



Federalism in Nigeria – Problems, Prospects and the Imperative of Restructuring

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Abstract

Across the globe, Federalism has emerged as one of the most preferred form of government based on its integrative capability to approximate the heterogeneous political life of multi-ethnic and multi-linguistic societies. However in the Nigerian situation, the practice of federalism has remained a foreboding nightmare due to the skewed nature of federal practice which has led to serious contestations among the constituent nationalities thus resulting in endless tinkering and attempts at dissolution. The problem Nigeria has had to grapple is how to secure an efficient central government that would help preserve national unity while allowing free scope for the diversities of the multi-ethnic and multi-lingual constituent units. Despite the expansion from the colonial federal legacy of three political regions to a union of 36 states and 774 Local Governments, pressures for fundamental federal reforms have remained a persistent, intense and divisive feature of contemporary Nigerian politics. Thus, the paper utilized secondary (including historical) sources of data to show that notwithstanding the existence of other forms of logic, the main drive towards political restructuring in Nigeria is the recognition that existing state institutions, particularly at the center, are inadequate to apprehend, comprehend and resolve emerging challenges. It concludes on the note that the ability of Nigeria's post-civil war federalism to prevent state disintegration or a recurrence of large-scale ethno-secessionist violent movements has waned considerably, thus, the center would not hold much longer except the polity undergoes political, economic, structural and functional restructuring.

Keywords: *Federalism, Restructuring, Democracy, National Question, Nigeria.*

Introduction

Nigeria, a politically arranged country, is the product of British experiment in political cloning. In fact, the British themselves only came to understand the eccentricity of the territory after the acquisition. The situation is however worse for Nigerians. For some, it was, accidental while for some others, it was involuntary and eternally traumatic. However, for all of them, it was a forced brotherhood and sisterhood which has defied as it were, all known formulas for nation building.

In fact, an eminent Nigerian political actor described the product of the experiment as 'a mere geographical expression' [1] another equally prominent actor described it as the 'mistake of 1914' [2] while the First Prime Minister, Tafawa Balewa told the Legislative Council in 1958 that "Nigerian unity is only a British intention for the country [3].

Thus, the political history of this 1914 geographically created entity has been dominated by efforts at fashioning a system that has the potentials to approximate the people's wishes and desires, to no avail.

The attraction for federalism in Nigeria borders on its perceived integrative tendency, which makes it capable of serving heterogeneous societies. In the words of Roberts and [4] when socially and culturally distinct people find themselves together in the same polity through circumstance of history, to live peacefully together and govern together, they have to strike a balance, which must be acceptable to all the parties involved.

Federalism, the system which shares power in such a way that each recipient unit

assumes a separate existence and commands relatively exclusive authority over some clearly specified sphere of state activity, in principle, ensures such a balance.

However, in spite of its integrative tendency, Odukoya and Ashiru [5] are quick to point out that federalism does not necessarily possess the magic wand or formula that instantaneously resolves the problems and contradictions of heterogeneous societies. Rather they argue that the socio-economic and political specificities of different societies, coupled with constant and continuous engineering, re-engineering and adjustment is needed, if the goals of federalism is to be achieved (Ibid).

Since independence in 1960, the country has been faced with the problem of representational equity which ordinarily is expected to be contained by the practice of federalism. The Nigerian situation is such that the desire for organizational institutionalization and coherence under a federal governance model which is globally assumed as a potent remedy for rhythmic dislocations and disruptions is yet to be accomplished. Thus, fuelling persistent calls for the redesign of the federal practice. At the dawn of Nigeria's second republic, Bolaji Akinyemi, Dele Cole and Walter Of onagoro [6] the editors of an important work published in Nigeria, *Readings on Federalism*, that brought together in one volume views of leading scholars in Comparative Federalism worldwide averred in its preface, that "Federal states are continually engaged in the process of reviewing their federal systems in order to retain their relevance to their societies". They also added, perhaps for effect, that "the need to review federal systems should not be seen as a sign of weakness" because, whereas federalism "promises that federal institutions may be designed to meet the particular needs of the communities establishing them; the promise is often honored more in its breach than in its delivery" (ibid).

Interestingly, almost six decades after independence, federalism's minimalist promissory note to permit the people of the union, their own nationalism and self-determination is highly endangered in Nigeria. This is fundamental because of the

absence of the civic political culture that is germane to the workings of conceptual phrases that scaffolds a federal system such as 'existence of relatively independent centers of power', 'inter-governmental relations driven by partnership', 'local people deciding on local priorities', etc thus fueling ceaseless agitations for restructuring.

It is in light of this, that this paper examines the entire gamut of the practice of federalism in Nigeria. In specific terms, it interrogates the interface of the federal principle and federal practice in Nigeria. The rest of the study looked at the age long rivalries between Nigeria's ethnic nationalities and the renewed ethno-national agitations. The paper also considers the desideratum of political restructuring in Nigeria.

