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Dysfunctional Equilibrium

U.S. Policy Toward Nigeria, 1995-1997

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Preface

The essay that follows attempts to trace the origins of the uncomfortable and dysfunctional equilibrium that marked U S policy toward Nigeria from January of 1995 through November of 1997. As the State Department's Country Officer for Nigeria, I participated in the policy process from July of 1992 through May of 1994 – a period of more dynamic and generally more effective U S interaction with Nigeria but which nonetheless established certain trends which would affect and to some extent constrain policy-makers during the less productive and more frustrating years that followed. Moreover, as Officer-in-Charge of the U S Liaison Office in Abuja, Nigeria's new capital, from August of 1994 through July of 1997, I provided information and analysis that may have had some impact on the policy process during much of the period under review. In short, I was not an uninvolved observer of the events I relate. However, that involvement gives me an understanding of the policy issues and ready access to key players that greatly facilitates research, while this assignment to the National War College provides a measure of detachment and distance, albeit not perfect disinterest.

This assignment asks the student to describe the what, why and how of the policy process as it relates to a specific issue or event. In the case of many subjects that might be examined, informed readers can be assumed to have a basic understanding of the context, there is no need to explain that George Bush was President of the United States from 1989 to 1993, for example, or to tell the reader what role Saddam Hussein fills on the world stage. But Nigeria looms minuscule in the U S consciousness, and any description of the policy process – even the brief summary that this paper seeks to be – would be incomprehensible to most readers without reference to events in Nigeria. Unfortunately, a summary of recent Nigerian history could easily consume entirely the few pages allotted to this essay. Therefore, a brief chronology of selected events is attached as an appendix. Other appendices include the questionnaire which set the foundation for the interviews that form the basis for the conclusions the essay draws, a compendium of the answers to the third question, and a list of punitive measures the U S adopted 1993-1995 in an attempt to pressure the Nigerian regime.

My thorough knowledge of events in Nigeria during the period under review and a basic understanding of Nigeria-related institutional interests in the U S provided an essential starting point for this essay. However, my own memory is subject to lapses, and there was a risk of my perceptions and personal point of view clouding analysis. I decided, therefore, to interview as many Nigeria policy players as feasible within the time constraints imposed by the remorseless march of the National War College academic calendar and to base the paper's analysis primarily upon those interviews, while drawing on media sources to fill a few gaps. Perspectives and facts which are not attributed to an individual are either generally accepted by knowledgeable persons or are drawn from two or more sources. To the extent that I have relied on personal recollections, these are so cited in the footnotes. Given the length constraints imposed upon this essay, I was able to make only passing references to many factors bearing on U S policy toward Nigeria. The roles played by agricultural commodity sales, commercial fraud concerns, Nigeria's involvement in UN bodies, and anti-terrorism interests are a few such examples. Other parts of the story, such as aviation security and Abiola's relationship with the military, are mentioned without clarification or definition. I also comment that Nigeria became a human rights pariah without going into detail on why. Still other parts of the Nigeria policy process story still cannot usefully be included in this essay because critical information remain classified or protected by Executive Privilege. One such example is the "secret" talks in Geneva between U S and Nigerian negotiators in late 1995, that this meeting took place has entered the public domain, but why it was important remains less

well known. While the story might be more complete if such information were included, the value of allowing this paper to be unclassified and accessible outweighed the marginal contribution the additional, classified information would have made to understanding the policy process as it related to Nigeria during 1995-1997.

Twenty-two persons were interviewed for this essay. Seven of them worked in the State Department, two were assigned to the U.S. Mission to Nigeria, and six worked in other parts of the Executive Branch, including the White House. Three interviewees worked on Capitol Hill during 1995-1997, and four were involved in Nigeria issues from outside the U.S. Government. Since the majority of the interviewees did not consent to the use of their names, for the sake of uniformity all are cited by descriptions intended to protect their identities and, as necessary, past or present affiliations.

Those who were interviewed were speaking as individuals who participated in or observed the policy process during all or part the three years under study. They were not spokespersons for their present or former agencies, bureaus, organizations or businesses. Hence, this paper cannot be viewed as a compendium of institutional perspectives. Neither does it seek to tell the full story of U.S.-Nigerian relations or even to relate thoroughly and authoritatively the subject matter it seeks to address. The time was too short to interview everyone who should have been consulted in any complete study of this subject, and the length constraints of the paper itself too short to permit all perspectives to be aired. Finally, and perhaps most importantly, I wish to stress that this essay is presented in partial fulfillment of the academic requirements of the National War College. It does not represent an official position of the National Defense University, the Department of Defense, or any other element of the U.S. Government.

Dysfunctional Equilibrium

By early 1995, it was clear that the policy tools the U S had adopted in response to the Nigerian political crisis were not having the desired effect of bringing about a rapid restoration of genuine, democratically-elected civilian government. A debate ensued, should the U S change its approach and attempt to engage Nigeria's military rulers more constructively, or did the route to policy success lie in broadening, tightening and strengthening the existing array of mostly punitive measures?¹ This debate has continued inconclusively for almost three years, despite a number of significant developments within Nigeria, within Africa and within the context of U S relations with Africa. The result has been a dysfunctional equilibrium.² Everyone involved knows that the policy in place does not work, but it has been impossible to implement a replacement for it. Why?

Paradox Paradigm

This paper attempts to show that the Department of State lost to the NSC responsibility for formulating U S policy toward Nigeria but that the NSC lacked the requisite staff to carry out the full range of policy-making, especially given the (for Africa) broad spectrum of U S interests at play in Nigeria and the intensity of emotions that some of these issues aroused. While there was a broad-based consensus that the policy established in 1993 was no longer appropriate, backers of engagement were unable to implement their ideas, and proponents of a harder line could not push their proposals through. Each side of an increasingly polarized policy debate had the clout to stop the other's initiatives, but, by the same token, neither could effectively advance its own proposals. Meanwhile, Africa's political, economic and strategic unimportance relative to many other regions combined with Congressional ambivalence, fitful media attention, and a lack of sustained, intense NSC staff involvement to preclude a top-down resolution.

