

State and Natural Resource Exploitation: A Comparative Analysis of Nigeria and Botswana

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Abstract

This thesis compares the role of the ruling elite in national-resource exploitation and revenue distribution in Nigeria and Botswana. It explores the ways indigenous hierarchical (political) structures of the ruling elite impact policy creation and delivery of services to their respective citizenry, and how that impact leads to very different policy developments and institutional behaviors regarding natural resources and revenue distribution in services to constituents. Countries with sound representative governmental institutions that hold governments accountable tend to fare better in redistribution of state income to the betterment of society than those with governmental administrations that are not accountable.

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Glossary

| Term | Definition |
|----------------|---|
| Ba- | A prefix denoting two or more people |
| Bakgothu | Khoe (pronounced 'khwe'); 'Hottentot'; khoekhoen ('men of men') |
| Basarwa | Mosarwa (sing.) San; 'Bushmen' (meaning those who gather wildfood) |
| Batswana | (plural of "Motswana"), a term used also to denote all citizens of Botswana, remain the country's major ethnic group today. |
| Bo- | A prefix denoting an area or country (e.g. Botswana) or an institution (e.g. bogosi) |
| Bogwera | Male initiation into adulthood |
| Bojale | Female initiation into adulthood |
| <i>Dikgosi</i> | Plural form of Kgosi |
| Khoesan | A collective word describing all Khoe and San people |
| Kgamelo | Cattle lent out by the dikgosi of the Bangwato and Batawana to commoners whose support they wish to gain. |
| Kgosana | A royal family member closely related to the kgosi |
| Kgosi | The executive, judicial and legislative leader of the morafe (King/ruler); the eldest son of the ranking wife of a deceased Kgosi |
| Kgosing | King's ward of a village or town |
| Kgotla | A meeting place for the ward or morafe; a meeting for the discussion of matter concerning the morafe; a court for settling disputes within the group according to customary law |
| Mafisa | Cattle loaned from one person to another (usually to secure a service in return) |
| Makgotla | Wards; a residential section of a morafe, with its own kgotla and headman |
| Malate | Serfs, or semi-slaves |
| Mo- | A prefix denoting a single person (e.g. Motswana) |
| Morafe | (pl. Merafe) The people ruled by a Kgosi; a tribe, or nation |
| Se- | A prefix denoting language (e.g. setswana, sekalanga, and sesarwa) |
| Sehuba | Tribute (literally 'chest'); an annual payment given to a senior group by a junior one |
| Setswana | Language of the Batswana and only language taught in public schools alongside English |

Introduction

Objectives and Outline

In the global South, and in Africa in particular, colonial history and economies often share a past dependent on natural resources. Since independence, ruling elites have been responsible for good governance and economic prosperity from natural-resource exploitation. This thesis sought to understand the role of governance (defined as the capability of the government to effectively develop institutions, implement sound policies, and deliver services)¹ in natural-resource exploitation and development by looking at institutional behaviors and policy development as they relate to natural resources in Nigeria and Botswana.

Although both countries were products of British colonial rule and rely heavily on extractive industries, they manifest starkly different paths of state development.² Although one country relies on oil (Nigeria) and the other on diamonds (Botswana), the natural resource is not the problem, but the point of issue appears to lie instead in the governance of the said resources. Philippe Martin, quoting Le Billon³ explains that,

Resource dependence tends to lead to a particular kind of political rule, shaping powerful but often narrow coalitions that dampen political accountability ... rulers often capture and redistribute resource rents at the expense of statecraft and democracy, putting their discretionary power and fluctuating rents at the core of a political order resting on clientelism [potentially leading to] conflicts and violence surrounding resource exploitation projects.⁴

¹ Daniel Kaufmann and Aart Kraay, "The Worldwide Governance Indicators Project," 2015, <http://info.worldbank.org/governance/wgi/index.aspx#home> (accessed March 31, 2016); Francis Fukuyama, "What Is Governance?" *Governance* 26, no. 3 (2013): 347–68.

² Lawrence P. Markowitz, *State Erosion: Unlootable Resources and Unruly Elites in Central Asia* (Ithaca, NY: Cornell University Press, 2013).

³ Philippe Le Billon, "The Resource Curse," *Adelphi Papers* 45, no. 373 (2005): 27.

⁴ Philippe Martin, "A Closer Look at Botswana's Development: The Role of Institutions," *Paterson Review* 9 (2008): 38–39.

Political accountability or lack thereof, as seen in the foregoing quotation, forms the basis upon which these countries' differ. Nigeria and Botswana differ in several ways, ranging from modern connections to customary institutions, colonial interference, the handling of ethnic diversity, resource-ownership structures, and delivery of services.

Specifically, this thesis compares the role of the ruling elite in national-resource exploitation and revenue distribution in Nigeria and Botswana. It explores the ways indigenous hierarchical (political) structures of the ruling elite impact policy creation and delivery of services to their respective citizenry, and how that impact leads to very different policy developments and institutional behaviors regarding natural resources and revenue distribution in services to constituents.

Therefore, to better understand why the two nations are so dramatically different, I attempted to answer two questions:

Q1 What are differences in the formation, political structures, and hierarchy of the ruling elite?

Q2 What are the significant differences in the legal framework in resource distribution of each country?

These questions revolve around the institutions, laws, and formation of elites whose policies affect good governance in each country.

The thesis is divided into five parts: an introduction, a chapter about Nigeria, a chapter about Botswana, a comparative analysis, and a conclusion. Chapters 2 and 3 consist of country overviews, a look at colonial administrations, elite creation, political structures, and the legal framework as it pertains to resource exploitation and revenue distribution in Nigeria and Botswana respectively. I conclude with a comparative analysis of the two countries by setting

each country in their respective historic contexts to identify reasons for such divergent outcomes in societal and economic stability.

Chapter 1 – Nigeria

The Federal Republic of Nigeria is a federation comprised of thirty-six states that are further subdivided into 774 Local Government Areas and one Federal Capital Territory.⁵ Fashioned after that of the United States, Nigeria's constitution⁶⁷ provides separation of powers among the three branches of government, whose separation is emulated at the state and local levels.

Nigeria occupies 356,669 square miles and is bordered by five⁸ countries, the Atlantic Ocean, and the Bights of Benin and Bonny (formerly Biafra). To put its size into perspective, Nigeria is twice the size of California, three times the size of the United Kingdom, and is home to more than a quarter of the African population. Nigeria is Africa's most populous country with more than 120 million people who can be further subdivided into more than 250⁹ ethnic groups

⁵ Ousmane Dore, "An Infrastructure Action Plan for Nigeria: Closing the Infrastructure Gap and Accelerating Economic Transformation," Working paper, African Development Bank, 2013, <http://www.afdb.org/en/documents/document/an-infrastructure-action-plan-for-nigeria-closing-the-infrastructure-gap-and-accelerating-economic-transformation-33031/>.

⁶ Since independence, Nigeria has crafted four constitutions (1960, 1963, 1979, 1999), the last of which has been amended several times (last in 2016); Central Intelligence Agency, "Nigeria," 2016, <https://www.cia.gov/library/publications/the-world-factbook/geos/ni.html>.

⁷ "It provides for a presidential system of government in which there is an Executive, a Legislature, and a Judiciary, with each acting as a check and balance on the powers of the other two arms. The Constitution further provides for the operation of three tiers of government, at the Federal, State and Local levels" N. K. Obasi, "The Structure of the Nigerian Government," 2002, <http://government.onlinenigeria.com>.

⁸ Neighbors to the West are the countries of Benin and Togo; to the East is Cameroon; to the North are Niger and Chad.

⁹ The most populous and politically influential ethnic groups are the Hausa (21%) and Fulani (9%), Yoruba (21%), Igbo (Ibo; 18%). Toyin Falola, *The History of Nigeria* (Westport, CT: Greenwood Press, 1999); April A. Gordon, *Nigeria's Diverse Peoples: A Reference Sourcebook* (Santa Barbara, CA: ABC-CLIO, 2003), 2.

who use over 500 distinct indigenous languages.¹⁰ To understand contemporary Nigeria, one must look at its history.

Institutions in the Precolonial Period

Leander Heldring and James Robinson (2013)¹¹ point out that three types of colonies existed: first were those that, during the European “Scramble for Africa” (1881–1914) had indigenous centralized¹² “governmental bodies”; the second consisted of colonies established for white settlement;¹³ ¹⁴ third were those that had an admixture of centralized and decentralized¹⁵ societies or no significant or formal precolonial state formation at all. Nigeria falls into the third category, because it houses an assortment of societies, some of which are centralized without checks and balances, centralized with checks and balances, and decentralized.

¹⁰ Falola, *The History of Nigeria*; Gordon, *Nigeria's Diverse Peoples*.

¹¹ Leander Heldring and James A. Robinson, “Colonialism and Development in Africa,” Centre for Economic Policy Research, London, England, 2013, <http://www.voxeu.org/article/colonialism-and-development-africa>.

¹² “Those with a centralized state at the time of Scramble for Africa, such as Benin, Botswana, Burundi, Ethiopia, Ghana, Lesotho, Rwanda, and Swaziland”; *Ibid*.

¹³ “Those of white settlement, such as Kenya, Namibia, South Africa, Zimbabwe, and probably Angola and Mozambique as well”; *Ibid*.

¹⁴ White settlement was predicated upon the European mortality rate on the continent in respective countries. If the rate was too high, extractive institutions were set up, remnants of which persist onto today. Before the discovery of quinine in the early nineteenth century as a treatment for malaria, many colonies remained close to the coast. After the discovery of its effectiveness, that led to European penetration into the hinterlands of Africa; Daron Acemoglu, Simon Johnson, and James A. Robinson, “An African Success Story: Botswana,” CEPR Discussion Paper No. 3219, Centre for Economic Policy Research, London, 2002, 6, http://papers.ssrn.com/sol3/papers.cfm?abstract_id=304100.

¹⁵ “Everyone else—colonies which did not experience significant white settlement and where there was either no significant pre-colonial state formation (like Somalia or South Sudan) or where there was a mixture of centralized and un-centralized societies such as Congo-Brazzaville, Nigeria, Uganda and Sierra Leone” (Heldring and Robinson, “Colonialism and Development in Africa.”)

The Hausa and Fulani¹⁶ ethnic groups were (and still are) primarily situated in what was later to become northern Nigeria (see Figure 2). They were ruled by Islamic Emirs and possessed “a highly developed system of Muslim government, including a Fulani sultanate composed of numerous provinces, each administered by a feudal governor with his own council and executive, army, policy, treasury, and judiciary.”¹⁷ Rotimi Ajayi (1992)¹⁸ points out that The Emir was accountable to no one, allowing for an autocratic form of governance. Emirs did have an Executive Council comprised of Hausa–Fulani nobility who served in an advisory role, but had no power wherewith they could hold the Emir accountable.

The Yoruba had the same form of administrative arrangement as the Hausa–Fulani, and their traditional leaders were called Obas.¹⁹ The major difference between the northern Emirs and the southern²⁰ Obas was that the Obas were held accountable by a customary system of checks and balances. Whereas the Emirs’ power came due to heredity, the Obas were selected by “kingmakers.” In their administration, Obas were assisted by a Council of Chiefs, as well as “other socio-cultural bodies such as Oro, Egungun and Ogbo.”²¹ These sociocultural bodies coupled with the Council of Chiefs existed to place checks on the Obas. They were so powerful that the Oba could not pass laws without first gaining their consent.

¹⁶ “The term Hausa–Fulani is sometimes used to refer to the Hausa together with the assimilated Fulani.” Andrew Simpson, ed., *Language and National Identity in Africa* (Oxford: Oxford University Press, 2008), 175.

¹⁷ C. K. Meek, *Law and Authority in a Nigerian Tribe: A Study in Indirect Rule* (New York: Oxford University Press, 1970), 325.

¹⁸ Rotimi Ajayi, “Politics and Traditional Institutions in Nigeria: A Historical Overview,” *Transafrican Journal of History* 21 (1992): 126.

¹⁹ Oba is a hereditary Yoruba tribal ruler or chief among various peoples in the Nigerian–Benin region of western Africa. “Oba,” *Collins English Dictionary*, 2016, <http://www.dictionary.com/browse/oba>.

²⁰ Actually located in the Southwest portion of the country, heretofore referred to as the West.

²¹ Ajayi, “Politics and Traditional Institutions in Nigeria,” 127.

The Igbo ethnic majority was comprised in the southeast (hereafter the East; see Figure 3) portion of the country. Unlike the Hausa–Fulani or the Yoruba, the Igbo had no traditional potentate. They had what can be best described as village democracy.

The absence of a centralised system of government meant that stable government was achieved mainly through consensus, through the act of balancing small equal groups against each other and by such other ties as clanship, marriage and religious associations. Additionally, there were various ‘pressure points’ of power and authority such as the Council of Elders,²² age grades, Societies of titled men and women societies, all of which, in various forms, contribute to the making and administration of societal rules and regulations.²³

In essence, one can surmise that precolonial Nigeria consisted of three distinct states, each having their own form of indigenous hierarchical institutions that embodied their cultural norms and mores. That would soon be permanently disrupted with the onset of colonialism at the beginning of the twentieth century.

Colonialism

It is clear that the history of the people who inhabit what would later become Nigeria started well before the first European landed on its shores.²⁴ To understand the developmental path of this country, one must first understand the role colonialism played in the country’s development.

Colonialism was a relationship between a foreign power and an indigenous majority. Decisions affecting the lives of the colonized were made and implemented by colonial rulers

²² The council of elders was the Igbo’s traditional governing body, and they were broken down by age groups as to their functions. The junior group acted as messengers, policed market areas, and collected fines, while the middle group was responsible for law making and had judicial authority. Lastly, the senior group served more as an advisory body. This division deterred abuse of power and was a natural form of checks and balances. Gordon, *Nigeria’s Diverse Peoples*, 37.

²³ Ajayi, “Politics and Traditional Institutions in Nigeria,” 127.

²⁴ Paul Tiyambe Zeleza, *Manufacturing African Studies and Crises* (Dakar, Senegal: Codesria, 1997).

pursuing the interests of a distant metropolis whose main purpose was to provide added revenue through exploitation of colonized lands and people to their respective metropole.²⁵

During the colonial period, imperialist metropolises used two forms of governance on their colonies: one was in the form of direct rule and the other of indirect rule. The method used depended “upon the relative balance of capabilities—technological, military, bureaucratic, demographic, and economic—between the metropole and the colony.”²⁶ In the case of Nigeria, indirect rule was the administration of choice used by the British. This administrative setup would prove detrimental to the country, and its repercussions would be felt in areas such as development, governance, and resource exploitation for years to come.

Indirect rule was a system of colonial administration used predominantly by the British. It was a management system “in which colonial powers controlled territories through intermediaries (those holding ‘traditional’ or ‘customary authority’) rather than imposing a monopoly of violence directly.”²⁷ Indirect rule, therefore, empowered local agents, while minimizing cost and contact with indigenous populations. The prime candidates for this type of administration were those colonies that had long-established precolonial administrative structures with delineated hierarchies and administrative entities.

As previously stated, the territory of precolonial Nigeria had an amalgamation of centralized and decentralized societies. This admixture of societies polarized the state owing in part to its ethnic diversity. The British implemented indirect rule in Nigeria without regard to

²⁵ Jürgen Osterhammel, *Colonialism: A Theoretical Overview* (Princeton: Markus Wiener, 1997); John Gerring et al., “An Institutional Theory of Direct and Indirect Rule,” *World Politics* 63, no. 3 (2011): 377–433, doi:10.1017/S0043887111000104.

²⁶ Gerring et al., “An Institutional Theory of Direct and Indirect Rule,” 378.

²⁷ Adnan Naseemullah and Paul Staniland, “Indirect Rule and Varieties of Governance,” *Governance* 29, no. 1 (2016): 13, doi:10.1111/gove.12129.

indigenous “politics” which ran along the lines of identity, culture, ideology, and religion. In the north²⁸ of the country, indirect rule did not exert too much political influence because the Islamic Emirs already had centralized frameworks of authority.²⁹ This left them virtually untouched except for their role in enriching the British. The predominantly Muslim north had little if any interaction with European missionaries save those areas that were not already Islamic.³⁰ “In the south, however, the policy of indirect rule resulted in much resentment as it often created local rulers with powers far greater than those traditionally permitted in indigenous societies, such as those of the Yoruba and the Igbo.”³¹

The semiautonomous state the Hausa–Fulani enjoyed in Northern Nigeria was more of an exception, evidenced by the experiences felt throughout the rest of the country. In the west³² of Nigeria the colonial system of indirect rule totally disregarded Yoruba culture, upsetting the historical system of checks and balances between the Obas and their subjects. Prior to their colonization, the Obas had served the tribes they represented. This foreign system empowered these Obas, who were no longer accountable to their people but solely to the British, which fostered an atmosphere of abuse of power and oppression because they were no longer accountable to their people but solely to the British.

