

1. Nigerian Federalism

1.1 ORIGIN

A Federal State is a state where the governmental powers of the state are constitutionally shared between central and the constituent governments in a manner, that both governments are co-ordinate in powers in so far as they are performing the functions allotted to them by the Constitution.

Thus two major distinctive features of a federal state are

- (i) division of governmental functions and powers between two levels of government by the constitution, and
- (ii) co-ordination of powers in the exercise of one's sphere of powers as allocated by the Constitution. These two elements must be present before a state can be called a true federation. Examples of Federal States are the United States of America, Australia, Switzerland, Canada, etc. Nigeria copied its federal system from the USA model.

A federation can be established under three different methods. The first method is where formerly separated and sovereign states come together, surrender their individual sovereignties and form a new larger state for security and economic advantages. An example of this is the USA. The second method is where an originally unitary state decides to convert itself into a federal state. The third method is where a colonial territory through constitutional conferences led by colonial masters agrees to set up a federation as a result of cultural diversity. The examples of this type are Canada and Nigeria. Canada was established as a federal state in 1867 when the British North America Act was passed by the British government, uniting the then four existing provinces into a federation.

Nigeria's federalism evolved through a series of constitutional experiments and constitutional conferences organized and led by the British. Its origin can be traced as far back as 1914 when Lord Lugard amalgamated Northern and Southern Nigeria. Although the country was administered in a pure unitary framework under the supreme authority of the Governor-General, Northern Nigeria and Southern Nigeria, as a result of cultural diversity and expanse of the territory, were separately administered, each placed under the charge of a Lieutenant-Governor based at Kano and Lagos respectively at that time. Northern and Southern Nigeria under Lieutenant-Governors were each given specific functions and powers of government to exercise. For instance, the Lieutenant-Governors were responsible for public works, agriculture, forestry, education, health, police, prison and mines while the Governor/Governor-General took exclusive charge of general and common services like treasury, railways, defence, audit, post and telegraphs, judiciary and legal. The Lieutenant-Governors were under the direct supervision and control of the governor.

An advance was made in Nigeria's move towards federalism in 1939 when the British carved the Southern provinces into two separate administrations namely Eastern and Western provinces with their Headquarters at Enugu and Ibadan. This administrative reform also changed the title of Lieutenant-Governors to Chief Commissioners but their functions and powers remained the same. The three administrative creations — Northern, Eastern and Western provinces as established in 1939 lacked proper regional organizations and constitutional backing. When Arthur Richards was made Governor of Nigeria in 1944, he observed this. Consequently the Arthur Richards' Constitution of 1946 changed the Northern, Eastern and Western set of provinces into Northern, Eastern and Western Regions, created regional organizations at each Regional Headquarters with a Regional Assembly. This constitutional arrangement did not create a federal system. It was still a unitary system since Regional governments were absolutely subordinate to the central government. The Regional Assemblies had no independent legislative powers. They merely advised the Governor/Legislative Council in Lagos by passing resolutions on bills affecting their respective Regions. But the regional framework laid the foundation on which federalism was to be built in future.

A further big stride was made in Nigeria's march to federalism in 1951 when the Macpherson Constitution gave legislative powers to the Regional Governments. The Constitution divided governmental powers between the central government and regional governments. But this did not make it a federal system since the governmental powers were concentrated at the centre. The central legislature was given the power to legislate generally on all matters within the matters allocated to the Regions by the Constitution. Moreover the Central Government (Governor on the advice of the Executive Council) was empowered by the Constitution to approve all regional bills passed by the Regional Assemblies or veto any one found improper or undesirable. Consequently the Regional governments were completely subordinate to the Central government and therefore constitutionally unitary. Nevertheless the 1951 Constitution provided the basic framework, (creation of Regional Governments with legislative powers) under which federalism was later founded.

The events leading to the Kano Riot of 1953 proved the inadequacies of the 1951 Constitution. The Constitution provided a mere federal scaffold without the basic federal principle. Consequently the then Secretary of State for the Colonies, Oliver Lyttelton, quickly summoned the London Constitutional Conference in May 1953 immediately after the Kano Riot to revise the 1951 Constitution in order to provide for greater Regional autonomy. The May 1953 London Constitutional Conference and the January 1954 resumed Constitutional Conference produced the 1954 Lyttelton Constitution which for the first time established federalism in Nigeria. The Central Government and the Regional Governments each had an autonomous existence. Each Regional Government was created by the Constitution with definite functions and powers. Each had a full apparatus of government for the discharge of its functions. This full apparatus of government included the Regional legislature with independent legislative powers to legislate in its sphere of authority, the Regional Governor, Premier and ministers exercising executive functions of Regional government without control and direction while acting within their areas of exclusive competence, regionalized civil service, civil service commission and judiciary.

1.2 FACTORS THAT NECESSITATED THE FORMATION OF THE NIGERIAN FEDERATION

A Federal State is a more complex and difficult form of government to operate than a unitary system. Therefore, a lot of considerations were made before the adoption of federalism. It was not by accident and many factors were responsible for Nigeria's choice of federalism. These factors are discussed under the following headings:-

- (i) **Expanse of territory:** Nigeria is very vast in geographical territory. She occupies an area of 942,000 square km and is also very large in population. In 1954 when Nigeria ultimately became a federation, its population at the 1953 census was 32 million. Its population in 1988 is estimated at about 100 million inhabitants. Nigeria is the largest country in Africa hence it is regarded as the giant of Africa. For even and balanced development, and full participation of the people in the governmental process, a country as large as Nigeria cannot properly be administered under a unitary system. Large states like the USA, Soviet Union and India operate federal system.
- (ii) **Cultural diversity:** Nigeria is very complex and diverse in cultural patterns. She is composed of numerous ethnic groups with their distinct languages, different traditional political systems, beliefs and values. It is estimated that Nigeria has 248 ethnic groups with Hausa/Fulani, Yoruba and Igbo as the three dominant ones. Most of these ethnic groups particularly Hausa/Fulani, Yoruba and Igbo are each larger than most sovereign nations in the world. The ethnic diversity is compounded by religious differences. More serious is that the country is polarised by two dominant religious groups — Muslims and the Christians, whose religious beliefs are divergent and greatly dominate their political attitudes and values. A federal arrangement is the only political arrangement which can guarantee local independence of the component groups and thus preserve their different traditional and cultural patterns while at the same time securing the unity of all the diverse groups. Thus a federal system is commonly regarded as unity in diversity. A corollary to this cultural diversity is the general disenchantment of Nigerians with the unitary system. This was evidenced by reactions when Major-General Aguiyi Ironsi promulgated Decree 34 which abolished the then existing Regions and set up a Provincial system that meant unitary administration. His regime lost the support of a majority of Nigerians and this partly contributed to his overthrow.
- (iii) **Desire for some form of union:** Despite cultural differences, both the major and minor ethnic groups saw a federal arrangement as a better alternative than each ethnic group existing as a separate country. The factors of economic gains forced the three former regions to agree to form a union in the form of a federal system. This enables the North to share in the oil mineral wealth of the South and in the all rich and strategic benefits of sea ports of the South. Without forming one sovereign nation with the South, an independent Northern Nigeria would have been landlocked. The South also benefits from economic investments in extensive arable land mass of the North. There is also the economic consideration of the advantages of large market and free movement of goods and services in a very large territory. Political analysts consider the economic factor as the most crucial factor that compelled the British to bring together the North with the South to form one large self-reliant country.
- (iv) **Long period of co-existence under one colonial administration:** When the Northern and Southern Protectorates were amalgamated in 1914 to form Nigeria, the country was under one colonial government, based in Lagos. The Northern, Western

