

**Testimony of Lorne W. Craner
President, International Republican Institute
Before the United States
House Foreign Affairs Committee
Subcommittee on Africa and Global Health**

**“Nigeria at a Crossroads: Elections, Legitimacy and a Way Forward”
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Mr. Chairman, members of the committee, thank you for the opportunity to testify today. The topic of today’s hearing is extremely timely as Nigeria has never been as important to the U.S. national interest as it is today.

Nigeria’s Elections

Nigeria seemingly has everything going for it: a strong economy, huge oil resources, a well-educated population, and developed political and civil societies. Yet the state and national elections held in April were among the worst the International Republican Institute (IRI) has ever observed.

Admittedly, Nigeria faced high expectations – the elections represented the first opportunity for a peaceful transfer of power from one democratically-elected government to another in the country’s history. But rather than serve as an example of democratic sustainability on the continent, the Nigerian government oversaw a broken electoral process that allowed the election to be stolen from the Nigerian people.

On both April 14 and 21, IRI’s observers witnessed a litany of election irregularities and fraudulent activity. Some polls opened 15 minutes after they were supposed to close – some never opened at all. A majority of polling stations did not open on time because they lacked ballots, and a number of legislative assembly elections had to be re-run the following week because those ballots were missing political party logos or didn’t even show up at the polling station. The presidential ballots lacked serial numbers which allow for them to be tracked throughout the counting process, results were greatly altered, and public ballot box stuffing was rife.

Nigerians craved a free and fair election. They stood on line, hours on end, waiting for ballots to arrive. Dedicated poll workers showed up on time and attempted to calm crowds angry over delayed poll openings. But the Nigerian government betrayed the trust of its people. It is hard to imagine how these elections could have been bungled more badly given that the Independent National Electoral Commission had a reported \$400 million at its disposal, and numerous offers of technical assistance.

Nigeria’s neighbors, including the Democratic Republic of Congo (DRC) and Liberia, have demonstrated that it is possible to conduct elections that meet international standards, even in the most challenging of circumstances. One of our election

observation co-chairs was Father Apollinaire Muholongu Malumalu, the President of the National Electoral Commission of the DRC. Throughout Election Day he expressed amazement at the number of paved roads in Nigeria, which number 20 times those in his native DRC. Yet it was the DRC, not Nigeria, whose elections were deemed credible.

The Missed Opportunity

Compounding the international community's frustration has been the lack of remorse from those responsible for overseeing the election. There was nothing minor, or subtle, about how this election was stolen from the Nigerian people.

Some in Nigeria, and here in the United States, have argued that we could not have expected more and should be satisfied that power has been peacefully transferred from President Olusegun Obasanjo to his hand-picked successor, President Umaru Yar'Adua. I disagree. Condoning this election simply because it took place would be the electoral equivalent of a Super Bowl won only because the other team was not allowed into the stadium. It is not enough to have change when the Nigerian people wanted a choice.

Looking Ahead

While the independence of the Nigerian judiciary was a bright spot throughout the electoral process, I hold out little hope given the number of challenges it faces that it will be able to correct this wrong. As a result, Nigeria, a key strategic partner of the United States, will be run by a man who came to power by questionable means.

While the United States must work with President Yar'Adua, we must not repeat the mistakes of 1999 and 2003. The message that Nigeria received following those elections was that the appearance of elections would be enough to satisfy international observers and foreign governments. But, the Nigerian people, and the world, will expect more from the Nigerian government in the elections of 2011.

While the public response to April's travesty has been relatively muted, two failed elections in a row may give rise to greater public hostility in a country that is already a tinderbox poised to blow over ethnic, religious or economic conflict.

If President Yar'Adua can muster the strength to act independently of his party's machinery, he has the unique opportunity to turn his questionable victory into a great legacy. Much like the Congress addressed electoral reform in the months after our 2000 presidential election; Yar'Adua can reach out to the opposition to work to reform Nigeria's political and electoral systems so that the flaws of the April elections are never repeated.

Starting by strengthening judicial independence at all levels and de-politicizing the anti-corruption commission, Yar'Adua can begin to take the steps necessary to demonstrate his administration is genuinely committed to reform, as he claims. Likewise, the endemic

corruption for which Nigeria is so well known must be tackled because democracy will never succeed when naira is more valued than Nigerians.

President Yar'Adua can take his chances and hope that Nigerians will accept another fixed result in 2011. Or he can lead from the front and push electoral reform as the priority of his presidency. The next election will determine whether he is remembered as the man who stole his way to victory or the man who rescued Nigerian democracy. It is his choice to make.

Concurrently, the United States must not be afraid to push electoral reform as a top priority of our bilateral relationship with Nigeria. I am concerned that there may be a tendency to overlook April's elections in favor of continued stability at the top. What we cannot forget is that this matters to the Nigerian people, who implored our election observers to tell the truth, in the hope that their government would pay greater attention to our words than theirs.

Whether, as a government, we prioritize this issue will not prevent the Nigerians from taking matters into their own hands. The only question is, which side of history will the United States be on?