¹ See Appendix D. Additional sanctions imposed in November of 1995 were materially insignificant.

² I am grateful to a former Hill staffer for this very appropriate characterization.

Bureaucratic Background

Africa never loomed large on the national security radar, and, since the collapse of South African apartheid and European communism, its signature has diminished to what would be the envy of stealth technology engineers. The national security process had been used to deal with crises – particularly humanitarian crises – but policy direction and management was in most cases left to the State Department’s Bureau of African Affairs (AF) because most players’ interests were insufficient to warrant sustained high-level (assistant secretary or above) attention and the need for mediation and intervention by the NSC staff that such attention always eventually entails.

Nigeria, however, was a very different case, particularly in the wake of the annulment of the 12 June 1993 presidential election. Nigeria was a partner in anti-terrorist endeavors and a force in international peacekeeping. Nigeria’s armed forces played a critical role in Liberia and, during 1992-94, Nigeria was a member of the UNSC. Nigeria was an important consumer of U.S. agricultural commodities but typically ran a large (\$5 billion-plus) trade surplus with the U.S. because of our thirst for Nigeria’s light, sweet crude oil. Many Nigerian military officers had received professional training in the U.S. But Nigeria was also becoming a human rights pariah, and its nationals’ involvement in drug-trafficking and other criminal activity was of increasing concern to U.S. law enforcement agencies. Still, the center of U.S. policy-making toward Nigeria was, until at least late 1994, State AF.

However, during late 1994 and in 1995 two important personnel changes took place that would change the way U.S. Nigeria policy was formulated. First, Peter Chaveas, a senior officer with considerable Nigeria experience, was replaced as Director of the West Africa Office by Dane Smith, who preferred to wear his other hat – Special Envoy for Liberia. Second, the energetic and well-connected political appointee Susan Rice took over the NSC’s African Affairs Office.

The Way Things Were

Ibrahim Babangida could not have imagined the storm his decision to annul the 12 June 1993 presidential election would set off in the United States. Several agencies confronting major Nigeria-related problems had been unable to obtain the more confrontational U.S. positions they sought because State was able to cite the delicacy of Nigeria's transition process as a reason to delay hitting the Nigerians harder until a democratically-elected government was in place at all levels of society.³ Moreover, the Congressional Black Caucus (CBC) was favorably disposed toward Africa's most populous state, a leader in the struggle against apartheid. The annulment changed everything. This additional delay in the transition to civilian rule was one too many for Babangida's credibility, and the State Department recognized that some long-pending actions with negative implications for bilateral relations would likely have to be implemented.⁴ Meanwhile, the fact that their good friend M.K.O. Abiola was the most obvious victim of Babangida's power-play disposed several key CBC members to confrontation with Nigeria's military rulers.⁵

A concurrent resolution was soon being drafted in Congressman Donald Payne's office. If passed, it would not have had the force of law but it would have conveyed a sense of Congress that the Administration could not lightly have ignored. In many respects it gave a Congressional imprimatur to Executive actions already taken. Significantly, however, it sought to "recognize" Abiola as the President-elect of Nigeria – a step the Administration was understandably unwilling

³ By 1993, state and local governments were in civilian hands, and a bicameral federal legislature had been installed. However, the key integrating figure – the President – remained to be elected. See also Appendix A.

⁴ The first sanctions (see also Appendix D) were imposed within a week of the annulment. By accident rather than design, DoD was not consulted about the expulsion of Nigeria's defense attache until after it had been announced. If DoD had been consulted, it would have opposed the action, a stance that might have delayed timely implementation. However, inadvertently, the failure to consult was an error which cost State goodwill – *personal recollection*.

⁵ AF was preoccupied at its top level with Somalia and had no appetite for a complicated and exhausting policy battle over Nigeria. AF told its West Africa office to contain damage to long-term bilateral relations while accommodating the needs of other players to take Nigeria to task. The resulting policy was heavily weighted toward symbolic action and public gestures but tried to protect programs and initiatives of enduring importance. Nigeria's defense attache was asked to leave the U.S., for example, while the Nigeria portions of USAID programs intended to combat the spread of AIDS across West Africa were untouched. The hope was that Babangida would back down quickly and de-annul the election before the negative impact of U.S. measures became significant – *personal recollection*.

to take ⁶ Although Abiola, a longtime intimate of Nigeria's military rulers, was an unlikely poster-child for democracy, human rights groups – to their credit – also took up his cause

When Abacha forced the ING from power in November, the Embassy suggested that the U S should not respond negatively and should try to work with progressives in the new cabinet to put the transition back on course ⁷ However, the Administration policy of intolerance for military coups and Abacha's unwillingness or inability to provide immediately a plan and short timetable for restoration of civilian rule combined with public and Congressional (principally CBC) pressure to drive a policy of confrontation ⁸

What Things Became

The confrontation continued into 1994, with denial of counternarcotics certification and failure to resolve aviation security issues In June, Abiola declared himself President and was quickly detained Much of Lagos rallied to him, but most of the rest of the country was unwilling to take risks on his behalf When the regime later in the year crushed the petroleum workers strike in support of Abiola and successfully initiated the National Constitutional Conference, it became clear to most observers that Abiola and his electoral mandate could no longer serve as effective rallying points, attention would have to shift to the more abstract concept of restoration of civilian rule Those policy process participants who asked themselves whether a policy designed for one purpose (reversing annulment of an election) was appropriate to another (bringing about genuine,