and Eastern provinces had a common colonial experience. They were oppressed and exploited together and governed by the same policies. They worked together to fight British colonial domination through nationalist movements and activities. This shared and common colonial experience created a common destiny and influenced the decision by various sections in Nigeria to come together under a union which preserved their local independence and cultural identity.

- (v) **Geographical contiguity:** One of the important factors that made the Nigerian federalism possible is geographical nearness. The Northern, Western and Eastern provinces were contiguous. The Regions were not separated by other sovereign nations, mountains or sea. For instance, if Northern Nigeria was separated from Southern Nigeria by the Republic of Togo or an ocean, the idea of the Nigerian federation might not have materialised.
- (vi) **The crises that led to the breakdown of the Macpherson Constitution:** The events that led to the collapse of the Macpherson Constitution of 1951 clearly proved to both the British Government and the Nigerians themselves that the only appropriate political arrangement for Nigeria is a true federal system of government. The first of these events was the Eastern Regional crisis of 1953 which was caused by the failure to elect the leader of the NCNC, Dr Nnamdi Azikiwe, (an Igbo) into the House of Representatives from Lagos city (Yorubaland) which further caused a rift among the leading members of the NCNC controlled government of Eastern Nigeria which ultimately led to the dissolution of the Eastern House of Assembly on May 6, 1953. The second was Enahoro's "Self-government for 1956" motion. The debate of this motion in early 1953 provoked serious crises in and outside the House of Representatives and this created a serious division and social distance between the South and the North. The third event was the Kano Riot of May 1953 which was a clash between the South and the North resulting in 277 casualties including 36 deaths. The fourth event was the Northern People's Congress' Eight-Point Programme jointly passed by the two Houses of the Legislature of Northern Nigeria. The Programme, which was an immediate result of the anger of the Northern leaders emanating from the debate of the motion for "Self-government in 1956", expressed the choice for confederation or secession. But the then secretary of state for the colonies, Oliver Lyttelton brought the matter under control by immediately summoning the 1953 Constitutional Conference where the Nigerian leaders decided to move further apart through greater regional autonomy while at the same time accepting a *one* Nigeria under the political and constitutional framework of *Federalism*.

1.3 STRUCTURE AND FEATURES OF NIGERIAN FEDERALISM

Before Independence

The 1954 Constitution provided the structure and features of Nigerian Federalism before independence. The federal system of this period was structured as a Centre with three very large and powerful Regions each with its own government. The three Regions were the Northern, Western and Eastern Regions as shown in the map below:



A map of Nigeria showing three Regions of Nigeria — East, West and North

Southern Cameroons was then part of Eastern Nigeria. Lagos was constituted into a Federal Territory. The Centre and the Regions each had its own separate and complete apparatus of government — legislature, executive, the civil service and the judiciary. The Northern and Western Regions had bicameral legislatures — House of Chiefs and House of Assembly, while the Eastern Region had unicameral legislature until 1957 when it got bicameral legislature. The central government had a unicameral legislature — the House of Representatives until the establishment of the Senate in January 1960 when the Federal legislature then became bicameral.

At the Centre, the Executive comprised the Governor-General and his ministers until 1957 when the post of Prime Minister was created. From then the Federal Executive consisted of the Governor-General, the Prime Minister and his ministers. At the Regional level the Executive comprised the Governor, the Premier and his ministers. Regional governments were empowered to establish their own Courts and they had Regional High Courts which in practice served both the Regional and Central government as the Federal Government authorized the Regional courts (Regional High Courts) to administer federal laws in the Regions instead of establishing their own High Courts. The Federal Government nevertheless had its own court — the Supreme Court — with an essential appellate jurisdiction. By its nature it was also involved in the administration of Regional laws. It is important to note that during this period the Judicial Committee of the Privy Council in London was the highest court of the country.

The Federal and Regional governments each had its own independent civil service commission which appointed, promoted and disciplined its own civil servants who implemented the Regional government policies.

A very crucial feature of the country's federal system is the sharing of government functions and powers between the Central (Federal) and the regional governments in such a manner that each of them is independent in discharging its own constitutional share of functions and powers. The Constitution shared governmental functions and powers into *Exclusive List* which contained the functions and powers vested exclusively in the federal government, *Concurrent List* which contained functions and powers which belonged to both

the central and regional governments, and *residual* powers which belonged exclusively to the Regional governments. To prevent deadlock in the operation of government, it was provided that in any case of conflict between the Regional and Central government in the exercise of *only* the powers within the *Concurrent* List the Federal authority would prevail. But the Federal Government had no constitutional powers whatsoever to control, direct or interfere in the residual powers of Regional governments. Thus both the Regional and Central governments were co-ordinate in powers and none subordinate to the other.

Another important feature was Revenue Allocation. A formula for the sharing of the country's public revenue between the Central (Federal) and Regional governments was devised and applied in sharing the country's public revenue between the centre and the regions and within the Regions.

A very prominent feature of Nigerian federalism at this period was the great imbalance in the size of Regions. Both in geographical area and population, Northern Nigeria was larger than Western and Eastern Regions put together, encompassing 79% of land area and 53.5% of the population of the entire country. This naturally created the element of Northern domination. The structure of the majority-minority tribes in each of the three Regions was also an important feature of the federalism of this period. In the North, the Hausa/Fulani — the majority tribe, dominated a host of minority ethnic groups such as Nupe, Tiv, Igala, and others. In the West, the Yoruba — the majority tribe, dominated many minority ethnic groups — Edo, Urhobo, Igbo, Ijaw, and others. In the East was the Igbo — the dominant tribe being surrounded by minor ethnic groups such as Ibibio, Efik, Ijaw and others. Each of these three major tribes which dominated each of these three regions of the Nigerian federation commanded over two-thirds of the population of the regions. In consequence the majority tribe dominated the political and economic activities of the state, and oppressed and victimised the minorities. This resulted in conflicts and tension, and serious and hot agitations by the minorities for the creation of new Regions for them.

