

Imperial Presidency and the Neo-patrimonialization of Disorder in post-Authoritarian Nigeria

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Abstract

The president and the network of offices that are linked to him, in modern presidential democracies, symbolize a neutral state that does not meddle in order-threatening political struggles. It however seems that this liberal ideal is hardly the case in many illiberal democracies. Against this background, this article examines the presidential roots of public disorder in post-military Nigeria. Drawing on documentary data source and deploying neo-patrimonial theory as theoretical framework, it argues that the presidency in Nigeria, given the historical context under which it has emerged as well as the political economy of neo-patrimonialism and prebendalism that has nurtured it, is a central participant in the whole architecture of public disorder. The paper recommends, among others, the fundamental restructuring of the Nigerian neo-colonial state and the political economy that undergird it.

Keywords: Imperial Presidency; Neo-patrimonialism; Disorder; Authoritarianism; Nigeria.

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Résumé

Le président et le réseau de bureaux qui sont relié à lui dans les démocraties présidentielles modernes symbolisent un état neutre qui ne se mêle pas dans les luttes politiques menaçant l'ordre établi. Toutefois, il semble que cet idéal libéral est loin d'être le cas dans de nombreuses démocraties intolérantes. Partant de ce contexte, cet article examine le rôle présidentiel dans le désordre public au Nigeria post-militaire. Faisant appel à des sources documentaires et déployant une théorie néo-patrimoniale comme cadre théorique, il fait valoir que la présidence au Nigeria est un acteur central dans l'architecture du désordre public, étant donné son contexte historique ainsi que l'économie politique du système néo-patrimonial et du

prébendalisme qui l'a soutenu. Il recommande, entre autres, une restructuration radicale de l'État néo-colonial nigérian et l'économie politique qui la sous-tend.

Introductory Context

On the 29th day of May, 1999, Nigeria was launched into democracy, after fifteen years of military rule. The de-praetorianization and democratization of the hitherto militarized political space appeared to have brought relief to the already traumatized citizens who believed that the new democratic order would bring forth an era of peace. However, such expectations seem to have been dashed as violence, of all genres, has become quite prominent since the return of the democratic order. According to a survey undertaken by Human Rights Watch and Johns Hopkins' School for Advanced International Studies in 2006, 'more than 11,000 Nigerians lost their lives in clashes along political, ethnic, religious, and other lines between May 29, 1999 and the end of 2006' (HRW, 2007: 18).

Even more worrisome in the whole architecture of violence, which is the focus of this study, is the violence perpetrated by contending groups in their struggles over access to power, control of governmental institutions and political parties. Conceived as political and taking many forms — assassinations, arsons, gangsterism, though not a nascent problem¹, violence has assumed a virulent state in the country, and poses serious challenges to public order and stability. It is, thus, imperative to take a critical look at this problematique with the objective of redressing it. Though, scholars and researchers have extensively examined this issue, by enriching the literature with different perspectives, however, the institutional dimensions of the problems are hardly factored into the analytical equations. This article is therefore predicated on filling this gap by exploring the presidential anchorage of politically-motivated violence in contemporary Nigeria.

¹ The phenomenon of war-like struggle for power is not new. It has been with the country since the first republic. It, indeed, accounted for the demise of that republic on January 15th, 1966.

The article is in five broad parts, starting with an introduction pointing to the study's background, significance, purpose and organization. The second part lays the conceptual block for the article viz. how to among things understand the link between efficient state institutions and the achievement of social order and harmony. Part three assesses the institutional context of politically-motivated violence in post-military Nigeria, with a narrative of one case. The next part examines the historical context of the phenomenon. The fifth chapter concludes the article with a number of submissions.

Theoretical Discourse: The State, Conflict Management and Order

In modern societies, though many actors are involved in public order management, the state remains *primus inter pares* (Basiru and Akinboye, 2014). As the social contract theorists informed us in the literature, the state emerged, first and foremost to maintain order. Indeed, as their arguments went: as individuals began to aggregate in groups to form societies, so did the struggles over scarce societal values—status, position, wealth and most importantly, power became the order of the day. The resultant effect of such conditions as Thomas Hobbes, the forerunner of the social contract school, informed us, was, '*warre; and such a warre is of every man, against every man*' (Hobbes, 1651, 1968 edn). The state, according to him, thus, emerged to arrest such a condition (Vincent, 1987:52). According to him,

the state provides us with protection from the harm that we would otherwise inflict on each other in our quest for gain and glory. By granting, a monopoly of the sword to the state, we transform anarchy into order, securing not only peace but also the opportunity for human endeavour and indeed cooperation to flourish (Held, 1983:7).