Federalism and Political Restructuring: Meaning, Nature and Theoretical Base

Federalism refers to the mixed or compound mode of government, combining a general government (the central or 'federal' government) with sub regional governments in a single political system. Its distinctive feature, exemplified in the founding example of modern federalism of the United States of America under the Constitution of 1789, is a relationship of parity between the two levels of government established. It can thus be defined as a form of government in which there is a division of powers between two levels of government of equal status. The above position is well established by Professor K.C Where; the globally acknowledged father of contemporary federal theories. K.C Where [7] defined federalism or federal government in his famous book: *Federal Government*, as "the method of dividing power so that general and regional governments are each within a sphere co-ordinate and independent".

In fact, a common element of all definitions of federalism is the recognition of the existence of a central as well as other equally independent units of government. Federalism is distinguished from co federalism, in which the general level of government is subordinate to the regional level, and from devolution within a unitary state, in which the regional level of government is subordinate to the general level. It represents the central form in the pathway of regional

integration or separation, bounded on the less integrated side by co federalism and on the more integrated side by devolution within a unitary state.

In a federation, the division of power between federal and sub national governments is usually outlined in the constitution. Almost every country allows some degree of sub national self-government, in federations the right to self-government of the component states is constitutionally entrenched. Component states often also possess their own constitutions which they may amend as they deem fit, although in the event of conflict the federal constitution usually takes precedence.

Where's formulation of federalism is been drawn correctly from the United States of America which is regarded by him (and accepted globally) as the archetype of federal government. Since other formulation of federalism from other scholars are variations of his work, the basic tenets or elements of federalism according to K.C Where will be used as a template to determine Nigerian federalism and the extent to which Nigeria has fulfilled the basic tenets of federalism.

The basic tenets according to him are:

- There must be at least two levels of governments and there must be constitutional division of powers among the levels of governments.
- Each level of government must be co-ordinate and independent.
- Each level of government must be financially independent. He argued that this will afford each level of government the opportunity of performing its functions without depending or appealing to the others for financial assistance.
- There must be Supreme Court of the independent judiciary. He argued that in terms of power sharing, there is likely to be conflict hence, there must be independent judiciary to resolve the case.
- In terms of the amendment of the constitution, no levels of government should have undue power over the amendment process.
- K.C Where maintained that, once a country is able to satisfy these conditions, such country is said to practice federalism.

The thrust of Where's conception is the emphasis on decentralization, through the devolution of powers to different geographical level within the federal arrangement. This position is in line with the submission of that the notion of decentralization is far more important than as to whether it is a "particular political or constitutional order".

Other perspectives of Federalism connote also exists. Arguing from a sociological perspective, William Livingstone submits that: The essential nature of federalism is to be sought for not in the shading of legal and constitutional terminology but in forces economic, social, political and cultural that makes the outward forms of federalism necessary. The essence of federalism lies not in the constitutional or institutional structure but in the society itself... Federal government is a device by which the federal qualities of the society are articulated and protected [8].

He went further to pinpoint the distinguishing characteristics of federalism which he located in the territorial demarcation of diversities .According to him: The diversities may be distributed among the members of a society in such a fashion that certain attitude are found in particular territorial areas, or they may be scattered widely throughout the whole of the society. If they are grouped territorially that is geographically, the result may be society that is federal if they are not grouped territorially then the society cannot be said to be federal, but in the former case only can this take the form of federalism of federal government in the latter case it becomes functionalism, pluralism or same form of corporatism. (ibid)

To Daniel Elazer, the ideals of federalism flourish more, in an atmosphere that guarantees deliberative and consociation processes. He observes that: Federation can only exist where there is considerable tolerance of diversity and willingness to take political action through conciliation even when the power to act unilaterally is available [9] Elazer acknowledged diversity among the component units and believe that their coming together must be on the basis of their willingness and voluntarism rather than imposition of the arrangement on the people.

Elazer also takes cognizance of the inevitability of strains and stresses in the group relation and therefore the need for compromise and reconciliation. In the view of Carl Friedrich, federalism emphasizes: ... a process rather than a design... any particular design or pattern of competencies or jurisdiction is merely aphasia, a short run view of a continually evolving political reality... if thus understood as the process of federalizing it will become apparent that federation may be operating in both the direction of integration and differentiation Friedrich [10].

The significant thrust of Friedrich postulation is therefore predicated on the belief that federalism is a dynamic rather than a rigid process. As no Nation or state has a stagnant nature, but rather, all states are regarded as neither unitary nor federal. It is believed that states belong to a spectrum which is at one end absolutely unitary and of the other absolutely federal. In this sense, the British unitary system has some elements of federalism while the American and Nigerian federal system have some attributes of unitarism.

The mere presence of a federal arrangement of governmental powers and political structures does not however, suggest that federalism has taken root. It must among other things, be able to guarantee and allow for the preservation of regional autonomy and the right to self-rule without foreclosing the possibilities of shared rule [5].

