

FEDERALISM IN NIGERIA: THE PAST, CURRENT PERIL AND FUTURE HOPES

Aderonke Majekodunmi

*Political Science Department, Faculty of Social Sciences
University of Lagos, Nigeria*

Abstract

The origins of Nigeria's federalism lie not in the pluralities of economic and geographic regions or of ethnic nationalities, but in the plurality of colonial administrative traditions imposed by the British. Different administrative traditions were especially evident in the Northern and Southern Regions of Nigeria. These traditions produced regional rivalry and conflict that were entrenched in the Nigerian polity by the processes of consolidation and nation-building. After independence, this regional rivalry became the basis for triggering the conflicts between economic and ethnic areas present in Nigeria's federal system and for creating more states in attempts to accommodate various group interests. In the aftermath of military rule, Nigeria's new civilian, democratic federal system is highly centralized while also being fragmented subnationally. There is much pressure to reconstitute the federal system, devolve powers, provide for a more equitable distribution of natural-resource revenues and other revenues, and use states to advance ethno-religious identities. Although federalism is likely to survive in Nigeria, political leaders need to develop a culture of intergovernmental consultation and cooperation in order to solve the federation's problems more peacefully and expeditiously.

Introduction

Federalism as a system of governance is pragmatic, dynamic, utilitarian and evolving. It can only thrive on consultation, negotiation, compromise, bargaining and agreement between the constituent governments. It grows under a system of mutuality and interdependence (Fatile and Adejuwon, 2009). Federalism represents a unique form of governmental arrangement. This is because, it involves organisation of the state in such manner as to promote unity while at the same time preserving existing diversities within an overarching national entity.

Federalism, in its modern form, has been shaped by the existing realities surrounding the concept of a market economy. Thus, the new political economy of federalism has provided refreshing ideas about federal sustenance. According to these emergent ideas, economic prosperity generated by local freedom is regarded as a key factor that unites citizens on the limits of state

power and also forces political actors at the national and local levels to keep within their respective spheres. This is especially so because, federalism, with its interacting levels of government, was thought to be capable of offering a way of mediating the variety of citizen preferences. Constitutional federalism emerged not only as a mechanism that provided a limited, overarching governmental framework for a shared political market, but also as a basis for preserving significant powers and functions for the political communities that joined the market, defined as federation. This division and sharing of powers (or competencies) between a general union government and the constituent political communities could resolve not only the need to restrain the power of both the federal government and the constituent governments for the sake of freedom but also the cultural and political demands of the constituent political communities for the preservation of their governmental integrity (Eme; Onyishi and Sam, 2011).

Federalism is a system meant to integrate people in a society who are diverse ethnically, culturally, geographically and even religiously. It therefore becomes imperative that once a government is in place, it must endeavour to adequately and equitably distribute powers, functions and resources among these diverse groups. But in Nigeria, there are instances where governments have openly violated this principles of federalism. Suffice it to say that in theory, Nigeria can be said to be operating the federal system of government, whereas in actual practice, the country is tending towards a unitary system. Therefore, the problem with federalism in Nigeria is the mix-application or non-application of this clause especially as it has to do with power distribution (Awa, 1977). Federalism is the bedrock of democratic edifice for a country of Nigeria's size and bewildering diversities. Like India, also a federal state which has been rightly described as a land of "million mutinies" (Roy, 2002), also by the intensely conflictual nature of third world politics, (Suberu, 1990). Having explored the polemics in the literature, vis-à-vis the suitability of federalism as an integrative device, we now proceed to examine the travails of federalism in Nigeria.

Federalism: Conceptual Explanation

It has been discussed and agreed at many fora that the discussion of contemporary federalism seems to have started with Kenneth C. Wheare who saw federalism as a constitutional arrangement which divides the lawmaking powers and functions between two levels of government in such a way that each within its respective spheres of jurisdiction and competence, is independent and coordinate (Wheare, 1953).

