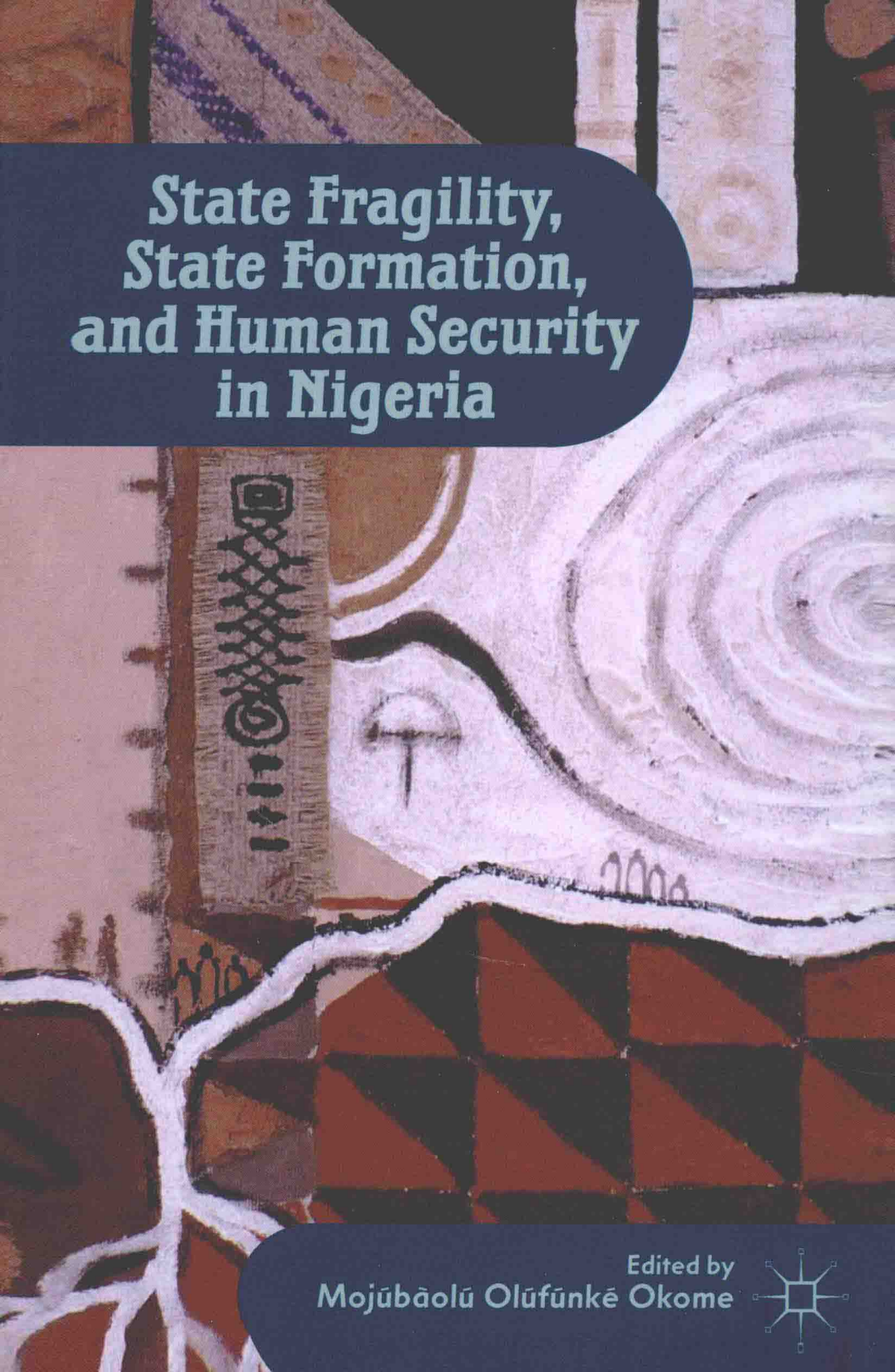
State Fragility, State Formation, and Human Security in Nigeria

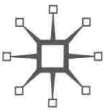


Edited by
Mojúbàolú Olúfúnké Okome

STATE FRAGILITY, STATE FORMATION, AND HUMAN SECURITY IN NIGERIA

Edited by
Mojúbàolú Olúfúnké Okome

palgrave
macmillan



First published in 2013 by
PALGRAVE MACMILLAN®
in the United States—a division of St. Martin's Press LLC,
175 Fifth Avenue, New York, NY 10010.

