

## **The Challenges and Pathologies of Nigerian Federalism**

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### **Abstract**

**T**his paper is concerned primarily in examining the challenges and pathologies of Nigeria federalism. Theoretically, federalism as a system of government or power arrangement is crafted deliberately to deal with a sociological complex polity as presented in Nigeria's mutli-ethnic, multi-linguistic and multi-religious composition. But there exist wide gaps between theory and practice, vision and reality, with the data of governance being replete with many contradictions controversies, paradoxes and crises emanating from the persistent stagnation and diminution that follow fragile practice of federalism. The study relied mostly on secondary data which were sourced from scholarly journals, books, government and institutional publication. Analytical methods was used to analyse data and presented in theme. The paper argues that federalism in Nigeria rather than improving the quality of governance and practice, it tends to diminutate and validates the fact and conclusion that the practice of federalism in Nigeria is marked with pathologies and challenges, engendered by foundational errors made by colonial imperialist at inception.

**Keywords:** *Federalism, Challenges, Pathologies, Imperialism, Colonialism.*

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### **Background to the Study**

The paper focused on the idea of Nigeria federalism which is rooted in British political economy which inform the amalgamation project. Through the amalgamation, the British imposed a unified economic system which allowed them maximize exploitative profits through minimum government that denied the various constituent units the advantages of their geographical location (Nwabughuotu in Alli, 2003, p. 73). To further stress the economic importance or reasons apart from other motivating factors like geographical contiguity, similarity of political institutions, need for military security, desire to be independent of foreign power, the expectations of desirable economic benefits from the forced union form the basis of amalgamation of Nigeria in 1914 (Osuntokun, 1979). According to Tamuno (1989), the British were the prime movers and did what mattered most and of interest to them, since domestic, public, opinion for and against these schemes were neither sought nor given prime consideration. He noted further that:

British policy-makers therefore explored new ways of doing old things (to optimize colonial control with minimum resources). Pragmatic economic based considerations, such as these provided the reason of the (1898-1914) schemes concerning amalgamation in Nigeria. Their prime consideration (that of the 1898 Selborne Committee) was to use funds available from the richer "South" to offset the adverse financial standing of the less prosperous "North" and so reduce fiscal dependence on scarce imperial grant-in-aid (p. 15).

Through these devices, none of the federating units negotiated the advantages and disadvantages of the federal framework; neither was any of them confronted with the facts of what they could lose by not joining or inspired by what their regions could gain by being a member of the federation. These unresolved problems were left for the Nigerian political elites to tackle. To this end, the Nigerian federalism labours excruciating and unceasingly like "an expectant" mother in the hand of untrained doctor (Anam-Ndu, 1998). Governance in post-independence Nigeria is replete with many contradictions, controversies, paradoxes and crises emanating from the country's persistently fragile experiment in multi-ethnic federalism. These have generated conflicting interests that have over the years lingered unresolved since Lugard forced the amalgamation of desperate and isolated ethno-linguistic nationalities into Nigeria colonial unitary state in 1914. It is therefore established that colonial-imperialism via die political and administrative structures put in place by the colonial state is largely responsible for the form of the federal state as well as the nature of the national integration which Nigeria inherited (Anam-Ndu, 2003).

In spite of the above, there are many other conflicts and tension generating areas in Nigeria federalism, but five are said to be crucial to the survival of the federation: revenue allocation, census, representative federalism, distributive federalism and leadership succession processes. However, the sharing of revenue accruing to the Distributable Pool Account (DPA) is said to be the most emotionally charged and volatile issue of the federation, and there has neither been an agreement nor consensus over how the wealth of the nation should be shared among the federating units (p. 54). These can be supplanted mainly through a radical and progressive struggle undertaken by the people in their bid to establish an effective national integration and

cohesion. It is against this background that this study attempts to present a rounded understanding of the challenges and pathologies of Nigeria practice of federalism. The paper is in five sections starting with the introduction. The second is the conceptual note on federalism. Nature and dynamic of Nigeria federalism is section three while section four is challenges and pathologies of Nigerian federalism and concluding remarks ends the work in section five.