Federalism is derived from the Latin word "foedus" meaning covenant. It is a political concept in which a group of members are bound together by covenant with a governing representative head. The term is also used to describe a system of the government in which sovereignty is constitutionally divided between a central governing authority and constitutional political units (like states or provinces). The classic definition of a Federal Government, as provided by Sir Kenneth Wheare, is a system of government in which sovereignty is divided between the central and state governments. Wheare then went on to add that in this form of government, central and regional governments are co-ordinate in the sense that neither level of government is subordinate to the other in legal authority. He then concluded that in this system of government, each level of government should be limited to its own sphere and, within that sphere, should be independent of the other. This system of government can therefore be contrasted with a Unitary System in which the component units are legally subordinate to the central government (Wheare, 1967).

According to Wheare, the modern idea of what federal government is has been determined by the United States of America, which he has picked as a model. He has so much been captured with the United States' federalism which has led him to describe some constitutions as being quasi-federal because such constitutions do not provide the non-subordination of one unit of government to the central government.

A federal system of government often arises from the desire of the peoples to form a union without necessarily losing their identities. Federalism would, therefore, seem to provide an attractive system of government especially in the context of ethnic pluralism found in many African states. Federalism is generally accepted by many as necessary for managing the country's ethnic diversity as reflected in the adage "unity in diversity". Federalism in principle implies the construction of a system where consensus is reached between current demands of the union and the territorial diversity within an emerging society, by the creation of a single political system within which central and provincial governments are assigned coordinated authority in a manner defining both the legal or political limits of equality or subordinate functions (Agbu, 2004). Babalawe (1998) explained federalism thus:

a federal state is one in which there is an: *Explicit and constitutional demarcation of powers and functions among national and sub-national units. Moreover, the powers and responsibilities are distributed in such a manner as to protect the existence of authority of both levels of polity each of which is independent within its own sphere... Federalism refers to the doctrine which advocates and promotes the form of organization of a state in which power is dispersed or decentralized by contract as a means of safeguarding local identities and individual liberties.*

From an operational perspective, Ojo (2002) points out that federalism is reputed to be an effective political-cum-constitutional design for managing complex governmental problems usually associated with ethnic and cultural diversity. Generally, federalism connotes the existences of two levels of government, each constitutionally or jurisdictionally empowered to make decision independent of each other within the legislature sphere assigned to it. In his own submission, Mazrui (1971) claims that federalism is an institutionalization of compromise relationship. It is not only democratic, complete with the institutionalization of most essential ingredients; it is also creative and flexible enough to incorporate several accommodation formulas. Federalism is a system in which the power to govern is shared between national state governments, creating what is often called a federation (Akindele and Olaopa, 2002).

From the foregoing therefore, it is then understood that federalism must combine both structure and process. Indeed, only where the process of governance as well as the political culture reflects federal principles is the structure meaningful. There is the freedom of people in each basic component of the federal polity to determine how they are governed. In a federal system, it is imperative that the constituent states/regions have considerable coverage in organizing the forms of government and procedures of governance. The constituent governments have come to rely on financial support from the central government, thus negating the principle of financial independence of the state governments as identified by Wheare.

The Evolution of Nigerian Federalism

Nigeria is, one of the most ethnically diverse countries in the world with well over 250 ethno-linguistic groups, some of which are bigger than many independent states of contemporary Africa (Ojo, 2009). The Nigerian federalism is a creation of the British. Before the arrival of

British colonialists, the area now known as Nigeria was inhabited by peoples who belonged to different empires, kingdoms and societies, which were traditionally administered. The relationship between these various entities was characterized by much conflict and little co-operation. Furthermore, such vices as cannibalism, ritual murder and the killing of twins were rampant among some of the peoples (Adigwe, 1974).