In the East³³ of Nigeria,

²⁸ Occupied predominantly by the Hausa and Fulani

²⁹ Valentin Seidler, “Why Did Botswana End Up with Good Institutions: The Role of Culture and Colonial Rule,” Working paper, Vienna University for Economics and Business, 2010, 3, http://homepage.univie.ac.at/valentin.seidler/wp-content/uploads/2014/02/Why-did-Botswana-end-up-with-strong-institutions_Seidler.pdf.

³⁰ Simpson, *Language and National Identity in Africa*, 178.

³¹ *Ibid.*

³² Yorubaland

³³ Igboland

indirect rule [like that implemented in the north and west] had not been considered possible, as no framework had been discovered on which Native Administrations could be erected. There were not chiefs with substantial territorial jurisdiction. Indeed, in most areas, there were no chiefs at all, and there was no higher unit of government than the commune or small group of contiguous villages.³⁴

The Igbo had communities that practiced a more decentralized and gerontocratic system of governance where decisions were made by a Council of Elders. Indirect rule in the east was more direct than implemented in the north and west. The British installed arbitrary African “warrant chiefs” as well as local agents,³⁵ in an attempt to create a native authority in the east. This failed, however, because these new administrative actors “had little to no validity in native customs and values.”³⁶ Another region rarely recounted is the middle belt.³⁷ In this ethnically diverse and “culturally fragmented ‘Middle belt’ small groups were forcefully incorporated into larger political units and often ruled by ‘foreign’ Fulani, who brought with them alien institutions such as Islamic law.”³⁸ In this instance, the degree of colonial involvement in native administration was predicated on the existence of established customary institutions that the colonial government could rule by proxy.³⁹

Nigeria is an extremely culturally diverse nation whose cultural norms and social hierarchies have been altered to meet the needs of the former British colonial rulers. Federalist policies instituted during British colonization, which separated those who had previously been

³⁴ Meek, *Law and Authority in a Nigerian Tribe*, x–xi.

³⁵ Warrant chiefs and Local agents were used mainly for tax collection purposes and to enforce colonial policies; *Ibid.*, 78.

³⁶ Ajayi, “Politics and Traditional Institutions in Nigeria,” 129.

³⁷ The middle belt runs from the Cameroon Highlands to the Niger river, approximately 50–100 ethnic groups reside in the area; Gordon, *Nigeria’s Diverse Peoples*, 16.

³⁸ Microsoft, “Colonial Expansion: Indirect Rule,” Encarta Encyclopedia., para. 2, http://www.countriesquest.com/africa/nigeria/history/colonial_expansion/indirect_rule.htm (accessed August 25, 2016).

³⁹ Ajayi, “Politics and Traditional Institutions in Nigeria,” 129.

together and brought together those who had been separate under arbitrary leadership, left a legacy of historical traces of rivalries between ethnic groups.⁴⁰ As a result, the three main ethnic groups—the Hausa–Fulani, Yoruba, and Igbo⁴¹—comprise the majority in their respective regions, and major contentions among them have circled around issues of governance, resource control, and ethnic-group domination in the development of the independent country.

As previously mentioned, under colonial rule, the British did not treat Nigeria as a single entity; instead, they governed it as three separate and distinct regions⁴² (see Figure 3) with their own form of elitist structures. The dominance of the Hausa–Fulani, Yoruba, and Igbo in the three regions of Nigeria led to contention with minority ethnic groups, because these ethnic majorities shaped future policy that favors their respective ethnic groups, requiring a deeper look into the elite structure of Nigeria.

Nigerian Elites

Elitism in Nigeria can be traced to precolonial times when select portions of the country were either under an Emir (in the north) or Oba (in the west).⁴³ These traditional leaders and their descendants were on the top, followed by the landed nobility, who held political and economic sway, then the titled chiefs, and finally the ordinary people. However, these ancestral claims to

⁴⁰ Zeleza, *Manufacturing African Studies and Crises*.

⁴¹ Placed in order of precedence numerically and politically. Samuel C. Ugoh and Wilfred I. Ukpere, “Policy of the Federal Character Principle and Conflict Management in Nigerian Federalism,” *African Journal of Business Management* 6, no. 23 (2012): 6771, doi:10.5897/AJBM12.348.

⁴² At the time of Nigeria’s independence, there were three political regions North, (South) East, (South) and West. In 1963 the fourth (Midwest) region was carved out of the Western region. Omo Omoruyi, “Nigeria Had Four Regions, Midwest as the Fourth: A Reaction to Hon. Godwin Kanu Agabi’s Tirade on ‘States,’” Dawodu.com, 2015, <https://www.dawodu.com/omoruyi5.htm>; Gordon, *Nigeria’s Diverse Peoples*, 160.

⁴³ The exception being the East whose cultural hierarchy was more of a gerontocracy in its makeup.

traditional positions of authority were either lost or distorted with the advent of colonialism. Colonialism transformed or abrogated indigenous hierarchical structures to meet the needs of the new colonial government.

In the colonial administration, indigenous people were educated to the point where they could interact with British administrators. These newly educated persons would later transition into roles of leadership in independent Nigerian politics. Of course, with all things new, these new leaders were met with contention, especially during the transitional period to independence when they endeavored to place traditional elites under their control and strip them of their power and influence at the *Emirship*, *Obaship*, and Chieftainship levels.^{44 45}

For example, in the west, modern elites placed the Obas under newly minted politicians, leading to the resignation of several Obas in protest. In contrast, in the East, “the modern elite held an unchallenged sway in the politics of the region. Chiefs knew their position in the society. They owed their position to the modern elite and danced to the tune of the government.”⁴⁶ Aligned with these two examples, the regions with well-established customary institutions “saw every change as threatening the status quo,”⁴⁷ while those who lacked those traditional institutions were more easily brought into line.⁴⁸

⁴⁴ Power for the traditional elites was mainly derived from the loyalty and obedience of their citizenries; this loyalty was confined to their specific locality be it village, township or region.

⁴⁵ Simpson, *Language and National Identity in Africa*; Ajayi, “Politics and Traditional Institutions in Nigeria,” 124.

⁴⁶ Ajayi, “Politics and Traditional Institutions in Nigeria,” 130.

⁴⁷ *Ibid.*

⁴⁸ For more information on this power dynamic, see Tola Odubajo and Bamidele Alabi, “The Elite Factor in Nigeria’s Political-Power Dynamics,” *Journal of Studies in Social Sciences* 8, no. 1 (2014): 133–34.

In postindependence Nigeria (1960–1966), “modern elites tried to make accommodations for traditional elites with the constitutional provision of the creation of a House of Chiefs in each region of the federation.”⁴⁹ For instance,

in the North, the law establishing the Northern House of Chiefs provided that all First Class Chiefs were to be ex-officio members of the House while fifty-nine other chiefs were to be nominated by the Northern House of Assembly. Additionally, while the chiefs were to be represented in the region’s Executive Council, they were to exercise some control over the Native police, prisons and the courts, a control which in a way, provided an opportunity to “help determine the flow of local policy making and execution.”^{50 51}

Over time, this institution would lose its place of honor and lack mention in the Nigerian 1999 constitution. However, instead of fading away, traditional elites transformed themselves into a fused elite so as to continue in their governance roles.

Today Nigeria’s ruling elites are divided along ethnic, regional, and religious lines.⁵² Inge Amundsen (2012)⁵³ tackles the uniqueness of elites in Nigeria, explaining that Nigeria’s elites have three distinct characteristics:

(1) its establishment through a fusion of elites [which is dominated by members who are or have been affiliated with the Nigerian military], (2) its consolidation through various mechanisms of power diversification (with the conversion of political power into

⁴⁹ Ajayi, “Politics and Traditional Institutions in Nigeria,” 131.

⁵⁰ *Ibid.*, 131–32.

⁵¹ Uche Nworah quoting Abba Mahmood’s *Traditional Rulers and Contemporary Challenges* asserts that, “Traditional rulers used to have a constitutional role. The 1960 and 1963 constitutions created a Council of Chiefs for them in the regions and some of them were even regional governors. The 1979 Constitution gave them representation in the National Council of State. The current 1999 Constitution did not even mention the traditional institution. Is this not enough indicator of their plight and dwindling prestige?” Uche Nworah, “The Role of Traditional Rulers in an Emerging Democratic Nigeria” Abuja International Conference Centre, Nigeria, 2007, <http://www.nathanielturner.com/roleoftraditionalrulersinNigeria.htm>.

⁵² Gordon, *Nigeria’s Diverse Peoples*, 201.

⁵³ Inge Amundsen, “Who Rules Nigeria?” Working paper, Norwegian Peacebuilding Resource Centre, 2012, <http://www.peacebuilding.no/Regions/Africa/Nigeria/Publications/Who-rules-Nigeria>.

economic power as the basis), and (3) its aggrandizement through various mechanisms of economic extraction.⁵⁴

This oligarchy formed by Nigerian “Big Men” emanates from the country’s *fused elite*, as Amundsen calls them. Gone are the simple days of traditional versus “enlightened elites.” The elites of Nigeria now encompass a fusion of people “[who held or currently] hold positions in the military, who hold high political and administrative offices, who hold senior positions in the ruling party, private businessmen, traditional and religious leaders, and nationalists of the independence era.”^{55 56} It is important to note that elitism in Nigeria has developed a cross-cutting character, such that new opportunities arose for military leaders to join the political elite.⁵⁷

Tola Odubajo and Bamidele Alabi (2014)⁵⁸ studied the country’s political-power process of the elites that govern. They contextualize Nigerian elitism and the critical role elites have played in the political development of the country.⁵⁹ They subdivide the elites into the ruling/political class and the nonruling subelites.⁶⁰ The ruling class, which can be considered the *power-elite*, can be further partitioned into the political, military, and economic elites (minorities in the elite minority), and of these three, the preeminent group is members of the political elite.⁶¹

⁵⁴ *Ibid.*, 3.

⁵⁵ *Ibid.*, 3–4.

⁵⁶ Academics and intellectuals are not mentioned as among the elites (especially during the first few decades of Nigerian governance) because they tended to be more critics of the state. That is not to say that there are none to be found within the elite ranks.

⁵⁷ Odubajo and Alabi, “The Elite Factor in Nigeria’s Political-Power Dynamics,” 125.

⁵⁸ *Ibid.*

⁵⁹ *Ibid.*, 123.

⁶⁰ This subelite category is occupied by technocrats, managers, and civil servants; *Ibid.*, 126.

⁶¹ Although this is not the opinion of Odubajo and Alabi, they used this to give differing views of the elite hierarchy. To fully understand this viewpoint, see C. Wright Mills, *The Power Elite* (New York: Oxford University Press, 1999).

It is the political elite (the policy initiators) who determine the political and social forces of their generation. The “military [for 30-plus years was] the single most powerful group in Nigeria, with power to unseat any president who might threaten to go too far in the direction of reforms that could threaten their interests.”⁶² Military involvement in Nigeria could be seen at every level of the political sphere. More than thirty of the 56 years of Nigerian independence were under the control of one military junta or another.⁶³

Nigeria transitioned from military rule to a democracy in 1999; however, a strong military presence still existed. Retired military officers re-created themselves to hold positions as “presidential advisors, members of Parliament, senators, and governors.”⁶⁴ Prime examples are presidential candidate Ibrahim Babangida⁶⁵ (who ran for president in 2007 and 2011), former President Olusegun Obasanjo (1999–2007), and incumbent President Muhammadu Buhari (2015–present), all of whom were military dictators (see Table 3 for a list of former military heads of state). These former generals shed their military attire and dressed in business suits to better present themselves for presidential elections.⁶⁶

Ownership Structure

As with most petrol-dependent states, oil is the central component at all levels of governance in Nigeria. Its effects can be felt from the top levels of government to the lowly denizens who are attempting to eke out a living in the country. Not one person in Nigeria has

⁶² Gordon, *Nigeria’s Diverse Peoples*, 257.

⁶³ To put it another way, using years of rule as a baseline, Nigeria, its politics and its elites can be seen as being more militaristic and authoritarian in their makeup, than democratic.

⁶⁴ Amundsen, “Who Rules Nigeria?” 4.

⁶⁵ It is important to note that six out of the eight military leaders came from the North. This shows how much control the North has had over the military.

⁶⁶ *Ibid.*, 4.

been unaffected by oil, its revenues (or lack thereof), or its wastes. Institutional behaviors and policy development as they relate to natural resources in Nigeria depend on the country's natural-resource ownership structure, and the forms of legislations implemented to capitalize on the nation's natural-resource abundance.

Nigeria's natural-resource ownership structure and the government institutions that govern them are extremely important because the extractive industry is inextricably linked with the country's political and economic infrastructure. Thomas Tlou and Alec Campbell (1984) highlight four characteristics of a colonial economy that further illuminate the ownership structure chosen by Nigeria and later Botswana. Tlou and Campbell explain that,

1. The colonial power only develops those parts of the economy which largely benefit the colonisers. These are mainly exports to the colonisers own country. So one of the characteristics of a colonial economy is that it aims to develop products for export. But mon[ies] got from the exports in not used to benefit the colonised.
2. The colonial power puts little money into the colony to develop it. The colonial power gets the colony to pay for its own administration
3. The transport system (roads, railways etc.) is used for exports needed by the colonisers/.
4. Few developments which directly benefit the colonised takes place.⁶⁷

Pauline J. Luong and Erika Weinthal (2010)⁶⁸ claim that mineral-rich states are cursed not by their wealth derived from a point source resource but rather by the ownership structure and institutions they choose to manage their mineral wealth. They assert four ownership

⁶⁷ Thomas Tlou and Alec C. Campbell, *History of Botswana* (Gaborone, Botswana: Macmillan Botswana, 1984), 188.

⁶⁸ Pauline J. Luong and Erika Weinthal, *Oil Is Not a Curse: Ownership Structure and Institutions in Soviet Successor States* (New York: Cambridge University Press, 2010).

strategies exist in resource exploitation (oil exploitation in particular), (1) “State ownership with control (S₁),⁶⁹ (2) State ownership without control (S₂),⁷⁰ (3) Private domestic ownership (P₁),⁷¹ and (4) Private foreign ownership (P₂)”⁷² (see Table 1).

Although Luong and Weinthal focused on Soviet-successor states, their theory can be used in any oil-producing region of the world, and can even be used to describe the ownership structures of other types of point resources such as diamonds. Historically speaking, the initial ownership strategy of former colonized states tended to be influenced by the previous colonial strategy. Some newly independent states chose to stay as close to the existing colonial framework as possible whereas others endeavored to keep their distance. According to, Luong and Weinthal, all colonial governments imposed the same ownership structure on their resource-rich colonies: private foreign ownership (P₂).

The thought behind a specific structure is what dictates how the governing elites will relate with the resource and if the domestic population will benefit at all. While under colonial rule, the British were on the verge of finding oil deposits in Nigeria, with several prospective

⁶⁹ State ownership with control (S₁). The state must own the rights to develop the majority of petroleum deposits and hold the majority of shares (>50%) in the petroleum sector. Foreign involvement in the petroleum sector is limited either to participating in contracts that restrict their managerial and operational control, such as carried interest or joint venture or to operating as service subcontractors. *Ibid.*, 7.

⁷⁰ State ownership without control (S₂). The state must own the rights to develop the majority of petroleum deposits and hold the majority of shares (>50%) in the petroleum sector. Foreign investors are allowed to participate through more permissive contracts, such as production-sharing agreements, which grant them significant managerial and operational control. *Ibid.*

⁷¹ Private domestic ownership (P₁). Private domestic companies can own the rights to develop the majority of petroleum deposits and hold the majority of shares (>50%ercent) in the petroleum sector. *Ibid.*

⁷² Private foreign ownership (P₂). Private foreign companies can own the rights to develop the majority of petroleum deposits and hold the majority of shares (>50%) in the petroleum sector, usually via concessionary contracts. *Ibid.*

locations already being surveyed. Although they were unlucky and did not find much crude oil while they had the country under their control, they left a framework for extraction and exploitation that benefitted them more than Nigerians. Nigeria “struck oil” on the cusp of independence, before it had the chance to implement institutions for its proper governance. As described at length in the beginning of this chapter, the British virtually destroyed all customary institutions that would have benefitted the Nigerian people in governance of oil resources. Lack of customary institutions and knowledge (the ability to properly extract and exploit oil resources), led the governing elites to take on the ownership structure of state ownership without control.