### **Conceptual Clarification**

Federalism is a term described as a structural device for managing the affairs of a plural society. A considerably large number of scholars have written extensively on the concept of federalism. Thus the concept has many definitions. Where (1963) conceptualised federalism with the American union as the basis of his thesis. He sees federalism as the formal division of powers between levels of government. According to him, “federal government is an association of states so organised that power are divided between a general government, which in certain matters independent of the governments of the associated states, and on the other hand, state governments, which in certain matters are in their turn, independent of the general government” (p. 1). Where (1963, p. 10) further states that people will adopt the federal system if they desire a single coercive force in some aspects and independent of the units in other aspects. He added that “by the federal principle, I mean the method of dividing powers so that general and regional governments are each within a sphere, co-ordinate and independent (Ola, 2001, p. 3).

This statement of the federal principle is qualified by Where's pointing out that it is a principle or organization and practice whose ultimate test is how the federal system operates. Where further listed conditions under which such a polity can exist and be sustained. These include among others, the formal and legal divisions of powers and responsibilities among levels of government as manifested in a written constitution, the establishment of an independent judicial system particularly the Supreme Court. Although, Where has been criticized by other commentators for being legalistic, formal, rigid, euro-centric and idealistic, yet his postulation continued to serve as the springboard for subsequent analyses. Friedrich in Leo Dare (1979) in an attempt to avoid the pitfalls of Where took a rather broad view of federalism, and argued that federalism is a process rather than a design. He argued that federalism should be seen as a process by which unit and diversity are politically organized and this process includes, like all political phenomena, persons, institutions and ideas. He asserts that “federalism is a general principle of social organisation and that the degree of federalism in a political system is a function of sociological and not legal criteria” (p. 31). He also sees federalism as dynamic and contended that the federal instrumentalities can be found in several forms of political systems, ranging from centralised to decentralised. He affirmed that studies in contemporary times sort the dynamics of federalism not within its legal construct or constitutional document, but in the social forces that link or underline the political process. Livingstone like Friedrich observed that the essence of federalism lies not in the institutional or constitutional structure but in the society itself. He maintained that federal government is a device by which the federal qualities of the society are articulated and protected.

Livingstone in Jinadu (1979) further identifies the territories' demarcation of diversities as a distinguishing characteristic of federal government. In his words, These diversities may be distributed to the members of a society in such a fashion that certain attitudes are found in particular territorial area, or they may be scattered widely throughout the whole of the society. If they are grouped territorially, then the result may be society that is federal. If they are not grouped territorially, then the society cannot be said to be federal. But in the former case only can this take the form of federalism or federal government. In the latter case, it becomes functionalism, pluralism or some form of corporatism (p. 19).

Perhaps, what is more unique about Livingstone's postulation is the introduction of the notion of "spectrum federalism" because it removes the rather common idea of an ideal federalism. As he asserts, "federalism is not an absolute but relative term; there is no specific point at which a society ceases to be unified and becomes diversified. The differences are of degree rather than of kind. All countries fall somewhere in a spectrum, this runs from... a theoretically wholly integrated society at one extreme to a theoretically wholly diversified at the other". Riker (1975) viewed federalism from a more static perspective, as a bargain struck by the component units. He argues that the federal bargain emerges when all relevant panics concerned are ready and willing to make a deal. He said to factors bring about such bargain:

- (a) The desire by the leaders to expand their territorial control, usually either to meet an external military or diplomatic aggression and aggrandizement.
- (b) The presence of some external military diplomatic threat or opportunity.

The above conditions, Riker claims, are responsible for a federal union to be centralised or conversely peripheralised (p. 12). In the case of a centralised federal system, federal authority tends to overawe constituent governments. In a peripheralized federalism, subordinate governments have greater influence over the affairs of the whole society than rulers of federalism.