Where this book is distributed in the UK, Europe and the rest of the world, this is by Palgrave Macmillan, a division of Macmillan Publishers Limited, registered in England, company number 785998, of Houndmills, Basingstoke, Hampshire RG21 6XS.

Palgrave Macmillan is the global academic imprint of the above companies and has companies and representatives throughout the world.

Palgrave® and Macmillan® are registered trademarks in the United States, the United Kingdom, Europe and other countries.

ISBN: 978–1–137–00677–6

Library of Congress Cataloging-in-Publication Data is available from the Library of Congress.

A catalogue record of the book is available from the British Library.

Design by Newgen Imaging Systems (P) Ltd., Chennai, India.

First edition: April 2013

10 9 8 7 6 5 4 3 2 1

To the memory of my parents, Matthew Odusanya Odulaja and Sarah Segilola Odulaja, who shaped my formative years and taught me the value of hard work and trust in God. And to the memory of my brother, Morohunfolu Olugbenga Odulaja, and my sister, Mogbolade Olukemi Odulaja, who touched my life in manifold, profound ways. May they all rest in perfect peace.

ABBREVIATIONS

AAWP	Academic Associates for Peace Works
ADR	Alternate Dispute Resolution
AFRICOM	(US) Africa Command
AIC	African-Initiated Church
ANPP	All Nigeria Peoples Party
AP	Amnesty Programme
APP	All Peoples Party
ASUU	Academic Staff Union of Nigerian Universities
CAC	Corporate Affairs Commission
CAN	Christian Association of Nigeria
CBO	Community-Based Organization
CEPACS	Centre for Peace and Conflict Studies
CEWER	Conflict Early Warning and Early Response
CHAN	Christian Health Association of Nigeria
CIAS	Conflict Impact Assessment Studies
CMS	Church Missionary Society
COCIN	Church of Christ in Nigeria
CPC	Congress for Progressive Change
CPC	Country of Particular Concern
CRUDAN	Christian Rural and Urban Development Association of Nigeria
CSO	Civil Society Organization
DFID	Department for International Development
DSTV	A subscriber only TV service based in South Africa but available in Nigeria
ECOWAS	Economic Community of West African States
ECWA	Evangelical Church of West Africa
EU	European Union
FBO	Faith-Based Organizations
FOMWAN	Federation of Muslim Women's Associations of Nigeria

HRVIC	Human Rights Violations Investigation Commission
IASPS	Institute for Advanced Strategic and Political Studies
IDCC	Industrial Development Coordination Committee
IDP	Internally Displaced Person
IED	Improvised Explosive Device
IMF	International Monetary Fund
INC	Ijaw National Council
INEC	Independent National Electoral Commission
IPCR	Institute for Peace and Conflict Resolution
IYC	Ijaw Youth Council
JAI/BH	Jamā'atu Ahlis Sunnah Lādda'awatih wal-Jihad (People Committed to the Propagation of the Prophet's Teachings and Jihad[])/Boko Haram
JCRC	Joint Committee on the Review of the Constitution
JDZ	Joint Development Zone
JTF	Joint Task Force
LDCs	Less Developed Countries
LGA	Local Government Area
MAMSER	Directorate for Social Mobilization, Self-Reliance and Economic Recovery
MAN	Manufacturers Association of Nigeria
MASSOB	Movement for the Actualisation of the Sovereign State of Biafra
MEND	Movement for the Emancipation of the Niger Delta
MNC	Multinational Corporation
MOPOL	Mobile Police
MOSOP	Movement for the Survival of the Ogoni People
NACCIMA	Nigerian Association of Chambers of Commerce, Industries, Mines and Agriculture
NADECO	National Democratic Coalition
NANS	National Association of Nigerian Students
NASS	National Assembly
NASSI	Nigerian Association of Small Scale Industries
NDLF	Niger Delta Liberation Force
NDPVF	Niger Delta Peoples Volunteer Force
NDVS	Niger Delta Volunteer Service
NEMA	National Emergency Management Authority
NEPD	Nigerian Enterprises Promotion Decree
NGOs	Non-Governmental Organizations
NLC	Nigerian Labour Congress
NNC	Nigerian National Council