The moment the above condition is missing, as is the case with Nigeria where Federalism remains so only in name, the polity owes itself a duty to look inwards and restructure the praxis of federalism (politically, economically, structurally and functionally) to make it serve its intended purpose fully. Thus, the debate to restructure Nigeria or not is well beyond political rhetoric and ethnic diatribes.

According to Amuwo et al [11] "Political restructuring seems to be informed by the poor praxis of an admittedly formal federal system. In other words, the clam our for restructuring is more stringent in countries with a federal form of government- and perhaps also a federal constitution- but with a unitary practice".

The important factor that strengthens a federal state would therefore not necessarily be the existence of a constitution but the existence of a considerate and equitable political and economic relationship that exists to keep members of the union happy.

The essence of restructuring a political union could therefore be hinged on governability. Kolhi [12] for instance considers restructuring as fallout of the desires of "how to create effective political institutions that can both accommodate diverse interests and provide effective government". The aim therefore is to serve as a steering mechanism to properly give focus and locus to attempts at collective identity and distributive politics [11].

Apart from the above, restructuring is intended to lay a formal foundation for an impartial and an equitable sharing of the political space by the numerous ethnic nationalities that in habits the federal state. By extension, the rights of both the majority and minority groups are catered for, thus hindering any group either based on geography or demography to dominate uncontrollably.

I aver that the intention of the Restructuring currently clamored for in Nigeria is the reorganization or rearrangement of the constitutional, operational, fiscal, functional, structural, attitudinal, resource management and the other national-question concerns of the ethnic nationalities that constitute Nigeria for the purpose of making Nigeria to be more efficient, more acceptable, more productive, more functional and above all, more equitable. This restructuring is expected to devolve powers from the central to the constituent units, respect resource control, structurally balance the number of states per region, allow for State Police, encourage comparative advantage of natural endowments and among other things, allow the government at the center and each constituent units to function as co-ordinate and independent entities.

With the agitation around restructuring the federation taking on a renewed urgency in Nigeria today, this is possibly the best time to take on the issues and concerns involved more decisively.

According to Obaze [13] President Muhamadu Buhari in his 2015 Presidential Campaign Manifesto, promised to “Initiate action to amend the Nigerian Constitution with a view to devolving powers, duties, and responsibilities to states in order to entrench true Federalism and the Federal spirit.” In all fairness, “Buhari never used the word, “restructure”; but it was implied” (ibid). It is therefore worrisome and confusing that the Buhari-led administration has not done anything in that direction half way into its four year mandate.

Through the years, almost, if not, all the regions, nationalities and groups comprising the state have felt the nature of the Nigerian union has not served them well enough by taking their welfare and need for progress into account, leading to attitudes of alienation from and rebellion against the Nigerian state. The ensuing feeling of marginalization-which many have equally seen as evolving from the class character of the state-has ensured that calls for a renegotiated union have attained vociferous dimensions.

The peculiar volatility of the times, especially with an economy in free-fall and Nigerians bearing more hardship, has seen the resurgence of several groups championing narratives of exclusion from the commonwealth, and the economic and political processes of the state. Instances of these separatist calls have resulted in arms being taken up against the state, in the activities of groups in the South-East and South-South regions. Interestingly, elements especially from Northern Nigeria has equated the calls for restructuring as calls for dismembering Nigeria. Such concern is unfounded and the notion defeatist because Nigeria has been restructured several times, without negative consequences.

In the century since its creation, Nigeria has experienced one form of reconstitution or the other, from the 1938 restructuring of the South into the two regions of West and East, to the demands for a more representative federation beyond a tripartite configuration corresponding to the major nationalities, and the creation of 12 states by the Gowon administration in 1967 to after the civil war. A further 19 state structure was created in

1976 by the Murtala administration; then 21 and 30 states in 1987 and 1991 by the Babangida regime; and a 36 state federation by General Abacha in 1996.

Historically, the fears of the political and economic domination of one group over the others, and concerns with managing diversity and differences – essential aspects of which have been framed as the National Question in Nigeria – have resulted in agitations for restructuring. This had initially made politicians settle for a federal structure of government, but the successive state creation exercises of the military resolved into a ‘quasi-unitary Jacobin state’. The Federal Government became overly strengthened and centralized at the expense of the state and local tiers of government.

The increased pressure on the Nigerian state to restructure draws from the history of how the federal system inherited at independence had operated, with regions allowed the autonomy of raising and retaining their revenues – while paying taxes to the centre, developing at their own paces and engaging in healthy rivalries among themselves.

Whatever arrangement is subscribed to will have to be one that transfers more power to the people. Certainly, this would necessitate some form of structural realignment and devolution of important powers from the federal to the other levels of government, freeing up the centre, and making it less attractive to the desperation of political capture. The restructuring of Nigeria needs to be one carried out for greater clarity in the powers and functions of the various levels and tiers of government, in a manner that effectively deals with the concerns of various people and groups.

