

**POLITICS OF ACCOMMODATION IN NIGERIA'S FEDERALISM
(1993-2007)**

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ABSTRACT

Most federations face the problem of accommodation, which mainly concerns the management of diverse competing interests within the system. There is paucity of studies that integrate issues of power sharing; revenue allocation and political restructuring that have militated against effective political accommodation in Nigeria's federalism. The study examined how these contentious issues were managed within the period 1993-2007 towards achieving an effective and successful federal framework for Nigeria.

Data were obtained mainly from secondary sources. These included archival materials, such as memoranda and reports from constitutional conferences, the Political Bureau, Political Reform Conference, committee on power sharing and rotational presidency and commissions on revenue allocation as well as past and present constitutions. The selection of materials was based on their relevance to the issues raised. Content analysis was used within the framework of critical theory to interpret the data.

The study showed that the political elite were innovative in dealing with the problem of political accommodation only in relation to threats to their common interests. This innovativeness manifested in response to crisis situations, such as secession threats, electoral crisis and minority agitations. They included the creation of states and localities in response to the minority's question, to ensure that no single or group of states was strong enough to threaten the territorial integrity of the country and to ensure even development. Power shift and the principle of rotational presidency, including the rotation of other executive offices in the federation, were endorsed by the ruling Peoples Democratic Party (PDP) and other major political parties to deal with the question of power sharing. These measures seemed to effectively resolve the question of federalising power at the centre even though they were still being contested. Furthermore, the success of these measures was limited by the practice of elite control of power in the name of an ethnic/religious group, satisfying the imperative of accommodation while creating a problem of public accountability. The ascent of particular elite was often in disregard of intra-group contestations thereby foreclosing negotiations at the sub-ethnic level. The limits of the revenue allocation formula as an elixir for the challenge of resource control was reflected in the rebellion and revolt against self-appointed leaders and other elite by youth and women's groups in the Niger Delta. The uprising against conservative Muslim sects by radical groups in the core north also underscored the contradiction between elite satisfaction and the severe poverty of the broad masses of the population in the midst of oil wealth.

The Nigerian elite have been quite innovative in adjusting federal practice to improve accommodation of the various segments of its diverse peoples. Measures of political accommodation have, however, had limited effects because their implementation largely contradicts the requirements of rational planning and general welfare. The issue of political accommodation requires strategic balancing of the demands of elite accommodation and public welfare for federalism to be successful in Nigeria.

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DEDICATION

To my late father, Mr. Benjamin Oghunmhan Aziegbe, who, though illiterate, recognised early enough the wisdom of sending me to school, and to my elder brother, Mr. Lawrence Ehizutomi Aziegbe, for his contribution towards my post-secondary education.

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CERTIFICATION

I certify that this study was carried out by Mr. Solomon Akhere Benjamin, under my supervision in the Department of Political Science, University of Ibadan, Ibadan, Nigeria.

.....
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LIST OF ABBREVIATIONS

AFEM	Autonomous Foreign Exchange Market
AG	Action Group
AU	African Union
CBN	Central Bank of Nigeria
CDC	Constitution Drafting Committee
CFCR	Citizens Forum for Constitutional Reforms
COR	Calabar-Ogoja-River
CTC	Caretaker Transition Committee
DA	Dedication Accounts
DPA	Distributable Pool Accounts
EMIROAF	Ethnic Minority Organisation of Africa
FCT	Federal Capital Territory
FDA	Federal Development Authority
FG	Federal Government
FMG	Federal Military Government
FRN	Federal Republic of Nigeria
GNP	Gross National Product
HR	House of Representatives
IEMRPO	Ijaw Ethnic Minority Rights Protection Organisation
INC	Ijaw National Congress
INEC	Independent National Electoral Commission
LG	Local Government
LGAs	Local Government Areas
MAMSER	Mass Mobilisation for Social Justice and Economic Reliance
MNR	Movement for National Reformation
MOSOP	Movement for the Survival of Ogoni People
NA	National Assembly
NANC	Ndoki and Asa National Congress
NASS	National Assembly
NCCC	National Constitutional Conference Committee
NCNC	National Council of Nigerian Citizens (it started in 1944 as the National Council of Nigeria and Cameroons)
NISER	Nigerian Institute of Social and Economic Research
NDDC	Niger Delta Development Commission
NNPC	Nigerian National Petroleum Corporation
NPC	Northern Peoples Congress
NPN	National Party of Nigeria
NPRC	National Political Reforms Conference
NRMAFC	National Revenue Mobilisation and Allocation Fiscal Commission
NUPENG	National Union of Petroleum and Natural Gas Workers
OMPADEC	Oil-Mineral Producing Areas Development Commission

OPC	Odua Peoples Congress
PDP	Peoples Democratic Party
PENGASSAN	Petroleum and Natural Gas Senior Staff Association of Nigeria
PRC	Provisional Ruling Council
PSTF	Petroleum Special Trust Fund
SMG	Secretary to the Military Government
SMM	Southern Minorities Movement
SPDC	Shell Petroleum Development Company
UBE	Universal Basic Education
VAT	Value Added Tax

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CHAPTER ONE

INTRODUCTION

1.1 Background

This thesis discusses the problem of political accommodation in Nigerian federalism. This chapter introduces the thesis. It provides a brief background to the Nigerian nation-state in terms of its geography, population, history, culture and politics within the context of which the problem of accommodation in Nigerian federalism is discussed. The chapter also specifies the rationale and the objectives of study as well as the scope and methodological approach adopted for it.

Nigeria is large in size and encompasses diverse geographical varieties. The country is about the tenth largest country in the world, roughly the combined size of Belgium, France, and the United Kingdom. The country shares its northern border with the Republic of Niger; its eastern border with Chad Republic and the Republic of Cameroon and it is bounded on the west by the Republic of Benin. The east to west distance is about 1,120 kilometres while the coastal to the northern limits covers a distance of about 1,040 kilometres. Nigeria's coastline stretches across a space of over 700 kilometres (Awolowo 1968:295; Otite 1990:7; NISER Survey 1993:2; Ayua and Dakas 2005:240).

The 2006 census put the population of Nigeria at about 140 million people, up from the provisional figures of the 1991 census which had put the total population at about 88.5 million people, thereby making Nigeria the most populous country in Africa. The country has a per capita Gross National Product (GNP) of US\$300, almost unchanged from the 1970s; it is one of the poorly-developed countries in the world even though it is the largest oil-producing country in Africa and about the eleventh producer in the world.

Despite having the seventh largest oil reserves in the world and earning more than \$200 billion from oil over the three decades preceding the new millennium (Obadan, 2005), very little has happened on the country's development front. Quality of life remains very poor in Nigeria. There is the belief that about 65-70 per cent of Nigerians lives below the poverty line; under-five mortality rate is 122 (per 1,000); in

2009, the rate was about 138 per 1000 while life expectancy is 52 years for males and 55 for females (World Bank 1999/2000, and World Development Indicator 2011).

Nigeria is a federation, the creation of which is rooted in the country's colonial history. This can be gleaned from Peter Ekeh's famous exposition:

The evolution and crystallization of a coherent Nigerian political culture dates back to its colonial beginnings: indeed it must be assumed to stretch backwards in time beyond the eighty years since colonial rule began into the more distant era of the blood-soaked slave trade (Ekeh, 1989:6).

Before the arrival of the Europeans about the 15th Century, there was no political entity known as Nigeria. Pre-colonial Nigeria consisted of a bewildering variety of communities and entities of varying sizes, levels of political and social development, and degrees of independence and autonomy. Contemporary Nigeria remains a heterogeneous country, which comprises between 250 and 400 ethnic groupings, each with distinct language and way of life (Kirk-Greene 1967; Awolowo 1968; Collins 1970; Otite 1990 and NISER Survey 1997, Ayua and Dakas 2005). Otite's (1990) elaborate field survey of the country indicates about 374 ethnic groups as shown in Appendix I. Yet, this figure represents an incomplete numeration.¹ Based on this scale of ethnic diversity, Nigeria was defined in the days of the founding colonial Governor-General of Nigeria, Lord Frederick Lugard, not as a nation in terms of racial or geographical factors, but a conglomeration of ethnic groups, with three of them – Hausa/Fulani, Yoruba and Igbo- predominating. The largest ethnic category, the Hausa-Fulani constitutes about 29 per cent of Nigeria's population. The location of some of these ethnic groups cuts across more than one state in Nigeria's present 36-state structure. Language and religion are the defining characteristics of this cultural amalgam.

In spite of the fact that the three major ethnic groups accounted for only two-thirds of the Nigerian population, the administrative structure of the territory until 1967 served to nearly eclipse the remainder. In this respect, Nigeria has what Horowitz (1985) terms a relatively "centralised" ethnic structure, which presents a great

¹ For instance, the Ekpeye people in Rivers State, known to colonial authorities since before the 1930s were, among others, copiously omitted (*cf.* Colonial Office, 1933).

challenge to ethnic harmony. What is more, the reduction of Nigeria's diversity to the tripod formula of Ibo-Yoruba-Hausa has created a tripartite game whose stakes of cultural anxiety are far too high (Young 1976). A similar argument is made by Collins:

Nigeria is an entirely artificial country born out of the womb of an international Western Conference. It did not consist of a geographical or ethnological area. History had not welded its tribes into national group, as for instance in France or Germany. The Normans and the Basques are quite different ethnically but today, to the outside at least, they both appear to be Frenchmen. The average villager in Nigeria, however, be he Hausa, Yoruba, Ibo, Tiv or Biron cannot be regarded as a Nigerian first and a member of his tribe second. Indeed, the immediate family holds almost all his loyalty, his tribe comes next and the idea of being a Nigerian national comes third (Collins, 1970:24).

It is against this backdrop that some Nigerians regard their membership of the country as voluntary while others see it as compulsory. In the same vein, a sizable number of the Nigerian population regards Nigeria merely as a business proposition with emphasis on profits to be maximised and losses to be minimised (Tamuno, 1989:19 and 1998).

Similarly, Barbour (1982) concludes that Nigerians seem to be aware of the weaknesses of small states on the international scene and, like the African Union (AU) on a continental scale, they sense the futility of devoting energy to the balkanisation of an existing nation. They have, therefore, resolved to accept the illogical colonial heritage, and develop their resources within the framework that history has located them.

However, this does not rule out the critical role the factors of trade, industry, finances and colonial administration played at the beginning of the formation of Nigeria as a nation-state. Indeed, between the 19th and early 20th centuries, Nigeria's formation became more and more one of barter for economic and social benefits (Tamuno, 1998:15). The legacies of the slave trade and colonialism are epitomised in the defective structuring of the Nigerian State (Ekeh 1989:2) with the 1898 Selborne Report convening the root-ideas of the political and economic emergence of Nigeria as a nation state. But somehow the post-1898 accounts on this subject are largely silent on its existence. This was not due to lack of literature but probably because the focus was on trading activities which formed the core interest of the imperialists.

Whatever the merits and demerits of the colonial administration's preference for the formation of Nigeria as a federation, two things stand out. The first is the preponderance of the trade motive. The second is the almost exclusive use of military expeditions to intimidate the peoples of the protectorate into accepting British authority (Anene, 1966). These, in retrospect, appear reprehensible, but throughout the 19th and early 20th centuries, trade was genuinely believed by British administrators and their collaborators to be an indispensable instrument of civilisation.

At this juncture, the pertinent question to ask is: what were the 'federal' opportunities presented for the formation of Nigeria? Perhaps it is instructive to observe that two separate states with their own separate governments were involved. All official utterances about Northern and Southern Nigeria specifically referred to them as two countries. Lugard, in his inaugural address as Governor-General, spoke of two countries being amalgamated. Be that as it may, the position of Northern and Southern Nigeria should be compared to those of any two of the former British American colonies, or any two of Canadian provinces, before their respective federations.

The difference, as Akpan (1967) points out, is that in the case of the United States or Canada, it was the people directly affected who took the decision, negotiated and bargained (aggregative federalism), but in the case of Nigeria it was an outside imperial power which imposed the union (disaggregative federalism) on the people. Yet, in all federal unions, the motivations must be clearly seen or stated, and the union must involve a clear division of powers and functions between the federating units and the centre. All these were true of the amalgamation of Northern and Southern Nigeria. But Lugard did not regard what happened as a federation, which it was not, because as he indicated in his 1919 Report and other documents, five main factors accounted for the amalgamation, namely, finance, communications and trade, and administration. A fifth, not mentioned, but which can be conjectured, is the military. As a soldier, Lugard easily grasped the military importance of Nigeria, governed under one administrative umbrella against a rival colonialist like France.

Obafemi Awolowo lends credence to this position in his book, "The People's Republic", when he wrote of Lugard that: "to him, more than anyone else belongs the credit or discredit for setting Nigeria on a course which Nigerian nationalists and

patriots feel obliged to pursue, albeit with mixed feelings, till the present day” (Awolowo, 1968:17).

One obvious course of no-return for Nigeria, even now, is that of federalism. Irrespective of what one may say or think of Lugard’s intentions, attitude, philosophy and policies in relation to the amalgamation of Northern and Southern Nigeria in 1914, it cannot be denied that the seed of Nigerian federalism was, perhaps more unconscious than consciously, sown by Lugard. Moreover, the 1914 amalgamation policy enhanced the present size of Nigeria, which is a plus for Nigeria as a federal nation-state.

However, the most profound and far-reaching aspect of the policy adopted in 1914 was the continued separation of the north and the south. Instead of having the two sets of societies interact to enhance full integration, they were deliberately kept apart, thereby continuing the isolation of the north from the impact of southern economic activity, educational progress, and Christian influence. Yet, it was only through the unfettered interaction of these groups that acceptable compromises could have been reached on the establishment and sustenance of the state and its institutions, making for the viable existence of the state. It is against this background that the imposed Nigerian state by the colonial forces can be understood (Young, 1988).

Accordingly, it is necessary to transform the state from its imposed origin into a living, viable normative state with a national, unifying appeal and institutional framework. Indeed, the history of the Nigerian state, since the beginning of the decolonisation process, has been dominated by this singular task of transforming the state. It can, therefore, be said that state-building efforts in Nigeria, instead of being for the consolidation of the existence of the state, have been essentially geared towards erecting the basis for the emergence of a true Nigerian state enjoying the widespread support of its diverse peoples and able to function effectively over its territory (Olaitan 1998:41; Babawale 1998).

At the early stage of Nigeria’s formation, when the cause seemed most hopeless in mid-1953, the colonial government in collaboration with Nigerian nationalists worked together to find a solution in a federal constitution which was introduced in October, 1954. It was a necessary compromise at that time to hold the country together and work towards final independence. It provided for greater regional

autonomy and the removal of power of intervention by the centre in matters which could, without detriment to the other regions, be placed entirely within regional competence (Ayoade 1998:10).

In essence, the 1954 Lyttleton's Constitution carried the concept of regional administration much further by declaring Nigeria a federation, recognising to a limited extent the autonomy of regional governments for their internal administration. Thus, for obvious reasons, Nigeria settled for a federal system of government as a means of accommodating conflicts and reconciling seemingly antagonistic interests. This is not to say that the nation's unity is stable as a result; it remains fragile. The evidence of the past as earlier discussed provides sufficient clues to understanding present developments and evaluating future trends; predisposing factors in the political process such as belief systems and values (political culture) are, in the main, historically conditioned.

Therefore, the main concern of this study is to examine the contentious issues arising from the formation of Nigeria as a federation, and how they have been managed within the period 1993-2010. The main focus in this regard includes the examination of the power sharing principle, the question of resource allocation and distribution, and political restructuring of the Nigerian federation. Other concerns include identifying the various factors which have produced the problem of accommodation and its character over the years. Overall, the study dwells on the challenges facing federalism as an institutional mechanism for accommodating diverse ethnic groups and the relationship between regional and central governments.

1.2 Statement of the Problem

The problem of accommodation exists in every federal state, and is often embedded in the concept of federalism itself. In this regard, Elazar (1976) states that: "The great strength of federalism lies in its flexibility, but that very strength makes federalism difficult to discuss satisfactorily on a theoretical level." He further elucidates that the flexible nature of federalism makes it odd in relation to traditional federal theory by emphasising rigid division of power (Elazar 1976). It gives it some operational advantages, though it creates ambiguity and severe theoretical problems (Glass 1977).

In developing countries, the operation of the federal system has been rendered extremely problematic. This is due to a complex interplay of factors which include deep ethno-regional imbalances and conflicts, economic underdevelopment, heavy reliance on governmental machinery for individual and group advancement, a weak attachment among the political elite to civic and consensual values as well as a fragile sense of nationhood (Rotchild 1968; Mawhood 1984; Suberu 1990, 1992). These destabilising factors have only been addressed on two fronts: through discontinuation of the federal compact or by the development of a centripetal model of federalism in which the centre has acquired a *crushing* constitutional and financial superiority over the sub-federal government (Mawhood 1984:252). Worse still, centralisation has tended to exacerbate, rather than attenuate, economic decline, political decay and regional and ethnic conflicts in developing countries (Suberu 1992:30; 2003). This circumstance has contributed to the problem of accommodation in developing federal states.

Since independence, most African states have only been able to make minimal progress towards consolidating the multitude of diverse and often discordant ethnic groups within their borders into stable national communities. Despite the initial commitment of past national leaders to instill a sense of national identity, the allegiance of a large portion of African peoples to various ethnic groups still surpasses their loyalty to the national community (Smock and Bentsi-Enchill 1976:3). As Ekeh (1989) puts it, “the dialectical relationship between the primordial public and the civic public provides African politics with its key problems, largely because the same actors operate in both of them.” Consequently, deep inter-ethnic accommodation problems continue to exist in African states.

In fact, an indication of the extent of fragmentation in Africa is that one-half of the 2,000 languages of the world are indigenous to Africa, with more languages spoken per unit of population in Africa than in any comparable portion of the world. Only few states, for example, Somalia and Swaziland, have substantial cultural uniformity. Others are faced with the problem of forging a sense of national accommodation and common citizenship amongst a large number of ethnic groups, whose languages, cultures, social and political institutions, and values differ significantly (Smock and Bentsi-Enchill 1976:4).

