fit in with the Resolution of Absolution idea, a Task Force on the Recovery of Public Assets should be established through a Bill from the Executive to the National Assembly for the passing of an Act of that name, which would have overall responsibility for the recovery of public assets, including stolen monies, at home and abroad from malefactors who hold them, under enabling agreement which emphasizes restitutive as opposed to punitive objectives.
- The Task Force should incorporate the EFCC and the ICPC as its two main executive arms, both to work under a single Chairman and a Task Force Governing Council, while the present chairmen of the EFCC and ICPC convert to Directors-General.
- The present exercise to stiffen the ICPC and EFCC laws should be tightened further to remove from consideration by the courts, all obstructive technicalities which attend other ordinary trials, if at all it ever becomes necessary to go to court under this arrangement.
- The war against corruption should be internationalized through the UN platform, the ECOWAS arena, the AU umbrella, the Commonwealth caucus, the European Union (EU) nexus, and through bilateral agreements with all nations to respect anti-corruption efforts by D-notice type waiver to make disclosures on sums of money deposited in their institutions, e.g., banks, finance houses and stock exchanges, and to allow such items to be freely litigated upon before their courts.
- New legislation should request incumbent office holders – political as well as appointed, to step aside without losing their office (i.e., go on suspension within a defined period) in the case of very heavy accusations of serious misdemeanor against them.
- Consideration should be given for the removal of immunity from chief executives at all levels of government for all charges relating to willful murder and the sponsorship or organizing of pogroms and financial crimes and abuse of human rights.
- Government should review the Bureau of Public Procurement (BPP) Act to restore to the elective political class the power over control, allocation and disbursement of resources under the same system which was set aside before the enactment of the BPP Act.
- The right of the legislature to determine its own allowances should be removed from Due Process legislation.



- Constituency projects for individual legislators in the current practice are unconstitutional and violate the principle of separation of powers and must be prohibited.

### **Opportunities**

- Large and diverse population.
- Growing political awareness and belief in democracy.
- Sustained pressure for sustainable democratization.
- Civil society activism.
- On-going efforts at constitution review.
- NV 20:2020 and the promise of a prosperous economy.
- Widening scope of international relations.

### **Key Success Factors**

- Appropriate political culture (where the vote of the people is sacred). This should be anchored on a reorientation of Nigeria's fast-decaying value system.
- Truly independent electoral body.
- Accountability of public officers.
- A strong and independent Judiciary.
- Economic prosperity.
- A corrupt-free society/Zero-tolerance for corruption.
- A virile, independent and responsible civil society.
- Corresponding advancement in patriotism and state responsibility to citizens. The Nigerian state must rise up to the challenge of enforcing the value of Nigerian citizenship.
- Strengthening of Nigeria's leadership role in Africa.
- Above all, the role of the electorate in shaping the political process and the governing political class is vital to the survival of the political system.

### **Vision**

*By 2020, Nigeria should be a secular society with an effective and successful political system. This is a political system that is democratic and ensures: free and fair elections, supremacy of the will of the people, adherence to and respect for the rule of law; equal opportunity for political participation without discrimination, social justice and respect for the supremacy of the political process.*





### ***Initiatives and Programmes***

- Further to the initiatives and programmes to the objectives and goals required to achieve Nigeria's vision of a successful and effective political system, the Political System Group supports the initiatives being taken by the president of Nigeria, which includes electoral reform, police reform, proposals for amendment of the Constitution, improvement in the security environment, etc.
- Whatever programmes and instruments created for the implementation of NV 20:2020 initiatives and programmes must have their focus on Nigeria, not on the programmes of any government or level of government or for that matter external financial institutions like the IMF and the World Bank. In other words, they must be politically neutral.

### ***Change Themes***

- The imperatives of governance in Nigeria need to change to a society governed by democratic values.
- Almost every major institution of state in Nigeria is subject to periodic review and realignment, except the military. Since 1966, the military has increasingly become a mini-garrison state outside the Nigerian state. A situation where soldier's pensions are not paid for 20 years and soldiers who serve on foreign peace keeping missions are not paid their allowances for upward of three years should not be acceptable to civil political authority. Given the standard normal relationship between the military and civil authority, it follows that the issues surrounding the military must ipso facto be brought under civilian authority.
- Accordingly, Nigeria should seek to create a modern disciplined military organization subject to the control of and periodic review by civil authority.

### ***Implementation Roadmap***

- There needs to be a clearly set out programme for the implementation of the NV 20:2020.
- To ensure the implementation of Nigeria's Vision 20:2020, the President should set up a Roadmap Committee, with membership drawn from MDAs, to work out appropriate implementation modalities.
- Without prejudice to the details of such a roadmap, to ensure success, the implementation of NV 20:2020 should be housed in an organization or Agency in the Office of the President and directly responsible to him.
- Implementation of every aspect of NV 20:2020 should be started within a year of the inauguration of the Implementation Agency.



- The implementation of the Vision should be done within a legal framework.



## 2 Introduction

On April 18, 2009, the Political System Thematic Area Technical Working Group was inaugurated alongside the other groups. Thereafter, the Group settled down to business as scheduled by the coordinating organs of Nigeria's Vision 20:2020 programme.

The sessions of the Political System Technical Working Group held severally as scheduled. The Technical Working Group (TWG) in attendance was fairly representative of the Nigerian political community. The discussions which followed confirmed this. It also confirmed the high quality of the membership as proven by the contributions of members in the plenary sessions.

### ***2.1 Overview of the Political System***

During the deliberations, members unanimously recognized the crucial position and the dominant influence of politics, political issues and especially the unhappy and turbulent circumstances surrounding politics and the management of the nation's affairs since independence in 1960. It was a generally held belief that virtually every aspect of the problems of this nation is associated one way or the other with the fortunes of the nation in the political arena.

Without attempting an exhaustive presentation of all the phases of the nation's political life since 1960, these have ranged from independence, the acquisition of republican status, the creation of an additional region in 1963, a military *coup d'etat*, mass killings and counter-killings, secession and civil war, yet more *coups d'etat*, a series of restructurings of the nation to its present 36-State structure and a relocated federal capital at the centre of the country by the military regimes. The TWG noted, with sadness, that over this period, only one military-civilian transition was successful. The second and the third both failed until the tragic death of General Sani Abacha in 1998 produced the current and very troubled transition to civil rule.

Nigeria's troubles appear to revolve around the numerous contradictions in the conduct of politics. Crucial things such as elections and the overall management of the country's affairs have been subjected to violations upon violations of agreed norms, rules and regulations. There is no disagreement whatsoever in any quarter, even among the military – retired and serving, that Nigerians believe in, espouse and desire fervently a democratic political system with all the standard features and virtues recognized anywhere in the world, whatever local variations may condone. The Technical Working Group notes that even though free and fair elections are the most



fundamental irreducible qualification for a democratic system, 49 years after independence, Nigerians have failed to run a successful election or to accept the result of one when conducted, as was the case in 1993.

The present national scene is replete with court case after court case, nullification after nullification, rerun after rerun and most unfortunately, even for the highest office of President, a grueling, bruising and demoralizing legal battle that left the nation in some kind of shock, disbelief, skepticism and a generally combative mood and posture towards government. Generally speaking, an anti-politician mood, a distrust of government and a most negative stigmatization of politics and political office holders – elective or appointive (including such conventionally non-political groups like the Judiciary) presently pervades the nation.

It is hardly possible to find any nation in the world which is as much a land of permanent controversy as Nigeria is. Nigerian politicians, and to a certain extent their followers, are able to reach very noble agreements based on the highest principles accepted everywhere, but the problem appears to be that the political terrain and the political actors and followers are dominated by a mercurial mood such that whatever noble agreement they reach quickly becomes the foundation of violence, blood and murder within group and across group boundaries. No one should fault this There is need to draw attention to the decline in civic culture and the general recourse to violence as the primary response to any discontent, even in those areas once believed to be unshakably peaceful. The Niger Delta crisis continues unabated, while from 1999-2008, the nation saw several outbreaks of mass violence of all descriptions both in the northern and southern states.

For Nigeria's survival in peace, security and harmony and for any serious attempt for creating a great and prosperous society by 2020 such as to make the Vision 20:2020 scenario to be attainable at all, we cannot ignore the crucial role of apical actors who hold most power in the system but even so, appear to be feeding on fertile grounds. For the avoidance of doubt, this TWG is of the view that resolution of Nigeria's political quagmires at all levels and sectors of politics constitutes the Master Key to Vision 20:2020.

## ***2.2 Scope of the Thematic Area/Strategic Plan***

The Technical Working Group agreed, before making any further progress, to divide the Thematic Area into different themes which are important in the discussion and resolution of propositions



applicable to the 20:2020 vision of the political system as an overall strategic plan to guide our work. We first had to determine what we actually mean by the terminology 'political system'. We recognize that anthropologists, sociologists, jurists, political scientists, philosophers, and the artistically and literally minded may each have his own concept of the political system, and all would be right.

For our purpose, we conceptualize the political system as the framework by which a society defines and selects goals and objectives, and mobilizes and recruits individuals to perform roles clearly outlined or defined by society on behalf of all members but within specific and defined rules for doing so. We have extended this definition to accommodate those who may wish to conceptualize the political system as the system for deployment of people, power and privileges within a given and exclusive defined territorial framework. We prefer this definition to any other because it is simple, direct and will make meaning to all Nigerians who may read the 20:2020 document.

Ours is not a qualified definition. It is one that is relevant anywhere. What our definition does not do and cannot do is to prefix for any one how good, how bad or how desirable the system may be.

From our discussion, it is clear that we are sensitive to the fact that political systems can be categorized with reference to moral, organizational or achievement criteria. Since we are a Vision 20:2020 Thematic Group, all other things being equal, we advised ourselves to pay strong heed to the effectiveness of the political system in actualizing the democratic desires of the people of Nigeria, balancing the systemic goals of democracy with how the Nigerian political system may be put in a position to achieve the country's 20:2020 objectives.

In conceiving our strategic plan, we were concerned not with the subjective views of one generation or the other; but with abiding themes which mark an effective democratic system such as Nigeria would need. In that regard, we considered crucial the following:

- Enthronement of democracy;
- Respect for (due process and) rule of law;
- Good governance and democratic values/culture;
- Popular participation;
- Capacity for attitudinal change;
- Protection of the rights of citizens – material, intellectual and spiritual;



- Creation of a just and egalitarian society;
- Political stability;
- Honesty of purpose;
- Accountability;
- Eradication of corruption;
- Widespread literacy and education;
- Entrenchment of civic virtues and civic cultures; and most important of all;
- Free and fair elections.

While this is not exhaustive, such is the state of our country that if you could get the political system to produce at least once, a free and fair election, this country would have found its way towards greatness.

Our breakdown of the political system in our strategic plan covers about eleven sub-themes as presented below. We have to be brief in the presentation of this information.

### **Political System Sub-themes**

1. **Elections** – electoral system; the franchise; electoral agency/body – composition, appointment of members, functions, etc; organizing elections; etc.
2. **Political party system and political parties** – political party system; political parties – defining criteria – number, composition, national/regional spread, etc.; funding of political parties; tendency towards single party dominance; role of ‘opposition’ parties; etc.
3. **Local government (system)** – status in Nigerian federation: size and structure; functions; funding; etc.
4. **System of Government** – democracy; federal, unitary, confederal, etc.; structure of government and intergovernmental relations; constitutional distribution of powers and functions and extent of centralization/decentralization; system and modalities of revenue allocation, i. e., fiscal federalism, etc.
5. **Forms/modes of executive power** – presidential; parliamentary; mixed (the so-called French or Afro-French mode?)
6. **Formal institutions [and processes] of governance** – civil service; the judiciary (& the rule of law); the legislature (& functional representative democracy); the executive, the military; the police; the security services and the political system; Council of State; etc.



7. **Civil society groups** – pressure groups; non-governmental organizations (NGOs); community-based organizations (CBOs); opinion leaders; traditional Institutions; women; youth organizations; the media, etc.
8. **Ethnicity, religion and politics** – ethnicity and politics; religion and politics; constructive uses of ethnic and religious values in national development.
9. **Role of universities and higher educational institutions and research institutes** in the political system.
10. **Globalization and regionalization** – globalization and its malcontents/challenges; assault on sovereignty of nations; regional groupings as an effective response; response from the (Nigerian) nation-state ahead 2020.
11. **Corruption** – outright brigandage, political corruption and corruption of the political process, conventional corruption, and general moral corruption.

Our discussion of each sub-theme is meant to highlight areas of weakness, and specify a roadmap for its recovery or strengthening.

### ***2.3 Overall Targets for the Thematic Area***

As noted above, Nigerians are fanatical democrats and would wish to be governed by no other system than a democratic system. All members of the TWG agreed to this. In such a system, the Group believes that the minimum conditions for the existence of democratic society which Nigeria should be by 2020 include the following.

- Free and fair elections must be the only means of recruiting those who exercise political power and authority on behalf of the people and, where the positions are appointive, recruitment must pay full respect to the rules and regulations governing the process of such appointments.
- In all aspects of the life of the society – in politics and everything else, respect for the rule of law and obedience to the law must be paramount.
- The underlying principle which will govern the exercise of power and authority is the supremacy of the will of the people.



- Subject only to the statutes governing such actions, freedom of speech and freedom of association, as well as freedom of movement and residence must be recognized as justiceable rights.
- Precisely because elections are the mystique of democracy, freedom of choice completely unfettered by threats or coercion or illegal inducement of any kind, must also be a justiceable right.

The Political System Group is very aware that all over Nigeria, some bizarre interpretations of basic freedoms occur with very strange results. For example, persons may choose to refuse a bye law and, totally unconscious of the need to seek recourse to law, may simply ignore and carry on as usual. So, we caution whoever would be responsible in bringing appreciation of the true democratic society to the people to recognize that political systems are not benign instruments of wants and goals or individual desires. For example, to protect the material rights of citizens, you must enforce conformity of those who interfere with it by compelling them to desist from so doing or make it painful or costly for them if they refuse to desist. The existence of the police, the courts, the armed forces and the para-military organizations of society, local community authorities, etc. emphasize that order and orderly behaviour are irreducible conditions for any society to exist in peace and to prosper.

In the short, medium and long term, the aspiration must be for an orderly society and effective political system. It is our conviction that Nigerians would perform as effectively as any people anywhere in the world, if they could only have the basic minimum of free and fair elections, supremacy of the will of the people, adherence to and respect for the rule of law, equal opportunity for political participation without discrimination - an unqualified universal suffrage, recognition and respect for the supremacy of the political process, and absolute reduction in the level of corruption and abuse of office, among other democratic values listed in Section 1.2 above.

#### ***2.4 Process Involved in developing the Plan***

In producing this Plan, the TWG agreed to adopt the following activities and work procedure.

- Brainstorming on and identifying pertinent issues/topics for discussion under the Thematic Area of Political System as listed in Section 1.2 above.





- Critical discussion of each agreed topic, highlighting the current position assessment, definition of key indicators (where applicable), discussion of challenges and opportunities/success factors, vision of the state of the sector/topic, and recommendation of what needs to be done to attain the desired vision.
- Acknowledgment that the discussions will of necessity occasionally refer to other countries of comparative political development level with Nigeria or from which lessons of experience can be drawn. The essence of such comparison is to highlight best practices and identify mistakes that need to be avoided. However, wary of the extant dangers of 'technology transfer' in knowledge and values, the TWG rejected the imposition of, and being limited to, a straitjacket of named comparator countries, whose political systems and underlying political values may be ill-suited to the Nigerian condition.
- The TWG worked as 'Committee of the Whole' rather than breaking into sub-committees. However, specific roles, responsibilities and tasks were assigned one or more members of the Working Group, as necessary.
- The TWG appointed a six-person Rapporteur Group to synthesize the Group's deliberations and produce the report on the Thematic Area.



### 3 Current Assessment of the Thematic Area

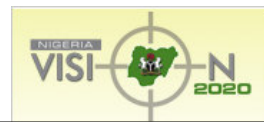
#### 3.1 Global Trends on the Thematic Area

For sometime now, the international environment has witnessed critical changes. The technologically-driven world-without-border has posed critical challenges across diverse spheres. In the political sphere, such changes include an enduring wave of democratization, inclusive of zero tolerance for *coup d'état*, and political restructuring. The changes have compelled many countries to experiment with new approaches to reform their social policies and political systems. In some cases, the changes have involved radical changes to existing structures for service provision and delivery systems. Decentralisation and institutional restructuring are just two of the unfolding global trends in political reform. The underlying assumption to these reforms is a model of society in which economic efficiency is a key test of well-functioning government, while participation, equity and justice are key tests of a well functioning polity.

At the purely political level, developing nations are under increasing pressures from within and outside to embrace more democratic forms of governance. In the last two decades, the world has witnessed the revolutionary democratic transformation of Eastern Europe as well as democratic breakthroughs in Latin America. In other parts of the world, including Africa, demands for greater democracy and local autonomy have developed into strong social movements. Erstwhile authoritarian regimes in Asia have also reformed their polities.

Evidently, certain factors which are crucial to sustainable development, including respect for human rights, constitutional government, the rule of law and transparency in the exercise of power and accountability by those who direct governance are becoming the preferred order. These concerns have copious implications for political system. They suggest that nations have to restructure, meaning adapt the political system to the emerging forces that are shaping development and change in the world, in order to take advantage of the associated benefits, and be appropriately positioned to also deal with the associated adversities.

How well Nigeria adapts to the emerging scenarios will be a crucial determinant of its success in attaining the Vision 20:2020 objectives.