The arrival of British and other European explorers, merchants and religious missionaries tempered and eventually reduced these vices to the barest minimum. After a series of efforts at pacification and conquest, effective British occupation of the area took place from the Royal Niger Company, whose charter was revoked in that year. Consequent upon this, three separate territories emerged. These are Lagos, the Protectorate of Southern Nigeria and the Protectorate of Northern Nigeria (Wikipedia, 2010). The choice of federalism as the preferred system of government for Nigeria was not accidental. The eventual transformation of Nigeria into a federal state started in 1954 as a result of the 1953 Lyttleton constitution conference.

In a federal structure, adequate autonomy is given to each level of government to enable it perform its responsibility without frustration. As a device for the containment of intra societal pluralism, federalism offers good prospect for achieving political stability of especially heterogeneous societies. In describing the popularity of the federal idea in the post 1945 period, Watts (2000) aptly captured the compromises that greeted the adoption of the federal system in many countries. In this, Nigeria is not an exception. According to Watts (2000),

...the creators of the new states approaching independence found themselves faced with simultaneous conflicting demands for territorial integration and balkanization. They had to reconcile the need, on the one hand, for relatively large economic and political units...with the desire, on the other hand, to retain authority of the smaller political units with traditional allegiances representing racial, linguistic, ethnic and religious communities. In such situations, where the forces for integration and separation were at odds with each other, political leaders of nationalist independence movements and colonial administrators alike found in the "federal solution" a popular formula, providing a common ground for centralizers and provincialists.

Given this background, it could be reasoned that Nigeria's adoption of the federal system was not as a strategy to manage problems of pre independence period but more importantly as an enduring strategy that would help detonate a major source of threat to the future political stability of an independent Nigeria.

In Nigeria, adoption of this governmental arrangement dated back to 1954 when it emerged a federation of three regions defined by the three major ethnic groups. However, in theory, Nigeria is said to be practicing Federalism since 1954. In fact, evidence on ground points to the opposite direction. That is that the government is tending progressively toward a unitary state. This is especially so in the area of sharing of functions and resources available in the country between the central government and the component units on the one hand and between the government and citizens on the other (Ajagun, 2006). Like all federal systems, Nigeria's federalism since its adoption in 1954 has been operating in both fiscal and political contexts. The fiscal context consists of the mode of expropriation and distribution of resources while the political context relates to putting in place appropriate structures that would facilitate the self realisation of component units. One basic fact is that the operation of federalism in both contexts must be designed in such a way as to avoid marked inequality among the component units in power and

resource matrix. Indeed, it has been noted that financial subordination of units or marked inequality between them in terms of wealth, population and land mass constitute potent destabilising factors in federations and may make an end of federalism (Wheare, 1963; Awa, 1976). In the fiscal context, there is no doubt that profound conflict exist among the component units of the Nigerian federation. At inception of the system, there was a large devolution of powers to the regions. Equally, each region enjoys considerable autonomy over its internal affairs in addition to having a regional police force and civil service. In terms of resource distribution, the principle of derivation occupied a significant place in the distribution formula. This followed recommendations of the Louis Chick Commission of 1953 which was set up to 'assess the effect, on the public expenditure of Nigeria as whole, of the reallocation of functions between the centre and the regions' (Elaigwu, 2005). Thus, derivation remained a major emphasis in federal revenue allocation between 1954 and 1966 when the military took over headship of the country, albeit some other commissions were set up whose recommendations led to some minor modifications in the revenue sharing arrangement.

The pre-military federal system that Nigeria operated in the period now known as the First Republic was fundamentally different from the post-military federal structure. In the former, the three and later four regions, were fully autonomous federating units. Each region, with a premier as head of government, operated its own laws and constitution. Each of them had native authority police while the federal government maintained the Nigeria police. Each region was allowed to have its representatives in some foreign countries. They were designated agents, not ambassadors although they functioned practically in that capacity. Each region also had the symbol of its own authority. None of them was totally or near totally dependent on the centre for its fiscal and other needs. Each region was strong enough and rich enough to take care of itself. The main criticism of this arrangement was that the regions were too powerful and the centre was too weak for a meaningful federal system and national unity. The regions, given the degree of their autonomy, tended to treat the federal government with disdain. The federal government could not impose its will on the federating units. It was generally felt that if this continued, things would eventually fall apart (Ebegbulem, 2011).