⁶ States typically recognize other states, not governments However, "recognizing" Abiola would have put the USG into uncharted legal territory possibly forcing it to implement sanctions that U S law require when a democratically-elected government is removed by non-constitutional means It is unlikely that his partisans could successfully have claimed that Abiola had been removed when he had not even been inaugurated However, the Administration did not wish to open the question Moreover, such an action would have put the U S far out in front of key allies notably the U K , with whom close coordination was particularly important if there was to be any hope of getting Babangida to reverse the annulment Strong Abiola supporters, such as Payne and William Jefferson wanted to press ahead with their legislation (including the "recognition" passage) However, the HFAC leadership was persuaded of the logic of the Administration position, and the legislation did not move forward immediately, even after it was watered down somewhat – *personal recollection*

⁷ A former senior Embassy official See Appendix A for train of events and acronyms' extensions

democratically-elected civilian government) seem to have concluded that they had no alternative to pursuing essentially the same strategy with mostly the same tools. Even if most Nigerians were no longer particularly concerned to put Abiola into State House, a very articulate minority was, and it found ears among U.S. elites, including some with influence in the U.S. Government.

The "June 12 Movement" picked up even more steam after Nobel literature laureate Wole Soyinka fled Nigeria and became a vocal opponent of the Abacha regime. Soyinka's cachet drew previously aloof elements of the U.S. intelligentsia into the Nigeria issue, the word "Nigeria" appears in at least 85 pieces in the *New York Times* and the *Washington Post* between January of 1995 and November of 1997,⁹ the majority of them on op-ed pages. It became clear that restoring bilateral relations to normal, the key to progress on law enforcement and other important technical issues, depended on a resolution of Abiola's plight that would be acceptable to his backers in the U.S. But many in Washington felt that this task of assisting in Nigerian national reconciliation should be carried out by someone other than U.S. Ambassador Walter Carrington, whom regime officials were coming to view as biased toward the opposition. In a preview of things to come, the NSC Africa staff, then headed by Don Steinberg, drove the initiative enlisting former Permanent Representative to the UN Donald McHenry for the special envoy role.

The NSC to the Fore

*[Policy] was a tug-of-war between the White House and the State Department
[Policy-makers in Washington] failed to even remotely comprehend the situation in Nigeria
The center of [policy] mass was in the NSC
[State's Africa Bureau] lost control and did not protect its stakes. It had no vision
The NSC felt it had a duty to run the policy
[AF Assistant Secretary] George [Moose] was out of the loop. Susan [Rice] despised him
[Nobody] cared a fig about Nigeria until it became an interagency issue under Janet Reno*¹⁰

⁸ Many claim that Abiola agreed to Abacha's takeover in the belief that it would soon lead to realization of his electoral mandate. If Abiola felt that way, he either chose not to communicate his view to his backers in the U.S. or they were less sanguine than he, as most of them called for more sanctions, -- *Personal recollection*

⁹ Results of a Lexis/Nexis search, actual numbers probably higher because not all articles were indexed

¹⁰ A former senior State official, now in the private sector, a former senior Embassy official, a businessman, a senior State official, a senior State official, a former Hill staffer, a senior U.S. Government official

The Embassy was ambivalent about the McHenry mission from the outset, and many at State say they also were. Outside of the building, especially in business circles, support for the mission's concept remains – even though it did not attain its goal. It also suffered from the State Department version of “mission creep.” Washington sometimes asked McHenry to take up with Abacha aspects of bilateral relations that were not part of his original brief, that he did not wish to take up, and that were properly within Carrington's purview. But, with access to the well-connected McHenry, Abacha saw no reason to receive Carrington.¹¹ The increasing use of McHenry contributed to a marked deterioration in the relationship between the Embassy and State during the early part of the period under study.¹² That breakdown, in turn, exacerbated a sense within the bureaucracy that the U.S. really did not have a Nigeria policy.¹³

A “sense that AF was vacillating on policy” prompted the NSC to take over the policy,” an Administration official recalled. It probably began, not as a planned coup, in the early days of the McHenry mission, with McHenry often speaking directly to APNSA Anthony Lake. As the year 1995 unfolded, initiative and authority shifted with accelerating velocity to the NSC until, by early 1996, AF had been reduced essentially to a supporting role on policy – forced to clear with the NSC staff cables and memoranda that two years before would have been handled exclusively within the confines of Foggy Bottom.

Now, more than two years later, the NSC staff has not been able to give discernibly clearer direction to U.S. Nigeria policy, however. Basic tenets of policy remain unchanged, as does the

¹¹ *Personal recollection*

¹² The vast majority of interviewees characterized the relationship in such terms as “strained” and disconnected,” and several linked the strains to use of envoys (particularly McHenry and then-Congressman Bill Richardson). “I suspect there was not enough direct communication between the Embassy and Don McHenry” (former Hill staffer). “The relationship [between AF and the Embassy] broke down with the nomination of special envoys” (former senior Embassy official). “[The Embassy and AF] were completely out of sync on policy, but policy-making is not the Embassy's job, so that is a criticism of Washington, not the Embassy” (former U.S. Government official).

¹³ Interviewees were nearly unanimous on this point, though some believed that the policy had more substance than it was given credit for and that inherent difficulties of dealing with Nigeria meant any policy would likely be ineffective.

situation on the ground in Nigeria. Interviewees almost unanimously view the 1995-1997 NSC-directed policy as a failed extension of the exhausted State-directed policy of 1993-1994. Why was the NSC staff, with its location at the apex of the policy process unable to move U.S. Nigeria policy authoritatively in one direction (engagement) or the other (punishment)?