However, as convincing as Hobbes' philosophical theory is, his recommendation of absolute state, according Hague and Harrop (2007: 6), created the Platonic dilemma of who is to guard the guardians themselves. This dilemma is clearly affirmed by Locke thus: 'there is no point in avoiding the danger of foxes if the outcome is simply to be devoured by Lions' (Locke,

1965). While acknowledging the problem of disorder that characterized pre-state societies, Locke insisted that the state of war was not synonymous with the state of nature. It was a product of transgression against the law of nature. He avers: ‘a state of war exists when the rights of an individual are violated by force or threat of force in the absence of a common superior’ (Locke, 1965: 66). By the phrase, ‘common superior’ here, he came to terms with Hobbes’s thesis on the need for a state. However, he insists that its power must be predicated on the wills of the subject.

Instructively, Locke’s liberal argument was pushed forward in the 18th century by exponents of a divided government. Celebrated as separation of power and developed by the French liberal thinker, Baron Montesquieu (Olaoye, 2012: 75), the theory sought to explain the best form of government that ensures social order while not jeopardizing individual liberty. Specifically, Montesquieu (1976), fearing that the fusion of the legislative and executive powers of the state, in one institution, would cause tyranny, proposed a separation of powers. According to him,

every man invested with power is apt to abuse it, and to carry authority as far as it will go; and to preserve political liberty, the Constitution should ensure that the power of one branch of government should not be exercised by the same person(s) who possess the power of another branch (1976: 6).

From the foregoing theoretical exploration, it is clear that Hobbes, Locke, Montesquieu and others may have disagreed on the ideal form of state that a society needs, but there appears to be a consensus that the state and its apparatus of rule, the government, is *sine qua non* for order. It, thus, then indicates that there is no alternative to regime type that is Lockean in terms of state-citizen relations, and Montesquieuan, in intra-governmental relations, but at the same time cannot but be Hobbesian. It must also be emphasized that within the whole architecture of the modern state, the executives—presidents and ministers, prime ministers and cabinets, are the *primus inter pares*, vis-a-vis, the two other organs of government (Basseyy, 2014:64). As Hague and Harrop (2007:329) remark, in the context of the US presidential system,

the executive is the regime's energizing force, setting priorities, resolving crisis, making decision and supervising their implementation. Governing without an assembly or judiciary is perfectly feasible but ruling without an executive is impossible.

What could be gleaned from their view is that the executives, in modern democracies, approximate the prototypical state that emerged from the state of nature. Though limited, by the terms of the constitution, the executives' primary responsibilities, in liberal order, are to ensure that conflicts arising among the citizens and the different contending groups, under their watch, do not degenerate into Hobbesian state of nature. Instructively, in presidential democracies, the presidency symbolizes the institutional framework for instrumentalizing this (Warber, 2006; Howell, 2005). The point here is that presidential rule in the US and other presidential democracies, operates within the ambits of the constitution. However, in Africa and many illiberal democracies, with presidential constitutions, as this study reveals, presidential rule is hardly restrained by institutional rules but rather by extra-constitutional and informal relations (see Jackson and Rosberg, 1982; Prempeh, 2008).

Even in recent times, despite the constitutional re-engineering in most African countries, presidential powers have not been completely tamed as some of the features of the old presidential order still predominate ²(Prempeh, 2012). Instructively, the outcome of this state of affairs is the weak institutionalization of presidential power in which the president meddles, uncontrollably, in the affairs of other state institutions, both at the horizontal and vertical levels (Van de Walle, 2003). As the case of post-military Nigeria, as would soon be discussed, reveals, the president and his countless officials—vice-president, ministers, bureaucrats and other individuals connected to the president via party, ethnic affiliation and religion, always get involved in political struggles.

² Some of the antimonies that have been observed in the context of Africa, in the last few years include: the sharing of allegiances to the constitutions and the presidents by the legislators; the pronouncement of laws and other major policy decisions by African presidents without recourse to parliament; the ubiquitous resort to presidential directives and the continued exertion of discretionary control over public funds.

