

# FLASHPOINTS: THE 2015 ELECTIONS IN NIGERIA

SDN

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Days to Governor and House of Representatives Poll: 47

## WORRYING INCREASE IN ROLE OF MILITARY FOR ELECTIONS



President Jonathan at the Nigeria Army Day celebrations in Abuja

**Swelling tension around elections is expressing itself through a parallel increase in violent incidents. Instead of there being steps taken focusing on addressing the phenomenon, it is being used as a pretext to increase the role of the military in determining the nation's internal affairs.**

By increasing resources available and public support for more aggression, there is the threat of opening the door to a militarised state that is free to assume an unconstitutional role influencing decision-making.

Insecurity in the north was the issue given prominence by INEC for postponing the election. It was a letter from the President's National Security Advisor, Colonel Sambo Dasuki, who dictated the terms under threat they would not guarantee security.

Now, the People's Democratic Party is insisting on the deployment of Soldiers for

elections. Reiterating the position of his party, PDP National Publicity Secretary Mr Olisa Metuh said, "The PDP is not a security agency or the electoral umpire. Whatever INEC and the security agencies decide on the security agencies to be used, we are going to abide with."

Mr Femi Fani-Kayode, Director of Media and Publicity for the PDP Presidential Campaign Organisation (PDPPCO) supported this claim, asserting the use of the military for the general election is non-negotiable.

### Intimidation of Media and Opposition

Meanwhile his opposite, Director of Media and Publicity for the All Progressives Congress (APC) Garba Shehu, came under siege last week by security agencies in Abuja as armed officers cordoned off his house in the early hours of the morning and

prevented him and his family from leaving for morning prayers.

"Going after the Spokesman of our party's Presidential Campaign Organisation is aimed at muffling the organisation's voice and abridging the constitutionally-guaranteed rights of the Spokesman himself. This is antithetic to democracy and totally unacceptable," read a statement issued by National Publicity Secretary, Alhaji Lai Mohammed.

This follows the recent siege by armed troops on the residence of APC National Leader, Asiwaju Bola Ahmed Tinubu, in Lagos, and a similar siege on the Imo State Government House in Owerri of Governor Rochas Okorochoa.

It has also been claimed that many in opposition have had their buildings illegally placed under surveillance, with unwanted police officers and soldiers patrolling night and day.



Soldiers outside the entrance of government house, Owerri

Last week we discussed the raid on Reuters journalist, Tife Owolabi's house in Bayelsa, where Department of State Security (DSS) men carted off personal computers, mobile phones and papers under the auspice that he was planning on sending a 'negative' report to the outside world.

Commenting on the incidents, the civil society collective, Transition Monitoring Group (TMG), said "In what is apparently a throwback to the dark days of military dictatorship, opposition politicians are being hounded, while buildings of compatriots who have taken a principled stand against the illegality being perpetrated against the Nigerian people, have been placed under surveillance."

### Ekiti Tape

The TMG statement continues to state that, "the result of this deliberate conscription of the military into partisan political roles, is the crisis of credibility currently afflicting the military."

Nowhere is this illustrated better than in the secret recording and testimony that emerged recently - covered in depth in previous issues of Flashpoints - which exposed the military's co-option by the government to successfully rig the governorship election in June 2014.

The tactics employed included the orchestrated arrest and detainment of selected APC stalwarts, including Bimbo Daramola, the Director-General of the opposing governor Kayode Fayemi campaign.

The recording offers a rare insight to the meetings held at the highest levels between the government, police and the military. It also implies that complicity and co-option starts at the Presidency, and seeps into the chiefs of all professional forces of law, order and public security.

### Military Operations or Civic Actions?

One of these actors allegedly appearing in the tape is then-Minister of State for Defence, Musiliu Obanikoro. To curtail mischief makers at the Osun State governorship elections in August he dispatched about 73,000 troops and officials drawn from across the entire security apparatus of the nation - army, police, SSS, civil defence corps, etc.