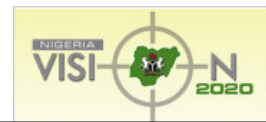


### 3.1.1 Comparative Benchmarking Analysis

From the foregoing, it is evident that, globally, the political trend among nations is towards information and knowledge-based social economic and political arrangements. Accordingly, there is greater openness and restructuring in these regards to ensure, among others, free flow of information, freedom of speech and expression, free access to information across borders, removal of restrictions on movements and respect for fundamental human rights. There is a recognition that sovereignty resides in the people and participatory systems of governance are in vogue. The prevailing sentiment also frowns at undemocratic political tendencies, and this includes *coups d'etat* of whatever nature – military or civilian. Thus, the guiding political practices presently are dominated by public accountability, and free, fair and transparent elections.

For comparative benchmarking, the following countries have been considered successful in democratic governance from which Nigeria could learn, namely, India, Malaysia, Indonesia, Ghana and South Africa. These countries have been selected because they are all developing countries and share with Nigeria, similar demographic and other characteristics such as ethnic and religious diversity, federalism, and democracy, among others, as indicated below.

Countries	Similarity with Nigeria
India	<ul style="list-style-type: none"> <li>○ Large population</li> <li>○ Similar demographic characteristics</li> <li>○ Ethnic and religious diversity</li> <li>○ Federalism</li> <li>○ Democracy</li> </ul>
Malaysia	<ul style="list-style-type: none"> <li>○ Similar demographic characteristics</li> <li>○ Ethnic and religious diversity</li> <li>○ Comparable level of development at independence</li> <li>○ Federalism</li> <li>○ Democracy</li> </ul>
Indonesia	<ul style="list-style-type: none"> <li>○ Similar demographic characteristics</li> <li>○ Comparable level of development at independence</li> </ul>



Countries	Similarity with Nigeria
	<ul style="list-style-type: none"> <li>○ Democracy</li> </ul>
Ghana	<ul style="list-style-type: none"> <li>○ Colonial experience and independence</li> <li>○ Location in Sub-Saharan Africa, specifically West Africa</li> <li>○ Ethnic and religious diversity</li> <li>○ Democracy</li> </ul>
South Africa	<ul style="list-style-type: none"> <li>○ Location in Sub-Saharan Africa</li> <li>○ Ethnic and religious diversity</li> <li>○ Democracy</li> </ul>

The TWG notes that some of the strong factors responsible for success in the political systems of these comparator countries include:

- Departure from the norm of corruption (that is, abuse of entrusted responsibility) by the electorate and key political actors).
- Supremacy of the rule of law.
- Effective social mobilization and national reorientation, which manifests among others in strong sense of patriotism and nationalism.
- Free and fair elections.
- Qualitative educational delivery system and attendant high level of literacy.
- Utilization of Information and Communication Technology (ICT) in all facets of life.

### 3.1.2 Key Learning Points

Nigeria can learn and benefit from the factors highlighted above in its march towards realization of a successful, effective and acceptable political system which will eventually result in realizing its national objectives and enable it its rightful position as an economic, social and political torchbearer in Africa and one of the leading democracies of the world by 2020.

The idea that Nigeria can learn from other countries appears to embody *a priori* assumption that these countries are well, or at least, better functioning polities that have something to teach Nigeria. This need not be the perception. These countries have their own problems as political entities. An example is India's challenge of marrying parliamentarianism with federalism, a



problem, it currently does not share with Nigeria. The idea is to see how these countries have *differently* managed their political systems over the years to survive recurrent political pressures where Nigeria seems to have failed. Considered in its extreme, even in conditions where it is established that these countries have performed worse than Nigeria, this does not preclude learning as the learning approach then focuses on how not to do it like such countries. Particularly, though not exclusively from this point of view, the learning is reversible. Other democracies of federations can also learn from Nigeria.

Nevertheless, the need to learn from countries, especially those at broadly the same level of socio-political development, has to come to terms with the critical differences between these countries and Nigeria to ensure meaningful comparison, for in matters like this, striking parallels go *pari passu* with significant differences. The search for understanding of other countries, especially in other continents has to adequately account for basic values and unspoken assumptions.

### **3.2 Local Context of the Thematic Area**

#### **3.2.1 Local Trends and Recent Developments**

With respect to the local environment of the practice of democracy in Nigeria, the introductory overview in Section 1.1 above is sufficient to confirm that although Nigerians are almost fanatical democrats, over the last 49 years they have failed to fulfil the conditions which promote and uphold a democratic society. Leaders as well as followers, trustees as well as the community and the civil society have all appeared to cohere in a drive to rob the system of its democratic attributes. For example, a focus on the rule of law and the supremacy of the will of the people reveals that in such matters as elections, votes as well as mandates are blatantly stolen through all sorts of devious and criminal behaviour almost wholly condoned by, and with the full collaboration of, law enforcement agencies and officials. The hallmark of Nigerian democracy would appear to be a general determination to ignore the will of the people entirely and substitute it with individual egotistical choices. We have known military rule and we know that it does not respect the attributes of the democratic system. The irony is that while the nation has contrived to adopt civil systems of governance, these have also somehow failed to be democratic. Left to itself, the situation would drift to an anarchic state or a return to military rule particularly since rampant corruption, if unchecked would only continue to entrench iniquity.



The TWG recognizes that a real problem exists because the followership is the engine of the anti-democratic practices such as violence against the supporters and voters of rival candidates, the theft of ballot boxes and the doctoring of election results. So, the task is quite Herculean to get the Nigerian political system to live up to its avowed credentials. This must be taken very seriously because the followership is also guilty of all the complaints and criticisms leveled against the political establishment. It also bears repeating that the phenomenon of political thuggery cannot subsist without the willing compliance and enthusiastic participation of the ordinary citizen, male and female.

The TWG also recognizes that governing parties as well as minority parties are woefully lacking in internal democracy. The irony exists where a veritable source of checks and balances within the system, that is, minority political parties, disqualify and weaken themselves by the adoption of practices which make them easy targets for destabilization. So the political party system itself loses the capacity to produce credible alternatives.

Moreover, even though we now live under a presidential system which aims at some bipartisanship, and the president is the president of the whole nation, the parliamentary mentality is so entrenched that a risk exists of gravitation towards one party rule. We are mindful that President Umar Musa Yar' Adua has sent a Bill to the National Assembly to outlaw carpet-crossing by elected chief executives in the States. Recent developments reinforce the view of the existence of a drift towards one-party dictatorship. The TWG is sensitive, however, to the fact that with the fortunes of the Nigerian economy since 1972 being what they are, and almost everybody in the competition (political) system starting from 'ground zero', winning and losing, have had a dramatic effect, altering the fortunes of individuals forever. Generalized poverty combined with unchecked corruption and the spoils of office have combined to inspire gangs of political thugs and the otherwise ordinary law-abiding citizens to join the loot bandwagon at election time. The circumstances of the Ekiti State rerun gubernatorial election in 2009 (and, indeed, pre-Ekiti) confirm that Nigerian elections restate the old adage of war being a continuation politics by other means into politics being the instigation of war by other means.

Loot for votes, loot for results and loot for (court) verdicts, etc., have thoroughly commercialized our politics. This commercialization has been with us all the time but only in small degrees and for the relevant and generalized use of money, such as election campaigns. Over the years, however, it



has invaded the practice of government and its relationship with civil society in the form of 'settlement' culture. The process leading to legislation in some States is often compromised and sometimes what is legislated for is executed in advance. It is a sad comment that at State and Local Government (LG) levels as well as the Centre, people generally hold the strongest conviction that the checks and balancing role of the legislature is a fiction shrouded in bags and bags of money across the executive-legislative divide.

The practice has also invaded the media. In free enterprise democracies, the freedom of ownership of the media and freedom of the use of the media are recognized. Everybody in the media and within the political system knows the game and is not fooled by it. Nigeria's situation is different in that instances have existed where some media houses have under-the-table agreement in advance of the provision of favourable cover. While a little nervousness is spreading among practitioners, this tendency continues. We are currently seeing backlash effects of revelations concerning the eight years of civilian governance between 1999 and 2007 and therefore in some instance of crude use of media owned by some actors.

One additional and bad example of the commercialization of the political system calls into question whether our presidential system means anything anymore because checks and balances are thrown overboard through legislative increases of executive budgets by percentage margins made up of itemized expenditure which the legislature then turn around to reclaim in a corrupt way. The other variant is the so-called constituency projects where the bully powers of the legislature are used to pressure the executive to concede funding to them for projects in their respective constituencies, for which each legislator collects the money and misappropriates it in one way or the other.

The TWG also recognizes the perennial problem of delayed budgets, the disputes over the content of budgets and accusations and counteraccusations directly related to some malpractice in the commercialization of formal roles in government. We fear that sooner rather than later, if these practices do not come to an end, or the system is not resolved in a way that avoids them, they can bring our current political system to a halt or engender mass uprisings as feared by former President Shehu Shagari.

Shagari's fears are quite real because resort to violence as primary response to discontent situations is general through out Nigeria's political system. The TWG adds that there is a general



disillusionment among the people with the failings of Nigerian democracy. The impact of this disillusionment can be seen from the fact that turnout of voters during major elections have consistently been low. Note also the characteristic tendency to return more votes for one candidate alone by a higher percentage than the total number of registered voters. The TWG is saying that even though we are not agreeing with those who say Nigeria is a failed state, the signs are ominous that the political system is facing serious and debilitating challenges.

Nevertheless, we recognize the universal truism that where belly-aching is general through out society, it is a sign of a desire for some kind of change. As regards the future in 2020, there are seeds of positive development in the current generalized discontent of Nigerians in politics and politicians and the failings of Nigerian democracy.

### **3.2.2 Current Plans and Programmes**

Plans and programmes to reform the political system in Nigerian have been historical. These have come mainly in the form of numerous constitutional drafting, promulgation and review processes dating back to the 1912 Orders-in-Council which, faced with the problem of uniting the northern and southern parts of what came to be known as Nigeria, settled for amalgamation and not unification as the structuring foundation of the Nigerian nation.

There was also the elaborate platform provided by the state in the mid-1980s with the inauguration of the Political Bureau which had the mandate of coordinating and harvesting ideas from a nationwide debate on Nigeria's political development, among other issues.

Since 1999, significant inroads have been made in improving various aspects of the workings of Nigeria's political system. Some of the plans and programmes adopted in this respect include the following:

- Reform of the civil service
- Combating corruption
- The Seven-Point Agenda
- Executive Reform Bills on various aspects of the political system already submitted for consideration by the National Assembly, including:
  - Electoral Reform
  - Regulation of Political Parties





The reform of the civil service is an on-going imperative and specific aspects of it are discussed below in Section 2.3.4.

In respect of the fight against corruption, the TWG noted that the establishments of the Economic and Financial Crimes Commission (EFCC), the Independent Corrupt Practices Commission (ICPC), the passing of the Fiscal Responsibility Law etc, have all contributed in tackling corruption. Current policies relate to preventive measures, namely laws and policies put in place such as the publication of federal budgets, public procurement reforms, due process, Extractive Industries Transparency Initiative (EITI) and the adoption of measures to eliminate payroll fraud, all of which have contributed immensely in preventing corruption through improvements in accountability and transparency. Enforcement measures include the activities of the Code of Conduct Bureau, the EFCC and the ICPC in investigating and prosecuting offenders.

On assuming power in May 2007, President Umar Musa Yar 'Adua announced a seven-point agenda targeting specific sectors of the economy (Table 1). The TWG is not sure if the Seven-Point Agenda is being implemented properly. Nevertheless, it is hoped that the president's posture towards strict adherence to the rule of law and continued fight against corruption, if sustained, will impact positively on the implementation of the seven-point agenda.

In furtherance of the Government's resolve to reform the political system, the Executive arm of government has submitted several bills to the National Assembly for consideration. The Bills include:

- The Independent National Electoral Commission Act (Amendment) Bill, 2009. This is a Bill for an Act to amend the Independent National Electoral Commission Act Cap 15 LFN 2004 and for other matters connected thereto. This Bill seeks to amend the Independent National Electoral Commission (Establishment) Act to increase the membership of the Commission, tenure of members and transfer some of its functions to a new Commission created by the Electoral Reform 2009, namely, Political Parties Registration and Regulatory Commission (see below).
- The Police Act (Amendment) Bill, 2009. This is a Bill for An Act to further amend the Police Act 1967 Cap P 19 2004 LFN and for matters connected therewith. This Bill seeks to further amend the Police Act to provide for duties of the Police while on election duty.



- The Centre for Democratic Studies (Establishment, etc.) Bill, 2009. This is a Bill for an Act to establish the Centre for Democratic Studies (CDS) and other related matters. The CDS is intended to serve as a high powered centre of reflection, research and dialogue, where academics of intellectual excellence, the political class, and other citizens with high level of practical experience would reflect and exchange ideas on the great issues of democracy, particularly as it relates to Nigeria and Africa, in the context of the dynamics of a constantly changing world.
- A Bill for An Act to Alter the Provisions of the Constitution of the Federal Republic of Nigeria 1999 and for Other Matters Connected Thereto. This Bill seeks to amend the constitution to allow for independent candidature in Nigerian elections.
- A Bill for An Act to Establish the Political Parties Registration and Regulatory Commission and for Other Matters Connected Thereto.
- Electoral Offences Commission (Establishment, Etc.) Bill, 2009. This Bill seeks to establish the Electoral Offences Commission with powers to investigate offences committed in relation to the conduct of general elections and undertake the prosecution of persons found contravening any of the comprehensive penal provisions set out in the Electoral Act, 2006 as supplemented by the proposed Act.

In further evaluating Government plans and programmes, the TWG discussed the concessioning approach for the provision of infrastructure and returned the view that the approach is not politically correct because Government is thereby shirking responsibility for providing jobs, etc. However, the reality of the global world recommends a role for the private sector. Nevertheless, political economy wise, the burden of developing Nigeria is the burden of Government.

### **3.3 Issues and Challenges**

The Technical Working Group (TWG) discussed the issues, challenges and threats to the Nigerian political system under the broad headings listed in Section 1.2 above.

#### **3.3.1 Federalism**

The type of arrangement and formal structure of the system of government nations pursue have been seen in historical, moral, economic and, sometimes, in the resolution of contending tendencies by the arbitration of arms. In the case of Nigeria, all elements have been involved.



There is no dispute that the ultimate resolution of the issue of the best relationship between our component parts is the federal solution which has subsisted since 1954.

In origin and in nature, Nigerian federalism is very distinct from the classic federation, enamoured by K.C. Wheare, of a federation created by treaty between previously sovereign entities. The British which colonized Nigeria did so piecemeal beginning with treaties – quasi-commercial and quasi-military treaties with coastal kingdoms achieving first, a series of protectorates and coastal colony provinces, the absorption of the Egba, Oyo, Ekiti and Ondo areas, the subjugation of Bini (Benin) and places further east in a combination of both military and missionary penetration, and ultimately, the conquest of the Sokoto Caliphate of northern Nigeria, to create the Lagos Coast Colony and Protectorate of Nigeria.

It is difficult to know how to describe the system of government run by the British colonial power before 1914. It is best to see it as a military administration in which the parts – Lagos, West, East and North, were vaguely seen as separate entities in the same colony. They amalgamated the whole into one centralized government in 1914, but circumstances again made the British colonial power redesign into a vague notion of federation.

By 1963, three years after independence, the central government, now a republic, divided the rest making five units – Lagos Capital Territory, the West, the Mid-West, the East and the North. From 1967, the advent of military rule, the intervention of a civil war and a whole series of coups and restructurings by the Centre with the willing connivance of the population, led to the present 36-State structure plus a Federal Capital Territory (FCT) at Abuja carved out from five of the present States – Niger, Kaduna, Plateau, Nassarawa and Kogi. The willing connivance and sometimes pushful demands by the population played a part in these developments but the obvious fact is that Nigerian federalism is centre-driven. Crucially, the motive force is little different from the British agenda, which is to create a single nation in which people will develop into one family and to give sufficient power to the Centre to enforce the national writ over the whole territory; to control and regulate the distribution of resources as to develop people evenly enough for harmonious living, and generally to achieve some sort of national greatness as a leader-nation in Africa.

The logic behind the evolution of Nigerian federalism has determined almost everything about it. Contentious issues argued by some vociferous circles include claims of over-centralization of authority in the Federal Government; over-concentration of power in the hands of the executive at



all levels, and the latterly accusations of over-concentration of resource control in the hands of the Federal Government alongside demands for the allocation of those resources to their source areas.

Extensive discussions by the TWG centred on whether the claims are true and whether Nigeria is a 'true federation'. In particular, plausible arguments were made to suggest that a greater legislative diffusion of power to lower levels of government from the Centre would enhance the capacity of sub-units for autonomous rapid development and, therefore, accelerate the achievement of Vision 20:2020 goals. The Centre would thus become unencumbered and uncluttered with too many concerns to concentrate on leadership at home and abroad, especially in Africa, proper regulation and appropriate control of distribution of resources – pulling up the weaker areas, the maintenance of security and defence interests, the integration of society and generally building the nation according to the philosophy adopted since the beginning. It was also argued that our differences should be recognized and not suppressed and the nation should retain its richness in variety of forms.

Sympathy for all these views did not crystallize into any substantial alteration of the constitutional provisions in hand. In particular, note was taken of the fact that the real bane of our circumstance is the ill-discipline, waywardness, unpatriotic disregard for all rules, low public spiritedness and unspeakable corruptibility and criminal tendencies in the elite and leadership classes – political as well as bureaucratic. It was observed also that the current distribution of powers has not deterred chief executives at all levels, but especially at State and Local Governments, who were inclined to work for their communities from high achievement in the last ten years. Where corrupt and criminal misappropriation of the preponderant proportion of allocated resources is a fact, it is difficult to explain failure by distribution of functions. Again, with rare exceptions, leadership classes in the States do not exhibit a high sense of community-wide orientation as to promote the major goals behind the philosophy of the federation.