Etzioni (1962) in his contribution offers a systematic and logically though not perspective on the process of interpretation. He conceptualised on integrative forces as either coercive (military), utilitarian (economic sanction) or normatic (propaganda) is suggestive of the sociological variable that help in explaining the federal form of government (p. 44). Etzioni's central theme is concerned with power. For him, politics is nothing short of the exercise of effective political power by an identifiable central authority. More than that, he stresses the relevance of the attitudes of leaders and decision-makers to the process of integration for unification. From this perspective, federalism belongs to that group or class of political systems devised to bring about unification of political communities. The end product of these communities' reaction to the federal situation, occupy what Livingstone calls spectrum federalism. Hence the euphemism about unity in diversity talked about federalism in Nigeria and India, or devolution in the United Kingdom becomes meaningful.

Awa (1976) sees federalism as:

*The coming together of different (sometimes also distinct) political units under a single political umbrella, a central authority (government) that faithfully represents the whole and acts on behalf of the whole in such areas as external affairs, which are in a sort of social contract agreed to be to the mutual interest of the different constituent units (p. 1).*

Nwabueze (1983) throws more light on the concept, by stating that:

*Federalism is an arrangement whereby powers of government within a country are shared between a national (nation-wide) government and a number of regionalized (i.e. territorially localized) governments in such a way that each exists as a government separately and independently from the others, operating directly on persons and property within its territorial area, with a will of its own, and its own apparatus for the conduct of its affairs and with an authority in some matters exclusive of all others (p. 1).*

### **The Nature and Dynamics of Nigerian Federalism**

Nigerian federalism is a product of British economy which emerged on placement under different condition. Even the British did not know and realize its character and nature until after acquisition, hence it was involuntary and traumatic for some and for others it was at best, an affection for the unknown. But for all of them, it was a forced brotherhood and sisterhood which has been the subject of continual tinkering, panel beating and even attempted dissolution (Ayoade, 1998, p. 101). No wonder another distinguished Nigerian political actor Obafemi Awolowo (1947) infact described Nigerian federalism as mere geographical expression, therefore an artificial creation (p. 47). While another equally famous actor in Nigerian politics Ahmadu Bello (1962) described the making of Nigerian federation as the “mistake of 1914” (p. 133). Their description tally with the saying of the colonial governor of Nigeria Hugh Clifford in Okpaga (2009) who observed that:

Nigeria is a collection of self-contained and mutually independent native states, separated from one another, as many of them are, by great distance, by differences of history and tradition, and by ethnological, racial, tribal, political, social and regional, barriers... (p. 383).

Therefore, in Nigeria we do not have a history of an orderly maturation of federalism from small beginnings as was the experience of other federations but we had a situation where in the early 1950s certain pressures from the Nigerian nationalists sort of informed a change of orientation on the part of the colonial government (Tamuno, 1998, p. 15). Also the multi-ethnic character of the emerging nation-state coupled with the current of changes in the international scene caused a sort of change of direction by the colonial government in Nigeria which had to find a structural arrangement that would accommodate the diverse interests of Nigeria's ethnic groups and peoples (Tamuno in Tamer, 1998). It was necessary to fashion out a constitutional arrangement, which would give a hearing to the needs and aspiration of the various peoples of Nigeria. The trend towards federation could be recorded from the 1946 Arthur Richard's constitution, which regionalised the country.

Through that constitution we had the northern region, eastern region and western region. The three-region structure was acknowledged and sustained by the 1951 Macpherson constitution. The 1954 Littleton constitution further strengthened the regions with more autonomous powers and we mark 1954 as the year when the building blocks for federation were laid (Osadolor, 1998, p. 35). The provisions of that constitution and the actual implementation of those provisions in the regions, with the concessions which the colonial central government in Lagos made, tended to reinforce the autonomy of the regions and constituted the basis upon which a federal structure was forged and consolidated (Osadolor, 1998). From 1954 to the granting of political independence in 1960, we witnessed the growth of the federal structure with particular reference to the growth of state rights and the strengthening of the regional governments. The regional governments were able to assert a significant amount of power as stipulated in the concurrent and residual legislative lists. It should be stated in passing that the constitutional provision of exclusive, concurrent and residual legislative lists delineated the powers and functions, which the federal (central) government and the regional governments could exercise. This is an important pre-requisite for the orderly functioning of a federal system of government and it promoted the consolidation of regional autonomy and it was possible for the regions to gain valuable experience in self-government (Suberu, 1998).