Speaking at the time in an Op-Ed for Sahara Reporters, Ogaga Ifowofu captured the incident well when he observed that, 'A visitor from saner climes would be forgiven for thinking that they were needed to quell a riotous insurrection; certainly not for the election of a governor.'

In the Ekiti tape, Obanikoro explicitly states he was instructed by the President to execute his plan: "I am not here for tea party, am on a special assignment by the president." Captain Sagir Koli, the whistleblower has since alleged that the June operation was to serve as a blueprint for the Osun election two months later, and the presidential the following year.

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With this allegation, the line between government and state military, democracy and military dictatorship, becomes blurred. Genuine security threats aside, with the same PDP insisting on a greater army presence what will happen at the upcoming elections nationwide? Is the postponement period intended to be used to fine-tune a new strategy for absolute co-option?

Many members of the opposition APC party have come out strongly against the move. But PDP spokesman Kayode rebutted the accusations arguing, "The reason that the APC and its leaders do not want soldiers deployed is to be able to intimidate voters and unleash violence on the polity once they lose the elections. They know that it would be far more difficult for them to do that when soldiers are on the streets."

### Unconstitutional Role

Legally however, the armed forces have no role whatsoever in the conduct of elections in Nigeria, according to Femi Falana, Senior Nigerian Advocate. This, Falana argues, is a ruling that has been consistently maintained by various levels of the State legislature.

Citing the Appeal Court ruling in Yussuf versus Obasanjo, 2005, 18 NWLR (PT956), 96, he quoted the court to have said, "It is up to the police to protect our nascent democracy and not the military, otherwise the democracy might be wittingly or unwittingly militarized."

This is not what the citizenry bargained for in wresting power from the military in 1999. Conscious step or steps should be taken to civilianize the polity to ensure the survival and sustenance of democracy.”

In another ruling in the case between Buhari and Obasanjo, 2005, 1 WRN 1 at 200, the court again held that “In spite of the non-tolerant nature and behavior of our political class in this country, we should by all means try to keep armed personnel of whatever status or nature from being part and parcel of our election process. The civilian authorities should be left to conduct and carry out fully the electoral processes at all levels”.



In upholding the judgment of the lower court, the Supreme Court in Buhari v Obasanjo, 2005, 50 WRN 1 at 313, held that the State is obligated to ensure “citizens who are sovereign can exercise their franchise freely, unmolested and undisturbed.” Mr. Falana also cited two recent rulings by the Federal High Court and the Appeal Court that barred the government from deploying troops for election duties.

Section 216 of the 1999 Constitution as amended, provides that the Nigerian armed forces should be maintained and equipped for the purpose of defending the country from external aggression, maintaining its territorial integrity and securing its borders from violations on land, sea and air. The police and para-military institutions should be enough to secure our elections.

The forces are also mandated to suppress insurrection and act in aid of civil authority to restore order when called upon to do so by the President, but subject to such conditions as may be prescribed by an Act of the National Assembly.

