

Nigerian Federalism and the Unending Clamour for Restructuring: Which Way Forward?

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Abstract

A federal system entails coming together either wittingly or unwittingly of various nations of distinct socio-cultural and historical backgrounds, exploiting common geographical proximity to form a strong national government. The Nigerian experience however, appears that, the regional geographical entities that made up the Nigerian state were deliberately fused together by the British Colonial Authority for a vested interest. Although one thing that appears interesting in a federal system, is the constitutional division of powers between the central government on one hand and the governments of the federating units on the other. In the Nigerian model, the provision of the constitution has made the central government stronger being the only tier with powers to enforce the exclusive or national matters and correspondingly, makes the federating units weak and subordinates rather than coordinates. This arrangement perhaps made some people to see Nigerian federal structure as skewed and a quasi-form of federalism. This by and large ignited a clamour for restructuring as an option for a redress. The paper examines this phenomenon utilizing elite theory, with data largely obtained from secondary sources. The study adopts qualitative method of analysis with a finding revealing that poor leadership rather than the federal structure arrangement is mainly responsible for groups' agitations on restructuring Nigerian state. Consequently, the paper recommends that good governance rather than restructuring provides immediate solution to the problems associated with Nigerian federalism.

Keywords: Federalism, Political Restructuring, Constitution, Federating Units, Nigeria

Introduction

The process and perhaps the manner to which the Nigerian state emerged a federal system has not only been faulted but largely seen as an irreversible mistake. A federal system however, entails a framework or mechanism to which various ethnic nationalities of different socio-economic and political systems wittingly or unwittingly come together to form a strong national government. Thus, the justification for such ethnic marriages is predicated upon the numerous advantages derivable from such kind of arrangements ranging from strong economic base, political stability, military might, and many others. The various ethnic groups that made up the Nigerian state were previously independent separate entities with each having its peculiar political system of administration. Although, there were interactions among the various ethnic groups, but they were formally and officially brought together as a single political entity by the British colonial government in the year 1914.

It may therefore interest us to note that,

taken the heterogeneous and distinct historical and geographical factors into account, with or without colonial interest, federalism was hence the only suitable available alternative option for the Nigerian society. In other words, Nigerian Federalism was borne out of historical and geographical factors (Epelle and Nweke, 2019). It was argued that the act of amalgamation of 1914 was not a federal idea but that there were strong integrative factors of inter-groups relations that favored the division of Nigeria into a number of units that could develop into components of a future federation (Report of the National Conference, 2014).

Hence, for the sake of record, the first attempt at making Nigerian state a federal system was made in 1946 by the Arthur Richard's administration that Balkanized the Nigerian society into three regions. Thus, the Littleton's constitution of 1954 gave credence to the Nigerian federal structure by sharing the state's powers between the central government and the three regional governments. According to Musa and Hassan (2014), it was the

Littleton's constitution of 1954 that first of all shared powers between the central and regional governments, giving out details on issues which were exclusive to only one level and those on which both could legislate.

It is also, pertinent to emphasize that, the colonial administration set the precedence for the present constitutional provisions on power sharing between and among the three tiers of government. The 1999 constitution as amended therefore, did not emerge on a vacuum, rather stemmed from the modifications of the previous constitutions particularly the 1979 constitution. Although the 1960 and 1963 constitutions provided for a strong regional governments and a limited central government (National Conference Report, 2014) but that arrangement has been reversed by the military junta when it assumed the mantle of leadership in 1966. The military regime by and large, is hieratical in nature and with centralized structure of administration hence its compatibility with unitary system although, states were created under the successive military governments which to some extent had doused some tensions of outcry of marginalization. However, it is imperative to note that creation of states is also a precursor to the emergence of new unproductive and predatory state elites whose major interest is the appropriation of public fund (Babalola & Onapajo, 2019).

It is therefore, obvious at this point that Military was indeed instrumental to the current nature of the powers distribution between the Nigerian central government and the states governments. The 1979, 1989 and 1999 constitutions were directly or indirectly formed in the era of military regimes. The matters within the jurisdiction of the federal government that make such level to have upper hands over the states tier were clearly encapsulated in the 1999 constitution as amended. There are indeed so many contending issues in the constitution which need to be revisited for an elaborate deliberation by Nigerians in whatever platform so desired. Some of such issues therefore include resource control, revenue allocation and sharing, state policing, creation of additional states and local governments.