The presidency, rather than being a neutral party and mediator in such struggles, is also immersed, with the attendant implication for political stability. This is most noticeable in the way and manner in which the security agencies, especially the police, handle incidences of conflicts between groups loyal to the president and his associates and others.³

In general terms, imperial presidency or presidential absolutism incubates neo-patrimonialism which fuels electoral fraud, corruption and violence (see Mentan, 2007; Omobowale and Olutayo, 2007). Neo-patrimonialism, irrespective of its cognomen, 'clientelism', 'Godfatherism', 'big man rule', and 'prebendalism', has been part of the whole structure of politics and thus appears to be symptomatic of the weak institutionalization of politics in the continent (Joseph, 1987; Bayart, 1996)⁴. It is according to Clapham (1985:150),

... a form of organization in which relationships of a broadly patrimonial type pervade a political and administrative system which is formally constructed on rational-legal lines. Officials hold positions in bureaucratic organizations with powers which are formally defined, but exercise those powers, as far as they can, as a form not of public service but of private property. Relationships with others likewise fall into the patrimonial pattern of vassal and lord, rather than the rational-legal one of subordinate and superior, and behavior are correspondingly devised to display a personal status, rather than to perform an official function.

The Presidency and the neo-patrimonialization of violence in post-military Nigeria

After a brief romance with the Westminster parliamentary system of government, 1960-1966, Nigeria, on October 1, 1979, embraced a presidential system. By this constitutional arrangement, the president, elected by the

³The conduct of the Nigerian police and the explanation of the Inspector General of Police, Mr. Suleiman Abba, during the National Assembly's invasion crisis, in November, 2014, is a case in point. In this case, the police, under the influence of the presidency, invaded another arm of government!

⁴Unlike in Western societies where politics reflect the rational logic of weberianism, politics in Africa mirrors patrimonial logic of traditionalism.

citizens, became the Head of State, Chief Executive of the Federation and the Commander-in-Chief of the Armed Forces. Together with the Vice-President, Ministers and a crop of advisers they formed the executive arm of government (Akande, 1982:52). Unfortunately, the system, both at the centre and the peripheries of the Nigerian federation, only lasted for four years (1979-1983) as the military, once again, struck on December, 31, 1983 bringing the second republic to an abrupt end.

This was then followed by fifteen years of military rule, which eventually terminated on 29 May, 1999. On this day, the country, once again, was returned to presidential system of governance, with Chief Olusegun Obasanjo, assuming the mantle of leadership. As at 29th May 2015, Nigeria's presidency had been occupied by four individuals: Olusegun Obasanjo, the late Umaru Yar' Adua, Goodluck Jonathan and Muhammadu Buhari. However, it must be stressed that one phenomenon common to all of them, though varying in degrees, is the neo-patrimonization and cabalization of politics and disorder. The political crisis⁵ in Rivers State⁶, in which the Jonathan presidency was implicated, is illustrative of this reality and is explored in the pages below.

At this juncture, it must be emphasized that every crisis has a background which provides the context for understanding its underlying cause(s). Indeed, as conflict analysts and researchers have informed us, beyond the triggers of crisis, are the underlying structures and precipitants (Adekanye, 2007:63). Put differently, before a conflict escalates to crisis level, prelude to its de-escalation and management (Akinwale, 2010:135), it must have passed through

⁵The term 'political crisis', singular, 'political crises' in plural, includes politically-motivated violence and conflict producing such violence. In the Coserian sense, conflict denotes a struggle over values, claims to status, power and scarce resources in which the aims of the opposing or rival parties are not only to gain the desired values but also to neutralize, injure or eliminate rivals. In simplest terms, it symbolizes heightened level of intensity in a sequence of interactions between groups in society, between groups and government and between individuals as well.

⁶Rivers State is one of the 36 federating units in the Nigerian Federation. It was decreed into existence in 1967 by the military regime of General Yakubu Gowon. It is the richest oil producing state in Nigeria.

two phases: the latent and the manifest. The Rivers State crisis, being discussed here fits into this framework of analysis. Indeed, contrary to the belief that the crisis in the state started with the drama that took place on the floor of the State House of Assembly on the 7th day of July, 2013, it had its origin in the latent political struggles between the Governor of Rivers State and the wife of the president⁷.

Added to this was the supposed clash of political ambitions between the incumbent President, who had the intention of running for a second term, in 2015, and that of the Governor, who was rumoured to be interested in being the running mate to the incumbent Governor of Jigawa State,⁸ in the 2015 presidential election.⁹ All these were further compounded by the sacking by an Abuja High Court of the executive of one faction of the People Democratic Party (PDP) on April 15, 2013, as well as the suspension of the Chairman of Obio/Akpor Local Government, his deputy and 17 councilors by the State House of Assembly.

