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“Examining the U.S.-Nigeria relationship in a Time of Transition”  
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Mr. Chairman,

Thank you for the opportunity to discuss the evolving political situation in Nigeria, perhaps sub-Saharan Africa’s most important country, and central to the interests of the United States. As members of this subcommittee are well aware, Nigeria has the unfulfilled potential to be a leader of the African continent. It has approximately 150 million people--about the same as the Russian Federation--its democratic aspirations date back to independence, and it has the continent’s second largest economy. In the recent past, it has also been an important diplomatic partner of the United States, especially with respect to West African security.

Nigeria continues to be a major source of oil for the international market. It is the fifth, sometimes the sixth, largest supplier of imported petroleum to the United States. Interruptions in the flow of Nigerian oil to the world market can influence how much Americans pay at the pump for a gallon of gas. International oil prices deeply affect the American economy, as we saw during the summer of 2008 when we were paying more than \$4.00 for a gallon of unleaded.

Let me now turn to the specific questions I was asked to address in the Committee’s letter of invitation.

**What are the major issues or challenges facing Acting President Goodluck Jonathan?**

The Acting President faces three crises at present: the unconstitutional basis of his presidential authority, smoldering ethnic and religious conflict in the Middle Belt, and the government’s inadequate follow-up to its amnesty program in the Delta with the prospect of renewed militant attacks on the oil industry.

While the National Assembly’s unconstitutional designation of Vice President Goodluck Jonathan as the acting president did end the void in executive authority that dated from President Yar’adua’s mid-November Saudi hospitalization, it did not

address the political and institutional failures that led to the current constitutional crisis. Nevertheless, many in Nigeria and abroad have welcomed the Jonathan interim presidency, particularly because the transition occurred through a political process rather than by military intervention. Others are not so sanguine.

Spokesmen for some Nigerian non-governmental organizations say that the National Assembly acted unconstitutionally, thereby endangering Nigeria's fragile democratic development. One distinguished Nigerian journalist has characterized the acting president as "the product of a democratic coup." Furthermore, Ridle Markus, Africa strategist at Absa Capital (London), noted in the *Financial Times* that, "the National Assembly's motion may not have any legal backing, which means...every decision Goodluck makes could potentially be declared unlawful."

A further complication is the unwritten principle of regional power sharing between the Christian South and the Muslim North in Nigerian governance. If the president is from the North, as is Umaru Yar'adua, then the vice president is from the South, as is Goodluck Jonathan. The National Assembly's vote means that the presidency has shifted back to the South at least until the 2011 elections, thereby shortening the North's turn. Northern political leaders appear to have accepted the National Assembly's action in part because they were disunited over any alternative. But they are likely to resent Jonathan's administration.

Considering the North's multiple sources of discontent, it is too early to say what the impact will be of the military coup in Niger. However, there is always the risk that some will be tempted to imitate what their Nigerian cousins have done.

Legal and constitutional avenues do exist to remove or suspend a Nigerian president because of his or her inability to carry out mandated duties. Nevertheless, Nigerian politics and government institutions, thus far, have been unable or unwilling to respond to the void in presidential authority created by Umaru Yar'adua's illness in a way required by the constitution. Nigeria has a history of military chiefs of state replacing each other outside the law. Jonathan's acting presidency is, however, the first time a civilian chief of state has replaced another civilian extra-constitutionally. This illegality could be resolved if President Yar'adua resigns or is constitutionally removed from office, which would end Jonathan's 'acting' status and render his presidency constitutional. There are hopeful signs that a consensus may be forming in the National Assembly and other political circles on the need to establish a constitutional basis for the Jonathan administration.

**How strongly should the United States and the international community press for Nigeria to adhere to its constitution and avoid a deeper political crisis?**

This current crisis, particularly in conjunction with the series of rigged elections over the last ten years, has certainly damaged Nigeria's democratic development and credentials. However, because of its size and regional leadership role as well as its historical democratic aspirations, Nigeria should lead West Africa in democracy and the rule of law. For that reason alone, Nigeria's friends, especially the United States, should urge that Nigerians take the necessary steps to lift the cloud of unconstitutionality from the Jonathan administration. They should urge the acting president, the cabinet and the National Assembly to take the painful steps necessary to determine, in good faith, if President Umaru Yar'adua will be able to resume his constitutional duties and, if not, remove him from office following constitutional procedures. Otherwise, Nigeria becomes an example of legal and constitutional set-aside in the name of short-term political expediency.

**What leverage does the United States have that it can use to that end?**

Nigerians care about the United States' opinion of them, and they desire a positive international reputation. They are particularly conscious of their historic leadership role in African multilateral organizations. Therefore, it matters what the Obama administration and congressional leaders say to them about democracy and the rule of law. The views of the African Union and other international organizations such as the Commonwealth are also influential.