The upsurge in the clamor and calls for restructuring Nigeria hence revolve around the

trending issues in the constitution which did not require an easy process but a cumbersome procedure for amendments. The major challenge therefore, is what to restructure, what kind of restructuring the Nigerian state needs at present, what will be the *modus operandi* for the restructuring and above all, are the ruling elites ready for restructuring?. These questions raised would therefore be the guiding propositions to shape the discussions in the subsequent segments of the paper.

Federalism: A Conceptual Clarification

Federalism is a very complicated concept that requires diligent and meticulous survey in the quest for ascertaining its meaning. It is indeed multifaceted and multidimensional in nature hence it becomes so difficult to define both in theory and practice. The word "federalism" is derived from a Latin word "foedus" which literally means a treaty or an agreement (Johari, 2012). According to Burgess (2006), federalism by its very nature is so problematic particularly to scholars on the ground that it is constitutional, political, social, economic, cultural, legal, philosophical and ideological. Hence, this has always make attempts to define the concept difficult and elusive.

Rozell and Wilcox cited in Jega (2022), see federalism as a principle/instrument or framework which defines the division of authority among national and sub-national governments in a given country. Generally speaking, federalism denotes an association of states formed to serve certain common objectives, with states retaining and preserving their identities and independence. Thus, Wheare (1963, p. 1) corroborating this assertion, maintains that:

Federal government is used very loosely in political discussions and it is seldom given a meaning which is at once clear and distinct. To be sure, most of those who use it agree in this, that they have in mind an association of states, which has been formed for certain common purposes, but in which the member states retain a large measure of their original independence.

It is important to stress at this point that political, economic and security considerations are primarily taken in to account in negotiating either voluntary or involuntary federal system by the federating units. This is because those who often advocate for federal systems of governments believe with conviction that, the system, if adopted would indeed provide better and enhanced environment for socio-economic and political development as well as national integration or unity in diversity as most often said. The proponents of federal system of government consistently advocate for union of smaller states into a more powerful commonwealth and thereby obtain certain manifest advantages both internal and external benefits. Similarly Samuel cited in Appadorai (1968, p. 495) maintains that:

A federal State is one in which there is a central authority that represents the whole, and acts on behalf of the whole in external affairs and in such internal affairs as are held to be of common interest, and in which there are also provincial or state authorities with powers of legislation and administration within the sphere allotted to them by the constitution

What needs to be stated in clear terms concerning any kind of federal arrangements is of course the constitutional division of powers between the central or general government and the federating units with an explicit or unambiguous indication of shared responsibilities in a co-ordinate form. In this case, all issues of fiscal federalism, resource control and appointments of all sorts are being addressed by the constitution. However, ambiguous clauses in the constitution are the first sources of crisis in states operating federal systems. The United States of America has often been cited as a practical country that operates modern federal system with a global outlook of emulation by other countries. This is because, the United States of America's model was designed in such a way that both the central government and state governments stand independently, but closely and mutually operating with each entity discharging specific

functions as stipulated in the constitution. More so, the constitution is very clear in matters relating to areas of shared responsibility among the federating units.

It is important to note that, there are no perfect federal systems anywhere in the world. Every federation therefore, is a product of the dynamics of its historical evolution and intergroup relation (Jega, 2022). Corroborating this, Mohammed (2022) further maintains that Federalism is cheaply for the management of diversity through accommodation, compromise and power sharing which cover intergovernmental relations at both vertical and horizontal levels.

Restructuring: What is it all about?

The word restructuring simply means reorganization or an alteration of structure. Accordingly, Bakare cited in Mohammed (2022, p. 23) asserts that "restructuring means to change the way an entity is organized or arranged". However, within the context of this write-up, the concept is weightier than what have just been stated above. This is because the term has been construed to represent or depicts wide range of issues by various groups across Nigeria. According to Mohammed (2022), restructuring in the Nigeria's parlance means expression of the views of various interests about the search for a renewal of the existing federal union to take care of a variety of perspectives on the best approach to create an orderly federation through the process of rebuilding its facets.

Indeed, restructuring has become a recurring decimal in the Nigerian political discussion platforms as many groups and individuals are calling for a redesign of the Nigerian federal structure. Those who attributed the failure of Nigerian state to the imbalance of the federal arrangement have the conviction that, problems associated with the Nigerian socio-economy and Political landscape can only be solved through restructuring of the entire facet or gamut of the society. Mohammed (2022) asserts that restructuring represents a change from a non systematic pattern of political disposition of a federal state to a refined or a well fine-tuned arrangement that accommodates the issues of national question. To make it more explicit, Pally cited in Mohammed (2022:37) states that

“restructuring is an idea of re-arranging, repositioning or reconstructing Nigeria state in various sectors”.