The 1960 and 1963 Constitutions devolved tremendous powers to the regions, which unto themselves, became fulcrums of political power. Regionalism was nurtured or realized to the extent that the equilibrium between centrifugal and centripetal political forces, which true federalism addresses, became much more academic than real. This continues today. With the advent of the military in 1966, federalism suffered in Nigeria. The independence of the regions was compromised as a hierarchical command structure emerged. A very powerful central government came into being and the states which succeeded the regions became mere appendages to the central government. Interestingly, the military arrived the scene when oil was gaining prominence over cocoa, groundnut and palm oil. Even more interesting was the fact that the oil deposits were found in states controlled by minority ethnic groups with very little say in the administration of the nation. It is therefore beyond coincidence that the principle of derivation was cancelled, and the rights and control of the natural endowments of the Niger Delta were transferred to the federal government. Were Nigeria to uphold the principles of true federalism, the present call for resource control would be non-existent. This is because true federalism guarantees resource control. True federalism protects the fundamental rights of both

the individual and the federating states. It affords states the benefit of deploying their resources for their own development. Davidson (1992) notes that Nigeria is currently operating a defective and fallible federalism because the Nigerian federal system has consistently undermined one of the most cardinal philosophical principles of federalism. He says the relative autonomy, independence and self-determination of these units must be appreciated and guaranteed in clear terms.

It should be noted that all things being equal, federalism offers an ideal model of government for a plural society. And Nigeria, with at least 374 ethnic groups certainly qualifies for federalism should we find the political will to embrace the philosophy. Nonetheless, some argue that federalism was an imposition by the British government and perhaps not without some sinister motives – a hidden agenda to plant discord and disunity after independence so as to succeed in its policy of “Divide and Rule”.

The Current State of Nigerian Federalism

Nigeria is a country of extraordinary diversity and as such, one of extraordinary complexities. This complexity is a reflection of the avalanche of ethno-cultural and religious groups co-habiting the territory and the intricacies of interaction among them. Federalism was adopted in Nigeria as a compromise device to help the country avoid the prospects of piecemeal independence from the British. Some contend that it was a clever imposition by the British to appease the reactionary North. Despite what may or may not have been the real reasons or causes, four things are incontrovertible. One, Nigerian federalism was not arrived at through social contract or plebiscite. It was a model agreed to by a handful of political leaders at the pre-independence London constitutional conferences. Two, Nigerian federalism is very sick, unbalanced and lopsided especially in terms of the over-centralization of power. Three, national integration has remained an illusion at best, even after forty-nine years of independence, with few prospects for change. Ethnicity has been elevated by some people to the level of religion and so Nigeria has remained a state rather than a nation. Four, pronounced injustices exist in the Nigerian federation.

Nigeria's federal system is highly centralized in all its ramifications. On this problem, Coleman (Peil, 1976), observed that “excessive centralization and statism of most developing countries... not only means greater vulnerability as a result of unfulfilment of populist expectation, it also means heightened inefficiency”. It need be emphasized that the persistent military rule over the years has no doubt affected the structure of Nigerian federalism. In line with the military's command structure, Nigeria's federal system has been over-centralized to the extent that it reflects more of a unitary arrangement than a federal one (Elaigwu, 1998). Though, before the military intervention in 1966, Nigeria began with a formal federal constitution in 1954, which was decentralized to accommodate the diverse ethnic groups, each of the constituent federating units, known then as regions, operated its own regional constitution, police, civil service and judiciary.