Close examination, by the TWG, of the functions allotted to the Federal Government makes it hard for us to move any of these subjects to lower levels of authority. There is, however, a need for tidying up as to the exact nature of involvement of the States in federal matters and of the direct involvement of the Federal Government in State functions. This is probably why the cry of over-



centralization arises, because the current no-man's-land situation promotes the impression of an overbearing centralization.

We should be mindful, though, of the obvious weaknesses of Nigerian federalism:

- (i) Nigeria's federal constitution ignores a major area of adjustment. From the word go, the colonial administration appropriated sovereignty to itself. By instrument of its own adjustment of the system, Nigerian federalism was made to recognize the principle of coordinate responsibility between the federal centre and the component regions. The first breach in this concept occurred when the Mid-West Region was created. Otherwise, the act would be *ultra vires* the principle of coordinate sovereignty. In 1967, Odumegwu Ojukwu misappropriated Nigerian sovereignty to Biafra, when he declared secession of the Eastern Region from Nigeria, resulting in a civil war in which Biafra was defeated. *Post facto* the creation of states in 1967 which became the *causus belli*, a double stroke erosion of the concept of coordinate sovereignty had occurred – unilateral creation of states in 1967 and the defeat of Biafra in the arbitration of arms. Conventionally, where the guns fall silent is the ultimate settlement. In this case, in July 1967, Yakubu Gowon usurped the coordinate part of sovereignty in the regions. In 1970, the federal forces crushed the pretence to sovereignty by the still-borne Biafra. To that extent, and to the extent of the repeated creation of States and LGs, the concept of coordinate sovereignty had been destroyed.
- (ii) Between the States and LGAs, the TWG is of the view that a tidying up by way of a more definite specification of the Functions of Local Government, as opposed to State Governments, is necessary in order to conform with the three-tier government philosophy.
- (iii) The persistence of the military practice of misuse of the Council of State for executive and legislative functions outside the purely advisory functions originally and constitutionally assigned to it.
- (iv) The removal from the structure of governance in the institution of Federal Agent, which would clearly show the boundary between State and Federal powers at the State level.



The absence of Federal Agent has imposed co-rulership *in federal matters* which potentially makes State governors despots, influencing even the careers of civil servant, judges, policemen and almost everybody else. The pressure cooker environment created by this situation removes all the virtues of federalism – flexibility, suppleness, resilience and so on, and encourages fears of a drive to one-party dictatorship, i.e., civil rule without democracy.

The listed weaknesses can be resolved without redistributing legislative functions. Besides, this is the first time a private-sector driven development orientation is emerging in Nigeria. At its fullest development, the governance framework will completely alter.

The integrative nation-building philosophy behind Nigerian federalism and its three-tier structure of government has imposed resort to certain integrative instruments, such as the 3-Rs of Reconciliation, Rehabilitation and Reconstruction after the civil war and the federal character principle in the recruitment of personnel, the allocation, control and distribution of revenue, location of development institutions and recruitment of trainees in the development of personnel, including recruitment into the military and para-military institutions. The TWG supports these practices but notes that attitudes tending to promote sinecures have taken root in the recruitment of personnel, especially in the military and police forces. The abandonment of federal character for subjective factors constitutes a serious danger to the ultimate success of the nation and its peace and harmony.

It is the view that the standards originally conceived need to be enforced on pain of sanctions by those who willfully neglect them. It is also necessary to sustain integrative institutions such as the Unity Schools, with all their weaknesses and the 'catchment area' formula for federal institutions because it is essential to build a feeling of oneness and belonging everywhere until the ambition of Nigeria to make Nigerians one is attained, and Vision 20:2020 goals become the target of almost everyone.



### 3.3.2 Local Government Institution

In terms of Vision 20:2020 perspectives, the institution and level of government referred to as local level government has in the past performed remarkably well as to make it a major arena of enterprise in this endeavour. Many examples abound in both the First, Second and subsequent Republics in which Local Government Councils (LGCs) and their governments succeeded in very large-scale activity as in Kano Native Authority and others in the North, Ibadan Municipal Council, Enugu Town Council and the Local Area Development Boards (LADB). They were able to manipulate and successfully run middle-tech and in those days, hi-tech establishments such as printing and fabrication and large-scale maintenance workshops, building sophisticated engines and machinery. They developed housing estates of great value, financially and socially. Regional governments used them for large-scale mobilization of the population especially using Traditional Rulers and for the introduction of innovations, especially in agricultural transformation and in pest and disease control in urban management and control, urban and rural water works, the management of health centres and clinics, immunization campaigns, environmental sanitation, and ecological control.

Currently, however, the local level of government and LGCs and their institutions have become a bye word for plunder and hotbeds of theft and corruption. During the military era, they were evident only when they met to share the statutory allocations amongst themselves through spurious advance payments for non-existent contracts. The late General Hassan Usman Katsina was quoted then as saying that: "Local Government stinks".

Barring any qualitative changes in attitudes and personnel, only the daring would make the LG institution a major vehicle for Vision 20:2020 transformation. Part of the reason is that political parties and State Governments deny them their status as an autonomous tier of government, and molest their chief executives and their purses through the noxious misinterpretation and misapplication of the Joint Account. Elections into these Councils give a bad name to Nigerian democracy. The most bizarre gyrations occur as persons' names are nominated for the chief executive position, then replaced then reintroduced again, and what happens is truly unbelievable. Basically, in most parts of Nigeria with few notable exceptions, the LGCs, their chief executives and their senior personnel have absolutely no status beyond being side-kicks of the State governor and his henchmen. Their projects are predetermined for them; their money is expended for them and only salary bills plus a percentage for nondescript purposes is allotted to them out of the statutory and independent revenues due to them. In other situations, they are simply invited and



asked to produce millions of Naira in cash or to sign a group authorization for hundreds of millions Naira of expenditure for stated purposes which never see the light of day.

The phenomenon cuts both ways as LG chairmen have been known to have become rich overnight and to acquire vast amounts of property from inexplicable funds. On rare occasions when benefits have come, the impact never goes beyond the Chairman, the councilors, top functionaries, and their hatchet men at the local level. The worst form of political corruption attends their election. Murder, violent attacks including rape and the mutilation, with weapons, of female genitalia take place with impunity. Arson is commonplace. As in the proverbial Nigerian situation, nothing follows and the culprits take office. Sometimes, the victims do not even have the luxury of a day in court or even in the police investigation office. Naturally, LGC chief executives and their councilors hardly spend a week of any month in their offices, preferring to live in luxury suites in posh hotels in the State capitals or in far places like Abuja, Lagos, Port Harcourt, etc, to appear only when the State governor invites them at the end of the month to sign dotted lines and to receive their preferment. This is a national tragedy which prompts many to ask for the third tier of government to be disbanded altogether or reduced to development areas directly administered by State governments.

### **3.3.3 The role of traditional leaders**

This should be properly defined given the apparent uncertainty about their role. There remains a unique and immutable tie between traditional institutions and institutions of the modern state, especially at local governance level.

### **3.3.4 Forms/Modes of Executive Power**

The Technical Working Group discussed a proposal for change in the mode of organization of executive power in Nigeria, from the current executive presidency mode to the mixed French system. The proposed system is one in which executive powers would be exclusively that of the president. Where occasion demands, the president shall be assisted by a team of ministers under the leadership of a Prime Minister, provided the ministers are parliamentarians (appointed by President). This should integrate the executive and policy making machineries of government. The proposal is made in the interest of good governance, transparency, accountability and, most especially, speed of service delivery.

The presidential system is very laborious and, therefore, quite inefficient. It is supposed to operate the principle of checks and balances, but the constant reference to failure of operators means that





its implementation has been sub-optimal, due to environmental circumstances. To change an operator, you must change that environment (instrumentalities). The system breaks down because men refuse to be disciplined because of their nature and nurture.

Other arguments in support of this proposal include the following.

- Most countries of the world practice the Afro-French system. Nigeria should follow this universal practice.
- The system of mixed presidential system of government is actually native to Africa and therefore in tune with African culture. Sooner or later, Nigeria will have to face this reality.
- Nigeria neither has the political culture nor the environment for the operation of the presidential system. Any country, whose system depends on the character of one person, would have a problem.

The proposal to change the mode of organization of executive power is to be understood against the background of historical dissatisfaction of Nigerian political elite with the extant modes adopted in post-independent Nigeria, from the British parliamentary mode, through the military executive mode to the American presidential mode. Nigeria has not been very successful in practicing any of the modes both because of structural and phenomenological (behavioural) constraints such that by 1998, the country was poised to experiment with the French mode.

However, the proposal for change in the mode of organization of executive power met stiff opposition from most members, whose arguments included the following.

- The system of government should not be confused with the system of recruitment and styles of leadership. The basis of presidential democracy is separation of powers; where they are fused, the system is muddled.
- The modes are supposed to carry the manifestation of democracy, not ends in themselves. Reversing to another system would enthrone confusion.
- The operators problematique applies to this discourse as well, that is, the problem is with the operators, not the system, or in this case, the mode.



- The first test of the presidential system during the Second Republic was successful. The unsavory experience under President Olusegun Obasanjo (1999-2007) is not a representative case for testing or evaluating the efficacy of the presidential mode.
- Ten years of the present democracy is too short to start to change the system. Nigeria has not even tried the presidential system enough. Let us try and see how to make the presidential system work better.

The Group noted the change/modifications suggested, but the majority was for the retention of the existing presidential mode of organization of executive power.

### **3.3.5 Formal Institutions and Processes of Government**

The Technical Working Group made the following observations in respect of the formal institutions and processes of government discussed.

#### **(i) Civil service**

The TWG observed that there is currently a brain drain from the civil service to the private sector. There was a time when the civil service was *the service* and it delivered the goods to expectation. That was when there was security of tenure, good conditions of service (remuneration, housing, etc.), and when the civil servant advised the politician and his advice was heeded. Today, the civil service is bastardized and its dignity has gone under the altar of 'reform'. The brain drain is inevitable because of the better conditions of service in the private sector. Previously the best brains went to the civil service; this is no longer the case.

The TWG is exceedingly perturbed by the general decline in Nigerian public officers' sense of duty, obligation to society, commitment to the workplace and duty and obligation on the job. Absenteeism is rampant and very few, only a minority of public office holders, junior as well as senior, live upon the proceeds of their regular employment. Almost everybody is engaged in two or three other preoccupations including silent management of companies with which they abuse the public trust. The combination of the maladies evident in the behaviour of public servants at all levels and total corruptibility will defeat any programme, no matter how richly it is funded or technically supported.



Furthermore, the TWG noted that the public service should take 80 per cent of the blame for Nigeria's contemporary underdevelopment through its lack of effectiveness and efficiency and pervasive corrupt practices. The civil service has been at the centre of all development initiatives that have been undertaken by the governments of the federation. Budgets, monitoring agencies etc. are under the control of civil servants. There is no sense of balance, no equity in their operation. The total wage bill to civil servants consumes about 70 per cent of public revenue. We must reform the civil service for it is the civil service that will implement Nigeria's Vision 20:2020 (NV 20:2020).

Given the position of the TWG in Section 2.3.3 with respect to the mode of organization of executive power, another critical issue raised in respect of the civil service has to do with whether or not the Nigerian system operated a true presidential system or a system operated for convenience to suit those already used to the way of the military. Concern was raised as to whether there is not a serious damage to the public interest if we have an elected executive system operating in tandem with a tenured bureaucracy. As it stands, we have an unbalanced system which militates against Nigeria building a stable political system and against an autonomous economic base in the country. If we are going to achieve NV 20:2020, the four wheels of the cart will have to move in tandem. An important cost of the presidential system or partial presidential system as is being practiced in Nigeria is to groom a system harbouring men and women, i.e., the bureaucracy, who could do no wrong, but in fact, did a lot of wrong,

This concern has become pertinent because there is now no love lost between the civil servant and the politician. The civil servant has the information power and often misinforms, deceives and corrupts the politicians. On the other hand, there is often pressure from the politician on the civil service. Both sides are culpable. Thus, while on paper civil servants appear professional, in practice, they are political. This is one of the major problems of this country. This observation lends some credence to the position that both the politician and the top civil servants should leave office together.

In all these, there was caution that we need to discriminate between State and federal services as their problems are sometimes different.



A positive argument for the tenured bureaucracy is that it provides stability. But the situation is such that the bureaucracy will run away with the price all the time. The issue then is whether to adopt the British tenured system or the true American system wherein the top echelon of the bureaucracy come and go with the elected executive. In principle, the latter appears to be safer.

**(ii) Executive**

Since the inauguration of a new dispensation of civilian rule in 1999, the executive arm of government has been the cynosure of Nigerians. This is partly because most Nigerians look up to the executive for good governance and ‘democracy dividends’. Also, the executive, especially between 1999 and 2007 was embroiled in a series of crisis some of which the legislature characterizes as ‘impeachable offences’ and which tend to jeopardize governance and development. For the TWG, the problems of the executive today include the following:

- Over the years, the executive has amassed too much power relative to other branches leading to too much politicization of governance.
- Corruption.
- Erosion of the bureaucracy on account of abuse of power
- Uncertainty as to whether under the presidential system we have opted for the whole hog in respect of the top echelon of the service working with and leaving the scene with the President they have worked with, as detailed in the preceding discourse on the civil service.

**(iii) Legislature**

The Group was concerned about corruption in the legislature. The current situation is that legislators use their powers of appropriation and oversight to engage in massive corruption, for instance, to force the executive to make concessions to the extent that they (legislators) nominate contractors. At the federal level, agents of the executive actually pay money to legislators in order to include (or modify) entries into budget proposals. The situation appears to be worse at State level, where there is also ‘an intimidating corruption’ by the executive which routinely buys legislators over. It is noteworthy that whereas oversight is not a routine function but a trouble case phenomenon invoked only when and where there is a discernible breakdown, in Nigeria, it has been turned into a weekly affair.

Corruption in the legislature is also to be associated with the lack of credible elections. When parliament engages itself in corruption, there is little hope for the nation.



**(iv) Judiciary**

- The Judiciary appears to be the most policed amongst the arms of government. This policing are done by the National Judicial Council (NJC), which inter alia takes petitions against judges quite seriously.
- There is nevertheless the problem of delay in the dispensation of justice, with some cases lasting up to 10 years. Justice delayed is justice denied.

**(v) Office of First Lady**

The TWG noted the growing profile of the Office of First Lady, not just at the federal level, namely, the Presidency, but at all levels of government – States and Local Governments inclusive. The Group acknowledged that the phenomenon blossomed in the hey days of military rule, particularly from 1985, when wives of military heads of state sought relevance by more or less formalizing the office through launching of pet projects that purported to care for vulnerable groups in society.

The TWG noted that in the United States, which Nigerian presidential system claims to mimic, the Office of First Lady is informal and advisory. In Nigeria, the growing formalization of the office means that they now have state funds channeled into their activities or use the proximity of the Office to the Executive office to attract funds for their pet projects, in addition to other accoutrements of office like the appointment of Special Advisers, etc. Their programmes are also eroding the constitutional duties of formal government agencies. The TWG, in fact, identified cases where State chief executives now compete with their wives in the public realm, and condemned the tendency towards excesses in the practice of *First Ladyism*. The office is also shaping out as opportunity for corruption. Above all, the Constitution of the Federal Republic of Nigeria does not provide for such an office.

**(vi) Military, Police and the Security System**

The Group discussed and resolved as follows.

- During the voting process, the police and the military subvert the democratic process in favour of the ruling party. The Police, in particular, seem to be deeply involved in aiding and abetting electoral fraud.
- In the process of discovering public crime, there appears to be some kind of unanimity amongst security agencies to appropriate the duty of the police



- Of all the security arms, about the only one that is positioned to take due and objective account of developments in an electoral situation but is not seen to do so is the State Security Service (SSS). The officers observe violations of the electoral rules and processes and file reports but the reports do not see the light of day.
- When an election tribunal upturns an election because they have been rigged and policemen and INEC (Independent National Electoral Commission) officials are implicated, more often than not, they are not punished for their role.
- As the most 'live' of the maintenance institutions, in an executive presidential system, which legitimately permits the accretion of powers, the existing (centralized) structure of the police should be sustained, in the interest of effective police functioning. However, there ought to be an improvement in the way and manner the police are posted and located – being mindful of the need for the local police to have local understanding of the environment.
- While the constitutional responsibilities of the Nigeria Police Force (NPF) are clear; it is nevertheless the case that policemen perform extra-police duties for politicians and their spouses, for instance, standing behind governors and their wives, following Governors' wives about and even carrying their hand bags. Most politicians and the elite concerned see them as a status symbol. This is degrading of the institution.
- The Group was also concerned about the metamorphosis of the Civil Defence Corps that was an informal and voluntary organization into a formal armed state organization almost becoming a police force of its own. Similar concern was expressed in respect of the Peace Corps.

**(vii) State Security Service (SSS)**

From its Arab conceptualization, state security service refers to the trustee of the nations' good name, safety, security and survival. The TWG noted the brewing tendency wherein the security service suffers privations and so becomes prey to the usual social maladies that have befallen Nigerian society and institutions in the polity. This works to defeat the essential purpose of the service.



Also, all too often security agencies' personnel clash just to protect their respective VIPs or dignitaries. There is need to bring some sanity into the situation.