Luong and Weinthal (2010) point out that this ownership structure limits the Foreign Investors (FIs) to the managerial role of mineral exploitation on behalf of the state. These FIs are concerned with exploitation of the mineral, not the people; therefore they can perform without consideration for the environment, which can and has sent shock waves that negatively affect the quality of life of Nigerian citizens.⁷³

Also, because these FIs are concerned with extraction and exploitation, they are not involved in aiding the state’s long-term development projects. Despite pressure for FIs to do more for local communities where oil is being extracted, they lack the political will to do so. Nigerian elites, who are known for their kleptocratic tendencies, have no desire to support any suggestions that would require them to increase governmental accountability regarding mineral rents accrued or how they are spent.⁷⁴

The current crude-oil industry in Nigeria does not truly benefit its denizens but instead is a metamorphosed version of a system used under colonialism. S. I. Ebohon (2012) observes that,

⁷³ *Ibid.*, 181–218.

⁷⁴ *Ibid.*, 187.

“[t]he Nigerian oil industry is a colonial construction designed to nourish Western industrial needs and economic development.”⁷⁵ A good example would be that of Shell and British Petroleum (BP), who received 100% of the land area of the country as an oil concession by the British colonial government in 1937.⁷⁶ Oil concessions such as these concretized who would benefit from the resource. Little if any revenue was pumped into Nigeria itself because the companies were beholden to the Crown and not to Nigerians.

Promptly after independence, Shell–BP’s monopoly on Nigerian oil concessions ended, allowing other companies such as Mobil and Texaco to share in a portion of the country’s oil exploration and exploitation concession (see Table 2). The postindependence Nigerian government saw little if any revenue from these foreign oil concessions because the multinational corporations (MNCs) and transnational oil companies (TNOCs)⁷⁷ were entirely private; production, distribution, and pricing of crude oil was decided by only a few foreign-owned companies⁷⁸. In short, MNCs kept everything closed off to the Nigerian government, such that Nigerians had no sense of how much oil was being extracted and shipped overseas, not to mention its true value.

Ebohon also points out that due to an absence of vital skills needed to explore for and exploit the country’s oil, indigenous capital had only a marginal participation in the industry. All

⁷⁵ S. I. Ebohon, “Nigeria: State, Oil and Malignant Underdevelopment,” *Western Journal of Black Studies* 36, no. 3 (2012): 204.

⁷⁶ Shell-BP did not discover oil until 1956 and Nigeria did not become an oil producer until 1958

⁷⁷ MNCs and TNOCs are often used interchangeably, but there is a slight but important difference between them. MNCs are international entities who have a central management system (normally headquartered in their country of origin) with subsidiaries. TNOCs do not have a central system of management (home base) and lack subsidiaries, Pediaa.com, “Difference between Multinational and Transnational,” 2015, <http://pediaa.com/difference-between-multinational-and-transnational/>.

⁷⁸ Ebohon, “Nigeria: State, Oil and Malignant Underdevelopment.”

knowledge to effectively exploit the resource was held and controlled by MNCs. Lacking agency in the matter of control and exploitation of its crude oil and by-products, in 1971 Nigeria established the Nigerian National Oil Corporation (NNOC),⁷⁹ which empowered the Nigerian government by 1974 to increase its interest in commercial discovery from 33.5% to 60% in each of the six major MNCs operating in the country⁸⁰ (see Table 2).

In 1977 the NNOC merged with the country's former petroleum ministry and formed the Nigerian National Petroleum Corporation.⁸¹ But due to a lack of ability to mine and market crude oil, the corporation had to partner with existing foreign companies, who were still able to conduct operations unimpeded by the Nigerian state. The failed policies and inaction of the Nigerian National Petroleum Corporation undermined the country's ability to know the volume of oil being exported and how much they should be compensated. This caused the government to insert a clause in concessions, giving them a certain percentage in participating interests in the event of commercial oil discovery. During the decade of the country's first oil boom, Nigeria took an unprecedented turn in maturity. It nationalized its oil industry in 1979, which increased its participation to 100%.

Natural Resource Legislation

As previously mentioned, state ownership without control is Nigeria's ownership structure. All land in the country is, by law, owned by the state, enabling the federal government

⁷⁹ NNOC was formed by the government in 1971 as a vehicle for managing Nigeria's indigenization policy in the oil sector; *Ibid.*

⁸⁰ *Ibid.*, 204–5.

⁸¹ “The NNPC served as an operating company and as such exercised the power to conduct research on oil and invest in new oil-related activities. It did drill 42 explorations and appraisal well between 1974 and 1984 but never developed any of its discoveries” Ann Genova, “Nigeria's Nationalization of British Petroleum,” *International Journal of African Historical Studies* 43, no. 1 (2010): 118.

to retain the preponderant part of the oil revenues and rents. Land ownership was more a product of decree than a mutual understanding between governing elites and their constituents. To understand Nigeria's version of state ownership without control, one must historically track how legislation and its many changes have enabled the government of Nigeria to take on this form of ownership. One common theme emerging in this history is how alliances among MNCs, TNOCs, and the Nigerian state have benefited everyone involved except the host communities where oil is currently exploited.⁸²

Preindependence

Minerals Oil Ordinance No.17, enacted in 1914, gave Shell–BP Nigerian land in its entirety as an oil concession. Although Shell–BP is no longer the sole MNC in Nigeria, it still retains the majority of onshore mining and oil production in the Delta region⁸³ (see Figures 4 and 5 for an illustration of Niger Delta Oil Fields).

The Minerals Ordinance of 1945 determined that “The entire property and control of all minerals and mineral oil, in, under, or upon any land in Nigeria, and of all rivers, streams, and watercourses throughout Nigeria, is and shall be vested in the CROWN.”⁸⁴ This ordinance stripped indigenous inhabitants of their rights to the land the wealth derived from it in favor of British oil exploration. Now out of “fairness.” the ordinance did provide the “landowner”

⁸² The following legislative timeline is taken from Kenneth Omeje, “Avoiding the Natural Resource Curse,” *Africa Insight* 42, no. 4 (2013): 95–99.

⁸³ The Delta Region of Nigeria is approximately the size of Scotland and is home to over 30 million people of various ethnicities and languages. Today, the Niger Delta is home to the top oil-producing states in Nigeria. Eighty percent of all crude oil production is derived from the states of Akwa-Ibom, Rivers, Delta and Bayelsa. The remaining 20% is derived from the states of Cross River, Imo, Abia, Anambra, Ondo and Lagos (new to the list of oil-producers) Sherif OS, “List of Oil Producing States in Nigeria and NDDC: Facts You Must Know,” *NaijaQuest*, 2016, <http://naijaquest.com/list-of-oil-producing-states-in-nigeria-and-nddc-facts-you-must-know>.

⁸⁴ Omoruyi, “The Politics of Oil,” para. 5.

(defined through customary law) compensation for economic crops but not for the land or its minerals.

Postindependence

Directly following independence, MNCs and TNOCs had control over Nigeria's oils industry. With the creation of the NNOC in 1971, the Nigerian government started to get its bearings. The Indigenization of Foreign Enterprises Decrees of 1972 and 1977 enabled the government to increase its interest in commercial discovery from 33.5% to 60% interest.⁸⁵

In line with the rule of succession,⁸⁶ Nigeria promulgated the Land Use Decree (Act) of 1978, which gave the Nigerian state all rights to the land of the country, virtually stripping the people of any rights provided by the customary land-tenure system for land and its minerals. Said land decrees neither made provisions for shared power between the federal and state governments nor between the federal government and oil-producing communities.⁸⁷ This process not only further marginalized oil-producing communities in the Delta region, but also inhibited them from negotiating directly with MNCs and TNOCs over access to land and remuneration.⁸⁸

⁸⁵ Ebohon, "Nigeria: State, Oil and Malignant Underdevelopment."

⁸⁶ "Succession occurs when one state ceases to exist or loses control over part of its territory, and another state comes into existence or assumes control over the territory lost by the first state. A central concern in this instance is whether the international obligations of the former state are taken over by the succeeding state. Changes in the form of government of one state, such as the replacement of a monarchy by a democratic form of government, do not modify or terminate the obligations incurred by the previous government" "Succession of States," *West's Encyclopedia of American Law*, 2016, <http://legal-dictionary.thefreedictionary.com/Succession+of+States> (accessed October 24, 2016).

Note: The Nigerian state became the successor to the British Crown after October 1, 1960, according to this rule.

⁸⁷ Omoruyi, "The Politics of Oil."

⁸⁸ P. Francis and S. Sardesai, "Republic of Nigeria: Niger Delta Social and Conflict Analysis," Sustainable Development Department: Africa Region, World Bank, 2008.

Derivation

As previously mentioned in reference to ownership of resources, Nigeria chose to employ an ownership structure based on that of the former British colonial government, and like the British, Nigeria did implement derivation principles in revenue distribution from oil.⁸⁹ Idemudia (2012)⁹⁰ focused on policy initiatives created by the Nigerian government to address different aspects of oil-revenue disbursement in oil-producing regions of the country. The creation of Oil Producing Area Development Commissions was one of the strategies implemented to decentralize oil revenue.

Idemudia (2012) explains that the main reason for such commissions came about due to a change in policy in the postindependence period. Before oil became the main source of revenue in Nigeria, the principle of derivation was largely the basis for revenue allocation, meaning that as much as 50% of the proceeds from any mineral extracted from any region of the country was paid to that region.⁹¹ For cash crops, a 50/50 split would ensue between cash-crop-producing regional governments and the central government.⁹² Derivation allowed each region to develop according to what natural resource could be exploited there.

Consequently, oil-producing regions fared better than many states in the north and east, which led to revision in the derivation policy. When oil became the life blood of the economy, the derivation principle was abandoned and revenue distribution was divided using population,

⁸⁹ Omoruyi, "The Politics of Oil," para. 9.

⁹⁰ Uwafiokun Idemudia, "The Resource Curse and the Decentralization of Oil Revenue: The Case of Nigeria," *Journal of Cleaner Production* 35 (2012): 183–93, doi:10.1016/j.jclepro.2012.05.046.

⁹¹ *Ibid.*

⁹² Omeje, "Avoiding the Natural Resource Curse," 97; Bamidele A. Ojo, ed., *Problems and Prospects of Sustaining Democracy in Nigeria* (Huntington, NY: Nova Science, 2001), 197.

need, and equity principles; in the 1980s, principles addressing social development and internal revenue were added. According to Idemudia (2012),

[B]y the 1990s the weighting criteria fully metamorphosed into population (30%), equity (40%), land (10%), social development (10%), and internal revenue (10%). As a result, the derivation principle was revised from 50% to 20%, 0%, 1.5% and then 13% in 1975, 1979, 1982, 1992 and 2001, respectively. [This basically meant that] the five southern oil producing states which accounted for 90% of oil revenue received 19.3% of allocated revenue, and the five northern non-oil producing states conversely receiving 26% of the allocated federal revenue.⁹³

This policy reversed the economic situation of states in the north and south. But in July 2002, former

President Obasanjo signed an executive order distributing the remaining 87% of oil revenues in the following manner: 56% to the federal government, 24% to the state governments and 20% to the local governments. For that particular month, this equated to \$526 million for the federal government, \$347 million for the states and \$223 million for the local governments.⁹⁴

Then in 2014,

The revenue in the Nigerian federation is distributed in the following proportions: 48.50% to the Federal Government, 26.72% to the states, 20.60% to the local government councils, and 4.18% to centrally control special funds. Now in terms of how the states and the localities the percentage breakdown is as follows: equal shares to each state or locality at 40%; population at 30%; social development needs at 10%; land mass and terrain at 10% and internal revenue generation efforts at 10%.⁹⁵

The reason for the foregoing quotations on derivation was to show how the Nigerian Ministry of Finance has been unable to develop a revenue-distribution policy that works. By 2001, several oil commissions were created to shorten the distance between the oil-producing communities and the federal government, in theory reducing the space for corruption. This would decentralize oil revenues and hope to boost infrastructural development. By July 2002,

⁹³ Idemudia, "The Resource Curse and the Decentralization of Oil Revenue," 186.

⁹⁴ Francis and Sardesai, "Republic of Nigeria."

⁹⁵ Nathaniel Umukoro, "Democracy and Inequality in Nigeria," *Journal of Developing Societies* 30, no. 1 (2014): 14, doi:10.1177/0169796X13516340.

over half a billion dollars was allocated to state and local governments. However, those funds did not translate to much infrastructural development or improvements to benefit the common citizens of these locales. Instead, these policies aided in the proliferation of corruption and uneven disbursement of revenue, precluding development in oil-producing regions as well as others around the country. The government's inability to decide on and maintain a plan, as well as properly empowering the institutions created to reduce corruption and boost development, has allowed the continuation of rent-seeking activities to continue leading to the gradual failure of these organizations.⁹⁶

To further complicate the issue, the government on the macro level has not done a good job with the revenue it receives either. Revenue distribution in 2014 was 48.50% to the federal government, 26.72% to the states, 20.60% to local government councils, and 4.18% to centrally controlled special funds. Of those funds, it cost Nigerians \$8.3 billion to pay the salaries and allowances of holders of political office.

Umukoro (2014)⁹⁷ points out that for every dollar spent on developing capital infrastructure, two dollars are committed to paying the salaries of politicians. By increasing the amount given in allowances and decreasing the amount given in salaries, these politicians have found a loophole that allows them only to be taxed on 11% of their take-home pay. To make this figure more relatable to someone in the United States, the Nigerian Senate president's annual package amounts to about \$3.6 million of which he is taxed on 11%. In contrast, the U.S. president's annual package is about \$400,000, of which the president is taxed on almost 90%.⁹⁸

⁹⁶ Idemudia, "The Resource Curse and the Decentralization of Oil Revenue."

⁹⁷ Umukoro, "Democracy and Inequality in Nigeria."

⁹⁸ Japheth J. Omojuwa, "Nigeria: The Worst and Most Inhuman Subsidy!" Sahara Reporters, 2011, <http://saharareporters.com/2011/12/23/nigeria-worst-and-most-inhuman-subsidy>.

That is a 1:6 ratio of Nigerian senator to U.S. executive. What makes the matter more unequal is that these inflated salaries are funded by borrowed money, resulting in an increase in the nation's total debt. These incidents of mismanagement run contrary to effective methods of governance at the federal, state, and local levels.

Leaders have made several attempts to distribute revenue to the local people in Nigeria, but due to the lack of political will by elites throughout the country, many or all institutions and their policies have failed to do the *most good* for the majority of the people. This is a prime example of how plans, institutions, and policies that lack the political will of ruling elites leads to inefficiency and stagnation. Being both a direct and indirect claimant, the state is supposed to ensure that the domestic population receives shares from the proceeds of oil revenues (even if only through services) to prevent developmental disparities. As is apparent in the case of Nigeria, neither the fused elite nor oil elites have benefitted the preponderance of the people of this nation.

Chapter 2 – Botswana

The Republic of Botswana⁹⁹ “the African economic miracle” is a semiarid, landlocked¹⁰⁰ country located in southern Africa. It is bordered by four¹⁰¹ countries, occupies over 224,607 square miles (581,729 square kilometers),¹⁰² and has a population of a little over two million. It is slightly smaller than Texas and comparable in size to the European nation of France and the African nations of Madagascar and Kenya. Botswana is composed of five main ethnic groups, and nine¹⁰³ major languages.

The Republic of Botswana is the African continent’s longest continuous multiparty republic. It is divided into 16 Administrative Districts and associated Councils.^{104 105} Botswana

⁹⁹ Formerly the British protectorate of Bechuanaland. Bechuana was the archaic name of the Batswana

¹⁰⁰ One of fourteen landlocked countries on the African continent

¹⁰¹ Bordered by South Africa in the South / Southeast; Namibia to the West; Zambia to the Northeast—at a single point (Kazungula on the Zambezi river)—and Zimbabwe to the Northeast

¹⁰² Two-thirds (>70%) of which is made up of the Kalahari Desert (Kgalagadi). Only about 4% of land is arable, which is the main reason for roughly 80% of the Batswana living along the eastern portion of the country; Acemoglu, Johnson, and Robinson, “An African Success Story.”

¹⁰³ “Setswana 77.3%, Sekalanga 7.4%, Shekgalagadi 3.4%, English (official) 2.8%, Zezuru/Shona 2%, Sesarwa 1.7%, Sembukushu 1.6%, Ndebele 1%, other 2.8%”; Central Intelligence Agency “Botswana,” 2016, <https://www.cia.gov/library/publications/the-world-factbook/geos/bc.html> (accessed September 23, 2016).

