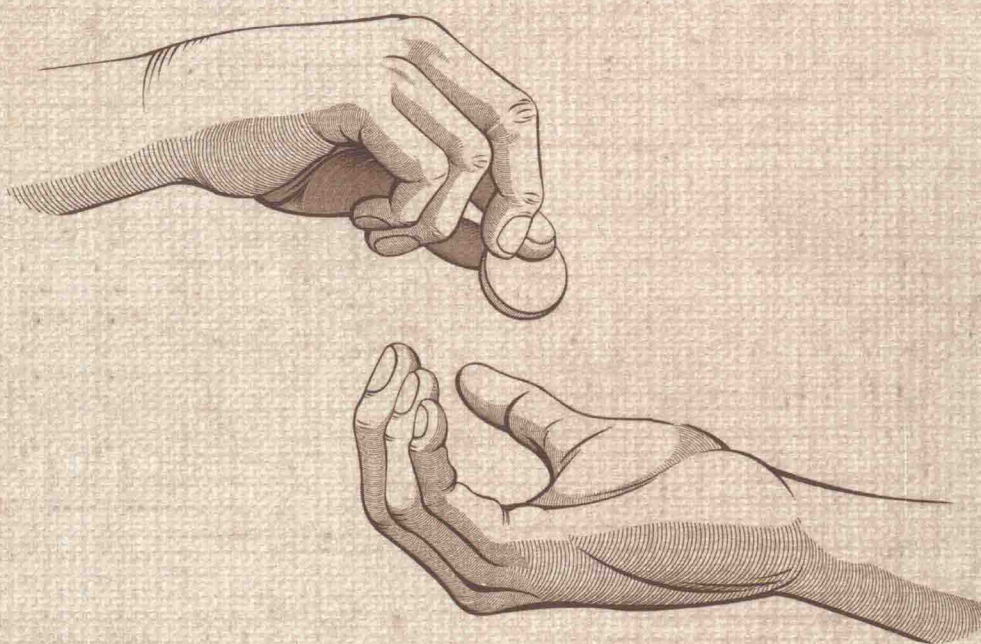
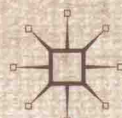


Democracy and Prebendalism in Nigeria

Critical Interpretations



Edited by
Wale Adebaniwi
Ebenezer Obadare
Foreword by Larry Diamond



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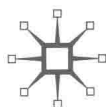
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DEMOCRACY AND PREBENDALISM IN NIGERIA

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FOREWORD

The oldest and most enduring story of human political life is this: the strong exploit and abuse the weak. Those who wield political power use it to extract wealth from the powerless. "Power corrupts, and absolute power corrupts absolutely," as Lord Acton wrote. Historically, force was typically the means by which the wielders of power acquired it and held it. And force remains the ultimate guarantor of power, for, as Max Weber wrote, the irreducible feature of any state is that it exercises a legitimate monopoly on the use of force.

Political development can be viewed as a quest to solve three basic problems in the organization and exercise of power. First, how can violence be subdued and contained so that power is acquired and exercised by (largely) peaceful means? Second, how can the abuse of power—the exploitation of the powerless by the powerful—be restrained? And, third, how can the powerless be empowered, so that all members of the collectivity benefit to some fair—if not exactly equal—degree from the exercise of power, and hence the holders of power are held accountable by the people?

The first challenge is one of state building—generating and institutionalizing the authority and capacity of the official structures of power, based on certain shared rules. In the modern era, as peoples of distinct languages and identities were brought together in a common political order, this also became intertwined with the imperative of nation building. The second challenge involves building a rule of law, which further constrains the autonomy of political officeholders and subjects them to certain rules, neutrally and equally applied. The third challenge is democratization—giving the people ultimate sovereignty, and the institutional means, through regular, free, fair, and competitive elections, to hold their rulers accountable.

One of the seminal contributions of Richard Joseph's brilliant work a quarter century ago, *Democracy and Prebendal Politics in Nigeria* (1987), was to place the destructive dynamics of Nigeria's politics in a deeper historical and theoretical perspective that engaged these basic questions of political order. The problem with Nigeria was not simply endemic corruption, but the profoundly systematic, *prebendal* character

of it. It was in fact *expected* that state office would be acquired and used for the material benefit of the officeholders “and their constituents and kin groups,” rather than the society at large. In an authoritarian, monarchical system like prerevolutionary France, this meant that positions of state authority (prebends) could be purchased from the ruler as licenses to loot. In the republican and superficially democratic context of Nigeria in the Second Republic, it meant that the electoral struggle was not for the power to enact one or another policy program but rather to acquire rents (unearned income) through the exercise of power at the national, state, or local level.