NNPC	Nigerian National Petroleum Corporation
NNSC	Nigerian National Supply Company
NOA	National Orientation Agency
NOM	National Orientation Movement
NPC	Northern Peoples Congress
NPN	National Party for Nigeria
NPRC	National Political Reform Conference
NSCIA	Nigerian Supreme Council of Islamic Affairs
NTV	Nigerian Television Authority
NYCOP	National Youth Council of Ogoni People
OECD DAC	Organisation for Economic Co-operation and Development Development Assistance Committee
OPC	Oodua Peoples Congress
PCRC	Presidential Committee on Reform of the 1999 Constitution
PDP	People's Democratic Party
PE	Public Enlightenment
PFN	Pentecostal Fellowship of Nigeria
PLASIEC	Plateau State Independent Electoral Commission
RAPAC	Redeemed AIDS Programme Action Committee
RCCG	Redeemed Christian Church of God
SALW	Small Arms and Light Weapons
SAP	Structural Adjustment Program
SAW	Sall Allāhu ʿalay-hi wa-sallam (Peace be unto him)
SCIN	Shell Companies in Nigeria
SNG	Save Nigeria Group
SPDC	Shell Petroleum Development Company
SSASCGOC	Senior Staff Association of Statutory Corporations and Government Owned Companies
TCPC	Technical Committee on Privatization and Commercialization
TNOC	Transnational Oil Corporation
UNDP	United Nations Development Programme
USAID	United States Agency for International Development
USCIRF	United States Commission for Inter-religious Freedom

ACKNOWLEDGMENTS

I am indebted to many colleagues and friends who were supportive since this project began in 2005. Axel Harneit-Seivers circulated a concept paper on (Un)civil Society at the Heinrich Böll Foundation, Lagos, Nigeria, that elicited debates and contestations. At the early stages, brainstorming sessions with Axel and Olufemi Akinola contributed to thinking about developing the conference papers into an edited book. Other colleagues who were not at the conference generously accepted to contribute chapters. The contributors of the chapters were responsive as well as collegial. I am grateful to them for their sustained commitment to bringing the book to completion. Olufemi Vaughan kindly read and gave cogent and helpful comments that helped move the process along. Above all, I am grateful to my family—my husband, Dr. Muoyo Okome, and my sons, Muoyo A. Okome and Kemi Okome, who encouraged me, kept me in good humor, and were otherwise accommodating of my "busyness." I am grateful to my sisters—Morohunmubo Olufunmilayo Meigbope, Modupe Oluremilekun Kuteyi, and Mobolaji Olubukola Akanji—for their constant, unflagging support and prayers. Finally, I am fortunate to have the support of an excellent research assistant, Chukwudi Onike, during the critical final months before the publication of the book.

CONTENTS

TABLES

CHAPTER 1

STATE FRAGILITY, STATE FORMATION, AND HUMAN SECURITY IN NIGERIA: INTRODUCTION, CONCEPTS, AND QUESTIONS*

Mojúbàolú Olúfúnké Okome

This book is an outcome of the conference "'(Un)civil Society'? State Failure and the Contradictions of Self-Organisation in Nigeria," May 14–17, 2005, sponsored by the Heinrich Böll Foundation and organized by Axel Harneit-Sievers. The conference focused on the conceptual and practical meanings of "uncivil society," and many of the papers presented considered the extent to which Nigeria was a failed state. But this book presents the argument that while those conceptual explorations remain valid for scholars of Nigerian and African politics, it is also important to more deliberately interrogate and contextualize "uncivil society" and state failure, rather than accept them at face value.