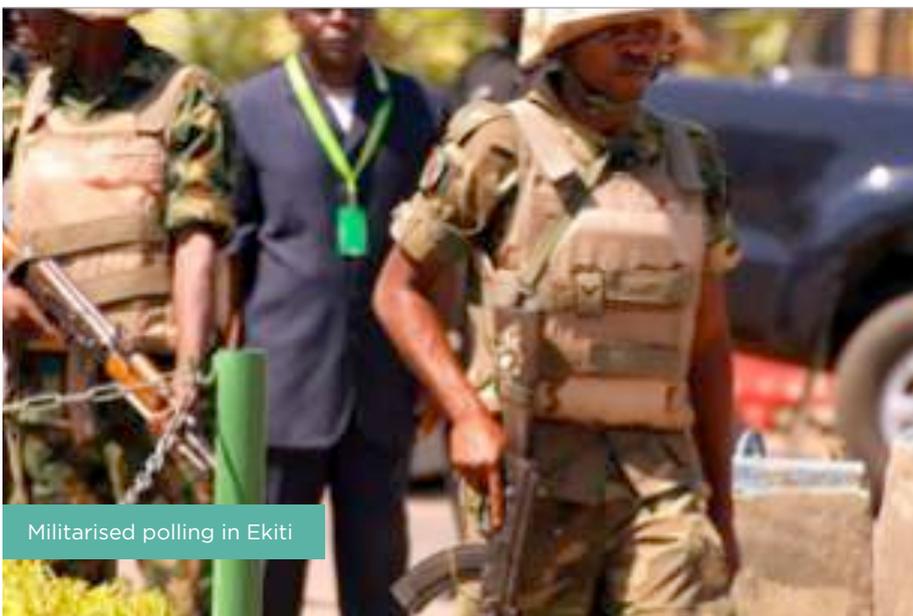
### Breaches at Ekiti and Osun

He cited the ruling on the Ekiti governorship election where the Appeal Court held that even the President of Nigeria has no powers to call on the Nigerian Armed Forces and to unleash them on peaceful citizens who are exercising their franchise.

The court further held that whoever unleashed soldiers on the Ekiti State disturbed the peace of the election and acted in flagrant breach of the Constitutional provisions of the Electoral Act, which required an enabling environment by civil authorities in the conduct of elections.

The expectation was that after authorising the postponement of the general elections the government would lead an organised and less divisive path to deliver the elections. Yet so far it has continued, and the government is further eroding its legitimacy as long as it continues to use the coercive instruments of state power to intimidate and harass fellow Nigerians.

Moreover, if the contents of the Ekiti revelations are anything to go by, and the culprits are not called to account, the same scenario may be expected in the 2015 General and State Elections.



Militarised polling in Ekiti

*“The three great ends which a statesman ought to propose to himself in the government of a nation are: Security to possessors; Facility to acquirers, and Hope to all.”*

**Samuel Taylor Coleridge.**

## CALLS FOR POLICE CHIEF DISMISSAL FOLLOWING THREAT TO CITIZENS



**Assistant Inspector General of Police (AIG) in charge of Zone 2, Joseph Mbu, has incited violence by declaring that for any police officer harmed during the elections, 20 civilians would be killed in cold blood.**

“If you shoot my policemen, I will shoot twenty of you, I will shoot a hundred of you because we are coming to you for peace,” Mbu said recently.

The statement is inexcusable and tantamount to endorsing jungle justice by encouraging his men to commit violent acts against innocent civilians.

The Committee for the Protection of Peoples Mandate (CPPM) has expressed shock at the police chief’s directive to policeman and condemned it as offensive, barbaric, irresponsible, lawless and clear case of impunity, which is capable of inciting and inviting anarchy. The group demands his immediate dismissal for misconduct.

In a statement, the Transition Monitoring Group denounced

the statement: “A raw incitement to officers to commit genocide against Nigerians is unbecoming of a police officer trained and fed with tax payers’ money to protect the people.”

### Reaction by Wole Soyinka

“A political jobber by instinct though a clamberer through the police profession, he has wasted no time instructing his men to return violence for violence, fire for fire. He has been displaying his new attire and pips all over the place, demanding to be noticed – as if his facial snarl is not already plastered over the pages of media annals of police infamy, reminiscent of the good old days of one Inspector-General Adewusi, who would appear on television dripping with gas-canisters and grenades, with a detachment of kill-and-Go.

“We preach non-violence, but preach this across the board. The electorate must refrain from violence, so much the state and its agencies. Electoral rights have to do with freedom to

associate, freedom to express, and freedom to move.”

***“If you shoot my policemen, I will shoot twenty of you, I will shoot a hundred of you because we are coming to you for peace”***



## ECONOMIC CONSEQUENCES OF THE POSTPONEMENT DEEPEN

Salome Manuel selling smoked fish at Market

**As part of on-going measures to shore up the value of the naira, the Central Bank of Nigeria (CBN) last Wednesday closed the official foreign exchange market, ending the country's multiple exchange rates.**

This signals an end to the twice weekly retail Dutch Auto System (rDAS), where the CBN sells forex to banks, instead transferring all demands to the interbank market where the dollar currently sells for an average of N198.