As Richard L. Sklar noted in his seminal work, *Nigerian Political Parties* (1963), competitive politics in such a context became the driver of class formation, as rival political elites struggled through elections to enter the emerging dominant class with the transition from colonial rule to independence. Unfortunately, when everything is at stake in an election, when all routes to wealth formation and class attainment pass through political power and the state, it is impossible to conduct competitive elections by democratic rules of the game. Thus, politics in Nigeria’s First Republic (1960–1966) was riddled with violence, fraud, and “tribalism.” Lacking much in the way of a real political program, rival parties and politicians fell back upon ethnic identity as the most reliable way of mobilizing electoral support. “Tribalism” became, in Sklar’s memorable words, “a mask for class privilege.” But if the polarization of politics around ethnic identity was socially constructed and cynically mobilized, it had very real and destructive consequences. Not only was it the immediate precipitant of the collapse of the First Republic, but it also spiraled downward into a ghastly civil war (1967–1970), in which well over a million people (and by some estimates, up to 3 million) died.

The devastation of that war generated lessons and institutions that remain with Nigeria today, and that have, at least, prevented a repeat of that Nigerian holocaust. The Nigerian military reorganized the country as a multistate federal system, cutting across the lines of the three major ethnic groups and empowering smaller ethnic minorities as well. Much of Nigeria’s considerable constitutional energy and imagination since then has been devoted to elaborating and reforming this federal system. And one of the secrets to the tenacity (if not stability) of prebendalism in Nigeria, as this volume makes clear, is that it has become, with the relentless proliferation of states and local government authorities, a thoroughly multiethnic affair. At the federal level, and in many of the states riven by ethnic and subethnic cleavage, identity groups contest for dominance. But elites from every group are able to ride the train of prebendalism to some degree of status and wealth, and typically to levels unimaginable outside the political realm.

The rise of a more complex, balanced, and resilient federal system was one of two great transformations Nigeria experienced between the collapse of the First Republic and the inauguration of the Second Republic in October 1979. The other was Nigeria's emergence as a major oil exporter, at roughly 2 million barrels a day. With the two great oil price shocks of 1973 and 1979, staggering new revenues poured into Nigeria's federal treasury. These massive oil rents fed the prebendal system the way dry brush fuels a forest fire—except that in this case, the fuel will continue to burn for decades to come.

When Richard Joseph arrived in Nigeria in early 1976 to begin the research that would lead to *Democracy and Prebendal Politics*, these two great transformations—political institutions and political economy—were gathering steam. The Nigerian public was seized with debate and imaginative thinking about the constitution for a Second Nigerian Republic. And hope was abundant as oil riches poured in, education and infrastructure expanded, and wealth began to pump through the system. There was talk, quite realistically, of Nigeria becoming a middle-income country within a generation.

The Second Republic, whose demise Joseph anatomizes in his book, had the misfortune of forming right at the moment of the second dramatic spike in global oil prices. By then the dynamics of prebendalism had been gathering substantial momentum through the failed First Republic and successive military regimes. Awash in oil, uncertain of how long they would be in power, and eager to make up for nearly 14 years of lost time, Nigeria's civilian politicians indulged in an orgy of looting that reached its peak just as the second boom in global oil prices was beginning to go bust. During this heady and calamitous period, prebendalism became consolidated and pervasively entrenched as the way of politics and governance in Nigeria. Barely four years later, with the economy a shambles, the public outraged, and the opposition seething from brazen electoral theft in 1983, the military swept aside Nigeria's discredited second civilian experiment.

The 1983 military coup provoked effusions of relief and even joy from the Nigerian public, and cautious optimism from many observers, who were heartened by the coup-makers' blunt denunciations of corruption and misrule and their vows to reform politics and governance, purge the corrupt politicians, and return the country to democracy. But these initial reactions proved profoundly naive. For in the context of entrenched prebendalism, the transfer of power from civilian politicians to the military merely meant a contraction—and militarization—of the number of offices providing a prebendal platform for looting. Under three successive military regimes, prebendalism became, as Richard Joseph notes in his Epilogue, predation; the transition to a planned Third Republic

was cynically manipulated and aborted; and the nation experienced new depths of tyranny and plunder.

