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CONTINGENCY PLANNING MEMORANDUM NO. 9

Electoral Violence in Nigeria

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INTRODUCTION

Nigeria is a country of overlapping regional, religious, and ethnic divisions. Rifts between the North and the South of the country, ethnic groups, and Islam and Christianity often coincide and have sometimes resulted in sectarian violence. This has been the case particularly in its geographical center and in the Niger Delta region. In the Middle Belt, as the former is called, bouts of retributive bloodshed between Christian farmers and Muslim pastoralists erupt with some frequency. In the Niger Delta, an insurrection against the Abuja government has been raging for more than a decade over regional, ethnic, and environmental grievances. In all, credible observers ascribe over twelve thousand deaths since 1999 to ethnic, religious, and regional conflict in Nigeria.

Since the end of military rule eleven years ago, Nigeria's elites have largely cordoned off national presidential elections from sectarian divisions by predetermining presidential and vice presidential victors. Their People's Democratic Party (PDP) nominates one southern Christian and one northern Muslim for the presidency and vice presidency and rigs these candidates into office. Every eight years the party rotates the office for which it nominates Christian and Muslim candidates. Excluded as it is from this process of political horse trading, known as zoning, Nigeria's ethnically and religiously fractured public has become increasingly indifferent to the country's national electoral politics.

Muslim president Umaru Yar'Adua's death in May 2010 may, however, have ended the stabilizing (if undemocratic) practice of zoning. Christian vice president Goodluck Jonathan's promotion to Nigeria's highest office in the wake of Yar'Adua's illness and death has created an opportunity for the South to retain the presidency during elections scheduled for January 2011, even though under zoning a northern Muslim should be president for the next four years. With the considerable resources available to him as an incumbent president and his Ijaw constituents in the Delta region pressuring him to stay in office, Jonathan has the means and the motive to seek a full term as president. If he chooses this course, powerful northern politicians may abandon the PDP's elite consensus and challenge his candidacy. The stage would be set for a divisive and potentially violent electoral season featuring unprecedented public involvement.

If events in Nigeria so transpire, the risks to U.S. national security interests are substantial. An Abuja government paralyzed by postelection sectarian violence or a resultant military coup would be unable to collaborate with the Obama administration in regional and continental politics at a time when conflicts in Sudan, the Democratic Republic of Congo (DRC), and Somalia are escalating. Increased conflict would also likely reduce the flow of Nigerian oil to the international oil markets. Further, sectarian violence may spiral into a humanitarian disaster requiring an international response. While the United States has limited levers by which to steer the country clear of an electoral crisis, its special relationship with the Nigerian political class does afford it a few preventive and mitigating options.

THE CONTINGENCY

The ruling People's Democratic Party is the forum in which most of Nigeria's political horse trading is done. The PDP, however, is fragile. The party has little internal discipline, no political platform or principles, and it generates little popular enthusiasm. When former president Olusegun Obasanjo ran roughshod over party rules in late 2006 to ensure that the party nominated his handpicked choices for president and vice president (Umaru Yar'Adua and Goodluck Jonathan, respectively), there was only minimal protest from party members. However, with Obasanjo no longer dominating the party, and Jonathan's potential candidacy in 2011

upsetting the regional power-sharing cycle, the possibility now exists that no stabilizing elite consensus will emerge from within the PDP.

In this context, there are three likely outcomes to the PDP nomination process that will precede the 2011 elections: (1) northern and southern elites reach an agreement to support Jonathan's candidacy; (2) Jonathan steps aside in favor of a consensus candidate from the North; or (3) no consensus candidate emerges and the PDP fragments. While each of these scenarios poses problems for Nigerian peace and stability, a divided PDP presents the highest likelihood of destabilizing postelectoral sectarian violence and a subsequent coup.

At present, Jonathan's base of support is strong. Southern elites are backing him, as are, for now, some northern governors from states with large Christian minorities. However, northern powerbrokers are leaning neither toward supporting Jonathan in the election nor toward rallying behind a single candidate of their own. Instead, a number of senior Muslim political figures are preparing to run their own campaigns. Former military dictators Ibrahim Babangida and Muhammadu Buhari as well as current national security adviser Aliyu Mohammed Gusau are all poised to employ their powerful patronage networks and military connections to challenge Jonathan and each other for the presidency.

If politics continue along this trajectory, Nigeria will for the first time experience a genuine political contest in 2011 with one or more northern Muslim candidates running against Jonathan and his southern and Christian supporters. With the country's political elites divided, candidates may be tempted to use ethnic and religious identities to form local coalitions, mobilize their supporters, and smear their opponents. This process is already under way at the local and state levels in Plateau state, where politicians are using their common Christian identity to build multiethnic coalitions against the Muslim Hausa-Fulani.