It was these events, coupled with those earlier highlighted, which led to the factionalization of the PDP in the state which later snowballed into the crisis in the state legislature (Ukpetenan, 2014).¹⁰ Instructively, the fracas, which became not only an embarrassment to Rivers people but to lovers of democracy everywhere took place on the floor of the Assembly, on the 7th day

⁷The relationship between the duo became frosty following the demolition of the Port Harcourt waterfront by the Governor for the purpose of building model schools. This action was allegedly thought to have angered the first lady who is from Okirika, the community mostly affected by the demolition.

⁸Jigawa State, like Rivers State, is also one of the federating units in Nigeria.

⁹Though, the duo downplayed the rumour, subsequent events confirmed this. The President later ran for the presidency and lost. The Governors of Jigawa and Rivers States, in August 2013, left the PDP, the President's party. Though the former returned, the latter joined the main opposition party, APC. Indeed, before the last election, he was the head of the presidential campaign team. Also, it is worthy of note that in the early 2013, the posters of the duos flooded the country's capital, Abuja.

¹⁰ In the legislative chamber, there was the group with majority of members, who were loyal to the Governor, and another group who had the backing of the president's wife.

of July, 2013, when five members of the Rivers State House of Assembly (RSHA), all members of the PDP, attempted to impeach the Speaker¹¹ (Akasike, 2013). In the ensuing drama, there was a free-for-all fight among members inside the parliament. Evidence from the video footage disseminated by social media all over the world showed one of the five recalcitrant lawmakers, hitting his colleague with a mace. Also, a policeman, joined by his State Security Service colleague, was seen beating up another lawmaker. At another instance, another policeman was seen assisting the ‘*de facto* speaker’,¹² and his thugs, mobilized from outside, to gain entry into the Chambers! (Abdallah et al, 2013).

In the aftermath of the crisis, the police swiftly locked up the Assembly to forestall further fracas. Interestingly, a new twist was added to the crisis when the House of Representatives (HOR), the lower chamber of the national legislature, passed a resolution to take over the functions of the State House of Assembly on the 10th of July 2013, a day after the disgraceful fracas (Ovuakporie, et al. 2013). A few days later, the action of the HOR was challenged at the Abuja High Court but the Court did not make a pronouncement immediately and when it did, on the 11th of December, 2013, it dismissed, as illegal, the HOR’s take-over of the legislative function of the Rivers State House of Assembly (Nwachukwu, 2013). However, the police, an agency of the Federal Government, under the firm control of the President,¹³ ignored the court’s ruling claiming that it had not been served a copy of the judgment.

In the search for peace, the state Police Commissioner, the head of the police establishment in Rivers State, invited all the parties to the crisis, for

¹¹The assembly is made up of 32 members.

¹² As at the time of writing this article, none of these people had been prosecuted by the police.

¹³ In Nigeria’s unique federal system, policing is the exclusive preserve of the Federal Government. In principle, the Chief Executive of a state, in this case Rivers State, is the Chief Security Officer, yet the head of the police establishment in the state does not take directions from him. Rather, he takes his/her orders from the police Inspector-General, who in turn takes his/her orders from the President.

reconciliation meeting at the police headquarters. Indeed, a statement issued by the state Assistant Commissioner of Police, on behalf of the state Police Commissioner and addressed to the Clerk of the House, specifically instructed the lawmakers to report to the office of the Deputy Commissioner of Police in charge of the Criminal Investigation Department (CID), to sign an undertaking (Abia, 2013). Twenty-four hours later, on the 18th of December, 2013, majority of the members honoured the police invitation and signed the undertaking. Shortly after the exercise, the *de jure* Speaker, told pressmen,

You can see that only 22 lawmakers are present. We came to the state CID to honour the invitation of the police to sign an undertaking before sitting at the Assembly, which we have just done. We were given a form to fill by the police to be of good conduct and behaviour. We have assured the police that we are going to ensure peace and order during our deliberations. I am sure the police are satisfied with our response (Abia, 2013)

However, despite the signing of the letter of undertaking by 22 members, the police, a few days later, went back on their word by insisting that the Assembly would still be under lock and keys. The police hinged its change of heart on a pending application before a Court of Appeal, for a stay of execution on the decision of the Federal High Court in Abuja, which nullified the National Assembly takeover of the State House of Assembly. A statement released by the state Police Public Relations Officer reads:

Consequently, the Commissioner of Police has written to the Clerk of the Rivers State House of Assembly to inform the members to stay away from the Assembly complex and to stop visiting government ministries, agencies, and parastatals under the guise of performing their oversight functions (Akasike, 2013).