Personnel and Personalities

At State AF, there are usually two people working full-time on Nigeria and several folks in AF and other bureaus putting significant parts of their days into following events there. The NSC African Affairs professional staff during the period ranged between two and four, and they had an entire continent with which to deal, including such issues as Somalia, the Great Lakes crisis, South Africa, Liberia, Sudan, Sierra Leone and Angola. "The NSC didn't have time to conduct a full policy," a knowledgeable private sector source commented. "It is very hard to hold interest on Nigeria because the issues are so hard to get your hands around," an Administration source close to the action remarked. In other words, the NSC staff had other priorities and simply could not give Nigeria the attention required to have much hope of getting all the oarsmen on the policy boat pulling in the same direction. Moreover, AF did not entirely accept its relegation to second-tier status and sometimes resisted NSC staff actions that took place on turf that once belonged to AF.¹⁴

When He Is United, Divide Him¹⁵

Perhaps, however, no amount of attention would have produced policy coherence. One problem facing policy-makers was disunity within the Congressional Black Caucus (CBC) that emerged during the period. The CBC has long played a major role in U.S. Africa policy, but its

¹⁴ This bureaucratic infighting was often most apparent when subsidiary (as opposed to basic policy) issues landed on the table. Several sources said AF might, for example, resist a proposal by the NSC staff to waive visa restrictions for a Nigerian subject to them, a former senior Embassy official noted, citing a case in which the NSC staff favored visa issuance to the wife of the Foreign Minister while most AF and the Embassy staff opposed the idea. The Secretary of State resolved the dispute in favor of the Embassy and AF, but the visa was inadvertently issued in Germany anyway.

¹⁵ Sun Tzu, *The Art of War*, Samuel Griffith, trans. (London: Oxford University Press, 1963), p. 69.

authority depends on cohesion, and cohesion around the concept of supporting M K O Abiola had collapsed by 1995, with several Members openly urging constructive engagement with Abacha

While most interviewees felt the Nigerian regime's costly¹⁶ efforts to influence U S policy outside of diplomatic channels had not been effective, several pointed to its success in dividing the CBC and the Black community generally, thereby rendering the Caucus impotent as a force in the debate over Nigeria policy¹⁷ Sometimes the Abacha regime's efforts created problems for the beneficiaries Illinois Senator Carol Moseley-Braun and Washington Mayor Marion Barry, among others, were criticized in the media for accepting regime-financed trips to Nigeria¹⁸ On some occasions, the Nigerian efforts may have been counterproductive¹⁹ All the same, many African-American leaders uncomfortable with the Abacha regime were unwilling to criticize a leading African country Not feeling the sort of pressure the CBC had exerted on South Africa and Haiti and loathe to get into the middle of a sometimes vigorous debate within the Black community, the President apparently tried to avoid dealing with Nigeria issues whenever possible His was a politically astute stance that had the unfortunate effect of precluding top-down resolution of the dispute over which basic policy direction (engagement or isolation) the U S should pursue

Press and Public and Private Pressure

Public interest in Nigeria rose and fell, usually in response to some action by the Abacha regime perceived in the U S media as particularly outrageous The hanging of Ken Saro-Wiwa in

¹⁶ DOJ records indicate over \$2,100,000 was spent on lobbying alone in 1995, and even more was probably spent in 1996 (after Saro-Wiwa was hanged) Millions more still likely went into other projects

¹⁷ 'Generally, the role of Congress is to put pressure on the Administration CBC disunity enabled the Administration to get away with being in this situation that nobody felt or feels very good about,' a former Hill staffer said "The regime spent an inordinate amount of money within the Black community and Congress, fracturing the Caucus and defusing the pressure on the White House." Abiola's U S representative asserted "If the Black Caucus had spoken with one voice, perhaps the Administration would have responded in some meaningful way, but there were Members who had personal interests in Nigeria and, therefore, did not take into account the will of the Nigerian people "

¹⁸ "The Senator and the Dictator," *Newsweek*, 26 August 1996 p 40 Barry's Nigeria Trip Angers Human Rights Activists, *Washington Post* 18 November 1997, p A1 Responding to comments that he was being used by the Abacha regime, Barry said "My civil rights background is so strong that I never could be duped into something "

November of 1995 was the most prominent such event, and it prompted even more calls for action on editorial pages than had the imprisonment of former Head of State Obasanjo earlier in the year. The Abacha regime had a certain penchant for committing its outrages at the precise moment when momentum seemed to be favoring engagement, and the inevitable result was to swing the pendulum back in the other direction.

The clear abuse of a judicial system that resulted in Saro-Wiwa's death shocked even the more blasé European countries and brought an angry reaction from South Africa. The U S tried unsuccessfully to generate broad-based international support for additional economic sanctions, most notably for freezing of the assets of some Nigerian leaders. However, the U S undercut its case by not supporting South Africa's call for an oil embargo. While such an embargo was not feasible,²⁰ countries opposed to any freezing argued that the U S was resisting the oil embargo because it had considerable interests at stake in the oil industry while other countries, principally in Western Europe, were favored destinations for Nigerian flight capital. Meanwhile, Nigerian-Americans played prominent roles in bringing about the enactment in some cities of statutes that prohibited the local government from doing business with companies operating in Nigeria.²¹ The statutes had little direct impact beyond mobilizing business groups to fight them.

Interviewees disagree on the influence the U S business community exercised over the process of making policy toward Nigeria. Business uniformly favored engagement, arguing that U S firms operating in Nigeria set good examples and that U S withdrawal would simply leave an important market to other countries. It appears that policy actors within the Government were for

¹⁹ Minister Louis Farrakhan's inclusion of Nigeria in a well-publicized trip that also took him to Iraq and Libya doubtless created some linkages not beneficial to Nigeria in the minds of the broad elements of American society.

²⁰ Unless enacted by the UNSC, several key countries' national laws would not permit enforcement of economic sanctions, and there was little reason to believe a consensus in favor of anti-Nigeria sanctions (oil or otherwise) could have been reached among the P-5.