The delineation of powers and function meant a reduction of the limitless and autocratic powers, which the colonial central government had hitherto exercised. The structure and relations of power during this period provided training for Nigerian nationalists who controlled the regional governments, and in the post-independence period federalism was maintained within the context of a democratic independent nation state. During the First Republic it could be safely stated that there was no serious threat to the federal structure although some ominous seeds, which were to signal disintegration were sown during that period. We refer to the Tiv riots of 1964; before then the crisis in the western region in 1962, which led to the declaration of a state of emergency, which amounted to virtual take-over of that region by the federal government with all its attendant consequences for regional autonomy, democratic governance and national unit and cohesion (Anam-Ndu, 1998).

The federal arrangement with its emphasis on regional autonomy was maintained during the 1960-66 the country witnessed tumults and crisis which impacted upon the then existing structural arrangement. Between 1966 and 1967 the four-region structure was maintained but under military dictatorship the regions lost their power to a central military command system consequently, the executive powers of government in the federation was centralised in Lagos. Under military rule power flowed from the federal centre at Lagos to the regional governments, which was then headed by military officers who were answerable to their superior offices at the centre (Nwolise, 2005).

It is important to recall that at the point in time the constitution was suspended and this meant that the constitutionally provided power of the regional and federal government were sidelined and replaced by military decrees and edicts, which suited the intents mid interests of the military government. The steps taken to confront Biafra and take the carpet from wider the feet of Ojukwu and his lieutenants included dismembering the federation as well as waging a thirty

months war of attrition against the Biafran Republic (Anam-Ndu, 1998). What is of interest in Nigerian federalism is the implication of the dismemberment of the four regions and the federal capital Lagos into a 12-state structure of the Nigerian federation. This creation of twelve states meant that regional centres of powers were broken up and we now had many centres of power. The most significant consequences of this creation of more centres of powers (i.e. state capitals) was that no single state or group of states could come together to constitute a threat to the suzerainty of the federal government (Anam-Ndu, 1998). The states became powerless and none could muster financial and military resources to confront the federal government. This amounted to a serious weakening of federalism and after this exercise and the experience of the civil war in 1970 and the trend that was being institutionalised was the increasingly expanding powers of the federal government vis-à-vis the state governments. The federal government accumulated more and more powers and had the leverage to usurp the powers of the state government and in some instances swallowing up state rights and functions through military fiat.

A massive and extensive series of federal take-over ranging from educational institutions, social services, and economic activities to an excessive degree of federal involvement in almost all facets of national life were witnessed (Anam-Ndu, 2003). This clearly could not have augured well for federalism as states lost their sense of initiative and independence of action. States were not consulted before the federal government took most of its take-over measures and they were left in the cold and could only perform subordinate roles delegated to them by the then central government in Lagos and now in Abuja. The restructuring of the country continued up until 1996 and each structural change meant the whittling down of state power. Recall the 1976 creation of 7 additional states which brought the number to 19 states; in 1987 two states were added bringing Nigeria to a 21 states structure; and in 1991 the Babangida regime boldly added 9 states which brought the number to thirty states. And in October 1, 1996, General Sani Abacha created additional 6 states that brought the number to the present 36 states (Suberu, 2005).

The consequences of this periodic dismemberment of the Nigerian federal structure could be critically analysed and documented. It will suffice to state that the series of measures taken during the long period of military dictatorship have, doubtlessly, had far reaching consequences for the nature, content and direction of federalism in Nigeria. The scenario, which we have, is: the beginning of co-operative federalism in the late 1950s and early 1960s which was replaced by the dominant, apparently autocratic military federalism from the 1970s right down to the 1990s (Suberu, 2005). Nigerian federalism, which we had to attribute to the colonial heritage, has been defaced and it could be characterised by the impact which military dominance of over thirty years has had on it. The marks which military dictatorship has embossed on Nigerian federalism will remain indelible; and what is suggested here is that no analysis of the evolution and nature of Nigerian federalism would be complete without focusing on the consequences of military rule on Nigerian federalism. Different military administrations took varying measures that had so much devastating impact on the country's federal system that they still haunt the nation today, threatening at times to snuff life out of the system.

