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Freedom in the World 2012 - Nigeria

2012 Scores

Status: Partly Free
Freedom Rating: 4.0
Civil Liberties: 4
Political Rights: 4

Overview

The ruling People's Democratic Party retained control of the presidency, the National Assembly, and the majority of governorships in April 2011 elections. Hailed by many observers as a marked improvement from the 2007 elections, the polls were nevertheless marred by violence and suspected voter fraud. The worst bloodshed occurred in the north, where rioting by disaffected opposition supporters ignited a wave of clashes that left more than 800 people dead and at least 65,000 displaced. Since President Goodluck Jonathan's inauguration in May, Nigeria has suffered a series of high-profile attacks by the extremist movement Boko Haram, prompting a brutal crackdown by the security forces.

The armed forces ruled Nigeria for much of the period after independence from Great Britain in 1960. Beginning with the first coup in January 1966, military officers consistently claimed that only they could manage a diverse Nigerian polity beset by simmering tensions among the country's 250 ethnic groups, as well as between religious communities. Muslims, who constitute a majority in the north, make up about 50 percent of the overall population, while Christians, who dominate in the south, account for most of the remaining 50 percent. Ethnic and regional tensions led to the attempted secession of Nigeria's oil-rich southeast as the Republic of Biafra in 1967, which touched off a three-year civil war and a devastating famine that together caused more than one million deaths.

A military-supervised political transition led to the inauguration of a civilian government in 1979, but the new democratic regime was burdened by factionalism, corruption, and communal polarization. Economic mismanagement and deeply flawed elections triggered another military intervention in 1983, followed by 16 more years of military rule.

After several years under the leadership of General Ibrahim Babangida, the country held a presidential election in June 1993. Moshood Abiola, a Muslim Yoruba from the south, was widely considered the winner, but Babangida annulled the election. A civilian caretaker administration governed briefly until General Sani Abacha, a principal architect of previous coups, took power in November 1993. Abacha's dictatorial regime dissolved all democratic structures and banned political parties, governing through a predominantly military Provisional Ruling Council. Abiola was jailed in 1994 and ultimately died in detention, just weeks after Abacha's unexpected demise in 1998.

General Abdulsalami Abubakar emerged as the new military leader and presided over a transition to civilian rule. In 1999, Olusegun Obasanjo – a former general who had led a military regime from 1976 to 1979 and spent a number of years in prison under Abacha – won the presidential election on the ticket of the People's Democratic Party (PDP), which also captured the most seats in the National Assembly. While hailed throughout the international community for bringing an end to almost two decades of military dictatorship, the 1999 elections featured numerous instances of voter intimidation and fraud.

Obasanjo's reelection in 2003 also featured widespread irregularities. The elections were preceded by violence, and observers documented widespread irregularities and fraud. Obasanjo's runner-up, former general Muhammadu Buhari, a northern Muslim and member of the All Nigeria People's Party (ANPP), filed a petition to nullify the election results. However, the Supreme Court in 2005 unanimously rejected the challenge.

The April 2007 elections were marred by bloodshed and reports of massive vote-rigging and fraud. International and local election monitors were highly critical of the vote, and opposition parties refused to accept the results, which gave Umaru Yar'Adua, the PDP candidate and Obasanjo's handpicked successor, 70 percent of the presidential ballots. In the parliamentary vote, the PDP won 85 of 109 Senate seats and 262 of 360 seats in the House of Representatives. The PDP also captured 29 out of 36 governorships. The official results drew a raft of legal challenges that were adjudicated by election officials as well as the court system. In December 2008, the Supreme Court upheld Yar'Adua's victory.

In November 2009, an ailing Yar'Adua left the country to seek medical treatment in Saudi Arabia. The National Assembly in February 2010 provisionally handed power to Vice President Goodluck Jonathan. Yar'Adua died in May, allowing Jonathan to formally assume the presidency. In September, Jonathan replaced leaders within the security forces and appointed the widely respected Attahiru Jega to head the Independent National Electoral Commission (INEC). Although presidential, gubernatorial, and legislative elections were initially scheduled for January 2011, INEC faced significant difficulties in creating an accurate and valid registry of the approximately 70 million eligible voters, and in November 2010, the polls were postponed until April.

Jonathan's decision to run in the 2011 presidential election challenged an informal power-sharing arrangement between the north and south initiated by the PDP in 1999. Under the agreement – which called for the presidency to alternate between a northerner and a southerner – the next presidential nominee should have originated from the north, since Yar'Adua, a northerner, did not finish his term. Despite northern opposition, Jonathan succeeded in winning the PDP nomination in January 2011 through an alleged combination of bribery and extravagant political promises.

