

Questions for Dr. Darren Kew asked for the record of the hearing “U.S Policy Toward Nigeria: West Africa's Troubled Titan.”

July 10, 2012

**Question:** You reportedly support the refusal of the Administration to designate Boko Haram as a Foreign Terrorist Organization because it would “internationalize” this group. In light of their training with groups such as MNLA in Mali and al-Shabaab in Somalia, aren’t they already international? What benefit is there to refusing to acknowledge that this organization foments terrorism on a more than local scale?

**Answer:**

The problem with designating Boko Haram as an FTO is that, for now, the costs of doing so still far outweigh the benefits. There are several matters to consider in making this determination. First, Boko Haram is more of a composite movement than a single organization. It clearly has a group of hardliners at the center that are without a doubt terrorists by any definition, but they are currently surrounded by pockets of moderates who have shown repeated interest in negotiating with the Nigerian government. Boko Haram also has many part-time sympathizers, particularly semi-organized bands of youths in key urban centers, who are generally supportive of the movement and may assist it on occasion, but who may still be ambivalent about fully joining a violent struggle. Designating this movement as an FTO lumps all these factions together at the very time that the Nigerian government’s new National Security Advisor is seeking to initiate talks with Boko Haram, which could divide the movement and possibly isolate the hardliners. An FTO designation now would hand the hardliners a public relations victory, since under their logic the condemnation of the United States is a badge of radical Islamist legitimacy, which in turn would undermine the moderates by making them appear less committed to the Islamist agenda by seeking to talk with the Jonathan administration backed by Washington. In addition, the FTO designation would make the Nigerian government appear even weaker, and signal to Boko Haram’s part-timers that the hardliners are succeeding, which will bring more recruits deeper into the movement. Many in the North will also see this as the United States moving closer to the Jonathan administration and raise concerns, however unrealistic, that the US will take sides against Northern and Muslim interests, particularly in the 2015 elections.

Moreover, FTO designation does not put any additional tools in the hands of Washington or Abuja that they do not already have sufficient to gain any major impacts on Boko Haram at this time. The only real leverage the designation offers at the moment is for news headlines, mostly to shame the Nigerian government for its corruption and massive governance failures, and will reward Boko Haram with a useful public relations tool. This could also provoke it to attack direct US interests in Nigeria as a response. The Obama administration’s policy of naming key leaders within Boko Haram as terrorists is a wiser approach than FTO designation for the time being, since it may help to exacerbate divisions within the movement’s leadership, strengthen the hands of the moderates, and perhaps even provoke rifts within the movement that could hasten its demise or, in the least, slow it down long enough for Nigerian security forces to regain the initiative.

Lastly, designating Boko Haram an FTO will virtually prohibit any recipients of US foreign assistance, including any peace and conflict resolution activities, from having any contact with

its various factions and occasional affiliates. Because of the unclear boundaries of the movement that I explained above, designating it an FTO would force Nigerian groups receiving US assistance to sever contact with the vast array of moderate factions and part-timers found in most of the key Northern urban centers as well as many parts of the volatile Middle Belt region. Consequently, all US-funded conflict resolution activity in northern and middle Nigeria would likely ground to a halt, as would a wide variety of democracy-building and development activities.

I recommend that the Subcommittee reconsider the FTO designation matter **in approximately one year's time**, at which point we should have some evidence of whether or not the Nigerian government's efforts have made any progress with Boko Haram. I suggest that the Subcommittee consider the following criteria as a starting place when making decisions or recommendations on FTO status:

1. **Does the Nigerian government have an ongoing initiative to negotiate with Boko Haram?** If so, then the FTO designation is not likely to assist the negotiations. More helpful by mid-2013 could perhaps be for the Obama administration to follow up its designations of individual leaders as terrorists with requests for the International Criminal Court to undertake proceedings against them.
2. If the Jonathan administration does not have any credible efforts underway to seek a negotiated solution to the Boko Haram crisis, **does the Nigerian government have a serious and comprehensive counter-terror strategy it is pursuing?** If not, then the FTO designation could be used as leverage to shame the Nigerian government into more responsible action.
3. **Has Boko Haram carried out any major attacks outside the borders of Nigeria, or in the Niger Delta oil producing regions?** We have some evidence that Boko Haram has training and communication links with MNLA and al-Shabaab, but the movement's goals are primarily focused within northern Nigeria. If, however, Boko Haram shows sufficient operational sophistication and strategic interest in providing combat assistance to its allies outside Nigeria – or in pursuing its own military plans across borders – then some of the benefits of FTO designation to US law enforcement, defense, and other agencies may have sufficient benefits worth the political costs of doing so. The same may be said if Boko Haram is able to attack Nigeria's oil industry despite the firepower of the Niger Delta militias who stand in the way. Several such attacks would signal a major escalation in the crisis and would likely provoke counterattacks in the North from the Niger Delta militias, which could inflame the nation's primary ethnic divisions and warrant a more aggressive international response.
4. **Have any splinter groups broken away from Boko Haram, such that the boundaries of the movement are more clearly drawn around the hardliners alone?** If Boko Haram does in fact break apart so that the hardliners are more clearly separated from the rest of the movement, then an FTO designation may serve a similar useful purpose that designating the individual leaders as terrorists does now, perhaps helping to isolate the hardliners further. This could be especially true if a more moderate breakaway faction is engaged in talks with the Nigerian government to find a negotiated solution that can attract a sizeable portion of the part-time supporters of the movement.