The failed state concept was driven by a view that emerged from, and was refined by, the neoliberal perspective of the Washington Consensus—the coalition led by the United States under President Reagan, Britain under Prime Minister Thatcher, and the World Bank and the International Monetary Fund (IMF), which took charge of leading the response to the vagaries of the world economy after the debt crisis that followed the 1970s oil shock. It continues to be salient as a tool used by donor governments and institutions both to classify foreign-aid-receiving countries and rationalize the levels and types of aid given. The concept of foreign

aid is problematic, since it is at least as much deployed to meet the geopolitical needs of the donor as to assist the recipient in solving problems, but this is not the place to comprehensively deconstruct it.

The failed state concept was a bleak, jaundiced, and dystopic post–Cold War perspective expressed most clearly by Robert Kaplan in his article "The Coming Anarchy."[1] The recommended corrective is tantamount to putting the state in receivership—as evidenced by the more sober, but still patronizing validation of a world order dominated by the West and its other allies by Gerald Helman and Steven Ratner, who identify the following markers of state failure: inability to function as independent state(s) after the explosion in the number of independent states, "especially in Africa and Asia" where the challenge of discredited regimes by powerful insurgent forces sets in motion rampant "civil strife . . . disrupting essential governmental services . . . destroying food supplies and distribution networks . . . bringing economies to a virtual standstill."[2] Given the widespread acceptance and use of the concept, it is appropriate to ask whether or not Nigeria should be considered a failed state that lines up with Helman and Ratner's description.

The concept of uncivil society succinctly expresses the anxieties about group action by some who critique pluralist analysis, and its presumed unqualified endorsement of the virtues of voluntary associations with the capacity to "diffuse moral and social authority," promote "variety and diversity," and work against "the uniformity of outlook" à la de Tocqueville.[3] Following Locke's theory and similarly disposed early social contract theories, they endorse pluralism while also fearing unvarnished mass forms of democracy. For them, uncivil society raises the specter of the threat of unchosen or coercive groups trampling on the rights of individuals. It expresses anxieties about uncontrolled/uncontrollable group conflict or the perils of pluralism. Given the individualist bias expressed in these variants of liberal democratic thought, and the validity of the group as the basis of social interaction in Africa, as with the failed state concept, interrogating the conceptual relevance of "uncivil society" seems more relevant.

Mindful of these conceptual challenges, in his chapter, Adekson engages the debate and critiques the post–Cold War tendency of armchair intellectuals in the Western academy who pontificate about the inadequacies of civil society in Africa, and their penchant for normative analysis that compares African civil society to the Western variants and find them wanting, leading to the conclusion that civil society is either nonexistent in Africa or in the early stages of development.

Adekson also draws attention to the tendency to engage Africa from an ethnocentric perspective that lacks rigor and specificity in analyses

of civil society. He argues for a broad definition of civil society that includes armed ethnic militias and uses case studies of three such groups in Southern Nigeria—the Ijaw Youth Council (IYC), Movement for the Actualisation of the Sovereign State of Biafra (MASSOB), and Oodua Peoples Congress (OPC), and to a lesser extent, the Movement for the Emancipation of the Niger Delta (MEND) and a related entity, the Niger Delta Peoples Volunteer Force (NDPVF)—in his interrogation of the limits and possibilities of the concept as an analytical tool. Adekson points out the contradictions inherent in the tendency to emphasize the incivility of armed groups and assume the civility of civic associations and suggests that we are better served by thinking of civil society as a spectrum that extends from more benign to more radical and even violent manifestations. For him, to exclude violent expressions of civil society from the fold would be tantamount to willfully choosing to engage the world as it ought to be, instead of how it is in reality.