During the First Republic

The structure and features of the Nigerian federalism during the First Republic which were embodied in the 1960 and 1963 Constitutions were fundamentally the same with those of pre-independence. In other words, the same structure and features were maintained except certain slight modifications. The three regional structure featured up till 16 August 1963 when the Mid-West Region was created out of the Western Region. Thus the 1963 Republican Constitution provided for a four-Regional federal structure — Northern, Western, Eastern and Mid-West which were still very large in size. Moreover they were still very powerful and Northern Region was still very preponderant in size and larger than the rest of the three regions put together. The pattern of division of governmental functions and powers as in the pre-independence federalism was retained — the Exclusive List for the Federal Government, the Concurrent List for both the Federal and Regional governments, while the residual powers were reserved exclusively for the Regions. Each level of government maintained its independence within the sphere allotted to it by the Constitution and neither the Federal nor the Regional government could dominate the other. Both were co-ordinated in powers in operating within their spheres of authority.

However an important feature of the Nigerian federal system of the First Republic was the special powers vested in the federal government to act outside the Exclusive and Concurrent Lists. This however could occur in two special circumstances. The first was if a region

threatened to secede. Under such circumstance the Federal Government was empowered by the Constitution to preserve the indivisibility and indissolubility of the federal union, by assuming the legislative powers of the Region which decided to carry out its secession plan. The second was the emergency powers which the Constitution granted the Federal Government. The federal legislature was empowered to legislate generally for Nigeria or any part thereof for the purpose of maintaining or securing peace, order and good government during a period of emergency. The period of emergency was defined as any period during which the Federation was at war or when there was in force a resolution passed by two-thirds majority of all members of each House of Parliament declaring that a state of public emergency existed or that democratic institutions in Nigeria were threatened by subversion. The Federal Government invoked this power to declare a state of Emergency in Western Nigeria in 1962 during the Western Nigeria crisis caused by a rift in the Action Group involving Chief Awolowo and Chief Akintola as principal contestants.

It must be pointed out that these *special powers* vested in the Federal Government did not make Regional Government subordinate to the Federal Government since the special powers were used *only* during periods of war, attempt at secession by a Region or extreme emergency caused by *complete* break down of law and order in the country or in a region, and such situations were usually rare.

A very distinctive feature of the federalism of the First Republic was that the Constitution of the central and four Regional Governments were written in separate documents. In other words Nigeria had five separate constitutional documents, each for the centre, North, West, East and Mid-West. This was meant to underline the independence of each of the five governments while operating within its sphere of constitutional powers. The Independence and Republican Constitutions also provided for bicameral legislatures for both the Centre and the Regions. The members of the Lower House of the Centre and Regions were popularly elected and had over-riding powers over the Upper House. The members of the Upper House (Senate at the Centre and House of Chiefs at the Regions) were nominated or appointed and not directly elected by the people. This was the source of their inferior legislative powers as compared with the lower House.

The only change in the Executive which occurred as a result of the Republican Constitution of 1963 was that the Nigerian President replaced the Queen of England as the Head of State of the Nigerian Federal Republic as from October 1963. However the President was a ceremonial Head of State and the executive functions of the government were performed in his name by the Prime Minister who was the Head of government. In the Judicature, the manner of the pre-independence regionalization of the judiciary was retained. But with 1963 Republican Constitution, the Supreme Court assumed the position of the highest Court of the land. The 1963 Constitution abolished the Judicial Committee of the Privy Council as being the highest Court of Appeal in Nigeria.

Revenue Allocation system for sharing revenue between the Central and Regional governments was a prominent feature of the federalism and was inserted in the Republican Constitution Section 164. The Distributable Pools Account was increased to 35% of the federally collected revenue and shared among Regions on the following basis:- Northern Region — 42%. Eastern Region — 30%, Western Region 20% and Mid-Western Region — 8%.

During the Military Rule

The structure and features of Nigerian Federalism during Military Rule reflected military principles and practices, their values and norms.

The military intervened in Nigerian Politics for the first time on 15 January 1966 and took over the political power of the state. The military suspended some portions of the Constitution by the Constitution (Suspension and Modification) Decree No. 1 of 1966. The most important aspects of the Constitution which they set aside were the representative legislatures at the Centre and Regions, the positions of President, Prime Minister and Premiers. The federal form of government was retained by the Military. However as a result of military principle of unity of command and authoritarianism, the federal system invariably became centralised and dictatorial. The system was apparently federal in territorial and organizational structure but essentially unitary in its actual operation.

The counter-coup of 29th July 1966 resulted in the murder of the then Head of the Military Government, Major-General Aguiyi Ironsi and then brought Lt. Col. Yakubu Gowon (later General) into power as he assumed headship of the Federal Military Government. An immediate and very momentous action taken by Gowon was to create the twelve-state federal structure for Nigeria which he did without consultation with the people concerned. This was done by the promulgation of Decree No. 14 of 1967 which took effect from 27th May 1967. The Decree broke Nigeria into 12 states — 6 in the Northern Region, 3 in the Eastern Region, 2 in the Western Region, while Mid-Western Region remained untouched. This in effect meant that the North had 6 states while the South also had 6 states which created a sort of North-South balance. The 12-state federal structure is shown below:-

The creation of the 12-state structure was momentous as it laid a sound foundation for a true federal system. It broke the back-bone of imbalance in the federal structure in Nigeria. At least in theory, the presence of the great preponderance of the size of Northern Nigeria which tended to threaten the idea of federalism in Nigeria was to a great extent removed. The issue of the co-existence of majority — minority ethnic group structure in the regions was also greatly resolved. In other words, the creation of the twelve-state structure greatly attended to the problem of the minorities in our federal system. The minority agitations and problems which were not satisfactorily attended to by the 12-state federal structure of 1967 were greatly satisfied by the 19-state federal structure which was created by General Murtala Muhammed on 3rd February 1976. At the same time the Federal Capital Territory of Abuja was created. The 19-state federal structure is shown in the map below:-



A map of Nigeria showing the 12-state structure



A map of Nigeria showing the 19-state structure

The Federal Military Government retained the share of governmental functions and powers in the 1963 Constitution — Exclusive List for the Federal government, Concurrent List for both Federal and State governments, while the Residual powers were meant for the Regions. However the State governments were not independent in the exercise of functions and powers allotted to them. State governments were often controlled and directed by the Federal Military Government. Furthermore, the Federal Military Government often interfered in the area of state government jurisdiction. For example, the Local Government Reform of 1976 was undertaken by the Federal Government whereas Local Government was an exclusive subject of State government. The Nigerian civil war tremendously increased the powers of the Federal Government at the expense of the state governments during the period of military federal administration.