²¹ Most persons of Nigerian descent living in the U S were anti-Abacha, and many belong to cultural associations that offer an excellent forum for political activism. Regime efforts to create countervailing groups bore but a few maggoty fruit.

the most part already inclined to favor the perspective of business when the business groups came calling. However, the initial dominance of the debate that human rights groups seemed later to lose enhance the impression that money talks, as do articles reporting huge contributions to the U S political process by a businessman close to Abacha²²

While human rights groups were not able to obtain hard-hitting sanctions against Nigeria, the extent to which their issues and perspectives framed debate²³ is a tribute to their effectiveness. Abacha regime figures, many of whom genuinely viewed Saro-Wiwa as a dangerous secessionist, were stunned by the vigorousness of international reaction²⁴. Nigeria's record of cooperation on law enforcement issues was spotty – a source of considerable friction. At the same time, interested agencies generally recognized that enhanced cooperation could be achieved only through dialogue and that the isolation treatment some were proposing might assuage agencies' anger but would more likely reduce cooperation than elicit a more forthcoming approach.

Yet another factor bearing on U S relations with Nigeria was the need to engage Nigeria constructively – notwithstanding any other issues – on the Liberia peace process. Nigerian troops were critical to maintaining fragile order in the war-torn country and creating conditions that would allow elections to take place. By mid-1997 Nigeria had become the largest recipient of U S military aid in Africa²⁵. Although such assistance was banned, exceptions were made for support to West African peacekeepers in Liberia, an overwhelmingly Nigerian force with small contingents from several other countries. The strong U S desire to resolve Liberia's political crisis without having to commit U S forces made cooperation with Nigeria essential, at least within a limited sphere and helped to circumscribe those who wanted to isolate Nigeria totally.

²² The *Washington Post* 22 November 1997 (p. A1) reported that a Lebanese-Nigerian businessman who had given \$460,000 to a voter-registration group favored by the DNC was able to meet with senior NSC staff.

²³ A State official was struck by the extent to which human rights issues fueled the action/reaction cycle in (largely unsuccessful) efforts to craft coherent, effective policy.

²⁴ *Personal recollection*.

²⁵ A U S Government official.

Conclusions

The NSC Africa staff was unable to formulate and implement an effective policy toward Nigeria for a number of reasons. First, it was too small to do the heavy lifting and, given tensions along the E Street corridor, could not count on State to do it. Second, no senior person, either at the White House or at State AF, had the on-the-ground Nigeria experience to really understand the complexity of the political crisis. Washington felt the Embassy reporting was inadequate,²⁶ and the "Embassy was asking whether anyone in Washington had a brain."²⁷ Third, problems in the area of law enforcement (primarily narcotics trafficking and fraud) had raised interagency interest in Nigeria to the Cabinet/Agency Head level in some agencies, bringing powerful players onto a scene (policy-making on West Africa) usually devoid of them. Fourth, the multitude of interests in play produced a larger-than-usual cast of non-governmental players. Fifth, the Congress, often a source of ideas on Africa policy, was rendered incapable of offering direction. Sixth, the media was interested enough to make occasional ripples in the policy pond but not interested enough to truly roil the waters. Seventh, misuse of special envoys²⁸ deprived the resident Ambassador of his remaining credibility and engendered confusion²⁹ among Americans and Nigerians alike.

The foregoing factors led to policy polarization and lack of agreed priorities among the multitude of interests. Neither the engagers nor the isolaters possessed sufficient bureaucratic clout to implement diametrically-opposed agendas. Each, however, had enough power to block the other's initiatives. Emotions sometimes ran high, and there was no demand from the top for resolution, so compromise was not forthcoming. The policy remained in stasis -- an unsatisfactory outcome for most players but a less unsatisfactory one than letting the other side prevail.

²⁶ A state official, a former State official, now in the private sector,

²⁷ A former senior State official, now in the private sector

²⁸ Ambassador McHenry and then-Congressman Richardson were not the only envoys sent

²⁹ The Nigerian press at one point reported that Senator Moseley-Braun was an envoy, when she was not

Chronology

- 1960 Nigeria obtains independence from the U K . establishes a federation based upon three regions, each under the domination of a different ethnic group
- January 1966 Junior officers, mostly Igbos, carry out a coup, executing some civilian leaders and senior military officers but turn government over to Major General J T Aguiyi-Ironsi (also an Igbo)
- July 1966 Mutineers, mostly of Northern origin, kill Aguiyi-Ironsi and many other Igbo officers, choose a Northern Christian, LTC Yakubu Gowon, as Head of State
- 1967 In the wake of anti-Igbo violence in the North, The Eastern Region secedes, sparking a 31-month civil war Gowon abolishes the regions and replaces them with 12 states in an effort to rally Eastern minorities against the Igbo and to the Federal cause
- 1970 Nigeria's oil boom begins, as does a rapid societal transformation
- 1975 Gowon's attempt to prolong military rule beyond 1976 provokes a coup, and Brigadier Murtala Muhammed takes power, initiating reforms
- 1976 Officers unhappy with the reforms assassinate the popular Muhammad, sparking riots The populace suspects U S and British complicity and attacks diplomatic premises Loyal troops quash the coup, and 31 alleged participants are executed following secret military trials, establishing a precedent for dealing with coup plots, real and imagined Major General Olusegun Obasanjo assumes power LTC Shehu Musa Yar'Adua receives a double promotion to Brigadier and becomes Obasanjo's deputy
- 1979 Obasanjo turns over power to Alhaji Shehu Shagari, a Northern nobleman, following elections Western (Yoruba) candidate Chief Obafemi Awolowo disputes on constitutional grounds
- 1983 Shagari re-elected in voting marred by massive but probably not decisive manipulation Oil revenues fall, and public discontent with often corrupt civilian leaders grows Major General Muhammadu Buhari takes power in a New Year's Eve coup and seeks to impose military-like discipline on civil society In so doing, he resorts to repression
- 1984 Chief of Army Staff Major General Ibrahim Babangida overthrows Buhari in a palace coup, begins a tortuous process putatively intended to restore civilian rule