¹⁰⁴ *Gaborone, *Francistown, **Selebi-Phikwe, **Lobatse, **Jwaneng, ***Sowa Township, Southern, South East, Kweneng, Kgatleng, Central, North East, North West, Chobe, Ghanzi and Kgalagadi; Ministry of Finance and Development Planning, “Botswana National Development Plan 10,” 2011, 3, 5, http://www.gov.bw/en/Ministries--Authorities/Ministries/Ministry-of-Finance-and-Development-Planning1/NDP10/The-Plan/?p_id=2796. Note: * = City Councils, ** Town Councils, *** Township Authority

¹⁰⁵ The governing elites of Botswana produced reforms that restructured or created four new local institutions: district/town councils, land boards, district administrators (who were the central governments local representatives), and the dikgosi’s tribal administration. The first three mentioned were used to help marginalize the power held by the dikgosis to address custom and justice areas; David Sebudubudu and Patrick Molutsi, “Leaders, Elites and

has three main branches (legislative, executive, and judiciary) of government (see Figure 5), which are governed by its constitution.¹⁰⁶

Like Nigeria, Botswana is also a resource-dependent country and was under British control since the Scramble for Africa. But what makes Botswana unique is that it has not fallen into the trap of the resource curse as did Nigeria. In fact, Botswana “is heralded for its democratic achievements, political stability, good governance, relatively low levels of corruption, absence of violence, staggering economic growth [etc.]”¹⁰⁷

Institutions in the Precolonial Period

Precolonial Batswana states had low population densities but had highly centralized systems of governance with the *kgosi* (chief) as the central figure. The *kgosi* was the heart of the *morafe* (tribe), without whom nothing could be done. The *kgosi* was the executive, judicial, and legislative leader and through his ruling, justice was dispensed. “His authority was exercised through a hierarchy of relatives and officials and ward headmen.”¹⁰⁸ He was the voice of the people and thus, during colonization, the one with most contact with the colonial administration.¹⁰⁹

A typical Batswana *morafe* had many levels. The first level consisted of those who were considered the ruling class (consisting of the *kgosi* and his family) who could trace their lineage

Coalitions in the Development of Botswana,” Research Paper no. 2, Leaders, Elites and Coalitions Research Programme, World Bank, 2009.

¹⁰⁶ Botswana has had one constitution for the life of the country, which has been amended several times, the last being in 2016.

¹⁰⁷ Jacqueline Solway, “‘Culture Fatigue’: The State and Minority Rights in Botswana,” *Indiana Journal of Global Legal Studies* 18, no. 1 (2011): 213, doi:10.2979/indjglollegstu.18.1.211.

¹⁰⁸ Acemoglu, Johnson, and Robinson, “An African Success Story.”

¹⁰⁹ Tlou and Campbell, *History of Botswana*, 72.

back to Mogale (the founder of the Batswana). The second level consisted of Batswana¹¹⁰ who broke away from their *kgosi* (which was a common occurrence) and joined a new *morafe*, living in wards¹¹¹ located in the central village. The third level consists of the non-Batswana¹¹² whose wards were located on the outskirts of the village or in a separate village altogether. The fourth and final level were the Basarwa (San) who were marginalized and forced to live far from the village and never were granted the rights of citizens of a *morafe*. They were mostly denigrated to acts of indentured servitude because they were considered to be inferior. The closer one was to the *kgosi*, the higher they were in economic and social class.¹¹³

All levels of societal organization emulated this class structure. In the primary social units, each family was under the authority of a male head of household, and each ward was under the leadership of a hereditary chief. In other areas of communal life, military-age regiments were created as a group of boys were initiated into manhood, and age regiments existed for girls as well. Each regiment (male or female) was led by the son, daughter, or close family relative of the *kgosi*, and, depending on age, each had specific duties they were expected to perform.¹¹⁴ This

¹¹⁰ According to Ramsay, Mgadla and Morton the origin of the term Batswana comes from ‘ba a tswana’ (those who come from each other) or ‘ba a tshwana’ (they are the same people) connoting the tendency of the Batswana to split and form new *merafe*, Jeff Ramsay, Part Themba Mgadla, and Barry Morton, *Building a Nation: A History of Botswana from 1800 to 1910* (Gaborone, Botswana: Longman Botswana, 1996), 25.

¹¹¹ “The ward constituted of numerous families, descendants of a common ancestor, or in other ways considered related, living together in a separate section of the village” Ellen Hillbom, “Cattle, Diamonds and Institutions: Main Drivers of Botswana’s Economic Development, 1850 to Present,” *Journal of International Development* 26, no. 2 (2014): 161, doi:10.1002/jid.2957.

¹¹² These non-Batswana consisted of people such as the Amandebele, Babirwa, Balozi, Bakalanga, Batswapong, and Ovambanderu; Tlou and Campbell, *History of Botswana*, 73.

¹¹³ As with many civilizations around the world, Batswana class structure and societal stabilization was maintained through marriage. It was through these marriages that the *dikgosi* were able to strengthen their respective *morafe*.

¹¹⁴ *Ibid.*, 75–76; Hillbom, “Cattle, Diamonds and Institutions,” 161.

breakdown and acceptance of hierarchical structures ranging from tribal status, seniority, age, and gender has been one of the key factors in strengthening the *morafe*. That, linked with the relative freedom of speech and right to be heard in the *kgotla*,¹¹⁵ is one of the primary precolonial heritage forms of good institutions that enabled Botswana's political structures to far outperform its contemporaries in sub-Saharan Africa.¹¹⁶

The *kgotla* “as a traditional system was and still is an institution serving as a forum for policy formulations, decision making, including political and economic developmental activities and judiciary on litigations.”¹¹⁷ The *kgotla* allowed all members of the precolonial Tswana community, regardless of where they fell in the social hierarchy, to participate and air their grievances. This inclusive institution allowed royalty and commoners equal participation in the decision-making process.¹¹⁸ Forums like the *kgotla* kept *dikgosi* accountable to their subjects, while simultaneously placing constraints on their rulership.¹¹⁹

Colonialism

According to Tlou and Campbell (1984), European colonization was carried out by three different methods: (1) conquest (thanks to technological advances), (2) trickery (through signing of treaties that resulted in transfer of ownership of indigenous land rights), and (3) indigenous

¹¹⁵ “The *kgotla* was an important tool for keeping the *kgosi* and his advisors accountable to the public as well as a way of guaranteeing some level of freedom of speech to his subjects...” Hillbom, “Cattle, Diamonds and Institutions,” 161.

¹¹⁶ Ideas about societal class structure taken from Ramsay, Mgadla, and Morton, *Building a Nation*; Tlou and Campbell, *History of Botswana*.

¹¹⁷ Piwane C. Moumakwa, “The Botswana *Kgotla* System,” University of Tromsø—The Arctic University of Norway, 2010, 3, <http://munin.uit.no/bitstream/handle/10037/3211/thesis.pdf>.

¹¹⁸ *Ibid.*, 4.

¹¹⁹ David Sebudubudu and M. Z. Botlhomilwe, “The Critical Role of Leadership in Botswana's Development: What Lessons?” *Leadership* 8, no. 1 (2012): 36, doi:10.1177 /1742715011426962.

rulers willingly subjecting themselves and their people to a European power for protection.¹²⁰

The third method was the one used in Botswana, due to constant threats and attacks by neighboring African ethnic groups and the South African Boer. However, it was mostly due to the outside threat of invasion from White-settler colonies in South Africa and Zimbabwe that the Batswana requested British protection¹²¹ (see Figure 6). After repeated requests by British missionaries, traders, administrators and Batswana *dikgosi*, the Crown declared Botswana a protectorate in 1885.¹²²

Indirect rule was the form of colonial administration adopted in Botswana during its time as a Protectorate,¹²³ but the British never wanted Botswana. The British never truly wanted to make it a protectorate because it was not rich in known natural resources at that time. The boon Botswana had of British interest was cattle and the fact that “The Road to the North” traversed the eastern portion of the country.

The colonial government stressed this point in stating,

We have no interest in the country to the north of the Molohe [the Bechuanaland Protectorate], except as a road to the interior; we might therefore confine ourselves for

¹²⁰ Tlou and Campbell, *History of Botswana*, 143.

¹²¹ These requests for protection went unanswered from the 1850s to the 1870s because Botswana at that time held no strategic or monetary value.

¹²² Thanks to competition between the British, Germans and Boers over the ‘Road to the North’ or ‘Missionary road’ (a road that started in the Cape and traversed Eastern Botswana and ended in Western Zambia). This road was economically important to British capitalists who owned diamond and gold mines in Southern Africa, and if any of the other parties gained control of said route, it would endanger British interests in the interior; *Ibid.*, 142–53, 175. Botswana also served as a way to contain German and Boer expansionism and facilitate the British need for a route to the interior; Acemoglu, Johnson, and Robinson, “An African Success Story,” 12.

¹²³ Per international law, a protectorate is a form of international guardianship where a weaker state surrenders by treaty to the management (in whole or part) of a stronger state to acquire protection as well as other advantages; “Protectorate (International Law),” *West’s Encyclopedia of American Law*, 2016, [http://legal-dictionary.thefreedictionary.com/Protectorate+\(international+law\)](http://legal-dictionary.thefreedictionary.com/Protectorate+(international+law)) (accessed September 23, 2016).

the present to preventing that part of the Protectorate being occupied by either filibusters or foreign powers doing as little in the way of administration or settlement as possible.¹²⁴

Botswana was never considered a White-settler¹²⁵ colony (where Whites administered the colony on behalf of Britain), but a nonsettler version where the cheapest system of administration was indirect rule. Britain had no intention to develop its colonies beyond what was needed to extract resources.

It was not until 1891 (six years after being declared a protectorate) that a proper administration was established in what is Botswana today. This new system transitioned from indirect rule with limited colonial influence and continued precolonial economic structures into a parallel or dual system of administration (where colonial influence^{126 127} would increase to the chagrin of the indigenous *dikgosi* from the 1930s to 1966). This dual system would be a “White” man’s administration based on British law and an African administration based predominantly on Setswana law and custom.

Batswana Elite

Botswana has had low population density since its precolonial days, having no centralized or universal monarchy or single dominant ethnic group.¹²⁸ However, Botswana did

¹²⁴ Louis A. Picard, *The Politics of Development in Botswana: A Model for Success?* (Boulder: L. Rienner, 1987), 36.

¹²⁵ White-settler (European) population remained around 1% as derived from Seidler, “Why Did Botswana End Up with Good Institutions,” 3.

¹²⁶ The increase of colonial influence on Batswana after nearly 50 years of neglect was due to the British desire to better control and exercise its authority over the *dikgosi*; Acemoglu, Johnson, and Robinson, “An African Success Story,” 14.

¹²⁷ “The presence of British staff in the Protectorate remained low. In 1915, the British administration counted 277 members of staff, of which 90% were police guarding the border. In the mid-1930s, only 22 non-police administrators were permanently stationed within the Protectorate”; Seidler, “Why Did Botswana End Up with Good Institutions,” 17.

¹²⁸ It is important to point out that, although Botswana did not have a single dominant ethnic group, the various ethnic groups within its borders were not the same size. None of them

have highly centralized systems of governance with the *kgosi* as the central figure, and it is at this level traditional Tswana elites ruled. During their time as a protectorate, various Tswana-speaking groups had their respective *kgosi* and lived in distinct geographical locations called “Native Reserves”¹²⁹ (see Figure 7). Groups of non-Tswana speaking origin lived in locations called Crown Lands¹³⁰ while White settlers (those of English and Afrikaner origin, and a sparse Indian population) inhabited freehold land located outside of the reserves and Crown Lands (predominantly in the fertile eastern parts). From these groups came a new Western-educated elite whose Christian-liberal and democratic views would come to challenge those of the older traditional elites.

According to Sebudubudu and Molutsi (2009) several generations of this new Western-educated elites date back as early as the 1920s: First generation 1920–1950, second 1950–1970, third after 1970. It is important to understand that the first generation was comprised, and still to some larger extent continues to comprise political elites, due to two factors: (1) the clear majority were children from royal families, and (2) due to their class they were socially and economically tied to the agricultural economy (cattle ownership in particular) upon which most of the population still relies to make a living.

The second and third generations, although better educated than the first, comprised public-service elites. It is this second and third generation of educated elites that have been

were big enough to dominate others politically, economically, or socially; Sebudubudu and Molutsi, “Leaders, Elites and Coalitions in the Development of Botswana,” 8.

¹²⁹ There were eight Native Reserves: the Reserves of Bangwato (Babirwa, Bapedi, Baherero, Basarwa, Batswapong ethnic groups resided with this reserve as well), Bakwena, Bangwaketse (Bakgalagadi, Basarwa, Bakaa and others lived on the reserves of both the Kwena and ngwaketse), Batawana, Bakgatla, Balete, Barolong and Batlokwa. These eight main tribes are the ones alluded to in the constitution. *Ibid.*

¹³⁰ In these locations, one could find people of Afrikaner origin and the Bakalanga *Ibid.*

critical in policy formation and implementation.¹³¹ In short, the Botswana elites of today can best be described as a *coalition* of sorts. They comprise the following subgroups: “elected representatives (at both [the] local and national level), the traditional leaders [the *dikgosi* and their close relatives], top-level bureaucrats, the business elite, and rich farmers ... trade union leaders and intellectuals.”¹³² Members of this coalition of elites can be overlapped into several categories, and the new elite (educated Batswana of different racial and ethnic groups) are dispersed among all categories.

Modern Batswana elites are the members of a coalition comprised of the *dikgosi*, their acolytes, and the Western-educated elites of various racial and ethnic backgrounds. Thus, their modern institutions are also a blend of old and new. Martin (2008) explains that, “Botswana’s modern political institutions evolved from both the traditional (pre-colonial) Tswana culture, and the British influence introduced during the Protectorate years.”¹³³

The House of Chiefs¹³⁴ is one such example of governmental synchronicity. It is a key group situated in the bicameral legislature (but not officially part of the legislative body), which links the traditional with the modern (see Figure 5). The House of Chiefs was created to recognize the *dikgosi* in newly independent Botswana while limiting their power in the new political apparatus.¹³⁵ The House of Chiefs comprises no less than 33 and no more than 35

¹³¹ *Ibid.*, 26–27.

¹³² I. S. Malila, “Starting First and Finishing Last: Democracy and Its Discontents in Botswana,” *Society in Transition* 28, no. 1–4 (1997): 22, doi:10.1080/10289852.1997.10520127.

¹³³ Martin, “A Closer Look at Botswana’s Development,” 40.

¹³⁴ Ntlo ya Dikgosi (Tswana for “House of Chiefs”)

¹³⁵ “Seretse Khama ensured that the House of Chiefs became a talking shop that gave the chiefs no real power over legislation. Once in power, the BDP passed legislation that progressively stripped the chiefs of their residual powers, such as over the allocation of lands. Particularly important were the Chieftancy Act of 1965 [which formalized the chiefs traditional powers] and the Chieftancy Amendment Act of 1970”; Acemoglu, Johnson, and Robinson, “An

members,¹³⁶ eight of whom are the hereditary *dikgosi*¹³⁷ from the eight recognized *merafe* (Barolong, Bangwato, Balete, Batlokwa, Bakwena, Bakgatla, Bangwaketse, and Batawana) during the colonial period, as set out in the constitution. Five are appointed by the President, four are elected members who come from the “subchiefs” of the four administrative divisions (Chobe, North East, Ghanzi, and Kgalagadi)¹³⁸ and the remaining members (which cannot exceed 20) are elected from among the people in specifically designated regions. The aforementioned twelve elect the last three members from among the people.¹³⁹ Although the House of Chiefs is purely used as an advisory body to Parliament, advising the National Assembly on matters of their respective *merafe*, customary laws, and land, they have tribal legitimacy and preserve traditional forms of solidarity while simultaneously preventing the fracturing of the country along tribal lines.¹⁴⁰

Sebudubudu and Botlhomilwe (2012) quoting Taylor¹⁴¹ further explain the incorporation of the traditional into the modern in Botswana saying,

African Success Story,” 16; Seidler, “Why Did Botswana End Up with Good Institutions,” 25.

¹³⁶ Many sources have stated and continue to state that the number is around 15 (eight chiefs, four subchiefs and three elected among the people). This number has been recently expanded in the constitution to no more than 35 and no less than 33. Currently the number is 35. Note: Members of the House of Chiefs cannot sit in the Assembly

¹³⁷ These eight are members for life, while the other members of the House of Chiefs serve five terms.

¹³⁸ These are areas where other tribes are in a majority and they select their representatives from among their population.

¹³⁹ *Botswana Constitution* (Geneva: World Intellectual Property Organization, 2006), <http://www.wipo.int/edocs/lexdocs/laws/en/bw/bw008en.pdf>.

¹⁴⁰ Sénat, “The Botswanan House of Chiefs,” <http://www.senat.fr/senatsdumonde/English/botswana.html> (accessed October 17, 2016).

¹⁴¹ Ian Taylor, “Botswana’s ‘Developmental State’ and the Politics of Legitimacy,” Working paper University of Sheffield, UK, 2002, 9.