In Nigeria, the colonial government probably initiated the problem of political accommodation by subjecting the North and South of the country to different political orientations. However, this is not to say that there would no longer be accommodation problem if the two different regions decide to separate. The challenge will still be there but as a matter of degree. The historically determined “federal character of Nigeria” comprised the following: multi-ethnicity; the duality of north and south; the unholy marriage of the three largest Nigerian ethnic nationalities which has so far afflicted the nation with unstable and acrimonious alliance at the centre; and the tension and suspicion between three giant ethnic groups on the one hand, and the minority ethnic groups on the other (Afigbo, 1989:15). In this sense, regionalism has helped to create the problem of political accommodation. But regionalism has also been adopted as a policy solution to the problem it helped to create (Ayoade, 1988).²

In the post-independence period, one of the greatest problems the country has faced is that the federal structure facilitates accommodation only to the point that the interests of the ruling elements in the major ethnic groups are met. This is exemplified by the constant contention over the control of the political leadership of the country. Not even the intervention in the nation’s politics by the military has succeeded in the attempt to accommodate the vital interests of the rulers, the socio-economic control groups in the relatively underdeveloped hinterland, and the groups that control the strategic height of the economy at the centre. The idea of a fair and equitable distribution of power among the major ethnic groups in the country seems to have collided with the necessities of international trade and finance and economic development which the beneficiaries (the ruling elite) seek to perpetuate in the country. The constitutional provision notwithstanding, the socio-economic power and influence of some northern feudal lords continue to hold sway in the nation’s polity.

Thus, the problems to be addressed in this thesis are beyond the usual restriction of political accommodation to the parochial and fleeting interests of the elite. These problems include the fundamental and more enduring collective interests

² Nigeria is a disaggregative federation created by colonial power, which came into being in order to resolve inherent conflicts and put together the seemingly fragile country. In retrospect, Nigeria had come under a number of constitutional debates and acts of coercion to bring together through a federal constitution which took effect from 1954 (Osaghae, 2006: 10).

which have to do with group rights to language, culture, local political autonomy, equality (with other groups), and development (Osaghae, 1991, 1996, 2006). For example, in the area of development, there is ample evidence in Nigeria of elite control of power in the name of an ethnic or religious group, region or state, which satisfies the imperative of accommodation, but does not reflect in the development of the group or region.

Another problem that needs to be addressed relates to the intra-group contestations and negotiations that go into building agendas and leadership. This sometimes produces violent and protracted intra-group conflicts. The revolt against self-appointed leaders and other elite by youth and women's groups in the Niger Delta and against conservative Muslim sects by radical groups in the core north illustrates this point. On balance, therefore, political accommodation is multi-layered and the intra-group and inter-group dimensions have to be addressed.

Political accommodation has other significant components that need to be critically examined. One is the materialist basis of accommodation, which is often underplayed by analysts. Peoples' desire for material well-being is a big problem, which more often than not, makes inhabitants of a given territory to seek political accommodation. This is the case in federal systems where those that join the union desire to reap material benefits from the pooling of resources. Osaghae (2006) argues that: "political accommodation is an integral part of the federalist philosophy that enables poor(er) units of federal union to share from and have access to the resources and wealth of the rich(er) units. The erroneous idea that rich units should get richer and poor units poorer negates the federal principle of political accommodation; what federalism promises is balanced and even development".

The problem that arises from the foregoing is how to share the available resources without encouraging parasitism and indolence on the part of the poorer units and without deliberately distorting the development of the richer units. Similarly, the problem of equality and inequality needs to be resolved, since groups have unequal sizes, populations, resources and levels of development. Should unequal groups be treated equally? If so, how? How does the society ensure equal opportunity in the competition for power and positions? Should remedial and empowering interventions (affirmative action, reserved quotas and the like) be made to strengthen the capacity of

people from minority, poor, disadvantaged and vulnerable groups to compete – and, if so, for how long? The Nigerian experience with these issues has been complex, but by and large, it shows that they are difficult to deal with despite the provision of creative constitutional and policy interventions meant to promote equitable access and even development.

In fact, Nigerian federalism is beclouded with the challenge of how the various components of the union can accommodate each other in terms of resource distribution as well as power sharing among them. In this regard, Osaghae notes that the nature of federalism “ has basically revolved around the equitable accommodation of the competing claims to self-determination, power, and resources to the satisfaction of several hundred ethnic nationalities, politico-administrative regions, and the major religious groups (Christian and Muslim) despite inequalities in population, size, resource endowment and level of development (Osaghae, 2002).” Consequently, there is the great search for an equitable basis for the Nigerian nation-state on the basis of the consent, cooperation and mutually-beneficial support of the many ethnic nationalities and the various tiers of government.

Besides, one common problem confronting federal states is the tendency towards centralisation. In Nigeria, the phenomenon has manifested itself in several ways since 1954 when the federal system evolved. One of such tendencies is the increased capacity on the side of the Federal Government to unilaterally alter, to favour itself, the existing distribution of power between it and the regional governments and, indeed, the various levels of government. Also, there has been an increasing transference to the Federal Government, of functions previously allocated to the state governments. This means that the resources directly available to the component units (regions or states) for carrying out their constitutional functions have steadily diminished in range and quantum while those at the disposal of the Federal Government have increased (Asobie, 1998:18). The aftermath is continuous problem of accommodation; first, between the central government and the state governments and, second, among the various groups within the federation.

Finally, as Burgess (1993:7) has argued, “the genius of federal system lies in its infinite capacity to accommodate and reconcile the competing and sometimes conflicting arrays of diversities having political salience within a state”, federalism is

dynamic and flexible. The questions over power sharing cum power shift, state of origin vis-à-vis citizenship, the southern states' agitation for resource control and the continuing threats by a number of ethnic associations and other minority activities, are other issues this study seeks to address, especially as they indicate the imbalance of the political structure in Nigerian federalism. In Nigeria, conflicts over the distribution of national resources and the control of resources within communal territories add to the difficulties of accommodation as observed in many federations.

1.3 Research Questions

In many federations, the tendency is often towards overcentralisation of power at the centre, sometimes through deployment of a semblance of unitary rule, particularly in federations where military rule exists. Also, one of the main issues of controversy in most federal systems is resource sharing among component units of the federal system on the vertical dimension and among communities on the horizontal plane (Elaigwu, 1993:37). Thus, the fundamental questions to ask include:

- Do most federations willingly opt for the federal system of government? If so, why? If not, what reasons compel them to opt for the system? Specifically, why has Nigeria continued to operate the federal form of government, five decades after independence?
- What are the prospects of federalism as a form of government in Nigeria's future and what really do Nigerians expect from federalism?
- Given the circumstances in which Nigerians find themselves, are there any realistic and viable alternatives to federation?
- Why do Nigerians demand zoning of the country into six geopolitical regions, and is the rotation of the presidency among the six political zonal units more appropriate in resolving the question of resources and power sharing?
- Has the federal system been able to effectively manage the crisis of distribution of resources among Nigerians such that every Nigerian feels the need for the existence and the continuing existence of the federation? If the entrenchment of federal character principle in the 1979 and 1999 constitutions has not enhanced national integration, what model of democratic participation and accommodation could ameliorate instability in Nigeria?

These burning issues bother on political accommodation challenges in Nigeria, which must be addressed and placed in proper perspective; they demand critical study and proper documentation.

1.4 Aim and Objectives

The overall aim of the study is to critically examine the issues and problems pertaining to the politics of political accommodation within Nigeria's federal system in the context of state creation, revenue sharing and power sharing. The specific objectives include the following:

1. to examine and analyse the socio-political and economic dynamics that generate persistent political instability in the Nigerian federal system regarding control of power particularly at the centre and, on that basis, forecast the future of the Nigerian state from past and current trends;
2. to examine factors that attend the endless agitation for power sharing (in form of power shift, power rotation, zoning system), and resource distribution;
3. to examine the ways past and present Nigerian constitutions and the various relevant committee(s), commissions of inquiry instituted by the Federal Government have attempted to cope with problems of autonomy and control between federal and state governments;
4. to examine issues which create problems for the strategy of federal balance as a result of the dynamics of the political process and the prevailing conditions for bargain, the balance of forces (governmental, class, ethnic, socio-cultural/religious), the form of distribution of benefits and their attendant problems besides possible varieties of institutional and societal solutions to such problems; and
5. to discuss the problem and generally assess measures addressed to solutions to the *problematique* of revenue allocation, power sharing and political restructuring in Nigeria.

1.5 Justification

The need to address the above research questions, coupled with the foregoing objectives, provides the rationale for this study. Also, in the areas of public policy as

well as Nigerian government and politics, attention has not been sufficiently paid to the problem of accommodation in Nigerian federalism even though it is central to the political system. Most studies of federalism have not focused on the design and restructuring of arrangements and linkages that foster the critical goals of unity and accommodation among the constituent units of a federation. For instance, whereas constitutional provisions have been made on how a level of balance can be maintained between the South and North in terms of federal character, quota system and proportional representation at the senatorial level, no serious effort has been made to meaningfully and constitutionally address the issues of structure, citizenship and the minority question. Besides, most Nigerian scholars appear to have neglected the issue of political accommodation in their various works and public debates. Therefore, the need to fill this existing gap, coupled with the need to properly examine and carefully articulate the aforementioned problems within the context of the politics of accommodation, as already studied in some other plural societies outside Nigeria, makes this study imperative.

1.6 Scope of the Study

The primary temporal scope of this study covers 1993-2010 with emphasis on socio-political events that pertain to politics of accommodation across regimes within the stated period. The 1993 date is taken as the starting point to take care of a critical political event in the Nigerian political history, the annulment of June 12 general elections, which to date has impacted greatly on Nigerian politics. This particular event has warranted the introduction of power shift through rotation of presidency between the north and south of the country on one hand, and among the six geo-political zones on the other hand. The choice of the date is also to recognise the informal introduction and the use of the current six geo-political zones in Nigerian contemporary politics. This examination takes into consideration the sociological background of the Nigerian people as it relates to the subject matter. However, for purpose of clarity and completeness of information, occasional references have been made to the periods of Nigeria formation as well as up to 2011. The study is, therefore, country-wide.

1.7 Methodology

The study adopts the historical, descriptive methodology essentially from the perspective of content analysis. This is the systematic description and analysis of content of communications and exploiting them for research purposes (Selltiz, *et. al*, 1965; Reaves, 1992). When its limitations and strengths are duly brought into focus, content analysis is a highly successful method in contemporary research environment (Roberts, 1995 and 1996).

The background data for this study were obtained basically from secondary sources including texts, journals, magazines, newspapers and government publications. Collection of contemporary information includes official and private, through accessing relevant documents such as constitutional conference committee reports, reports on state creation, memoranda from state agitators, the Mbanefo Panel on State and Local Government Creation and Boundary Adjustment Report, committee reports on revenue allocation/mobilisation (past and current ones) and power sharing/devolution set up by the late General Sani Abacha regime. Other sources were radio, television and newspaper commentaries in the last decade. Descriptive and content analyses were used to analyse the data.

CHAPTER TWO

CONCEPTUAL CLARIFICATION, THEORETICAL FRAMEWORK AND LITERATURE REVIEW

2.1 Conceptual Clarifications and Theoretical Framework

This chapter focuses on the conceptual issues that pertain to the subject matter of the politics of accommodation, federalism, confederation and cooperative federalism. It also provides explanation on related concepts such as political restructuring, and fiscal federalism. Clarification of concepts is important for two basic facts. First is to make clear the meaning of the concept or term and the context of its application in a study. This is because most concepts are capable of having many meanings. Second, clarification of concepts is necessary because such forms an essential part of theorising (Satori, 1984). A brief section on the theory of integration upon which the study is built is equally provided. Moreover, the chapter provides literature review on the subject matter, while effort is being made to critically evaluate the reviewed past works.

The politics of accommodation relates to the management of diversity in heterogeneous states. According to Elazar (1987) and Osaghae (2006), the problem of dealing with diversity is basically political and what matter are the political solutions. This pinpoints the immense significance of a state in achieving political accommodation or otherwise. This is even more apparent within the difficult landscape of federalism (Akindele, 1996). However, political organisation and behaviour are so diverse and complex that this study can observe only a very small part of them. Whenever the political system of a society is considered, the issues of basic concern are the political processes which have become institutionalised and integrated into the social structure. These observations must be contextualised.

2.1.1 Politics

Politics can be called a science in that it consists of a body of verifiable and systematic knowledge, gathered by observation and experiment (Cartline, 1926). In other words, the predictions which the political scientist makes as the result of observation and

experiment are sufficiently accurate to rank as scientific laws. But in the words of Harold Laski (1920), “Politics does not possess the axiomatic quality of Mathematics. In its equation the variables are human beings whose uniqueness prevents their reduction to law in the scientific sense of that much abused word”.

Further, politics deals with organisation of power, with “who gets what, when, and how” (Laswell, 1958). Politics is equally concerned with the attainment of justice, with the building and sustenance of good polity, no matter how it is defined. Political life represents some interactions of these two faces of politics, whereby the organisation and distribution of power is informed by some particular conception of justice. On the other hand, the enhancement of justice is determined by the realities of power (Elazar, 1976).

2.1.2 Accommodation

Since the focus of this study is politics of accommodation, it is imperative to attempt an explanation of the concept of accommodation within the framework of federalism. Sociologically, accommodation refers to the state or process of social adjustment to conflict. Accommodation allows two or more groups to harmonise their relationships overtly while having the real source of conflict unresolved. In politics, which is more relevant to the subject matter, accommodation is distinguished from confrontation and from conciliation, as the process whereby hostile powers establish a *modus vivendi* which enables each to fulfill as many of its purposes as it can without overt aggression (Barry, 1975).

One of the most authoritative works in the area of politics of accommodation is Arend Lijphart’s “The Politics of Accommodation: Pluralism and Democracy in the Netherlands”. In it, Lijphart writes:

Dutch politics is a politics of accommodation. That is the secret of its success. The term accommodation is here used in the sense of settlement of divisive issues and conflicts where only a minimal consensus exists ... A key element of this conception is the lack of comprehensive political consensus, but not the complete absence of consensus ... The second key requirement is that leaders of the self-contained blocks must be particularly convinced of the desirability of preserving the system. And they must be willing and capable of bridging the gaps between the mutually isolated blocs and of resolving

serious disputes in largely non-consensual context (Lijphart, 1968:103).

The quotation indicates that concern with “politics of accommodation” is not necessarily new. Also, accommodation certainly includes situations where a great deal of consensus exists. The factor of accommodation is central to the concept of federalism which is about cooperation (Wildavsky, 1976:5; Elaigwu, 1993:40).

From Lijphart’s study of Dutch politics, a fact that stands out clearly is, accommodation, where attainable, can bring about stable and effective government irrespective of divergence in opinions, religion and ideology. Above all, from the perception of federalists, federalism connotes the elements of accommodation. The authors of the *Federalist Papers* made the case for federalism as “a way of accommodating the propensity of mankind to fall into mutual animosities in all cases of coexistence of different ethnic, tribal or national groups who live in geographically close proximity to one another and are thus compelled by nature to engage in social and commercial intercourse with one another” (Gyandoh, 1997). It is necessary to understand, however, that federalism can, and exists, at several different levels and in various forms. The basic idea is to provide cohesion for the peaceful and progressive coexistence of heterogeneous peoples for their mutual benefit and advantage.

Thus, the factors of bargaining, consensus, persuasion and compromise are crucial to enhancing accommodation in any given polity. Even outside domestic politics, they are very important in a country’s foreign policy. Hans J. Morgenthau explains this sentiment more clearly in the context of diplomacy as follows:

It is the final task of an intelligent diplomacy, intent upon preserving peace, to choose the appropriate means for pursuing its objectives. The means at the disposal of diplomacy are three: persuasion, compromise, and threat of force. The art of diplomacy consists in putting the right emphasis at any particular moment on each of these three means at its disposal (Morgenthau, 1973).

For peace to reign among nations and within the nation, nations must be willing to compromise on all issues that are not vital to them. Edmund Burke states the position as follows:

All governments indeed every human benefit and enjoyment, every virtue and every prudent act, is founded on compromise and barter. We balance inconveniences, we give and take; we

remit some rights that we may enjoy others; and we choose rather to be happy citizens than subtle disputants. As we must give away some natural liberty, to enjoy civil advantages, so we must sacrifice some civil liberties, for the advantages to be derived from the communion and following of a great empire. But, in all fair dealings, the thing bought must bear some proportion to the purchase paid. None will barter away the immediate jewel of his soul (Burke, 1973).

Here, accommodation meets its critical tasks. Leaders with good statesmanship refuse to be consumed by political and religious bigotry in their decision. Decisions on critical issues are taken with objectivity and national interests; thus, they become less problematic while compromise on secondary issues is taken differently. As Lijphart further argues, “the issue is not to separate and define interests that by their very nature already tend toward separation and definition, but to keep in balance interests that touch each other at many points and may be intertwined beyond the possibility of separation. It is only through a continuous process of adaptation, supported both by firmness and self-restraint, that accommodation on secondary issues can be made possible”.

In several works, Elazar concludes that federal elements can be found in consociational politics, constitutionally structured to accommodate social and political divisions along ethnic, religious, or even ideological lines. He stresses further that the accommodation of very diverse groups whose differences are fundamental rather than transient within the same polity by giving them territorial power of their own, has enhanced the ability of federal systems to function as vehicles of political integration while preserving democratic government (Elazar 1968, 1987). This supports Lijphart’s view on Dutch politics that stable democracy is feasible even where deep social cleavages appear to offer a hostile environment to it. In ‘Consociational Cradle of Federalism’, Ivo Duchacek (1985) declares:

An amicable compromise is present at the birth of every federation. Usually in the form of a compact, the political leaders of all major segments of a geographically delineated community - the future federal nation - agree to the interlacing and management of their separate territorial powers ... Every successful federal birth is characterised by an “overreaching cooperation at the elite level” whose aim it is to counteract

mutual suspicion and disintegrative tendencies on the part of the territorial segments (Duchacek, 1985).