With the relatively rapid transition to a Fourth Republic in 1998–1999, following the sudden (and by some accounts, unnatural) death of the tyrant, General Sani Abacha, Nigeria has come full circle. Civilian, constitutional rule has now survived for more than 13 years—well over twice as long as any previous attempt. Moreover, under the first president of the Fourth Republic, Olusegun Obasanjo, the military ruler who had returned power to the civilians on time in 1979, the military was reduced in scale and reorganized to diminish the prospects of another military coup. Yet prebendalism persists with a vengeance, and what prevails politically is a hybrid system. Elections are too riddled with fraud and corruption to qualify as a democracy, yet there is sufficient competition for power, alternation of personalities if not parties, and freedom and pluralism in civil society to allow for some degree of representativeness, and at least some possibilities for reform.

The problem is that prebendalism can represent a tenacious and self-reinforcing equilibrium when there are enough resources to sustain it through extraction by one means or another. Tax farming can be one way, but mineral wealth seems uniquely suited to sustaining prebendalism in the contemporary era. In the modern era of political equality and mass political consciousness, it is difficult to sustain feudal or semifeudal forms of extraction of wealth from a population of vassals. Foreign aid can function (and unfortunately it has) as a good enough source of external rents to fuel a prebendal system, but in the post–Cold War era the donors have periodically shown some willingness to suspend aid to the most hopelessly corrupt and predatory rulers, so aid dependence has its uncertainties. But when rents derive from oil (or other forms of lucrative mineral wealth), the money is there for the taking, because it is nobody's money, really. Psychologically, that is the way a society too easily views external rents—as manna from heaven poured down on the country, to be grabbed by the lucky and well connected. As many scholars have noted, when state resources derive mainly from taxation of the people, people have a stronger and more natural incentive to demand accountability.

As Wale Adebawbi and Ebenezer Obadare explain in their introduction, prebendalism represents a dead-end trap developmentally. When it reaches its full, natural, plundering logic, prebendalism robs a country of the promise of economic development. For the logic of governance in a prebendal system is not to generate public goods *for* development—transportation, education, electricity, public health and sanitation, efficient administration of justice, and so on—but rather private goods for the officeholder and his family, and “club” goods for a limited group of his clients and supporters. In this way, a potentially rich country like Nigeria can squander many tens of billions of dollars of manna from

heaven. According to the most recent (2011) statistics of the United Nations Development Program (UNDP), Nigeria ranks 156th (out of 179 countries ranked) in human development, scoring to be in the bottom tier of countries with “low human development.” Its human development performance is no better than average for all of sub-Saharan Africa, even though it is richer than most of Africa. It ranks well behind peer African countries like Ghana, Kenya, and Tanzania, none of which has had oil (at least until now). And its average life expectancy, 52 years, is below the average *even for sub-Saharan Africa*. For the 160 million or so ordinary Nigerians, prebendalism has literally been a killer. For this reason, I have long felt that corruption on a prebendal scale should be considered a crime against humanity, but in the case of Nigeria, it is almost an entire political class (across generations) that would have to be indicted and prosecuted.

If prebendalism could at least deliver modest economic development, it would gradually enlarge an educated middle class with capacities and interests in the private sector—the natural constituency for reform. This has happened to a certain extent in Nigeria, but much too little. While the independent entrepreneurial sector has grown in Nigeria, it still remains dwarfed by, and its fortunes excessively linked to, the state.

Nigeria is deeply stuck in a deadly and demoralizing development trap. The system of prebendalism serves the interests of a relatively small but multiethnic political class. Most of the rest of society hangs on to the coattails of its politicians and tries to catch—indeed demands to catch—the crumbs from the political table, because it is the only option they have or can foresee. In theory, the system could keep going until the oil runs out some decades hence, but with population still growing rapidly, at an estimated 2.5 percent annual rate, the population will double in less than 30 years, giving rise, as Joseph observes in his Epilogue, to tens of millions of more “futureless youths.” With infrastructure already, as he notes, hopelessly inadequate, the system is clearly unsustainable. The accelerating incidence of religious violence, ethnic violence, and radical Islamist terrorism are all worrisome signs of what could be to come. Large masses of angry, marginalized, “futureless youths” have historically been a crucial element in the combustible mix of political violence, social unraveling, and revolutionary change. There are many ways of imagining a Nigerian future of sustained prebendalism, but long-term political stability is not one of them.