The Federal structure of Nigeria is believed to be “a bad marriage that all dislike but dare not leave, and that there are possibilities that could disrupt the precarious equilibrium in Abuja” (Ogbe, et al, 2011). The dominant conceptual and legal foundation for Nigerian internal political geography is federalism. A federal arrangement was expected to be instrumental for forging national unity out of the plural society and at the same time in preserving the separate social

identities cherished by its component parts. Adoption of federalism notwithstanding, Nigeria's political system has continued to operate with minimum cohesion (Ola, 1995). There is no doubt that the increasing instability and tension in the Nigerian federation has cast doubt over its adaptability to solving Nigeria's plurality problems.

In its structural and political context, Nigeria's federalism may be likened to a biological cell capable of dividing and reproducing itself (Dent, 1995). This is because, it has continued to witness continuous splitting of units. In 1954, it began as a federation of three regions but by 1964, it became four with the creation of the mid western region from the then western region. By 1967, the federal structure became subdivided into 12 states while by 1976 it was further split into 19 states. By 1989, it became a federation of 21 states, increasing to 30 by 1991 and by 1996 it had subdivided to become a federation of 36 states. In addition, the creation of more states has always been accompanied by the creation of additional Local Governments areas. Thus, from 301 in 1976, the country currently boasts of about 774 Local Government Area Councils. Implicit in the above description is that Nigeria's federal structure is predicated on a three-tier administrative structure – the federal, state and local governments. While it is not a misnomer to have, in a federation, more than two tiers of government in order to cope with the extent of diversities, the continued structural division, however, have not produced a satisfactory outcome for the component units. This is evidently so because every attempt at states and local government creation is usually followed by increase agitations for more (Muhammad, 2007).

In a federal polity, there is an irrevocable division of power between the central and component units. It is pertinent to note that in Nigeria's federal experience, the principle of Wheare's and can no longer hold. This is because the central government has usurped the powers, which were formally exercised by the regional governments. Power distribution is a volatile issue which if not properly handled could lead to various forms of crises which are bound to crop up. Nigeria has not been forthright applying this principle to the letter and the result of this has been the heightening of ethnic tension, mutual mistrust among ethnic groups, minority problem, clamour for an answer to the National question etc. (Uhunmwangho and Ekpu, 2011). According to Ojo (1989), by this unequal sharing of power, Nigeria is transformed from a political community to an administered state. He goes further to argue that a political community is one characterized by or is based on consociational values, while an administered state is a state where there is absolute a subjugation to an absolute centralized authority where there is a complete disregard for consociational political relationship. Every level in a federal arrangement derives its powers from the constitution and these rights, power and authority are justifiable whereby any level can seek redress against an infringement of these constitutionally stated rights and authority. In Nigeria, the powers and functions of each level of government are clearly spelt out in Second Schedule of the 1999 amended Constitution of the Federal Republic of Nigeria. There are two legislative lists, namely: The Exclusive Legislative List and the Concurrent Legislative List. The former is made of subjects on which the Federal Government alone can make and administer laws, while the latter deals with matters over which the Federal and State Governments have legislative powers (Ola, 1995).

Nigeria has a unique problem not experienced by any state in the world past or present. The problem is that of achieving solidarity in action and purpose in the midst of hundreds of ethnic nationalities each exerting both centrifugal and centripetal forces on the central issue of the

nation, bound in freedom, peace and unity where justice reigns” (Ojo, 2002). This uniqueness creates “unique problems unknown to the experience of other peoples in the world... no Western or Eastern civilization has ever evolved a political system that can cope with this gigantic problem of hyper-ethnic instability syndrome” (Onwujeogwu, 1995). It is not surprising therefore that these ethnic groups are always in conflict and competition for scarce Resources. Indeed, this is not unexpected especially between and among “ethnically defined constituencies” (William, 1980). The reason is that almost by definition, ethnic groups are in keen competition for the strategic resources of their respective societies. This is the case in Nigeria and other plural and segmented polities. This is so because ethnic groups are socio-cultural entities, consider themselves culturally, linguistically or socially distinct from each other, and most often view their relations in actual or potentially antagonistic terms (Cox, 1970).