Whilst traditional elites thus were seemingly incorporated into state structures in independent Botswana, the potency of their new found roles was profoundly circumscribed. This at one blow meant that potential opposition to the new government was dissolved and a potential site of alternative power removed. Instead, the traditional rulers, dependent on the state for official recognition, served as facilitators for the implementation of policy, particularly in the rural areas. Whilst accorded respect and status, their role within Botswana was re-invented and chiefs became agents of the government at grassroots level, communicating at the *kgotla* (village assembly) information from the state for developmental purposes – in many respects acting as intellectuals in participating in a particular conception of what was going on in Botswana and contributing to that conception by communicating this to their tribesmen.¹⁴²

Revisiting the *Kgotla* (see Figure 8) shows how it has been preserved in the modern governmental organization. “The Kgotla is found in almost all the different tribal communities in Botswana. It is presided over by the *Dikgosi* (chiefs) and *Dikgosana* (headmen) for *dikgotlana* (wards) depending on the demographic features.”¹⁴³ It must be emphasized that,

Botswana’s [present] democratic setup is based on Tswana culture and principles of participation, consultation and consensus through the *kgotla* forum, which is a highly regarded traditional meeting place or parliament presided over by a chief; this has remained central to the governance system of modern Botswana and the country’s leaders have upheld these principles – of participation, consultation and consensus – since independence.¹⁴⁴

Thus, the central government’s capitalization on the legitimacy of indigenous hierarchical institutions (the House of Chiefs and the *Kgotla*), by their incorporation into modern political and social functions, helped solidify the government’s legitimacy with the entire population.

Ownership Structure

Botswana’s natural-resource-ownership structure is that of state ownership with control (see Table 1). Luong and Weinthal (2010) explain that this ownership structure is,

¹⁴² Sebudubudu and Botlhomilwe, “The Critical Role of Leadership in Botswana’s Development,” 36.

¹⁴³ Moumakwa, “The Botswana Kgotla System,” 6.

¹⁴⁴ Sebudubudu and Botlhomilwe, “The Critical Role of Leadership in Botswana’s Development,” 36.

The most coveted form of ownership from the perspective of governing elites because it provides the government with the greatest amount of decision-making authority over the mineral sector and most direct access to its proceeds... [T]he government not only exercises the sole authority to make decisions about exploration, production, and export of the country's mineral reserves, but also enjoys the status of the direct claimant to the revenue generated from these activities.¹⁴⁵

Natural Resource Legislation

Preindependence institutions in Botswana were formed to facilitate exploitation of the nation's sole resource, cattle. In the precolonial phase of Botswana's societal history, cattle was the foundation on which the rural economy functioned. These "cattle were either held in common by the *morafe* and managed by their respective *dikgosi* or held as private property belonging to wealthy members of society."¹⁴⁶ One of the first institutions created during this time revolved around the precolonial cattle industry. Common people owned few if any bovine livestock; therefore precolonial Botswana had an institution that developed patron-client relationships, called *mafisa*.

Valentin Seidler (2010) explains that *mafisa*, an indigenous institution of nonmarket allocation, was a custom,

whereby a cattle owner could allocate some or all of his herds to a third person. The owner would keep the rights of ownership, profits and offspring while reducing management costs and the risk of disease. The recipient could use the cattle for ploughing and the production of milk and would be entitled to some of the calves. This enabled non-cattle owners to begin their own herds. A chief himself an important owner of herds could use a similar arrangement ("kgamelo") to bind commoners politically.¹⁴⁷

This sharing of communal property (in this case cattle) placed the *dikgosi* in a well-respected position because they were not only the hereditary leaders of their respective *morafe*, but they allowed commoners access to cattle to ameliorate their lives, which allowed them to

¹⁴⁵ Luong and Weinthal, *Oil Is Not a Curse*, 46.

¹⁴⁶ Hillbom, "Cattle, Diamonds and Institutions," 162.

¹⁴⁷ Seidler, "Why Did Botswana End Up with Good Institutions," 14.

build further on traditional loyalties. Even in modern-day Botswana, the *dikgosi* and other wealthy elites have an abundance of cattle, and this system of *mafisa* and other indigenous systems served as an important way to build networks and institutions.

Several Tswana initiatives ran parallel to those of the colonial administration regarding development of the cattle industry. In 1920, initiatives of the Bakgatla enabled them to use native funds to develop the first large-scale water-development scheme in the country.¹⁴⁸ Hillbom (2014) points out that the colonial administration invested in water resources, veterinary fences, an abattoir, and extension services not for the benefit of the indigenous population but to develop the export sector.¹⁴⁹ But where credit can be given to the indigenous elites is that they were able to later maintain and capitalize on whatever was left behind by the British during the postindependence period. From 1930 to 1975 the cattle industry accounted for approximately 85% of export earnings, and the newly independent Botswana elite continued to invest in the development of water points, access to veterinary services, building veterinary fences, and setting up the Botswana Meat Commission.¹⁵⁰

Postindependence Botswana saw several acts and policies take shape for natural resources. In 1968 two acts were legislated—the Water Act¹⁵¹ and the Tribal Land Act¹⁵²—based

¹⁴⁸ In all fairness, true development of the cattle industry was the result of the heavy investment by the colonial administration.

¹⁴⁹ Hillbom, “Cattle, Diamonds and Institutions,” 69; Tlou and Campbell, *History of Botswana*, 188.

¹⁵⁰ Hillbom, “Cattle, Diamonds and Institutions,” 70; “The BMC is a traditional type of marketing board that is a monopsony purchaser of cattle from ranchers. It sets the prices and sells the beef on regional and world markets. The BMC has been largely controlled by cattle interests and aided the development of the industry”; Acemoglu, Johnson, and Robinson, “An African Success Story,” 18.

¹⁵¹ “Vested the responsibility for granting water rights in a government organization, the Water Apportionment Board”; Hillbom, “Cattle, Diamonds and Institutions,” 70.

on aspects of Tswana customary law: communal ownership of agricultural resources and private user rights. The Tribal Land Policy of 1975,

divide[d] of land into three different categories: communal (staying under the authority of the Land Boards working under the principles of customary tenure), commercial (giving groups and individuals exclusive rights in the form of leasehold tenure) and reserve (for future use and wildlife).¹⁵³

The Tribal Land Act not only shifted the custodianship of tribal lands from the *dikgosi*¹⁵⁴ to the government but also allowed the government to purchase underused freehold land. These policies were created to increase job creation and production, improve conservation management, and ensure the reservation of land for succeeding generations.¹⁵⁵ These are but a few examples of how Botswana's coalition of elites used legislation supported by indigenous institutional systems to govern agricultural resources surrounding the cattle industry. Another industry arose around minerals.

Other than the cattle industry, which accounted for approximately 85% of export earnings during the colonial and nascent independent periods, Botswana had no significant economic growth. That all changed in 1967 when the relatively small mining sector at the time discovered significant diamond deposits. By 1975, the now diamond-led economy caught up with and surpassed the preexisting cattle-based economy. With the arrival of diamonds, the political elite¹⁵⁶ had to decide how to handle this resource. First, they had to decide how they were going

¹⁵² "For the enforcement of th[is] ... legislation, 12 Land Boards were created in 1970 with the responsibility of allocating land"; *Ibid.*

¹⁵³ *Ibid.*

¹⁵⁴ Allocation of land for residences and cattle grazing was within the purview of the *dikgosi*; *Ibid.*, 9.

¹⁵⁵ Sebudubudu and Molutsi, "Leaders, Elites and Coalitions in the Development of Botswana," 21.

¹⁵⁶ The political elite can be considered members of Cabinet, Parliament, the House of Chiefs, and district councils; Malila, "Starting First and Finishing Last," 22.

to get the control¹⁵⁷ of the natural resources from the hands of the *dikgosi* and vest them in the state. Once that was accomplished by instituting several land policies,¹⁵⁸ they could centralize key resources into the state. The political elite “entered a strategic alliance with international capital regarding the ownership and management of mineral resources.”¹⁵⁹

Having ownership of the revenue from diamonds¹⁶⁰ belonging to the state compared to respective regions, Batswana elites were able to reach an agreement whereby the government¹⁶¹ and “The De Beers Group of Companies” were able to establish to a 50/50¹⁶² split of the diamond-mining revenues (see Figure 9 for a breakdown of this partnership). In fact, the

¹⁵⁷ “This was made easy because the first minerals were discovered in the Bangwato area, the birthplace of Seretse Khama. The minerals discovered were copper and nickel in Selibe Phikwe, and later diamonds in Orapa-Letlhakane which was also in the Bangwato area. Ceding mineral rights to the Central Government started there”; Sebudubudu and Molutsi, “Leaders, Elites and Coalitions in the Development of Botswana,” 23. This made it easier for other groups and their respective dikgosis to cede their mineral rights, since the President was the first to do exactly that.

¹⁵⁸ “The most crucial decisions was the passing in 1967 of the Mines and Minerals Act that vested sub-soil mineral rights in the national government”; Acemoglu, Johnson, and Robinson, “An African Success Story,” 16.

¹⁵⁹ Sebudubudu and Molutsi, “Leaders, Elites and Coalitions in the Development of Botswana,” 22.

¹⁶⁰ “Diamonds account for roughly 30% of GDP, 70% of export revenues and 50% of government revenue” Ellen Hillbom, “Diamonds or Development? A Structural Assessment of Botswana’s Forty Years of Success,” *Journal of Modern African Studies* 46, no. 2 (2008): 202, doi:10.1017/S0022278X08003194.

¹⁶¹ In 1969 the Government of Botswana established the De Beers Botswana Mining Company the company’s name officially changed to the Debswana Diamond Company Ltd (or just Debswana) in 1992; Debswana, “Our History,” 2016, <http://www.debswana.com/About-Us/Pages/Our-History.aspx> (accessed September 29, 2016).

¹⁶² The original partnership was 15% (Government of Botswana) and 85% (De Beers) before renegotiating to 50–50 partnership; David Sebudubudu et al., “Governance of Land and Natural Resource for Sustainable Development in Botswana: Possible Lessons for the Agricultural and Tourism Sectors,” *International Journal of African Development* 2, no. 1 (2014): Article 7, 10.

negotiation skills of the Batswana elite allowed them to acquire 15% of the shares in De Beers (until 2008 when they sold some shares).

The country's ownership structure in mineral wealth is responsible for positive and negative outcomes found in resource-dependent states, mainly due to the government's inability to regulate societal expectations. The Botswana state, which owns and controls the mineral rights of the nation on behalf of the domestic population, has found a way to create and maintain stability due to its ability to deliver public goods (roads, schools, watering facilities, clinics etc.) on a nontribal, nonregional basis.¹⁶³

Natural Resource Distribution

Botswana's institutional framework of today has been based on strong institutions and processes that are inclusive, accountable, and democratic. This was unimaginable 50 years ago when, in 1966, Botswana was the third poorest country in world. However, today, Botswana is a leader among middle-income countries. Botswana did not reach this status accidentally but through deliberate steps taken by its elites. I again emphasize the point that the British had no real desire to possess Botswana (due to its then resource-poor status), resulting in a lack of any real colonial oversight. This lack of alien management gave Botswana a clean slate in administrative infrastructure. The outcome was virtually an organic way of governance, based purely on African attributes.

The Batswana elites had the long view in mind when creating and developing this nation. They were extremely patient in their development, in that, unlike Nigeria and many other sub-Saharan African countries who rushed to place indigenous leaders in key positions (most of whom lacked the intellectual capacity to fill those rolls), Botswana did the unthinkable: in 1966

¹⁶³ I. Taylor, "Botswana as a 'Development-Oriented Gate-Keeping State': A Response," *African Affairs* 111, no. 444 (2012): 473, doi:10.1093/afraf/ads031.

the governing elites hired foreign expats¹⁶⁴ to help govern the country while they were educating and training their own indigenous cadre. President Seretse Khama explained that, “My Government is deeply conscious of the dangers inherent in localizing the public service too quickly. Precipitate or reckless action in this field could have disastrous effects on the whole programme of services and development of the Government.”¹⁶⁵ Once training was complete, Batswana civil servants were installed and promoted not for being Black Africans but by merit. The move was not popular but was made for the good of the nation, and it made sure that a legacy of excellence would be the hallmark for those in government.

This legacy of excellence maintained at the governmental and institutional levels laid the foundation for the nation's success. Along with the quality and merit-based mindset, four events occurred during the 1966–1975 time period that brought needed monies to this struggling country: (1) large diamonds deposits discovered at Orapa, Letlhakane, and later at Jwaneng (see Figure 10 for distribution of the country's diamond mines); (2) development and exploitation of the Shashe Copper/Nickel project in Selebi Phikwe; (3) Successful renegotiation of the 1910 customs arrangement with the South African Customs Union,¹⁶⁶ making it more equitable for all

¹⁶⁴ “The first African assistant district officer was appointed in 1951; the second in 1959. By 1962 only four positions of 155 in the professional grades were taken by Africans. This European-dominated service continued through independence: in the central government 683 White civil servants or 31% in 1964; 584 Whites or 9% in 1975; with similar rates in the wider public service. The decline was much less in the senior and middle-level staff positions”; James Fearon and David Laitin, “Botswana,” Stanford University, Stanford, CA, 2005, 7, <http://web.stanford.edu/group/ethnic/Random%20Narratives/BotswanaRN1.1.pdf>; P. van der P. Du Toit, *State Building and Democracy in Southern Africa: Botswana, Zimbabwe, and South Africa* (Washington, DC: United States Institute of Peace Press, 1995), 98–99.

¹⁶⁵ Thomas Tlou, Neil Parsons, and Willie Henderson, *Seretse Khama, 1921–80* (Gaborone, Botswana: Botswana Society, 1995), 253.

¹⁶⁶ Renegotiation took place in 1969. For more detailed information, see Abdi Ismail Samatar, *An African Miracle: State and Class Leadership and Colonial Legacy in Botswana Development* (Portsmouth, NH: Heinemann, 1999), 137–38.

parties concerned; and (4) the increase of Botswana beef exports at a reasonable price. The renegotiation of the South African Customs Union customs agreement alone enabled Botswana to balance its budget for the first time in 1972–1973¹⁶⁷.

Along the same lines, Botswana's success was fueled by its successful exploitation of its mineral resources, in particular diamonds. In the late 1970s and early 1980s, diamonds surpassed the beef and cattle industry as Botswana's main export earner, accounting for 80% of exports and 50% of government revenue.¹⁶⁸ Although highly dependent on the extractive industry, Botswana has not succumbed to the Dutch Disease or the resource curse. Instead, the Botswana elite have ensured that services have been distributed to develop the nation as a whole instead of specific mineral-rich areas. To better grasp the enormity of this endeavor, it is helpful to compare it with what the nation inherited from the British at independence.

In 1966 Botswana had “12 kilometers of paved road, 22 Botswana who had graduated from University and 100 from secondary school.”¹⁶⁹ ¹⁷⁰ With the government's push to use their revenue from diamonds wisely, they allocated approximately 40% of their GDP in areas such as

¹⁶⁷ *Ibid.*, 65, 181; Tlou and Campbell, *History of Botswana*, 230, 238. It is important to note that, up to this time, the British paid close attention to the full cost of the country, proving Canadian Journalist Charles King right when he stated, “It (Botswana) is destined to be an international charity case”; Mokgweetsi Masisi, “Statement by His Honour Mokgweetsi E.K. Masisi, M.P., The Vice President of the Republic of Botswana,” Presented at the U.N. General Assembly, 71st Session, September 23, 2016. By 1984 “total government revenue exceeded total government expenditure (recurrent and development combined)” Ministry of Finance and Development Planning, “Botswana National Development Plan 10,” 34.

¹⁶⁸ Southern African Marketing, *Official SADC Trade, Industry, and Investment Review* (Johannesburg, South Africa: Southern African Marketing, 2003); I. B. Matshediso, “A Review of Mineral Development and Investment Policies of Botswana,” *Resources Policy* 30, no. 3 (2005): 207, doi:10.1016/j.resourpol.2005.08.006.

¹⁶⁹ Acemoglu, Johnson, and Robinson, “An African Success Story,” 1.

¹⁷⁰ See Sheila Khama, “Botswana's Mineral Revenues, Expenditure, and Savings Policy,” Working paper, African Natural Resources Center, African Development Bank Group, 2016, 20–22, for a more comprehensive look at the public service and infrastructure provision immediately after independence compared to 2014.

physical infrastructure and human-capital development (skills and education).¹⁷¹ This strategy to provide services in basic needs resulted in more than 8,916 kilometers of roadways¹⁷² (an additional 9,000 km of district council roads), 74 airports,¹⁷³ 888 kilometers of railways, 92% of the population having access to improved water sources,¹⁷⁴ 3.5 million phone users, and over 6000,000 Internet users.¹⁷⁵ In the realm of human capital, Botswana’s literacy rate for the population aged 15–65 has increased 88.6% as of 2014,¹⁷⁶ and 85% of which are enrolled in secondary schools. To show how far the country has come, the African Development Bank estimated that 47% of Botswana are considered middle class.^{177 178}

Botswana has done much in building infrastructure and human capital due in large part to Botswana’s public-spending-policy framework,¹⁷⁹ supported by the country’s National

¹⁷¹ “From 1983/84–2014/15 87% of Botswana’s mineral revenue were devoted to physical infrastructure (43%) and human capital (skills and education, 46%)” *Ibid.*, 14, 16.