What might transform this enervating and deeply unjust system? As Joseph recalls, citing Francis Fukuyama’s landmark recent work, it was violent revolution that brought down the exploitative prebendal system in France. In the twentieth century, class-based revolutions overthrew many a decadent, prebendal system, as in Russia, China, Iran, and Nicaragua. But those countries were more coherent in terms of national

identity than Nigeria, whose fractured mosaic of ethnicities makes it difficult to imagine a single national revolutionary movement. Rather, revolutionary impulses are much more likely to take the form of localized movements of violent resistance, as in the Niger Delta and now in the far North, often merging with criminal opportunism. And after successive military regimes have proven just as prebendal and corrupt as their civilian counterparts, few Nigerians have any illusion that the military holds the answers to the country's developmental quandary. In any case, the last thing anyone would wish upon Nigeria is a violent route to political change. Nigeria has already seen once the horrific toll that can extract in human life and physical devastation.

There remains the path of incremental reform, and as Joseph maintains here, it is bearing some promising results in a few states like Lagos and Ekiti. Where people can choose and replace their leaders in free and fair elections, leaders have an incentive to generate public goods—to deliver development—and more public-spirited candidates have a better chance of getting elected. In the context of genuine democracy, the most predatory politicians can gradually be weeded out from public office, and corruption can be shrunk back from prebendalism to the less debilitating forms of patronage politics that may not represent the peak of bureaucratic efficiency but can at least be consistent with genuine development.

There are three possible sources of pressure for reform: from within, from below, and from outside the country. Despite the pervasiveness of the prebendal logic and culture, at least some Nigerian state officials are disgusted by the country's developmental failures and want to see it exit the cul-de-sac of prebendalism. Prominent among them are internationally trained technocrats who broadly understand the economic policies, budgetary priorities, and management principles necessary to bring development. And there are some Nigerian politicians who appear more inclined to deliver the leadership for development, and in the case of Lagos State, have done so. Nigerian civil society has long boasted a vibrant array of NGOs, professional associations, interest groups, mass media, think tanks, and intellectual networks that—while not immune from the pressures and enticements of prebendalism—have long been advocates for accountability, transparency, clean elections, and the rule of law. Because Nigeria's oil wealth mitigates its dependence on international aid flows, external donors have limited leverage to demand change. Carefully targeted financial and technical assistance can, however, strengthen reform elements within the state and civil society and gradually help to give critical mass to a coalition for reform that cuts across ethnic, religious, regional, and other societal divides. The key is to show, at least in some states, that better, more accountable and honest governance can really deliver tangible developmental improvements,

leaving everyone in society better off. Then, states that have shifted off the prebendal logic can radiate positive demonstration effects, inspiring and empowering reformist leaders and coalitions in other states and in the country at large.

In the fight against prebendalism, transparency is crucial. Even though prebendalism represents a kind of societal conspiracy, widely expected and conceded to, the massive theft of public resources is not legitimate and can only thrive in the shadows. Transparency in all matters related to the receipt and management of oil revenues, and the budgeting and expenditure of public funds, is, therefore, essential to shrinking back the prebendal system and reducing corruption. In this regard, as Richard Joseph also notes, there is an exciting new array of tools and possibilities in the realm of liberation technology, the various digital platforms, and social media that can greatly amplify and accelerate flows of information. These tools can empower large numbers of citizens to become micro agents of accountability, monitoring what government does and fails to do, auditing the performance of promised development projects and the compliance with good governance and human rights norms, and reporting back to independent monitoring organizations in government and civil society. Getting effective, capable, and neutral agents of accountability inside the state—particularly in administering elections and monitoring and punishing corruption—is also crucial to the struggle for good governance.

In the absence of revolution, reform will be a long, messy, and incremental struggle. But the past few years in Nigeria have shown that progress is possible. Extending and deepening democracy—which means in part achieving real democracy—is an indispensable condition for such progress. In a context of civil and political freedom and robust, fair electoral competition, constituencies for reform can mobilize, expose outrages, build popular support, and gather institutional allies. New models of governance can gain traction and show cumulative results. Constitutional norms can extend roots. But another military coup would only set Nigeria back to the square one of a praetorian institutional vacuum.

If, 25 years after the publication of Richard Joseph's stunning and sobering book, one is looking for a silver lining across the bleak landscape of Nigerian governance, it may be simply that, for the first time in Nigerian history, the formal structures of civilian, electoral politics have survived so long. That is, at least, a beginning.

LARRY DIAMOND

ACKNOWLEDGMENTS

It is conventional wisdom that every book is a collaborative effort. This is particularly true for an edited volume. In the specific case of this book, the collaboration started more than two years ago during one of the numerous casual phone calls between the editors that resulted in a debate on the provenance of the concept of prebendalism employed by Richard Joseph in his analysis of Nigerian politics. We later picked up the debate and decided to pursue the efficacy of the concept and theory in understanding Nigerian politics beyond the Second Republic (1979–1983), which was the specific focus of Joseph's work.