In the Military Federal system, the Head of the Federal Government and Commander-in-Chief of the Armed Forces, with the advice of the Supreme Military Council appointed state governors who were responsible and accountable to him. He had also the power to remove them from office. He controlled and directed them. This implied that state governments were subordinate to the Federal Government. The Supreme Military Council at the federal level

presided over by the Head of State combined and exercised the legislative and executive powers of the Federal Government. At the state level, the State Governor and his State Executive Council also combined and exercised all the legislative and executive powers of the state government.

A most significant feature of the Federal system during the military rule was the tremendous financial power of the Federal Government as opposed to the poor financial position of state governments. This started immediately after the civil war in 1970 when the Federal Government took the bulk of the federally collected revenue. More seriously in 1971; the Federal government took over from state governments all oil off-shore oil royalties and rents. The trend continued until ultimately state governments depended on Federal Government for funds for prosecuting their programmes. In other words, during the First Republic, the Regions were buoyant and financially independent due to the Revenue Allocation formula used at that period, but during the military period of Nigerian federalism, the Federal Military government greatly changed the Revenue Allocation system in its favour. The state of affairs reduced the status and autonomy of state governments and they degenerated to "begging states" from the "Federal Might".

During the Second Republic

The structure and features of the Nigerian Federalism during the Second Republic were provided in the 1979 Constitution of the Federal Republic of Nigeria. With respect to the territorial structure, the system operated a 19-state Federal structure as created in February 1976 and embodied in Section 3 of the 1979 Constitution. The Constitution also established the Federal Capital Territory at Abuja which enjoyed a certain measure of autonomy while being under the control of the Federal Government.

Each of the 19 States was equal in status and functions. They shared governmental functions and powers of the Nigerian Federal Republic with the Federal Government. These governmental functions and powers were shared in such a manner that matters on the "Exclusive List" (matters that are general and common to the whole country) were allotted to the Federal government. The matters on "Concurrent List" (matters that are neither absolutely common nor completely local in nature) were allocated to both the federal and state governments. While matters which were Residual (matters which are purely local in nature) were vested exclusively with the state. Residual matters are items of functions and powers which are not listed in the Constitution.

Each level of government — State and Federal government — had its own separate legislature, executive and judiciary, quite independent of the other while performing functions allotted to it. The legislature was bicameral at the federal level — the Senate and the House of Representatives jointly known as the National Assembly. The members of the Senate and House of Representatives were all popularly elected and the two Houses had equal powers unlike the position during the First Republic. Representation in the House of Representatives was based on population while that of the Senate was based on equality of states. This conformed with the principle of federalism. The State legislatures known as State Houses of Assembly were unicameral but were also popularly elected Assemblies. They legislated within the constitutional legislative jurisdiction of State government and in doing so were independent of the Federal Government.

The Federal Executive constituted the President, who was assisted by his ministers. The President was vested with all the Executive powers of the federal government. At the state

level, the executive constituted the Governor, who was also assisted by his ministers to execute policies and programmes in the sphere allotted to the State government without any control or direction by the Federal Government.

There was in existence the principle of supremacy of the Constitution over all laws, persons and institutions. The Constitution was the supreme law of the land. All institutions of government both State and Federal — the legislators, President and Governors, judges, had a sacred obligation to respect and act within the provisions of the Constitution.

A corollary of this principle was the principle of judicial review. The Constitution empowered the Judiciary to review laws and policies of the legislatures, and policies and actions of the Executive which were brought before it to determine whether or not they conformed with the Constitution. If they did not conform, the Judiciary had the power to declare them null and void. An example was the 1981 Revenue Allocation Act which was passed by the National Assembly and assented to by the President but was declared null and void by the Supreme Court. If any institution of government functioned beyond its powers the court was empowered to declare such acts or policies *ultra vires* and therefore null and void. In the same manner, the Supreme Court was empowered to settle conflicts of jurisdiction between the Federal and State governments. The decision of the Court in such matters was final.

Rigidity of the Constitution was another important feature. Neither the Federal Government nor any group of the state governments had the power to change the Constitution as it wished without the consent of others. Sections 8 and 9 of the Constitution provided very stringent and rigorous procedures for creating more states, boundary adjustment, and for the amendment of the rest of the Constitution, which required the consent of both the Federal and State legislature.

Another very significant feature was the establishment of the principle of three-tier government in which the local government structure, financing and functions were provided by the Constitution. This implied that the Local Government is a recognized level of government which no longer could be toyed with by the State governments which hitherto had exclusive jurisdiction over them. It indicated that Local Governments are established governments of the Constitution which no government on its own can abolish.

There was also for the first time in the history of Nigerian federalism, a departure in the Revenue Allocation system. The Revenue Allocation Act of 1982 provided for *three*-tiers of government of the Federation — Federal government — 55%, State governments — 35%, and Local Government — 10%. Local Governments had never been given separate allocations before. This separate provision for local government had a far-reaching constitutional significance. It showed that the Constitution had recognized the Local Government as a level of government in the federal system and not merely a local council or local administration exclusively under the whims and caprices of State governments which existed at their will.

Another important feature of the federalism of the Second Republic was the provision in the 1979 Constitution of the principle of ‘federal character’. This is the principle which states that all appointments to the entire federal public sector must reflect proportionately the diverse composition of the Federation while all such appointments to the state public sector should take into full account all the various sections in the State. Such appointments in the Local Government should in the same way reflect the diverse composition of the Local Government Area.

A centralising feature of the Second Republican federalism is the provision that the Federal Electoral Commission (FEDECO) should conduct all elections for both the federal and state executives and legislatures. This implies that state governments did not establish separate Electoral Commissions to conduct elections to their own State Executives and legislatures as was the practice during the First Republic. The State Electoral Commissions created by various State governments were empowered to conduct *only* local government elections.

The Constitution for the Federal and all the State government was embodied in a single document titled ‘The Constitution of the Federal Republic of Nigeria 1979’. This was contrary to the practice of the First Republic when each government — Federal and Regional — had its own separate document of Constitution. While the First Republican device emphasized union which is the practice for an ideal federalism, the Second Republican device on the other hand emphasized unity which was a product of long period of military rule and the secessionist attempt with its concomitant civil war of 1967–70.