Naanen and Nyiayaana's chapter focuses on the Niger Delta and considers it better to describe the ethnic militia movements in the region as "antiestablishmentarian, antistate ideology" radical social movements. They also observe that the problems of insecurity in the region as well as African continent are complicated by the crisis of the postcolonial state and their "profoundly dysfunctional effects." They agree with the distinguished historian Basil Davidson that Africans' maintenance of the European-type modern nation-state imposed through colonization is by its nature responsible for the failure of the African state. Drawing on Zartman et al, they contend that some African states have experienced structural and functional deterioration, and have consequently failed, but they can also be resuscitated. They also concur with Ayoob that state failure is neither unusual nor limited to Africa, since examples of the phenomenon were also to be found in Europe "during the initial attempts at state formation."[4]

Naanen and Nyiayaana further argue that in the absence of "a catastrophic political accident," Nigeria is unlikely to succumb to the kind of structural collapse that has occurred in "formerly failed states" like Liberia and Somalia, anytime soon. They also doubt the likelihood that Nigeria will experience "the sort of territorial reconfiguration that has taken place in the former Soviet Union and in Eastern Europe since the end of the Cold War." For them, it is more likely that the Nigerian state will endure albeit as a tumultuous entity lacking capability for meaningful "national development and continental influence." Optimistically, they consider visionary leadership sufficient to reverse this trend, and argue that although Nigeria's oil has spawned "destructive conflicts in

the Niger Delta, and has fueled corruption and intensified underdevelopment in Nigeria," it could also be its most important asset, because the sheer dependence on petroleum exports by local, state, and federal governments means that the Nigerian elite could not possibly consider doing without it.

Many of the subsequent chapters rightfully engage the combined impact of Nigeria's transition from authoritarianism and the economic crises that it faced. Some of the chapters that follow also remain, in the spirit of the 2005 conference, focused on the failed state phenomenon—a phenomenon that this book will interrogate rather than accept as given.

The term "state failure" is used to describe states as varied as Sudan, Sierra Leone, and Liberia during their civil wars, Afghanistan, and the Democratic Republic of the Congo, and Colombia. Does Nigeria belong in this fold? What would one have to measure and verify to make an affirmative response? State fragility and state failure are terms also formulated by donor countries and agencies to categorize the states that they engage so that they can better tailor their interventions.

To use the term state failure, which evokes the specter of state collapse, to refer to the situation in Nigeria seems problematic for reasons that will be engaged later on. Is state fragility more appropriate then? The term "state fragility" is used to capture many of the characteristics used to describe state failure, and sometimes the terms are used interchangeably,[5] but state fragility could be seen as a process that proceeds along a continuum, rather than as a categorical event. Also, it does not express the kind of finality that state failure does. It allows that when the aspiration to do better is combined with the right institutional framework, the skilled manpower with the will and determination to improve, and a beneficent relationship between a given country and external actors (where there is little to no meddling), a stronger state is possible. However, given the nature of Nigeria's politics since the most recent engagement with democratization, using the parameters established by donor countries, multilaterals, and development agencies (the actors most responsible for imposing the concept on the politics of development), and more importantly, the expectations of the Nigerian people, it is also valid to consider whether or not Nigeria manifests such aspiration and determination.

There is no homogenous definition of the term, but fragility in the state is considered

> a fundamental failure of the state to perform functions necessary to meet citizens' basic needs and expectations. Fragile states are commonly described as incapable of assuring basic security, maintaining rule of law

> and justice, or providing basic services and economic opportunities for their citizens. Accordingly, the OECD DAC recently characterised fragile states as: "unable to meet [their] population's expectations or manage changes in expectations and capacity through the political process."[6]

UK Department for International Development (DFID) similarly defines fragile states as "those where the government cannot or will not deliver core functions to the majority of its people, including the poor."[7]