- 1990 Major Gideon Orkar attempts a violent coup, holds a Lagos radio station long enough to announce the expulsion of several Northern states from the Federation. The coup is suppressed and Orkar and others executed. Multiple political parties are forced to disband and politicians ordered to join one of two regime-established parties, the “just left of centre” SDP and the “just right of centre” NRC.
- 1992 Babangida cancels presidential primaries when it becomes clear that the winners will almost certainly be Yar’Adua (SDP) and Malam Adamu Ciroma (NRC), neither of whom Babangida was likely to be able to control after leaving office. Babangida bans all who participated in the primaries and ordains a new selection process based on a series of party caucuses.
- 1993 Moshood K O Abiola, an extremely wealthy and flamboyant Yoruba businessman with close ties to Babangida emerges as the SDP’s candidate, while Alhaji Bashir Tofa, a wealthy but little-known Hausa businessman gets the NRC nomination. Neither man has much political experience, and both owe their candidacies to a combination of personal funds and the candidate vacuum Babangida had created.
- June 1993 Confusion mars the days before the election as a group wanting Babangida to remain in power obtains an injunction against holding the election. The National Electoral Commission, citing the law establishing it, ignores the court order and holds the election. Abiola’s general election victory seems certain as results pour into NEC’s national headquarters. Babangida, citing confusion which he certainly played a role in creating, annuls the election and orders NEC to stop counting ballots. Domestic unrest and international condemnation follow. The U S and some other countries impose limited diplomatic sanctions (see Appendix D). Abiola alienates Northerners who voted for him by blaming the annulment on the North.
- August 1993 Fellow officers force Babangida to resign as Head of State and to retire from the Army. Babangida inaugurates the Interim National Government, headed by a man from the same hometown as Abiola. Abiola goes abroad to solicit support, achieving considerable success with the Congressional Black Caucus, an organization with whose members he had a longstanding relationship. The ING is able to generate acceptance neither within Nigeria nor among the international community.
- September 1993 Following months of Nigerian unresponsiveness to its security-related concerns, the Federal Aviation Administration suspends flights between U S airports and Lagos, Nigeria’s principal international gateway. The action is seen as politically inspired, which it was not. However, one of the businesses affected is an airline in which Alhaji Ibrahim Abacha, son of the Defense Minister, has a major share. Nigeria will later meet the original FAA requirements for lifting of the suspension, and the U S will respond by amending the requirements, deepening Nigerian suspicions.

Appendix A

- November 1993 ING Defense Minister General Sanı Abacha and two other senior army officers tell ING Head of State Ernest Shonekan that the country is slipping into chaos. Shonekan resigns, and Abacha takes power. Abacha names a national unity cabinet that includes Abiola's vice-presidential running mate Babagana Kingibe and several prominent pro-democracy figures. The U S is not impressed and imposes additional sanctions.
- March 1994 The U S denies Nigeria counternarcotics certification, an action with little practical effect since most of the sanctions prescribed by the governing statute had already been implemented earlier for purely political reasons. Abacha is nonetheless deeply angered.
- June 1994 Abiola declares himself President. Abacha declares the action treasonous and has Abiola arrested. Pro-Abiola labor unrest begins. So does a regime-sponsored constitutional conference (NCC). Human rights groups criticize both the arrest and the NCC, arguing that Abiola's mandate remains valid.
- August 1994 Abacha cracks down on the strikes, which had been threatening the vital oil industry (which accounts for over 90 percent of government revenue), putting the offending unions under government-appointed trustees and detaining some union leaders. Human rights groups become unhappier still and are joined now by the international labor movement.
- November 1994 A large codel, mostly from the House Foreign Affairs Subcommittee on Africa, visits Nigeria and gets to see Abacha, the imprisoned Abiola and the NCC. Several Members return to the U S with more nuanced views of events in Nigeria but anti-regime sentiment remains very strong.
- March 1995 The Abacha regime announces discovery of a coup "attempt" and soon arrests both Obasanjo and Yar'Adua for involvement. Disbelief that any such attempt took place is widespread, both within Nigeria and abroad, especially since both men were potent political opponents of Abacha. Obasanjo's many friends among world leaders try to intercede.
- Summer 1995 A secret tribunal condemns Yar'Adua and others to death and Obasanjo to life imprisonment. A videotape of one defendant's testimony, acquired by torture, many believe, implicates the U S in the coup "attempt." The U S and other countries seek clemency. The NCC submits its report.
- October 1995 Abacha announces sentence reductions and a three-year plan for a transition to civilian rule. The U S and U K respond with critical public statements. Abacha, apparently having expected a warmer reception, is furious.
- November 1995 Writer Ken Saro-Wiwa and eight others affiliated with an organization (The Movement for the Survival of the Ogoni People) are hanged after having been convicted by a special tribunal for their alleged roles in the murder of four prominent pro-regime Ogoni leaders. MOSOP had been agitating for huge "reparations" on behalf of the small tribe whose land, water and air