¹⁷² 6,116 km paved and 2,800 km unpaved

¹⁷³ 64 of which are unpaved

¹⁷⁴ Hillbom, “Cattle, Diamonds and Institutions,” 173.

¹⁷⁵ Central Intelligence Agency “Botswana.”

¹⁷⁶ Statistics Botswana, “Republic of Botswana—Literacy Survey 2014,” 2015, <http://www.statsbots.org.bw/sites/default/files/publications/Literacy%20Survey%20Statsbrief%202015.pdf>.

¹⁷⁷ Out of this 47%, 29% are considered to be stable (nonfloating) and 18% floating; Mmegi Online, “Half of Botswana Are Middle Class—AfDB,” 2011, <http://www.mmegi.bw/index.php?sid=4&aid=801&dir=2011/May/Friday13>.

¹⁷⁸ According to the news article, the African Middle Class can be subdivided into three categories: (1) Floating class (\$2–\$4/day), lower-middle class (\$4–\$10/day) and the upper-middle class (\$10–\$20/day), *Ibid.*

¹⁷⁹ “The [M]inistry of [M]inerals, [E]nergy and [W]ater [R]esources (MMEWR) is responsible for developing and implementing the fiscal, legal and policy framework for mineral exploration and exploitation. MMEWR also administers various mineral agreements, carries out mineral investment promotion activities and liaises with bilateral and multilateral partners on mineral related matters”; Matshediso, “A Review of Mineral Development and Investment Policies of Botswana,” 204.

Development Plan (NDP)¹⁸⁰ and the annual budgeting process.¹⁸¹ To show the country's commitment to the national budgetary process, the NDP of 1970–1975 asserted,

The government wishes to stress its belief in the necessity of planning the social and economic development of the nation. Available resources are limited and the problems so great that only by careful planning can these resources be put to their most effective use. A rationally planned and guided economy is the objective of government policy. However, a balance must be struck where private initiative has ample scope within the general confines laid down by government. It is government's duty to set forth clearly its objectives accordingly, and to assist the private sector in every way consistent with the attainment of these goals¹⁸².

The (re)invention of Botswana institutions and shifting focus from routine administration to development planning and management, coupled with the 5–7 year period of planned development projects (outlined in the NDP), have been instrumental in lifting Botswana out of poverty and positioning itself as a big player in the world's diamond industry.

Throughout this chapter, I have shown Botswana in a positive light, but Botswana, like all nations, has its flaws. Although Botswana's stability has been attributed to its homogeneity (the Tswana make up close to 80% of the population), Tswana numerical dominance has created issues, especially among the marginalized. Samatar (1999) states,

¹⁸⁰ NDPs have been in use since the country's transition from colonial rule to independence [first known as the Transitional Plan for Social and Economic Development (1965-1968)] and are reassessed every 5–7 years [NDP 10 spans seven years (2009–2016) the previous five NDPs were six years in length]. The issuance of a new NDP normally occurs every seven years to prevent the discarding of the old NDP by a new administration. This allows the new administration to see what works, and what does not work, what to keep or discard. It helps in creating continuity and prevents economic shocks, in my opinion. Botswana is currently under NDP 10, which is in effect until March 2017, Khama, "Botswana's Mineral Revenues."

¹⁸¹ The annual Budget is divided into two main parts: (1) Recurrent spending (public sector salaries and wages, maintenance costs, consumables, debt interest etc.) and (2) Development spending (items such as roads, schools, other building projects, purchases of capital equipment, equity injections to government-owned companies, etc.) *Ibid.*, 10.

¹⁸² *Republic of Botswana National Development Plan II 1970–1975* (Gaborone, Botswana: Government Printer, 1970), 1.

Despite the tremendous growth of wealth, Botswana is one of the most socially unjust countries in the world. The leadership's inability or unwillingness to chart a development strategy that progressively reduces such 'radical inequality' and maintains economic growth ... is ... due to the leaders' social inclination.¹⁸³

Along the lines of social inequality, Botswana has evidence of this weakness dating back to its precolonial period. This inequality continued while under colonization as well. As a protectorate, the land was not distributed fairly, nor was equal importance given to all ethnic groups. This inequality transferred to the country's constitution. Marginalized groups in the country are now trying to put an end to "tribal" inequalities derived from the precolonial and protectorate eras that are enshrined in discriminatory clauses in the constitution.

Those who are marginalized are fighting for their rights, especially regarding tribal citizenship. As citizenship and the rights that come along with it are important, Botswana also must address four politicized processes wherein citizenship rights are critical: minoritization,¹⁸⁴ reintegration,¹⁸⁵ regionalization,¹⁸⁶ and indigenization.^{187 188}

One marginalized group that is at the bottom of the economic, political, and social strata in Botswana is the Basarwa (San).¹⁸⁹

The Basarwa [who account for approximately 3% of the population] are recognised by the African Commission on Human and Peoples' Rights (African Commission) as an

¹⁸³ Samatar, *An African Miracle*, 189.

¹⁸⁴ Minoritization creates minorities actively differentiating themselves from the majority.

¹⁸⁵ Reintegration is the political process that decides how the tribe is to be newly placed within the state and on what corporate terms

¹⁸⁶ Regionalization appeals to current expediencies or fresh interests (political and economic).

¹⁸⁷ Indigenization is the joining of transnational networks and alliances that promote indigenous mobilization, demanding recognition as rights from their native nation-state and the international community.

¹⁸⁸ Richard P. Werbner, *Reasonable Radicals and Citizenship in Botswana: The Public Anthropology of Kalanga Elites* (Bloomington: Indiana University Press, 2004), 40–43.

¹⁸⁹ I. N. Mazonde, *Indigenous Peoples' Rights in Southern Africa*, ed. Robert K. Hitchcock and Diana Vinding, IWGIA Document 110, Copenhagen, 2004, 138.

indigenous people, and is the only group in Botswana self-identifying as an indigenous people in terms of the international understanding of that term.¹⁹⁰

Although this recognition by the African Commission is a step in the right direction for the Basarwa, they are still fighting for indigenous recognition in Botswana.¹⁹¹ Marginalization is only one of many issues Botswana now faces, but thanks to strong institutions, the nation has “marginally improved in three out of five categories [per the Mo Ibrahim Index]: *Participation and Human Rights* (emphasis added); Sustainable Economic Opportunity; and Human Development.”¹⁹²

¹⁹⁰ International Labour Office, *Botswana: Constitutional, Legislative and Administrative Provisions Concerning Indigenous Peoples* (Geneva: ILO, 2009), 5.

¹⁹¹ *Ibid.*, 5–6.

¹⁹² Amelia Cook and Jeremy Sarkin, “Is Botswana the Miracle of Africa? Democracy, the Rule of Law, and Human Rights versus Economic Development,” *Transnational Law & Contemporary Problems* 19 (2010): 473.

COMPARATIVE ANALYSIS

As demonstrated, Nigeria and Botswana are two dramatically different countries whose social makeup and ability (or inability) to incorporate traditional positions of authority have been the deciding factors in how the countries have fared in an African and global context. The evidence may suggest that the focus on natural resources alone may overlook other factors that are equally or more important insofar as governance is concerned. It is not the resource as much as it is government management by elites of the resources that needs to be examined. However, one cannot truly understand the resource-management aspect of governance that leads to prosperity (or lack thereof) without recognizing the effects of colonization.

Governments manage resources through appointed institutions, and the quality and legitimacy of these institutions are central to proper resource exploitation and allocation. In the global south, good governance and economic prosperity from natural-resource exploitation link to indigenous hierarchical political structures and institutions that hold elites accountable for the provision of services to their citizens. Institutional quality cannot stand alone without giving equal attention to the elites who help in the organization of the institution, in employment practices, in empowerment of employees, and in institutional sustainability. In this section, I compare the different aspects described in the previous two chapters on Nigeria and Botswana, such as their colonial experiences, resource-ownership structures, and administrative continuity.

Existing Comparative Framework

It is evident that Nigeria and Botswana have taken significantly different paths to development. Before delving into their differences, it is important to see what they have in common. Nigeria and Botswana were colonized by the British. Nigeria and Botswana experienced the same basic form of colonial administration (indirect rule). Nigeria and Botswana

were, at independence, considered vulnerable and expected to fail. Nigeria and Botswana were predominantly agricultural economies. Nigeria and Botswana were ethnically and linguistically diverse. Nigeria and Botswana transitioned peacefully from colonial to self-rule. Nigeria and Botswana had an abundance of natural resources, while dependent primarily on a single commodity from an extractive industry as their primary source of revenue. Nigeria and Botswana owned their nation's mineral resources and, therefore, are the main recipients of the revenues garnered from their extraction.

Although this is not an exhaustive list of commonalities, it provides a baseline to understand how development in the two countries was similar. However, the paths to development in these countries were radically different, even though each gained political independence within a few years of each other. Their differences in these developmental paths illustrate the challenges and potentials found in African politics.¹⁹³

Comparison of Colonial Experiences

Nigeria and Botswana were colonized by the British, but each nation had distinctly different histories, types of government, and ethnicities. In Nigeria, the colonial experience was first seen in the development of the trans-Atlantic slave trade. The British abolished this trade in bodies in the early nineteenth century and transitioned to trade in agricultural products such as palm oil, rubber, and coffee.¹⁹⁴ To facilitate the trade of agricultural resources, the British employed the administration of indirect rule. This system of colonial administration destroyed the indigenous hierarchical political structures in the country, replacing them with a version that best suited the British colonial government.

¹⁹³ David Sebudubudu and Keneilwe Mooketsane, "What Has Made Political Institutions in Botswana and Mauritius Tick?" *Taiwan Journal of Democracy* 12, no. 1 (2016): 149.

¹⁹⁴ Simpson, *Language and National Identity in Africa*, 177.

This disruption of traditional positions of authority created a situation wherein Nigeria's elite would be accountable to the colonial administration from which they derived their power, rather than from the people they governed. Lack of accountability to the people on the part of the elite in governance was precipitated by more than 30 years of military rule (see Table 3), whose "principle of chain of command does not accord with the concept of power decentralization"¹⁹⁵ nor "accountability from the national polity."¹⁹⁶

Whereas Nigeria played a strategic role in the British oil industry (palm and later crude), Botswana initially had no natural resources to exploit (De Beers did not find diamonds until the early 1970s), making it of little value to the British, apart from the strategic value of the "Road to the North" (see Footnote 1 and Figure 6). This lack of monetary value to the British made them hesitant in taking on this nation as a colony. However, after repeated requests by British missionaries, traders, administrators and Batswana *dikgosi*, the Crown declared this country a protectorate. British lack of interest in Botswana resulted in their light-handed approach in colonial governance. This "light rule"¹⁹⁷ or "benign neglect"¹⁹⁸ enabled the customary hierarchical governmental structures to remain intact,¹⁹⁹ thereby keeping Batswana elites accountable to their constituents.

¹⁹⁵ Ojo, *Problems and Prospects of Sustaining Democracy in Nigeria*, 35.

¹⁹⁶ *Ibid.*, 93.

¹⁹⁷ Acemoglu, Johnson, and Robinson, "An African Success Story," 13.

¹⁹⁸ Scott A. Beaulier, "Explaining Botswana's Success: The Critical Role of Post-Colonial Policy," *Cato Journal* 23 (2003): 229.

¹⁹⁹ To be fair, during indirect rule, the British did attempt to establish arbitrary chiefs as they did elsewhere, Nigeria in particular, but that did not succeed in the Batswana. In an effort to prevent a costly militaristic intervention, the British colonial administration chose to leave the indigenous hierarchy with their *dikgosi* in place.

Comparison of Resource Ownership Structures

Institutions and associated policies surrounding resource exploitation and revenue distribution are crucial to the economic success of a nation. Nigeria and Botswana are both resource-dependent countries (oil in Nigeria and diamonds in Botswana), and heavily reliant on extractive industries. The form of government management of these natural resources is quite different in each country.

Nigeria chose an ownership structure of state ownership without control (see Table 1) to manage its mineral wealth. With state ownership without control, governing elites ruling by decree stripped the people of the country of any rights they had with traditional land-tenure systems. This method of ruling by decree (instead of by consensus) left no provisions for shared power or accountability where land and its minerals were concerned.

This lack of accountability to the body politic led to increased corruption. Daniel Agbibo (2012) points out that corruption permeated and continues to permeate every facet of Nigerian society, “[I]t can be seen in government, the judiciary, the universities and other educational institutions, the police and the army.”²⁰⁰ This saturation of government institutions has made the name of Nigeria synonymous with corruption. For example, under the military junta in 1996 and 1997 Nigeria was deemed the most corrupt among 52 African countries; it regained this title in 2002, ranked second in 2003, third in 2004, sixth in 2005, seventeenth in 2006, and thirty-third in 2007.²⁰¹ Even under stints of democratic rule, corruption persisted.

Despite noted progress in cleaning up corruption, lack of accountability has allowed the elites of the country to maintain corruption a way of life, which can be felt at all levels of

²⁰⁰ Daniel Egiegba Agbibo, “Between Corruption and Development: The Political Economy of State Robbery in Nigeria,” *Journal of Business Ethics* 108, no. 3 (2012): 329.

²⁰¹ *Ibid.*, 330.

Nigerian society. This unaccountable elite and the institutions they direct have been the main source of political instability, disorderly transfers of power, armed conflict, terrorist threats, and ethnic and religious tensions.

In contrast, the Botswana elite (thanks to British benign neglect during the colonial period) maintained traditional political structures accountable to its people in place for most of its history. In contrast to Nigeria, Botswana's ownership structure is state ownership with control of natural resources (see Table 1). In Botswana, ownership and control of the mineral rights of the nation are administered on behalf of the domestic population. Having legitimate precolonial institutions intact, Botswana elite are held accountable to their constituents. Traditional legitimacy, coupled with the government's ability to regulate societal expectations, has enabled Botswana to remain stable. According to political scientist Pierre du Toit (1995), one key to the nation's stability is the state's ability to deliver public goods (roads, schools, watering facilities, clinics, etc.) on a nontribal, nonregional basis.²⁰² This accountable and even-handed approach has made occurrences of corruption rare in Botswana, and more of an exception than a rule.

Administrative Continuity

Another quality not usually found in many resource-dependent states is that of administrative continuity. Typically, when governing elites are not accountable to their people or when a transfer of power or removal of an autocrat takes place, many elites depart (for reasons of self and wealth preservation), leaving the country in a state of disrepair. In these cases, the only form of continuity between regimes is that national debts remain. That has been the case in Nigeria. The history of successive governmental administrations (from democracy to military

²⁰² Taylor, "Botswana as a 'Development-Oriented Gate-Keeping State,'" 473; Du Toit, *State Building and Democracy in Southern Africa*, 121.

junta through coups back to democracy, described in Chapter 1) in Nigeria has not provided any sense of long-lasting continuity in governmental institutions.

In Botswana, continuity of administrative structures is commonplace. In Botswana, the common *modus operandi* has been that businessmen tended to gravitate toward government positions, and those leaving government find employment in the business sector. This removes concern for future employment on the part of politicians from becoming an issue, eliminating the need for elites to hold onto power (due to lack of opportunities), as in Nigeria. Prior state officials in the private sector remain available to provide a “reachback capability”²⁰³ for current and future administrators. These former administrators are available to give advice, as well as clarification of old policies. This ensures institutional memory and continuity from administration to administration, giving stability, as well as keeping social memories of good governance alive.²⁰⁴

How do the cases of Nigeria and Botswana, both in sub-Saharan Africa, relate to other resource-dependent nations in other regions? In the global north, Norway stands out as a resource-dependent economy and government that is comparable to some nations in sub-Saharan Africa. Norway is like Nigeria and Botswana in several ways: (1) Norway is a resource-dependent nation, (2) it received its resource windfall in the early 1970s, (3) prior to then, it was a raw materials resource provider, and the national income was below average compared to

²⁰³ Reachback is a military term used when a forward deployed unit obtains services and goods from units in the rear. In this instance it is a reaching back (in terms of old administrations) for better continuity.