### **3.3.6 Elections**

Concerns about elections are important because elections provide a functioning democracy with a universally accepted way of selecting those who will represent the people and run the government for the greatest good of all. In the contemporary world, elections represent the chief means of democratic participation, and therefore, for the regular expression of the will of the people. The electoral process is as important as the result of that process. How elected officials gain office influences their behaviour in office. An electoral process that does not work well tends to erode legitimacy of the leadership, and hence, of the government that it produces.

The Group was of the opinion that many of the sub-concerns listed under this topic in Section 1.2 above have been reasonably taken care of by the Electoral Act 2006, save for 'Electoral body'. For this reason, advocacy of proportional representation to give due recognition to the will of the people and so improve the equity and justice content of the electoral system, was rejected by the TWG. The Group noted that the main problem of the political system with regards to elections is that of service delivery, i.e., delivering free and fair elections, hence, the need to concentrate discussion, though not exclusively, on the Independent National Electoral Commission (INEC).

#### **(i) Electoral body**

Nigerians are weary of the quality of appointments in INEC. The manner of composition of INEC, particularly the appointment of the Chairperson, was thus a source of concern to the TWG because the present system currently favours incumbents. There was a suggestion that Nigeria can learn from the South African example, but we could use the NJC, instead of the Chief Justice to nominate the INEC chairperson. The NJC should advertise, screen and recommend the name(s) to the President for onward transmission to the National Assembly. There would have been transparency.

There was a contrary opinion that the present system in the appointment of the chief executive of INEC is adequate, but that the INEC needs independent funding.



Yet, a third position was the call for a ‘complete electoral revolution’, wherein a Nigerian voter is empowered to vote anywhere he likes and his vote is respected. We have a problem of complete voter apathy. We need a revolutionary amendment that convinces the ordinary Nigerian that we now mean business.

It was recognized that part of the problem of INEC is the issue of institutional breakdown or system failure. This is because the National Assembly properly funds INEC and the funds are released in time. The issue is not independence either. The problem is that of improper checks and balances and the attendant moral decay, not necessarily with the political inclination of people. Elections are properly conducted but officials all too often manipulate the results.

There was also a call to centralize electoral functions in the political system in INEC, to bring sanity to local elections presently within the purview of State Independent Electoral Commissions (SIECs). However, this was quickly rejected on the basis that it is impossible to call ourselves a federation and not allow the states some autonomy.

**(ii) Organizing Elections**

- The Electoral Act has made adequate provisions for organizing elections.
- The Report of the Electoral Reform Committee (December 2008) recommended, and Government has accepted, the Modified Open Secret Ballot System.

**(iii) Franchise**

- The Group notes that the Report of the Electoral Reform Committee (December 2008) recommended, and Government has accepted independent candidature.
- The right of Nigerians living outside the country to participate in the political process was acknowledged. However, several problems were identified as constraints to their possible voting in elections for now.





### **3.3.7 Political Parties**

In Nigeria, discontinuity, from the word go, has been the hallmark of the development of political parties due to the influence of subjective factors such as ethnicity, regionalism and so on. The biggest influence of course is military intervention. Each turn of the barrel of the gun produced its own brand of political parties. The solitary effect of all these appears to be consistency in the national will towards coalitions and the making of national as opposed to sectional political parties. Unfortunately, simultaneity between forcible changes of regime and guided emergence of political parties did not, in itself, lead to organic fusion of minds, and so Nigerian political parties have been far more mechanical than ideologically based, making it easy for them to vanish after each regime change.

The current crop of political parties is no different. The persistence of discontinuity has imposed on them, as on the nation, the adoption of counter-democratic practices such as zoning to give them a veneer of cohesion and unity. Little wonder, debate still persists whether the number of parties should be limited as opposed to the present liberal democratic approach, which respects and funds human rights of association, with the caveat that those who fail electorally deserve to disappear. Notwithstanding the very stringent constitutional requirements for the registration of political parties and for victory at the elections, nationwide, statewide and LG-wide, Nigerians appear unwilling to let history take its course and for a natural evolution to occur. The divided hot house situation in such a vital class as the leadership classes cannot be said to be helpful to NV 20:2020.

One-party state solutions would be reckless in view of our empirical circumstances and our history. The only saving grace in comparison with the pre-Second Republic times is the decline of monolithic ethnicities and regional solidarities, which incubated the Nigerian civil war and political violence. This means that, in fact, Nigeria is succeeding in breaking up subjective foundations of disorder and disunity. If the recommendation on the National Commission on Inter-Group Relations (see below) is implemented, even the religious spectre which now threatens the nation – the spate of mass disorder and mass slaughter of the last decade since 1999, may represent the death throes of prejudice and bigotry. Political parties, as existing today, appear to be merely creatures of convenience built upon the search for opportunity as opposed to the pursuit of ideals and national greatness. May be that is why the debate is still active.



The TWG recognized this and different opinions were canvassed. For instance, it was canvassed that Nigeria is a multi-ethnic society. As such the proliferation of parties would stifle the drive towards national unity. A ‘Guided democracy’ that regulates the number of parties into a democracy of two or three parties plus independent candidature was suggested as recommended by the Report of the Electoral Reform Committee (2008). However, this ignores the stringent conditions now for the registrations of political parties, which seek to enforce a national unity approach. Other opinions suggested that the current stringent conditions for the registration of parties are themselves counter-democratic.

Political parties were castigated for being wild organizations and totally lacking in internal democracy or organizational finesse, and relying too much on corruption, violence and abuse of institutions of the state to win elections. Apart from budgeted programmes and projects, there is nothing to suggest that the political parties have any vision or a scheme for democratizing society. Without the support, and control of the government in terms of their apparatus and treasures, the parties will amount to nothing more than men and armed thugs. The absence of internal democracy is made worse by similar undemocratic conduct, and intolerance towards opposing parties with alternative structures if not platforms. The uneasy feeling is strong that there is really nothing apart from subjective personal inclinations to separate Nigerian political parties. They are all guilty of the same misdemeanors and, in government, they are all steeped in corruption. It is they who promote electoral violence, exploit ordinary men, and arm and sponsor them for acts of violence and electoral malpractices such as vote rigging, result manipulation, and all the associated electoral crimes.

### **3.3.8 Ethnicity and Religion**

The TWG discussed ethnicity and religion together because any definition of ethnicity must include culture and morality, which are intrinsically tied up with religion.

Historically speaking, Nigerians began to perceive and use the objective differences among them as active instruments of mobilization – politically and for competition among groups, around the 1940s when the *Egbe Omo Oduduwa* gave meaning to Yoruba as an identity, the Ibo State Union converted the name *Igbo* to Ibo and mobilized this group on the basis of a common language and a singular identity and the Arewa Development Association emerged as a platform for the North



and its various peoples. Until that time, Nigerians accommodated each other sometimes making fun of each other, but never mobilizing into active tribal groups as became familiar from the Richards Constitution period up to the civil war (1946-1967) and to the present day.

It is clear that the political use of ethnicity in the form of tribal unions, regionalizing political parties, and instruments of mutual exclusion led Nigeria to numerous acts of violent altercations which climaxed into a civil war. It is clear that as a state, Nigeria has deliberately and consciously; most publicly discouraged aggressive uses of ethnicity and ethnic identity in politics, governance and the distribution and regulation of opportunities. In fact, our political history since independence, but especially since the civil war, is a story of various forms of political accommodation in a deliberate philosophy of integration, unification and harmonization. Such terms as regional quotas, unity schools, federal character principle and the emphasis on greater central regulation of politics and development have all been based on the efforts to unite our various peoples into a national community where tribal identities do not matter. The ultimate effort is to be found in the conversion of the country into a multi-state structure and the drive to harmonize size and practice even at local government level. It is also pertinent to note that the nation's resort to federalism is part of that accommodation. So long as the political class committed themselves to the new experiment after the no-victor-no-vanquished and the reconstruction, reconciliation and rehabilitation initiatives, all would have been well. Military intervention made some of the measures at integration purely mechanical and therefore stillborn.

A surprise package awaited the country with the emergence of religion as a new dimension which supplanted aggressive ethnicity with aggressive religiosity, heating up what could have been a benign situation. Without seeking what must be an over-speculative explanation of the reasons for this, we note only that too many sudden breaks and interruptions over the period of transition-to-civil rule locked out most of the foundations of calm and one way or the other promoted irrational views of society making everyone a scapegoat to everyone else.

By the end of the Sani Abacha-Abdulsalam Abubakar period (1993-1998), tribalism *per se* had been completely overwhelmed by religiosity. The emergence of Olusegun Obasanjo coincided with growth in the number and impact of new, unorthodox sectarian religious groups of all types not answerable to anybody within Nigeria. Many of these new sects, both Islamic and Christian, adopt very uninhibited styles and vocabulary in worship and proselytization. Spiritualism based on



religious practices sometimes makes it difficult to draw the line between religiosity and cultism. At the same time, continuing decline in the economy with attendant hardships across the board seem to have accentuated social irrationality, shortening of tempers, and resort to violence as a primary tool in the resolution of differences. Over the Obasanjo period (1999-2007), a significant number of violent conflicts occurred across the nation. Lawlessness and brigandage of one form or another heightened the tendency to violence and disorder.

The critical observation from a thorough examination of the situation is that almost any conflict of an inter-group nature has been capable of interpretation on religious terms. It is, therefore, necessary to be clear in our mind that profiteering from religion makes religion the readiest available tool to explain any situation.

At this stage, there is no clear agreement across the nation that particular and notorious eruptions of violence such as in Jos, Kaduna, and elsewhere, are intrinsically religious or something else. For Vision 20:2020 perspectives, it is not profitable to pursue a line of inquiry like that. What NV 20:2020 must do is to tame the situation, give the community a single purpose and direction such as make it pursue the Vision 20:2020 goal and accelerated development generally.

**(i) Religion and spiritualism**

Ideally, ethnicity as well as religiosity ought to be enlisted in the harmonization and stabilization efforts for the positive direction of society. However, a dangerous trend that tends to grossly undermine and diminish the positive values of religion in particular is the burgeoning role of spiritual leaders in controlling political leaders and the political system. The TWG was unanimous about the ubiquity of 'spiritualism' in politics, noting, in particular, growing misanthropy which take the forms of slaughter of persons, eating their flesh and drinking of blood *a la* Maitatsine, etc., to achieve political goals. This is becoming quite pervasive in the political system.

We note that the resort to magical solutions to solve real life problems transcends the political class and this is not an encouraging approach to Nigeria's social life.



### **3.3.9 Civil Society Groups**

The focus of discussions on civil society groups (CSOs) was to draw attention to the place of popular participation as a pillar of effective democracy and governance. It was in this context that the TWG discussed NGOs and other groups in civil society.

#### **(i) Non-Governmental Organizations (NGOs)**

The TWG took note of the worldwide phenomenal growth in the number, scope, impact and the influence of NGOs in both the so-called advanced as well as the poor nations. At certain times in the contemporary situations, serious intellectual circles considered the impact and influence of NGOs sufficiently strong enough to replace political parties, especially in the advanced nations of the world. Some scholars have even submitted that they are more influential than the organized political parties in determining the outcome of elections in the United States of America (USA) and well as in Europe. They are credited also in some circles with changing the class configuration of parties in Britain, for example. Evidently, NGOs played a big part in bringing current USA president, Barack Obama, to power.

Of interest to us in Nigeria, in addition to their phenomenal growth in number and scope, is the seeming tendency on the part of donor strategists to prefer NGOs to direct aid contribution to government especially in Africa. In the time available, we cannot give a breakdown and comparative analysis of how much aid inputs have gone to NGOs and to formal government agencies, respectively and to break this down for diachronic comparisons. It is, however, sufficient to observe their growing strength in number and in their range of activities. It is pointless speculating as to the reasons why this has taken place.

We invite Government to sponsor special focus studies on NGOs for a number of reasons.

- i) Positively viewed, they are and can be an agent of accelerating development, developing society-wide consciousness and increasing the bonds that unite people into a living community. As such they have a harmonizing, integrating as well as a development impact.



- ii) Conversely, the preference for NGOs as opposed to formal government institutions by donors from the richer and more powerful countries may be, and sometimes is, related to social and political penetration if not out and out espionage and subversion.
- iii) Moreover, they may function as a diversionary influence which undermines the thorough-going development of the responsibility of nations towards their national communities. In that sense, the greater and the more pervasive their influence and their impact, the less and less formal government machineries feel morally bound to take their responsibilities in full.

Whatever one thinks, NGOs are useful instruments in increasing output in desirable areas and also in underpinning a sense of responsibility among the political leadership class. However, it is noted that some NGOs are opportunistically motivated – self-serving and sometimes deliberately promoting anti-social activities such as electoral violence, drug and human trafficking and general anti-social behaviour and cultism.

Meriting special attention is a category of NGOs which have global reach, do a lot of good work but which are sometimes very skewed in the application of their brief, for example, Amnesty International and Human Rights Watch. They frequently, issue reports indicting particular governments without sufficient evidence. The same report change content and nature within a short time without sufficient evidence or cause. It is difficult to dissociate notions of deliberate bias with a purpose, especially when Amnesty International and Human Rights Watch, for example, condemn governments at the same time as certain governments in the world are condemning them too as a matter of foreign policy.

Nigeria should accept the existence of such bodies and even endorse their activities, but like governments all over the world, it must be watchful of them. So long as we are doing nothing wrong, we should not be afraid to take issues with them anytime they lie against us or create a false bubble to intimidate the nation. This is an area for which the National Intelligence Agency (NIA) and Department of State Security (DSS) must be empowered to develop capacity to contend with eventualities.



**(ii) The media**

Here the TWG observed a tremendous amount of positive development. The Nigerian media are vibrant and active, and have actively educated Nigerians on a variety of issues, including human rights and participation. There are newspapers of wide national spread. Perhaps, no where in Africa is the press given or does it take greater latitude to be free and fair. But there are danger traits. The evidently poor and irregular remuneration of practitioners in the media creates room for certain dangers and risks. Alongside the commercialization of politics is the commercialization of journalism. This creates room for corruption. For instance, the existence of ‘underground agreement’ with some segments of the media to defend or attack particular positions in the public realm tends to create a market for a tradition of the defence of iniquity. The negative tendencies in Nigerian journalism need scrutiny.

**(iii) Low participation of women in politics and governance**

The TWG acknowledged that Nigerian women have come a long way in positioning themselves appropriately to play important roles in politics and nation-building. However, due to pervading structural constraints – cultural, religious and ethnic, etc., their participation in politics and governance has remained quite low, notwithstanding marked improvements in recent years. This is particularly so with respect to elective offices (decision making positions in the public realm). Nigeria is nowhere near the Beijing Declaration that women be allotted, at least, 30 per cent of all positions in the public realm.

The TWG envisions a future Nigeria in which women are *seen* to play key roles in politics and governance, not just as members of women’s wings but as authentic gladiators in the political system in their own right.

**3.3.10 Role of Universities and Institutions of Higher Education and Research**

Nigeria’s educational system as a whole is adopted from the colonial power, and therefore, the concepts are similar. First, the universities are an arena for the reproduction of the leadership class. It fine-tunes and improves upon the instruments of its trade through teaching and research, molding character within the context of the former.



The problem in Nigeria appears to be that the higher education function has operated within a kind of vacuum with no proper or defined philosophy and *modus operandi* which directly connects it with the nation, the state and the political system. The emphasis has always been on teaching and the production of new elites. Research has been haphazardly and largely academically controlled, an ivory tower conception with little or no relevance or integration with society. There is no guideline defining and relating the purposes of the state and government with that of the universities.

A second problem is that government has progressively reduced the attention it pays to the institutions as far as funding is concerned under the aegis of a private-sector driven system. The turning point, about ten years ago, making the universities self-financing has destabilized the system. The end result has been wayward growth, patchy quality and a general decline in the general environment in which students live and learn. With materials in standard reading lists hardly in existence, we are reduced to a culture of handouts which is slowly falling prey to corruption in different forms such as girl-student-teachers improprieties and examination malpractices and results manipulation. This is sufficient for some people to make a mountain of the decline of quality in Nigerian education of which there is objective evidence.

We now have a situation largely dominated by cultism, moral decay, growing but not predominant misuse of ethnicity and religion in vital issues such as recruitment of teachers and appointment of Vice Chancellors and heads of institutions. As a Technical Working Group, we must admit that given the nature of evolution of the Nigerian state, use of certain principles such as catchment areas and federal character as adopted by Government is valuable. Nevertheless, even in those areas, there is slow erosion of conformity to the norms that have been put up. We also note that the decline in the university system is also associated with the failure of the state to develop itself economically. The lack of underlying philosophy had meant that politicians and students haphazardly concoct a relationship in which students find themselves victims. In the circumstance, the universities stand little chance of performing optimally any of their expected functions as specified above.

### **3.3.11 Globalization**

The TWG recognizes that globalization is an inevitable consequence of contemporary developments worldwide especially in the field of communication and in the tendency of habits to





imitate one another. It is also the product of the drive of the world's major economic and political powers to create a one world situation. Thirdly, it is the product of closer relations resulting from the above two conditions and the natural consequences of development and growth, e. g., regional blocs in West Africa and Europe.

But it must be recognized that globalizing, even on a minor scale, nations have sometimes depended on each other, especially those that are neighbours. In West Africa, Nigerian groups have spread to other areas of West Africa; so a globalizing influence like the Economic Community of West African States (ECOWAS) has been there in the making even though no one had articulated it. From this, it is clear that globalism has two dimensions, some desirable others not. The fall of the Union of Soviet Socialist Republic (USSR) has increased the leverage of the United Nations (UN) on all nations, and by the same token, the dominance of the USA and its allies. As such it could mean a threat to national sovereignty, national economies, and the cultural identities of peoples and nations all over the world. Even with this scenario, globalization has already begun to acquire pock marks with the arrival of China and India as very serious contenders and serious threats to the economic dominance of the promoters of globalization. To a certain extent, therefore, globalization is like a concept deployed to regulate an old system.