During the Second Phase of Military Rule From 1983

When the Military came back to political power under Major-General Muhammad Buhari in December 1983 they retained the structure and features of the Nigerian federalism of the Second Republic but modified the political institutions and the operations of government to suit military dictatorship, its values and principles. Consequently the features of the federalism of the second phase of Military rule were fundamentally the same with those of the First phase of military rule. The only structural difference occurred in 1987, when General Ibrahim Babangida who took over from Major-General Buhari on 27th August 1985, created two additional states in Nigeria, namely, Akwa Ibom (carved out of Cross River State) and Katsina State (carved out of Kaduna State). Consequently, the major Federal feature of this period is the creation of a 21 - state Federal structure in Nigeria.

1.4 PROBLEMS OF NIGERIAN FEDERALISM

The problems of Nigerian Federalism are very numerous and very intractable. The most important of these problems are discussed under the following headings.

- (i) **Imbalance in federal structure:** The Nigerian Federalism started in 1954 on a very wrong principle. This arose from a serious and great imbalance in the territorial structure of the federation. The federation was structured into three big Regions in which Northern Region was greater than the rest of the Regions put together. For instance Northern Region occupied 79% of the Nigerian land area and had a population of 53.5% of the entire population of Nigeria based on the 1963 Census. This imbalance created the problem of domination by Northern Nigeria which threatened the whole foundation of Nigerian federalism. This imbalance phenomenon remained with Nigerian federalism until 1967 when Yakubu Gowon created the 12-state structure and in 1976 Murtala Muhammed created the 19-state structure which apparently solved this problem of imbalance in federal structure.
- (ii) **The issue of minorities and creation of more states:** The problem of minorities in Nigeria is as old as Nigerian federalism. This stems from the existence of a multiplicity of ethnic groups of varying sizes. Added to this was the growth of micro-nationalism among the major ethnic groups and the formation of trivial unions. The emergence of tribal parties was also a factor. Also a contributing factor was the victimization, oppression, exploitation and neglect of minority areas by the dominant

or major tribes. Consequently, as the period of Nigeria Independence approached, the minority elements in the East, West and North agitated for their separate Regions, for fear of domination and oppression by the majority ethnic controlled governments after Independence. There were demands in Eastern Region for C-O-R States (Calabar, Ogoja and Rivers. In Western Region, there was a demand for a Benin-Delta State which name was later changed to Mid-West comprising Edo, Urhobo, Western Igbos and Western Ijaws. In the North there were very strong demands for Middle-Belt State and for the Yoruba-speaking Ilorin and Kabba Provinces either to become a state or be emerged with Western Region to stay with their Yoruba brothers and sisters. At the 1957 Constitutional Conference, the issue of regional minorities was seriously discussed and there were specific proposals for the creation of new states by breaking up the existing Regions. It was finally decided that the problem should be referred to a Commission of Inquiry as it was so complex. So a Commission of Inquiry headed by Sir Henry Willink was appointed in 1957. The Report of the Commission which recommended that there would be no creation of more Regions before Independence was adopted by the 1958 Constitutional Conference after five days of stormy debate.

The agitation of the minorities continued after Independence but only the Mid-Western Region was created in August 1963 as a result of the continued minority agitation for separate existence. However on 27th May 1967 most minority areas unexpectedly woke up to find themselves in new States carved out for them. This swift political action by the Gowon Regime was taken as a tactical strategy to fight the secession of Eastern Region (Biafra) led by Col. Ojukwu. Gowon carved the Federation into 12 states. Gowon's action proved to a great extent an effective measure for the solution of the minority problem in Nigeria.

The issue of state creation as a means of solving the minority problem was the first of the political programme of the Murtala regime. The regime appointed a five-man panel under the Chairmanship of Justice Ayo Irikefe to examine and make recommendations on the question of the creation of more states in the Federation. The Murtala regime, on the recommendations of the Panel, created 19 states in the Federation with Abuja as the Federal Capital Territory. Unfortunately this did not end the problem of minorities in Nigeria. During the Second Republic, the problem manifested itself once again. There were complaints of neglect, victimization and oppression by the minorities in various states which therefore demanded the creation of more states. By the end of 1982, the House of Representatives Committee on creation of States received about 50 requests from various sections of Nigeria for state creation. However the Constitution was too rigid that no new state was created during the Second Republic. The demand for new states mounted so high during the Babangida Military administration especially during and after the national political debate on a new political future for Nigeria. The Babangida Administration however created only two additional states: Akwa Ibom from Cross River in the South, and Katsina from Kaduna State in the North and, to diffuse great tension already generated on the issue, banned any further discussion on the creation of new States in Nigeria.

The agitation for new states creates political bitterness, acrimonies and divisiveness which tend to breed political instability. Given Nigeria's cultural heterogeneity, creation of many more states will not solve Nigeria's minorities problem. Even if every village is made a state in Nigeria, there must be minorities therein. An effective

solution to minorities problem is good government. State governments should undertake policies of even development, even and fair distribution of amenities and equal opportunity to all citizens of the state. There should not be neglect of certain areas or concentration of development projects, amenities and appointments to a few selected areas. Citizens should be made to have a feeling of belonging in the state.

- (iii) **Revenue allocation system:** In all federal systems, as the governmental functions and powers are constitutionally shared between the centre and the component units (states), the public revenue of the Federation is also statutorily shared between the centre and the units. This should be done in a manner that would enable each level of government discharge effectively its constitutional functions. Revenue Allocation formula provides the basis and criteria for sharing federally-collected revenue between the centre and states and among all the states of the Federation. The determination of a generally accepted formula for the Federation has been one of the greatest problems in Nigeria. Since 1946, Nigeria had evolved many Revenue Allocation formulae but none of them proved satisfactory and popularly acceptable. The problem had always surfaced during every Constitutional Conference or Review. Many committees, commissions and panels (nine in number) had been appointed at different periods between 1946 and 1988 to evolve an equitable Revenue Allocation system for the Federation but none of their recommendations had generally been acceptable to all sections and all governments of the federation.

- (a) *The Phillipson Commission of 1946*

When the RichardsTM Constitution established Regional governments in 1946, the Colonial Government appointed a Fiscal Commission headed by the then Financial Secretary to the Nigerian Government — Sir Sidney Phillipson to undertake a comprehensive study of fiscal allocation of public revenue in Nigeria and recommend the system of revenue sharing which was best suited to the 1946 Constitution. The Phillipson Commission recommended the principle of derivation as the main principle for revenue sharing among the Regions. He however recognized the principles of population and even development. It was discovered that it was difficult to apply the principle of derivation at that time as it was not possible to obtain reliable data on the exact amount collected in each Region. The Phillipson Commission recommendations raised a lot of dissatisfaction.