²⁰⁴ Werbner, *Reasonable Radicals and Citizenship in Botswana*.

surrounding nations,²⁰⁵ (4) it lacked the technology and skills to develop its oil industry,²⁰⁶ and (5) its central government is the major benefactor of revenue from natural-resource extraction.²⁰⁷

At this point Norway's similarities to Nigeria end. Like Botswana, Norway had strong institutions and a government accountable to its people prior to the oil-resources windfall. Although Norway had no significant feudal traditions, it did have local councils in rural areas, which had strong political influence in the management of resources.²⁰⁸ Active people involvement assisted the "nationally oriented and politically conscious bourgeois political elite—in the context of a quite egalitarian agrarian structure—[who] managed to keep national control of natural resources vital to the economic development of the country."²⁰⁹

This brief comparison between Norway and the two sub-Saharan nations that are the focus of this thesis shows how Botswana is more like Norway than Nigeria. This demonstrates an important point: Having governmental institutions and processes that involve the public can be a major driving force in "economic growth [and] egalitarian distribution of income,"²¹⁰ where, by contrast, an autocratic form of government without accountability to the public leads to concentration of wealth in the hands of whoever is ruling.

²⁰⁵ Ådne Cappelen and Lars Mjøset, *Can Norway Be a Role Model for Natural Resource Abundant Countries?* (Helsinki: UNU-WIDER, 2009), 3, <http://hdl.handle.net/10419/45096>.

²⁰⁶ *Ibid.*, 8.

²⁰⁷ *Ibid.*, 20.

²⁰⁸ *Ibid.*, 6.

²⁰⁹ *Ibid.*, 7.

²¹⁰ *Ibid.*, 3.

Conclusion

Patrick Chabal (1992) suggests that “the [African] state is an excrescence in that it did not, as in Europe or Asia, grow organically from and against civil society.”²¹¹ The difficult colonial history and subsequent process of state creation following independence has ravaged and impoverished many African nations through the disruption of traditional governmental forms of authority. The primarily extractive nature of colonialism makes it important to analyze the role of governance in natural-resource exploitation and development by looking at institutional behaviors and policy development in Nigeria and Botswana.

In my research on the role of the ruling elite in national-resource exploitation and revenue distribution in Nigeria and Botswana, I asked two general research questions: (1) What are the differences in the formation, political structure, and hierarchy of the ruling elites? (2) What are the significant differences in the legal framework in resource distribution of each country? Chapters One and Two present the evidence to answer those questions.

Although the genesis of the two modern nation states was similar (freedom from the physical controls of colonialism, the shift to self-rule), their current situations are considerably different. On one hand, the older and largest of the two nations, Nigeria, suffered dearly under oppressive military juntas for over half of its existence.²¹² On the other hand, Botswana has had 50 years of peaceful transitions of power, allowing for the governmental apparatus to remain stable. This thesis argues that the form of government administering natural resources and *how*

²¹¹ Patrick Chabal, *Power in Africa: An Essay in Political Interpretation* (London: Macmillan, 1992), 73; Ebenezer Obadare, *Africa between the Old and the New: The Strange Persistence of the Postcolonial State* (Wilmington, NC: Publishing Laboratory, 2008), 5.

²¹² While under military-led governments, Nigeria experienced an ineffective handling and distribution of funds derived from oil exploitation.

the state revenues from them are distributed is the driving force behind instability or stability respectively in each country.

I have tried to show how different political attributes and historic experiences have shaped the management of resources in Nigeria and Botswana. “Their institutional structure has been influenced by clashes between autonomous institutional-building and colonial legacies.”²¹³ On one hand, Botswana, like Norway, has been “able to combine economic growth and social development,”²¹⁴ through its ability to incorporate indigenous values and institutions into their modern sociopolitical governmental composition. On the other hand, Nigeria’s inability to do so because of an elite that is not accountable to the people links directly to “the clash or conflict between traditional values and the imported norms that accompany modernization and socio-political development.”²¹⁵

Government management of resources, and the associated revenue distribution, links to the legitimacy of positions of authority. In the case of Nigeria, the inability of the state to effectively incorporate traditional forms of authority in government after colonialism has led to a lack of governmental accountability, weak institutions administering natural-resource exploitation, and an increased presence of corrupt practices. Meanwhile, Botswana’s success aligns with having “a relatively coherent leadership, with *traditional legitimacy* (emphasis

²¹³ Cappelen and Mjøset, *Can Norway Be a Role Model for Natural Resource Abundant Countries?* 3.

²¹⁴ *Ibid.*, 6.

²¹⁵ Olatunde Julius Otusanya, “Corruption as an Obstacle to Development in Developing Countries: A Review of Literature,” *Journal of Money Laundering Control* 14, no. 4 (2011): 394, doi:10.1108/13685201111173857.

added), education, and business acumen’ which ‘has maintained a strong civil-service, governed through *recognized institutions* (emphasis added) rather than personal deals.’”²¹⁶

The main takeaway that should be garnered from this thesis is the importance of ownership, and the accountability that comes with it. When speaking of ownership in this context, I am speaking to people’s acceptance of an institution as their own. This comes easily if institutions have some connection with their collective past. For example, the most favored form of governance pushed to aid in development is democracy. Why? Because,

[t]he major hallmarks of democracy include popular participation, supremacy of majority will but with respect for minority rights, constitution of government by popular choices through periodic election, competition for public office, freedom of the press and association, incorruptible judiciary, respect for the rule of law, open and accountable government, and existence of competing political parties whose programmes and candidates provide alternatives for voters.²¹⁷

Countries with some of these democratic hallmarks already entrenched by way of customary systems tend to follow a positive trajectory regarding sociopolitical and economic development. Those that do not can create them by designing representative governmental institutions that their citizens feel they help create.

Accountability is one of the critical tools used to reinforce feelings of ownership by leveling the governmental “playing field.” John Gyong (2014)²¹⁸ explains that accountability is

²¹⁶ Obadare, *Africa between the Old and the New*, 5; Frederick Cooper, *Africa since 1940: The Past of the Present (New Approaches to African History)* (Cambridge, England: Cambridge University Press, 2002), 183.

²¹⁷ Omolumen D. Egbefo, “Fifteen Years of Democracy, 1999-2014: Reflections on Nigeria’s Quest for National Integration,” *African Research Review* 9, no. 2 (2015): 64, doi:10.4314/afrev.v9i2.5.

²¹⁸ John Emmanuel Gyong, “Good Governance and Accountability in a Democracy,” *European Scientific Journal* 7, no. 26 (2014): 77–79.

multifaceted and can be partitioned into five classifications: horizontal,²¹⁹ vertical,²²⁰ political,²²¹ legal,²²² and social.²²³ Creating collective commitment and ownership of governmental institutions in which the government, its agencies, and public officials are answerable to their citizens, helps buttress the principals of good governance. Although each country has its own peculiarities, and no uniform model fits all governance, the principles remain true and can be used in any context.

In conclusion, this thesis argues that the form of governance of natural resources and how the returns are distributed is the driving force in the making of instability and stability in countries. Specifically, countries with sound representative governmental institutions that hold governments accountable tend to fare better in redistribution of state incomes to the betterment of society than those with governmental administrations that are not accountable.

²¹⁹ “Horizontal accountability is the capacity of state institutions to check abuse by other public agencies and branches of government...[examples would be] parliament or the judiciary” *Ibid.*, 77.

²²⁰ “Vertical Accountability is the means through which citizens, mass media and civil society groups can seek the support of elected representatives to redress grievances and intervene in the case of inappropriate or inadequate actions by government.” *Ibid.*

²²¹ “Political Accountability occurs when the parliament holds the executive politically accountable” *Ibid.*

²²² “Legal Accountability occurs when the judiciary holds the executive legally accountable” *Ibid.*

²²³ “Social Accountability (or society driven horizontal accountability) relies on civic engagement...whereby ordinary citizen and/or civil society organizations participate directly or indirectly in exacting accountability.” *Ibid.*

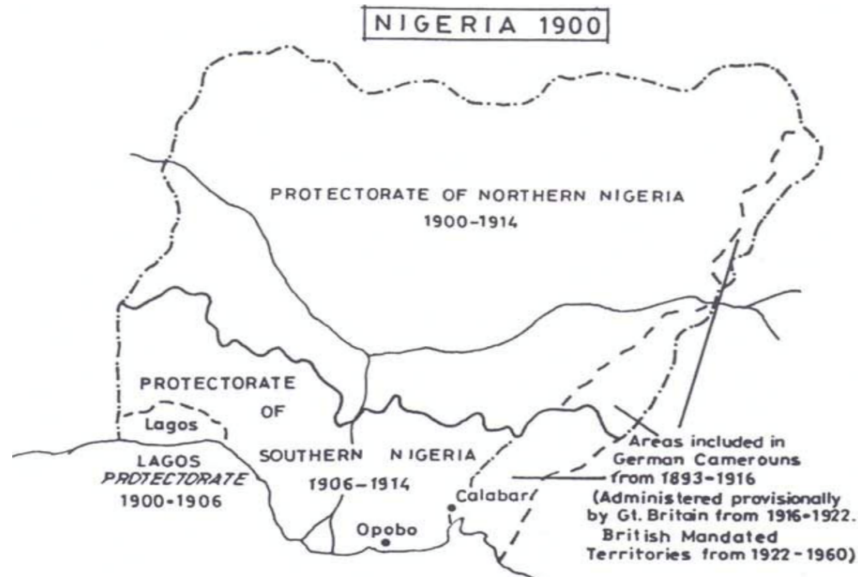
Illustrations.

Figure 1: Map 1. Nigeria



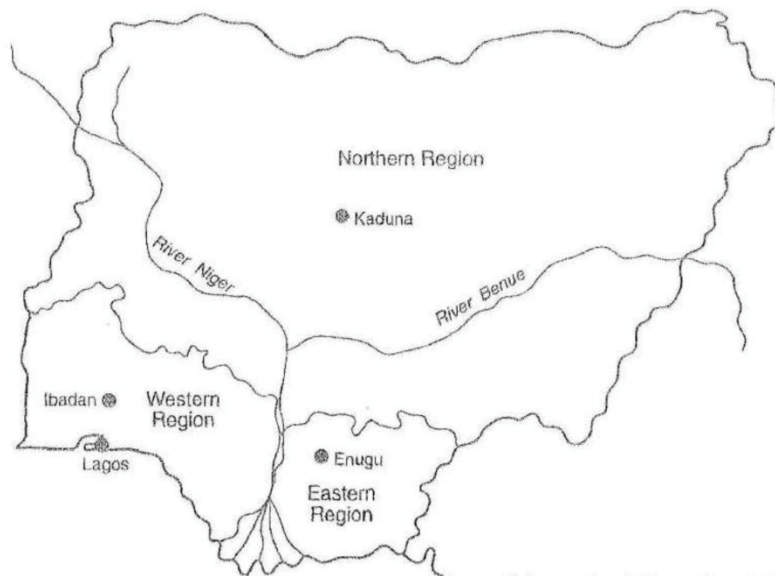
Source: “Map of Nigeria,” Map No. 4228 Rev.1 (Department of Field Support. Cartographic Section, August 2014), <http://www.un.org/Depts/Cartographic/map/profile/nigeria.pdf>.

Figure 2: Map 2. Nigerian Administrative Boundaries (1900)



Source: as cited from Smith, “The Establishment of Colonial Administration,” Alsccon, September 16, 2013, <https://alscon.net/colonial-experiences/46-the-establishment-of-colonial-administration.html>.

Figure 3: Map 3. An Historical Map of Nigeria showing three-federal regions (1954)



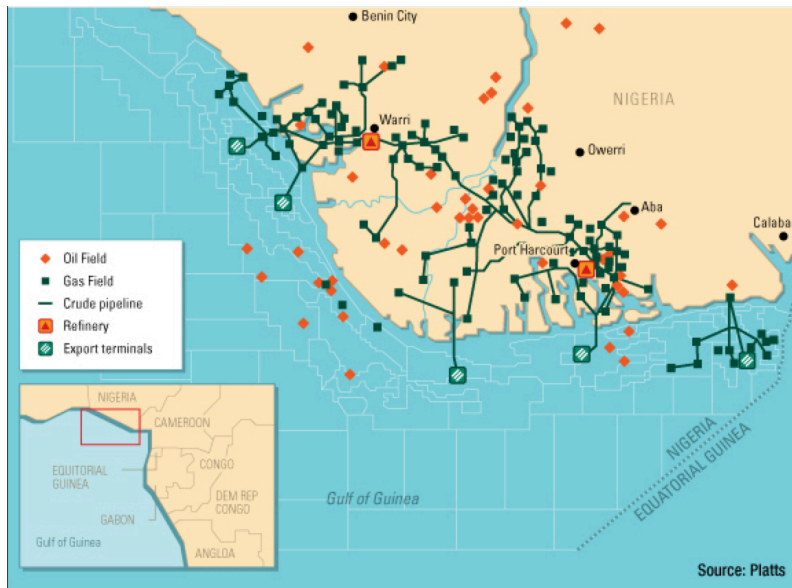
Source: as sourced from Ekeh, Peter “An Historical Map of Nigeria Showing Three Federal Regions Created by British Colonial Rule,” Wilberforce Conference on Nigerian Federalism, 1997, http://www.waado.org/nigerian_scholars/archive/pubs/wilber1_map1.html.

Figure 4: Map 4. Niger Delta Oil Fields



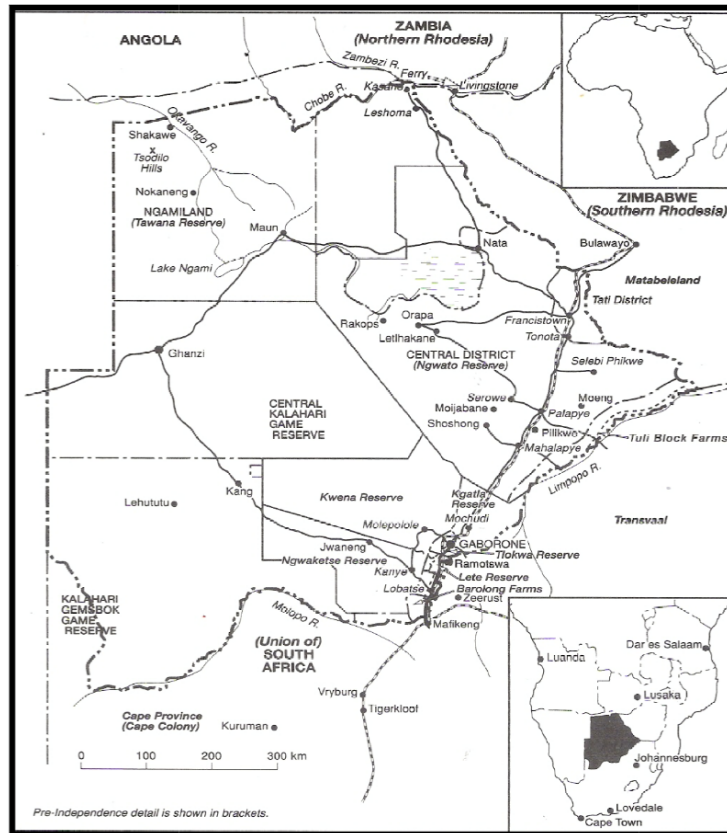
Source: “Niger Delta Oil Fields is republished with permission of Stratfor.” September 5, 2012. “Niger Delta Oil Fields is republished with permission of Stratfor.

Figure 5: Map 5. Nigerian oil and gas fields



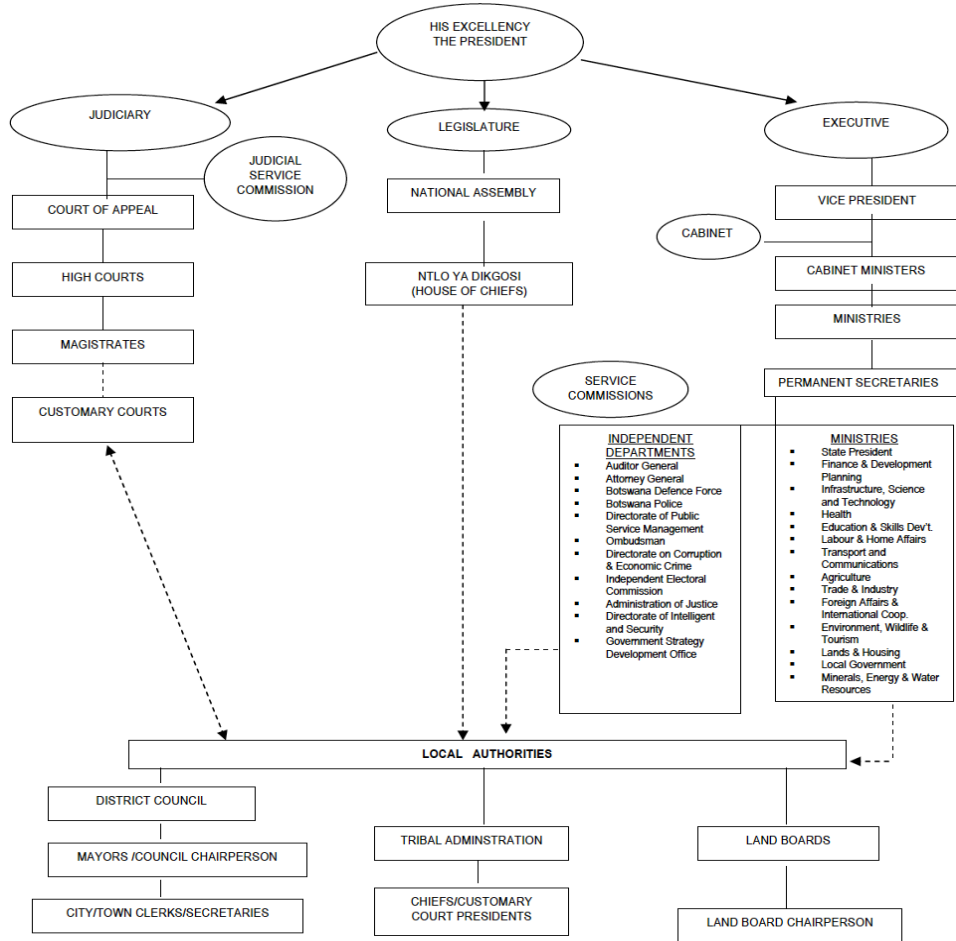
Source: “Nigerian Oil and Gas Fields | | Platts,” 2014, [http://www.platts.com/news-feature/2015/oil/africa-oil-gas-energy-outlook/nigeria-oil-gas-fields](http://www.platts.com/news-feature/2015/oil/africa-oil-gas-energy-outlook/nigeria-oil-gas-fields").