For Nigeria, globalization has advantages and disadvantages. Unquestioning signing of treaties on globalization meant the death of local industries and Small and Medium Enterprises (SMEs). This means nations must pick and choose, as of old, how to find their way. Nigeria would do well to concentrate on ECOWAS, providing we do well at home. We should concentrate on Nigeria first, making our institutions work, and leaders, and the economy to grow. Nigeria has the potential to be one of the biggest economies in the world by 2020, providing the country reforms its political economy system. Thus, there is a lot to gain from globalization, if we use it as a launch pad to strengthen our local economy and politics. This calls for purposeful Nigerian use of globalization in the international system to harness benefits. For, so far, however how much it is vilified, Nigeria is one of the most dutiful nations in the international system. For example, Nigeria is one of the most dutiful contributors of peace keeping troops amongst the comity of nations (See Box 1); yet, without reaping due benefits, like signing agreements with the countries we help on matters like aviation, economy, making uniforms for their armed forces, etc. In recent history Nigeria has been snubbed by the international system, allegedly on account of poor governance and economic management, in spite of its duties to the international community.



There is another side to globalization, namely, our cultures are being bastardized and denigrated and the Government seems not to be doing much, if anything, to check this. Nigeria has not invested where the most significant damage is done, namely, in the cultural field. Nollywood, Nigeria's movie industry has emerged as the world's second largest in the world. Yet, the country is doing nothing to support the industry. There is no determined effort to produce drama in Nigeria. Similarly, Nigeria's sculpture is internationally renowned, but the elite are not interested.

### **3.3.12 Corruption**

World-wide, there is a growing strictness against corruption almost approaching zero tolerance of the phenomenon in all aspects of the politics, governance, financial and business life of nations. This opposition has become so strong that it is affecting the standing of nations associated with it in all facets of international relations. The major centres of power, diplomatic leverage and development aid to poorer nations have begun to use the incidence of corruption as a desideratum for determining their readiness to offer development aid and other forms of assistance to the poorer nations. Africa, in particular, has been identified as the international sick child because of the conviction of the international community that their leadership and elite classes are drenched in corruption in all its forms. The aversion to it aptly explains why Europe and the USA in particular increasingly direct their assistance efforts to African nations through NGOs, voluntary associations and interest groups as opposed to direct donations to the sovereign states in the continent. It explains also why they are increasingly pushing African countries into the open arms of the IMF and the World Bank, notorious for their hard-headedness, the debt trap and the vicious cycle of debt-underdevelopment-and more debts, which holds African countries in its dependence grip.

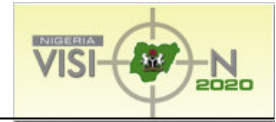
So destructive and pervasive is the phenomenon of bribery and corruption and other forms of naked brigandage here in Nigeria, that they featured in every discussion during the work of this TWG as a major factor in explaining the failures and the dysfunctions in Nigeria's national life and political system. Corruption and political corruption alone are seen by most people, including learned commentators, as the chief contributor to Nigeria's often repeated potential for total collapse. The goal of NV 20:2020 cannot possibly prosper in any way in the current climate of extreme corruptibility of most of the leading and elite classes. This truism assumes a horrendous



dimension when a proper appreciation of Nigerian corruption and its forms is achieved as presented below.

**(i) Outright Theft and Brigandage**

- Direct misappropriation and diversion of statutorily allocated revenue from the national treasury to other tiers of government in whole or in substantial part, by the high and mighty. This includes the raiding of the Consolidated Revenue Account, the foreign balance accounts of organizations such as the Nigerian National Petroleum Corporation (NNPC) and the Nigerian Ports Authority (NPA), and the withholding of huge sums of money in foreign aid for large-scale water conservation under the auspices of the UN, World Bank and the AU; HIV Prevention funds and Anti-Desertification Programme.
- The diversion and misappropriation of revenues by management cadre in such revenue-yielding organizations as Customs and Excise, NPA, the National Maritime and Safety Agency, the National Shipping line, NNPC, etc. This reaches right down the line to the lowest level.
- Bunkering and theft of Crude Oil and Products including the operation of illegal oil wells through unregistered OPLs, diversion of loaded tankers, unrecorded oil lifts and misappropriation of seized cargoes, and illegal refining of stolen crude.
- Illicit revenue collection – substitution of official receipts with privately printed receipts. This occurs at all levels, up to the LG level, where market dues and levies are subject to these private receipts.
- Direct misappropriation of budgeted project funds through just swapping of papers and stamped receipts.
- Bogus contracts – where a contract award is made, valid contracts are entered (e.g., road and maintenance contracts, large-scale public works), and the payment of huge sums as advance payments are effected but the contracts are never performed and this is done deliberately. This includes fake sales of public enterprises or joint venture agreements in which the foreign partner, by arrangement takes most of the value out, e. g., Itape-Ajaokuta Steel Complex.



- Fake pensions, gratuities and salary payments. The biggest single scandal ever perpetrated against the national treasury which lasted 20 months was the taking of N25 billion every month for 20 months by a civil service syndicate manipulating pensions, gratuities and pay and records of retired, deceased, serving as well as non-existent civil servants until Obasanjo put a stop to it. This gave the General his famous distaste for civil servants and his refusal to back financial assistance to civil servants for monetization programmes. Up to this day, this is going on. At no level of government can there be a successful defense of personnel emoluments and this is a permanent and most damaging hemorrhage on the nation's purse and its development efforts, and it is the most difficult for the political system to take charge of even though movement to a more private sector-driven economy may reduce damage to the image of the country on the score of just theft and brigandage alone.
- Monetization theft – Up to this day, there is the withholding of many Federal Government properties under the monetization scheme. Significant part of Abuja has been sold through dummy allocations. Federal property allocated under monetization, FCT lands, conversion outside any grace and favour categories, and large high-cost federal properties were withheld and privately converted to cronies. Also, large substantial proportion of FCT lands in prime areas were falsely allocated to dummy companies and sold to foreign buyers, especially foreign citizens and companies intending future use and the proceeds misappropriated.
- Fake acquisitions – by deliberate arrangement between officials and contractors. High-tech, disused, and dead equipment is pickled, polished, varnished, resurfaced and re-sprayed and imported into Nigeria as new principally to work for a month, two, three months and then expire. Two major strategically crucial components of national survival and growth, the Nigerian Railway system and National Electric Power Authority (NEPA), now Power Holding Company of Nigeria (PHCN), were destroyed by this practice. In the case of NEPA, more than 60 per cent of generated power has been consistently shed to earth because of the lack of capacity to transmit the power on the national grid because all the transformers being brought in were of the nature described. (Most of the people who headed Ministries, Departments and Agencies (MDAs) in the Power sector have ended up stupendously rich.) The railways just stopped running because the world no longer makes narrow gauge components and the Nigerian Railway Corporation (NRC) was importing



dead railway components from all over the world. Nigeria's Vision 20:2020 will die, and probably with it Nigeria, if Government persists in the IMF/World Bank conspiracy to prevent the emergence of a standard gauge network, universal now to the whole of mankind, because an industrialized Nigeria without a railway network is a fairy tale in the dream of children (Akuko umuaka – Igbo). And to suggest also that Oando and Dangote should be allocated the Nigerian railway system in a privatization exercise is a profound form of corruption from which Nigeria will die.

**(ii) Political Corruption and Corruption in the Political Process**

Corruption in politics, especially in the process of selection of leadership classes is of monumental proportions and conditions, including the proceedings of political parties and the electoral process and in the passage of legislation in all legislative Houses of Assembly, not to mention the determination of their own emoluments, allowances, and other forms of corrupt feather-bedding. In the most extreme form, this is typified in the recent public scandal, which exposed the unconstitutional imposition upon national and States budgets, up and down the country, of so-called constituency projects and appropriation of both the projects so entered and the funds earmarked for it by individual legislators, who then act as both contractor and pay master.

**(iii) Conventional Corruption**

Conventional corruption includes gratification, kickback, inducements, immoral gifts, fraternization, sexual abuse, inflated contracts, etc. Pervasive as all these types are, and damaging as their effects are, they are not as important and damaging to the country as the category of outright theft and brigandage, which render the whole concept of the commonwealth and national property ridiculous, quite apart from the threat they pose, of eventually rendering Nigeria a failed state.

**(iv) General Moral Corruption**

Corruption as such, especially of the category of conventional corruption, should not be understood as belonging only in the public sector or as been something new. It is certain that as early as the 1830s, correspondence between the Kingdom of Fez and the Emirate of Kano highlighted concern for redress over the sale to a Fezzan trader in the Kurumi market in Kano of re-dyed old cloth sold as new and returned. In the coastal trade between white men and the trading princes of the Niger Delta, as well as in the trade in Yoruba cloth and Bini bronze, cases abounded of dispute over fakery and sub-standard quality.



In contemporary times, butchers are known to soak meat in water over night to increase its bulk and resale value. Mechanics polish old parts and sell them to motorists as new. Other examples include milk maids who top up their daily supplies from the rural stagnant ponds to make up volume and increase their income; regular employees of government do what they call 'moonlighting' or PP (private practice) and that extends to medical personnel who run private clinics on the stocks of drugs and facilities of the government which gives them regular employment; persons who look away when illegal goods are brought into the country; public service personnel who stamp approval to illegal constructions in our cities; girls who sleep for degrees and teachers who give degrees for sex; tally clerks in factories and government stores who load up to 50 per cent of an indent or rework the same indent several times over; chairmen of Local Government who withhold fertilizer from the public and officials of the Ministry of Agriculture who do the same; poverty alleviation programme officials who divert what is meant to the public to themselves or their cronies; and ordinary traders and craftsmen who adulterate, under-measure, or sell pickled old junk as new (recall the failure of NEPA because of its dead transformers).

The general situation of corruption highlighted above makes it difficult to deal with corruption and therefore, the recommendations over it as to the *modus operandi* may in part have to be an envelope case (see Appendix 3). It may also require the adoption of a totally radical constitutional provision after a certain process involved in the phrase 'Resolution of Absolution'. The current trend – in the form of operation of the Independent Corrupt Practices Commission (ICPC), Economic and Financial Crimes Commission (EFCC) and related agencies like the National Drug Law Enforcement Agency (NDLEA), are very brave efforts, but the criticisms of them that are made sometimes makes sense. It is only fair to say that the critical weaknesses lie outside these bodies.

If drug overlords metamorphose into political financiers; if thieving ex-chief executives launder their loot on the bandwagon of prospective candidates and if one of the candidates wins; if state treasuries are openly admitted to have been looted on the instruction of the *numero uno* for purely unconstitutional uses, and if almost none of Nigeria's past leaders, bar Shehu Shagari who is now an octogenarian and Muhammadu Buhari, can escape charges of one form of financial or material brigandage or the other, realistic people must admit that lions, tigers, bulls, elephants and leopards as well as rhinoceroses produce their young. And so, whatever may be attempted will face serious obstacles, unless it is handled with dexterity. This is more so for two reasons:



- (i) Instruments of accountability in Nigeria are weak because everybody starts from ground zero (destitute become billionaires overnight and purchase the conscience of kings).
- (ii) In a freely democratic society, underpinned by the rule of law, existing legal instruments hinder rather than assist any war against corruption or even brigandage. The level of political culture and the low moral density in society makes the lower levels of the instruments open to abuse.
- (iii) Above all, the whole system of conveyance, storage control and disbursement of public funds is inadequate and depends too much on human frailty. This is especially so at sub-national levels of government, where the system rests upon one person, that is, the state governor and to a lesser extent, the local government chairperson.

The new fangled institutions of Bureau of Public Procurement (BPP) or Due process Office, compound the issue, hamstringing the political growth of Nigeria and lay the grounds of more profound forms of corruption. Where the same person originates policy recommendations – including desirable projects, costs the estimates, recruits experts/consultants, designs and issues standards, receives the tenders from his appointees, chairs the Tender Board, appoints the contractor, receives the certificates and authorizes payment describes a system that can hardly curtail corruption.

A BPP has a role in curbing corruption but not in the form it is now because the Nigerian bureaucracy is a career bureaucracy which is tenured and outlives political chief executives. Its fortunes are separate from those of the incumbent chief executive who appoints them. In the USA-type presidency, all the management class in the bureaucracy are untenured and come and go with the president who appoints them. In that situation, each chief executive at all levels, comes with all the management cadres in the bureaucracy and leaves with them. Only Grade Levels 14 and below, who only perform registry and related, duties are permanent. In such a situation, a BPP Act would seem appropriate. Outside this situation, the BPP is a burden and an encumbrance.

The only other situation it may make sense is in the case of the Belgian-type situation where all chief executives arrive with parallel appointees to all the management cadres in the public service. The resident bureaucracy maintains records, offers information and guidance on rules of



procedure, etc., but do not participate in recommending policy decision and deployment of resources. These are the duties of those who come in with the chief executive.

In the Nigerian situation, however, a BPP Act and the Circular with Reference No. SGF/OP/I/S.3/VIII/57 and the like, which it has generated, will destroy NV 20:2020 because it will destroy the political system, for, power without the control, management and distribution of resources in a political system makes absolutely no sense unless with reliance on force or in situations of a colony.

As to the Due Process Office that was made famous under the Obasanjo regime, the best that can be said of it is that it allowed the political boss to allocate opportunities to his cronies and relations and, above all, to dummy companies organized for him and owned by him. The second best that can be said is that it allowed people in the Due Process Office to negotiate fat kickbacks, sometimes from companies who never tendered for projects but were awarded, while at times imposing penalties on companies allegedly in default of a regulation governing a tender of which they knew nothing, did not tender and did not even belong to the sector. The worst, of course, that can be said is that it gave cover for plain brigandage of the highest order.

To make matters worse, there is hardly an agreed standard for unit pricing in bills of quantities anywhere; the figure just comes out. This is partly why both the EFCC law and ICPC law are before the National Assembly to strengthen them.

### **3.4 Strategic Imperatives**

In this section, we identify the important conditions which must be met or actions that must be taken in order to ensure the amelioration, rectification or provision of outright solutions to the challenges and threats identified with respect to the issues discussed in Section 2.3.

#### **3.4.1 Federalism**

Cognizant of the general observation that the general profile of Nigerian federalism as practiced suffices for now, the TWG recommends as follows.

- For the time being, the current legislative distribution of functions should be retained.





- The practice whereby States execute federal projects against re-imbursements should stop because it has been used for terrible acts of corruption.
- The office of Federal Agent, which is the institution to ensure thorough-going democracy, to actualize the various virtues and usages of the federal idea, to remove tendencies to despotism, plutocracy and oppression of opponents at State and LG levels, to prevent the presidency from being a prisoner of State governments, and to reduce the cost of travel and opportunity cost of absence of chief executives from their position, should be re-activated to monitor and take care of all federal institutions and functions in the State, and otherwise to perform general liaison functions between the States and the Federal Government, and between LGs and federal institutions.
- The Council of State should be retained; but note must be taken of its original conception as a purely advisory body to the President, for the purpose of crisis management and the consideration of controversial matters as and when they arise. The use of it as a supra Federal Executive Council and supra legislature should cease. Ideally also, its proceedings should remain totally confidential and its meetings should not be so regular as to constitute a co-rulership Council which denies the system of government in Nigeria a definition. In any case, membership of the Council of State should exclude any person who came to power through unconstitutional means or was convicted for a criminal offence by a court of law.
- A thorough tidying up of procedure must be carried out to approximate, if not improve upon, the Second Republic procedures under Shehu Shagari, providing that the Federal Agent in the State are selected not from party stalwarts but from men of integrity, high repute and executive capacity and finesse, who will be as nation-oriented in their behaviour as the president is supposed to be.
- As far as possible, the Federal Government should cultivate, fine-tune and widely use the grant system (grants-in-aid) or counterpart funding or joint development programmes in specific areas of weakness such as the Niger Delta and other poorly developed areas, e.g., in education, economic empowerment and poverty alleviation, agriculture, water and regional planning, erosion and other forms of environmental control, desilting of lakes,



dams and river beds, pollution control, wildlife conservation, the promotion of technical innovation at institutional and individual levels, etc.

- Complaints about federal involvement with LGs ignore the basic philosophy of the Nigerian federation and, therefore, we recommend continuing interest of the Federal Government in LG matters, particularly in the areas of grants-in-aid, and regulation of relations between the States and the LGCs in an appropriate manner, etc. In particular the LG creation exercise should cease to be a State Government function. To that end, a once and for all review of the LG structure of the country should be carried out, so that subject to issues of demographic scatter and awkward topography, LGAs should as much as possible approximate each other in size by population. To that end, the presidency should send a Bill to the National Assembly or acting alone, review the LG structure, determine the optimal number before sending a Bill to the National Assembly for consideration.
- To ensure proper management and regulation of activities at Local Government level, each State Government should create a Ministry of Local Government Affairs in the same form as existed in the old Northern Region, which allowed Local Government autonomy but also allowed some degree of minimal supervision and guidance with respect to some legal and technical matters and also imposed probity and discipline.
- In respect of the observation that Nigeria's federal constitution ignores a major area of adjustment, namely, the destruction of coordinate sovereignty, we recommend a proper evaluation of those attributes of federalism which relate to coordinate sovereignty because they are part and parcel of our confusion in Nigeria. It is very difficult to justify categories of chief security officer, chief police officer and the chief law maker attributed to chief executives of entities below the federal centre. It is in this respect that those who argue for the banishment of the three-tier structure and the reduction of State governments into no more than provinces with provincial or Local Government Area (LGA) attributes, and the LGs into Development Districts, have a point. The virtue of such an arrangement for accelerated development is questionable and this committee recommends only that a high-powered re-evaluation of the constitutional implications of events from 1963 to 1996 when the final act of creation of States and LGAs took place. It is better for the nation to be clear headed about what it is than to walk or dance in the blind.