Jonathan was declared the winner of the April 16 presidential contest, defeating Buhari, the Congress for Progressive Change (CPC) candidate, 58.9 percent to 32 percent. The vote divided the country along ethnic and sectarian lines, with Buhari winning the northern states and Jonathan taking the south. Protests by Buhari's supporters in parts of 12 northern and so-called Middle Belt states led to sectarian riots and retaliatory killings that resulted in over 800 deaths and forced some 65,000 people to flee their homes.

PDP candidates won a reduced majority of legislative seats in voting April 9 and 26. In the House of Representatives, the PDP claimed 202 of 360 seats, while the Action

Congress of Nigeria (ACN) won 66, the CPC, 35, and the ANPP, 25. In the Senate, the PDP lost its two-thirds majority, winning 71 of 109 seats; the ACN took 18 seats, and the CPC and ANPP took 7 each. The PDP captured 18 of the 26 contested governorships. Despite the election-related violence and high number of dubious official results, most observers deemed 2011's elections an improvement from those in 2007, citing the existence of more orderly polling stations and competent INEC personnel.

The year 2011 also saw a rise in activity by the radical Islamist movement Boko Haram, based in northeastern Borno State, with at least 550 people killed in 115 attacks, according to Human Rights Watch (HRW). In August, Boko Haram claimed responsibility for a suicide car bombing that killed 24 people at the United Nations' local headquarters in Abuja. In December, a Christmas Day attack on a Catholic church killed 40 people in Niger State. These attacks – along with more frequent, smaller attacks in Borno and other northern states, mainly on government personnel – drew a harsh response from the security forces, reportedly including random killings and arrests, intimidation, and arbitrary and illegal detentions.

Nigeria's economy is dominated by hydrocarbons, which account for 95 percent of export revenues and most foreign investment. It is estimated that nearly \$400 billion in oil revenue has been stolen or squandered since independence. Wealth and political power are concentrated in the hands of a narrow elite, and much of the regular violence in the oil-rich yet impoverished Niger Delta region stems from unequal distribution of oil revenue.

Political Rights and Civil Liberties

Nigeria is not an electoral democracy. According to the constitution, the president is elected by popular vote for no more than two four-year terms. Members of the bicameral National Assembly, consisting of the 109-seat Senate and the 360-seat House of Representatives, are elected for four-year terms. However, since the return of civilian rule in 1999, elections have by and large been chaotic affairs often marked by vote-rigging and violence. This has been particularly the case in the Niger Delta, where many prominent politicians reportedly sponsor criminal gangs to target opponents.

As of 2011, the ruling PDP, the ACN, and the CPC formed the largest political parties in Nigeria. The ACN and CPC derive much of their support from regional-based constituencies (the Yoruba-speaking southwest and Muslim north, respectively), while the PDP enjoys the backing of opaque patronage networks consisting of elites from every section of Nigeria. Other prominent parties include the ANPP and the All-Progressive Grand Alliance. Although the PDP has dominated Nigeria's political landscape since 1999, it saw its grip on power weakened following the April 2011 elections. INEC chief Jega has won praise for addressing opposition complaints that the commission functioned as an appendage of the PDP.

Corruption remains pervasive, with government efforts to improve transparency and reduce graft proving cosmetic in nature. An August 2011 report by HRW found that the Economic and Financial Crimes Commission, Nigeria's main anticorruption agency, had arraigned 30 prominent politicians on corruption charges since it began work in 2002. However, it had won only four convictions, resulting in little or no jail time. The body has been hampered by political interference, an inefficient judiciary, and its own institutional weaknesses, and was subject to criticisms that it targeted those who had lost favor with the government. Nigeria was ranked 143 out of 183 countries surveyed in Transparency International's 2011 Corruption Perceptions Index.

Freedom of speech and expression is constitutionally guaranteed, and Nigeria has a lively independent media sector. However, state security agents occasionally arrest journalists, confiscate newspapers, and harass vendors, notably when journalists are covering corruption or separatist and communal violence. Local authorities frequently condemn those who criticize them, and cases of violence against journalists often go unsolved. Sharia (Islamic law) statutes in 12 northern states impose severe penalties for alleged press offenses. In October 2011, Boko Haram shot and killed Zakariya Isa, a

cameraman for the state-owned Nigerian Television Authority; the group alleged that he was an informant for the security services. In a positive development, President Goodluck Jonathan in May signed into law a Freedom of Information Act. The government does not restrict internet access.