Ethnic tension in Nigeria is the resultant effect of improper distribution of functions and resources. This is because the people who now feel left out in the scheme of things see it as a necessity to rely with their ethnic groups which will provide them a good ground for competing with others for resources and against domination by the dominant ethnic groups. This can escalate further and lead to open confrontation among the groups. Also, ethnic politics has become the order of the day as it is believed that an alignment with one’s ethnic group enables an easy access to resources (Uhunmwangho and Epelle, 2007).

The abandonment of true federalism in Nigeria has led to the neglect and marginalization of the Niger Delta region of Nigeria, where the bulk of the country’s wealth is produced through the exploration and exploitation of crude oil which is the colossus of Nigeria’s economic base. The people of this region have been agitating for fair share of the country’s wealth, the bulk of which comes from their region. This quasi model of federalism has not been able to address the socio-economic and developmental needs of these people inspite of their unquantifiable contribution towards the development of the entire nation. But the situation in the Niger Delta region of Nigeria does not place Nigeria among nations operating a federal system of government. In an ideal federation, as we have in the United States of America, Canada and Switzerland, the states are semi-autonomous, virtually independent of the centre. The states have control of the resources found in their areas, but pay royalty to the central government. Such areas as defence, foreign affairs and customs among others are controlled by the government at the centre.

Observers of Nigeria’s federalism have always said that, while the underlying principles of federalism have often been ignored by successive Nigerian governments, efforts were made earlier to implement the policy of fiscal federalism based on the principles of derivation. The 1960 and 1963 constitutions not only granted greater fiscal autonomy to the regions, but also empowered them to compete with one another. The current movement for better treatment of the people of the Niger Delta region has brought to fore the demand for resource control. This phenomenon has generally been misunderstood.

Ndu (2003) gave two basic reasons for the erosion of true federalism which characterized the Nigerian nation in the first republic before the onslaught of the military in 1966. One of the reasons he gave was the collapse of the first republic when the military intervened in January 1966. That intervention by the military marked the end of true federalism in Nigeria. He asserts that “unfortunately, that visionary development of federalism specifically from 1954 to 1965 abruptly ended with the gunshots of that early harmattan morning of January 15, 1966, which not

only eliminated some of the founding fathers of federalism in Nigeria, but also killed the essence of federalism itself'. He went further to say that the federal form which survived that military onslaught and on the basis of which the country precariously persisted as an entity has never regained its true essence. According to him, two interrelated developments accounted for that demise. First, the coup and the eventual threat to the unity of the country following secession and the civil war were traumatic events that called for centralized authority capable of pulling things back into one fold. Secondly, there was, and still has always been the professional practice of unified command with which soldiers are familiar. He sees the centralized federalism in Nigeria today as one of the disruptive heritage of military rule in Nigeria. The second reason he put forward is that true federalism is miles away in Nigeria because most states in Nigeria are feeble, particularly in their extractive capability and, consequently can hardly perform as federating units. Ndu and other defenders of true federalism have argued that states are feeble not because they lack the resources and manpower that would make them strong economically and administratively, but "the fiscal and legislative relationships between them and the federal government render them feeble." (Ndu 2003: 96).

Unnecessary scepticism, negative thoughts about the federal system and lack of ideological commitment to its maintenance constitute another plague on the practice of federalism in Nigeria. No matter how well constituted a federation may be, it becomes a failure where the citizens and their leaders are not ideologically committed to its maintenance. For one, in every federation, there are bound to be new impulses, new interests and new demands to which the federal system is expected to respond to. But this must necessarily be accompanied by the commitment and political will to accommodate these changes in the general interest. This perspective was poignantly captures by Ramphal (1979:xix) when he asserted that:

For a federation to be able to resist failure, the leaders and their followers must feel federal – they must be moved to think of themselves as one people with one common, self-interest – capable, where necessary, over-riding most other considerations of small interests... 'the good' for any must be consciously subordinated to or compatible with 'the good for all'. This then is tantamount to an ideological commitment not to federation only as a means...but...as an end, as good form its own sake, for the sake of answering the summons of history.