### 3.4.2 Local Government Institutions

To ensure the effective functioning of local government institutions, the following strategic imperatives were recommended.

(a) A constitutional surgical operation and blood transfusion plus political electoral therapy which involves:

- (i) A thorough going vigorous, serious, and nation-wide programme to underline the concept, the meaning of the concept and the political payload conveyed by the notion of local government.
- (ii) A constitutional unambiguous emphasis on the status of local government as the third tier of governance with full autonomy subject to any constitutional provisions which recognizes the membership of the LGAs and their councils in a state and the national family.
- (iii) Minimal interference in their affairs, except in the terms recommended in section 2.4.1 dealing with federalism and elsewhere in this report
- (iv) The development, and passing into law, of a fresh book of rules of procedures as well as codes of conduct to be made binding on all LGCs. Such a book of rules should also specify clearly the nature of their relationship with the states and federal government and the limits to which they can be made to submit to the request of higher authority.

(b) Their financial independence as a third tier of government should be recognized and confirmed by law, viz,

- (i) Their statutory allocation from the Federal Government must be paid directly into their own account or held in their name in such an account in the branch of the Central Bank of Nigeria (CBN) in their State capital.
- (ii) The institution of joint accounts between LGs and State governments should be completely abolished. Rather, legal instrument, percentage shares of jointly generated independent revenues between the State and each LGC should be determined and the disbursements monitored by the Public Accounts Committee (PAC) of the State Assembly and be published in the gazette monthly or quarterly such that their budgetary statements will itemize these payments



- (iii) Unless mutually and independently agreed, State governments should cease the practice of determining LG projects, approving their budgets, or in any way interfering with their development processes.
  
- (c) Remuneration in the form of salaries, allowances, leave grants, sickness benefits, gratuities and pensions must not be determined for themselves by LGCs, but by an independent machinery to be set up by legislation from the Centre, providing that such legislation empowers that body to take account of local economic differences for the determination of rates.
  
- (d) The use of so-called LG service boards and unified LG civil services on a state-wide basis should be disallowed and restricted only to the individual LG level for the purpose of cross postings out of home districts within the LGA to curtail abuse.
  
- (d) Finance being an irreducible input for economic development, the third tier of government should be made to resuscitate or invigorate standard independent revenue sources which have been allowed to fall into disuse and also to create new avenues for raising revenues in the manner Lagos State, among others, has done.
  
- (e) Without prejudice to what may eventually emerge in the consideration of the position of traditional institutions under the constitution, laws creating LGCs should provide for ex-officio, non-voting but contributing membership to the district traditional rulers making up a Local Government Council, providing that they do not hold office within the political executive arm of the LGC. This is a sure check against disorder, social upheavals and abuse and also to promote stability in every sense and reduce the decline of social morality. Areas which do not have such institutions should utilize their Age grade or Elders Councils.
  
- (f) Providing that such reforms as suggested can be enforced, NV 20:2020 plans should make vigorous use of the LGCs and their institutions to achieve defined targets such as in the development of cottage industries, SMEs and poverty alleviation.



### **3.4.3 Forms/Modes of Executive Power**

The TWG noted the proposal for change in the mode of organization of executive power in Nigeria, from the current executive presidency mode to the mixed French system, but the majority was for the retention of the existing mode. Accordingly, it was decided that:

- Nigeria should try and see how to make the presidential system work better. We should address the associated problems first, and see if they are connected with the system. Only if the problems are connected with the system should we then address the system.
- We should concentrate on the fidelity of the electoral system.

### **3.4.4 Formal Institutions and Processes of Government**

#### ***Civil service***

Nigeria's Vision 20:2020 has as much chance as a lamp of butter in a blast furnace unless far reaching changes take place in the conduct of those who run the (civil service) system. We recommend that:

- As part of a public service revival package, the National Assembly should pass a law prohibiting public servants from running companies or misusing their trusts for such companies or others in which they have interests and the penalty shall be outright dismissal without benefit and the sequestration of all properties owned by the malefactor.
- We have to have a civil service with the right quality. One way of achieving this is to raise the bar in terms of entry qualification. There must also be an internal screening process. However, mindful of the way degrees are awarded and the decline of quality, paper qualifications are practically worthless as indicator of quality. Emphasis should be on merit and importance of educational background, rather than specifying qualifications.
- The remuneration of the service needs to be enhanced. Overall, the service should be made attractive once again by reinstating appropriate incentives, including housing, security of tenure guaranteed by the system, professionalism, merit, etc.
- Reposition the civil service in the governance system. The actual structure when the first executive presidential system was introduced must be maintained. With hundreds of



Special Advisers, Special Assistants, etc. now actually doing what the service is supposed to do, the functions of civil servants should be protected so that they are not subservient to Special Assistants by any nomenclature. We must insulate the service from the politicians. There should be sacrosanct provisions to curtail executive excesses.

- Professionalism should be re-introduced into the civil service. Only through professional training can the civil servant acquire and maintain his dignity.
- If we want corruption out of the service, there must not only be adequate remuneration, and compensation; but the civil servant must be given the opportunity to apply his professional competence in his work.
- The civil service in all tiers of the federation should be development-oriented, and therefore, Vision 20:2020 conscious and oriented. Accordingly, the TWG recommends the following specific measures:
  - There is a need for re-training: The curricula for civil service training should be refocused to be developmental, while training should be made available to all cadres.
  - The question of technology is important. In many countries of the world, policy decision is technology-driven.
  - Ministries should perform their duties in tandem with the development objectives of the nation, arrived at through visioning, planning, etc.
  - There is need to refocus the service for inter-ministerial /departmental cooperation. There should also be an increasing inter-phase, a synergy, between the civil service and the private sector.
  - The Service should introduce reward for originality and creativity; this should go beyond the Annual Civil Service Dinner.
  - In respect of the apparent dissonance between the existence of a tenured bureaucracy alongside the executive presidential system, the TWG recommends a reform of the civil service to enable Nigeria seriously consider either reorganizing its civil service to conform with the practice of the classical presidentialism (wherein the top bureaucracy is not



tenured) or adopting the Belgian system briefly described in Section 2.3.11. The TWG recommends that a Commission be appointed to look at the alternatives in-depth, on the basis of which a choice would be made.

- The civil service is definitely too large and should be pruned down to an optimal size for effectiveness and efficiency in service delivery.

### ***Executive***

The Group made the following recommendations.

- Enactment of the Freedom of Information (FOI) Act.
- Include in the constitution a ceiling on the size of cabinets at all levels of government, howsoever designated – Ministers, Special Assistant (SA), Senior Special Assistant (SSA), etc. This will reduce the cost of governance.
- Take seriously the concept of auditing. A second look should be taken at the positions of Auditor-Generals at both the Federal and State levels. It should be mandatory for them to publish audit reports for mandatory debate by the respective legislative houses. Penalty must be specified for an Auditor-General who does not submit a report.
- The law is clear on the appointment process of Auditor-General but this has been subject to abuse. The Head of Service should have a role in nominating the prospective appointee.

### ***Legislature***

The Group's recommendations include the following.

- Curtail the cost of running the legislature. Limit the number of ministries and this should limit the number of parallel legislative committees.
- The volume of overseas travel at expense of government is prohibitive and so should be checked.
- Constitutional prohibition to the effect that the process of appropriation should be streamlined in such a way that variations in the budget should not be outside the framework of the submission made by the executive.



### ***Judiciary***

- Encourage and strengthen the NJC.
- Accelerate the dispensation of justice.

### ***Office of First Lady***

The TWG agreed that there is need for caution in tackling the problems discussed in respect of First Ladies at various levels of government in Nigeria. We should be careful not to throw away the baby with the bathwater. At the minimum, there should be recognition of the obvious fact that the spouses of chief executives exist and need to be engaged somehow. Accordingly, the TWG recommends that:

- Nigerians should recognize and be tolerant of the human element in the Office of First Lady. However, the excesses in the practice of Office of First Lady should be curbed.
- The office should not be institutionalized.
- Since the constitution does not recognize it, and the National Assembly does not budget for it (and if they did it would be unconstitutional), the role of the First Lady should be recognized but should be brought under control and limited to purely informal matters.

### ***Military, Police and the Security System***

The Group recommended as follows.

- From experience, if we want to have democratic stability, the police and the military should be kept completely out of the political arena, save for the role of the police in the maintenance of public order.
- The role of the Police in maintaining law and order should be clearly delimited.
- It should be made mandatory for the State Security Service (SSS) to prepare reports, which could be tendered as evidence in court, should a dispute arise. This associates with the need for autonomy of the information provided by the SSS. Essentially the reports of the SSS and the Police should be made justiceable.





- When an election tribunal upturns an election because they have been rigged and policemen and INEC (Independent National Electoral Commission) officials are implicated, those indicted by Election Tribunals should be sanctioned.
- Inculcate a sense of impartiality into the functioning of the police force.
- The existing (centralized) structure of the police should be sustained. However, a substantial proportion of policemen operating in a State should be attuned to, if not having their origin in, the locality.
- The abuse of the police by politicians and their spouses who use them as status symbols should be curtailed.
- The creeping metamorphosis of the Civil Defence Corps and the Peace Corps into formal state organizations should be checked. The Civil Defence Corps should not perform any security function and the Peace Corps should not be absorbed by Government.
- There should be no statute limitation for offences relating to coup d' etat against democratically elected government or its removal by any unconstitutional means.

***State Security Service (SSS)***

To protect the sanctity of the SSS and its essential functions, the TWG recommends that:

- Like the military, the security services should not be used in a sinecure manner. The Service should be periodically monitored by higher political authority to ensure there is no nepotism and corruption in the service. There is definitely a need for sharpening the supervisory capacity over SSS as over the military.
- There should be adequate funding of the SSS to ensure that they are not subject to corruption.
- Nigeria needs a professional security organization that should concentrate primarily on intelligence gathering (in tandem with internal reform measures to ensure respect for the rule of law).



- The SSS should copy from the police to establish a Department for Protection of VIPs.
- The deepening of democracy in Nigeria should include the civilianization of the post of the National Security Adviser. The office should be made open and not restricted to retired military or police personnel. This way, the nation can get the best security advice.

### **3.4.5 Elections**

The Group made the following suggestions.

- Nigeria should retain the structures as they are now, but critically examine what has gone wrong. A judiciary-based appointment would not necessarily be devoid of corrupt practice, as judicial pronouncements on elections have been known to be flagrantly corrupted.
- There should be a system of vetting the credibility of appointees into INEC. The focus should be on the character of those to be appointed, not those who appoint them. It is recommended that only men of proven character be appointed.
- The preparation and delivery of electoral materials must take place well in advance – at least 30 days before each voting, but this must be subjected to the highest secrecy and protection and be deposited in the vaults of the CBN branch in each State capital.
- Disallow by law the use of party vanguards at polling stations; candidates must not be seen anywhere near a polling booth other than to cast their votes.
- There is need to put in place a holistic system of political education that is philosophy-driven. We must educate ourselves on the benefits of free and fair elections, and the need to make our votes count. The public should be enlightened about their political power to choose those they want to elect. Similarly, there is need to bring up the level of the political cultural awareness of the practitioners of politics to a much higher level than we have today.
- On State Electoral Commissions, the Group observed that coordinate sovereignty is only as good as it promotes the good of Nigeria. Therefore, the laws that govern State Electoral Commissions should be of the same nature as that that binds the electoral commission at the national level.



- The Report of the Electoral Reform Committee (December 2008) recommended, and Government has accepted, the Modified Open Secret Ballot System: The Group agrees to this, subject to the fact that prohibition against movement should be extended to the time the polling stations announce results.
- The Group endorses the recommendation of the recognition of independent candidature by the Electoral Reform Committee and its acceptance by Government. The condition for qualification for election into political office should, therefore, exclude membership of political parties as presently contained in the 1999 Constitution.
- Government should set up high-powered machinery to examine the issue of diaspora voting.

### **3.4.6 Political Parties**

The TWG feels that:

- The current approach to natural evolution which does not limit the number of parties, which satisfy the constitutional registration criteria, should be sustained.
- Beginning with the 2011 elections, parties that fail to win a certain percentage of the votes to be determined by law should cease to receive any government subvention, pro rata or in the form of minimum equal grant. This is without prejudice to their continued existence if they can pay their way. Their right to stand in the next election 2015, or any other sub-general election should be upheld since political currents change and a dead party may spring surprises if only because dramatic abject failure in government by other parties or if some catastrophe or internal rift destroys their competitors leading to regrouping.
- President Umaru Musa Yar 'Adua's vision of the overburdening of INEC should be of help and the Bill to create a Commission for Registration and Regulation of political parties should be passed by the National Assembly soonest possible.
- The Act creating the Commission (for regulating political parties) should give it powers to adjudicate in internal disputes within political parties and to insist on such matters as internal democracy and the imposition of penalty against a high-handed approach, victimization, and other forms of molestation or exclusion from benefits of persons on



purely political grounds. If necessary, the Act should empower the Commission to conduct intra-party elections, especially primary and nomination elections.

- Toothless bulldogs being useless, the Commission should have power to sanction political parties or to file against them at the national Assembly requesting the cancellation of their registration for extreme acts of unconstitutional and anti-social behaviour.
- The TWG invites the re-examination of the current zoning procedure among political parties in view of its inconsistency with democracy. This should aim at encouraging reversion to pure democracy and normal party horse trading which builds organic solidarity.
- At least once a quarter, or twice a year, an all-parties conference involving their National executives, State and LG chapter executives should be held to discuss, and dispense with complaints and all other issues.
- For party funding, the current situation where the government gives subventions to political parties should be upheld, providing that between now and 2011 elections, all parties should receive the same amount of subventions; but after the 2011 elections, those who fail to qualify for subvention should cease to receive it and qualifiers should be funded pro rata their performance rating based on a compound index relating to all the election.
- The law shall ban and disqualify parties for the receipt of funds from drug and human trafficking, smuggling, kickbacks, stooge contracts, and funds taken from the treasury of any level of government. To that end, the Commission shall have power to compel all parties to submit a list of all contributions they have received and to publish this for the information of the Nigerian public for complaints to be filed. Breach of this provision shall attract penalty of a nature to be determined by law.

The aim of all these is to remove from the political system all forms of rancour which would militate against united approach to Vision 20:2020. At the moment, NV 20:2020 is slowly being turned into a partisan issue and that is inappropriate.



### 3.4.7 Ethnicity and Religion

The key to violence all over the country is economic privation and the foreclosing of opportunities for gainful employment. In this respect, curbing of violence on ethnic or religious or any other grounds generally should serve the NV 20:2020 initiative as the fountain and springboard to nip the challenge of uplifting society towards achieving greater goals. In this respect, the nation requires to accept:

- The challenge of rapid economic improvement through a universal approach for accelerated industrialization, heavier investment in agriculture, intensification of efforts to attain the Millennium Development Goals (MDGs), specific programmes of poverty alleviation, harmonization between human resource development and the expansion of employment opportunities. All of these should be married with a determined effort to reduce the level of irrationality in self-evaluation as well as the evaluation of others in group terms. It also requires fidelity or conformity with the political accommodation programmes inside our political system today. To that extent, Government may need legislation to enforce upon all our institutions conformity to the federal character principle, admission and employment quota, and so on, provided that all subscribe to minimum qualification for eligibility.
- Added to all these, the political system must accept responsibility to educate Nigerian groups about each other. Policies once adopted and abandoned, such as the knowledge of one language other than one's own should be resuscitated and made a qualification for employment and advancement in the education system. The compulsory first year course recommended in respect of the university system in Section 2.4.9 below should be made to accommodate a multiple choice area to study the history of one Nigerian group in addition to other concerns.
- There is need to be established a National Inter-Group Relations Commission to formalize the present informal arrangements in attending to group-related matters in admonitory, adjudicatory and reconciliatory capacities.
- The National Inter-Group Relations Commission should be empowered to undertake cultural enlightenment programmes in any manner appropriate and cost effective.
- In addition to enlightenment, the commission should have the power to certify new sects.



- Government should study intensely the link between aggressive religiosity and politics and the Government should be mindful of the growing trends of Mallams and Christian priests pontificating on politics on the ground.
- The leadership of the well-established groups should be cultivated to promote a positive relations between the religious groups in the manner being done now by the president of the Supreme Council for Islamic Affairs (SCIA) and the president of Christian Association of Nigeria (CAN).
- In respect of the growing resort to 'spiritualism' to achieve political goals, which has taken diverse forms of misanthropy, Government should do everything to end cultism of all types, ritual murder, homosexuality, etc. and this should be backed with sanction of at least, 10 years imprisonment for contravention.

#### **3.4.8 Civil Society Groups**

##### ***NGOs***

It is recommended:

- The political system should pay special attention to NGOs over and above the general requirement of registration with the Corporate Affairs Commission (CAC) or the social welfare department of States and LGs, such as may include the creation of a special unit in an appropriate ministry to oversee and regulate their affairs. A National Commission as such may be too heavy but could be considered.
- Government should undertake a proper overview of existing NGOs to determine which of them it can ally with to accelerate the development process and attainment of the goals of NV 20: 2020. Providing that it proves convenient, Government may embrace a partnership with all NGOs sector by sector at all levels of government as appropriate.
- If that is done, then rigorous checks must be mounted on their activities to ensure accountability, transparency and security.