Appendix A

- Nov 1995 (cont) quality had suffered from oil exploitation. The hangings come on the eve of a Commonwealth Heads of Government Meeting in Auckland, New Zealand despite many requests for clemency or pardons. British Prime Minister John Major calls the hangings "judicial murder," and he and fellow CHOGM participants suspend Nigeria's participation in the Commonwealth and appoint a special committee (CMAG) to monitor the country. South Africa's Nelson Mandela adopts a particularly hard line toward Nigeria, calling for an embargo on Nigerian oil. Many Ambassadors are recalled for consultations. The EU tightens its modest anti-Nigeria measures, and the UNGA makes a critical pronouncement. In the U.S., TransAfrica's Randall Robinson campaigns for stronger measures against Nigeria. The regime buys centerfold advertisements in major print media to tell its side of the story. Self-exiled Nobel literature laureate Wole Soyinka argues the opposition case in op-ed pages.
- Early 1996 The U.S. seeks support for multilateral economic sanctions, and the EU sponsors a critical resolution in the UN Human Rights Commission. Two bombs are detonated by apparent dissidents in northern Nigeria. Abacha's son Ibrahim dies in the crash of a Presidential aircraft. Nigeria is denied certification for the third consecutive year. Conveniently ignoring a faulty overall process, regime-sponsored U.S.-based election monitors declare the first elections in Abacha's transition program largely free and fair.
- June 1996 M.K.O. Abiola's dynamic head wife Kudirat is assassinated by persons who many believe were working for the Abacha regime. Regime insiders allege that the killing was the result of intra-family feuding and detain several Yoruba political activists. A number of other prominent opposition figures, mostly Yoruba, are attacked under mysterious circumstances. Several die.
- 1996 Suspicion grows that Abacha plans to succeed himself. With Nigerian support, Gambian strongman Yahya Jammeh does just that. Again with Nigerian support, a military regime which overthrew elected civilians entrenches itself in Niger. Former Beninese President Matthieu Kerekou returns to power, with Nigerian support but via the ballot box. Abacha's transition charts a fitful course, with some events taking place on time and others delayed. In the hope of ending the financial drain of maintaining 7,000 troops abroad, the Nigerians take an increasingly assertive stance and generally more positive approach to resolving Liberia's political crisis.
- December 1996 A multi-agency U.S. delegation visits Nigeria to discuss improving bilateral cooperation in the area of law enforcement.
- December 1996 - January 1997 Several bombs are detonated in the Lagos area, killing military personnel. An Embassy warning to American citizens to exercise caution is viewed in regime circles as evidence of U.S. foreknowledge or complicity or both.¹

¹ Personal recollection from several conversations, though publicly-aired official comments tended in that direction, and one senior official told media that the Nigerian Government wanted to question the U.S. Ambassador.

Appendix A

- March 1997 Nigeria is again denied counternarcotics certification
- May 1997 The Sierra Leonean army overthrows the elected civilian government, prompting a Nigerian vow to restore the overthrown civilians. Libyan leader Muammar Qadhafi flies to Nigeria in violation of UN sanctions, receiving a warm welcome from senior Abacha regime officials
- October 1997 Four-year U S Ambassador to Nigeria Walter Carrington departs Nigeria on a discordant note when armed police break up a farewell party in his honor Several Members of Congress express outrage
- November 1997 Events in Iraq twice postpone a Principals' Committee meeting on U S policy toward Nigeria

Questions

I am writing a paper for my National War College seminar on the U S National Security Policy Process. The topic I have selected is development of U S policy from January of 1995 through October of 1997. This paper is not intended for publication, but it will be seen by faculty and students here and may become part of the War College's permanent collection of student papers. It will not be classified. In that regard, are you prepared to have me quote you by name, or would you prefer to have your identity protected?

What stands out in your mind as the most striking aspect of U S policy toward Nigeria during the 1995-1997 period?

Bringing about a restoration of genuine civilian-led democracy in Nigeria, acquiring greater responsiveness from Nigerian authorities to our law-enforcement concerns, and aiding transformation to a more open and more market-oriented economy were three of our most important Nigeria policy goals. In that regard, how effective do you think our policy during the 1995-1997 period was?

How could our policy have been more effective?

Which policy tool or tools did the U S employ best and worst with respect to Nigeria?

How would you characterize the relationship between the U S Embassy in Nigeria and policy-making elements in Washington, in particular the Africa Bureau of the State Department?

What was your impression of the policy dynamic within Washington?

Do you believe the Nigerian Government sought to influence the USG outside of normal diplomatic channels? If so, how successful do you believe it was?

What role do you believe U S non-governmental organizations, other than business, played in development and articulation of U S policy toward Nigeria?

Do you believe U S efforts at multilateral cooperation (especially at the OECD level and at the UNHRC) were, on balance, more successful than not?

What role do you believe the U S Congress played in development and articulation of U S policy toward Nigeria?

What role do you believe U S business interests played in development and articulation of U S policy toward Nigeria?

Do you have any other comments about the formation, development or implementation of U S policy toward Nigeria during the 1995-1997 period?

Compendium of Responses to Question Three

The vast majority of interviewees believed U S policy toward Nigeria was not very effective during the 1995-1997 period, though several found something positive to say about efforts to improve law enforcement cooperation. The answers to the third question -- How could our policy have been more effective -- illuminated the wide range of thinking on Nigeria policy. They and are reproduced here for those readers who might be interested in comparing them in order to get a small, direct sense both of the substantive conflicts among players and of the general agreement that the policy in place was not producing the desired results. Particularly interesting was the fact that some interviewees addressed their response to substance while others focused on people and process.

How could our policy have been more effective?

If the President or the Secretary of State had articulated our policy and put political support behind the policy, then perhaps the policy would have been more effective because it would have been in the public eye. President Clinton has not mentioned the word "Nigeria" in public even once in six years.
--M K O Abiola's U S representative

Nigeria is always going to be a tough policy nut to crack. We are always looking for big outcomes relative to the political influence and financial leverage we are prepared to put behind our policies. However, there were alternatives to this dysfunctional equilibrium that should have been explored.
--A former Hill staffer

I really don't know. We tried everything within the parameters of the possible. But there should have been some debate, however, about an engagement side. Nigeria is a bad actor. How do we best deal with these bad actors when we cannot ignore or isolate them or shut them out? We had a problem with [Ambassador] Walter Carrington's approach which lost the dialogue. It had credibility in opposition circles and kept us on the moral high ground, but it led to special envoys which detracted from his position and credibility.
--A senior State Department official

If someone in the Administration had taken the reins [firmly] then we could have responded effectively.
--A Hill staffer