**Question:** You stated in an article five years ago that more than 10,000 Nigerians had lost their lives in communal unrest since the return of democracy in 1999. Why has democracy not been more of a benefit to Nigerians in terms of providing for peaceful coexistence among the many ethnic groups that live there?

**Answer:** Cross-country studies have shown that transitional democracies everywhere are fairly consistently volatile, given the dramatic social, economic, and political changes necessary to move from authoritarian to democratic rule. In Nigeria's case, military rule gave way in 1999 to *de facto* oligarchy, under which a small group of very powerful individuals – primarily through the ruling Peoples Democratic Party – have managed to use their access to power to rig elections and enrich themselves at the expense of any sustained, broad-based development policies in the public interest. In addition, Nigeria's massive oil wealth brings tremendous revenues into the hands of the individuals controlling the state, giving them extensive resources to buy off and or squelch legitimate opposition.

Without viable political opposition supported by robust civil society engagement, Nigerians have few alternatives toward which to turn for peaceful political change and economic progress. This in turn has increased the likelihood that the most frustrated and desperate segments of society have been more willing to turn to violence to pursue their needs or to pre-empt any perceived threats to their culture, faith, or to the little they have. Moreover, many politicians and other social leaders see personal gains in stoking ethnic and religious tensions, which can sometimes rally supporters of common identity and isolate opponents from different backgrounds.

**Question:** Northerners, especially Muslims, reportedly feel they have been and continue to be marginalized by southern Christians. Besides the lack of development in the North, which also is the fault of northern political leaders, what rationale is there for such a view in the North?

**Answer:** Much of this view is based on two major issues for Northern opinion leaders. The first is that from late 2010 until June 2012, all of Nigeria's top military officers were southern Christians. In June 2012, President Jonathan appointed a northern Muslim as his National Security Advisor, but the rest of the service chiefs remain southerners. Second, President Jonathan's administration has been channelling a greater portion of government contracts to supporters in the South, particularly from his own Niger Delta region. This is customary patronage practice in Nigerian politics, but Northern critics of the administration have argued that President Jonathan has gone far beyond the level of his predecessors.

A third issue for many Northerners in feeling marginalized is the perception that the Nigerian media and Western coverage of Nigeria is dominated by Southerners and Christians. Consequently, these individuals feel that Islam is often associated in the media with terrorism, Christians as the only victims, and that Northern perspectives are often under-represented. In addition, many Northerners complain that Boko Haram, Fulani herder attacks on Christian farmers, and other violent activities from Muslim-dominated groups are closely covered in the media and roundly condemned, while coverage of Christian militia atrocities is sparse and often portrayed as resulting from self-defense actions provoked by Muslim attacks.

**Question:** Neither North nor South is religiously monolithic, as you have stated previously. Is coexistence of the country's two major religious groups still possible at this point? What can be done to maximize the opportunities for peace between the two monotheistic religions?

**Answer:** Nigeria is still far from the point where its two major religious groups could no longer coexist in the same nation. Numerous ethnic divisions – over 200 – still stretch across the country, and both Islam and Christianity enjoy several subdivisions, which together help to keep a broad spectrum of identity issues at play and to prevent narrow, exclusivist views of religion from dismantling the diversity of everyday life in Nigeria. In addition, many of the conflicts engaging religion across Nigeria are driven primarily or secondarily by other issues, such as resource control, poverty, corruption, and party and political machine politics. Consequently, efforts to address these additional conflict drivers will also help to defuse religious tensions, such as I outlined in my original testimony.

Direct actions can also be taken to foster Muslim-Christian peace in Nigeria. These include:

- Encourage the President of the Christian Association of Nigeria and the Sultan of Sokoto to restart high-level Muslim-Christian dialogue efforts and to re-energize the Nigerian Inter-Religious Council (NIREC).
- Provide indirect assistance for moderate Christian and Muslim leaders, who represent the views of the vast majority of Nigerians, to voice their religious perspectives. Particular attention should be paid to alerting rank-and-file clergy to the dangers of hate speech. US assistance could perhaps be channeled through NIREC or local religious or community foundations.
- Provide assistance to bring moderate Christian and Muslim leaders and scholars from abroad to visit Nigeria, to stress the peaceful doctrines of both religions, and to discuss their own interfaith works. Such visits should be coordinated to support the activities of NIREC and other Nigerian interfaith initiatives.
- Provide additional assistance to the Nigerian media for the responsible coverage of religious matters and conflict circumstances.
- Continue US assistance for local interfaith initiatives through civil society organizations, community associations, and responsible religious and cultural associations.
- Ask the International Criminal Court to investigate the recent bouts of violence in Jos and Plateau state, supported by independent inquiries conducted by partnerships of local and international human rights organizations. Given the symbolic importance of the conflict in Jos for Muslim-Christian relations in Nigeria, an effort to address the impunity with which killing has occurred here could provide an important check on violence here and elsewhere.