- A cautionary word must be entered in respect of NGOs which link the Nigerian community with the national communities of other lands to avoid the subversion of our national conscience.
- Where the NGOs are not development-oriented but socially or politically-oriented, they should be compelled to register with the National Inter-Group Relations Commission.
- To guard against abuse of international donor funds, the system of control and monitoring recommended above for rigorous checks and regulation of NGOs and their activities should include a system of national certification and qualification for receiving international donor funds.

### ***Participation of Women in politics***

The Technical Working Group noted the need to encourage and educate our women to be more involved in politics, noting that their increased involvement will ultimately come about by evolution, and not by fiat.

To ameliorate the difficulties experienced by women in politics, the Group recommended that:

- Nigerian politics should continue to be based on universal suffrage.
- There should be gender equity, not gender equality.
- The bottom line is that there shall be no law or provision that bars women from politics.

### **3.4.9 Role of Universities and Institutions of Higher Education and Research**

- There should be a clear definition of what a university is and its optimal size so as to create an institution that can be regulated, costed and operated on the basis of philosophy.
- There should be a very serious effort to evolve a Nigerian higher education philosophy and its relationship with the society. This would include a clear vision of a seriousness of purpose on the part of the state to see the virtue of higher education and the necessity of



funding and accepting the burden that fall on the state. State and private universities are imploding onto the scene. There should be a proper approach such that they too can be agents of development of society in tandem with the defined objectives of the state.

- Standards must be clearly defined and strictly adhered to.
- Government should encourage the emergence of a proper university culture where standards are maintained comparable to that anywhere in the world, and where research is geared towards national and societal goals.
- In view of the fact that we are a developing nation and we are classified among the poor nations, the idea of shirking of responsibility for the accommodation of students is not acceptable. Those who set up universities must accept responsibility to properly accommodate students.
- One way or the other, Government must evolve a machinery to rectify the conditions in which it owns, federal and State universities, and enforce standards in privately-owned institutions such that when the university in Nigeria is talked about, we know what we are talking about. We have evidence that those who own universities refuse to submit themselves to the discipline of the National Universities Commission (NUC), and even those owned by Government circumvent the rules under the altar of university autonomy. In the event, all the ills of society are transferred to universities.
- There is a drift towards the use of unqualified persons for teaching purposes. This should be vigorously checked.
- In order to remove the vacuum in the philosophy of higher education and its functional relations with the needs of society and the state, there should be evolved a compulsory one year course, for all disciplines, on history and philosophy of higher education, state, nation and society, which function is to fit the mind of every student to have a focus on society and on the nation and its purpose.
- Any improvements in the university should include an effort to make them relevant to improvements in the political system. There is a need for a closer relationship between what the universities do and government, such that the former is positioned to make a





contribution to the development of the political system. Also, there should be a determined effort to direct university activities towards contemporary political and social issues of Nigeria so that they can make a clear contribution to the political system.

#### **3.4.10 Globalization**

Nigeria should make much better use of its international position, its advantages in West Africa, the most obedient UN member, than obtains now. Accordingly:

- Government should develop a proper policy of harnessing benefits – a quiet programme using the security agencies to lay the groundwork for its dominance of the sub-region.
- To protect ourselves from the negative influence of Western propaganda, there is need to invest in arts and culture. We must have a new policy in arts and culture, in particular, in the performance or plastic arts, and also in sports, especially football.
- We must encourage an all round investment in developing a programme whereby the externalization of the consciousness of Nigerians must be stopped and refocused inward as part of which Government must show interest and invest in Nollywood.

#### **3.4.11 Corruption**

Difficult though it may seem, the situation of pervasive corruption in Nigeria can be overcome. Nigeria is still, in the league of nations of the world, a young state. The country has not developed a hard and fast tradition that is too dangerous to ignore, modify or set aside. Once before, the nation chewed, swallowed and digested the capital crime of treason and war against the motherland, which the policy of 'No Victor, No Vanquished' and the Programme of Reconciliation, Rehabilitation, and Reconstruction. Exactly 39 years later, the nation is doing the same thing with the Policy of Amnesty, Rehabilitation and Reconstruction under President Umar Musa Yar 'Adua. The unspeakable may have to become digestible on the issues of the various categories of corruption identified above as well as conventional corruption. We present the full details of our recipe on corruption as an envelope item under the term Resolution of Absolution (See Appendix 3), which should fit in with the constitutional review being currently undertaken.



Meanwhile, the TWG recommends as follows:

- To fit in with the Resolution of Absolution idea, a Task Force on the Recovery of Public Assets should be established through a Bill from the Executive to the National Assembly for the passing of an Act of that name, which would have overall responsibility for the recovery of public assets, including stolen monies, at home and abroad from malefactors who hold them, under enabling agreement which emphasizes restitutive as opposed to punitive objectives.
- The Task Force should incorporate the EFCC and the ICPC as its two main executive arms, both to work under a single Chairman and a Task Force Governing Council, while the present chairmen of the EFCC and ICPC convert to Directors-General.
- The present exercise to stiffen the ICPC and EFCC laws should be tightened further to remove from consideration by the courts, all obstructive technicalities which attend other ordinary trials, if at all it ever becomes necessary to go to court under this arrangement.
- The review of the EFCC and ICPC laws should be given priority and finished within 40 days from the adoption of this report to enable current cases before the courts to benefit from the new arrangement. Where necessary, those sections of the Constitution on fundamental rights provision which obstruct the corruption war should be subject to caveat.
- The war against corruption should be internationalized through the UN platform, the ECOWAS arena, the AU umbrella, the Commonwealth caucus, the European Union (EU) nexus, and through bilateral agreements with all nations to respect anti-corruption efforts by D-notice type waiver to make disclosures on sums of money deposited in their institutions, e.g., banks, finance houses and stock exchanges, and to allow such items to be freely litigated upon before their courts.
- New legislation should request incumbent office holders – political as well as appointed, to step aside without losing their office (i.e., go on suspension within a defined period) in the case of very heavy accusations of serious misdemeanor against them.



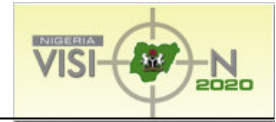
- Consideration should be given for the removal of immunity from chief executives at all levels of government for all charges relating to willful murder and the sponsorship or organizing of pogroms and financial crimes and abuse of human rights.
- There should be institutional re-orientation. Government should review the Bureau of Public Procurement (BPP) Act to restore to the elective political class the power over control, allocation and disbursement of resources under the same system which was set aside before the enactment of the BPP Act. In a multi-party democracy, the present arrangement – the Act and the institution of the BPP, violates the Constitution; unless the introduction of the new arrangement is meant to cut completely all relationships between the political and business classes and to thereby encourage the civil service and parastatals officials to perfect the system of cornering all benefits of the system to themselves.
- The right of the legislature to determine its own allowances should be removed from Due Process legislation.
- Constituency projects for individual legislators in the current practice are unconstitutional and violate the principle of separation of powers and must be prohibited. The practice in the USA for a legislator to persuade the executive to commit itself to execute projects favourable to his constituency should mark the limit of tolerance. Failing to do this will eventually create an executive no-man's land.

#### **3.4.12 Opportunities and Key Success Factors**

Political system is a living system and cannot be discussed without reference to current situations and opportunities and threats. The TWG identified the following opportunities and critical success factors.

#### **3.4.13 Opportunities**

- Population and Diversity Nigeria has a large population of over 140 million, which is estimated to exceed 210 million by 2020. This population is important not just for its market potentials but also for its diversity and sophistication.



- Growing Political Awareness and Belief in Democracy A key opportunity for the survival of democracy in Nigeria is the growing political awareness in the polity to the effect that democratic governance is better than military rule. This gradual permeation of democratic values provides opportunity for the nation to consolidate its democratic enterprise.
- Pressure for Sustainable Democratization Since the mass protests that greeted the annulment of June 12, 1993 presidential elections in Nigeria, there have been sustained pressure for democratization from the people of Nigeria. The political stability that attends with the sustaining of democracy, deepening of democratic values and social control of security sphere, provides an enabling platform for the development of the political system and its roles in directing the progress of society.
- Civil Society Activism Nigeria enjoys the benefit of a very vibrant civil society which active components, especially the media and various CSOs, have served and continue to serve as watchdogs on the state of political affairs in the nation. Civil society activism will sustain the pressures for democratization of the political system.
- Constitution Review Specifically, the on-going legislative effort to amend the constitution is an opportune situation to functionally reform the Nigerian political system, providing that the process is handled responsibly and not misused for purely self or sectional interests. In this respect, the TWG notes that Nigerian legal statutes are among the most outdated in the world, with a significant percentage being overtaken by events, court decisions, and subsequent legislation. An opportunity, therefore, exists to clear the cobwebs by updating the laws and their technicalities. The nation should seize the opportunity to bring in line with the rule of law, many situations that are not so governed. For example, Nigerian Family law has not been systematized or rationalized.
- NV 20:2020 There is a dialectical relationship between political development and economic development. A prosperous economy affects the functioning of the polity and vice versa. Vision 20:2020 pursuit of the goal of economic prosperity promises continuous opportunity for the stability and sustenance of the political system.
- Widening Scope of International Relations Globalization provides an opportunity for Nigeria to establish functional relations with nations and institutions across the globe, that is, to universalize its relationships by opening up to the whole world, rather than just to Western



institutions like the IMF, World Bank, etc. The Middle East, China, and other emerging economies beckon for a developmental relationship.

#### **3.4.14 Key Success Factors**

For Nigeria to maximize the benefits attendant with the opportunities identified in Section 2.5.1, the TWG identified the following key success factors.

- Appropriate political culture (where the vote of the people is sacred), and adoption of a culture of enlightened self-interest. This should be anchored on a reorientation of Nigeria's fast-decaying value system. It is important that the country addresses the issue of identification and establishment of the core values on which to anchor the pursuit of society's goals and aspirations by 2020.
- Truly independent electoral body.
- Accountability of public officers.
- A strong and independent Judiciary, whose conduct is in tandem with the democratic spirit (reform of the judicial process should make them refrain from abuse, and the creation of appropriate laws for the exercise of judicial powers e.g., the judiciary issuing an injunction against arresting or questioning an ex-governor for his acts in office).
- Economic prosperity (agriculture and food self-sufficiency. economic empowerment of the citizens – especially the middle class) and the achievement of rapid industrialization. The rapid deterioration of Nigeria into violence is directly related to lack of economic prosperity.
- A corrupt-free society/Zero-tolerance for corruption. The fight against corruption must be society-wide.
- A virile, independent and responsible civil society – media, labour unions and other CSOs to serve as watchdog of the political system.
- Corresponding advancement in patriotism and state responsibility to citizens. The Nigerian state must rise up to the challenge of enforcing the value of Nigerian citizenship both at home and elsewhere in the world.



- Strengthening of Nigeria's leadership role in Africa to inspire respect and harness collateral benefits of Nigeria's contributions to international peace and security.
- Above all, the role of the electorate in shaping the political process and the governing political class is key to the survival of the political system. Today, the political class behaves as if they are not responsible to anybody. The ideal situation is to have an enlightened and empowered electorate.



## 4 Vision Objectives, Goals and Strategies for Political System in

### 4.1 Vision

The vision is that:

*By 2020, Nigeria should be a secular society with an effective and successful political system. This is a political system that is democratic and ensures: free and fair elections, supremacy of the will of the people, adherence to and respect for the rule of law; equal opportunity for political participation without discrimination, social justice and respect for the supremacy of the political process.*

The objectives and goals required to achieve this vision are presented below, as are the corresponding initiatives/ programmes.

<b>OBJECTIVE 1:</b> To entrench a workable democratic system of government in which the three tiers of government operate in the rhythm, coherently and independent of each other.	
<b>Goals</b>	<b>Initiatives</b>
Achieve a stable political system that ensures popular participation of the citizenry in decision-making regarding their governance at all levels as well as economic and social development, in consonance with contemporary global trends.	(i) Faithful adherence to the provisions of the Constitution of the Federal Republic of Nigeria and rule of law by all operators of the system at all levels – the executive arms, the legislative arms, other political actors, law enforcement agencies and the judiciary.

<b>OBJECTIVE 2:</b> • To establish and maintain an electoral system that guarantees free, fair and transparent elections.	
Goals	Initiatives
Improve the franchise including the equality and justice contents of the electoral system and independent candidature	(i) Federal Government to adopt relevant aspects of the Report of the Electoral Reform Committee.
Ensure an electoral body that is genuinely independent, credible and of high integrity	(ii) The National Assembly to expedite action on the electoral reform Bills so as to make them adoptable in future elections commencing from January 2010.

<b>OBJECTIVE 3:</b> • To establish political party system that ensures internal democracy, an enlightened and democratic cadre, decent and constructive opposition devoid of opportunism, is ideology driven, vibrant and virile.	
Goals	Initiatives
A political party system which serves as a reliable machinery for the practice of genuine democracy that will check all tendencies towards single party dominance, undue cross-carpeting and jettisoning of popular mandates by elected officers and ensuring healthy competition among parties.	(i) Federal Government to consider appropriate recommendations of the Electoral Reform Committee.
	(ii) National assembly to speed up actions on relevant bills before it for adoption in future elections commencing from 2010.



<b>OBJECTIVE 4:</b> • Entrench a local government system that truly represents the aspirations of the people at grassroots/community levels, is autonomous and development-oriented..	
<b>Goals</b>	<b>Initiatives</b>
A political party system which serves as a reliable machinery for the practice of genuine democracy that will check all tendencies towards single party dominance, undue cross-carpeting and jettisoning of popular mandates by elected officers and ensuring healthy competition among parties.	(i) Federal Government to consider appropriate recommendations of the Electoral Reform Committee.
	(ii) National assembly to speed up actions on relevant bills before it for adoption in future elections commencing from 2010.

<b>OBJECTIVE 5:</b> Entrench true federalism for Nigeria in terms of structure of government and inter-governmental relations. This should also be in administrative and fiscal terms.	
<b>Goals</b>	<b>Initiatives</b>
Ensure evenness and balance in the resourcing and operationalization of all federally based public institutions and organizations without compromising merit. Re-examine relationship between States and local governments to ensure greater autonomy and protection of the latter in operational and fiscal terms.	(i) Federal Government to cause a review of the mandate of the Federal Character Commission (FCC) to expand its operations to cover all federally based institutions. Similar commissions to be established for States to ensure evenness, balance and fairness in resourcing State-owned institutions and distribution of amenities/services across the constituent local areas of the State.

<b>OBJECTIVE 6:</b> Retain presidential system in so doing refine the fidelity of the electoral system.	
<b>Goals</b>	<b>Initiatives</b>
Ensure the proper working of the system to make it truly presidential and democratic	(i) Strict observance of the rule of law and supremacy of the law

<b>OBJECTIVE 7:</b> Remove all obstacles that hinder proper operationalization of civil society groups including CBOs. Encourage them to participate in governance in form of advocacy, budget tracking, project monitoring, pressure groups and lobbying.	
<b>Goals</b>	<b>Initiatives</b>
Create an enabling environment for virile and participatory civil society groups necessary for vibrant democracy as obtained in democratically governed societies	(i) National Assembly to pass the Freedom Information Act (F.O.I).
	(ii) Initiate relevant legislations that will compel governments at all levels to involve CSOs in governance.

<b>OBJECTIVE 8:</b> Create an enabling environment for effective and proper participation of women in democratic governance (on the basis of equal opportunities) including election in to political offices at all levels	
<b>Goals</b>	<b>Initiatives</b>
To ensure an all inclusive, participatory and gender fair and gender balanced democratic system of governance that endures equity and equality of opportunities.	(i) Consider major aspects of the Beijing Declaration by passing necessary laws by National and State Assemblies.  (ii) Control the excesses of the Office of First Lady at all levels of governance
To harness all potentialities necessary for the economic and social development of the country.	(iii) Federal and State governments to vigorously pursue drive for women education.  (iv) Mobilisation of women to be intensified by, especially, women-based civil society groups.

<b>OBJECTIVE 9</b> Create opportunities for universities and other institutions for higher learning to play active roles in inculcating democratic values and promote civic culture among students and even non-student segments of the society.	
<b>Goals</b>	<b>Initiatives</b>
Ensure an informed citizenry necessary for the practice of vibrant democracy and capable of germinating and deepening its tenets	(i) Federal and State Governments to cause through appropriate agencies, needed curriculum review and the organization of interactive campus student and workers union to also take active



<b>OBJECTIVE 9</b> Create opportunities for universities and other institutions for higher learning to play active roles in inculcating democratic values and promote civic culture among students and even non-student segments of the society.	
<b>Goals</b>	<b>Initiatives</b>
Ensure the permeating of the democratic culture among all citizens of the country for the proper democratic practice and sustenance.	interest and participate in such endeavours.
Ensure curriculum review of the institutions to integrate courses on civics, democracy and constitutionalism for all cadres of students.	



#### **4.2 Initiatives and Programmes**

The corresponding initiatives and programmes to the objectives and goals required to achieve Nigeria's vision of a successful and effective political system have been presented in Section 3.1.

Further to these, the TWG supports the initiatives being taken by the president of Nigeria, which includes electoral reform, police reform, proposals for amendment of the Constitution, improvement in the security environment, etc. (see Table 1).

The TWG also posed the question: whose programme is NV 20:2020? The Group observed that the approach so far has tended to create a misgiving in the minds of Nigerians to the effect that it is a PDP programme. The TWG stresses that NV 20:2020 is not a political party programme or a programme for the civil service but a national programme. Accordingly, whatever programmes and instruments created for its implementation must have its focus on Nigeria, not on the programmes of any government or level of government or for that matter external financial institutions like the IMF and the World Bank. In other words, they must be politically neutral.