We would have had a higher probability of being more effective if we had been able to adopt a less reactive approach and to put our long-term interests in Nigeria first.
--An Administration official

By identifying policy priorities and identifying and pursuing a strategy designed to achieve those priorities as opposed to a broad-brush, ad-hoc approach.
--A State Department official

If there was a policy, it was not understood by the Nigerians. We had as our Ambassador a political appointee who did not enjoy access or the confidence of the [Nigerian] Government because he was working channels outside the Government and annoying it. If we had had a career Foreign Service Officer as Ambassador, someone like Bill Swing or Princeton Lyman, for example, who could have energized the building to create a coherent interface, we could have precluded the creeping sanctions that cut off dialogue where it was needed most, especially on military training.
--A businessman

Appendix C

If we had been more willing to accept some small steps on achievable goals, rather than pushing on all fronts at all times

--A senior U S Government official

First, we should have asked ourselves questions that would get us a focus on what we wanted to accomplish. Then, we needed people at every level who could get things done, and I do mean at every level below that of the President

--A former senior State Department official, now in the private sector

By the 1995-97 period [Ambassador] Carrington was in bad odor [with the Abacha regime] and perhaps irredeemably so. We can't be pulling and changing our Ambassadors all the time, but, if there wasn't such a fear of appearing to kowtow [to the Abacha regime], more could have been done with [Special Envoy] Don McHenry or someone else, there were a whole bunch of channels that could have been opened to promote dialogue

--A private sector representative

We could have had a better definition of intermediate goals and had a better concept of our [policy] aims. We should have re-evaluated the special envoys that diminish the effectiveness of our resident Mission [while ensuring that we had in place] the full range of personnel needed to work effectively in Nigeria. The USG needed conformity of purpose and to establish priorities that would not be changed on whims while setting an approach to meet our longer-term foreign policy goals

--A State Department official

We failed to prioritize our objectives. I think that if we had sat down and said our number one priority was law enforcement, we could have modified other [objectives] and had some effect. We can't kick them in the groin on one thing and then turn around and say, 'Oh, by the way, we need your help'

--A senior Embassy official

If we had really decided that democratization was more than economic and other issues. Money speaks in U S foreign policy, not ideals. If we want Nigeria to change, we either need to totally ostracize them or to bring them into the fold, recertify them and start working with them. We keep changing the goalposts. It was a mistake to make [obtaining] extraditions the litmus test for recertification. That sent mixed signals on judicial due process. If we want them to apply due process, we must let the extraditions proceed through the courts

--A senior U S Government official

We could have tried to work more closely with the Abacha Government (or at least with some of its members), in late '93 or early '94 in order to set the stage [for a constructive dialogue]

--A former senior Embassy official

We should have put more effort into engaging other nations. We decided that there was no consensus on enhanced sanctions without really trying to find out if it was true

--A State Department official

Engagement would have been the logical way to go under the circumstances. It might not have had a demonstrable effect over a short period, but it would have been better than cutting them off since we had to deal with them on Liberia anyway

--A U S Government official

We should have recognized that the policy was failing and undertaken an earlier reassessment. We were too slow in trying to fix the policy

--A senior State Department official

Appendix C

We could have gotten more out of engagement, especially on drug enforcement, even if we had remained firm [on other aspects of policy]

--An Administration official

By permitting and encouraging traditional diplomacy, with less bombast and rush to press-release diplomacy We used the back door too often, and the diplomacy of our special envoys was inconsistent and unsustained We should have applied the tools of our trade more rigorously

--A senior State Department official

We could have made a decision instead of allowing decisions to be made It was questionable to make democracy the centerpiece of our policy

--A former Hill staffer

A change of senior personnel in the field and a greater appreciation in Washington at senior levels about what the reasons were for the lack of movement

--A senior State Department official

Disengaging from them was a mistake They have a military regime We could have used the U S military more effectively There was a complete breakdown in communication We didn't have much to say, and they were not receptive to hearing

--A former U S Government official

Appendix D

Nigeria: U.S. Measures in Place

Imposed November 1995 Following Ogoni Nine Executions:

- Ban on the sale and repair of military goods and services;
- Ban on visas for military officers and civilians who actively formulate, implement, or benefit from the policies that impede Nigeria's transition to democracy, and members of their immediate families, and
- Requirement of Nigerian government officials visiting the United Nations or international financial institutions to remain within 25 miles of those organizations

Imposed April 1994 Following Denial of Counternarcotics Certification:

- Requirement to vote against Nigeria in the six multilateral development banks listed in the Foreign Assistance Act (IBRD, IDA, IADB, ADB, EBRD, and AFDB), and
- Cease obligation of most Foreign Assistance Act and all Arms Export Control Act assistance to Nigeria and expenditure of assistance monies, including OPIC, EXIM and USAID assistance, except for specialized categories of disaster relief, provision of food and medicines to refugees, and counter-narcotics assistance. Certain assistance through NGO's and PVO's may be provided if due consideration has been given to whether it is in the U S national interest and if Congress is so notified
- Progressive cuts in USAID programs from \$39 million in FY 93 to \$7 million in FY 97.

Imposed December 1993 Following Abacha's Palace Coup:

- Visa restrictions on those who formulate, implement, or benefit from policies that hinder Nigeria's transition to democracy, and members of their immediate families,

Imposed June/July 1993 Following Annulment of Elections:

- Expulsion of Nigerian military attache from Washington and withdrawal of U S Security Assistance Officer from Lagos;
- Suspended replacement of U S Defense Attache in Lagos,
- Imposition of a case-by-case review, with a presumption of denial, for all new license applications for commercial export of defense articles and services
- Termination of all military assistance and training, and
- Termination of all non-security assistance, except for humanitarian, democratization and social sector programming

Imposed August 1993 Following Federal Aviation Administration's Technical Review:

- Suspension of all air carrier service between the United States and Murtala Muhammed International Airport in Lagos.