Reacting to the action of the police, the *de jure* Deputy Speaker of the State House of Assembly condemned the action of the police, describing it as sad and frustrating. According to him,

we have met with the police and they said we could go back to work after signing the undertaking. They (police) thought we would not sign the

undertaking. We are pro-Rivers and that was why we did all that. It is sad and frustrating to notice that we are gradually turning into a police state (Akasike, 2013).

It was the aftermath of all these that culminated in the crisis that factionalized the State along two political blocs. In the first bloc were the Governor, the 22 lawmakers, and their numerous supporters. In the second bloc were the Abuja politicians led by the Minister of State for Education and their numerous supporters. Indeed, for months, the streets of Port Harcourt, the state's capital, and its suburbs, became the arena of protests and skirmishes. However, while the crisis lasted, the police boss appeared to have taken sides with the group that had links with the Abuja group.

Indeed, the Police Commissioner was publicly alleged to have been giving police protection to Abuja group whenever they protested against the Governor. On other hand, he was berated for preventing the other group from holding a solidarity rally in support of the Governor. In one of such pro-Amaechi rallies on January 12, 2014, the police in the state failed to provide protection to the people at the rally thus enabling thugs to unleash terror on the defenceless people. During the attack, a serving Senator, loyal to the Governor, almost lost his life (Komolafe et al., 2014). Given the seeming partisanship of the police in the crisis, the Governor, as the Chief Security Officer of the state, requested that the police boss be transferred out of the state, by the authorities in Abuja but his prayer was not considered.

At this stage, it appears that the police boss was acting out the script of some power brokers in Abuja. A few months later, after his eventual posting to the Federal Capital Territory (FCT), he told the world what his mission was in Rivers State. At the handing over ceremony for the new police boss of the FCT Command, after being promoted as the Assistant Inspector General of police, he boasted that while in Rivers State, he was the Lion that 'tamed' the 'Tiger' (The Governor of Rivers State).

In a swift reaction to his comment, Rivers State Governor's media aide described the State's former police boss as 'a puppet that completely lacked the

steel and strength of character of a lion, and is rather a shameless, corrupt puppet and toothless attack dog of a woman'¹⁴. Even before this time, the Governor, on several occasions, had openly accused the police boss of being a member of the People Democratic Party (PDP). One instance is instructive here. In his parting message to another commissioner who replaced the former commissioner, the Governor described the former police commissioner in the state as a politician in police uniform, who attempted to cripple the economy of the state. The Governor said:

Unlike the former commissioner, who clearly showed us that, he was a registered member of PDP, in your own case, (referring to the new commissioner) you know that we had disagreements but you realized your responsibility to ensure the security of lives and property as the paramount responsibility of the Nigerian police. (quoted in Onukwugha, 2014)

At the same event, the Governor advised the incoming police boss on the essence of professionalism and fairness. His words:

If you keep to social justice, believe me, you will be the friend of everybody. The Rivers State government will continue to support you once that is kept. But, if it is not kept, you can ask the former commissioner before your predecessor to confirm that, when we found out that he was a card-carrying member of PDP, we stopped funding the police (quoted in Onukwugha, 2014).

What is clearly deducible from the narrative above is that at the centre of the crisis that had engulfed Rivers State since 2012 is the presidency of the Federal Republic of Nigeria. Though, the president, on several occasions, declared that he did not have a hand in the crisis, his complete silence, even when the constitution, that he swore to protect, was being impinged upon by the police, suggests that he was an interested party. For example, a few days after the police commissioner blocked the way leading to the government house, the All

¹⁴ The woman in question here was the president's wife.

Progressives Congress (APC), the main opposition party, indicted the presidency. In a statement by its National Publicity Secretary,

The Nigeria Police Force, NPF, under Jonathan's administration had increasingly become a lawless force whose allegiance is only to the president and not to the Constitution of Nigeria. Since the onset of the President Jonathan-inspired political logjam in Rivers State and the implosion of his party, the PDP, the president has been depending on the Nigeria Police to shore up his dwindling political fortune. The insubordination of the Rivers State Super Police Commissioner; the police-sponsored fracas in the Rivers State House of Assembly; the assault on the five visiting governors by thugs working under the direction and protection of the State Commissioner of Police (quoted in Owete, 2013).