These measures as summarized by Nwolise (2005) include the following: (a) loss of the power and autonomy of component units, (b) abolition of the federal system, (c) balkanization of Nigeria into 36 states, (d) fiscal debilitation of the component units of the federal system, and (e) suppression of culture of enlightened challenges from component units. In essence, the political hegemony of centralizing military elites and the instability of civilian rule, which promoted the country's sectional fragmentation, polarization, socio-economic stagnation, account for many of the contemporary tension and contradictions of Nigerian federalism (pp. 118-20). The gunshots of that early harmattan morning of January 15, 1966, not only eliminated some of the founding fathers of federalism in Nigeria, but also killed the essence of federalism itself (Anam-Ndu, 1998).

### **Challenges and Pathologies of Nigerian Federalism**

Despite political independence in 1960, Nigeria has been reeling from one problem to the other, which make cohesion difficult. To start with, Nigeria's federal system is highly centralised. Coleman in Peil (1976) observes that the “excessive centralisation and statism of most developing countries not only mean greater vulnerability as a result of unfulfilment of populist expectation; it is also means heightened inefficiency” (p. 115). Unlike Switzerland, which despite being a small country, remains one of the most decentralised countries in the world as noted by Koller (2002, p. 27). Above all, it is also means the absence of critically important supportive capacity in the society, because the public cannot respond to, direct, or restrain a policy which is so far removed from it as a centralised government tends to be (Koller, 2002, p. 115).

Concomitant with these intractable centralised nature of the Nigerian federalism is the precarious and ambiguous position of the constitutional provision. The scenario exacerbates rather than assuages the country's cohesion. What is more, the states were often the settings for a perverse form of politico-distributive exclusive, which pitted indigenes against non-indigenes. Ironically, this dichotomy is legalized by Nigeria's federal character policy, which prescribes the equitable distribution of public opportunities and resources among persons from, or indigenes of, all the states of the federation (Federal Republic of Nigeria, 1999, sections 14 and 147). But the concept of indigene-ship is constitutionally defined tautologically in terms of genealogy rather than residency. Thus, under section 318 of the 1999 constitution as amended, a Nigerian can claim to “belong to” a constituent state of the federation if either of his or her “parents or ... grand-parents was a member of a community indigenous to that state”. This provision has encouraged indigenes to exclude non-indigenes (Nigerians resident in states in which they have no direct genealogical communal root) from valued opportunities (public employment, political appointments, educational admissions, lands and related resources) that are controlled by, or channelled through, the states. In several instances, notably in the clashes between migrant Tivs and their neighbours in Taraba and Nassarawa states, and between the Hausa and the Birom-Afizere-Anaguta in Plateau state enormous violence, involving hundreds of fatalities, have resulted from concerted attempt by indigenes to exclude large, but ostensibly non-indigenes, resident communities from economic and political opportunities controlled by state and local governments (Human Rights Watch, 2001, 2002a). This undermines the efficacy of the federal structure.



Unlike in India where there is no dual citizenship, in which case there is only one Indian citizenship and the concept of a state citizen does not exist (Sangma, 2002, p. 35), to be employed outside one's ethnic base at state government level in Nigeria is really a big risk in the sense that such a person is a "non-indigene". Indeed, there is a conscious notion of "my state" or "my home" which afflicts every Nigerian who lives outside his state of origin and makes him go "home" to build a home, marry a wife, or vote. Even the dead are rarely buried outside their states of origin. The implication of this is that citizens' allegiance to the federation is truncated because of the states' preferential treatment of its citizens (Ojo, 2001, p. 8). Yet, the citizens that are discriminated against pay taxes and perform other duties in their states of residence. A system whereby the state cannot effectively tackle the problem of citizenship negates the tenet of federalism (Ojo, 2001, p. 9). Laski (1982) view in this issue is apt: "a state must give to men their dues as men before it can demand, at least with justice, their loyalty" (p. 89).