As presently constituted, there is the need to reduce the size of government, serving as one of the greatest drag downs to Nigeria, with government and its structures taking up a greater chunk of yearly budgets which go into financing recurrent expenditure. While the central administration should hold on to powers including those of taxation, issuance of currency, defense and national security, etc., other levels, including states and local councils should be able to determine their own development needs, and be able to cater

for issues pertaining to education, health, wage structure, power generation and distribution, security (police), etc.

The restructuring envisaged would be one that empowers people at different levels to develop according to their human and material resources and at their own pace. This will very likely unleash the energies and creativity of the people in giving expression to requirements for truer diversification of the national economy.

A Succinct Appraisal of Federalism in Nigeria

Nigeria has always operated federalism in an awkward manner and this has made frictions and clashes inevitable while at the same time, hampering nation building. The amalgamation of the Northern and Southern protectorate made Nigeria a multi-ethnic and multi-lingual country. The point must be made that what is today referred to as Nigeria was not a question of a country that was originally unitary, being broken into federating units, but of formerly totally independent kingdoms, empires, nations and autonomous communities being brought together, and ending up in a federal union. In line with this historical evolution of Nigerian federalism, it should be noted that, the choice of federalism as the preferred system of government for Nigeria was not accidental.

The fact is that the founding fathers took cognizance of the situation of the State as development progressed and opted for a system of government that would neutralize the political threats and accommodate the divergent interest of the various ethno-cultural and minority groups. This desire which eventually found expression in the federal system of government as a diversity management technique is still struggling hard to accomplish anticipated goals.

Going by the reality of the times and using K.C. Wheare's criteria (stated above), the question arises on whether or not, the governance model Nigeria has practiced since independence conforms to the basic tenets of federalism. The answer to the above is in the negative for the following reasons:

- Indeed there has been more than two constitutionally recognized levels of

governments in Nigeria however, the constitutional division of powers among the levels of governments is flawed.

- In Nigeria, the tiers of government are not co-ordinate and independent.
- The tiers of government in Nigeria are not financially independent. In fact, fiscal relationship among the tiers of Government in Nigeria has never been fair. The 36 States go to the central government to collect monthly allocation from the federation account whereas, it is States that should pay 'taxes/royalties' to the federal Government. Under the 1999 constitutional arrangement, the powers of the Revenue Mobilization Allocation and Fiscal Commission as provided under the Third Schedule Part 1 N-item 32 (b & c) as follows: (b) Review from time to time, the revenue allocation formulae and principles in operation to ensure conformity with changing realities; (c) provided that any revenue formula which has been accepted by an ACT of the National Assembly shall remain in force for a period of not less than five years from the date of commencement of the Act; has been flagrantly disregarded.
- There is indeed a Supreme Court of the 'independent judiciary' but the extent to which the Judiciary is independent in Nigeria of 2017 calls for serious concern.
- Constitution amendment has always been an issue in Nigeria and the control of the process has always been skewed in favor of the central legislature.

Except for the brief period of the First Republic, Federalism has never been practiced in its ideal form in our clime. At independence, the largely autonomous regions possessed the residual powers in the federation and functioned almost independently.

The regions had independent revenue bases; separate constitutions, foreign missions, and the primary and secondary education were under the residual list while the university education was under the concurrent list. Every region had its Constitution, Coat of Arms, Agent-General in London. Thus, Nigeria had four Diplomatic Representatives in London. There was healthy competition. Chief Obafemi Awolowo initiated five Shillings Minimum Wage, Free Education etc

in the Western Region and other Regions struggled to emulate such novelties. However, all these changed under military rule.

Attempts by the state governments to reassert their autonomy during the second republic were aborted by the return of military rule. Some state governments that were controlled by parties other than the National Party of Nigeria (NPN) took the NPN-controlled federal government to court many occasions over matter of jurisdiction competence. This trend of federal government dominance is yet to abate almost fifty years after the first republic experience. The present arrangement where the federal government continues to see itself as superior to the state governments is largely responsible for the imperfections of federal practice in Nigeria.

Age Long Rivalries and Renewed Ethno-National Agitations in Nigeria

It is a well acknowledged fact that the various ethnic nationalities in Nigeria, especially the majority Hausa/Fulani, Igbo and Yoruba played active roles while negotiating independence. At the constitutional talks in London and Ibadan, they depicted their visions of independent Nigeria and their respected places in it. According to Nnanna [14]. The Northern group led by Alhaji Ahmadu Bello wanted an independent Nigeria where their Islamic heritage would not be tampered with; where the North would not be disadvantaged by the South's advanced educational standing and affinity to the Western lifestyle. For them, it was either they were allowed to feel comfortable in an independent Nigeria or they would not be part of it. The North was, originally, the first group to attempt to pull out of Nigeria before and after independence.