This dangerous political dynamic may mark the beginning of a wider pattern, in which case 2011 elections will not be a predetermined elite game characterized by popular indifference. Voters mobilized by appeals to their ethnic and religious identities will instead feel they have a real stake in the outcome and will not acquiesce to rigging as they did in 1999, 2003, and 2007. Supporters of candidates illegitimately denied the presidency would thus be more inclined to protest election irregularities violently, as happened following some of the 2007 gubernatorial elections or the 2008 Jos local elections, which left seven hundred dead. Even in the unlikely event that the elections are broadly credible, some losing candidates will almost certainly have sufficient grounds to convince their supporters that victory has been stolen, especially if the winner has a different ethnic or religious identity.

If incidents in Jos provide any indication of how electoral violence might unfold in 2011, popular rage is likely to result in attacks on police stations. And if the police are unable to suppress such violence, as was the case during the Boko Haram massacre in 2009 that left eight hundred dead, the military, which traditionally regards itself as the guarantor of the state, will be poised to step in to restore order. Either junior or senior officers could take the lead. If junior officers move first, they will likely try to remove their military superiors, as Jerry Rawlings did in Ghana in 1979 when he executed eight senior officers before assuming the presidency. Senior military officials who perceive this as an imminent possibility may take preemptive action and initiate a coup of their own. A third and equally destructive way civilian authority in Nigeria might topple is if the armed forces internally splinter along religious or regional lines, as may already be happening in Plateau state. In this scenario, rival factions may launch coups and counter-coups in a manner reminiscent of events in 1966, when a southern-led coup was followed by one led by the northern Muslim Hausa Fulani that then set the stage for the Biafra War.

WARNING INDICATORS OF ELECTORAL VIOLENCE

If there is no consensus PDP candidate, and elites from the Christian South and Muslim North compete openly for the Nigerian presidency, there will be two indicators that postelectoral violence might accelerate beyond Abuja's ability to suppress it: the division of the electorate into mutually hostile blocks defined by regional, ethnic, and religious identities; and inadequate preparation by the Independent National Electoral Commission (INEC) to ensure free, fair, and credible elections. Military intervention becomes more likely if elections lacking credibility are accompanied by sectarian violence. Under these circumstances, senior officers or disaffected junior officers might try to seize power.

Campaign rhetoric resorts to ethnic and religious themes. In the past, measures outlawing confessional or regionally based political parties largely kept ethnicity and religion out of elections. However, an open field of candidates no longer restrained by power-sharing raises the possibility that some candidates will rally support by appealing to ethnic and religious identities. Local radio stations, particularly those that cater to the dominant ethnic group in a given area, are the primary medium through which these messages would be transmitted. Political operatives may, however, also spread rumors and defamation ads via websites and social networking tools such as Twitter and Facebook. Neither the print press nor national television networks are likely to propagate such inflammatory rhetoric. Outbreaks of violence this year in the Middle Belt offer evidence of the damage these messages can create: a series of text messages stirred up lingering resentment from the disputed elections of 2008 and resulted in the tit-for-tat massacre of fifteen hundred people.

The presidency fails to implement the new legislation passed by the National Assembly to secure the autonomy of INEC and provide the necessary funding. Up until now, the presidency has controlled and funded INEC. Without fiscal independence from the executive, an incumbent president has latitude to manipulate INEC in his favor, and Nigerians will not trust the results the commission announces. Election outcomes lacking credibility could, in turn, create substantial space for violent opposition by the losing candidate(s), especially where the contests have a sectarian cast.

INEC fails to implement a credible registration system, a credible ballot and ballot box distribution process, or a transparent ballot-counting procedure. At present, there is no credible voter role, though INEC promises one by November, and there has been little or no preparation for delivering, securing, and counting ballots. Absent these elements, the state governors and their agents will easily rig elections as former governor of Cross Rivers Donald Duke detailed in a July article in the *Guardian* of Lagos. As with transparent INEC pandering to the president, blatant corruption of this sort is very likely to induce violence in a polarized electoral environment.

Efforts to restrict military movement or overt signs of divisions within the military. While a junior officer coup would likely come without warning, signs that senior military personnel fear a coup by junior officers and may be preparing their own seizure of power include official restrictions on troop movements, as occurred in December 2009, or exhortations that soldiers remain nonpolitical. Should soldiers in uniform assert their ethnic and religious identities, which would be evident if they refuse to obey orders in a sectarian conflict, the senior military leadership is also likely to assume control of the state.