The concept of restructuring in the Nigerian context simply entails rejigging the entire federal structure to be compatible with the diverse ethnic pluralism which would give sense of belonging to all the ethnic groups within the federation. According to Mohammed (2022), the concept of restructuring is directed at a mechanism of managing burning issues that are directed at tackling lopsidedness in the allocation of power and resources. This is why restructuring is seen as the only modality of arriving at equilibrium particularly among the groups who really believe things fell apart in Nigeria.

The meaning of restructuring elicited from the above expressions demonstrated a generic connotation which perhaps breeds semantic confusion as what exactly to be restructured has not been explicitly pointed out. Thus, against the backdrop of the bewilderment of the ranges of issues surrounding restructuring, Bakare cited in Mohammed (2022) identified ten broad categories of restructuring advocates. These are the conservatives, economic structure reformists, non-structural constitutional reformists, political system reformists, devolutionists, state creation advocates, resource control activists, regional federalists, regional con-federalists and secessionists. If we carefully examine these ten categories, it is very clear that there is no convergence at all in terms of what to restructure within the Nigerian federation. This therefore, makes the calls and agitations for restructuring all this while problematic and utopian.

Methodology

The paper adopts qualitative research method with data obtained mainly from the secondary source such as textbooks, documents and journals. The documented information concerning the concept of federalism, Nigerian federalism and the discussions and arguments surrounding political restructuring in Nigeria were highlighted, reviewed and analyzed using content analysis technique.

Theoretical Framework

The study adopts theory of the Political Elites.

The theory has become very popular in the United States in the 1950s few years after the Second World War along Group and Power theories with each claiming full-fledged political theory. The origin of the theory is particularly traced to Vilfredo Pareto and Gaetano Mosca both of which were of Italian origin (Varma, 2007). Pareto, while trying to describe elites believed that every human society is ruled by a minority that possesses the qualities necessary for its accession to full social and political power. That those who get on top are always the best and are known as elites. Thus, the elites consist of those successful persons who rise to the top in every occupation and stratum of society (Varma, 2007).

The theory first of all evolved in the Central and Western European countries as a critique of democracy and socialism but, it was suitably adapted in the United States by a number of writers to explain political processes. The theory hence postulates that every human society consists of two broad categories of the selected few who on one hand are the capable and therefore, have the right to supreme leadership and on the other hand, are the vast majority of masses who are destined to be ruled. Corroborating the assertion of Pareto who was a sociologist and psychologist, Mosca who was a political scientist posits that in all societies, two classes of people appear- a class that rules and a class that is ruled. The later class always the less numerous, performs all political functions, monopolizes power and enjoys the advantages that power brings.

Elite theory emphasizes the domination of the entire society by few individuals who happen to be on the top echelon of all the professions in a given society. These groups of individuals by the virtue of their status constitute a class that is called ruling or governing class and the power to authoritatively allocate resources in society is vested in their hands. The theory sees the system as completely elitist in nature with all the affairs of the state controlled by the political elites and supported by their collaborators from among the masses. The theory did not see democracy as the actual system that favours numerous groups in the society instead, a system dominated by the few for the few.

It is apparent that the political elites have great role to play in the restructuring project in Nigeria. The project indeed requires national consensus among the elites which if ascertained will indeed help in finding a common ground in the constitution through repeal and review by the legislative arm of government. Thus, it is crystal clear that, the political elites are not yet ready for the restructuring and since they have all the powers and influence, the call for restructuring must first of all receive due attention by them. More so, what we should also understand here is that, the political elites in collaboration with religious leaders and traditional rulers who are also elites in their own ways have not yet given the calls for restructuring a nod in Nigeria. This is largely because the current federal system seems to be in tune with them.

Periscoping matters arising from the ongoing Debates on Restructuring Nigerian federalism

The calls for restructuring of the Nigerian federation have hitherto raised concern around social, economic, political, religious and cultural climes. Nigeria is a multi-lingua, multi-ethnic, multi-cultural and multi-religious state. Thus, it is expected that in a better working federal system, interests of all ethnic nationalities within the federation should be unconditionally protected by the federal principles. However, where the federal system by virtue of its design cannot protect and promote the diverse interests of all the ethnic groups that come together either voluntarily or arbitrarily fused together such as Nigerian experience, automatically a fundamental problem is bound to occur.

There are indeed multiple challenges associated with the Nigerian federal system and it is on this basis, that some groups including individuals cut across the North and the Southern parts of the country see the need for rejigging the federal structure. According to Jega (2022), Nigeria's current federal structure needs refinement and improvement or some form of what can be called restructuring for the sake of stability, progress and development. Obviously, it is high time for the Nigerian federal structure to be reviewed in order to consciously and practically address the

debilitating centrifugal and centripetal issues threatening the corporate existence of Nigerian state.