The Yoruba's were originally part of the Pan Africanist National Council for Nigerian Citizens (NCNC) movement until Chief Obafemi Awolowo and his Action Group came in to push for strong regions to enable them control the destiny of the Yoruba's within the Nigerian federation. The Igbos, with Dr. Nnamdi Azikiwe as the undisputed political torchbearer, stood behind the NCNC's Pan Africanism, which saw all Africans and Blacks as people bound by one destiny. Zik

and his Igbo followers stood for one Nigeria, knowing full well that with their large population and geographical disadvantage (small landmass without direct access to the sea) they needed the larger national canvas to thrive.

However, what the various ethnic nationalities concealed (as their relationships have shown since independence) is that there have been an age long rivalry between them. Each of the three main ethnic groups – Hausa, Yoruba and Ibo have always feared the domination of one another and has therefore struggled to dominate others. The fear of minority ethnic groups is worse as they see the three big ethnic groups as a common enemy. The political statements of the acknowledged leaders of these groups at the early stage of independence and the volume of hate speeches from the current generation of these ethnic nationalities have also inflamed the fear of domination and distrust.

For instance, early in the life of Nigeria, Dr. Nnamdi Azikiwe never hid his penchant for the promotion of the Igbos over other Nigerian ethnic nationalities. In 1948, he stated that "It would appear that the God of Africa has created the Ibo nation to lead the children of Africa from the bondage of the ages.....The Ibo nation cannot shirk its responsibility from its manifest destiny [15].

Reacting to the various attempts made by Dr. Azikiwe to present the Igbo as a superior ethnic nationality, Chief Obafemi Awolowo [1] noted in 1960 that "It seemed clear to me that (Azikiwe's) policy was to corrode the self-respect of the Yoruba people as a group; to build up the Ibo as a "master-race". The Action Group, a controlling political influence in Yoruba land/Western Region of Nigeria's first republic also had a song that stated that it is "better to die than to pay homage to a gambari (Hausa)

Similarly, the northern fear of southern domination was never hidden. Speaking through Mallam Tafawa Balewa, the northern fear was expressed thus: "...Man at times.....is by nature suspicious, and it is therefore natural for the people of the North, though greater than the South, in numerical strength, to fear domination" [3].

Another northern political leader was reported by Dent [16] as saying “We had to teach the people to hate the Southerners; to look at them as people depriving them of their rights”. Similarly, Ahmadu Bello the first Premier of Northern Nigeria declared at independence that "the new nation called Nigeria should be an estate of our great grandfather, Othman Dan Fodio. We must ruthlessly prevent a change of power. We must use minorities in the North as willing tools and South as conquered territories and never allow them to rule over us or have control over their future" [2].

The above expressions show that the various ethnic nationalities had never hidden their contempt for one another. Just as it was in the past, the situation of hate, distrust and disaffection among ethnic nationalities in Nigeria is yet to abate. Although hate, distrust and disaffection among ethnic groups in contemporary Nigeria is yet to snowball into another Civil war; hate speech could soon turn out to be a major driver of violent conflicts in Nigeria. The political space is filled with hate speeches from both the leaders and youths across Nigeria's ethnic divide thus constituting an unflinching signal for impending large scale violence.

Peculiar to hate speeches in Nigeria is, its tight association with the Nigerian ethno-regional flow and the only difference between hate speech level on the eve of the genocide in Rwanda in 1994 and Nigeria today is that, “in Rwanda, it was clearly articulated to produce the kind of response it did while that of Nigeria now is still spontaneous and diffuse reaction aimed at provoking particular kind of disposition from the other” [17]

These hate speeches daily increase disaffection among Nigeria's ethnic nationalities as it:

- Deliberately spread falsehood that demeans other people on the basis of religion, ethnicity, gender or place of origin,
- Denigrates and ridicules traditional or cultural institutions of other ethnic nationalities, and,
- Abuses or desecrates symbols of cultural or religious practices.

To start with, Dr. Junaid Mohammed, the National Coordinator of the Coalition of Northern Politicians, while commenting on the complaints of marginalization from Ibo people said “I don't believe Buhari or Nigeria owes any Igbo anything...if they (Igbo) had seceded, there would have been no Nigeria today. As people who acted outside the interest of Nigeria as a country, to expect compensation is a very odd logic. If the Igbo don't like it, they can attempt secession again. If they do, they must be prepared to live with the consequences – nobody owes them anything and nobody is out to compensate them for anything” [14] Also another northerner, Colonel Ahmadu Ali (rtd), former Chairman of the People's Democratic Party described “the Yorubas as ungrateful kind of people, who do not appreciate what others have done for them” [18].

In a similar vein, the wife of the immediate past President, Mrs Patience Jonathan stated during the 2015 Presidential campaign in Calabar that “Our people do not give birth to uncountable children. Our men don't give birth to children that they dump in streets.

We are not like people from that part of the country (apparently the Northern Nigeria)” [19]. Again, another leader from the Niger Delta region, Alhaji Mujahid Dokubo-Asari [20] openly described the Hausa/Fulani stoic as beggars and parasites. According to him, “.....he who pays the piper will always dictate the tune. We own them. We are feeding them. They are parasites. A beggar has no choice...They are beggars and parasites”.