The APC's accusation above only confirms what the Governor had earlier accused the police commissioner and the president's wife of. From the police boss's lion metaphor above, it is clear that he was working for the PDP and by extension, the presidency. He was only acting the script written by the President's wife, the Minister of Education and others who were opposed to the Governor of Rivers State. After all, he was not responsible to the governor but to the president through the Inspector General of Police.

The former commissioner of police in Rivers State here seems to be a victim of a Nigerian structural problem. Our contention here is that if his two successors in Rivers State had found themselves in a similar situation, they would not have behaved differently as doing otherwise would have been viewed as Anti-Mr. President and pro-Mr. Governor. More so, federal public officials in Nigeria are known to be guided by the body language of the individual occupying the office of the president, in the course of discharging their duties, even if it involves violating the constitution. Even, if President Jonathan was silent on the crisis in Rivers State, the public utterances of his foot soldiers clearly suggested that the president was a party in the crisis. The issue runs thus: the desire to control the Nigerian petro-state beyond 2015 and also the necessity of installing a pliable client in Rivers State, in 2015, pitted the Chief Patron of the Nigerian federation, Mr. President, against another patron in Rivers State,

Mr. Governor. In the ensuing battle, both institutional and non-institutional armaments were deployed; all of which impacted negatively on the state.

Why Imperial Presidency Persist in Nigeria/Africa

Despite the engineering and the re-engineering of African constitutions, since the commencement of the democratic third wave, after the exit of longstanding despots, imperial presidency and other forms of strong regimes, associated with the continent's colonial authoritarian past, persist with attendant antinomies (see Alemazung, 2010). In the pages below, the paper delves into the central driver of the phenomenon of strong presidencies in Nigeria/Africa. However, this article rejects the African exceptionalism thesis which has been the favourite of non-African intellectual tourists explaining social and political outcomes in Africa. Also, it rejects the African 'culture' excuse thesis, which was deployed by the successor elites in the immediate independence era, to justify their new found power (Prempeh, 2008: 776). Rather, it looks for explanation in the nature of the state bequeathed upon Africa by the colonialists (Shillington, 1989: 312; Meredith, 2005: 95). The argument here is that colonialism constitutes the historical antecedent for imperial presidency in postcolonial Nigeria/Africa and thus cannot be disentangled from its precursor. As Young (1994: 283) remarks,

although we commonly describe the independent African polities as 'new states,' in reality they were successors to the colonial regime, inheriting its structure, its quotidian routines and practices, and its more hidden normative theories of governance.

To be sure, while colonialism lasted in Africa, the colonial Governor constituted a one man government, responsible for the colony's administration. His power was wholesale and autocratic, with practically no checks or brakes from below. Unlike the old Oyo Empire, in which the subjects, through state institutions, could 'destool' a king for breaching the constitution (Oyeleye, 2010:272), the colonial subjects lacked a constitutional avenue for removing the Governor. In the words of Nugent (2004:107-108),

Colonial rule wiped out the dependency of the chief on his councilors, replacing this with autocracy... and replacing the ruler's dependence on the people to elite rulership which depended upon colonial superiors and later foreign powers.

Also, the legislative and judicial arms of the colonial state were under the firm control of the appointed Governor. It was only when independence beckoned that the colonial authorities sought a retreat from empire by introducing constitutional forms that institutionalized multi-party system modeled after the metropolitan constitutional systems (Mozaffar, 2005: 395). Consequently, the parliamentary-style constitutions, on the basis of which the African colonial state was ushered into the community of sovereign nations, thus, had no local parliamentary or liberal tradition to back them, as none had been fostered under colonial rule. Resultantly, the successor elites regressed to the colonial autocratic order (Easterly, 2006: 273).

What therefore changed, in Africa, were the personnel and not the style of governance; and as Momoh (2010: 8) puts it, '... the post-colonial state in Africa was deracialized and africanized but it was not democratized'. Lending credence to Momoh's position, Mwaura (2005: 6) posits that the only change that occurred was the replacement of colonial governors with colonial ambassadors.