Thus, a major challenge confronting Nigerian state today is the challenge of consensus among Nigerians particularly the elites on restructuring the current federal arrangement. More so, what exactly to be restructured, how and when to do the restructuring are indeed other fundamental problems associated with the restructuring mantra. This section therefore, would examine the matters arising from the calls for the restructuring Nigerian federal structures. Bakare cited in Mohammed (2022) has identified ten (10) categories of groups demanding restructuring Nigerian federal structure but, without a single working document on the modus operandi of restructuring Nigeria. This lack of compromise and consensus among the groups and individuals clamouring for restructuring the Nigerian federation is itself a primary contradiction within the system. Thus, Mohammed (2022) has broadly classified the advocates of restructuring Nigerian federal system into three, namely the Protagonists, the Antagonists and what he called the supra-protagonists.

The protagonists are those educated Nigerians who wished a return to the first Republic regional federal system where power was shared between the federal government and the existed regional governments. The regional governments had economic, administrative and legal autonomy. This group blamed successive military juntas for suppressing calls for restructuring Nigerian state in the past and felt this is the right time for the Nigerians to negotiate the reorganization of the Nigerian federal structure. This group advocates the abolition or jettisoning the current states governments federal structure and reverting back to the erstwhile regional federal government structure.

As asserted by Bakare cited in Mohammed (2022), the South West Region of Nigeria has been the lead in advocating a return of Nigerian federal system to the regional system of government with organizations such as NADECO and PRONACO interested in the devolution of more power to the regions. This is

to say, rather than federal government, the regional government should be vested and exercised more powers. This idea was espoused by people such as Anthony Enahoro, Rotimi Williams, Ben Nwabueze, Gani Fawehimi, Wole Soyinka and Chief Emeka Anyaoku. This has been the prayers and desire of the South Western Nigeria for quite a long time, but thwarted and truncated by the successive Military junta, difficulty in constitutional amendments and several political factors.

More so, the South East zone shared similar position with the South West. The region represented by its leaders such as Ben Nwabueze and Chief Emeka Anyaoku has consistently been demanding for restructuring of the Nigerian federalism. Although, the utterances of some individuals and groups within the zone have depicted that, the region is more interested in the Ibo presidency than the restructuring. For instance, Ben Nwabueze has once remarked to Ohaneze Ndigbo and IPOB that, what Ibo needed was restructuring and not Ibo presidency (Thisday, cited in Mohammed, 2022).

It is in the record that some notable figures and Association in the Northern Nigeria such as Alhaji Abubakar Atiku, Ibrahim Badamasi Babangida and Middle, Belt Forum are in support of restructuring of the Nigerian federal structure but with devolution of more powers to the states (Mohammed, 2022). Although, on the contrary, the main organization representing the interest of the entire people of the Northern Nigeria which is Arewa Consultative Forum (ACF) has openly criticized the nature of the calls for restructuring consistently agitating by the people of southern Nigeria. The organization hence maintains and insisted that let there be a referendum on the existence of Nigeria since the calls for restructuring have not been explicitly defined what exactly to be restructured.

The second category is the antagonists also referred to as con-federalists. This comprises individuals who advocate for change from the present federal arrangements to the con-federal system of government where the center is weak, loose and less powerful thus, making the regions stronger. This was an idea of some individuals during Gowon military administration with Odumegwu Ojukwu agitated

for secession of the Eastern region that eventually culminated into civil war that almost lasted for three years. Specifically, call for con-federal system of government was spearheaded by the late Victor Olabisi Onabanjo, Bola Ige, Dr Bukola Saraki, Tunji Braithwaite and host of others (Adeniyi, Ojo cited in Mohammed, 2022). They argued that the current states should be collapsed into six regions with autonomous powers in all matters. That each region can decide the number of states and Local Government areas it can afford to crates but, the centre should hold power only on foreign policy, printing and minting of national currency and custom.

The third category is what Mohammed (2022) called supra-antagonists and the group rejects both of the views upheld by the protagonists and antagonists. The people belonging to this group have been claiming that since the inception of federal system in Nigeria, their groups had gained nothing for being part of the federation. Hence, they advocate for a complete and total breakaway as a federation. It on the ground of this notion that Elaigwu cited in Mohammed (2022, p. 16) described the activities of the group as “manifestation of latent aggressive sub-nationalism”. Thus, the conduct of the group has termed as irredentist with an agenda of separatist movement and divisibility taking the path of violence to achieve their goals. These groups comprises the Movement for the Sovereign State of Biafra (MOSSOB), the Biafra Zionist Movement (BZM), the Indigenous People of Biafra (IPOB), and the O' odua people's Congress (OPC).