A monarch in Yoruba land, the Oba of Lagos, Oba Rilwan Akiolu once threw caution into the wind when he reportedly said he would not beg the Igbos in Lagos to cast their votes for his preferred candidate in the 2015 Governorship election. The Oba stated that “I'm not ready to beg you. I am not begging anybody, but what you people cannot do in Onitsha, Aba or anywhere, don't do it here. If you do what I want, Lagos will continue to be prosperous for you. If you go against my wish, you will perish in the water [21].

The Governor of Ekiti State, Peter Ayodele Fayose declared openly during the 2015 Presidential Campaigns that “Buhari would likely die in office if elected, recall that Murtala Muhammed, Sani Abacha and Umaru Yar’Adua, all former heads of state from the North West like Buhari, had died in office. [22] Also, Femi Fani-Kayode, a Yoruba man and former Aviation Minister was quoted as saying“ the Igbos are collectively unlettered, uncouth, uncultured, unrestrained and crude in all their ways...Money and the acquisition of wealth is their sole objective and purpose in life [23].

A fact of Nigeria’s governance dynamics is that every new political administration springs forth a new uprising from disenchanting interest groups. Such seems to be the case of Nigeria in 2017 in the light of the various calls from different ethnic groups for restructuring or outright secession. Whilst, at face value, the wave of protests and agitations dotting the Nigerian landscape may be construed as another activity of unscrupulous, business-minded men exploiting gullible youths, the motivations for such uprising, no doubt arises from the skewed nature of the Nigerian society.

For many years, successive administrations have maintained an ominous imbalance and inequitable structure that disfavours merit. They have glossed over the continuous capitulation of the political class in a progressive fashion to a point of disaffection thereby fostering a forced unity.

It is therefore not out of place to state that all is not well with the national political configuration. For too long, successive governments have undermined the essential differences in the various interests of the Nigerian people; and so unresolved matters about the aspirations of Nigeria’s heterogeneous interests have become an ongoing concern.

Thus, rather than shout down at agitators and wish them away with a wave of the hand, Nigeria should find answers to the thorny issues that created this monstrosity in the first place. Fortunately, the answers to many of these problems are contained in the report of the 2014 National Conference.

The Muhammadu Buhari government should look into the report if it is to make any headway in addressing the renewed ethno-national agitations across the nation.

The Desideratum of Political Restructuring in Nigeria

As argued above, the basic minimal structures required for a country to lay claims to the practice of federalism include a political system in which there is power sharing under a written constitution with a government consisting of at least two orders: a central or federal government and the governments of the constituent units. Each order of government is also expected to operate a properly designed fiscal relationship. Nigeria has laid claim to a federal state status since it was reorganized into a federation of three regions in 1946. Seven decades on, the basic requirement of federalism – independence and co-ordinate status of constituent units is yet to be attained.

The failure of the attempts represented in Nigeria’s numerous national constitutional reform processes, and the more recent abandonment of the recommendations of the 2014 National Conference by the Buhari-led federal government, makes the call for restructuring highly expedient.

The restructuring pattern that Nigeria should tow will have to be one that transfers more power to the people. The needed restructuring should not only be in terms of fiscal relationship between the federal government and the constituent units (i.e the States) but also structurally (to balance the locus of powers in terms of States per regions and also address the inequitable number of existing Local Governments).

The skewed nature of existing Local Governments within and across political zones is also a serious national question in Nigeria. For example Lagos and Kano states were both created in 1967, and later, Jigawa State was carved out of Kano in 1991. No state has been carved out of Lagos, yet Kano has 44 Local Governments. Jigawa has 27. Between Jigawa and Kano we have 71 Local Governments, while Lagos still has 20 Local Governments! Interestingly, the population of Kano was put at about 9.6 million and

Jigawa at about 5 million while Lagos was allocated about 9.1 million, according to the 2006 Census. The implication of the above is that even Kano after the creation of Jigawa is still more populous than Lagos. And how come the new Kano with 10 million people has 44 Local Governments, while Lagos with about the same number of people has 20 Local Governments? Even in the Southwest, Ondo State with a population of 3,441,024 according to the 2006 census has 18 Local Governments while Osun State with 3,423,535 people has 30 Local Governments.

Just as it is in the case of Local Governments, the point must also be made in the case of States per zone. While for instance, the South East has only five states; the Northwest has seven. Certainly, Nigeria needs fiscal, political and structural realignment. The devolution of important powers from the federal to the other levels of government which will ultimately free up the

centre, and make it less attractive for political contestations. The desired restructuring of Nigeria must come with greater clarity in the powers and functions of the various levels and tiers of government, in a manner that effectively deals with the concerns of various people and groups.

The restructuring that Nigeria needs would be one that empowers people at different levels to develop according to their human and material resources and at their own pace. This will very likely unleash the energies and creativity of the people in giving expression to requirements for truer diversification of the national economy.