The experiences of Western and Eastern Europe indicate that where party system has mixed characteristics, it is said to be consociational or accommodative. In such systems, the consensual and conflictual elements are combined, as indicated in Almond and Powell's assertion:

The Netherlands and Belgium continued to be constitutional multi-party systems. Belgium is divided ethnically and linguistically between the French and Flemish speakers, and by social class. The Netherlands is divided by religion between Protestants and Catholics and by social class. In both countries, negotiated accommodation among these groups has made state government possible, although the language question in Belgium continues to be explosive (Almond and Powell, 1984:90).

Indeed, the two scholars have elsewhere drawn important distinctions between Anglo-American and continental systems (Cannon, 1982:50). According to them, the Anglo-American model has a homogeneous secular political culture, with elite value consensus on fundamental issues. The continental genre is marked by cultural segmentation, with incomplete secularisation process and low sub-system autonomy promoting isolated subcultures representing the pre-industrial, catholic middle class and industrial segments. The homogeneity in the Anglo-American model promotes political stability, while the subcultural segmentation in the continental type promotes instability. As Michael Stevens (1977:180) has argued, it is possible to adopt federation in order to accommodate the political demands of small communities which have resisted assimilation within existing nation-states. It is on that note that this study examines, in detail, the concept of federalism and some related concepts.

2.1.3 Federalism

In general terms, federalism simply means an institutional arrangement whereby authority and functional competences are shared among different levels of government (Leff, 1999:210). For many scholars, the idea of federal arrangement is to enhance management of diversity in the political order of the unions involved. Some scholars

regard this as the sole rationale of federalism (Elazar, 1993, 2001; Mitra, 2001; Shastri, 2001; Osaghae, 1991; Suberu, 1999; Watts, 1999; Oyovbaire, 1985).

Ronald Watts (1999:110) refers to federalism as “the basic notion of involving the combination of shared rule for some purposes and regional self-rule for others within a single political system so that neither is subordinate to the other.” Watts explains further that the function of a federation is not to eliminate internal differences, but to preserve regional identities within a united framework and to manage it in such a way that regional differences are accommodated. But how this fares in practice depends upon the particular form of the institutions adopted within the federation.

Federalism has also been associated with other “virtues” such as promoting “justice, equity and equality”, “justice and stability”, “freedom, self-determination and democracy” (Gagnon, 1993; 2001; Norman, 2001; Stepan, 2001; Weinstock, 2001). These goals are attainable through sharing of authority and competencies between levels of government and protecting identity as well as autonomy against domination.

As a practice, federalism is preoccupied with different forms of representative institutions, and the division of power between federal, national, and local levels. Most commonly, federalism is advocated as a means of bringing together previously separate entities to form effective or desirable common government. Federalism is the result of compromise. It is a compromise between centrifugal and centripetal forces (Adedeji, 1971:103). This compromise is a form of balance between two opposing forces. Similarly, Elaigwu, (1993:12) perceives “federalism as a system of compromises which is a union of opposing but accommodatable nationalism, one for coming together and not staying apart”. Sometimes, it involves the organisation of state power in such a way that combines self-rule with shared rule.

Usually, a federation consists of a central (federal) government, regional (state, region, and province) and sub-regional (local, community) government. All these levels of government operate directly upon the people, each being independent within respective spheres of power and responsibilities defined and allocated by the constitution. The various levels of government are also involved in coordinating relationships with one another (Wheare, 1963). It unites the separate levels of government within an overarching system designed to protect and advance the authorities of all of them. Therefore, a federation is an institutional pillar of vertical

separation of powers aimed at providing mutual check and control between different levels of government in particular, and the political system in general (Nnoli, 2003:141).

The attributes of federation are the territorial division and separation of state power, the assignment of various powers and responsibilities to the various layers of government by the constitution, the constitutional delineation of the sources of revenues for the various tiers of government, and a judicial mechanism for the resolution of conflicts among the various tiers of government. Others are political accountability of all tiers of government to the citizenry at large, a common citizenship and a written constitution that provides rules by which the various tiers of government must exercise their power. Thus, while governments in some unitary states are to some extent decentralised, in federations they are non-centralised.³ The powers of the non-central government are not delegated by a central government but are directly derived from the constitution in the same way as the powers of the central government.

Essentially, federalism is a compact, which constitution cannot be unilaterally altered because of its usually rigid nature (Dikshit, 1975:57). Federal constitutions can be altered only by extraordinary process. In most federal systems, federal relationships are established or confirmed through a perpetual covenant of union, inevitably entrenched in a written constitution. As a standard norm, written constitution outlines, among other things, the terms by which power is shared in the political system. Thus, a federal union is distinguished from a centralised unitary state in the sense that the component units of a federation are protected by the initial act of federation expounded in the written constitution. In a “true federation”, the people in their original, primal constituent capacity create two levels of government empowered and limited by a constitution. Vipond describes this form of federalism as constitutional; and it can be understood as legally equal, autonomous and coordinate governments which derive their authority from, and are protected by the constitution or basic law (Vipond, 1989).

³ Alternatively, federalism may provide a means of dividing highly-centralised authorities in order to provide more decentralisation and local autonomy. Donald Rothchild identifies a movement in West Africa from federalism to neofederalism as a creative attempt by Kenya, Uganda and Tanzania to preserve measure of unity in the face of massive centrifugal pressures. See “From Federalism to Neo-Federalism” in Donald Rothchild, ed., *Politics of Integration: An East African Documentary*, Nairobi, Kenya: East Africa Publishing House, 1968, p.10.

Further, federations possess the nature and character of areal division of power. This means the internal division of authority and power on an areal basis which may be full or partial. As Elazar (1989) remarks, it is theoretically possible to create a federal system which constituent units are fixed but not territorially based, as typified by some quasi-federal systems (i.e., proto-federations of nomadic tribes) in the past. As a matter of fact, constitutional and historical developments have shown that fixed areal divisions of power have facilitated the maintenance of noncentralisation.

Additionally, the maintenance of federalism requires that the nation and its constituent polities have a substantially complete set of governing institutions with the right (within limits set by the compact) to modify those institutions unilaterally. Separate legislative and administrative institutions are both necessary. This does not necessarily mean that all governmental activities must be carried out by separate institutions at each level. However, a number of the devices commonly found in federal systems serves to maintain the federal principle *per se* and are consequently supportive of both the national government and the constituent polities (Elazar, 1968, 1987; Dikshit, 1975).

Again, federalism has the character of contractual sharing of public responsibilities by all governments in the polity. This sharing character embraces common involvement in policy making, financing, and administration of government activities. In contemporary federal systems, it is characterised by extensive intergovernmental collaboration.

Those who support federations argue that they are able to manage differences among diverse groups, as well as other differences within the society. A federation makes it easier than otherwise to accommodate demands for self-government. At the same time, it provides governments that are closer to the people than the central government. The people can more easily hold such governments accountable than they can to the distant central government. In this sense, federal governments are more democratic than unitary governments. Further, the rights of minority groups which are culturally different are better protected in federations; a federation is an antidote to cultural assimilation. It also prevents the abuse of political authority by establishing a system of checks and balances between regional and central governments. It helps strengthen commitment to the state on the part of the less-favoured minorities. Judging

by the few federations among the numerous multicultural states of the world, the case for federation has not been widely convincing (Nnoli, 2003:142).

One of the significant aspects of a federal system is the structure contained in it, which entails the delineation of constituent units, its number, and the configuration of power among them. Ideally, the federal structure is supposed to give meaningful expression to the various groups requiring accommodation. It is essential that a federal structure should reflect, in the territorial context, the significant communities inhabiting the given federal state, thereby having every community to its own state or province as the case may be (Benjamin, 1997, 1999).

The fact is that if a federal structure lacks adequate representation of the various groups in territorial terms, it creates problems as exemplified by new federations (Nigeria and India, for example). This is because when such groups lack self expression, more often than not, they demand their own states to strictly belong to the federation. Relatively, the aggregative federations such as the United States are not very problematic due to the fact that the constituent units are already established before coming together. Conversely, the problem of constituent units tends to be more serious in disaggregative federations because of inadequate reflection of the diversities in them (Ayoade, 1998). In most cases, the delineation of the component units is done on the basis of administrative convenience, viability and political balancing among others, in neglect of historical and political relations as well as ethno-linguistic and cultural affinities (Basse, 1991; Afigbo, 1991). This has largely been the case with Nigeria.⁴

Federalism, as John Kincaid (1995:30) notes evokes different perceptions and connotations in different historical and cultural contexts. For instance, the concept of federal Europe, as advanced by French proponents, means excessive centralisation. Whereas in some parts of the former Soviet Union, federalism was associated unfavourably with the centralised federal constitution of the Union of Soviet Socialist Republics, for others, federalism continues to connote separatism (Elazar, 1964:356 and Kincaid, 1995:30).

⁴ The Nigerian federation itself never started like the American federation of small units coming under an umbrella, as the original purpose was confederation graduating to federation. The Nigerian federation started the other way round, first as one whole (unitary government) then with provinces and finally regions. The regions were very powerful and almost independent of each other.

2.1.4. Examples of Federation:

Across the world, there are several federations, namely the United States, Canada, Australia, Malaysia, Russia, Germany, Switzerland, former Yugoslavia, Austria, Belgium, India, Nigeria and Ethiopia. A closer look at these countries shows that there are among them huge differences of size, population, wealth, number of member states or political systems (Presidential in the United States, collegial in Switzerland, parliamentary in Austria and India). The United States, Canada, Australia, and India are some of the most successful political systems among them. Even some unitary systems (Spain, Belgium and South Africa) experiencing strains have responded to that impulse by incorporating federal features. Yet, neither the first group nor the second can be said to be flawless. More importantly, a number of federal states are known to have collapsed (Central Africa Federation, East African Federation, West India Federation, Soviet Union, Yugoslavia and Czechoslovakia, etc.). The implication of the above is that federal arrangements alone are insufficient to account for the failure or success of political systems. Since federal arrangements are designed to solve problems that becloud the nation-states, the character of the state seems a necessary concomitant for evaluating the performance of federal systems (Onyeoziri, 2005:17).

According to Nwabueze (1982), two of the cardinal objectives of federalism are, first to enable each group in a pluralistic society to manage its internal affairs; and two, to limit the centralisation of powers at the centre to prevent the national government from becoming an “instrument of total domination and tyranny” (Nwabueze,1982:159). Federalism is a constitutional framework for enhancing democracy, local self-governance and development. The essence is to effect dispersal of powers and thereby enhance local autonomy and capacity. Federalism is also seen as a political device that allows for political participation and decision-making and, on it, each group is empowered to deal with its own problems. As Eme Awa (1983:8) puts it:

Where we have several ethnic groups in a country, such a country is federal in character and therefore its constitution should be federal. That is, power should be divided between inclusive and component units of the government so that both levels should be coordinate authorities while remaining interdependent in many ways. The basic rationale for adopting a federal system therefore is the quest to satisfy the

demands of democratic theory – enabling people to participate actively in the making of decisions, which affect every aspect of their lives (Awa, 1983:8).

Various federations have varying number of units. For example, India with its large population and size has 22 units; the United States with a large territory and less than half of India's population has 50 states; Nigeria which is a fraction of both India and America in population and size has 36 states; Switzerland which is a minute fraction of Nigeria has 22 units while Canada has only 6 provinces.

Importantly, more than other political systems, federal systems have historically been marked by significant internal distinctions between theory and practice. Some fundamental characteristics and operational principles common to all genuine federal systems can be identified and defined. A federation is underpinned by the idea that people living within the boundaries of the state form one nation and are represented by a federal government at the centre. The important point is that a federal union comprises people as well as a number of previously-sovereign states which are subordinate to the federal sovereignty, but with equal political rights. Thus, a federal state is a dual state, with at least two levels of political authority. It has a federal or central authority and component of regional authorities. The people in a federation have a feeling of dual loyalty: to their own region as well as to the federation (Forsyth 1984:16).

The dualist doctrine of federal systems promotes equality of levels of government by granting full sovereignty collectively to both the central and the constituent units of the government. The concept of dual sovereignty has been of importance in the interpretation of the American Constitution. Nevertheless, many scholars cease to acknowledge the doctrine of dual sovereignty because if powers could be withdrawn from member constituent units against their wish they hardly possess any legal importance (Ayoade, 1988:8).

As K.C. Wheare (1963) contends, "federalism demands forms of government which have the characteristics usually associated with democratic or free government". This means that a basic condition for federalism is democracy. Beyond the formal and institutional emphasis of Wheare's concept of federalism, other writers stress the dynamic and sociological dimensions of the doctrine. While Livingston (1956)

emphasises the federal qualities of the society, particularly the “territorial demarcation of diversities”, Friedrich sees federalism as a process, rather than a design within constantly-changing political circumstances. He notes further that the “process of federalising”, may go in the direction of “integration” or “differentiation” depending on the balance of societal forces, interests, values and beliefs (Etzioni, 1965). Again, Livingston (in Meckison, 1971) opines that federation has a legal character, but that its ‘essential nature’ is not to be sought in the shadings of legal and constitutional terminology, but in the forces - economic, social, political, cultural that have made (its) outward forms necessary.

The problem of conceptualisation of federation is much more complex because there are several varieties of political arrangements to which the term has properly been applied (Elazar, 1976, 1984, 1985, 1987). In view of its dynamic nature, the term has shifted its emphasis on local self-government to domination by a gigantic, impersonal concentration of force (Rika, cited in Jinadu, 1929:13-25). In short, federations ‘move’ and change and this movement is equally reflected in the views of those who operate and study them, as it were federations over time are variably stipulated to be ‘contractual’, ‘democratic’, ‘dual’, ‘cooperative’, ‘new’, ‘centralised’, ‘peripheralised’ and so on (King, 1982). It is for these multi-dimensional interpretations that contemporary observers are disinclined to provide definitions of federalism. The variety of meanings associated with federation creates a genuine basis for misunderstanding (Elazar, 1968). The American founding fathers used the terms federal and confederal synonymously. The essence of the federal system, they maintained, is that the national government on one hand and the state governments on the other are autonomous in their respective spheres (Awa, 1976; Etzioni 1962).

2.1.5 Confederation/Cooperative Federalism

Other related concepts include confederation and cooperative federalism. Confederation is precisely concerned with an amicable (temporary or perpetual) consociation and comprised of sovereign member-entities. Confederal union does not insist on full sovereignty, neither does it accept subordination to a numerical majority of other sovereignties except in marginal matters (Duchacek, 1985:46). In a confederation, the component communities combine into a cooperative association

only for the purpose of executing some rather specific tasks in common such as national defence (Nnoli, 2003: 142).

On the other hand, cooperative federalism is a system through which state and national governments supplement one another and, in common efforts, perform various functions. The foundations of cooperative federalism are intertwined with the roots of federalism itself (Dikshit, 1975:6; Elazar, 1964:192). Elazar (1976:3) makes it clear that the elements of a federal process include a sense of partnership on the part of the parties to the federal compact, manifested through negotiated cooperation on matters and programmes, and based on a commitment to open bargaining between all parties on an issue geared towards enhancing consensus.

2.1.6 Why Federalism?

Federalism is often appreciated because it accommodates diversities while pursuing unity. As Duchacek (1977:13) puts it, the aim of a federal constitution “is an institutionalized balance between national unity and sub-national diversity”. To this extent, federalism is “a cure for micro-nationalism” (Sawer, 1969:570). To Wheare (1968), “federalism is an appropriate form of government to offer to communities or states of distinct, differing nationalities that wish to form a common government and to behave as one people for some purposes, but wish to remain independent and, in particular, to retain their nationality in all other aspects”. Federalism is, therefore, known to be an effective political cum constitutional design for managing complex governmental problems usually associated with ethnic and cultural diversity. For this reason, countries with multi-ethnic and cultural diversity tend to prefer federalism.

Federalism has, however, failed to take firm roots in Africa as a mechanism for national cohesion. The reason, among others, is that Africa has adopted political postures and institutional arrangements that have simply denied the existence of such diversity (Mkandawire, 1999). Politics, being what it is, the public denial of ethnic pluralism has not prevented politicians from mobilising and manipulating ethnicity. Politicians are indeed nationalists by day and tribalists by night (ibid.). As a result, federal experiments in the Third World merely survived the first few years of independence in any recognisable form.

In Nigeria, the main reason for the adoption of a federal arrangement was the sociological complexity of the society as well as its ethnic and geographical diversity. Thus, federalism in Nigeria is essentially a mechanism for enhancing accommodation, an institutional arrangement which gives the component units equal and coordinate *jural* status. In line with this, Ekeh (2000) notes that the differences between the South and the North and between majority and minority ethnic groups in Nigeria quickly led to the choice of federalism in 1954 as an avenue for allowing the different regions of Nigeria to rule themselves in their own unique ways. The choice of federalism arose from domestic circumstances of differences in the histories of pre-colonial and colonial times. In Africa, Nigeria and Ethiopia are for now the only countries where the idea of a federal arrangement has been adopted in the management of ethnic, regional and religious diversities.

Despite the strains and stresses which Nigeria's federal experiment has undergone, especially since decades of military rule eroded the constitutional basis of federalism, the consensus among the political elite, both civilian and military, on the relevance of the federal principle, has secured the corporate survival of Nigeria (Gana and Egwu, 2003). Although the explanation partly derives from the inherently pluralistic character of the Nigerian state, the deliberate choice of a federalist ideology reflected in the country's constitutional development accounts for the survival of the Nigerian polity, despite repeated threats of disintegration as in the civil war between 1967 and 1970, and the return to hard regionalist feelings and positions in the dark days of the General Sani Abacha military junta (1993-1998).

This isolated experience provides a strong basis for the increasing appeal of federalism as a mechanism for dealing with the problem of pluralism and territorially-distributed differences. Minority advocates in Nigeria share the general belief that in multi-ethnic societies such as Nigeria, federalism creates opportunities for mutual co-existence between ethnic majorities and minorities. The faith in federalism in Nigeria also derives from the belief that it ensures freedom for minorities against domination by larger groups. Federalism allows each group to retain its distinctive characteristics while remaining part of a larger political system. Advocates of federalism for Nigeria also view federalism as an important spur to economic development. In practice, this is

yet to manifest meaningfully because of the inability of the Nigerian state to practise true federalism.