Driven by the collapsing global oil prices and dampened investor confidence due to the uncertainty surrounding elections, the Nigerian economy' has been in freefall for the last twelve months.

Devaluation of the currency had become imminent, as demand for forex continued to rise depleting the country's foreign reserves, despite the repeated intervention of the central bank. Intending to shore up the plummeting currency,

which has lost 15 percent of its value against the dollar in the past three months and touched record lows, the CBN has spent about US\$1 billion, according to the Financial Times.

As a result, inflation was recorded at 8 percent in December confronting consumers across the country with high prices - which in turn triggered greater demand for forex, particularly of US dollars.

The Apex bank believes that the wide gap between the official and interbank value of the naira had engendered "undesirable practices including round tripping, speculative demand, rent seeking, spurious demand and inefficient use of scarce foreign exchange resources."

Hopefully this will force banks to disengage from the activities in the foreign exchange market, and focus on developing real businesses and thus diversify the nation's economy.

### Stabilising the Naira

Bizmark Rewane, MD and CEO of Financial Derivatives Limited, pointed out that it merely represents a naira adjustment. He argues that more naira will be available for governments at various levels, which will allow the naira to compete favourably, and consequently find its appropriate value.

"We have moved from control to auction and now tending towards convertibility. Whatever the naira is priced now is the real value of the currency. There is nothing again like exchange rate band."

### Protecting the country from Imports

The CBN Governor, Mr Godwin Emefiele announced that the Bank would stop its support for the importation of some products too. As the currency is currently weaker than usual, when you buy products on the international market and import them to Nigeria you get less than usual.



It is hoped that this move will help develop local economy to produce the commodities that are presently being imported in large quantities.

One of these is rice. “In the course of time we are not going to ban the importation of rice but we are not going to provide foreign exchange if you are going to import rice into the country. So if you are interested in rice, I will advise that you go into the production of rice”

Although the country has stable production of roughly 3.2 million tonnes, demand is roughly 6 million tonnes a year. Locally milled rice cannot compete against cheap and low quality imported rice from foreign countries, so investments in the domestic value chain are not made.

Nigeria currently imports 2.8 million metric tonnes of milled rice yearly from different countries, such as India, Thailand and Vietnam – worth roughly N440 billion. After the Philippines, Nigeria is currently the second largest importer of milled rice.

Speaking earlier this month, the

Minister of National Planning, Dr Abubakar Sulaiman, announced that the country will stop the importation of fertilizer, hinged on the fact that “What we can produce in Nigeria, we must not import.”

### **Boosting Domestic Investment: Reducing Vulnerability**

Following the announcement in February that presidential elections would be postponed, Nigerian markets have become subject to greater volatility.

Substituting imports with investment in local production and manufacturing will be a significant step towards diversifying the economy to reduce vulnerability to external price volatility.