#### **4.3 Change Themes**

The TWG identifies the following areas as deserving of change.

- The imperatives of governance in Nigeria need to change to a society governed by democratic values.
- Almost every major institution of state in Nigeria is subject to periodic review and realignment, except the military. Since 1966, the military has increasingly become a mini-garrison state outside the Nigerian state. A situation where soldier's pensions are not paid for 20 years and soldiers who serve on foreign peace keeping missions are not paid their allowances for upward of three years should not be acceptable to civil political authority. Given the standard normal relationship between the military and civil authority, it follows that the issues surrounding the military must ipso facto be brought under civilian authority.
- Accordingly, Nigeria should seek to create a modern disciplined military organization subject to the control of and periodic review by civil authority.



## 5 Implementation Roadmap

In tandem with our observations in Section 3.2 above to the effect that the Vision 20:2020 report as well as its implementation needs to be owned by Nigerians, there needs to be a clearly set out programme for its implementation with reach right across the nation. Against this background, the TWG offers the following recommendations.

- To ensure the implementation of Nigeria’s Vision 20:2020, the President should set up a Roadmap Committee, with membership drawn from MDAs, to work out appropriate implementation modalities.
- Without prejudice to the details of such a roadmap, the TWG recommends that to ensure success, the implementation of NV 20:2020 should be housed in an organization or Agency. The body should be in the Office of the President and directly responsible to him. As the roadmap would be determined by the Committee, the President should inaugurate it (the Committee) immediately on receiving the final report on Nigeria’s Vision 20:2020.
- Implementation of every aspect of NV 20:2020 should be started within a year of the inauguration of the Implementation Agency.
- The implementation of the Vision should be done within a legal framework.
- Beyond the above imperatives, specification of the details of the implementation roadmap, viz., (i) implementation plan – short term, medium term and long term; (ii) key development enablers – resource requirements and (iii) implementation monitoring framework and tools are beyond the primary brief of the NTWG on the Political System and so should be developed by the recommended Agency.



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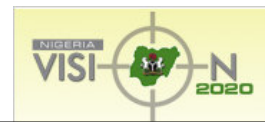
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## Appendices

### 1. Boxes and Tables

<b>Box 1 Nigeria's Participation in Peace Keeping Missions</b>		
<b>S/N</b>	<b>Area</b>	<b>Period</b>
1	Congo	1960- 1964
2	Western New Guinea	1962- 1963
3	Tanzania	1964
4	Indo-Pakistan	1965- 1966
5	Lebanon	1978- 1983
6	Chad	1979
7	Chad	1981- 1982
8	Iran-Kuwait	1988- 1991
9	Namibia	1989- 1990
10	Liberia	1990- 1997
11	Angola	1991- 1998
12	Iraq-Kuwait	1991- Present
13	Western Sahara	1991- Present
14	Sierra Leone	1991- Present
15	Cambodia	1992- 1993
16	Somalia	1992- 1994
17	Mozambique	1992- 1994
18	Yugoslavia	1992- 1995
19	Gambia	1993
20	Ouzou Strip	1994
21	Rwanda	1994- Present
22	Israel	1995
23	Croatia	1995- 1996
24	Bosnia-Herzegovina	1995- 1999
25	Macedonia	1995- Present
26	Sierra Leone	1998- Present
27	Guinea Bissau	1999
28	Sudan (Darfur)	2005- Present
29	Somalia	2006

**Table 1 President Yar 'Adua's Seven-Point Agenda**

<b>Sector</b>	<b>Reform Agenda</b>
Power and Energy	Infrastructural reforms in this sector through the development of sufficient and adequate power supply to ensure Nigeria's ability to develop as a modern economy and an industrialized nation by the year 2015.
Food Security	This reform is primarily agrarian based. The emphasis is on the development of modern technology, research, production and development of agricultural inputs to revolutionise the agricultural sector leading to a 5-10 fold increase in yield and production. This will result in massive domestic and commercial outputs and technological knowledge transfer to farmers.
Wealth Creation	By virtue of its reliance on revenue from non-renewable oil, Nigeria has yet to develop industrially. This reform is focused on wealth creation through diversified production especially in the agricultural and solid mineral sector.
Transport Sector	The transportation sector in Nigeria with its poor roads and road networks is an inefficient means of mass transit of people and goods. With a goal of a modernized industrial Nigeria, it is mandatory that Nigeria develops its transport sector. The government has already started the process by the on-going rehabilitation and modernization of the railway.
Land Reforms	While hundreds of billions of dollars have been lost through unused government-owned landed asset, changes in the land laws and the emergence of land reforms will optimize Nigeria's growth through the release of lands for commercialized farming and other large-scale business by the private sector. The final result will ensure improvements and boosts to the production and wealth creation initiatives.
Security	An unfriendly security climate precludes both external and internal investment in to the nation. Thus, security will be seen as not only a constitutional requirement but also as a necessary infrastructure for the development of a modern Nigerian economy. With its particular need, the Niger Delta security issue will be the primary focus, marshaled not with physical policing or military security, but through honest and accurate dialogue between the people and the Federal Government.
Education	The two-fold reforms in the educational sector will ensure firstly the minimum acceptable international standards of education for all. With that achieved, a strategic educational development plan will ensure excellence in both the tutoring and learning of skills in science and technology by students who will be seen as the future innovators and industrialists of Nigeria. This reform will be achieved through massive financial injection into the education sector.



### **(3) Resolution of Absolution**

The Resolution of Absolution has been proposed to take account of the fact that in the formative stages of nation-states, failures and near-failures abound everywhere. In such a situation, there is no established class that can be said to have so much power as to constitute an enduring ruling class that ‘appropriates’ the state and protects it in every sphere all the time. There is similarly no cohesive property-owning class cutting across all boundaries in solidarity and loyalty to each other such as would crave that appropriate laws are enacted, penalties are enforced, and the behaviour of governments and persons in public office and in private life follows a predictable pattern.

After 39 years of military rule and several coups and counter-coups, many structural changes, civil war, mini-rebellions, and internecine strife of which the Niger Delta situation looms large, the Nigerian nation simply lacks the centre of gravity strong enough to enforce its will massively and all the time. The Niger Delta situation, for example, exists because the 39 years of military rule has created a vast pool of dispossessed military personnel – superior as well as lower ranks, who have found a haven in continuing practices they enjoyed under the cover of authority. Basically, the combination of these interests, foreign adventurers, the Multinational Corporations, and busy body and troubleshooting elements of foreign powers have been the real force behind the crisis in the Niger Delta.

Nigeria has been forced to declare amnesty because, in many ways, the world today behaves in such a manner as to recall to mind, the Yoruba folk story about the father-in-law, his thieving son-in-law and the stolen yams, where the wrong doer is ultimately portrayed as the victim of injustice. Beyond that, the dice is weighted heavily against nations such as Nigeria, whose compliant elite collaborate with predatory aggressors from abroad to pillage the country. Thus, 39 years of military rule created a haven for these kinds of behaviour in Nigeria because they destroyed civic virtue and civic institutions as well as internal community solidarity. The system of government operational under the military also created its own log-jam.

As evident from studies of corruption, Nigeria’s circumstance is conditioned by mass poverty, while those who commit to crime in office and out of office command stupendous fortunes beyond the dreams of the members of the families of industrial, commercial and financial dynasties who have worked at their calling for several hundred years. The difference between the rest and these filthy



rich, with very few exceptions as to numbers, is that the loot mountain is accumulated from either holding public office, proximate relation with holders of public office or officiating, in some way, in the public system of benefits.

Experience has shown that Yakubu Gowon and his advisers were not stupid to declare a policy of 'No Victor, No Vanquished'. The unfolding scenario over the Niger Delta gives the strongest indication that the mixture of gunfire and amnesty, but especially the policy of amnesty, has disorganized the criminal gangs and their high society backers in the rest of the country. Bearing in mind that corrupt loot and Niger Delta loot are Siamese twins born of the same parents and being cared for by the same foster mother in foreign lands, an over-aggressive punitive approach towards resolving the corruption triangle needs to be replaced with a Gowon-Yar 'Adua type approach, which is certain to disorganize the criminal dynasty that run the illegal oil businesses euphemistically styled the 'Togo Triangle'.

Even though the scenario is unfolding along with some curious events, like the settlement, by Shell, to compensate the families hung for mass murder under the Sani Abachi regime, the general trend is to tap the international mood and ride with it, putting pressure on the home governments of Nigeria's tormentors and the international community, while reducing the risks from complications in the home territory.

### **Suggested Remedies**

- Concentrate on restitution as opposed to punitive measures. Note that Nigerians do not, as a rule, have the same attitude to others as they have towards themselves or in sociological language, moral density is very low. Somehow, the typical Nigerian hardly sacrifices to high and noble causes – never mind the bombast of the Movement for the Emancipation of the Niger Delta (MEND), being addicted to fun, comfort, pleasure, the rosy easy life, and generally given to lotus eating. To buttress this, there is hardly any developing nation, other than Nigeria, where the latest brands of cars are in the street even before they are unveiled to the world market; where the federal or central government spends two-digit million dollars to build a power station and a sub-national government spends four-digit billion dollars to build a similar station with the same capacity and using the same company; where unit prices for public works are specified by government offices; where multi-billion



dollar assets are disposed off in a cavalier manner; and where persons standing trial seek to dictate government policy. Nigeria's situation is now like the Wild West. If the country does not tackle the festering problem, it would eventually be like Sudan, Somalia, and Pakistan/Afghanistan. Moral indignation needs to give way to pragmatic commonsense and superior forms of craftsmanship in which the security of the nation as a whole becomes the supreme concern and the country buys decades of positive action time as opposed to being mired in a vicious cycle.

- Nigeria should regard the war against corruption as a security operation principally concerned with tracking down, in the most accurate detail, all information concerning stolen money and public property by whatever category classified in our main report (Section 2.3.11). To achieve this, the country must do every single kind of deal it can, including buying secret service information from security agencies and anti-corruption bodies abroad, as well as collaborating with such bodies. This does not stop what is taking place now or our recommendations elsewhere in this report. While we are doing this, we should work on tightening all laws that have to do with the ICPC and EFCC as per the main report. Especially, we must underscore fundamental human rights provisions in the Constitution with caveats excluding considerations of acts of corruption, theft or forms of brigandage which are anti-social and anti-human rights of other persons.
- Technical hurdles – *ex parte* motions, etc., indeed all the technical grounds on the basis of which people have thwarted justice should be statutorily barred in cases dealing with corruption and theft of public property.
- We should also remove the immunity on chief executives at all levels of government for all acts that have to do with corruption and theft of public property of any kind, willful murder, mass slaughter of citizens or initiation or sponsorship of civil strife.
- The conventions, statutes or whatever instruments protecting the National Assembly premises from arrest of persons charged with corruption should be removed because it is not in the interest of the National Assembly to present itself as a state within a state or as being above Nigerian laws.



The principal essence of these measures should be directed towards and concretized in the enactment, as soon as possible, of an Act by the National Assembly to be called the National Public Assets Recovery Act, which provides, *inter alia*, as follows:

- (i) That all documented cases, allegations, etc. shall be grouped together and made subject to the provisions of this Act without prejudice to any actions previously taken before the Act comes into force by either the EFCC and the ICPC.
- (ii) All monies and other forms of property, including recorded cases of stolen crude, diverted revenues, etc., as set out in the main report shall be recovered in their entirety from those who hold them – at home or abroad, providing that the culprits involved who cooperate and accept the veracity of the information on matters attributed to them shall be allowed a discretionary percentage to be determined by the Act and insofar as they shall also escape prosecution or any form of vilification whilst also reserving the right of the state to use such information against them as one of the items to be considered when they next seek public office. A law barring such persons from standing elections or holding public office shall not be passed but the information shall be kept for evaluation as to their fitness or otherwise for public office.
- (iii) In keeping with the security nature of the operation and the war against corruption generally, all the proceedings under this Act shall be held in confidence. By this token, all those who have to do with this matter, at all levels, should be subject to the security oath under the Secret Services Act. However, a month by month or quarter by quarter executive summary of all achievements shall be laid before the President for presentation to and consideration by the National Security or National Defence Council or a joint committee of the executive and relevant committees of both chambers of the National Assembly.
- (iv) Where a subject refuses to own up and proves completely recalcitrant, he shall be exposed to the full force of prosecution and all the evidence must be laid before the court in full public view, and the deterrent effect will be extremely powerful.
- (v) In this case, if he loses the case, he shall be 100 per cent disposed as per the provisions of the ICPC law. And of course, he shall face sentence in accordance with the existing law.
- (vi) Taking into account the history of Nigeria under 39 years of military rule, the Act shall also provide for a clean slate platform for the nation to begin anew so that all criminal



convictions and sentences imposed since the 15<sup>th</sup> January 1966 to the date the Act comes into force shall be deemed as set aside without prejudice to all convictions and sentences already carried out and providing that there shall be no claims arising from such. The universal pardon shall not, however, extend to those crimes involving violent armed robbery, willful murder, rape and convicted cases of sexual harassment and crimes involving homosexuality – male and female, and arson. This means that prisons shall empty of all other categories of convicts still serving the day the Act comes into force. However, this provision of amnesty shall come into effect only at the end of the proceedings concerning the National Assets Recovery Programme, and therefore, the Commission for this particular part, shall have only three years from the date of its enactment to complete its work.

- (vii) Before the Act is passed, the most extensive collaboration in determining some of its final details should be entered between Nigeria, the AU, the EU, the US, nations of the middle East, the Chinese and the Russians, South Africa, the Commonwealth, Argentina and the United Nations.

***Instruments/Modus operandi***

- (viii) The Act shall provide for a Presidential Task Force for National Assets Recovery and be given authority under the Act to execute the requirements of the Act in the manner to be specified by the Act. The Task Force which shall operate under a chairman and chief executive officer shall incorporate, as its main striking force, both the ECC and the ICPC, and the chairmen of the two bodies shall be restyled Director General each, but they shall retain their identities and their personnel and procedures subject to any arrangements that may be arrived at in setting up the task Force.
- (ix) Membership of the Task Force shall be made up of the following: A chairman, with appropriate credentials who need not be a soldier, a policeman, or for that matter a serving or retired security officer, but must possess sufficient exposure and in-depth knowledge of both statecraft, damage control and crisis management generally. Political sense and political savvy are an absolute necessity plus maturity, age-wise. A Nuhu Ribadu-type exuberance or a Nasiri el-Rufai brashness are not called for. A Deputy Chairman of equivalent qualification shall act in the Task Force in the absence of the Chairman to conduct proceedings.



- (x) Membership of the Task Force shall include the Directors General of the ICPC and the EFCC. Thereafter, membership should be zonalized – one from each zone in the first place, providing that the member is a person high integrity not easily swayed by the sight of huge money. CAN, SCIA, and Labour, should each produce a member of suitable discretion and seniority as should the Head of Service of the Federation, Chairman of Public Service Commission, Director General of the SSS, Director General of NIA and the Service Chiefs (or their representatives), Nigerian Bar Association (NBA) and the Nigerian Union of Journalists (NUJ), the latter two being preferably retired chairpersons of the respective associations. There should also be a nominee each from the two houses of the National Assembly.
- (xi) Naturally, only the following shall be full-time: The chairman and a Deputy chairman, and the DGs of ICPC and EFCC.
- (xii) The *modus operandi*, such as collection of information and so on, shall be determined by the Task Force itself when it meets.
- (xiii) The provisions of this Act should have effect all over the Federation and the activities of the Task Force shall embrace matters relating to the Federal, State and LGs in all their ramifications. Needless to say, adequate provisions in terms of funding, equipment and personnel should be made available
- (xiv) It is intended that the closest possible collaboration should be established particularly with respect to investigation with the SSS, NIA, NPF and the officials of Military Intelligence Services.
- (xv) Government should ensure that the gate is open for this body to receive the collaboration of similar agencies elsewhere and in that respect, it should be funded to hire foreign investigative expertise, especially in the field of financial intelligence.
- (xvi) The ultimate object is not just to grant absolution or to clean up the past, but to rescue us from a vicious cycle and possible continuing security problems. At the heart of it is the not-so-obvious effect of moral regeneration, more realistic re-branding and a fresh start in the context of the re-instatement of norms in public life.
- (xvii) The final provision of this Act shall be two-pronged:
  - (i) A declaration as the first item of the Constitution in the modified constitution, stating in suitable phraseology that the nation, desirous of a fresh start, dedicated to a clean public life, patriotic duty and service to the fatherland, hereby declare that,





without prejudice to acts of commission or omission not exempted by the provisions of this constitution, acts of corruption which have taken place from 15 January 1966 to the date this provision is enacted as part of the constitution of Nigeria, shall be deemed to have been covered by a National Resolution of Absolution which shall operate in such manner as to absolve from personal responsibility or criminal liability all such claims as may arise in consequence of those acts. The Nigerian state hereby releases all persons affected by the proceedings of this Resolution of Absolution, and they shall not be subject to any further inquiry, molestation or disability other than the ones imposed during the proceedings or any use the state may make of personal information in determining competence for further holding of public office.

- (ii) All matters on the schedule of all legislative lists shall be deemed to have started afresh at all levels of government and further inquiry in the matters covered by this provision of the Constitution is hereby prohibited under this Constitution and only historical reference may be allowed. After the coming into effect of this Act, however, the most draconian legislation should be allowed to take effect in respect of the provisions of this Act, graduated by severity up to the death penalty and including the sequestration of property.