The strident call for a national conference to address the national question is perhaps the strongest evidence yet that all is still not well with Nigerian federalism. The advocacy of political autonomy is a strong marker of the over-patronization of a section of the federation. It is also a marker of the differences and diversities of the peoples of Nigeria in terms of culture, language, and kinship. To talk about federalism without national integration is, as the above observations have shown, gibberish at best. Political autonomy is a way of nurturing the will and commitment to forging nationhood.

From a socio-economic perspective, Agbu (2004) believes that the contestation over federalism in Nigeria has manifested itself not only in the quest for access and control over political but also as access to federally generated revenue. This assertion best describes the situation in the South-South where the people are clamouring for a considerable upward review in the current 13 per cent derivation. Nigeria's is not a healthy federalism as it has long been plagued by "infection" from the 'viruses' of anti-federalism. As such, it must be tended carefully and tenderly if it is to survive contemporary strains and the stresses.

Given this frail federalism, we cannot fail to agree with Jagun when he posits, “but we had better be true to admit that this union of sorts is bound to burst at the seams if left untended. The signs are with us” (David-West 2001). As it now stands, Nigeria’s federalism could be described as farcical or a federalism façade being manipulated for self-serving ends.

Federalism in Nigeria: Future Hopes

Despite all the highlighted problems facing Nigerian federalism, the country is still often regarded as a pioneer and an exemplar in Africa in the use of power-sharing mechanisms and practices to promote inter-ethnic inclusiveness, or discourage sectional imbalance and bias, in decision making processes (Suberu, 1996). From these weaknesses of the Nigerian federal system, a new social compact needs to be negotiated between the state and civil society. In content, form, and process this must be an inclusive national dialogue. The new social compact should bring together key Nigerian actors and the international community in a synergy for democratic consolidation in Nigeria. Unlike previous pacts, which were intra-elite, the new pact should be broad-based so that people can identify with it and claim it as their own. This project would produce, in Nigerians, the spirit of consensus and commitment present in the Americans in 1787 when their union was forged.

Federalism as a political philosophy aims to create harmony from intrinsic or inherent political, social and economic asymmetry vis-a-vis ethnic heterogeneity. To have a situation of masters and servants, or a situation of graduated citizenship is a negation of true federalism. In restructuring Nigerian federalism, thought must be given to the idea of basing it on ethnic nationalities. As a framework for a renewed federalism in Nigeria, we propose the construction of homogeneous federating units (states) for the top 10 most populous ethnic nationalities that have contiguous territories, and a maximum of 15 multi-ethnic federating units (states) for the other ethnic groups. Thus, there will be homogeneous ethnic-based states for the Hausa, Igbo, Ijaw, Kanuri, and Yoruba, etc., while the others will constitute a maximum of 15 multi-ethnic states (federating units), ethnic nationality in a heterogeneous state will constitute an autonomous region with due constitutional jurisdictions. An ethnic group with multiple kingdoms in a heterogeneous state will fuse into one kingdom to constitute an autonomous region in the given heterogeneous state. An autonomous region shall have concurrent jurisdiction with the heterogeneous state over natural resources (minerals, oil, gas, etc) found in its territory, but shall exercise exclusive jurisdiction over primary education, culture, language, and traditional institutions. Depending on its capability, an autonomous region may also establish its own Autonomous Regional Police Force. If an Autonomous Region cannot have its police force, it could contract the State police for its policing duties. A Charter of Rights and Freedoms protecting minority rights will anchor this renewed federalism (Uhunmwangho and Ekpu, 2011).