For example, the consistent, strong public U.S. position opposing a military coup appears to have had a positive impact on Nigerian public opinion. Already many Nigerians believe that military coups allegedly planned for December 31, 2009 and January 15, 2010 were averted because of senior-officer fear of international disapproval. Similarly, the United States should make full use of its access to the Nigerian media to ensure that its support for Nigeria's constitution and the rule of law is known and understood. A forthright stand on Jonathan's need to bring his acting presidency into line with the constitution would encourage the country's political leaders to find a constitutional and legal resolution to the present crisis.

Finally, Nigerian elites relish the opportunity to travel to the U.S. and to own property there. The power of the U.S. government to revoke visitors' visas is particularly potent personal leverage with members of the Nigerian elites.

**What is your general assessment of the current U.S.-Nigerian relationship, especially in light of the Christmas Day attempted terrorist attack and Nigeria's inclusion in the new 14-country screening requirement?**

After the restoration of civilian governance in 1999, the bilateral relationship between the Nigeria and the United States became close, particularly because of Nigeria's constructive regional activism. Like his military predecessors, President Obasanjo (1999-2007) personally played a positive and creative role in addressing security crises in West Africa. The Obasanjo administration was also diplomatically active in the Africa Union and the Economic Community of West African States, and sought to strengthen both organizations. Nigeria became one of the largest suppliers of peacekeepers to the UN and the African Union, and still today plays a major peacekeeping role in Darfur. President Obasanjo was one the first leaders of a major African state to visit Washington after 9/11 to express his support. The United States supported international debt relief for Nigeria, at least in part to demonstrate support for Nigerian democracy.

However, Nigeria's current travails could weaken the official bilateral relationship. The paralysis of the Nigerian government since the onset of President Yar'adua's illness has reduced the role Nigeria plays on African regional issues. A Nigeria that is diplomatically active in a way commensurate with its heft is very much in the interests of the United States, particularly in its leadership and support for regional organizations such as the AU and ECOWAS. They have been important fora in which the international community has responded to a host of African issues.

The Nigerian government's weakness since the onset of President Yar'adua administration has already reduced the role the country plays on African regional issues. For example, Nigeria did not demonstrate its traditional diplomatic leadership in the resolution of the political and humanitarian crises in Guinea. It remains to be seen if Nigeria will play a central role in countering the coup in Niger. Goodluck Jonathan has just been made the chairman of the Economic Community of West African States, an organization that should play a central role addressing the crisis in Niger. How he responds to a coup in a country that shares a porous border with his own will be his first international test as chief of state. . If paralysis or weak government continues, Nigeria risks becoming ever more irrelevant, regionally, and to the United States.

Because of its heft, some Nigerians have an exaggerated view of the importance of their country on the international stage. As admirers of the United States, Nigerian elites expect Washington to reciprocate and to show special understanding for their shortcomings. Hence, there was resentment that President Obama did not visit

Nigeria on his first trip to Africa. While Nigerians were deeply embarrassed by Farouk Abdulmutallab's failed terrorist attack against an American airliner on Christmas Day, they are resentful of the Obama administration's inclusion of Nigeria on the security watch list. They argue that Abdulmutallab's radicalization occurred in the United Kingdom or Yemen rather than in Nigeria. They see a disparity of treatment between Nigeria on the one hand and the United Kingdom and Saudi Arabia on the other. They argue that the Shoe Bomber was British, and most of the 9/11 terrorists had Saudi links. Yet neither the United Kingdom nor Saudi Arabia is on the security watch list. So, why is Nigeria? Nevertheless, injured Nigerian rhetoric does not mean that the security watch list has significantly damaged the relationship and some thoughtful Nigerians have even expressed the hope that more stringent security screening may have the consequence of reducing the transfer of Nigeria's wealth illegally out of the country.

### **In what areas is the bilateral relationship strongest?**

Nigeria and the United States influence each other in ways more than diplomacy, security and energy. People-to-people links between the United States and Nigeria are more extensive than with any other African country. There is a vibrant, productive Nigerian-American community in the United States that may number two million. It is a successful immigrant community characterized by entrepreneurship, strong family ties and an emphasis on education. Nigerians like to say that more than one million of them have also been to the United States for extended periods and have since returned home, positively influenced by their American sojourns. Popular culture from New York and Los Angeles is ubiquitous in Lagos, while Fela Ransom-Kuti's 'afro-beat' and other musical styles of Nigerian origin have influenced American pop. Nigeria's legions of unemployed university graduates dream of a U.S. visa.

American educational, religious and civil society links to Nigeria are also probably more extensive than with any other African country. Over the years, many Nigerians have received their university educations in the United States. Nigeria now has a small community of private universities that are organized on the American model and teach an American curriculum. Churches of the same denomination on both sides of Atlantic have close links. Nigerian civil society especially looks to the United States as a model of democracy and the rule of law. Nigerian legislators and judges at every level relish contact with their American counterparts. U.S. and Nigeria government agencies cooperate closely around HIV/AIDS and other health issues. Otherwise, the non-official relationship is growing and strengthening without much reference to Abuja.

### **What opportunities exist for strengthening the relationship?**

Resulting from Secretary Hilary Clinton's 2009 visit to Nigeria, the two countries have undertaken the establishment of a bi-national commission. This would provide a framework for extensive, official cooperation of issues of mutual concern.