The current pseudo-federalist system is unsustainable because it is irredeemably flawed, crisis-prone and condemned to be a source of continuous frustration to national unity and nation building.

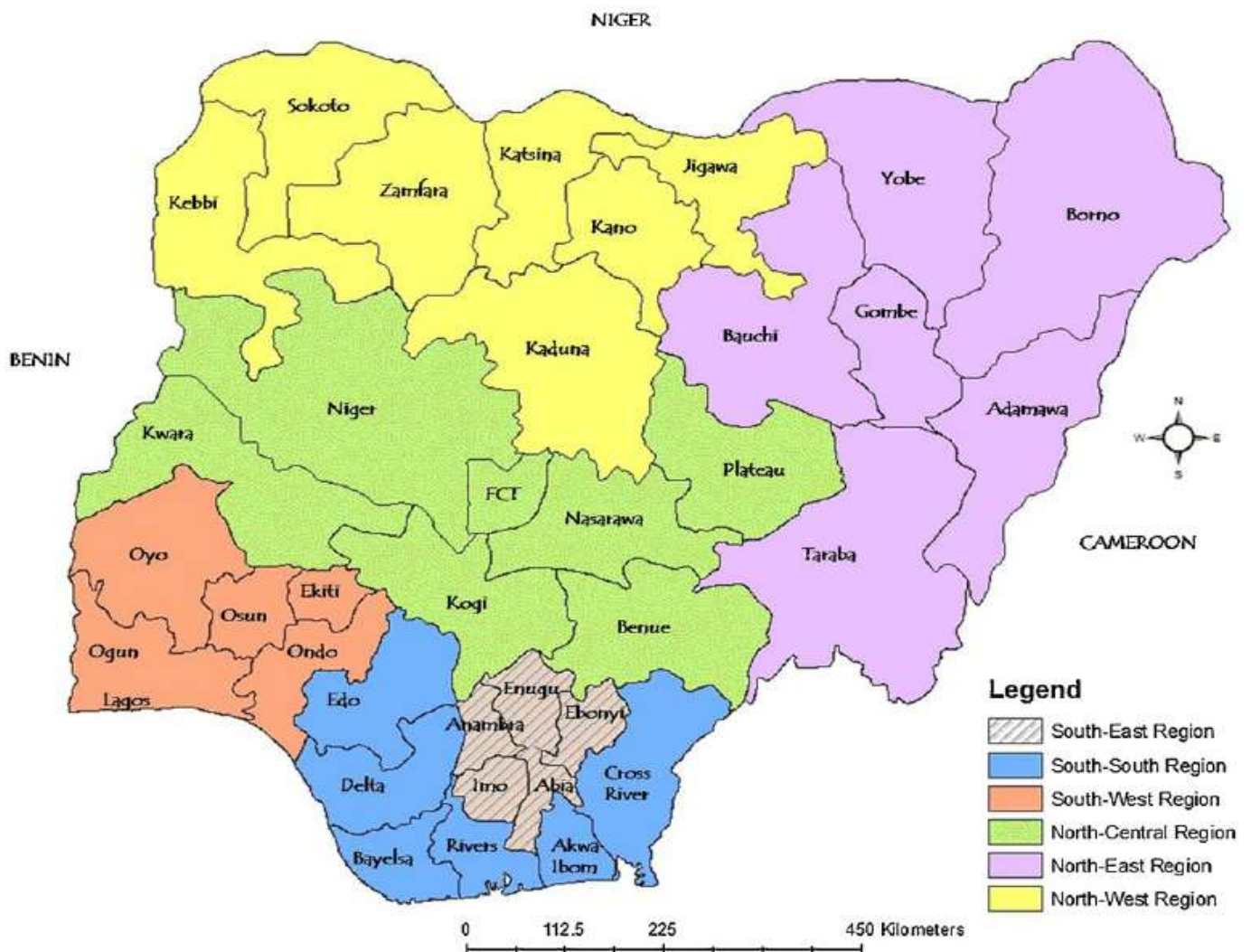


Figure 1: Map of Nigeria showing the six geopolitical zones

The Way Forward

The way forward for Nigeria is to restructure as according to the Nobel Laureate, Professor Wole Soyinka, “it was wrong to say that the country’s structure should be left the way it is. Interestingly, Nigeria conducted a National Conference in 2014. Unlike previous National dialogues, the 2014 CONFAB had ‘no-go areas’, which means that there was no restrictions on matters that could be discussed. The 2014 CONFAB gave Nigeria the opportunity to appreciate the age-long challenges that are confronting in the polity in a non-partisan forum where ethnic, religious, political, economic, and professional considerations melted into thin air.

The over 600 Resolutions of the CONFAB which were reached by the 492 Delegates through consensus touched most, if not all the, critical issues that had been listed as encumbrances to Nigeria’s rapid development and attainment of nationhood. Among several other things, the Resolutions included: the practice of true federalism; devolution of powers; creation of additional states; adoption of modified presidential system of government that integrates the parliamentary and presidential systems; creation of State and Community Police; the introduction of independent candidates for election and in the economic domain; solid minerals that had been the exclusive preserve of the federal government since independence, was recommended to be moved to the concurrent list.