In this wise, one-party imperial presidencies and personal rules, until the era of the third wave of democratization, in the early 1990s, became the governing structures in many post-colonial African states. During this era, the African statesmen saw themselves as personifying their respective nations as did the monarchs of old, even though not divinely ordained as the ancient monarchs but sanctioned by the exceptional charisma that they possessed¹⁵ (see Theobald, 1982). Even in countries where the constitutions were in place, the leaders ruled not in accordance with the extant grund norms but according to dictates of patrimonialism. In other words, there were constitutions without constitution-

¹⁵ The titles of 'Osagyefo' and 'Mwalimu', given to Kwame Nkrumah and Julius Nyerere respectively, support our argument here.

alism (Nwabueze, 1974). Indeed, it was the observation of this scenario that made Jackson and Rosberg (1982),¹⁶ in their classic on presidential rule in Africa, to submit that that presidential rule in Africa is restrained not by formal or institutional rules but by certain extra-constitutional and informal relations of exchange and mutual dependency between the ruler and his political clients.¹⁷

Disappointingly, this paradox with all its antimonies, under the third wave era, in spite of numerous constitutional reforms in most countries, still persists. Prempeh (2008: 815), in a study of post-Nyerere Tanzania, submits, that the structure of the national presidency of Tanzania has not changed substantially since 1985 when Nyerere left office. The Tanzanian president is still empowered to declare a state of emergency and make key appointments to cabinet positions and the offices of prime minister and chief justice, all without obtaining the approval of the legislature.

At the peak of Obasanjo's presidency, in 2005, a leading newspaper columnist, Ochereome Nnanna, remarks that 'the president still wears a dictatorial toga' (Vanguard, 28/02/05). Reinforcing Nnanna's contention, Akindele and Akinsanya, in their assessments of the Green Tree Agreement that ceded portion of Nigeria to Cameroun and the role that President Obasanjo played in its making, remarked thus:

Obviously, he (Obasanjo) was aware of the implication of concluding an executive agreement such as the Green tree Agreement but cared less since he governed the Federal Republic of Nigeria in the mould of Louis XIV of France. If he was not an imperial president, he should have caused that provision to be inserted in Green Tree Agreement making its entry into force contingent upon legislative approval (Akindele and Akinsanya, 2012: 6).

What could be deductively be gleaned from the foregoing is that imperial presidency, irrespective of the constitutional reforms, in many countries, has

¹⁶ *Personal Rule in Black Africa: Prince, Autocrat, Prophet, Tyrant*, published in 1982,

¹⁷ The two scholars contend that students of African politics who wishes to understand the central dynamics of politics in Africa should read Machiavelli or Hobbes than the constitutions.

persisted, for the simple reason that the colonial structures that nurtured executive autocracies and by extension, neo-patrimonialism in Africa are still active. Specifically, Ake (2000:6) argues that colonialism in Africa created and bore a post-colonial order in which the state is not only the locus for the accumulation of wealth but also the centre of patronage. He adds that, given this reality, the contest to capture this most-prized institution for the sake of patronage distribution, is often acrimonious, between its incumbent custodian (in Africa, a strong president) and those that seek to replace him.

Concluding Remarks

In Nigeria, weak institutions manifest at all sectors of governance at the national level. Indeed, one sector, in which this has manifested and has been explored in this study, is in the area of public order governance and management. Specifically, this study examines the character of the presidential institution in Nigeria in relations to its historic mission of managing public order.

In comparative terms, the study found out that the presidency in Nigeria, given the historical context under which it has emerged, as well as the political economy of neo-patrimonialism that has nurtured it, is part of the whole architecture of disorder and conflicts. Unlike its counterpart in the US and other liberal democracies that reflect the character of the state by remaining neutral in intra-group contestations for power, the presidency in Nigeria, as the case examined in this study showed, is hardly so.

Against this background, what should be done? One, Nigeria needs to move beyond reliance on the goodwill of heroic leadership. What she needs is a strong, capable and functional state built on a foundation of effective, law-governed and functioning institutions that serve, not lord it over, the citizenry. Two: the extant, autocratic constitution that legitimizes imperial presidency needs to be reworked, revised and, if possible, completely changed. Three: the Civil Society Organizations (CSOs) must wake up from their slumber and be alive to their historic mission of checking the authoritarian tendency of the

Nigerian President. Only such independent bodies offer the hope of acting as a brake on autocratic tendencies inherent in imperial presidency. Finally, the Nigerian post-colonial state and the political economy that undergird it need fundamental restructuring through a meticulous process of diversification and re-federalization.

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