Figure 6: Map 6. Botswana



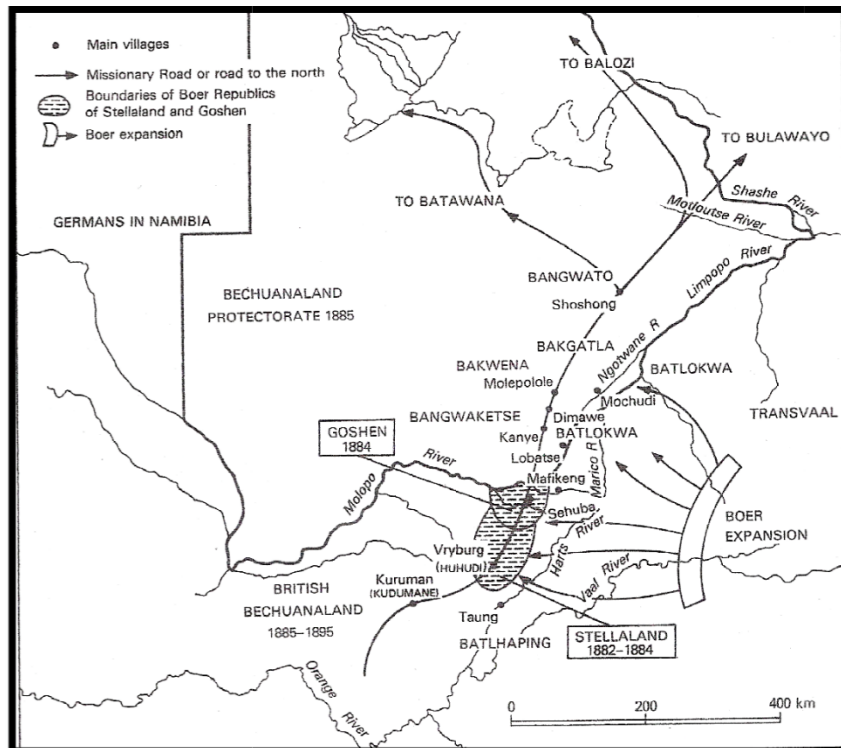
Source: Tlou, Thomas, Neil Parsons, and Willie Henderson. Seretse Khama, 1921-80 Gaborone : Braamfontein, South Africa: Botswana Society ; Macmillan, 1995

Figure 7: The Botswana Government Organizational Chart



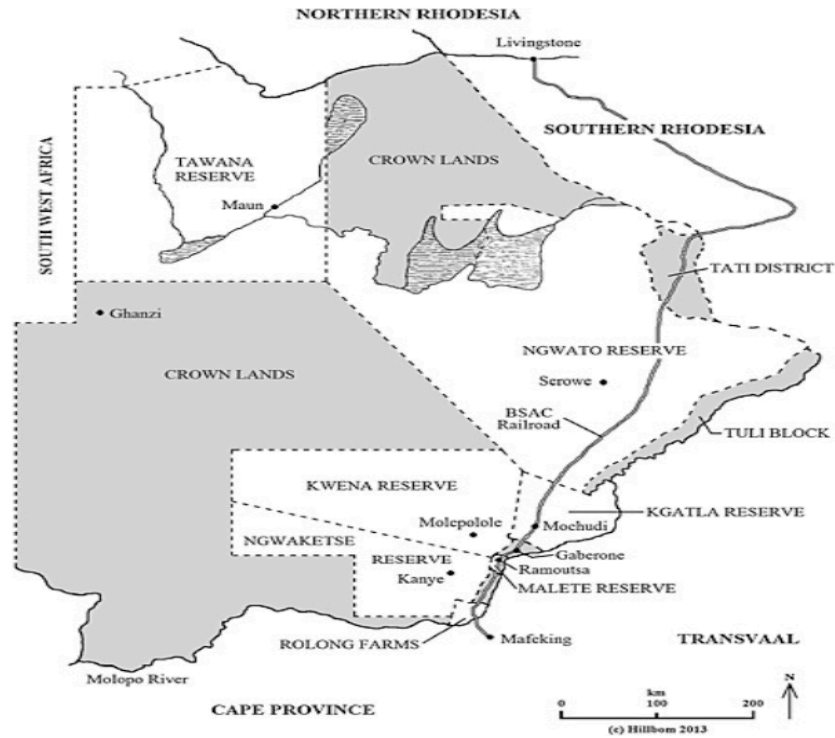
Source: Directorate of Public Service Management as cited in “Botswana Mining and Development Plan 10” 2009, 4

Figure 8: Map 7. Boer expansion and The Road to the North (1800-1860)



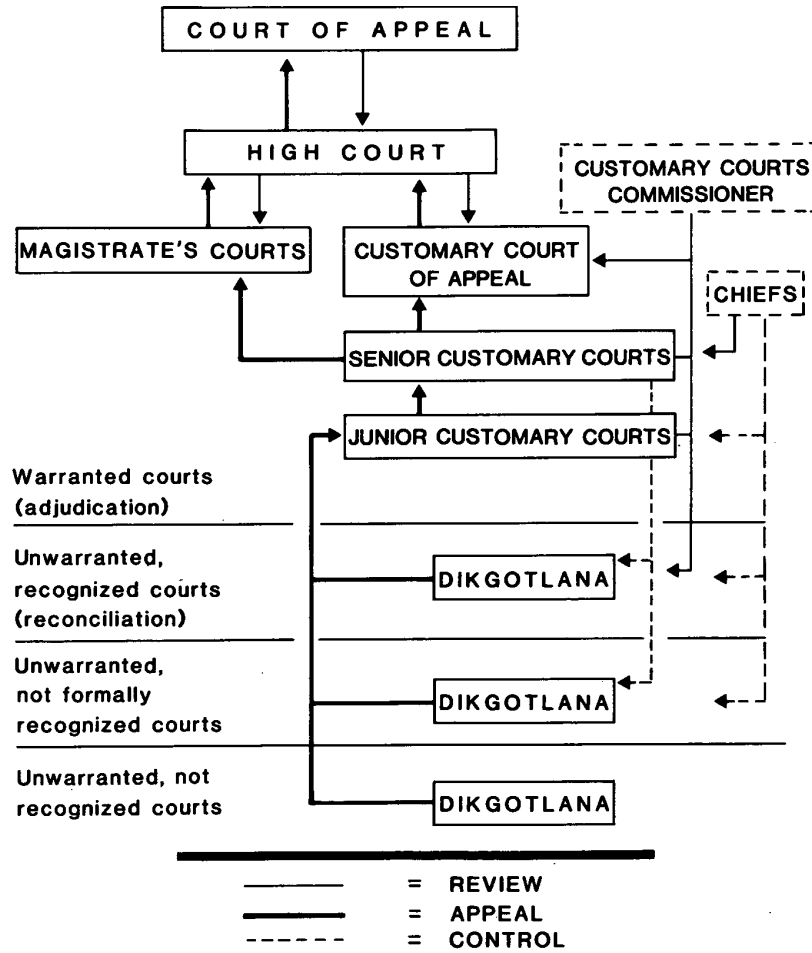
Source: Tlou, Thomas, and Alec C. Campbell. History of Botswana. Gaborone, Botswana: Macmillan Botswana, 1984, p. 144

Figure 9: Map 8. Crown Lands and Native Reserves in the Bechuanaland Protectorate



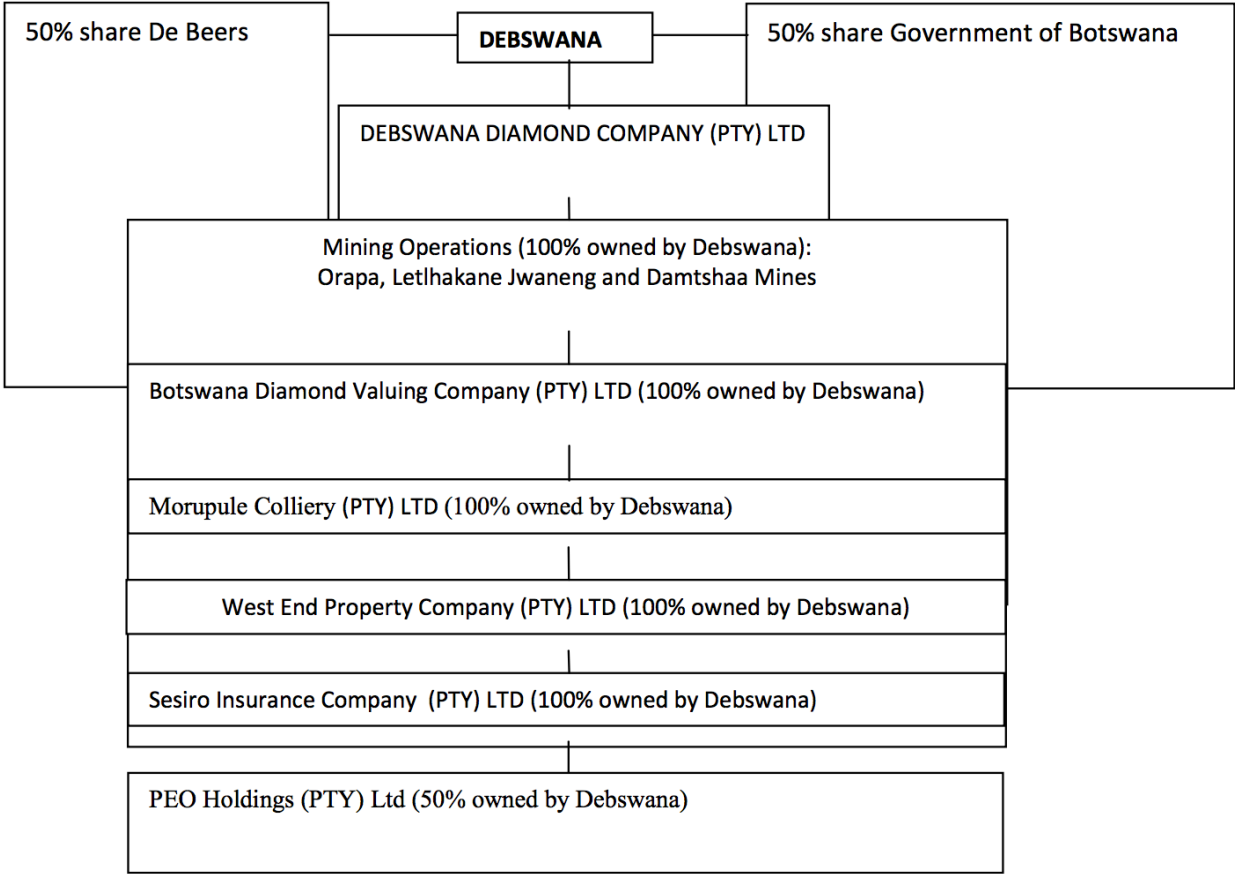
Source: as cited in Ellen Hillbom, "Cattle, Diamonds and Institutions: Main Drivers of Botswana's Economic Development, 1850 To Present." *Journal of International Development* 26 (2): 155–76. 2014, 163

Figure 10: Official and Unofficial courts in Botswana



Source: as cited in Marlies Bouman, "A Note on Chiefly and National Policing in Botswana," *The Journal of Legal Pluralism and Unofficial Law* 19, no. 25-26 (1987): 279

Figure 11: Debswana Organogram



Source: as cited in David van Wyk, “Corporate Social Responsibility in the Diamond Mining Industry in Botswana,” (South Africa: Bench Marks Foundation, 2009), 18

Figure 12: Map 9. Distribution of diamond mines and other kimberlites in Botswana



Source: Tsodilo Resources Limited, Distribution of Diamond Mines and Other Kimberlites in Botswana (2013).png, 2013, Concept and collage by W.Carter, Urutseg, Black moon~commons wiki, and Raymond https://commons.wikimedia.org/wiki/File:Botswana_Kimberlite_Mines_and_Fields.png.

Tables

Table 1

Claimant Status under different Ownership Structures

| Ownership structure | Direct claimants | Indirect claimants |
|---------------------|---|--|
| S ₁ | Governing Elites + Enterprise Bureaucrats | Domestic Population |
| P ₁ | Domestic Private Owners | Governing Elites + Domestic Population |
| S ₂ | Foreign Investors + Governing Elites | Governing Elites + Domestic Population |
| P ₂ | Foreign Investors | Governing Elites + Domestic Population |

Source: As cited directly from Pauline J. Luong & Erika Weinthal, *Oil Is Not a Curse: Ownership Structure and Institutions in Soviet Successor States*. Cambridge Studies in Comparative Politics. New York: Cambridge University Press. 2010, 11

Table 2

The Major Oil Companies Operating in the Niger Delta

| S/N | Oil company | Shareholders | Operators | Share of national production |
|-------|------------------------------------|---|-----------|------------------------------|
| 1 | Shell Petroleum Development (SPDC) | NNPC – 55% Shell – 30% Elf – 10% Agip – 5% | Shell | 42% |
| 2 | Mobil Producing Nigeria | NNPC- 50% Mobil – 42% | Mobil | 21% |
| 3 | Chevron Nigeria | NNPC – 60% Chevron – 40% | Chevron | 19% |
| 4 | Nigeria Agip Oil | NNPC – 60% Agip – 40% | Agip | 7.5% |
| 5 | Total (Elf) Petroleum Nigeria | NNPC – 60% Elf – 40% | Elf | 2.6% |
| 6 | Texaco Overseas (Nigeria) | NNPC – 60% Texaco – 20% Chevron – 20% | Texaco | 1.7% |
| Total | | | | 93.8% |

Source: World Bank 2007 as cited in S.I. Ebohon, *Nigeria: State, Oil and Malignant Underdevelopment*. The Western Journal of Black Studies 36, no. 3. 2012, 207

Table 3

Military Heads²²⁴ of State and their regions of Origin

| S/ N | Name of head of state | Period of rule | State of origin | Geo-pol. zone | Tribe | Duration of rule |
|---------|------------------------------|----------------------|-----------------|---------------|--------------|------------------|
| 1 | General Aguiyi-Ironsi | Jan – July 1966 | Abia | South East | Igbo | 6 months |
| 2 | General Yakubu Gowon | 1966 – 1975 | Plateau | North Central | Luri | 9 years |
| 3 | General Murtala Mohammed | July 1975 – Feb 1976 | Kano | North East | Hausa | 7 months |
| 4 | General Olusegun Obasanjo | 1976 – 1979 | Ogun | South West | Yoruba | 3 years |
| 5 | General Muhammadu Buhari | 1983 – 1985 | Katsina | North West | Hausa–Fulani | 2 years |
| 6 | General Ibrahim Babangida | 1985 – 1993 | Niger | North Central | Hausa–Fulani | 8 years |
| 7 | General Sani Abacha | 1993 – 1998 | Bornu | North East | Kanuri | 5 years |
| 8 | General Abdulsalami Abubakar | 1999 | Niger | North Central | Gwari | 11 months |

Source: As cited from Antigha O. Bassey, “A Theoretical Prognosis and Analysis of Federal Balance in Nigeria 1954 - 2013.” *Review of Arts and Humanities* 1 (1): 51–65. 2013

²²⁴ It is important to note that six out of the eight military leaders came from the North. This shows how much control the North has had over the military.

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