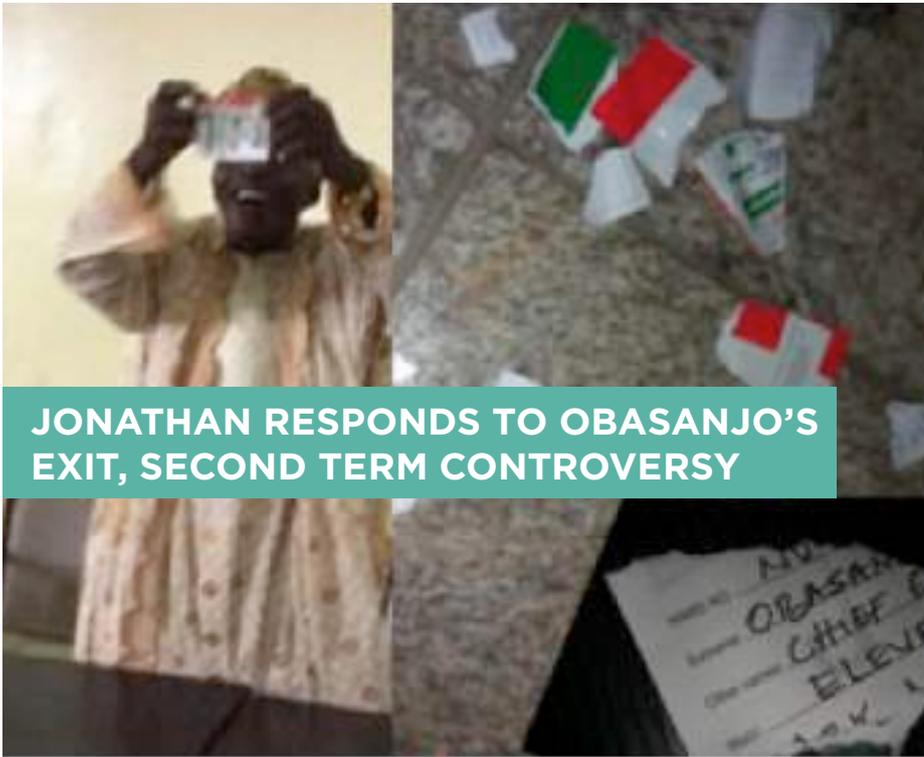
As well as boosting the agricultural sector and production of other primary commodities, investment will enable businesses to start processing the raw commodities in Nigeria. This is where most of the value is added in economies, and the most reliable way to build the foundations of growth. Some can be consumed domestically, while the rest can be exported

to other countries in exchange for foreign currency.

The Nigerian economy is currently suffering for failing to do this for its number one export earner- oil. Instead of developing refining capacity to process the crude oil into useful products, successive governments have relied on the revenue from selling the raw produce. The international market price decline of crude oil has exposed the vulnerability of the nation’s economy to global fluctuations. Meanwhile, the price of refined products internationally has only slightly reduced.

Reducing imports may offer an opportunity change this, which will have the added benefit of creating lots more jobs in high-skilled processing, distribution, management and sales roles, while feeding domestic demand and strengthening the International standing of the Naira.

One thing is certain: the combination of falling oil prices and political risk will certainly test Nigeria’s institutions and fiscal and external resilience.



## JONATHAN RESPONDS TO OBASANJO'S EXIT, SECOND TERM CONTROVERSY

president's grooming of a hit squad to facilitate his re-election contrary to his promise to leave office in 2015 after completing a single term.

President Jonathan at the State House last Thursday addressed his relationship with the former president, his exit from the party, and the second term controversy. On their relationship he said: Obasanjo is a father to me. By divine providence and the Grace of God I am the President of Nigeria today. It is not by my strength. But God uses human beings to actualise His own blessings on human beings. And He used so many Nigerians, including former President Obasanjo to play one role or the other for me.

For one reason or the other, former President Obasanjo may disagree with me as his first political son; you can even disagree with your own biological children as a human being, let alone disagreeing with your political children. So he can agree or disagree with me, but the utterances have to be managed in a way that they do not affect the economy of this country and the security of this country.

President Jonathan described as quite unfortunate that Obasanjo would compare him with Laurent Gbagbo stating that he was in the vanguard of nations that called for the removal of the former president of Cote D'Ivoire: "I spearheaded the push by other African countries to fight Gbagbo. Then I was Chairman, Heads of States and Governments of ECOWAS and I knew some of my colleagues were a bit worried about the fate of citizens of their countries. But I said no, the right thing must be done."

### Exit Theatrics

On Obasanjo's exit and the theatrics on national television, President Jonathan said that did not come as a surprise and made no difference since it was consistent with his political benefactor's attitude in recent times.

"I don't feel any difference, because the bullets have been coming over and over for a very long time. So you see, it gets to a situation you become hardened. If you have children you shout at over smallest things they do, then your shouting at some points will become meaningless;

**In a dramatic turn of events the former president of Nigeria and chair of the PDP Board of Trustees, Olusegun Obasanjo, has exited from the PDP. In a symbolic gesture he ordered the party chairman in his ward to tear his membership card, taking the faceoff between the first president produced by the PDP and the incumbent President Jonathan to another level.**

Many analysts believe that Obasanjo's latest move was his final show of rejection of the party and Jonathan. The no-love-lost situation with the duo came to the fore when the former president in December 2013 wrote the incumbent an open letter containing damning allegations, including the sitting

even when they have not really done anything wrong, you shout, they would just say Daddy or Mummy has started again.