- (b) *The Hicks — Phillipson Commission of 1951*

This was borne out of the 1950 Ibadan Constitutional Conference. As a result of the dissatisfaction of the Nigerian leaders over the Phillipson Commission system and the increased responsibilities of the Regions, the Hicks — Phillipson Commission was appointed in 1951 to review the Revenue Allocation system. The Commission rejected the principle of derivation as the sole basis of revenue sharing but recommended independent sources of revenue for each Region for its annual appropriation. It also recommended that the centrally-collected revenue should be shared among the Regions with the principles of derivation, need and national interest which were accepted by government. Furthermore it recommended a uniform tax system, and the establishment of a Loans Commission, which the Government rejected.

Each Region preferred a principle that would best favour it. Thus while the West preferred the principle of derivation, the North preferred population.

(c) *Chicks Commission of 1953*

As a result of the great controversy generated by the Revenue Allocation system among leaders of Regional governments during the 1951 Constitutional Conference, Sir Louis Chicks was appointed in 1953 to head a review of the Revenue Allocation system. This became more necessary because of the establishment of true federalism envisaged for 1954. Chicks Commission recommended an emphasis on the principle of derivation and further recommended the regionalization of the Marketing Board and the division of its reserves among the Regions, and the expansion of the scope of federally-collected revenue to be shared among the Regions. The Commission stressed that the Federal Government should have adequate resources for its services. This system lasted from 1954 to 1959 when it was again reviewed.

(d) *The Raisman Commission of 1958*

One of the most controversial issues treated by the 1957 London Constitutional Conference was the Revenue Allocation. It was therefore decided by the Conference to appoint a Commission to handle the issue. A Fiscal Commission headed by Sir Jeremy Raisman was appointed in 1958 to review the Revenue Allocation System. Its report which was hotly debated and accepted during the 1958 Constitutional Conference recommended for the *Distributable Pool Account* to be shared among the Regions as follows: North — 40%, East — 34%, West — 24% and Southern Cameroons — 5%. These percentages were arrived at with the two principles — Derivation and Need which the Commission recommended. The principle of Need is determined by the size of population. The Commission further recommended that the Personal Income Tax should be made a Regional Tax. It also recommended that external borrowing should remain exclusive to the Federal Government while Regional Governments could borrow from abroad if guaranteed by the Federal Government.

(e) *Binns Commission 1964*

The Republican Constitution of 1963 necessitated a review of the existing Revenue Allocation system. Accordingly the Binns Commission was appointed in 1964 under the provisions of the 1963 Constitution. The Binns Commission rejected both the derivation and need as principles for revenue sharing to Regions. In their place, it recommended the principle of “financial comparability” which could be seen as a combination of need and even-development. The principle of “financial comparability” is determined by (a) each Region’s cash position (b) its tax efforts, and (c) the standard of service provided. The Commission thus developed a new formula of allocation from the Distributable Pool Account as follows: North — 42%, East, — 30%, West — 20%, and newly created Mid-West — 8%.

(f) *The Dina Interim Revenue Allocation Committee 1968*

The Military took over in January 1966 and 12 states were created out of the existing 4 Regions. This necessitated a comprehensive review of the Revenue Allocation system. The Dina Interim Revenue Allocation Committee was set up in 1968 to review comprehensively the existing Revenue Allocation system and suggest desired changes, and to suggest new revenue sources for both the Federal and State Governments. The Dina’s Committee recommendations were comprehensive and

innovative and recommended among others that (a) the Distributable Pool Account be renamed Joint State Account; (b) Special Grants Account be established; (c) permanent Planning and Fiscal Commission be created to administer special grants; (d) the weight given to the principle of derivation be reduced; (e) the principles of basic need, minimum national standards, balanced development and derivation should be used; (f) royalties from on-shore mining to be divided as 10% to state of origin, Federal Government 15% states Accounts 70% and special grants Accounts — 5%; (g) rent from on-shore operations were fully to go to state of origin; (h) uniform tax system be established and (i) higher education be federally financed. the Federal Military Government rejected the Report and even never published it.

(g) *Decree No. 13 (1970) Provisions*

Soon after the end of the civil war, the Gowon regime promulgated Decree No. 13 of 1970 which allocated the bulk of the federally collected revenue to the Federal Government to finance the programmes of Reconstruction, Reconciliation and Rehabilitation. Later, Decree No. 9 of 1971, which gave the Federal Government alone all the off-shore mining royalties and rents, was promulgated.

(h) *The Aboyade Technical Committee 1977*

The Aboyade Committee was appointed in 1977 to review the existing Revenue Allocation system which would form part of the Draft Constitution prepared by the CDC to be submitted to the Constituent Assembly in 1978. The Aboyade Committee recommended that (i) the Special Grants Account be established – this should be 3% from Federal Government share of Federation Accounts; (ii) all federally-collected revenue be paid into the Federation Accounts and shared by the three tiers of government as follows: Federal Government – 60%, State Governments – 30% and Local Governments – 10%, (iii) five-factor formula be used as principles for sharing among the States their share of Federation Accounts, namely, (a) equality of access to development opportunities, (b) national minimum standards, (c) absorptive capacity, (d) independent revenue and (e) tax effect and fiscal efficiency. The Government accepted the recommendation with modifications and then forwarded it to the Constituent Assembly but the Constituent Assembly rejected it on the grounds that it was too technical.

(i) *Presidential (Okigbo) Commission*

As a result of the rejection of the Aboyade Committee recommendations by the Constituent Assembly, the Presidential Commission on Revenue Allocation headed by Dr Pius Okigbo was appointed in November 1979 and its Report was submitted in June 1980. The Commission recommended that the Distributable Account Pool which now would be known as Federation Accounts be shared among the 3 levels of Government as follows: Federal — 53%, States — 30% Local — 10% and Special Fund — 7%. It recommended criteria for sharing the 30% State Governments share among them, and for sharing of the 7% Special Fund. The Okigbo recommendations were presented to the National Assembly which considered them and passed them into law with the President's Assent. This law was known as Revenue Allocation Act of 1981. The Law was challenged in the Supreme Court which declared it unconstitutional and in consequence null and void as a result of defects in the procedure in passing the Act. The National Assembly then reconsidered and re-passed

the Revenue Allocation Act in 1982 known as the Revenue Allocation Act of 1982. The Act provided for the sharing of the Federation Accounts among three levels of Government as follows: Federal — 55%, States — 35% and Local Governments — 10%. It further provided criteria for sharing the States' share of 35% among States, and for sharing 10% Local Governments' share among the Local Governments.