POTENTIAL IMPLICATIONS FOR THE UNITED STATES

If Jonathan does not emerge victorious in the 2011 elections, there will likely be greater militant activity in the Niger Delta. The militants are mostly Jonathan's fellow Ijaws, an ethnic group that sees his candidacy as providing them with a seat at the national table for the first time since independence. If thwarted by Jonathan's exclusion from power, they are likely to abandon the restraint they usually show in their attacks on the petroleum industry. It is an open secret that militants could easily shut down Nigeria's oil industry. If this occurs, the impact on the international oil market would be great: in 2008, militant-group attacks on Nigeria's oil infrastructure caused a major drop in the country's total output, which in turn helped raise oil prices to \$150 per barrel. However, it is more likely that the militants would attempt to seize production facilities instead of destroying them, albeit with collateral damage resulting in a greater loss of production than the militants would have wanted. The Nigerian military—numbering less than one hundred thousand with obligations in other parts of the country—probably lacks the capacity to dislodge militants from oil production facilities once they are captured. In the past, it has not been able to overcome the militants in the Delta through military force except for certain isolated instances. It may nevertheless attempt to do so and cause bloodshed in the process.

The victory of a southern Christian in a rigged presidential election would, on the other hand, open the door to greater radicalization of northern Nigeria's Islamic population. Fragmented northern elites and traditional religious authorities are already losing stature as the impoverished population turns to nontraditional and occasionally radical religious leadership. If a southern-dominated Jonathan government further marginalizes the North in the distribution of government jobs and oil revenue, this trend may worsen. Up to now, such Islamic radicalization has been inward-looking, opposing the secular government in Abuja rather than the western "Great Satan." Nevertheless, intensified Islamic radicalization could open new space for international terrorist groups hostile to the United States. An al-Qaeda-trained Nigerian has already tried to blow up a Northwest flight over Detroit. There could be more such episodes if an alienated North becomes a hospitable environment for new, non-indigenous, radical forms of Islam.

Regardless of who ultimately wins, disputed 2011 elections accompanied by increased ethnic and religious conflict would likely result in Nigeria's self-isolation from regional and continental issues. As occurred during Yar'Adua's prolonged illness and Nigeria's concurrent weak regional leadership vis-à-vis the political crises in Guinea and Niger, the United States would lose an important diplomatic partner with respect to Darfur, southern Sudan, and the Horn of Africa. In the past, the international community has been particularly dependent on Nigeria to provide peacekeepers for United Nations missions such as those in Liberia and Darfur. With the impending referendum on succession in southern Sudan, continuing uncertainties in the Democratic Republic of the Congo, and the deteriorating situation in Somalia, Nigeria's diplomatic and military leadership again appears crucial for peace and security in Africa.

Protracted electoral violence in 2011 could also result in a humanitarian catastrophe. There are already an estimated 1.2 million internally displaced people in Nigeria, and that number would skyrocket should violence spread. The small, weak states that surround Nigeria are not, moreover, prepared to handle even small refugee flows. Media coverage of a humanitarian disaster would therefore surely prompt calls for international assistance, even if a military coup precluded any such intervention. Though its methods would be rough, a united military government would likely respond to such a humanitarian crisis by quickly restoring public order.

The return of military dictatorship to the "giant of Africa" would nonetheless severely undercut the African Union (AU) and Economic Community of West African States' (ECOWAS) principled opposition to coups and further isolate the country from the international community. The United States in particular

would lose what little rhetorical leverage it has if, as in previous military takeovers, the chief of state is relatively unconcerned with his country's international profile. U.S. laws requiring sanctions and aid cuts to the new military regime would place yet more distance between Washington and Abuja. In the worst of all possible scenarios, the military itself might divide along ethnic and religious lines. Factions struggling for power could initiate a series of coups and counter-coups, and perhaps even introduce the specter of warlordism.

Disputed elections and resulting sectarian conflict or a military coup d'état would lastly undermine democracy's standing among Nigeria's neighbors and throughout Africa. Though over the long term the country might benefit from a breakup of the PDP's current monopoly that creates political space for opposition parties, over the short term, widespread postelectoral violence would put Nigeria in a class with Zimbabwe, Sudan, and Kenya as a failing state whose instability threatens its neighbors and requires prolonged international engagement.

U.S. POLICY OPTIONS TO FORESTALL ELECTORAL VIOLENCE

The United States' leverage is limited with respect to internal developments in Nigeria, as is the United Kingdom's, which also maintains a close relationship with its former colony. Indeed, the country's oil, its willingness to provide peacekeepers to international organizations, and its generally positive diplomatic activism has meant that Washington and London has needed Abuja more than the reverse.