However, in most developing nations, what seems to emerge as the consensus is the attraction which the “federal logic” appears to offer, in the management of political pluralism expressed in ethnic, religious, racial and spatial terms (Osaghae, 2003). While not ignoring the disruptive potentials represented by the political mobilisation of these identities, accommodation rather than repression, inclusion rather than exclusion, recognition rather than denial and tolerance for, and opposition to, the demands put forward by these identities offer a more creative response to the crises of the nation-state in Africa. In other words, providing accommodation for such identities that have undergone tremendous explosion in the context of globalisation through constitutional safeguards and measures may not be incompatible with the desire for large domestic markets which a federal pact guarantees as a part of the requirement for the competitiveness of domestic economies that is part and parcel of the challenges of globalisation.

Numerous African nations that have experienced, in varying forms, the stresses and pressures of competing ethnicities and irreconcilable religious differences among their populations, have opportunities in the options and choices which federalism and associated consociational measures offer. Indeed, for Nigeria and many other African countries, the creative deployment of federal principles is inevitable in the management of the peculiar challenges of ethno-religious and cultural pluralism (Gana and Egwu, 2003).

The contemporary clamour for true federalism in Nigeria arose not from the absence of federal provisions in the country’s constitutions but rather from (i) increasing concentration of powers in the centre by successive constitutions since independence; (ii) long periods of military rule that imposed unitary and hierarchical command structure, and (iii) political and economic crises that put limitations on available resources, and the limitations have intensified competition and conflicts among the elite and groups in the country. The latter, in particular, has raised issues of equity and fairness in the allocation of resources by the federal government. Discussions of federalism should consider the evolution and character of each country, which define the nature of federal arrangement therein. It should also be recognised

that federalism is a means to an end – local self-governance, efficiency, security and strategic integration. Thus, slogans like restructuring and true federalism can degenerate into reification of ideas and contingent analysis can easily slip into historical framework (Alemika, 2003:143).

The perceived usefulness of federalism notwithstanding, two critical issues are likely to confront the effectiveness of the federal system as a problem-solving mechanism in the 21st century. These are the fundamental issues which have to do with restructuring of domestic economies and the challenge of democratisation and consolidation of governance. This prediction emanates from the recognition that they impact, negatively or positively, on identity and the national question depending on how they are treated to. Nevertheless, federalism both as a principle and form of governance tends to offer solutions to national problems in democratic societies that are deeply divided by race, ethnicity and religion.

Federalism does not necessarily enjoy wholesale national acceptance in Nigeria. In the last two decades, many Nigerians and numerous organisations have advocated confederalism for the nation⁵ (see Udogu, 1997 for example). Some Nigerians view federalism as political anachronism. For instance, Egite Oyovbaire (1985:20) maintains that: “in the second half of the twentieth century (federalism and limited government) are unrealistic in the case of post-colonial, ethnically heterogeneous and rapidly developing societies (like the Nigerian one) for which an assertive and dominant role by the federal government is both desirable and necessary – desirable for national integration, necessary for the socio-economic transformation of the economy” (Oyovbaire, 1985:20).

Federalism is equally seen as a political system that ensures the preservation of the unique characteristics, identities, traditions, and cultures of a heterogeneous population (Lemco, 1991). Even if the original idea of Nigerian federalism did not derive from the fact of its ethnic and cultural pluralism, it has since become an article of faith that the country’s size and ethnic complexity make federalism imperative for Nigeria (Aborisade and Mundt, 1995:177).

⁵ During the Second Republic, one of the state governors, Chief Olabisi Onabanjo overtly called for the adoption of confederalism in Nigeria.

In a related manner, Jinadu concedes that at the formal or theoretical level “there is a strong connection between federalism and democracy”, but goes on to defend the position that forms can be confusing. For Jinadu, the basic things are institutional structures that allow the free expression of thought and ideas irrespective of forms (Jinadu, 1989).

The other issue raised as a requisite for federalism is economic development, which poses a question: is federalism compatible with underdevelopment? Some writers, such as Philip Mawhood (1984), assert that, over time, Third World federal states either fragment into their component parts or metamorphose into unitary states. Two explanations are given for this standpoint: the newness of the nation-state and therefore political fragility; and the hardships associated with low economic development and the distribution of state resources. This, according to Dele Olowu (1990), makes survival the key political rule and federalism a luxury for new states. However, with reference to Nigeria’s federal system, analysts have tended to concentrate on the role of constitutional legislation and power as the key factors shaping and reshaping the system. To the perceptive observer, it is not difficult to see that the problem of Nigerian federalism does not lie so much with constitutions and the power structure, but with that absence of a culture of understanding, self-restraint, mutual respect, and appreciation, which are essential for the successful operation of a federal system of government (Olowu, 1985; 1991:168).

According to Elazar, the preference for consensus and negotiation rather than the power to threaten coercion, is one of the most important prerequisites of federalism (Elazar, 1987:188). This perhaps led Alexis de Tocqueville (1955) to argue that the complicated nature of a federal system and the necessity to develop an ethic or culture of federal coexistence preclude the adoption of federalism in many nations, especially underdeveloped nations. Further, a number of scholars (Wheare, 1963; Nwabueze, 1983; Preston King, 1982: 44) have acknowledged federalism as a mechanism for sharing power amongst territorially-delineated levels of government in a nation-state in a way that every level assumes a separate existence with relatively exclusive authority over some areas of state function. The traditional end that federalism is designed to serve is that of an institutional solution to the disruptive tendencies of intra-societal ethnic pluralism (Bach, 1989; Long, 1991: 192; Roberts, 1996:7). In a sense, the

primary aim is to facilitate a kind of political arrangement which enhances constituent groups to exercise important authority in ruling themselves in issues of local concern within their respective territorial jurisdictions, while simultaneously allowing scope or common interests to be managed centrally, and issues of joint concern to be administered concurrently (Roberts, 1996:7).

In Nigeria, we have been told that the federal system was devised to accommodate the cultural heterogeneity of the country. From the perspective of political economy, as per the view of radical scholars, the adoption of federalism in Nigeria was mostly informed by the need to meet the economic interest of the erstwhile colonial master - the British. By devising a structure which negated the basic principle of federalism, the British knew that in the foreseeable future, foreign capital, especially British capital would retain its pre-eminence in the Nigerian economy (Gana 1990). Nevertheless, federalism in Nigeria has since been accepted to accommodate the character of the country and promote unity among the constituent units. All the same, national unity remains a problem because of the pervasive nature of ethnic and religious rivalries (Nnoli 1987; 1995; Ademolekun and Kincaid 1991). For the elite, it has become an acceptable norm; more so ethnicity and religion have become useful in the hands of politicians during political campaigns as weapon for competing with others for the control of the state.⁶ The resultant effect manifests in ethnicity, regionalism, religious conflict and similar factors (Osaghae 1990; Gwanle-Tyoden, 1994: 13-14). These were suppressed during the military period for lack of opposition.

However, experience from other mature federations shows that no nation can pursue a policy of compromise with the military determining the details of domestic and foreign policies. Naturally, the armed forces are instruments of war; and by extension, the defender of the nation's territorial integrity in case of any foreign attack. Thus, the business of politicking and governance lie with the civilians and the civil society, who know the language of negotiation and bargaining with a view to reaching consensus or compromise. Any polity, where this spirit of seeking compromise through the process of negotiation and bargaining is the rule, is bound to be accommodative towards opponents, various groups and the communities within it.

⁶ This use of weapons of ethnicity, religion and similar factors to win political support has been employed by a number of statesmen, namely, Obafemi Awolowo, Nnamdi Azikiwe and Shehu Shagari.

Therefore, nations that are ruled by the military are prone to dictatorship and authoritarianism as well as likely to constitute a hindrance to achieving accommodation in most national issues especially in multi-ethnic nations. This helps to explain why nations in the Third World, like Nigeria, are largely unsuccessful in matters of political accommodation, while nations like the United States, Canada, Switzerland, Austria and The Netherlands, which are also plural societies, but governed by civilians, have recorded much more success in political accommodation, hence their ability to maintain relatively stable polity.

It is against this background that the Nigerian case can better be understood; a nation that has been ruled for almost 30 years out of the 51 years of independence by military regimes. This means that since Nigeria's independence, the country's governance has witnessed a longer period of military rule than elected civilian government. This is a demonstration of the high frequency of militarisation of politics and the politicisation of the military in Nigerian federation. To a large extent, this trend helps to explain the factionalised nature of civilian politics in Nigeria along economic, political, regional, religious and ethnic lines, which implies that bourgeois civilian politics has been extremely unstable, paving way for military intervention, usually under the pretence of preventing the nation from disintegration and total collapse (Olukoshi 1999:160).

The truth is that if there is any group, professional or individual, which has constituted the greatest threat to Nigeria's stability and unity, it is the military. Indeed, a previously united professional army has become highly tribalised and politicised to the extent that no dissenting view, particularly from civilians, is ever tolerated. The situation was such that issues were no longer debated or discussed publicly, except by a military cabal which more often than not imposed its will on the populace. Consequently, many well-known statesmen were forced into political exile abroad. The resultant effect has been the pervasive call for political restructuring from civil society and, in many cases, the threat of secession by some groups in the society.

The foremost characteristics of a stable democratic regime are that it has a high probability of remaining democratic and that it has a low level of actual and potential civil violence. These two dimensions are closely related - the latter can also be viewed as a prerequisite for, and as an indicator of, the former. Similarly, the degree of

legitimacy that the government enjoys and its decisional effectiveness are related to each other and to the first two factors. Jointly and interdependently, these four dimensions characterise democratic stability. This is what Nigerian federalism is expected to produce for the Nigerian society. Therefore, it is expected that the present civilian administration will produce a truly enduring democratic civil society since only the process can create a stable polity that will facilitate and imbibe the accommodative principle that are usually associated with true federal systems.

2.1.7 Federalism and Political Restructuring in Nigeria

The structure of most federal systems is fashioned in relation to their constituent units. It is an important aspect of federalism. Of course, its number and the configuration of power among them vary from one federal polity to another. Ideally, for the purpose of enhancing mutual understanding, national cohesion, and unity, the federal structure is expected to reflect adequate territorial units representing the diversities of the various unions that form a given federal state. In other words, if the structure fails to sufficiently express the diversities in territorial terms, it is usually problematic because those groups which lack self expression often demand their own units to adequately belong to the federation. Nigeria has found itself in this dilemma since its birth in the 1914 political amalgamation. For instance, the agitation by the people of the Niger Delta region for some degree of self-determination and for recognition of the region for special development attention right from the colonial period is an aspect of the demands for political restructuring (Benjamin, 2010:98).

Although the Nigerian political leadership, in collaboration with colonial administrators, gave the regions both constitutional and political backing, they showed little interest in transforming the structure of the federation, the creation of the Midwest Region in 1963 notwithstanding (Tagowa 1994). But, with the demise of democratic rule in 1966, the Nigerian federal system has been subjected to several structural transformations starting from the dissolution of the former four regions in 1967 to the creation of 36 states in 1996 (see Table 2.1). The parliamentary system inherited from the British was also discarded. However, the more the transformation the greater the demands and the more controversial the problem of nation-building has become. This is so because the evolution of Nigerian federalism is actually deeply

rooted in the social structures of colonial domination (Ekeh, 1975). From the beginning, the colonial administrators never thought of establishing a federal structure that could stand the test of time in Nigeria. Federalism was not necessarily implemented to enhance coherent nation-building. Thus, the federal structure that emerged had no conditioning force in the classical sense. Rather, the Nigerian federal structure has been an imposition (Ayoade 1998, Tagowa 1994). For this reason the Nigerian federation lacks national cohesiveness as found in advanced federations. The transformation of the structure of the country has been much less for the purpose of nation-building than as a device to preserve the federal arrangement politically (Ayoade 1979).

Table 2.1: Subdivision of Nigeria’s former Regions into States

Year (Governing official)	Northern Region	Western Region	Eastern Region	Total States
1967 (Yakubu Gowon)	6	3	3	12
1976 (Murtala Mohammed & Olusegun Obasanjo)	10	4	5	19
1987 (Ibrahim Babangida)	11	5	5	21
1991 (Ibrahim Babangida)	16	7	7	30
1996 (Sanni Abacha)	19	9	8	36

Source: Compiled by the author

But rather than just an issue of political structure, a fundamental problem with Nigeria remains that of inept political leadership. This is an avoidable debacle emanating from the greed, lack of vision and inability of Nigeria’s politicians to administer well the abundant resources that the nation is endowed with. Ironically, one uniting feature of most of the leaders that have ruled Nigeria is the blatant display of affluence, a mannerism that has entrenched a morbid value system in which mediocrity is celebrated over excellence. Thus, it is unfortunate to observe that after 50 years of independence, ethnic-religious sentiments still dominate national discourse in a country that professes unity in diversity.

Ironically, the various reorganisations of the federal system, beginning from the era of General Yakubu Gowon (1967) to that of General Sani Abacha (1996), convey a protracted search for an acceptable and stable structure of constituent units in Nigeria

(Suberu 1994, 2001; Benjamin 1996, 1999). Yet, pressure for the balkanisation of the federation into still more constituent units has persisted. In short, while federalism seems to enjoy a measure of popular support in Nigeria, there are divergent perspectives on the nature and structure of Nigeria's federalism. In particular, the distribution of power between the central government and the constituent units and the appropriate modalities for the distribution of national resources, remain highly contentious. Given the foundational bloc on which federalism in Nigeria is premised, perspectives on these issues have tended to revolve around ethnic, regional or other sectional factors. Consequently, the experience in Nigeria is that the various debates over resource control, creation of states, and federalism are largely articulated within parochial contexts and the contending issues are viewed from ethnic or regional prisms. In the absence of a genuine national dialogue on basic constitutional matters, it has been near impossible to bridge the political divides in the country.

2.2 Theory of Integration

The development of integration theory has been received as one of the fundamental advances in contemporary political science. It has been known to enhance great insights and to be truly comparative in its analyses (Lieber, 1973:38). According to Lieber, the concept of integration can be defined as forming parts into a whole or creating interdependence. Although several complex and somewhat divergent definitions of political integration exist, the concept essentially implies a relationship of community or strong cohesiveness among peoples in a political entity. It involves mutual ties and a sense of group identity and self-awareness (Nye 1968:858). Indeed, integration studies have demonstrated the positive impact of interaction on isolated groups of society. Actively engaging in social roles helps people build self-esteem, physical wellness and a sense of commitment to the community around them.

There are two different levels at which integration can be considered: national and regional. At the national level, integration refers to the condition or process within a single country. Integration is a relative concept and there are degrees of integration on the level of the state. At the very least the members of the social group comprising the state must be willing to hold together to promote mutual interests and not to wish

to break away to do this within another state or in separate states (O'Connell, 1967:129). But beyond that minimum they may progressively coordinate their actions to achieve, with an increasing degree of predictability and trust, their common goals.

National integration, which is the main concern of this study, thus relates to the success or failure of creating a sense of nationhood within an independent polity such as Nigeria or Ethiopia (Lieber, 1973:38). Also, it deals with more established states, such as Belgium or Canada, that have internal divisions involving language, religion, or ethnicity. On the other hand, regional integration connotes the development of integration between two or more separate countries. Regional integration mainly involves groupings such as the European Economic Community or Economic Community of West African States (ECOWAS).

Federalism as a theory of regional integration has been roughly handled by most contemporary theorists. It combines description and prescription in asserting that the surest pathway to political community is by means of formal constitutional measures. Federalism regards the creation of federal institutions including military and police forces as well as a common legal system, as the best method for uniting people who already share some common features such as language or culture or mere geographic proximity, but who live in separate states.

Over the years different theoretical approaches to federalism have been noted.⁷ One variant, followed by an "activist" group, has aimed at the achievement of regional federations in Western Europe and Africa. It identifies a popular need that either must necessarily or else ought to lead to a federal outcome. Proponents of this view reject indirect functional means; they prefer the conscious creation of constitutions and formal institutional structures. However, Ernst Haas (1970) finds that events in Europe since 1954 and in Africa since 1960 have contradicted and discredited the descriptions, explanations, and predictions of these federalists. An alternative approach to federalism is that of the "theorist" group, which is more concerned with observing patterns of federal integration, although its members have also been active in the

⁷ This distinction is drawn by Ernst Haas in a highly perceptive analysis of the federalist approach. See "The Study of Regional Integration: Reflections on the Joy and Anguish of Pretheorizing", *International Organisation* 24, autumn 1970, pp.624-25.

writing of constitutions. While they stress the importance of institutional and constitutional questions more than the neo-functionalists do, their characterisations of federalism as a process, or an evolving pattern of relationships, bears resemblance to the ensemble of demands, expectations, bargaining, and growth of institutions on an ad-hoc basis with which the neo-functionalists are concerned (ibid).

Importantly, Haas has acknowledged that the process of economic integration does not lead automatically to political unity. Instead, integration and disintegration exist as two rival social processes simultaneously at work. It was erroneous to assume the permanent superiority of step-by-step economic decisions over crucial political choices and to find an almost absolute determinism in the European social and economic structure. Again, there are other related theories that can be used to advance political integration either among different countries or within a country that would want to put together its various constituents; and these are functionalist and communication approaches.

Haas asserts the basic soundness of functionalism theory and maintains that, subject to amendments, the expansive logic of functionalism remains valid. He acknowledges that integrative decisions based on high politics are quite durable. For the use of communication approach to enhancing integration, Karl Deutsch used the concept of the security community in addressing the issue. By this he meant that integration requires the attainment of relationships among countries (or within a given country) that no longer anticipate the possibility of warfare against one another, but instead have attained a sense of community strong enough to assure dependable expectations of peaceful change.

The communications approach applies from cybernetics to the relations between nations or population groups. It focuses on the volume of transactions among these entities as the most appropriate indicator, and it operates on the assumption that “cohesiveness among individuals can be measured, and is probably promoted by the extent of mutual relationship or interaction among them.” By focusing on the flow of social transactions among different units, it obtains measurements that are regarded as objective, and that facilitate the making of judgments about the condition of integration (Lieber, 1973: 51). Indeed, the integration theories have been of substantial heuristic

value. They have permitted an economy of effort so that studies have dealt with related questions and have built upon one another. They have also stimulated thought and the organisation of knowledge.