In addition, All traces of unitary system of government should be removed from Nigeria’s form of federalism and allow the states the degree of freedom and autonomy consistent with federalism. By virtue of its inherent value of reconciling opposing tendencies, the federal system holds better prospect in helping to stem a major source of political instability. This value was not lost on Nigeria’s founding fathers when they tarried along with the British colonisers to establish a federal framework. Nigeria’s federal structure since inception has also witnessed several fiscal and structural reformations in line with new realities as they emerge. Although this is not without

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some deficits but like in all political organisations, there is no perfect policy. But while Nigeria's federal structure may not have succeeded in solving all its political ills, it is nonetheless, what has kept the country together. Moreover, even non federal systems are faced with similar problems threatening the very existence of the country. Therefore, inability to have a perfect stability in the political system, in spite of years of practicing federalism, should not be taken as bankruptcy of the system.

It must be said in clear terms that if Nigeria is desirous to practicing a true federalism that we all know, it is expedient that it begins to willingly and genuinely redefine the constitutional framework under which it currently operates. A system where the Central government compels federating units to accept what is thrown at them is obviously an aberration to generally accepted characteristics and principles of federalism. It is even worse where units are forced by the central government to surrender some of its powers and areas of competencies without due regard to appropriate consultations, deliberations and agreements. It is sad that such deliberations and negotiations are not part of the Nigeria's constitutional history. Until we eschew such bitterness which unfortunately is rearing its ugly head in Nigeria and face the realities of our situations, it may be extremely difficult to wriggle out of our current pathetic and sorry state. For a federation to be able to resist failure, the leaders, and their followers, must 'feel federal'. They must be moved to think of themselves as a people with one common self-interest, capable, where necessary, of overriding most other considerations of small group interest. It is not enough that units of a federation have the same ideal of 'the good' but that 'the good' for any one must be consciously subordinated to or compatible with 'the good for all'. This, then, is tantamount to an ideological commitment to the success of federalism (Eke and Eberiyé, 2010). With such spirit, federalism will not only be seen as a means to gain independence or financial stability, as is the case with Nigeria, but as an end in itself.

Conclusion

Nigeria's federal system is plagued by various contradictions. A federal system that claims to be secular is presently enmeshed in religious upheavals because of the adoption of Sharia in some Northern parts of the country (Ilesanmi, 2001). Yet, managing a federal system, particularly one transfixed on a multiethnic society like Nigeria, calls for "the precision and dexterity of a chemist rather than the randomness and crudity of an alchemist" (Otubanjo, 1986). The essence of true federalism is to allow each state or region in a federation a significant measure of autonomy to manage its affairs. The federalist debate in Nigeria centres essentially on the need to understand the basis of the contract of true federalism and resource control. This debate is longstanding, passionate and inconclusive. Despite the contrived arrangement as articulated by the ruling class, the systematic dysfunction has resulted in a series of violent, dramatic and traumatic inter-ethno regional confrontation, ventilating the essence of the debate (Ihejiamaizu, 2001).

It is true that the issues which are enumerated above constitute the travails of Nigerian federalism, which are highly inflammable and bear centrifugal tendencies, it is also the fervent hope and sincere belief of this paper that in order to preserve the federal unity, promote cohesive existence in all ramifications, promote peace, tranquility and security, all stakeholders in the system must tread softly, be objective, rational, altruistic, magnanimous and demonstrate the spirit of give and take (Idada, 2004). This, in a nutshell, is the kernel of this paper. To devise an

alternative to the present system of sharing power so that the country can be at peace with itself, avert crisis associated with unequal distribution of power and resources and still remain as a Federal Republic, upholding the cardinal principles of federalism.

This paper submits that, in spite of structural deficits and some other problems, federalism still hold better prospect for political in Nigeria if the factors that accentuate instability can be attenuated. It is therefore suggested that attention and more efforts should be directed to how to have a national political leadership that would be able to inspire citizens to think and act federal. This necessarily involves moderation, sincerity and compromise on the part of political actors in the process of competition. Second, political education and enlightenment of the citizens and, the need to propagate the positive virtues of federalism are essential. This would help erase negative thoughts and scepticism about the system.

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