Increasingly, weak state legitimacy is understood to be a key defining characteristic of fragility. States that fail to meet basic needs and to keep societal expectations and state capacity in equilibrium can also fail to establish reciprocal state-society relations or create a binding social contract. The Centre for Research on Inequality and Social Exclusion, for example, defines fragile states as "failing, or at risk of failing, with respect to authority, comprehensive service entitlements or legitimacy."[8]

Max Weber in the essay "Politics as Vocation" said: "Sociologically, the state cannot be defined in terms of its ends."[9] Essentially, he was saying that the means through which the state accomplishes the ends that one observes matter. This can be taken to be an endorsement of institutionalism as well as a validation of due process; and, in relation to democracy, it can be used as one of the yardsticks for measuring the extent to which democratic openness obtains. The directives coming from globalized constructions of democracy to Africa endorse both institutionalism and due process, but not in a "Catholic" way that is open to all kinds of influences. They privilege liberal democracy and the kinds of institutions that emanate from it. In the contemporary era of globalization, they also favor NGOs as the prime expression of civil society activism.

Most people are more familiar with Weber's popular statement: "A compulsory political organization with continuous operations will be called a 'state' insofar as its administrative staff successfully upholds the claim to the monopoly of the legitimate use of physical force in the enforcement of its order." Being currently challenged by a radical Islamic militia, Jama'atul Ahlus Sunnah Lidda'awati Wal Jihad (Brethren United in the Pursuit of Holy War), popularly known as Boko Haram, and having had to make concessions to the Niger Delta militias, and contend with others, and given the prevalence of armed robbery and home invasions in Nigeria, it would seem that the Nigerian state is skating on thin ice if this were the sole measure of its "stateness." But we must not forget Weber's "legitimacy" requirement. Is these militias' use of physical force legitimate? Should the recognition of their legitimacy by a fraction of the population within Nigeria confer them with authority—which derives

from legitimacy? Not necessarily. Martin Shaw reminds us that Anthony Giddens' definition of the modern nation-state as a "bordered power container" draws upon the Weberian emphasis on state monopoly of the legitimate use of force. The Nigerian state has been much challenged in this respect, particularly in recent times, with the aforementioned emergence of ethnic militia in the Niger Delta, the South East, and the South West. Lately, Boko Haram has extended the scope in manifesting an ethnoreligious character that both draws on old kinds of Muslim militancy and new forms that sow the seeds of terror through suicide and other bombings, arson, and attacks on the citizenry as well as on law enforcement and other agents of the state. But this challenge of the state's monopoly over the use of force is not perceived as legitimate.

Like state failure, state fragility cannot be understood without due consideration to the global flow of ideas and the power relations that undergird them, particularly as applicable to the concept of development. Although globalization presumably opens up the vista of a world without boundaries, and the flow of ideas in an untrammeled manner, the flow is legitimated by a power structure that privileges the voice of the West, and that privilege is validated by an international community that it operates according to the rules of a liberal international order consolidated after the end of World War II. The United States was a major sponsor of this post–World War II order, and the coalition it led contributed immensely to building and legitimating a world fashioned after its ideological commitment to liberalism. The world has gone through many changes since, but the ideological hegemony still belongs with the West.

While there is a tendency to conceive of human security as involving safety from physical danger, and as applicable to situations of conflict, war, and unexpected environmental catastrophe, this book conceives of the concept as intrinsic to the enjoyment of human rights, broadly defined. The Commission on Globalization's Human Security Policy Action Group captures the essence of human security in the way it is used in this book, defining it as entailing values that put "people's welfare at the center; emphasizes power sharing at all levels; and promotes an economic framework that encourages sustainable development, social justice, human rights, gender equality, and democracy" (657).[10]

Chapter 2 contends that what is at issue is the process of state formation in Nigeria. This process (which should not to be confused with the creation of sub-national units, as with the creation of states in 1967, 1976, 1987, 1991, and 1996) is a historical progression. More recently, the state formation process was impinged upon by an admixture of local and global forces that compelled the federal military government of Nigeria