Orluwene (2008) asserts that:

The protracted and unabated conflict between the executive and legislative arms of government in the current Fourth Republic provides another cogent example of constitutional provision. The battle line has produced multiple arenas and cuts across vital constitutional issues that threaten to suffocate the process of democratic consolidation. This gladiatorial contest has found expression in the differences between the executive and legislative arms at the national level, in the differences over the 2000 Appropriation Bills, the 2002 federal budget, the Anti-Corruption and Niger Delta Development Commission bills, the saga of the alleged N4m bribing of members of the House of Representatives to impeach the former speaker, Ghali Umar Na'Abba, the Electoral Act and the failed impeachment process against President Olusegun Obasanjo (p. 48).

Regarding the constitutional provision pathology, Crommelin (2002) observes that "the distribution of power provokes a variety of disputes, between levels of government, between governments at the same level, and between people (or peoples) and a government or governments. All such disputes, however involve basic issues of constitutionalism: definition and enforcement of limits upon governmental authority (p. 439).

Another pathology is structural imbalance. According to Mill's Law of federal instability, "a federation is morbid if one part of the federation is bigger than the sum of the other parts" (Ayoade in Ayoade, 1998). The Nigerian system is, indeed, far from being balanced. It will be recalled that Macpherson Constitution (1951) created a central legislature which had 136 elected representatives out of which the Northern region alone had 68 members, making it possible for the North to swallow the other regions combined or hold them to ransom (Awolowo in Ojo, 2005, p. 50). This problem is not unconnected with the awkward and lopsided origin of the Nigerian federal structure, which has created problems of seemingly permanent dimensions. First, the division of the country into three units turned the federation into an asymmetric territorial association in which one part (north), was equal to the sum of the other two parts, that is the west and east. Although it is true that there is no federal system in the

world in which the constituent states or regions are even or nearly equal in size, population, political power, administrative skills, economic development or relative geographical location (Frankel, 1980, p. 65); but wherever the disparity is as great as to make one constituent state permanently dominant in collective decisions, it results into unitary centralism rather than a federalism. Indeed, from empirical indication, this structural imbalance generated fear of domination among various groups in the country, especially among the minority ones.

According to Elaigwu in Ojo (2005), in terms of landmass, the northern region then had 77.0 per cent, eastern region 8.3 per cent, western region 8.5 per cent and the Midwestern region 4.2 per cent. According to the 1963 census figure, the northern region accounted for 53.5 per cent of the total population of Nigeria, the eastern region 22.3 per cent, the western region 18.4 per cent and the Midwestern region 4.6 per cent. Thus, the federal structure as existed made it virtually impossible for the south to control political power at the centre, given the ethno-regional politics in the country. The south thus feared northern political domination by population and landmass, while the north was equally afraid of the southern edge in skills and western education (p. 56). More recent developments, in terms of states and local governments creation exercises as well as recruitment into public Nigerian offices, have reinforced the lopsided nature of the structure of the Nigerian federation. The feeling that the federation is tilted to the advantage of one of its component units tends to transform the federation into an imperial structure (Duchacek in Ojo, 2005, p. 56). It is the foregoing that breeds the problem of hegemonic domination by the major ethnic groups in the federation. It is also for these reasons that ethnic minorities are restless.

Despite the aforementioned, one of the greatest challenges of Nigerian federalism is the problem of asymmetric power relationships between and among the disparate component units of the federation. The federation is rife with mutual accusations and counter-accusations of domination and marginalisation. The South is aggrieved by what it calls political domination by the North. Osuntokun in Ojo (2005, p. 57) buttresses the position that Nigeria's federation is tilted in favour of the North. Some comments in the Sunday Tribune Newspaper in Ojo (2005) are necessary.