They will not feel guilty again, because they don't know the difference between when they have done wrong and when they have not done anything wrong. They just feel that Daddy or Mummy is always shouting. When you are making comments, they must be targeted at events."

The President said Obasanjo's outbursts no longer bother him as he has self-imposed a duty to attack the current federal government even where there was no reason to do so. He said the tantrums have become a routine and meaningless: "...when they become serial, or a daily affair, then they are no longer relevant; then they are no longer helping anybody."

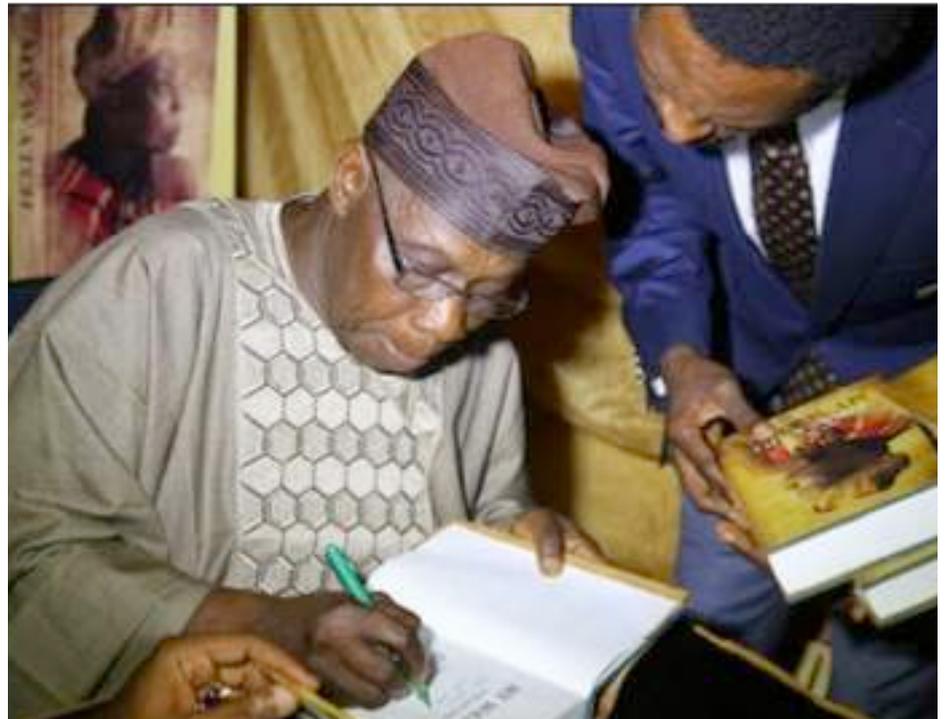


## Second Term Controversy

President Jonathan dwelt more on the second term controversy. He dismissed all such claims that he signed a pact to run for a single tenure: "I did not sign any document with anybody and I am not someone who signs documents carelessly... I have never signed a pact of one term. I never even mentioned it anywhere that I will do one term."

He blamed the controversy on what was a mere campaign strategy by his now estranged political handler- Obasanjo, to help him win PDP's presidential ticket for the 2011 presidential election: "...former President Obasanjo spoke that way, I think the day of our primaries, and he used that to market me and I listened and I kept quiet. It was not proper for me to go there and counter Obasanjo, because I wanted the ticket. I felt that he spoke like an elder statesman and I left it like that."

You will recall that President Jonathan's decision in 2012 to seek re-election began a controversy. Sections of the political elites questioned his integrity. Some politicians from Northern Nigeria led by the Niger State Governor- Babangida Aliyu disagreed with him and claimed to be in possession of the one-term



pact signed by the President as precondition for gaining the North's support in 2011. Despite the threats and the Presidency calling off his bluff, Governor Aliyu failed to produce the document and no chances that it will be produced after the governor mended fences with the president and has since been a campaigner for his re-election.