Nevertheless, Nigerian political elites do not like that their country has a negative image abroad. President Barack Obama's visit to Ghana rather than Nigeria in 2009 because of the former's positive electoral track record was a blow to Nigeria's prestige and elite self-image, as was placing it on the U.S. terror watch list following the failed terrorist attack over Detroit. An indication from Washington that it will be reluctant to receive high-level Nigerian visitors following poorly run elections may therefore have a deterrent effect.

The political class ascribes a similarly high value to its ties with other developed democracies, its Commonwealth of Nations and European partners, and international organizations. Accordingly, the United States should rally vocal support for credible elections in 2011 from the United Kingdom, the European Union, Japan, Canada, and Australia, as well as China, India and South Korea, which are showing renewed interest in enhance economic ties. The U.S. ambassador accredited to the AU and the ambassador in Abuja who is also accredited to ECOWAS could focus with these two organizations on practical ways to support democratic civilian governance in Nigeria. China's interest in Nigeria may provide a further opportunity to seek support for credible elections. If these countries and organizations are united in expressing concern about Nigeria's governance, elites' temptations to play one bilateral relationship against another can be more effectively foreclosed.

Nigerian elites' affinity for travel presents another opportunity for the United States to pressure important actors to behave responsibly. Many members of the country's political class come frequently to the United States, where the richest have substantial property holdings. The U.S. government has the power to revoke the visas of these individual visitors should they participate in extra-constitutional and illegal activity or if they foment ethnic and religious violence. Word that the United States has revoked the visas of prominent Nigerians on these grounds would spread readily through the grapevine, even though U.S. law prevents the Department of State from officially announcing the names of those whose travel documents it has voided.

With respect to Nigeria's ethnic, religious, and regional divides, the Obama administration can caution Nigerian political leaders against inflaming them and remind the government of its dual responsibility to contain domestic violence and punish its perpetrators. A truly independent INEC that can credibly certify results

would constitute a further bulwark against the possibility of debilitating civil strife. To increase the commission's chances of becoming more autonomous, the Obama administration can offer its strong support for reform, which in turn would strengthen the hand of those arguing this point in the National Assembly.

Technical assistance for the 2011 elections would be best organized through the newly established venue that the United States–Nigeria Binational Commission offers. As in the past, the United States should try to provide technical assistance in conjunction with other democratic donors to INEC, to emerging political parties, and to Nigerian and other civil society organizations working for better elections. The Obama administration can also encourage experienced U.S. organizations such as the National Democratic Institute (NDI) and the International Republican Institute (IRI) to expand their work and their presence in Nigeria with a sharper and more extended focus on election preparations. A pointed evaluation of the state of Nigeria's election preparations by NDI and IRI six weeks before Election Day could strengthen the hands of those Nigerian NGOs working for better elections. Political operatives, especially those sensitive to the regard of the Obama administration, may also hesitate to use inflammatory rhetoric in front of foreign observers.

To stay abreast of what may become a rapidly changing political landscape, the United States should be prepared to deploy extra diplomatic and United States Agency for International Development personnel that can establish relationships with any new political parties and popular movements that emerge over the next six months and encourage these new actors to eschew violent tactics. The establishment of a consulate in the North, which is currently under way, could be particularly useful as a platform for greater engagement with Northern leaders and outreach to the wider northern public, both of which perceive U.S. favoritism toward the Christian South. Moreover, because a formal U.S. presence in the North would balance the consulate in the southern city of Lagos, it should enhance U.S. credibility as an advocate of democracy.

U.S. OPTIONS TO MITIGATE ELECTORAL VIOLENCE

The United States can do little to contain postelectoral sectarian violence or prevent a coup should Abuja lose control. The United States, the United Kingdom, and other European Union partners cannot influence whether sectarian divisions spread to the military. Nevertheless, Washington-led international efforts to stem officially sponsored sectarian violence and stern opposition to a military takeover could encourage Nigerian political elites to seek a political solution to a postelection crisis.

The United States could also lead a multilateral diplomatic intervention, as it did in Kenya in 2007, to facilitate a political solution. Yet such an intervention could be successful only if the principal actors are open to it. However, parts of the Nigerian military might intervene before this happened if violence spread out of Abuja's control. The military might be able to end the violence quickly, but it would probably respond with a heavy hand, resulting in human rights violations and civilian deaths.

In addition, the Obama administration could urge the military to act on behalf of legal, civilian authority rather than its own. It could lead an international call for civilian politicians to reach a political settlement among themselves, as it did when the National Assembly made Jonathan "acting" president.