Unfortunately, there has been no movement on the Nigerian side since the illness of the President. It is to be hoped that progress will resume under a new Nigerian administration.

### **What are the main weaknesses and challenges?**

For the United States, Nigeria's halting progress toward democratic development has been a disappointment. Nigeria had elections in 1999, 2003, and 2007-- each one was worse than its predecessor. Following failed efforts to amend the constitutional mandated term limits so that Obasanjo could run for a third term, the president imposed on the ruling party his own candidates, Umaru Yar'adua and Goodluck Jonathan, setting the stage for the current constitutional crisis. They were elected president and vice president in 2007 elections that lacked credibility, nationally and internationally. Nevertheless, there was little public protest, which suggests that the Nigerian public have largely lost confidence in their leadership.

Jonathan faces enormous challenges, even if he establishes his constitutional legitimacy. He must manage the crisis in the Delta and the smoldering ethnic and religious conflict in the Middle Belt. He needs to restart the major presidential initiatives that have come to halt with President Yar'adua's illness. Economic and electoral reforms are at a standstill, and government programs in the Delta have stopped or were never started. At present, there is little evidence that the elections of 2011 will be any more credible than those of its predecessors.

### **Could the United States be doing more to help bring lasting peace to the Niger Delta, mitigate tensions in central Nigeria, and encourage greater constructive engagement throughout the continent?**

The current round of violence in the Delta dates from late 2005. Its root causes are its inhabitants' alienation from the rest of the Federation because of its lack of development, and grievances over the federal government's formula for allocating oil revenue to states and the local authorities. There is a significant criminal dimension to militant activity as well: kidnapping and oil bunkering is very profitable. Politicians dabble in Delta violence to advance their own agendas. Militants have demonstrated their ability to bring Nigeria's oil industry to its knees, should they choose to do so. They have shown that they can attack even offshore production facilities.

There had been high hopes that President Yar'adua's amnesty for the militants who surrendered their weapons would kick-start a political process that would address that region's grievances. This did not happen. Goodluck Jonathan is an Ijaw from the Delta, and expectations are high in the region that he will at long last address their grievances.

But, it will be difficult for an acting president to overcome the political obstacles and move forward. The civilian political cycle in the Delta is also unfavorable. Candidates are already vying for ruling party nominations for the elections of 2011. In the run-up to elections in 2003 and 2007, they recruited militias to fight their opponents within the party. The bloodshed was greatest in the year before the polling. Hence, 2010 will likely be especially bloody even without the change in the presidency.

Nevertheless, there is a way forward. The Technical Committee Report issued in 2008 provided an overview of the best thinking about how to address the underdevelopment and alienation of the Delta. It highlighted the Niger Delta Regional Development Master Plan, itself the result of six years of stakeholder consultation. The Master Plan envisions an extensive program of youth training that would lead to work programs that, in turn, would be harnessed to a coherent development plan. Though it promised to do so, the Yar'adua administration did not issue a white paper on the Technical Committee Report, the next step. Friends of Nigeria should again urge the Jonathan administration to issue the white paper. Similarly, the Yar'adua administration has not followed up its amnesty of Delta militants of 2009 with meaningful training programs that could address youth unemployment, as it had also promised to do. Again, friends of Nigeria should urge the Jonathan administration to do so. The United States has particular expertise in youth training and employment strategies that could help. We should offer our expertise. We should also reiterate our message of military restraint. The Niger Delta cannot be solved by force of arms.

Let me close with a brief comment on sectarian violence and lawlessness in the Middle Belt and the North. The violence last summer associated with the Boko Haram insurrection in the North was horrific and had to be suppressed by the army. Ostensibly religious, conflict around Jos this winter also resulted in many deaths and thousands of displaced persons. Again, order could be restored only by the army, and the violence still smolders.

Such episodes both reflect and promote an increased radicalization of some of the Islamic population—how many, and what percentage of the whole is hard to judge. But, the North's population is very poor – poorer even than the population of the

Delta by some measures. Its leadership may fear marginalization if Jonathan's government is dominated by his fellow Southerners.

Up to now, radicalization in the North has been inward looking, concerned with opposing the secular government in Abuja rather than the western 'Great Satan.' Associations with al-Qaeda such as Abdulmutallab's have been rare. Nevertheless, domestic Islamic radicalization could facilitate in the future the activities of international terrorist groups hostile to the United States. It will bear watching.

### **Conclusion**

Nigerians like to say that they are masters of dancing on the edge of the precipice without falling off. The success of Nigeria as a huge, multi-ethnic, multi-religious state that is democratic and governed according to the rule of law is in the interest of the United States, Africa and the international community. That vision animated the founders of the Federal Republic at the time of independence, and it has never been abandoned through military coups, civil war, the oil boom, mega-corruption and the current leadership crisis. That vision continues today too, but it is in danger. Those working for a democratic Nigeria deserve our support. And such support is in our own interest.

Thank you, Mr. Chairman.