In addition to the foregoing is the Etzioni's perspective on the option of political unification. Etzioni's first major concern is the factor of power. Power, in his conception, is nothing short of the exercise of effective political power by an identifiable central authority. Secondly, he stresses the relevance of the attitudes of leaders, decision-makers and, "politically-aware publics" to the process of integration for unification (Etzioni, 1962, 1963, 1965).

Etzioni's concern about power reminds us that power politics is a factor to be considered in any process of integration. Incidentally, federalism is an attempt to cope with the challenges of power. In essence, power is desired for its own end but also as a means of tackling the problem of scarcity. This means conflict is endemic to the unification process and such sociological variables as ethnicity, religion, language, class and race will feature in the conflict. The formal division of power between the two levels of government which is usually claimed to be the essence of federalism is thus to be seen as an attempt to prevent a single group - defined in racial, class or linguistic terms - from dominating the others and monopolising the consumption of public goods. This is, of course, the pluralist and liberal formulation of federalism.

The view of Etzioni implies that federalism belongs to a class of political systems devised to bring about the unification of political communities. While it is probably impossible to offer rigorous differential in order to distinguish between federalism and the formation of political entities as such, the merit of Etzioni's perspective is that it makes plausible the classification of federalism as a species of unitary government wherein local autonomy - defined in terms of either ethnicity, language, religion or race - is preserved and encouraged (Jinadu, 1979: 20). Considered in this regard, the euphemism about unity in diversity that is expressed when there is talk of federalism in Nigeria and Ethiopia, or devolution in Britain, becomes meaningful.

As important as integration theory may appear to be, it has its own shortcomings. For instance, it consists of a number of tentative hypotheses operating at different levels of analysis. On the one hand there are the highly systemic abstractions of the communications approach. On the other hand, there are the involved treatments of behaviour by the functionalists. There have been only a few tentative efforts to join these separate levels of analysis more directly. In addition, much of the earlier work on integration has dealt with Western Europe, and those studies that have centred on underdeveloped areas have frequently found the existing theoretical notions of limited use outside the European countries. Even in the European context, integration theories have been unable to include the impact of external factors upon the integrative process.

2.3 Literature Review

2.3.1 *Federalism*

In 1951, Nigerians took part in designing the system of government they wanted for themselves, which was federalism. The choice of federalism was neither idle nor arbitrary. But for the militants in Niger Delta in their rank, their thinking for Nigeria was that, federalism was an expensive but mandatory option. It was expensive because it meant the duplication of the machinery of government at two levels, each equipped with a full complement of the executive, legislature, judiciary and the public service. Salaries and allowances had to be paid, office accommodations built and maintained, overhead costs of administration provided for, all two times over. It was expensive, but Nigeria had no alternative at the point in time.

Multiple differences of religion, language, tribe and traditional patterns, accentuated by divisive colonial policies meant that a unitary system was unacceptable to the people, mutually suspicious of one another. Confederalism was not acceptable either because it could not have guaranteed the continuation of Nigeria as one country. Since Nigeria sought to remain a union in the face of the wide divergences among her people, all the conditions, which necessitate federalism, were present. Federalism, even if expensive, was also an ideal. Now, for half a century, Nigeria has been paying greatly for federalism.

Those conditions, which necessitated the choice of federalism in 1951, are still present today. Twenty-nine years of military dictatorship, with its barrage of compelled uniformity of institutions has failed to translate into uniformity of political outlook among Nigerians. Today, we still see ourselves the way delegates to the London conferences of 1950 and 1959 saw themselves - as different people who, for some historical reasons they could not help, had to remain in one country. The failure of military rule to obliterate this attitude perhaps, more than anything else, demonstrates that federalism is Nigeria's best choice for now.

Admittedly, federalism is fraught with several problems. This point has been aptly asserted by K.C. Wheare: "When federalism has with difficulty come to exist, it is only with difficulty that it continues to exist. Its operation requires great skill and tact. Its success depends upon an enormous patience and an enormous capacity for compromise among the state who work it". This is not to say that federalism is evil and it should be discarded with. At the risk of repetition, it is apparent that in Nigeria, there is hardly a viable alternative to federalism, given present conditions. In recognition of the importance of federalism, Shridath Ramphal (1979) postulated thus:

Federalism did not begin as a concept of social and political organisation evolved by reflective philosophers or postulated by deductive political scientists. It did not sprout from a process of *a priori* reason. It is not a political ideology. Its most profound theoretical exposition is, perhaps, that contained in the 85 essays in Publius that ultimately appeared in 1788 under the now famous title 'The Federalist'. But these essays were written in defence and support of the Constitution of the United States agreed upon the previous years by the Philadelphia Convention. Save for the fact that they were written by men - Hamilton, Jay and Madison - who themselves played central roles at the Convention in Philadelphia, it might almost be fair to say that in this masterly analysis of the principles of federalism, the authors of the 'Federalist Papers' made a virtue, a philosophy if you like, of the practical necessities that had already determined the character of the Constitution settled in Philadelphia.

2.3.2 Federal/State Governments

As Okafor and Amucheazi (2008) aptly observe, Nigerians have always propounded the theory of federalism, which in practice differs from the classical type (this defines the powers of federal and state governments). The failure of Nigeria's first and second Republics has been attributed to the wrong operation of the federal system of government. The major challenge with Nigeria's federation is the non-recognition of the independence of state governments. The state governments are seen as appendages of the federal government. To this extent, state governors can be summoned to the federal capital at very short notice and the Federal Government decides how to allocate funds to the states be it in the military or civilian regime. In fact, the Federal Government is involved in running even primary education. It controls all military and para-military organisations including the police force and may decide to deny police security to "recalcitrant" governors or withhold fund allocation to "stubborn" states. This is a paradox in a federal system.

2.3.3 Unitary System of Government

Today, many scholars (Oyovbaire 1985; Okafor and Amucheazi 2008; Suberu 1991; Osaghae 1998, 2006) and practitioners (Nwabueze 1982) have argued rightly that Nigeria's form of federalism does not fit into any of the types of federalism espoused by K.C. Wheare and others. The truth is that Nigeria practises more of a unitary system of government than a federal system of government. The reason, perhaps, is because of the type of government inherited from the various military administrations. Coupled with this fact is the character of the ruling elite who benefit a lot in maintaining the *status quo* of the military especially the inherited Constitution which was specifically designed for the benefit of the political class. Thus, the crises confronting the country currently are not only of multiple complexions but have also attained greater proportions.

Yet, in Nigerian federalism, there are certain factors which enhance the development of accommodating elite behaviour. According to Jinadu (1985), these include the existence of a multiple balance of power situation within the segments as well as the existence of an external threat. This tends to discourage the desire for domination because no one group is strong enough to dominate a situation where there

are many power groups. This is unlike the pre-1967 period in Nigeria, when the North, as one segment was larger than the rest put together. Experience has shown in Nigeria that coexistence and accommodation between the tendencies toward state coherence and the pre-disposition toward ethnic self-determination are necessities. The thinking, of course, is that where no one segment can dominate, the realisation of that fact forces leaders of the major segments to accommodate their differences rather than insist on imposing their interests or preferences.

2.3.4 *Federalism as a Process*

Furthermore, federalism can be perceived from the perspectives of process and structure as argued by Onyeoziri (1989). According to him, “federalism is as much a matter of process as of structure, particularly if process is broadly defined to include a political-cultural dimension as well. Elements of a federal process include a sense of partnership on the part of the parties to the federal compact, manifested through negotiated cooperation on issues and programmes and based on a commitment to open bargaining between all parties to an issue in such a way as to strive for consensus or, failing that, an accommodation which protects the fundamental integrity of all partners”. He opines that only in those polities where the process of government reflects federal principles is the structure of federalism meaningful. Perhaps, this may have partly accounted for the ruling elite’s continuous efforts at restructuring the country in the last 51 years of independence.

2.3.5 *State Creation*

The response to political restructuring in Nigeria has been through state creation and the demand for the creation of new states is as old as the Nigerian federation. The agitation for the creation of more states was intense during the several constitutional conferences before Nigerian independence in 1960. Ironically, the repeated creation of states has not obliterated charges and counter charges of ethnic dominance. Rather, each exercise seems to have created new majorities and more vociferous minorities (Awolowo-Dosumu 1993:17-21; Onyejena 1987:42-43). Thus, one creation generates further demand and the next generates fresh agitations for more.

The fundamental principle behind state creation in most federal states, as in Nigeria, hinges on the need to foster social justice, development, democracy and balanced federation and by extension stability in the system. In fact, the reasons for the creation of states in Nigeria can be examined from the perspective of the whole country and the Federal Government. Also, it can be seen within the context of those localities which are dissatisfied with the existing arrangements and would wish to be constituted into new states (Adejuyigbe, 1979).

Besides, there are general justifications for more states in the country. There are official justifications as well as pressure by people who want a reorganisation of states even though their own particular areas may not benefit from such an exercise. Among the earliest of the latter are those by Azikiwe in 1943 and Awolowo in 1947 and 1966. General suggestions for more states in the country as a whole, or any part thereof, are usually justified on one or more of three grounds: the need for government to be nearer the people; the need for unity in the country; and the need to minimise conflict between states and within states.

For these reasons and among others, Nigeria has since independence embarked on the process of creating more states which conclusion is not yet in sight. Meanwhile, advocates of state creation in Nigeria have begun to argue that creation of more states will not involve additional cost, but only financial reshuffling (*New African*, January 1984: 37). In short, creation of more states is presented as the answer to nearly all Nigeria's problems. Yet, the lesson of history is clear: the mere act of state creation cannot turn dreams into reality.

Unfortunately, the dependency culture has created the belief in many (and perhaps, most) Nigerians that the economic resources of Nigeria belong to the Nigerian government. And the Nigerian government is seen as synonymous with the people who hold the reins of power. Hence, it is vital for every ethnic group in the country to endeavour to be holders of power. Everybody aims for the ideal situation, to have their own state and to be in control of the federal government, thus, to be able to control and share the national economic resources, first to self, to own state and then to as many others as would condescend to beg for favour (Ayagi 1990: 147).

However, state creation in Nigeria has always been based on certain criteria. Traditionally, the criteria include population, land mass, economic viability and

cultural affinity. In the consideration for these states, the points for, and against, each case using the criteria are hardly ever exhausted fully. This is understandable in view of the aforementioned factors, coupled with the dominance of some other factors like politics, influence, selfishness and sentiments which are brought to bear on the exercise. For instance, the creation of only Akwa-Ibom and Katsina states in 1987 out of the multitude of states demanded for by Nigerians appeared to have been motivated by political factors including the influence of power brokers from the states in question. Hitherto, states were seen as a means of assuaging the yearnings of minority communities for self-determination within the Nigerian federation. This laudable principle was diluted by the Murtala Mohammed regime when homogenous ethnic majorities were further split and state creation became an instrument for achieving geographical and economic development as well as asserting majority political weight.

Evidently, the numerous states created in Nigeria came about because of clamours necessitated by a mixture of multifarious political interests and ambitions. Nnoli provides a critical analysis of the arguments proffered by the protagonists most of whom constitute the elite who have been led by intra-class struggles to seek economic and political enclaves under their own control. The fundamental question is, who has profited from these new states? According to Nnoli (1978:268):

Certainly, it is not the farmer or low or middle income worker, but the bureaucrats who become permanent secretaries overnight, the university dons who achieve professional status irrespective of merit because of new universities located in their states, the university dons, lawyers and doctors who become commissioners--- and the contractors and businessmen who monopolise official contracts in their states of origin.

Similarly, assessing accommodation failure in the Second Republic, Donald Williams (1992) argues that in many ways, the introduction of several non-majoritarian mechanisms in the Second Republic Constitution could have enhanced governance by accommodating segmental pressures. Yet, there is no evidence that any kind of commitment to dampen overly parochial concerns ever materialised. The

fractious alliance that emerged under Shagari's party banner at the close of 1979 never embodied more than superficial elements of consociational representation. Without any willingness to cooperate among the party elite, no consensus could be arranged over an appropriate formula for the proportional division of federal resources. An arrangement, based solely on states, proved to be glaringly inadequate for Nigeria's diverse ethnic landscape, thereby robbing the political arena of a potentially vital building block for other agreements. Consequently, negotiations were surrounded by accusations of betrayal and mistrust, as evidenced by the bitter splits in a number of parties over this issue (Williams 1992: 113).

The implication of the foregoing is that the pressures for the creation of more states have been motivated, not by disinterested reason, but by personal ambitions and other wrong reasons. Importantly, a country of the size of Nigeria can hardly in practice afford mathematically worked out quota in all the fields of sharing of the national cake, the preponderance of any federal or state establishment provokes suspicions as well as accusations of domination. From time to time, members of such favoured groups actually use their preponderance not only to perpetuate their domination but also to formulate and implement discriminatory policies against other groups in the country. It is this kind of phenomenon that tends to heighten identity crisis in Nigerian federalism (Benjamin 2002: 132).

2.3.6 The Question of Identity

Also, worrisome concerning the problem of identity in Nigeria is the rate of compartmentalisation already evident in an alarming proportion in the daily operation of the country's state structure. Within a period of less than four decades, Nigeria's states were increased from four to 36 in order, perhaps, to attain a number of desirable national objectives, among which are the encouragement of even development, involvement of the masses in government, allotment of adequate priorities to local needs, and devolution of political power. Paradoxically, the trend that has emerged is a tendency towards narrow statism, resulting in state policies and activities which, in practice, dilute if not defeat, the unifying policies of the central government (Elaigwu 1993; Benjamin 1996).

It needs to be restated that the essence of a true federal system is the ability to integrate diverse political and economic variables by government where the diverse ethnic nationalities enjoy a level of independence. In this context, federalism can be defined as a political administrative system geared towards resolving the twin problems of unity and diversity. Scholars have agreed that federalism, as a form of governmental arrangement, ensures diversity by sharing the powers between the various levels of government with independent coordinate powers (Wheare 1964; Elaigwu 1993; Elazar 1987; and Awa 1982). Federalism seeks the preservation of rights and advantages of all the federating units. The fact remains that in a socio-cultural and economic-politically diverse society like Nigeria, existence is interpreted in relation to subsumed primordial sentiments and ethnic perpetuation and regeneration. Experience has shown that the greatest threat to a people is perhaps the fear of domination or marginalisation. At such times, society relapses into an economic state (Joseph 1987).

In short, the search for identity is linked with individuals striving for self-esteem and for personal attainment in a reasonable way (Erikson 1959:89). In this wise, Azikiwe (1943: 58) in his early days made appeal for “mental emancipation”, to reflect the efforts to become free of the imposed feeling of racial inferiority. Paradoxically, the Nigerian experience to date has been that the crisis of political identity continues to create fissiparous tendencies in its federalism much of which is predicated on ethnic as well as regional sentiments and calculated to benefit the selfish aspirations of certain fractions of the political class (Benjamin 2002; Benjamin 1998: 34). This is particularly so in relation to the problem of integration of minority groups in the federation. Even before the attainment of political independence in 1960, genuine fears of domination, alienation and underdevelopment had been expressed by minority Nigerians (Roberts 1996: 3). Such fears can better be appreciated in view of the fact that federalism is meant to facilitate the protection of minority interests, by foreclosing or minimising the possibility of majoritarian tyrannical rule (Soremekun, 2000).

On the positive side, Oyovbaire (1985) contends that creation of new smaller states promotes national stability by blurring old regional cleavages. This effect must not be exaggerated in view of ample evidence such as in the 2005 National Political

Reforms Conference where the north-south divide was clearly manifested. Regional cleavages and ethnic biases are still very relevant despite the splitting up of the country into smaller states. On the contrary, the new states are largely, economically, unviable units as experience has shown in the last two decades. To this extent, the entire revenue estimates of most of the states in the federation are virtually consummated by administrative costs alone. Little wonder, therefore, that most states hardly invest in capital development. In short, there appears to be too many unviable states that have resulted from the associated unnecessary replication of government machinery with the consequent exhaustion of scarce resources on maintaining the bloated public service and political establishment. The popular view today, including some scholars', is that Nigerians need to evolve a six zone/region structure (Okafor and Amucheazi, 2008:104). This makes economic and political sense.

2.3.7 Federalism/Centralisation

Another issue related to the above is the factor of Federal Government dominance in Nigerian federal system. This is not unique to Nigeria. For instance, Habtu's (2010:34) discussion of Ethiopian federalism, notes that there is the challenge of contending with the pressures towards centralisation in the face of federal dominance in fiscal matters and democratic centralist orientation of the dominant party (*de jure* multi-party, *de facto* one-party). While the national Federal Government holds the pressure strings, revenues are shared to regions in the form of block grants, making them dependent on the centre. Such dependence will not create a threat to the federal arrangement so long as it is not linked to preconditions or not at the discretion of the federal government. In fact, Van de Beken (2010:131) points out, "the regional states are not accountable to the Federal Government." Block grants are allocated on the basis of criteria decided upon by the House of Federation with representation of all the nationalities, a profoundly-democratic decision-making process. The federal executive has no say in deciding on the criteria of federal block grants. However, the challenge is for the regional states to raise regional revenues and to reduce their dependency on the federal government, making them more independent in financial matters.

2.3.8 Federalism and Institution Building

Based on his study of Germany and Italy, Ziblatt (2006:147) concludes:

The greatest threat to the successful construction of federal structures is sub-national institutions without the basic capacity to govern; such institutional weakness prompts the central government to unilaterally intervene, institutionalising a set of centralising pathologies that can eventually undermine the sustainability of federal structures.

These words aptly apply to the contemporary Nigerian situation. Impotence surely afflicts the whole institution of governance in Nigeria when governments, busy battling for their autonomy and rights at federal and state levels, ignore or become unable to provide for the welfare of the citizenry. Importantly, all disputations as to constitutional spheres of authority are, in practical terms, beside the point, for the average citizen. The potency of a government is measured, not by the abstract division of power between the centre and the regions, but by the effectiveness of such division to promote public welfare. Thus a system, which is unable to do that, will be, in Theodore Roosevelt's language, impotent.