The resolutions hold promises for the building of a more inclusive national consensus on the structure and guiding principles of state that can guarantee the unity, progress and prosperity of Nigeria. This paper summarises the core recommendations of the 2014 CONFAB as it affects Political Restructuring and Forms of Government.

Key Recommendations at a Glance

Federalism

That Nigeria shall retain a Federal system of Government; that the core elements of the Federation shall be as follows: i. A Federal (Central) Government with States as the federating units; and ii. Without prejudice to

States constituting the federating units, States that wish to merge may do so in accordance with the Constitution of the Federal Republic of Nigeria (when amended).

That (i) The States shall be the federating units; and (ii) Any group of States may create a self-funding Zonal Commission to promote economic development, good governance, equity, peace and security in accordance with the Constitution of the Federal Republic of Nigeria (when amended).

The number, structure, form and administration of Local Governments shall be determined by the States and that the List of the Local Governments Areas contained in the First Schedule of the 1999 Constitution be removed, and transferred to the States to be covered by a law of the State Houses of Assembly. Appropriate devolution of powers and Fiscal federalism.

Creation of 18 New States

The conference recommended the creation of 18 new states – three per geo-political zone. They include Apa, Edu, Kainji, Katagum, Savannah, Amana, Gurara, Ghari, Etiti (South East zone), Aba, Adada, Njaba-Anim, Anioma, Orashi, Ogoja, Ijebu and New Oyo.

Resource Control/Derivation Principle

The conference held that assigning percentage for the increase in derivation principle, and setting up Special Intervention Funds to address issues of reconstruction and rehabilitation of areas ravaged by insurgency and internal conflicts as well as solid minerals development, require some technical details and consideration.

Public Finance/Revenue Allocation

The conference noted that the sharing of the funds to the Federation Account among the three tiers of government should be done in the following manner: Federal Government – 42.5%, State Governments – 35% and Local Governments 22.5%.

Forms of Government

The conference recommended the Modified Presidential System, a home-made model of government that effectively combines the presidential and parliamentary systems of

government. The president shall pick the vice president from the Legislature and should select not more than 18 ministers from the six geo-political zones and not more than 30% of his ministers from outside the Legislature.

Legislature

The conference proposed a Bi-cameral legislature, but noted that members should serve on part-time basis.

Power Sharing/Rotation

The conference recommended that the presidential power should rotate between the North and the South and among the six geo-political zones while the governorship will rotate among the three senatorial districts in a state.

Local Government

Local Governments, the conference recommended, will no longer be the third tier of government. The federal and states are now to be the only tiers of government. States can now create as many local governments they want. The Joint State/Local Government Account be scrapped and in its place the establishment of a State RMAFC with representatives of LG and a Chairman nominated by the Governor.

Immunity Clause

One of the critical issues discussed is the immunity clause and it was agreed that it should be removed if the offences attract criminal charges to encourage accountability by those managing the economy.

Independent Candidacy

To open up the political space, the conference recommended that every Nigerian who meets the specified condition in the Electoral Act should be free to contest elections as an independent candidate.

Governance

The creation of the office of the Accountant General (Director-General) of the Federation as a distinct and separate office from the Office of the Accountant General of the Federal Government was recommended. The Office of the Accountant General of the Federation shall oversee the accruals of revenue into and disbursement from the

Federation Account as and when due; and shall administer these funds as required by the Constitution, while the office of the Accountant General of the Federal Government shall oversee the accounts of the Federal Government, the conference inferred.

Anti-corruption

The conference proposed Special Courts to handle corruption cases in the light of undue prolongation in the trials and prosecution of corruption cases in the regular courts.

Land Tenure Act

The Land Tenure Act, according to the conference, should remain in the Constitution but be amended to take care of certain concerns, particularly on compensation in Section 29 (4) of the Act to read "land owners should determine the price and value of their land based on open market value".

Religion

The Conference recommended that there would no longer be any government sponsorship of Christian and Muslim pilgrimages to the holy lands. It also resolved that churches and mosques should begin to pay tax to government.

Conclusion

The need to devolve and de-concentrate power to other component units of the Nigerian federation as prescribed by the federal principle is imperative in today's Nigeria. The existence of minority groups in Nigerian federation also makes it compelling that mechanisms that allay minorities' fear of domination and oppression be created, enshrined and guaranteed.

A constitutionally guaranteed restructuring of the polity that among other things grant autonomy to the ethnic nationalities will therefore suffice to remedy the challenges troubling Nigeria at the moment. There is no doubt that there is a deep distrust of the Nigerian State by the ethnic nationalities and only a firm political, economic, structural and functional restructuring can hold the very fabric of the polity together in the long run.[24-27]

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