The provisions of the Revenue Allocation Act 1982 are in use up till today (1989). But there are widespread agitations for a review. The Babangida Administration set up a permanent Revenue Mobilization, Allocation and Fiscal Commission which reviewed the Revenue Allocation system on a continuing basis.

Following the recommendation of the Revenue Mobilization, Allocation and Fiscal Commission, the Babangida Military Administration changed the Allocation formula as follows — Federal Government 50%, States 30%, Local Governments 15% and Special Fund 5%. There are still serious agitations. The history of Revenue Allocation in Nigeria from 1946 till the present day shows clearly the magnitude and complex nature of its problem. What is possible, like in the case of minorities problem, is to manage to live with the problem since no permanent satisfactory solution to resolve it is possible in the foreseeable future.

- (iv) **Inter-ethnic rivalries, conflicts and tension:** There exist very serious ethnic rivalries which breed constant and intensive conflicts and tension. Although various states have been created, yet people see themselves first as belonging to their respective ethnic groups to which they owe greater loyalty. Consequently various ethnic groups compete for economic, military and political power. They compete for greater share or even monopoly of public appointments and government amenities. The problem is much more complicated by the fact that there are three giant ethnic groups strategically positioned — Hausa/Fulani in the North, Igbo in the East, Yoruba in the West, which are always engaged in the struggle for political power. They tend to dominate other ethnic minorities. More serious is the apparent domination of the Hausa/Fulani of the North which has consolidated as a political group and has the notion that political power must emanate from it. All these create inter-ethnic conflicts and tension and threaten the foundation of federalism. Associated with this problem is the establishment of regionally-based political parties and the emergence of ethnic-based leaders.
- (v) **Centrifugal forces:** As a result of the multi-ethnic nature of Nigerian federalism, the country is not well integrated. Citizens of Nigeria give their loyalty first to their ethnic groups and state of origin rather than to the Nigerian state. They strongly identify with their respective ethnic groups which they give their maximum support. They see the Nigerian nation negatively as an artificial creation which they however must support in order to reap the huge economic gains which it gives. This great attachment and identification with one's ethnic group gives effect to centrifugal forces which in themselves are strong forces of political instability. Serious efforts should therefore be made to evolve measures that would produce centripetal forces which would integrate and unite the Nigeria federation. The factor of cultural diversities is present in all federal systems and constitutes an important consideration for federal formation, yet measures should be adopted to integrate all groups and create a viable 'unity in

diversity. This can be achieved when the centrifugal and centripetal forces are kept in a balance.

- (vi) **Sharing of governmental powers between the Centre and the States:** There is no scientific method for sharing powers between the Centre and the States. Federalists want very great powers vested with the Federal Government, while statisticians want very "autonomous" states with great powers. This has constituted a great problem to Nigerian federalism. During the First Republic, Regional Governments were vested with great powers along the K.C. Wheare's ideal model of Federalism. But three important factors, namely the Secessionist attempt by Biafra, the resultant civil war, and the military rule have created for Nigeria a federal system with very powerful central government with enormous financial and controlling powers and very weak State Governments. There is the notion and practice of "Federal Might" with its concomitance of Federal Government domination. This constitutes a serious threat to the practice of a true Federal system in Nigeria. A true Federal system requires that powers should be shared in a manner in which each level of government should possess a substantial share of functions and powers which it should perform and exercise without the interference of the other. In other words in exercising such powers allocated to it, it should be independent. In sharing the powers, the general rule is to allocate matters of common interests that concern the whole nation like defence, armed forces, foreign affairs, shipping and currency, to the Federal Government while matters of "local" nature that do not concern the whole nation like local government, hospitals, local public works, primary and secondary education, administration of justice within a State, etc. are generally allocated to the States. This principle should guide power sharing in Nigerian federalism.
- (vii) **Inter-governmental relations:** The success of a federal system depends on good political education, political maturity and tolerance. Incumbents of both the Central and State Governments in Nigeria during civil rule do not perceive themselves as operating *one* corporate Government of the Federation. They lack understanding, tolerance and co-operation in the exercise of their powers. Often they lack full knowledge of the limit of their own powers. These lead to several conflicts and tension between the Federal and State Governments. Thus one heard during the Second Republic statements of confrontation by State Government with the Federal Government.
- (viii) **State border disputes:** Another problem arising from Nigeria federalism is numerous boundary disputes between various States in Nigeria. These boundary disputes have brought about very bloody clashes between States resulting in destruction of lives and property. For instance, the border dispute between Imo and Akwa Ibom/Cross River States has resulted in occasional inter-state disturbances claiming very many lives and million Naira worth of property. It has caused inter-state bitterness, animosities and lack of co-operative living. The solution of inter-state boundary disputes lies in political education and good State Government. Citizens of Nigeria should be made to understand that in whichever state they find themselves, they should co-exist with others bearing in mind that they are still Nigerians. On the other hand, state governments should ensure good government in their areas and give fair and equal treatment to all citizens of a state.

- (ix) **Statism:** A major theory of federalism states that each unit (states) is independent of both the federal and other units in discharging the functions allocated to it. Although this ideal principle is not fully practised in Nigeria, yet the extent to which it is practised lends itself to the practice of statism. In the spirit of federalism, every state is enjoined to respect the public acts, records and judicial proceedings of other states. Each state should allow free movement of food-stuff, produce and manufactured goods in other states. There should be free movement of persons from other states and they should be entitled to the rights, privileges and immunities enjoyed by the indigenes of the state. This is not the case in Nigeria. There are many cases of discrimination in economic and political matters. For instance, residents of a state who are non-indigenes are discriminated against in political appointments, elective political positions, appointments into the public service, award of contracts, admission into schools and colleges, etc. These practices do not make for national unity.
- (x) **The issue of federal character:** The principle of federal character as provided by the 1979 Constitution states that all appointments into the federal public sector and allocation of amenities and benefits should reflect proportionately the diverse composition of the federation. Ideally this provision is to serve as a safeguard against the possible neglect of certain areas. But the application of this principle produces a lot of social, economic and administrative problems. The merit system on which an effective government is built is replaced by the quota system. For instance well-qualified and highly competent persons from educationally advanced areas are left out in public service appointments in preference to mediocres and incompetent persons from the so-called educationally disadvantaged areas in the application of the principle of federal character. This brings about discrimination and unequal treatment of Nigerians which do not promote national unity. Moreover it does not promote effectiveness and efficiency in the public service.
- (xi) **Secession:** The fact that a federal state is a union of formerly independent units breeds the idea of secession. But federalism unlike confederalism by principle forbids secession. Constitutionally a federation is like Catholic marriage which is an indissoluble union. But still attempts had been made in various federations. The Southern States of the USA attempted in 1861 claiming the right of secession from the whole which led to a civil war and finally they were brought back to the USA federation by force of arms. In Nigeria, the famous widespread destruction of lives and property of the Igbos in all parts of Northern Nigeria gave rise to the mass return of the Easterners in other parts of Nigeria for safety and the decision of the former Eastern Nigeria to secede and form an independent State of Biafra. This led to thirty months of civil war (1967–1970) and ultimately the secessionists were brought back to Nigeria by force of arms when they were overwhelmed and over-run by Federal forces in January 1970. Centrifugal forces and absence of real national integration still breed feelings of secession in Nigeria. This therefore calls for measures which should promote national integration and unity.