The concept of cooperative federalism replaced the antagonism of dual federalism, marked by greater cooperation and collaboration between the various levels of government. This is a commendable approach to federalism as it is more conducive to attaining the object of all government, which is the promotion of public good. Here, the emphasis is rightly on complementary relationship between the central and regional authorities. Oyovbaire (1985:5) in that regard opines that: "power relationship does not necessarily arise from a conflict situation as power relations between governmental levels may exist" for purposes of effective performance of functions; and for reasons of political expediency, strategy or priority. Thus Nigeria's two-tier government is necessitated by her ethnic demographics and colonial history fitting into the scholar's reason of political expediency.

Again, many Nigerians including scholars have agreed that Nigeria had true fiscal federalism during the pre- and immediate post-independence era when regionalism was fully entrenched in the nation's political system. In this wise, Okafor and Amucheazi (2008) opine that between the establishment of federalism

and independence, the regions comparatively with subsequent epochs, enjoyed some considerable degree of autonomy in fiscal matters. It has been called a period of “state-centred fiscal federalism” which remains the reference point by present day proponents of either higher emphasis on derivation or resource control. Similarly, the independence constitution achieved for the regions a regime of fiscal strength by providing for areas of exclusive tax jurisdictions to the regions in respect of personal income tax, and other areas. Several times, federally-collected revenues were also distributed to the regions on the basis of derivation. It is in this regard that Oyovbaire (1985: 71) observes that “the principle of derivation in revenue allocation was therefore a crucially positive element in the finances of favoured regional government”.

However, this trend changed a few years later because of the military intervention in Nigerian politics. As noted by Williams (ibid: 102), most significant was the increasing subordination of the state governments to federal control. Overturning the provisions of the 1963 Constitution, the Federal Military Government completely restructured the federal system, adding to its exclusive control such important areas as education, university administration, petroleum production, and the coordination and direction of development plans (Ukwu 1980; Oyovbaire 1984:234). All of this was made possible by the progressive concentration of financial power in the Federal Government that had resulted from an enormous windfall in petroleum-generated wealth. For Jinadu (1985), it was during this period that many key elements of accommodation were first introduced. These included a true quota system for all federal recruitments’ representation of the states in national governmental bodies, and proportional allocation of federal resources. Greater autonomy among the diverse array of ethnic groups was also provided in 1976 through a redesigned federal structure that numbered a total of 36 states.

In line with the desire to promote political accommodation, some major departures from the old design were incorporated into the post-civil war constitutions. The Westminster parliamentary model was abandoned in favour of a more centralised federal arrangement, designed after that of the United States. Elaigwu and Olorunsola (1983:299) note that the new constitution incorporated

several important modifications on majoritarian democracy that included elaborate arrangements for sharing power, adjusting conflicting interests and permitting autonomous participation.

The above notwithstanding, the structure of the federation has always posed serious challenges, yet to be resolved, to effective operation of the Nigerian state. With reference to the First Republic, Donald Williams (1992) blames the failure of that republic on the weakly-fabricated federal structure. According to him: “the three regional units comprising the federal system were unbalanced economically and demographically, leading to long-simmering feelings of acrimony and distrust among elites. The limit of only three regions compounded this sentiment because the three dominant parties attempted to represent a host of ethnic conglomerations - many of which carried strongly held ethnic resentments against the dominant regional majority group”. Although the federal structure allowed for significant autonomy in the conduct of local affairs, it failed to shield these units from the machinations of rival political forces. The propensity for rival parties to exploit cleavages in other regions thus polarised the Nigerian polity. Consequently, through a succession of increasingly-violent crises, centrifugal pressures took on a momentum that never allowed a spirit of national reconciliation to surface.

One means of moderating the intensity of divisive political conflict is the formation of a grand coalition from among principal parties. Unproductive quarrelling is avoided through negotiated compromises made possible through a widely based coalition government. The most important characteristic of such arrangements is not limited to any particular institutional apparatus, but rather as Lijphart (1977:31) puts it “the participation by the leaders of all significant segments in governing a plural society”. Unfortunately, no explicit rules for the formation of a grand party coalition were written into the nation’s post-independence constitutions, not even the current (1999) one.

The foregoing notwithstanding, federal systems are very important for reaching political accommodation particularly in democratically-oriented civil societies. Also, federalism does not necessarily mean the various communities that constitute a federal state must mould their institutions to immutable principles or forms of federal organisation. Rather, it entails that federal institutions may be

designed to meet the particular needs of the communities establishing them. Thus, the federal framework is fundamental to managing crises and effecting necessary accommodation among ethnic groups in Nigeria in the 21st century.

UNIVERSITY OF IBADAN

CHAPTER THREE

POWER-SHARING IN NIGERIA'S FEDERALISM

This chapter discusses power sharing over the years among the tiers of government, the constituent units as well as the ethnic groups in the Nigerian federation. The discussion covers the period from June 12, 1993, when the fairest presidential election was annulled by the Ibrahim Babangida military regime, to 2010 when President Goodluck Jonathan assumed office after the death of President Umar Musa Yar Ádua. Attempt is made to examine the zoning systems, the rotational system of Nigeria's major leadership positions (political offices), the issues of federal character and citizenship as ways of resolving the problem of power sharing in the Nigerian federation.

The analysis in this chapter goes beyond the traditional consideration of federal, state and local government relationship and the over-flogged issue of adopting the federal character approach for power sharing in Nigeria. It extends to the territoriality determining the problem of ethnic minorities in relation to resources, religion and policies of the government in relation to ethnic minority-majority consideration, and representation in National Assembly and federal cabinet. The chapter is also concerned with the status of Abuja as a federal capital territory, discussion of the impact of certain federally-established bodies in the oil-producing areas, the need to make Warri a federal territory and the question of who becomes the Managing Director of Nigerian National Petroleum Corporation (NNPC). Indeed, the chapter acknowledges the significant deviation and new dimensions since 1999, in power sharing in Nigeria.

3.1 What is Power -Sharing?

Contemporary political systems often include aspects of power sharing. This is particularly because self-determination has become the rallying point of many aggrieved ethnic groups in every major region of the globe. Power sharing is not an end in itself but a means to an end. It is a wide variety of conflict-regulating practices, and each power-sharing system has its unique characteristics. Though there is no single universally-acceptable model of power sharing, there is a broad menu of conflict-

regulating practices, institutions, and mechanisms (Awa, 1976; Sisk, 1996:116). Moreover, power sharing may be appropriate as a transitional, confidence-building mechanism but not as a permanent solution to ethnic conflict management through democratic institutions. However, whether the consociational or integrative power-sharing approach is better is highly-conditioned on the structure and dynamics of a given conflict situation and, is ultimately, a matter for the conflicting parties themselves to determine through negotiation.

Lijphart (1977:25) defines power sharing as a set of principles which, when carried out through practices and institutions, provide every relevant group in a society representation and decision-making abilities on common issues and a degree of autonomy over issues of importance to the group. In a fundamental sense, power-sharing entails practices and institutions that result in wide-based governing coalitions generally inclusive of all major ethnic groups (Sisk 1996). Towards this goal, power sharing involves granting of autonomy, having the presence of federations and proportional electoral systems.

Power-sharing practices are likely to evolve in multi-ethnic societies if key political leaders are motivated to avoid violent conflict, prevent its escalation, or escape it through a mutually-acceptable solution. Consociational conflict-regulating practices flow from protracted negotiation processes or transitions to democracy, based on mutual security pacts, particularly those in which the parties' capabilities are in symmetry (Du-Toit, 1989b). Esman (1994:258) describes consociational arrangements as "a viable process of mutual deterrence". They face continual stress and are subject to breakdown when elite consensus is elusive or unsustainable or the practices are too rigid. Power sharing has been successful in some societies but ineffective in others.

Usually, there are certain conditions under which power-sharing arrangements work out in achieving success towards resolving ethnic conflict within a diverse polity:

- (i) such conditions involve accommodating a core group of moderate political leaders in ethnic conflicts who are genuinely representative of the groups they purport to lead;
- (ii) the practices must be flexible to allow for equitable distribution of resources;
- (iii) they should be home-based conditions which should not be too externally-motivated;
- and (iv) parties can gradually eschew the extraordinary measures that some power-

sharing practices entail and allow a more integrative and liberal form of democracy to evolve.

In societies where power sharing is properly practised, the basis for it is to minimise as much as possible democratic competition within acceptable boundaries to avoid inter-group violence that can result from differences of opinion along ethnic lines. However, studies (Lijphart 1968, 1969, 1977a, 1977b, 1985; Horowitz 1985, 1990a, 1990b, 1991, 1993) have shown two basic methods of crisis control in democratic institutions in deeply-divided societies, namely the consociational method held by Lijphart and the integrative method mostly authored by Horowitz. Whereas the former method places greater faith in assurances for minority group protection, the latter places greater emphasis on the role of incentives in encouraging inter-ethnic cooperation. The two methods are, however, linked by the belief in coalescent democracy (power sharing) as another scenario to the adverse effects of majoritarian practices. The above methods are summarised in Table 3.1.

Table 3. 1: Models of Power-Sharing

	Consociational	Integrative
Characteristics	Elites cooperate after elections to form multi-ethnic coalitions and manage conflict; groups are autonomous, minorities are protected.	Parties encouraged creating coalitions before elections, creating broadly inclusive but majoritarian governments.
Principles	Broad-based or “grand” coalitions, minority veto, proportionality in allocation of civil service positions and public funds, group autonomy.	Dispersion and devolution of power, promotion of intra ethnic composition, inducements for interethnic cooperation, policies to encourage alternative social alignments, managed distribution of resources.
Institutions and practices to promote these principles and effects	Parliamentary government, proportional reservation of seats, proportional representation in electoral system.	Federalism, vote pooling, electoral systems, president elected by “supermajority”
Strengths of the method	Provides groups firm guarantees for the protection of their interests.	Provides politicians with incentives for moderation “coalitions of commitment”.
Weaknesses	“Coalitions of convenience”. Elite may pursue conflict rather than try to reduce it; communal groups may not defer to their leaders; system relies on constraints against immoderate politics.	Lack of whole-country empirical examples of working systems; assumption that politicians respond to incentives and citizens will vote for parties not based on their own group.

Source: Adapted from Sisk, 1996.

A major difference between consociational and integrative approaches to power sharing lies in the nature and formation of multi-ethnic coalitions. In the consociational approach, coalitions are formed after an election by the elite who realise that exclusive decision making will make the society ungovernable or who are compelled to do so by prior constitutional arrangements that are based on the same reasoning. In an integrative power-sharing system, coalitions are formed prior to an election either as a coalition of parties in pre-election pacts (vote pooling) or by a party with a broad multi-ethnic candidate state. Consociational arrangements formed after elections, are fragile and tenuous. Such are “coalitions of convenience” as opposed to firm and enduring “coalitions of commitment” (Horowitz, 1985:365-395).

On the other hand, opting for integrative practices requires a greater degree of trust among parties, which is often lacking among moderate leaders. Integrative practices are theoretically more attractive devices to make (Horowitz, 1990b). But they may be unwieldy and parties may not feel sufficiently secure to submit to the deep uncertainties of winning and losing in a more majoritarian electoral game. The cohesion and cross-cutting ties necessary for pluralistic forces to emerge may simply be insufficiently strong. Yet, in traditional settings, power sharing evolves out of internal processes. In many cases, it graduates to ethnic conflicts especially where international community is a major actor in the conflict. It is a complex model as it involves multi-dimensional practices which can be universally applied. According to Sisk (1996), power sharing practices evolve in direct response to a history of violent conflict. It is a perception toward other groups based on the belief that failure of conflicting parties to accommodate each other will invariably result in greater strife. Thus, for effective power-sharing, political leaders and the society must be motivated to avoid violent conflicts.

Ideally, power-sharing schemes, when properly applied, can lead multi-ethnic societies (like Nigeria) toward sustainable democracy and away from violence. In other words, an adequately-structured power-sharing scheme can encourage moderation and perhaps discourage extremism. It can be based on politicians’ self-interest, in which case, they can do what is expected to get elected. Power sharing can originate or motivate the profound movement of a society away from ethnicity as the strongest social

identifier. Coalitions may form along ethnic lines at the outset, but ideology or class may become more important in time (Hamburg and Solomon, 1996).

In Nigerian politics, different views on power-sharing exist. The common view refers to the usage in relation to inter-governmental relationship; that is, sharing of responsibilities and functions among the federal, state and local governments in the federation. It has variously been used in terms of the military and civilians having to share the management of the country by way of diarchy, albeit an aberration. For instance, the 1989 Political Bureau Report, while rejecting the presidential system of government, recommended a return to a modified parliamentary system of government based on the principle of power-sharing between the military and civilians. Such experiment, no longer tenable, was to last for 15 years transition period, beginning from the adoption of a new constitution for the country (Olagunju, Jinadu and Oyovbaire, 1993). According to the aforementioned report:

...this system... was to ensure that the new politicians are effectively supervised and that the nation as a whole has a reasonable period to watch and assess them free from tension and crisis. This system has the added advantage that with continued and substantial military involvement in politics and in the direction of affairs, there will be relative stability during the period of transition (Political Bureau Report 1987).

This means that important political posts would be shared among top military functionaries and elected or appointed civilians. While the president would be chosen from the military, the office of Prime Minister would be occupied by an elected or selected civilian. The defence, internal affairs, information and other sensitive portfolios were to be reserved for the military.⁸ Paradoxically, minus the military involvement, this argument somewhat reflects the current reality under civilian government.

In recent times, power sharing (in Nigeria) has been a subject of public debate sometimes to the point of generating crisis, paradoxically, under the general directive

⁸The report further suggested that the president should be head of state, while the prime minister would be head of government, with the power to appoint ministers invested in him, subject to the approval of the president and the proviso that a third of the ministers appointed should not be party members. Other recommendations include constitutional entrenchment of a rotational presidency and prime ministership; that state governors would be military officers to be assisted by a deputy governor who would also be the chairman of the state executive council.

of those in authority. In spite of this, the concept of power sharing and the usage in Nigeria appears to be diffused. However, in line with the perception of the defunct National Constitutional Conference Committee (NCCC), power sharing means the mandate of all and sundry to deliberate upon the structure of the Nigerian nation-state and to fashion out strategies for guaranteeing good governance, to devise for Nigerians a system of government, ensuring equal access or opportunity, the right to aspire to any public office irrespective of state of origin, ethnicity or creed, and thus inculcating a feeling of belongingness in all Nigerians (cf. Nigeria 1995:3).

One sure way of promoting power-sharing mechanism in federal systems is through decentralisation though this is more relevant in terms of intergovernmental relations. Decentralisation can equally be used to promote power sharing among inter-ethnic groups, if in the process of decentralising some given ethnic communities are created to fall within one level of government and/or are given the necessary autonomy to operate on their own. This is possible when states or local government councils are created using ethnic delineation to determine their boundaries or for the purpose of their existence.

3.2 Issues and Challenges in the Politics of Accommodation

There is no doubt that Nigeria inherited a lopsided federal structure from the colonial master. This has remained one of the main sources of ethnic rivalry and animosity in Nigeria (Sklar 1963; Benjamin 1999). Apart from the skewed nature of the federal structure, each of the inherited regions had a dominant majority ethnic group and several minority groups. This makes it imperative for the emergence of unhealthy competition and rivalry among the regions for the control of the central government which is akin to ethnic antagonism. In short, the question of citizenship has become very contentious in recent times. The issue here is that of the place and status of Nigerians within the Federal Republic of Nigeria. That is, the status of Nigerians whose parents moved from one location in Nigeria to another location in the country, some up to the period Nigeria came into being. Are they indigenes of the communities where they reside and pay their taxes or are they migrants? In other words, are they foreigners in those areas or should they enjoy the same rights as the indigenous people? It is against this backdrop that one may seek explanations for

the current resurgence of ethnicity, religion and other divisive contestations in state and society.

The Nigerian social formation, with its weak production base, tends to put more premium on the control of state power as the basis of accumulation. As the resources available for economic reproduction dwindle daily, the struggle for these resources has been increasingly manifesting in various primordial forms, reflecting geographical regions, ethnicity and religion (King 1976/77). The sharp increase in the demand for political and constitutional restructuring and the attendant violent crisis is one major reflection of the character of this competition. The predicament of the citizenry had been worsened by the unrewarding interchange of power between the political and the military classes, a development that helped in the past to deny the nation political stability. The circumstances created by this have greatly made it possible for individuals and groups with selfish motives to ascend to the nation's seat of power.

For instance, in Nigeria, there is over-politicisation of ethnicity in the electoral process and party support has always been mobilised on ethnic bases. Hence, there is a tendency to attribute electoral malpractices, political conflicts and instability in Nigeria to ethnic rivalry between the various ethnic groups in the country (Coleman, 1963; Sklar 1963; Post and Vickers 1973). In a sense, ethnic groups thus compete for power for the benefit of the ethnic groups. The implication of this is that ethnicity has defied various provisions designed to eliminate it, and has become a part of the stage and process of development in Nigeria (Otite, 1979).

In short, it is on record in Nigeria that ethnic and/or regional conflict once led to a costly but avoidable 30-month civil war. Indeed, Coleman (1963), Sklar (1963), Dudley (1968), Post and Vickers (1973), among others, tend to attribute electoral malpractices, political conflicts and instability in Nigeria to rivalry between ethnic groups in the country. What is more, these struggles for relevance have tended to pose a mortal challenge to the state and its structures. As it is, ethnicity and religion can be powerful instruments of mobilisation. They can also serve as veritable instruments of demobilisation or destabilisation. They are powerful because people can easily be galvanised around issues concerning their ethnic identities or nationalities (*Human Rights Monitor*, Nigeria, Vol. 1 No. 3, April, 2000).

In view of the foregoing, the crisis spiral brought into being by the politicisation of ethnic and religious identities in contemporary Nigeria has become fierce and worrisome particularly since, the 1980s. Within this period, both ethnic and religious violence, have come to the centre stage in Nigeria. This timing which tends to coincide with the outbreak of a fundamental economic crisis and the subsequent introduction of orthodox market reforms in the International Monetary Fund (IMF) and the World Bank-supported structural adjustment programme itself provides some insight into the linkage between the upsurge in the negative mobilisation of these identities and the reality of economic decline (Egwu 2001: 2).