Religious freedom is guaranteed by the constitution, though many Nigerians, including government officials, discriminate against adherents of other religions. Religious violence frequently reflects regional and ethnic differences and accompanying competition for resources. In recent years, sectarian clashes have erupted in and around the city of Jos, leaving hundreds dead and displacing thousands more. Christians have also been targeted by Boko Haram.

Academic freedom is generally honored, although government officials frequently pressure university administrators and faculty to ensure special treatment for their relatives and associates. At the state level, policies related to the admission of students and the hiring of teaching staff are subject to ethnic politics. Nigeria's public education system remains dismal; more than a third of the population is illiterate.

Freedoms of assembly and association are generally respected in practice. However, protests are often suppressed by state and private security forces, especially demonstrations organized by youth groups or in the Niger Delta. Human rights groups report that dozens of activists have been killed in recent years and hundreds have been detained. Workers, except those in the military or "essential services," may join trade unions and have the right to bargain collectively. Public health workers strike frequently.

The higher courts are relatively competent and independent, but they remain subject to political influence, corruption, and lack of funding, equipment, and training. Certain departments, particularly the Court of Appeals, have often overturned decisions on election challenges or allegations of corruption against powerful elites, raising doubts about their independence.

Ordinary defendants in Nigerian courts frequently lack legal representation and are often ill-informed about court procedures and their rights. Human rights groups have alleged that Islamic courts in the 12 northern states with Sharia statutes fail to respect due process rights and discriminate against non-Muslims. Pretrial detainees, many of whom are held for several years, account for 70 percent of the country's inmates, and few have had access to a lawyer. Children and the mentally disabled are often held with the general prison population. Prison facilities are rife with disease, as they commonly lack water, adequate sewage facilities, and adequate medical services.

Security forces commit abuses with near impunity, and corruption pervades their ranks. Amnesty International (AI) has accused military forces currently deployed to quell the terrorist activities of Boko Haram in Borno State of randomly targeting unarmed civilians. Extrajudicial killings of prisoners have been reported, and torture and general ill-treatment of suspects are widespread. A report issued by Nigerian and U.S. watchdog groups in May 2010 noted that police kill, torture, and rape suspects to force confessions and extort bribes. Police officers who routinely abuse their power are often supported by a chain of command that encourages and institutionalizes graft. Violent crime in certain cities and areas remains a serious problem, and the trafficking of drugs and small arms is reportedly on the rise.

The constitution prohibits ethnic discrimination by the government and requires government offices to reflect the country's ethnic diversity, but societal discrimination is widely practiced, and ethnic clashes frequently erupt. Ethnocultural groups in the Niger Delta feel particular discrimination, primarily with regard to distribution of the country's oil wealth, and their grievances have fueled militant violence. The government launched an amnesty program in 2009, and some militant factions accepted the offer. Despite the Niger Delta-born Jonathan's ascendancy to the presidency, many locals continue to voice their intense displeasure with Abuja.

The authorities often engage in forcible evictions to pave the way for development

projects. AI estimated that more than two million Nigerians had been evicted between 2000 and 2009. In 2011, authorities in Abuja threatened to evict about 50,000 people, claiming their dwellings violated the city plan or lacked proper permits; they reportedly set fire to buildings in certain districts.

Nigerian women face societal discrimination, although their educational opportunities have improved, and women hold several key governmental positions. Women throughout the country experience discrimination in employment and are often relegated to inferior positions. In the northern states governed under Sharia statutes, women's rights have suffered particularly serious setbacks. Rape and spousal rape are considered separate offenses, though both have low rates of reporting and prosecution. Domestic violence is common and accepted in most parts of society. Women in some ethnic groups are denied equal rights to inherit property, and various forms of gender-based violence are not considered crimes. Although the federal government publicly opposes female genital mutilation, it has taken no action to ban the practice. While illegal, human trafficking to, from, and within the country for the purposes of labor and prostitution is reported to be on the rise. Forced labor is illegal but common, especially bonded labor and domestic servitude, and the government makes very little effort to combat the practice. Several organizations have reported on an illegal trade in which pregnant teenagers are promised abortions, only to be held until their babies are delivered and sold. No laws prohibit discrimination against the physically and mentally disabled, and people with disabilities face social stigma, exploitation, and discrimination. Homosexual activity is illegal and punishable by up to 14 years in prison.

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