A few weeks after our initial discussion, we broached the idea to Professor Joseph who, incidentally, had been thinking of a bigger project concerning democracy, security, and growth in Africa. In October 2010, we met Joseph in Lagos at a conference to discuss our co-edited special issue of the *Journal of Contemporary African Studies*, 'Nigeria at Fifty'. Later in the evening, at a dinner hosted by Dr. Kayode Fayemi to celebrate Joseph's birthday, we mentioned the proposed conference on rethinking prebendalism and democracy in Nigeria to Fayemi, who jumped at the idea and promised to host the conference. Incidentally, at that point, Fayemi was suffering some of the consequences of prebendal politics. He had contested and won the governorship election in his home state of Ekiti, but had been robbed of victory by the ruling party. He sought redress in the courts.

At that point when we all agreed to work toward hosting an international conference on prebendalism and democracy in Nigeria, Fayemi had only a glimmer of hope left after more than three years of seeking justice through the legal system. We thought such a conference would help in examining the challenges of democracy, justice, equity, and governance. Barely one week after Joseph and the editors returned to the United States, the Appeal Court in Nigeria declared Fayemi as the duly elected governor of Ekiti State and ordered that he be sworn in immediately.

After he became governor, and in spite of the challenges of office, Fayemi kept his promise to host the conference, which was eventually held in October 2011 in Lagos. Leading Nigerian scholars were joined

by Nigerian and Nigerianist scholars from Africa, Europe, and North America. This book is the outcome of that conference.

We thank Governor Fayemi for his dedication to continued intellectual engagement with the social challenges of a typical postcolonial state such as Nigeria. We thank the deputy governor of Ekiti State, Ms. Funmi Olayinka. We are also grateful to the governor's aides, including Seyi Odewale, Tolu Ibitola, and Hakeem Jamiu, who worked tirelessly to ensure an enjoyable conference. We are equally grateful for Richard Joseph's full support of this enterprise. We thank all our contributors and those who made presentations at the conference but could not submit a chapter for this volume. We also thank Professor Larry Diamond who set aside pressing demands to read the chapters in the book and wrote the foreword. Many office-holders, politicians, journalists, activists, and scholars attended the conference in Lagos and offered their theoretical and practical experiences on the politics of prebendalism. We are grateful for their contributions. Finally, we thank our editor at Palgrave, Chris Chappell, his assistant, Sarah Whalen, and the production editor, Ciara Vincent.

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Introduction

DEMOCRACY AND PREBENDALISM: EMPHASES, PROVOCATIONS, AND ELONGATIONS

Ebenezer Obadare and Wale Adebunwi

Democratic politics and prebendal politics are two sides of the same coin in Nigeria: each can be turned over to reveal the other.

Richard Joseph, 1987, 10

Positions of power provide pretexts for prebends without recourse to violence. Nowhere has this been more thoroughly documented than in Zaire, where there are almost as many words to describe it as Eskimos have for snow. *Matabiche*, *pot-de-vin*, corruption, beans for the children, a little something, an encouragement, an envelope, something to tie the two ends with, to deal, to come to an understanding, to take care of me, to pay the beer, to short-circuit, to see clearly, to be lenient or comprehensive, to put things in place, to find a Zairian solution.

Jean-Francois Bayart 2009, 78 (italics in original)

A CRUDE DEMOCRACY

In the very first week of January 2012, with the New Year's air still redolent of the odor of the previous year, major towns and cities across Nigeria exploded in spontaneous civic rage. The immediate provocation was President Goodluck Jonathan's announcement of the federal government's resolve to remove the "remaining" subsidy on petroleum products distributed in the country. With that seemingly irreversible decision, the pump price of petrol was to rise from ₦65 to ₦41 per liter, an increase of more than 100 percent. Earlier, as 2011 drew to a tense close (parts of the north and the federal capital, Abuja, had been rocked by deadly bomb blasts for which the radical Islamic group, *Boko Haram*-Western education is sacrilegious, had taken responsibility), major Nigerian newspapers

gave conflicting reports on the status of negotiations between the federal government and representatives of the Nigeria Labor Congress (NLC). On the one hand, it appeared that the NLC was willing to concede to subsidy removal at a certain percentage, but not until government had demonstrated good faith by committing itself to investment in long neglected physical infrastructure, especially Nigeria's aging and perennially damaged oil refineries. For its part, the federal government, in an all too familiar pseudo-Weberian grandstanding, trotted out data that appeared to support its claim that subsidy removal was imperative if an oil industry in its last throes was to be resuscitated. Thus, the stage seemed set for a bloody showdown, even though most people still expected negotiations to continue well into the first quarter of the New Year. Hence, the incredulity—and collective anger—that greeted the official announcement.