The appearance of General Olusegun Obasanjo from the South-west as head of state in the 1970s was accidental. He was next to General Murtala Mohammed who was assassinated on 13 February 1976. Automatically, the mantle of leadership fell on Obasanjo who later handed over power to Alhaji Shehu Shagari in 1979 in a controversial election. Chief Ernest Shonekan also from the South-west, was manipulated into office by die military to head an Interim National Government (ING) to placate the Yoruba who were aggrieved because of the annulment of 12 June 1993 presidential election won by their kinsman, M.K.O. Abiola. Thus, the Shonekan administration lacked real power and legitimacy and was short-lived. Obasanjo's subsequent re-emergence as civilian president from the south-west two decades after vacating that office as military head of state is not unconnected with the abiding need to placate die South-west over the same fraudulent annulment of Abiola's 1993 presidential election victory. The third observation is that the regime which emerged on 29 July 1966 ought to have been headed by Brigadier Babafemi Ogundipe who was the most senior officer in the army then. But

reports had it that he was deliberately schemed out after his leadership was rejected by the Northern military and political establishment (Oluleye, 1985, p. 38). The fourth is that the South-east including the Igbos and the South-eastern minorities, are greatly disadvantaged politically whereas the North, and to some extent, the South-west, have had a disproportionate share of federal executive power (p. 57).

Thus, the presidential position is largely a northern affair, the composition of the federal executives from independence to 2010 when Goodluck Ebelle Jonathan (GEJ) divinely came to power upon the death of Musa Yar'Adua and his subsequent victory in 2011 election was perhaps much more sectionally lopsided. As rightly observed by Olopoenia in Ojo (2005),

The greatest manifestation of this tendency is the implicit policy of reserving the political and top bureaucratic management positions in certain key ministries at the federal level for people from certain parts of the country. These are usually ministries with greatest concentration of resources and responsibilities. Even if it is agreed that the north has the largest population size, which is quite controversial, federalism and democracy are about concessions and ethnic accommodation rather than exclusion and domination (p. 58).

Northern regional hegemony has never been denied by the northerners but rather, rationalised on various spurious grounds. Elaigwu (1997) puts it this way:

*There was a relatively delicate division of power between the north and the south. The north's control of political power was counter-balanced by the south's monopoly of economic power in the country. We may go further to suggest that the January coup of 1966 tilted the delicate balance between the north and the south. It concentrated both political and economic power in the south. The north felt its sense of security threatened and reacted accordingly (p. 147).*

Similarly, SaniKotangora was of the view that the South is not content with monopolizing economic power and dominance of the federal civil service but has been thirsting for the choicest slice of the nation's politics- the Presidency (Kotangora in Ojo, 2005, p. 58). To Kotangora, Nigeria's Presidency is not for the South, because “democracy is a game of numbers. If they (Southerners) want to take it (the Presidency) they can come and kill the people in the North so that our population can reduce (p. 58). Also justifying Northern hegemony, Alhaji Maitama Sule, a Northern politician opined in the News magazine that “...everyone has a gift from God. The Northerners are endowed by God with leadership qualities. The Yorubaman knows how to earn living and had diplomatic qualities. The Igbo is gifted in commerce, trade and technological innovation. God so created us individually for a purpose and with different gifts” (the News Magazine in Ojo, 2005, p. 58). This kind of conquest and monarchical spirit is an outright negation of federalism. Ayoadeasserts in Ojo (2005, p. 58) the basis of southern agitation for the political restructuring and radical resolution of the national question.

The perceived northern hegemony was almost wholly responsible for the failed 1990 coup in Nigeria. The coup plotters disclosed that their putsch was a: "... well-conceived, planned and executed revolution for the marginalized, oppressed and enslaved peoples of the Middle Belt and the South with a view to freeing ourselves and children yet unborn from eternal slavery and colonization by a clique in this country" (Ayoade in Ojo, 2005, p. 58).