From the forgoing, it can be summed up that broadly, there are three groups with clear cut perspectives and agendas for restructuring Nigerian federal structure as explored above. Having carefully followed the lines of arguments, we can unequivocally say that, the country indeed needs restructuring not because of the proliferation of agitation and calls but, fundamentally for the sake of political stability and national development.

However, on periscoping the issues arising from the debate on restructuring, it is glaring that hitherto calls for the restructuring Nigerian federalism have been on the basis of domination and marginalization of the minority groups by

the majority or claims of domination of entire country by a particular region. It was on this ground that, the Willink Commission was established before the independence of Nigeria principally to address the rising fears of the minority groups in the country. Before 1960, about 9-15 demands for state creation were expressed including a Yoruba Central state, Ondo Central and Mid-West from the Western Region, Cross River, Ogoja-Rivers states from the Eastern Region and Middle-Belt state from the Northern Region. However, it was only Mid-West that was created before the collapse of the first republic in January, 1966 (Report of the National Conference, 2014). Consequently, if the restructuring of Nigeria would be considered on the basis of marginalization and domination, indeed the call for restructuring would certainly be endless largely because, virtually all the ethnic groups and the geopolitical regions in the country are today crying of one form of marginalization and domination or the other.

The way forward

The Nigerian Government in the fourth republic under the democratic regimes of Olusegun Obasanjo and Goodluck Jonathan has overtly demonstrated giant strides by convening national conferences for dialogue on how to accomplish the project of restructuring Nigerian federalism. The two conferences had indeed produced reports but, unfortunately the reports have not been utilized thus making the whole exercises fruitless.

It can further be stated therefore, that, the political class aside the military factor, has further worsening the deteriorated campaign for the political restructuring. Hence, earlier highlighted, the creation of additional states or devolution of powers to the states, reverting back to the erstwhile regional system and total breakaway or secession may not easily be practically possible in Nigeria. These actions indeed require intensive technical constitutional review and or referendum for any meaningful change to take effect. However, the reality of the nature of Nigerian politics is indeed the greatest impediment to restructuring project. This is because; the political orientation of the political class in the country tends to be in tandem and compatible with the current federal

political arrangements. Many of the politicians are surviving today not on the basis of merit but, largely on the ground of sentiments accompanied by manipulation of religion and ethnicity. The politicians hence take undue advantage of the diverse nature of the country, weak democratic institutions as well as loose character of the federal government to arbitrarily amass wealth from the public treasury. This would indeed be very difficult for them if the country is restructured to regional government. This is why the political class is assiduously at work to halt any move aimed at disbanding the current federal arrangement. To this end, the elite consensus appears very difficult to come by, and such consensus by and large constitutes the most vital ingredient needed for a successful restructuring of the Nigerian federalism.

In view of such debilitating challenges which have been undermining a true national consensus for the restructuring of the Nigerian federalism, it can therefore, be suggested that in the interim, the only practical available mechanism that can assuage the tension of restructuring quagmire is indeed “good governance”. Good governance however, entails a lot in ensuring sanity, stability, progress, prosperity and national development. Thus, with good governance, all sorts of crises such as identity and legitimacy can effectively be managed by the state.

Conclusion

Nigerian federalism of course by its very nature, in terms of origin and evolution has been described as a colonial creation and as such, some people felt it cannot and will never answer the name of true federalism. Thus, it is being referred to as quasi and skewed on the ground that, the structure or arrangement is lopsided and imbalance with the power concentrated more in the federal government. Expectedly, the federating units should have more powers than the federal Government as the case in the classical federalisms. Although the 1960 and 1963 constitutions had made such provision in the first Republic where regional governments exercised more powers than the federal government. However, the military intervention in 1966 had contributed towards staging the current federal arrangement with the

establishment of unitary system by promulgation of decree no 34 as well as playing greater roles in the establishment of 1989 and 1999 constitutions.

The current federal structure is indeed composed of hydra headed socio-economic cum political challenges that have continued to thwart socio-economic and political development. Thus, sincere and genuine national dialogue is yet to be ascertained. Therefore, rather than hypocritical calls and agitations for restructuring, the call for good governance should have taken a center stage as the immediate practical measure for sanitizing the polity and redressing the imbalances in the system.

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