The frosty relationship between former president Obasanjo and President Jonathan is predicated more on the former's

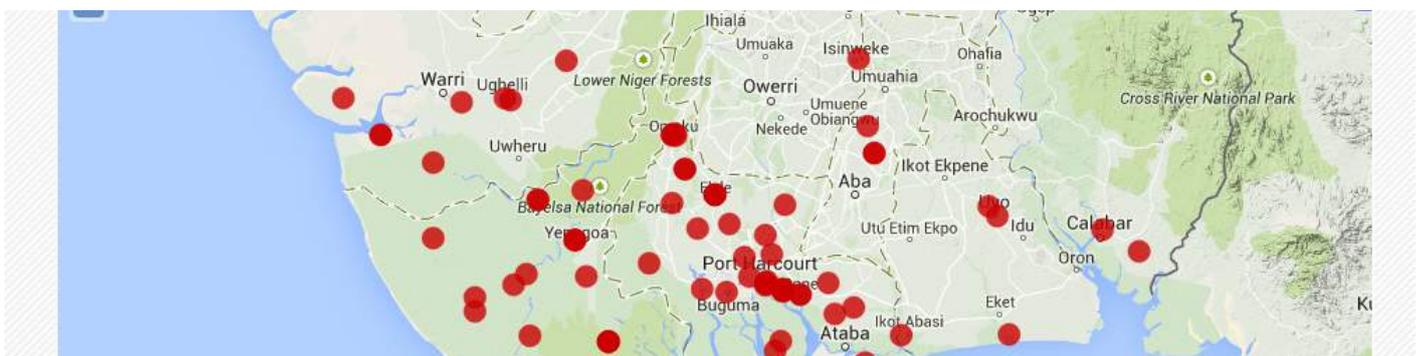
claim that he campaigned for the latter after both agreed that to convince Northern The frosty relationship between former president Obasanjo and President Jonathan is predicated more on the former's claim that he campaigned for the latter after both agreed that to convince Northern politicians that the power rotation plan would not disfavour the North in 2015, and he would do a single term. Obasanjo has in several fora questioned Jonathan's integrity having failed to honour the one-term agreement.

## NIGER DELTA WATCH:

The Niger Delta Watch ([www.nigerdeltawatch.org](http://www.nigerdeltawatch.org)) is designed to receive reports from citizens across the Niger Delta relating to violence, conflict and election irregularities.

Reports can be submitted on any issue - from Permanent Voter Card (PVC) distribution irregularities, to intimidation and attacks at political events. You can also explore all the reports submitted.

Anybody can submit a report by filling out an online form, and also by SMS, email, and twitter.



# FOR ELECTION UPDATES AND TO REPORT YOUR PERSONAL OBSERVATIONS, STAY IN TOUCH WITH SDN

Across the 2015 elections cycle you can report incidents you observe in your area to SDN.

The SDN network is spread across every LGA across Delta, Bayelsa and Rivers State, and will aim to respond to verified reports of incidents within the shortest possible time. This initial response will be followed by a number of positive steps for resolution where appropriate.

SDN has experience working with communities on tackling election related violence. Our aim is to help communities voice their experiences with the election process, whether good or bad.

There are a number of ways you can send a report:

1. **ONLINE** at [www.nigerdeltawatch.org](http://www.nigerdeltawatch.org) under the 'Submit a Report' tab



2. **ANDROID** download the 'Ushahidi' app and search for the map 'Niger Delta Watch'



3. **TWITTER** to our twitter handle @SDNNigerDelta
4. **EMAIL** to [election2015@stakeholderdemocracy.org](mailto:election2015@stakeholderdemocracy.org)
5. **SMS** to 0701 067 9724

We will be circulating regular updates on elections and educational materials. Please keep in touch by following [www.stakeholderdemocracy.org](http://www.stakeholderdemocracy.org)