Ayoade also observes that religious bias has proved to be another form of power distribution in Nigerian federalism. For instance, in the Second Republic (1979-1983), 'countrywide, Muslims obtained about 70 per cent of all executive and board positions (Ayoade, 1998, p. 88). On the other hand, the North too is less comfortable with Southern domination of strategic sectors of the economy, most especially the bureaucracy as at 1997 (Tell Magazine in Ojo, 2005, p. 59). The long reign of military rule has no doubt created the structural problem of Nigerian federalism. In line with its command structure, Nigeria's federal system has been over-centralised to the extent that it reflects more of the unitary arrangement than a federal one (Elaigwu, 1998, p. 6). Yet, Nigeria began with a formal federal constitution in 1954, which was decentralised to accommodate the diverse ethnic groups. For instance, each of the constituent federating units, known then as regions, operated its own regional constitution, police, civil service and judiciary. Each region even had a separate coat of arms and motto, distinct from that of the federation. With the incursion of the military into governance, the federal government acquired more powers to the detriment of the federating units (Elaigwu, 1998, p. 67). The first coup in 1966 abolished regional police. Though it brought government closer to the people, the creation of twelve states on the eve of the civil war in 1967 entailed considerable loss of power by the federating units (Anam-Ndu, 2003).

The Murtala-Obasanjo military junta in its bid to reduce "divisive tendencies" in the nation, abolished states' coat of arms and mottos malting all governments in the country to adopt the coat of arms and motor of the federation, bringing about, from the benefit of hindsight, a false sense of unity (Policy Briefs in Ojo, 2005). In addition, the federal military government took over assets owned by states or group of states like television stations, stadia and newspapers, thereby strengthening the powers of the federal government at the expense of the states in terms of asset ownership. This made the contest for political power at the federal level a lot more intense among the federating units and it laid the foundation for many years of crisis and instability (Policy Briefs, October, 1999).

Tamuno (1989) in support of the above view point attributed the pathologies of Nigeria's federalism to "successions of military rulers at the federal and state levels" who perverted the system through "robust centralism" (p. 29). Similarly, Adejumobi (2002) posits rather definitively: Since independence in 1960, the emphasis has been on maintaining Nigeria's federal structure and system of government, but the long years of military rule has perverted the idea. The journey so far shows that the saliency of the "national unity" otherwise known as "cohesion" or "integration" remains an unsettled theoretical issue in Nigeria (p. 5).

A study of the strategy and tactics of African ruling classes since independence seems to buttress the position. As Ake (1978; 1993, p. 32) and Gana (1987) pointed out, African ruling

cliques since independence have employed the idiom of unity and national integration not only to demobilize the masses but to make the case for the primacy of development over personal freedom, insisting that this requires not only unit of purpose but unanimity of method. In the blind pursuit of such interest goals, they proceeded to justify “the criminalisation of political dissent and the inexorable march to political monolithism”.

### **Concluding Remarks**

The paper examined the nature and dynamics of Nigerian federalism thus showing that it has challenges, pathologies and crisis. For it to serve as the mechanism for managing the country plurality and foster integration, to build federalism in Nigeria or elsewhere in Africa, the ethnic and religious factors must be taken into account. The historical legacies of discrimination against groups based on their ethnic or religious origins must be addressed. In so doing, the granting of autonomy to regions or states must be real and power must be shared, not shifted. However, the federating units cannot be defined on ethnic and religious basis.

Ethnic and religious enclaves are dangerous for their members and even more dangerous for the minorities that find themselves within them. And it should be remembered when the basis for group definition narrows down the following primordial criteria, the production of minorities increases when groups that thought they belong start discovering that they do not quite belong. The construction of federalism requires that political basis for the construction of legitimacy must be discovered. This study therefore views federalism in Nigeria as inherently antithetical and therefore explained the continuing challenges and pathologies and contradictions of the system in terms of the fraudulent, unjust, paralytic federal arrangement practiced in Nigeria. This is because the structural transformation implicit in the Nigerian federalist spirit can materialised only if the efforts, ingenuity and resources of the people are fully mobilized in its support. It is therefore evident that the key to federal practice in Nigeria lies squarely in the adoption and adherence to the principle of restructuring or devolution of powers.

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