If the military or others commit gross human rights violations, the United States could support diplomatically ECOWAS and AU responses, including mediation efforts or sanctions. The United States could also seek appropriate UN Security Council engagement, recognizing that there could be opposition by some members to the seeming interference in the internal developments of a member state. Moreover, the United States and its diplomatic partners could publicly and privately remind perpetrators of human rights abuses that they can be held personally responsible for their crimes by the international community.

Finally, the United States could restrict travel visas of political and military elites. Because of the close relationship between Nigeria and the United Kingdom, where Nigerian elites have substantial financial and familial interests, the United States could encourage the United Kingdom to take similar steps in the case of a violent military reaction to a postelection crisis. However, at best these policies would only mitigate postelectoral violence.

Militarily, options are equally limited. Washington and its diplomatic partners only fund minor train-and-equip programs, which could be suspended. Any direct military intervention would be counterproductive and dangerous. Distrust of U.S. motives in the Gulf of Guinea, where most of Nigeria's oil is located, is already widespread in the aftermath of the Iraq War, which many Nigerians see as a U.S. effort to seize Iraq's oil, and the establishment of the U.S. Africa Command (AFRICOM), which was widely unpopular in Africa. Similarly, U.S. military intervention would damage U.S. interests because Africans continent-wide would see it as "imperialist" and "neocolonial."

While there would likely be calls to protect the oil infrastructure in the Niger Delta, the U.S. military would encounter the same challenges that the Nigerian military does—a difficult, swampy topography, and heavily armed militants with an extensive knowledge of the area and popular support.

However, the United States could respond positively to the requests for humanitarian assistance from Nigeria's neighbors and humanitarian organizations on behalf of displaced persons. As for the internally displaced, who will be larger in number, the United States should support nongovernmental organizations (NGOs) working with that population. Médecins sans Frontières, for example, is already active in Plateau state.

RECOMMENDATIONS

The United States can capitalize on the value elite Nigerians place on the bilateral relationship to hedge against the worst outcomes 2011 elections might produce. Tools include carefully worded White House, Department of State, and congressional statements, financial and technical support for elections, and diplomatic planning and outreach to emerging political groups and international partners.

Public Diplomacy. Through diplomatic channels including the Binational Commission and public statements, the United States should reiterate that the conduct of Nigeria's 2011 elections affects the bilateral relationship. In the run-up to 2011, the administration should not accept uncritically Jonathan administration claims and assurances that elections will be free, fair, and credible. The United States should also advocate for INEC's independence from the presidency, publicly hold Abuja responsible for controlling ethnic violence, and continue to support through small grants those Nigerian nongovernmental organizations working for peace and reconciliation. On a multilateral level, the administration can endorse vocally and diplomatically the African Union's opposition to military rule and consult closely with it on Nigerian developments. As part of its regular consultations with United Kingdom, the European Union, Canada, Australia, and Japan—all previous donors to Nigerian elections—the administration should urge them to continue their engagement. Should there be significant human rights violations, the United States should seek from them a common condemnation and, if necessary, support bringing the perpetrators to justice. Throughout the electoral and post-electoral period, the United States should continue to urge through public statements and official and private contacts that the Nigerian military exercise restraint in the Delta, in the Middle Belt, or in any other part of the country where it becomes involved.

Election Support. The Obama administration should maintain its current modest level of financial support for the election process and encourage international observation of the 2011 elections. Those Nigerian nongovernmental organizations working for credible elections should also receive the United States' rhetorical support and, where appropriate, funding.

Policy Coordination and Contingency Planning. The United States should initiate regular consultations on Nigeria with the European Union, Canada, Australia, Japan, and China. In addition, there should be parallel consultations with the African Union and with the ECOWAS states. Initially, discussions should focus on information sharing and preparing for closer coordination, if it becomes necessary.

Specific Unilateral Actions. The Obama administration should proactively use its power to revoke the visas of those involved in fomenting ethnic and religious strife. The Obama administration should consider how and in what forum it would hold perpetrators of human rights abuses personally responsible for their actions. If it has not already done so, the United States should start contingency planning for the potential evacuation of American citizens from Nigeria in the event of widespread postelection violence. In the event of refugee flows associated with postelection violence, the United States should respond quickly to calls for humanitarian assistance both within Nigeria and in neighboring states. Finally, the State Department should establish a consulate in Kano or Kaduna. Pending that establishment, the United States should open a temporary listening post in the North to improve its relations with that part of Nigeria and to respond more effectively to changes in the political climate.

Mission Statement of the Center for Preventive Action

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- Building networks with international organizations and institutions to complement and leverage the Council's established influence in the U.S. policy arena and increase the impact of CPA's recommendations.
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