In their contribution to this volume, Jane Guyer and LaRay Denzer, echoing an extensive literature (see, for instance, Watts 2009; Apter 2005; Okonta 2008; Okonta and Douglas 2003; Obi, 2001, 2005, 2007, 2010; Ukeje 2001) advance that oil, specifically what they call “the price of petrol at the pump,” is an excellent barometer to track the ebbs and flows of Nigerian politics. In this sense, the protests of January 2012 reflected a familiar script. Following the removal oil subsidy, the NLC declared a nationwide strike of government workers. In the first few days, there was an atmosphere of unanimity, as majority of workers across the country appeared to have heeded the NLC's call to shun work. But this unanimity was always fragile, and the first indications of trouble emerged following media reports (see, for instance, Onuorah and Anyanwu 2012; Nnadi 2012) that workers and traders from the country's southeast (especially Abia, Anambra, Ebonyi and Enugu States) had decided to ignore the NLC's strike order, apparently arguing that *prior to* subsidy removal, most petroleum products, particularly kerosene, had sold for close to ₦150 in their own area of the country. There was hardly any complacency in the south-south region for reasons not entirely unconnected with the fact that this is the region of the country from which President Jonathan hails (Ekeke 2012). Furthermore, the federal government, not exactly eager to see the industrial action and protests succeed, attacked those it regarded as its enemies, cynically blaming the opposition parties, Congress for Progressive Change (CPC) and the Action Congress of Nigeria (ACN). The CPC leader, retired general Muhammadu Buhari, President Jonathan's main challenger in the April 2011 presidential election, remains hugely popular across the northwest, while the ACN is the dominant party in the southwest, where opposition voices are most vociferous.

In the end, though the NLC suspended the strike following government concession to restore part of the subsidy (petrol would sell

for ₦97 per liter, as opposed to ₦141) it was obvious to most observers that the perennial demons of Nigeria's political history—ethnicity, class, religion—had once again asserted their fractious presence. These perennial demons are, as obvious in this case, often exacerbated by the blatant corruption and the attendant immiseration that it—corruption—generates and sustains in Nigeria. The Cable News Network's (CNN) comments in the light of the January 2012 protests mirror the crises and paradoxes of Africa's biggest democracy:

Nigerians are worn down by inherent corruption. The harsh reality is that despite being in the big league of oil producers with reserves of 36 billion barrels, the country's rank, according to the IMF, is 133rd in the world when it comes to per capita income—the lowest performance of a country with this level of natural resources. That per capita income ranking is just above its poor status in Transparency International's corruption index where Nigeria took the 143rd position in 2011 alongside Belarus, Togo, Russia and Mauritania... This is a tale of two Nigerias—one that has garnered \$67 billion of foreign direct investment, growing at 7–8% a year, and being singled out by Goldman Sachs as being one of the “Next-11” economies... According to the World Bank, 80% of the oil wealth has really only benefited 1% of the population. It is worth noting, there are other, big complications. This is a country that remains divided between north and south along religious lines. (Deferios 2012)

Evident in the strike and protests were questions involving both consensus and disagreement about the uses and abuses of political power and collective (economic) resources. These, fundamentally speaking, are the very tissue of politics in Nigeria. What are the sources of these crises and paradoxes, and how can we understand the ways they construct and constrict democratic politics in Nigeria?

A GLOBAL PROBLEM: THE NIGERIAN MALAISE

As Richard Joseph states, the principal purpose of his book, *Democracy and Prebendal Politics in Nigeria: The Rise and Fall of the Second Republic* (1987, 2) is to explain “the fundamental understanding of the political process in Nigeria which guides the behavior of political actors and yields reasonable expectations concerning their actions.” For Joseph, the roots of the Nigerian dilemma are buried in what he calls “the interaction between the fundamental social dynamics of the nation's constituent communities and the politics of the public arena” (3). For most of independent Nigeria's political history, these social dynamics have remained profoundly asymmetrical, whether as seen in the example of the January 2012 antisubsidy protests, or, to summon a much more pertinent illustration, in the way in which the aftermath of the June 12,