The current crisis started with a series of complaints and demonstrations on marginalisation by the far north (of Nigeria). The Obasanjo administration (1999-2007) was accused of undermining the socio-political interests of the north with the so-called lopsidedness of Federal Government appointments which politicians in the area saw as part of government's design to side track the core North from the mainstream of governance.

3.3 Power Sharing and the Principle of Federal Character in Nigeria

The concept of federal character has several interpretations in Nigerian politics. It is particularly so in respect to the number of the constituent members, their inter-relationships, the division of powers and functions among other things (Afigbo 1987: 21). The term is one of the inventions of the Constitution Drafting Committee (CDC) inaugurated by the late General Murtala Mohammed on 18th October, 1975. It is a term brought about by the military with a view to achieving wider integration and cooperation. It became widely used and acceptable among various speakers in the Constituent Assembly during the preparation and drafting of the 1979 Constitution of the Federal Republic of Nigeria. From this perspective, "federal character" refers to:

the distinctive desire of the peoples of Nigeria to promote national unity, foster national loyalty and give every citizen of Nigeria a sense of belonging to the nation notwithstanding the diversities of ethnic origin, culture, language or religion which may exist and which it is their desire to nourish, harness to the enrichment of the Federal Republic of Nigeria (FRN 1977: ix).

This definition is limited. For instance, federal character cannot be a desire; at best, it is a description of features which characterise the Nigerian federation. However, it is not very clear what, according to the passage, the peoples of Nigeria desire to nourish. The CDC might have been worried about how to lubricate the political engine of the Nigerian federation that had been prone to crisis, rather than defining federal character. Nevertheless, each federation possesses its own character. Thus, the distinctive character of each federation, and by extension its stability, would appear to depend on the degree of harmony which exists between the structure as well as usages of the society and the structure besides usages of the constitution (Afigbo, 1987).

The purpose of enunciating the federal character principle in Nigeria has not been in doubt. But the interpretation which relies on state and ethnicity has been suspect (Ayoade 1998). Ideally, with the application of federal character, each group in the society ought to be given a fair representation and made to have a sense of belonging and commitment towards the Nigerian polity in every sphere of human endeavours. In practice, however, the reverse has been the case.⁹ The concept has only helped to create more confusion over its interpretation and application in matters of governance. Rather, issues which require transparency, honesty and justice in Nigerian government and politics tend to cause more bitterness and misunderstanding among its various ethnic and other social groups than understanding. The amplification of this principle is manifested in the notions of “zoning” political offices usually adopted by political parties, and “rotational presidency” as advocated during the regime of General Sani Abacha. Just like the military, Nigerian political parties never had any well-articulated programme of governance and management of state power. The concern has mainly been on how to capture power and utilise it for primitive accumulation and on the enthronement of the culture of political violence to retain that power.

Ideally, the federal character principle as enunciated in the 1979 and 1999 Constitutions (FRN 1979; 1999), is expected to meet certain objectives. Section 14(3) of 1999 Constitution stipulates that composition of the Federal Government and its

⁹ During the debate in 1975/76, the Constitution Drafting Committee split into three on the issue. It is a constitutional provision in the governance of the Nigerian post-colonial state to ensure access to national wealth and patronage by the political class (see Abubakar, 1997).

agencies should be carried out in such a manner as to reflect the federal character of Nigeria. It emphasises “the need to promote national unity and also to command national loyalty by ensuring that there shall be no predominance of persons from a few states or from a few ethnic or other sectional groups¹⁰ in that government or in any of its agencies”. Besides, section 14 (14) which extends this same principle to the state government level, declares the need to “recognise the diversities of the people within its area of authority and the need to promote a sense of belonging and loyalty among all the people of the federation”. The concern of the Constitution Drafting Committee¹¹ was how to rationalise the federal character principle so that its ultimate goals would include loyalty to the Nigerian state and stability for the country. It is meant to eliminate or minimise the dominance of primordial cleavages that have hitherto enveloped the Nigerian state (loyalty to one’s community and inter-ethnic rivalry to secure domination of government by one ethnic group or a combination of groups).

Essentially, the introduction of federal character principle and related power-sharing schemes in 1979/1983 was purposed to solve some of the more obnoxious sources and dimensions of the minorities’ problem in Nigerian politics. It was to serve as the key constitutional instrument for achieving and preserving national integration and inter-ethnic equity in the Second Republic. Nevertheless, ethnic minority agitations and protests against ethnic majority domination and oppression have persisted and become intensified in contemporary Nigeria. As Osaghae (1986:165) aptly declares, “the Nigerian federation remains the majority’s paradise... as the numerical minorities continue to be dominated, even oppressed”. This kind of situation tends to negate the essence of introducing the federal character principle. The Nigerian experience from 1979 till date has indeed exposed the limitations of federal character principle as a mechanism for achieving national integration and participatory democracy in plural societies.

One of the main weaknesses of federal character in the past is that it tended to entrench mediocrity in governance at the expense of merit and professionalism. In

¹⁰ Nigerian political history tends to emphasis regional/sectional imbalance to the extent that centralisation has become the dominant feature of Nigerian federalism.

¹¹ See Federal Republic of Nigeria, report of the constitutional conference containing the resolutions and recommendations, vol.11. Abuja: National Assembly Press, 1995.

recent times, however, this statement might be debated by some persons on the ground that there is hardly any part of Nigeria that cannot provide qualified persons. Perhaps the major problem of federal character is that of perpetuating majority dominance over minority groups. Besides, in the name of representation and national unity, federal character allows ethno-regional patrons and their clients to exploit and mismanage state resources without contributing to any meaningful development. In short, the genesis of the failure of the post-independence Nigerian state is anchored on the ineptitude of the political class as well as their lack of coherent programme of socio-economic transformation and development based on the principles of devolution of power through federalism (Abubakar, 1997:119).

Moreover, political parties in Nigeria have remained champions of ethno-regional agenda; or, at best, they are tools in the hands of the rich few for the repression of the electorate as being manifested even in the present Fourth Republic. The ongoing crises of the political campaigns has its roots in this tendency by the political class to use state power, and wealth generated therefrom, to consolidate its power base through coercion and violence (Abubakar, 2005:248). Those who are out of power strive to dislodge those in power, while those in power strive to ensure that those outside are permanently excluded. This preoccupation with power for wealth-making breeds political violence in multi-national societies like Nigeria. As it were, resource allocation remains central to the stability of the country, hence the imperatives of true federalism in which the various nationalities are carried on board and has a stake in the process of nation building.

Federal character is a euphemism for ethnic balance - that is, a basis for building unity in diversity by balancing official appointments among groups. Also, it affects the allocation of public revenue among the federation's constituent units (Ayua and Dakas, 2005). However, by paying attention to regional and ethnic representation, federal character exacerbates differentiation instead of ensuring mutual trust, accommodation and national unity.

If the entrenchment of federal character principle in the 1979 and 1999 constitutions did not enhance national integration, what model of democratic participation and accommodation could ameliorate instability in Nigeria? What lessons can Nigeria learn from consociational approach to political stability?

Perhaps, what needs to be stressed however is the spirit, rather than the letter, of the federal character principle especially at the higher decision-making levels. The mechanical application of federal character is bound to be disastrous and retrogressive especially in an environment where ethnicity, regionalism and religion have become devices in the hands of politicians for mobilising and entrenching violence in the political process. As it is, the federal character principle tends to discourage equal opportunity while emphasising political expediency. Under such conditions, the minorities¹² are highly disfavoured in terms of meaningful sharing of power and resources and, to this extent, their interests are hardly considered. Nevertheless, federal character has as its justification the idea of promoting social justice through the redistribution of public revenues among the federation's constituent units and social integration of minorities similar to that practice by the systems of affirmative action in India¹³ and the United States.

3.4 Trends and Issues in Minorities and Power Sharing in Nigerian Federalism

In most contemporary federations, the powers of the centre seem to be growing stronger, even at a time when there are increasing demands by sub-national units for adequate share of the central powers in their favour. The new powers of the centre are related to the centre's powers over foreign trade, currency and treaties (Babangida 1994). Thus, in practice, every federation has its own unique problems. In Nigeria, the initial problem was that of majority ethnic dominance over minority ethnic group, which the Willink Commission of 1957/58 recognised early but failed to resolve. On the other hand, the problem with which the Americans were confronted prior to the adoption of the federal constitution of 1787 was how to reconcile the fears of the

¹² The persistence of minority nationalism in Nigeria, especially in contemporary times, is an indication that national cohesion is perhaps the most serious problem confronting the country today. As noted earlier, this problem is traceable to colonial conquest, which not only created but also actually imposed, in several cases, the identities of dominant ethnic groups on those of minorities.

¹³ One of the mechanisms for knitting India together politically has been the gradual attention paid to social and political inequalities through reserved quotas in political representation, public employment, and higher education for the lowest-status groups: the "scheduled castes," or *dalits* (the former "untouchables," about 17 % of the population), and the "scheduled tribes" (about 8 %). More limited affirmative action guarantees have since been provided to the "other backward castes" (accounting for about 44 % of the population) [Larry Diamond, 2008: 164]. These measures have been cumbersome, inefficient, and controversial but, at the same time, have helped to drive a social revolution that has dramatically accelerated social mobility and expanded political participation to the point where voter turnout among lower-caste groups is now higher than among the well-off.

smaller confederate states about the dominance of the larger ones. The controversy was resolved by a decision to have two houses, the Senate and the House of Representatives. In the Senate, the principles of equality of states are upheld as each state is represented by two senators. In the House of Representatives, states are represented according to their populations. The American innovation has since become the practice in other federations, including Nigeria to some extent.

Similarly, the sharing of political power has been acknowledged by virtually all states as a major weapon in balancing pluralistic pressures against the need for national unity. The federal arrangement, under which Nigeria gained independence, was conceived as a means of satisfying the desires of the country's three larger political units. Nevertheless, the crisis which erupted and the attendant civil war, which brought about the collapse of the First Republic was sufficient evidence of the defect in the constitutional arrangements in distributing political power. A critical limitation was the fact that the inherited structure had implications for ethnic minorities in the country both in terms of access to power and distribution of resources.

The question of ethnic minorities in multi-ethnic societies usually involves a number of factors such as ethnic marginalisation, ethnic domination, and ethnic deprivation. In all of these, perception appears to be the most critical (Osaghae 1998:20) because it is much more significant than the reality or substance. Should reality, domination, marginalisation and exclusion be absent, the perception of their existence is important. Nigerians have witnessed an unyielding fear of domination of the South by the North, of the North by the South, minorities by the majorities, majorities by the minorities, among other things. These fears, which are entrenched, are predicated on perceptions.

Again, federalism is supposed to be the ideal form of government for polyethnic states like Nigeria; but the practice over the years (including the Olusegun Obasanjo era from 1999-2007) has been to undermine the federal principles as the trend has been towards unitarism. In other words, Nigeria's current governmental system is pro-federalist in theory and by proclamation, but substantial unitary practices exist in its operations. This contradiction, exemplified by the incessant crises bedeviling the polity, is captured by that eternal phrase: 'the Nigerian question,' a euphemism for the disproportional distribution of power among the various ethnic

groups and geopolitical centres. However, federalism still provides, perhaps, the only avenue for resolving the Nigerian question.

A correct application of federalist principles will create symmetry between the country's ethnic nationalities and /or constituent parts and the distribution of political and economic power. Until that is done, federalism, as practised by the Obasanjo administration, is bound to be associated with problems of various dimensions, which are not likely to promote peace, particularly within the minorities' enclave. This is likely to be so because the level of power imbalance between the majority and minority ethnic groups, and among the tiers of government on the other hand, is overtly demonstrated in the kind of master/servant relationship between the Federal Government and the states.

The power differential between the Federal Government and the 36 states is so huge that the latter are literally left at the mercy of the former. For instance, the 2011 new minimum wage across the country is a policy initiated by the Federal Government which implementation is being foisted on the state governments. The Federal Government has exclusive control over the 68 items on the Exclusive Legislative List in the 1999 Constitution and shares with the states control over the 30 items on the Concurrent Legislative List. The Federal Government receives the largest share of the Federation Account. This arrangement gives the Federal Government such tremendous interventionist powers that the country is in reality a *de facto* unitary state. In fact, an objective description of the relationship between the Federal Government and the 36 states will not deviate much from a description of the unitary system. The actions of the Obasanjo administration reinforced this tendency. This can be illustrated by the seizure of subventions accruing to local government councils in Lagos State from the Federation Account against the express directive of the Supreme Court. Actions such as this undermine the principles of federalism.

A federal system of government is brought into being when several political entities or states form a central political unity but remain independent in internal affairs. Federalism unites these disparate and separate polities into an overarching political system in such a way as to allow each to maintain its own fundamental political integrity. Federal systems recognise multiple power centres and are animated by principles that emphasise negotiation and coordination among the power centres.

The first principle is a written constitution that establishes the terms by which power is shared among the states constituting the federal union. The constituent states retain the right to make their own constitutions and the power to enforce their own laws, including control over their own police forces. They also retain control over their own resources and contribute, according to an agreed formula, to sustain the Federal Government.

The second important principle sustaining a federal system is non-centralisation which, in practice, requires that power is diffused among a number of substantially self-sustaining centres. It also requires the division of territory, population and wealth in such a way that it promotes neutrality and equality in the representation of the various groups and interests in the country.

A true federal arrangement provides direct lines of communication between the citizenry and all tiers of governments that serve them. Where the communication lines are reinforced by the right of the people to elect their representatives to all tiers of government, the federation evolves a national ethos and a sense of national identity that transcends primordial ethnic divisions. The disparate groups are fused into a nation; the state becomes the focus of identification and self-realisation for all its citizens. The absence of such a common national ethos, our failure to fuse the disparate ethno-religious groups in the country into a nation, demonstrates the weakness of Nigerian federalism towards political accommodation.

In contemporary times, the problem is becoming much more complex and so it cannot be resolved in isolation, be it Niger-Delta or North or South. Again, it is obvious that the minority problems are far from being abated because of the constant dominance of the majority groups including the ruling elite. The case of the Niger Delta seems to be unique in view of the high level of environmental degradation and pollution as a result of oil exploitation over the years. In view of this, the whole movement, the clamour for democratisation, social justice, resolution of the national question, which tends to involve the minorities alone has initiated or provided an enabling environment for the indigenes of South-South to fight for their legitimate rights. In this wise, the youths of the Niger Delta are vehemently demanding from the government the application of the principle of derivation in sharing the nation's revenue allocation (Osaghae 1998:21). This is considered important, particularly to the

part of the country where the revenues and resources are derived, if the benefits must accrue to them as major producers of oil, which has since formed the greatest percentage of Nigeria's export earnings.

The major problem with the minorities in Nigeria, particularly the southern minorities (the Niger-Delta), is that all the attempts made so far to articulate the feelings of the people, who are in the oil-producing areas, though forceful, are not coordinated and consistent. This partly explains why the indifference of the Federal Government and the oil companies operating in the region has continued without regard for the devastation of the land, marine life and the entire environment of the Niger Delta. Although efforts are being made to bring about meaningful development to the region, a lot still needs to be done as there are no roads in place, because as the Willinks Commission noted much earlier, the topography is very difficult to deal with. However, the scenario is gradually changing in view of the serious uprising by various interests groups within and outside the region. On the other hand, the oil companies, for a long time, have argued that they are not obliged to develop these areas; that primary responsibility belongs to the state government. This conception is equally taking a new positive perspective as oil companies are today involved in the development of oil-producing areas including the award of various scholarships to many Nigerians especially indigenes of oil-producing areas.

Apart from the near absence of physical development of the region, another sore point is the denial of indigenes of the area access to the corridor of power. Rather than be at the centre, the minorities are found on the periphery of power (this trend has recently been altered by the appearance of President Jonathan at the centre), which is debasing. What is more painful is the fact that most of Nigeria's petrol-dollar millionaires live very far away from the source of oil production. How many of them have cared to empathise with the psychological feelings of powerlessness and political marginalisation of the minority ethnic groups of Nigeria? Those who care, if at all, are likely to be very few. However, now that President Jonathan is in power, one is not too sure if there will be any major departure; and with time the trend would be known.

In a fundamental sense and without preempting the study's recommendations, the problem of marginalisation of minorities, coupled with other events in minority areas, brings to mind the necessity of adopting power-sharing mechanisms as

prescribed in the consociational model to ensure national unity. This reminds us of the significance of the ruling Peoples Democratic Party's zoning system that had been put in place since 1999, which was almost truncated during the 2011 party primaries. To a large extent, it has helped to fairly distribute spoils of office at the top echelon; and it has enhanced involvement of the minority group in governance. Perhaps, a system of grand coalition at the national level with in-built mechanisms of mutual veto, proportional representation and segmental autonomy will go a long way in enhancing national unity and integration. As Bangura succinctly puts it:

...power sharing arrangements, in which all groups are represented in government, have the advantage of ensuring stability and of getting the parties that would otherwise be locked in conflict to understand each other's interests and develop a system of trust in governing the country. Such arrangements have the additional advantage of establishing a basic level of consensus in the management of the instruments of violence as all parties may be represented in the key institutions that deal with security (Bangura, 1994).

Thus, in the Nigerian context, a grand coalition will draw representation not only from the various states of the federation, but also from such interests as minorities, professional groups, students, workers and the peasantry. In an ideal federal system, it is imperative to regulate the relationship between the various groups within the polity in the context of national unity. Also, component units do find their respective powers and functions clearly defined and guaranteed in such a way as to strike a compromise between local particularisms and national integration (Abubakar 1998). This is yet to manifest in Nigerian federalism. Rather, the lack of a proper power-sharing model has been creating some tensions, reactions, conflicts, stresses and strains that have come to characterise the daily politics of the federation¹⁴. However, the particular complexion which a country's federal system takes reflects its diversities, historical experiences and the disposition of its peoples at a particular point in time.