KEY POINTS

1. Origin of Nigerian Federalism

- (i) Northern and Southern Protectorates were amalgamated in 1914.
- (ii) The Arthur Richards Constitution created regionalism in 1946.
- (iii) The Macpherson Constitution of 1951 gave legislative powers to Regional Governments under a supreme Central Government.
- (iv) The collapse of the 1951 Constitution gave effect to the 1953 London Constitutional Conference and the resumed 1954 Lagos Constitutional Conference that gave birth to the Federal Constitution of 1954.

2. Factors that Necessitated the formation of Federalism

- (i) Nigeria has a very large territory — vast in area and large in population.
- (ii) She has very diverse and complex cultural patterns.
- (iii) Nigeria has a certain degree of desire for unity for economic gains.
- (iv) Nigerians co-existed for a long period under one colonial administration and shared a common experience.
- (v) There exists the necessary factor of geographical nearness of all the parts — North, West and East.
- (vi) The events that led to the collapse of the 1951 Constitution was the immediate force that gave effect to the federalism decision.

3. Structures and features of Nigerian federalism

- (i) *Before Independence*
 - (a) there were three big and powerful Regional governments.
 - (b) the regional governments were co-ordinate in powers with the federal government in performing functions allotted to them.
 - (c) Northern Region was larger than the rest of the Regions put together.
 - (d) Regional legislatures were bicameral while the federal legislature was unicameral.
 - (e) there existed the structure of majority-minority tribes in each of the three Regions.
- (ii) *During the First Republic*

The structure and features of Nigerian federalism were fundamentally the same with those of the pre-Independence era. In addition —

 - (a) there existed a Federation of four Regions
 - (b) the Federal legislature was then bicameral
 - (c) Nigerian President was the Head of State
 - (d) the Supreme Court became the highest Court of Appeal. The Judicial Committee of the Privy Council was abolished as the highest appeal court for Nigeria.
 - (e) emergency powers were constitutionally granted to the Federal Government.

- (f) the Constitution was rigid.
 - (g) the Central and Regional Constitutions were each written in separate documents.
 - (h) it was a republican federal system.
- (iii) *During the Military*
- (a) between 1967 and 1975, there existed a Federation of 12 States.
 - (b) between 1976 and 1987, there existed a Federation of 19 States.
 - (c) in theory it was federal but in actual practice it was essentially unitary.
 - (d) there was the supremacy and dictatorship of the Federal Government.
 - (e) the Federal Government unilaterally took over most of the State Governments'™ sources of revenue and establishments.
- (iv) *During the Second Republic*
- (a) there existed a federal system of 19 States.
 - (b) the principle of co-ordinate powers i.e. independence of State Government in performing its allotted functions was restored.
 - (c) but still there existed a powerful Federal Government that had great financial and controlling powers.
 - (d) Governmental powers were shared as before — Exclusive List for the Federal Government, Concurrent List for both the Federal and Regional governments, and Residual powers for only State Governments.
 - (e) Federal legislature was bicameral while Regional legislatures were unicameral
 - (f) it was a Republican and Presidential federal system.
 - (g) the Constitution was very rigid.
 - (h) there existed the principle of judicial review.
 - (i) the Constitution provided for the Local Government as a third tier of government of the Federation.
 - (j) the Federal Electoral Commission conducted all elections in Nigeria — State and Federal, except the Local Government elections.
 - (k) the State and Federal Constitutions were written together in one single document.

4. Problems of Nigerian Federalism

- (i) There was imbalance in federal structure before 1967.
- (ii) There is the problem of minorities and creation of states.
- (iii) Revenue Allocation system is a very serious problem.
- (iv) There is the issue of ethnic rivalries and conflicts.
- (v) Cultural diversity and complexity produce centrifugal forces.

- (vi) Power sharing between the central and State Governments presents a big problem.
- (vii) Border disputes among states occur regularly.
- (viii) Inter-governmental relations produce conflicts and tension.
- (ix) There is the practice of statism.
- (x) The application of the principle of federal character negates the principle of merit system.
- (xi) There continues to exist some feelings of secession in some areas.

SAMPLE EXAMINATION QUESTIONS

Essay Questions

1. Discuss the events that led to the formation of the Nigerian federalism.
2. What factors were necessary for the formation of Nigerian federalism?
3. What were the features of the Nigerian federalism during the Second Republic?
4. What were the main features of the Nigerian federalism during the Military Rule 1966–79?
5. Examine in outline the main problems of Nigerian federalism.
6. Discuss the problem of Revenue Allocation in Nigeria.

Objective Questions

1. Nigeria was declared a federal country for the first time by the Constitution of
 - A. Arthur Richards
 - B. John Macpherson
 - C. Oliver Lyttelton
 - D. Hugh Clifford
 - E. First Republic
2. A factor that favoured the formation of Nigerian federalism is
 - A. cultural diversity
 - B. cultural singularity
 - C. common culture among the Nigerian ethnic groups
 - D. multi-party system
 - E. the principle of federal character
3. A feature of the Nigerian Federalism during the period 1966 to 1979 was
 - A. co-ordinate of powers between the federal and state governments in their respective spheres of authority
 - B. supremacy of the federal government

- C. great powers of the state governments
 - D. independence of states from federal government
 - E. share of Federation Accounts based only on the principle of derivation.
4. A prominent feature of the Nigerian federalism during the First Republic was
- A. imbalance of the federal structure
 - B. structural balance of the federal system
 - C. existence of many ethnic groups of equal size
 - D. federal supremacy in the exercise of government powers
 - E. regional supremacy in the exercise of government powers
5. Which one of the following is *not* a problem of Nigerian federalism?
- A. Revenue Allocation System
 - B. Minorities within Regions/States
 - C. Cultural diversity and ethnic rivalries
 - D. Border disputes
 - E. Chieftaincy disputes

Answers

- 1. C
- 2. A
- 3. B
- 4. A
- 5. E