¹⁴ For a long time now, one of the greatest problems the Nigerian federalism is faced with is the problem of asymmetric power-sharing relationships between and among the disparate component units of the federation. The federation is engrossed in mutual accusations and counter accusations of domination and marginalisation.

In Nigeria, the belief of the minorities is that they suffer a lot of deprivation, injustice, and underdevelopment in the hands of national or regional majority ethnic groups who control political power and use it to their own sectional interest and, 'selfish' advantage (Roberts 1996:12). However, minority groups vary, depending on whether they are geographically concentrated or dispersed, whether they seek participation in, or isolation from, the broader political system, and whether the policies of the majority groups are made to enhance the liberation, continued subordination or elimination of such minorities (Amersfoort 1978:228-232). Whatever may be their given framework or dimensions, however, there can be little doubt that minority problems represent the most common, disruptive and explosive examples of ethnic conflict situations as findings in other federations indicate.

In contemporary times, the general concern has been how to formulate a framework for the working of the Nigerian state that would guarantee all segments of the polity a feel of belonging by having actual access to all significant positions and offices of the state (Olaitan 1998:141), which may have contributed to the criminalisation of the struggles of the minorities in the Niger Delta region. To reach a consensus in this sphere of Nigeria's national life has been very difficult. This is made difficult in recent times because the greatest minority problems are in the Niger Delta, due to the fact that the Niger Delta is the major oil-bearing part of the country. This makes the question of the minorities in general and the Niger Delta in particular to be very serious and, therefore, demand immediate attention by the government because what is going on in that part of the federation is like a civil war.

The prevalent feeling among the people of the Niger Delta, the geographical area from which the greatest proportion of Nigeria's wealth is generated, is that which is coloured in dejection and frustration. Today, poverty reigns unhindered in a land that produces the wealth of the nation and lubricates the engine of its economic and political life. The picture of the oil communities is, to say the least, pitiable. The basic necessities of life are mostly absent in these communities. Therefore, behind calls for the restructuring of the federation is deep-rooted anger that those who have government and political power have failed to use the resources for the benefit of others, but for themselves or for the geographical areas they come from. In this wise,

the minorities have suffered more than the majority ethnic groups. It is even worse in terms of appointment to offices and government parastatals.

It is against this background that the issue of devolution of power, among the interethnic groups, has remained a recurring one. It has been so much so due to Nigeria's unique federal structure and the complexity of the society. The problem of devolution of power is one which successive governments in this country have had to contend with, the various attempts at constitution-making in Nigeria have also given attention to it. The attempts made to resolve the crisis include provisions of the 1975 Constitution Drafting Committee and the attendant provisions entrenched in the 1979 Constitution, provision of federal character principle, the quota system, the recommendations of the constitutional conference (1975) and provisions in the 1995 Draft Constitution which include the rotation of the office of presidency, vice-president, prime minister and its deputies, the creation of federal character commission, and the establishment of a devolution of powers committee.

The practice has been such that merit has been made to play a secondary role which has generated resentment on the part of those who have considered themselves marginalised politically. It is in recognition of this fact that many Nigerians have been calling for rotation of the presidency in the country's political process. The system of rotational presidency would seem to enjoy consensus among many Nigerians and, to this extent, it gained a momentary recognition during the reign of General Abacha, through its provision in the discarded 1995 Draft Constitution. In any case, the segmented nature of the Nigerian federation demands that a system of power sharing in the form of rotational presidency be introduced if the divided people of Nigeria must be united as well as for purpose of ensuring political stability (Akinola 1996). The February 1999 power shift in the presidency to the South is a case in point.

Unfortunately, in spite of the central position that the southern minorities occupy in terms of providing the greatest percentage of national revenue, they have hardly been given their merited and desired place in terms of development and distribution of goods and services including some share of political offices. The emergence of a strong and unchallenged centralised post-war distributive state raises the vital issues of control; with the opportunity it provides the ruling class, political leaders, private interests and their bureaucratic allies for primitive accumulation and

personal enrichment at the expense of the producing masses. For some time, the question of revenue allocation and proliferation of states have indeed challenged the structural equilibrium of the Nigerian federation, while the southern minorities have become the nucleus of minority agitation against perceived continuous marginalisation in the on-going distribution struggle.

Debates over revenue allocation and state creation intensified amidst the growing political dominance of the North, which succeeded in controlling federal executive power in Nigeria for a longer period than any other region in the country. From time, the predominantly-Muslim North which resisted integration with the largely-Christian South, has progressively survived on its twin strategies of regional autonomy and unchallenged control of the emerging national centre (Eteng, 1997:133). Its northernisation policy means, in practice, effective exclusion of southerners from the northern public sector and the progressive control of every single sector of the nation's political domain by northerners. The so-called "Kaduna Mafia" has been reportedly identified by southern and other "minority" critics as a powerful institution nurtured with public resources for perpetuating northern hegemony, and for safeguarding its regional and federal interests in politics, business, education, religion and the military (Othman, 1984).

For a very long time and, until the Obasanjo administration (1999-2007), Northern dominance was reflected in the control of strategic positions in the public service, the military, and virtually every other sector of the state's coercive command posts, be it in the military council, judiciary, police, prisons, internal security, customs and immigration, road safety corps and others. Within these institutions, recruitment, promotion and retirement/dismissal are effected at the behest of the military's northern-controlled leadership (Osaghae 1984; *The News* 8 April, 1996: 16-23 and *Newswatch* 24 February, 1992:26). Even the introduction of quota system during the military era did not stop the trend.

In all of these, the southern minorities' elite have continued to benefit from the hegemonic rule of the northern elements as a result of the various state creation exercises between 1967 and 1996. All the same, wealth and opportunities have always flown from those who control political power, which until May 29, 1999, resided in the north outside the control of the minorities, even northern minorities. The elite from the

oil-bearing minority areas and other southern states, who gain from the prevailing prebendalism, generally do so as obsequious clients of the pandering northern oligarchy, consisting of the military-brass, traditional rulers, business tycoons, political elite, professionals, intellectuals and technocrats (Eteng 1997:132). The magnitude of demand for the creation of new states since the 1950s, though regularly spearheaded by the leaders of the minorities (beneficiaries), partially reflects this sense of alienation from the federal, state and local government loci of power. Therefore, the fact that the number of states created has risen from 12 to 36 between 1967 and 1996 has not stopped agitations for further restructuring of Nigeria.

The important point to stress here is that the northern hegemony policy started, first through skillfully-crafted political domination based on the exploitation and manipulation of every single political miscalculation of southern leaders. This political power was then systematically employed to transfer resources from numerically-weaker groups to develop not necessarily the dominant areas, but to enrich themselves (the ruling class and their immediate families and cronies) to the disadvantage of the weak and marginalised periphery on one hand and the poor masses on the other. This process of oppressive political elite/ethnic domination and peripheralisation has become more marked in Nigeria's oil-bearing enclave and its subsumed communities in the newly-created minority states (Eteng, 1997). To prove that it is more of elite domination than ethnic, even the huge resources that have accrued to the minority states as a result of being oil-producing states have not translated into commensurate development. The governors and their political allies have diverted the oil money to the states into their private pockets and huge foreign banks accounts through money laundering and other machinations. It is a paradoxical phenomenon.

The marginalisation and strangulation of the economically strategic Niger Delta region have been further worsened by the activities of multinationals, especially oil companies and state-owned companies. This is usually done by exploiting their numerical strength and extensive privileged access to existing opportunity and distribution networks as the major groups in power infiltrate available economic enterprises to forge a conspiratorial alliance between multinationals and the dominant groups, at the expense of the minorities. This tendency, and the serious attendant developmental problems, is pronounced in the areas of employment, social services,

infrastructural and general socio-economic development and popular participation. This condition is further worsened by the regular environmental degradation, perpetrated through what its victims call ecological terrorism (Naanen 1995:50) with genocidal effects (Saro-Wiwa, 1992; Ikporukpo, 2007). This is the place of minorities, especially the South-South minorities, in Nigerian federalism.

3.5 The Minorities, Political Leadership Sharing and Resource Implications

As a practice in most societies of the world, power sharing can be carried out at both horizontal and vertical levels. The horizontal entails dividing power between the three arms of government, which in well-arranged systems, provides a place for the minorities as well. The separation of power appears theoretically neat, but in Nigeria, it is defective and retrogressive, especially because the minorities are in many instances disadvantaged in terms of who occupies which position in the three branches of government. For instance, the legislative arm is dominated by the major ethnic groups such as the Hausa/Fulani, Yorubas and Igbo especially in the House of Representatives. This has been so because each state is represented on the basis of the number of local government areas, and since the major ethnic groups have more LGAs than the minority groups, they have more members in the lower legislative chamber. The same majority ethnic groups control the leadership at the Senate, and therefore, the entire National Assembly.

In the days of regionalism in Nigeria, ethnic minority groups had no access to political leadership within their respective regions. As Akpan has aptly observed, the minority groups were then faced with the prospect of political assimilation, at best; or discrimination and exploitation, at worst (Akpan, 1989:132). None of the minorities' political parties in the three main regions, the North, East and West, could command any appreciable leadership in their respective regions which implies an uphill task at the national level.

Certainly, none of the three major political parties, respectively controlled by the three dominant ethnic groups, could in spite of huge expenses and regional local alliances, make significant success (in terms of winning election) in regions other than their patron ethnic ones. Secondly, within the respective regions, the results of pre-independence elections showed that minority ethnic groups voted for minority parties

led by members of their respective groups, or for any of the major political parties supported by their community leaders (Akpan 1989:133).

Again, experience during the period of regionalism and the attitudes of the major ethnic groups towards their desire for self-determination through the creation of more states in the country, seemed to give the impression that the dominant ethnic groups wanted to have the ethnic minorities as part of their local empires. Perhaps, with the possible exception of Chief Awolowo who was acting both in conformity with his deep faith in federalism based on ethnic groups, and in order to win the political support of the minorities in his bid for federal leadership at the centre, all the leaders of the majority ethnic groups of Nigeria's First Republic were absolutely opposed to any idea of breaking up their regions into states or smaller-regions for which, as observed, the minorities in all the respective regions had been agitating.

Before the creation of states in 1967, each of the political regions of Nigeria was clearly large, strong and wealthy enough to be a country on its own. Prior to the Biafran abortive secession which led to the 1967-70 civil war, each of the dominant regions (Northern, Western, and Eastern) had actually threatened to secede from the country at one time or the other. It was such threats which fuelled the passionate desires of the ethnic minorities in the respective regions to be separated from the regional majority ethnic groups into states of their own within a united Nigeria. In fact, it was the strong pressure by ethnic minorities in Eastern Nigeria that partly influenced the creation of 12 states in 1967 (Akpan 1989:135).¹⁵

For instance, right from the First Republic to 2010,¹⁶ no minority citizen ascended to premiership or presidency (Table 3.2) under the democratic process. The highest post a minority (save in military regime when General Gowon - northern minority - was a Head of State) attained was that of Senate President during the First and Second Republics during which Chief Dennis Osadebay and Dr. Joseph Wayas were presidents of Senate, respectively. Even at this, Chief Osadebay was a minority

¹⁵ In the light of these developments, the National Concord of 18/1/83 opines: it is as clear as crystal, save of those with tribal smoky glasses, that using the conventional yardstick of numerical democracy as the sole determinant for appointment to topmost posts, no minority person might ever qualify, whatever his mental and other attributes, to be this nation's Head of State...

¹⁶ The ascendancy to presidency by Goodluck Jonathan on February 2010 after the death of President Yar'Adua actually changed the existing scenario for the southern minority groups.

Table 3. 2: Leadership at the National Assembly

Periods	Senate		House of Representative	
	President	Deputy President	Speaker	Deputy Speaker
First Republic	Dr. Nnamidi Azikwe (Igbo) 1960-63 Chief Dennis Osadebay (Igbo) 1963-64 Nwafor Orizu (Igbo) 1964-65	Oba Adeniji Adele II (Yoruba)	Alhaji Ibrahim Jalo (Hausa-Fulani)	Dr. B.U. Nzeribe (Igbo)
Second Republic	Dr. Joseph Wayas (Southern minority)	John Wash Pam (Middle belt minority)	Hon. E. Ume Ezeoke (Igbo)	Alhaji Idris Ibrahim (Hausa-Fulani)
Third Republic	Prof Iyorchia Ayu (Middle Belt minority)	Albert Legogie (Edo)	Mr. Agunwa Anaekwe (Igbo)	
Fourth Republic	i. Chief Evan Enwerem, ii. Dr. Chuba Okadigbe, iii. Anyim Pius Anyim, iv. Adolphus Wabara, v. Ken Nnamani (i-v all Igbo); vi. David Mark (middle Belt minority)	i. Alhaji Haruna Abubakar, (Hausa-Fulani) ii. Senator, Ibrahim Mantu (Middle Belt minority); iii. Ike Ekweremadu (Igbo)	i. Alhaji Ibrahim Salisu Buhari, ii. Ghali Na'Abba, iii. Bello Masari (Hausa/Fulani), iv. Dimeji Bankole (Yoruba), v. Aminu Waziri Tambuwal (Hausa/Fulani)	i. Mr. Chibudom Nwuche; (southern minority-Rivers) ii. Austin Okpara Southern minority-Rivers); iii. Usman Bayero Nafada (Hausa-Gombe), iv. Nkem Ihedioha (Igbo)

Source: Compiled by the Author.

only in the context of the region he was born into; in terms of ethnicity, he was a member of a majority ethnic group (Igbo).

In short, the oil minority groups virtually lost out for long time in the power-sharing arrangement (leadership positions) particularly as it relates to national presidency, positions in the Senate and the federal cabinet. For instance, Delta State, a major oil-producing state had only one junior minister out of the 54 members of the Obasanjo (1999-2003) federal cabinet. Nevertheless, they had conciliatory offers of being Secretary to the Government of the Federation, and head of all service chiefs (in the Obasanjo administration), including the all-powerful Nigeria National Petroleum Corporation in which the minorities produced the chief executive in the 1999-2003 dispensation.

With reference to the stated scenario, Ayoade summarises the position of the minorities in the Nigerian power-sharing arrangements as follows:

The Northern minorities enjoy a higher ranking in the conventional order of precedence which is as follows: Hausa-Fulani Muslim, Hausa-Fulani Christian, Northern minority Muslim, Northern minority Christian, Southern minority Muslim (if any), Southern minority Christian, Southern majority Muslim and Southern Majority Christian. The importance of the offices given to the various groups varies according to this rank order. Southern minorities are ranked higher than Southern majority groupings. This is to be expected because no sane soldier arms his enemies. The distribution of the critical Ministries of Defence, Agriculture, International Affairs, Industries, Solid Minerals, Finance and Petroleum Resources tell the story of the political balance in Nigeria. More recently, leadership at the Petroleum Trust Fund further confirms the hierarchy of Nigerian peoples (Ayoade 1997:10).

Until recently all through the 51 years of civilian and military rule, out of the thirteen different regimes the country has had, only two of the heads of government (Head of State), General Yakubu Gowon and Dr. Goodluck Ebele Jonathan, from northern and southern minority groups, respectively, the rest came from the dominant Hausa-Fulani, Yoruba and Igbo ethnic groups (Table 3.3). Even among the dominant three, the Hausa-Fulani has dominated the other two, having produced the head of government (at the federal level) eight times as against three times for the Yoruba and once for the Igbo. Again, it can be argued in the case of General Yakubu Gowon that it was a circumstantial situation, aided by the civil war which demanded a compromise in the choice of the head of government at that point in time.

The case of the place of minority groups in the power-sharing scheme becomes worse when examined at the vertical level. Without repeating what has been discussed in the section on power-sharing among the tiers of government, it suffices to say that the minorities are relegated to the background in the process of power-sharing as both the states and local governments are highly dominated by the Federal Government (Bretton 1973). The minorities would have, perhaps, had access to power first, if each minority group were to have a local government created for it so long as it meets the minimum requirements; and second, if the local governments were to be allowed by the state and federal governments to exercise their local autonomy meaningfully.

Table 3. 3: Distribution of Political Leadership at the Presidency by States and Ethnic Origin (1960-2010)

Date	Name (Ethnic Origin)	State
October 1960 - January 1966	Sir Abubakar T. Balewa (Hausa/Fulani)	Bauchi
January 1966 - July 1966	Gen. J.T.U. Ironsi (Igbo)	Abia
July 1966 - July 1975	Gen. Yakubu Gowon (Ngas - Minority)	Plateau
July 1975 - February 1976	Gen. Murtala Mohammed (Hausa/Fulani)	Kano
February 1976 - October 1979	Gen. Olusegun Obasanjo (Yoruba)	Ogun
October 1979 - December 1983	Alhaji Shehu Shagari (Hausa/Fulani)	Sokoto
December 1983 - August 1985	Gen. Muhammadu Buhari (Hausa/Fulani)	Katsina
August 1985 - August 1993	Gen. Ibrahim B. Babangida (Hausa/Fulani)	Niger
August 1993 - November 1993	Chief Ernest Shonekan (Yoruba)	Ogun
November 1993 - June 1998	Gen. Sani Abacha (Kanuri)	Borno but lived in Kano in his life time.
June 1998 - May 1999	Gen. Abdulsalami Abubakar (Hausa/Fulani)	Niger
May 1999-----May 2007	Gen. Olusegun Obasanjo (Yoruba)	Ogun
May 2007-May 5, 2010	Alhaji Umaru Musa Yar' Adua (Hausa/Fulani)	Katsina
May 6, 2010 Till Date	Dr. Goodluck Ebere Jonathan (Ijaw-minority from south-south)	Bayelsa

Source: Compiled by the author.

The fact remains that very few ethnic minorities have their own local government areas carved out for them but, even at that, they lack the desired autonomy which renders the power-sharing scheme a sham. Yet, inter-ethnic power sharing occupies the most critical position compared to other types of power-sharing mechanisms in multi-ethnic societies.

Prior to Nigeria's political independence, each of the three major political parties in the country was identified with one of the three major ethnic groups. The National Council of Nigerian Citizens (NCNC) which started in 1944 as the National Council of Nigeria and Cameroons was the only party which strived to reflect a national outlook although it came to be dominated by, and identified with, the Igbo of eastern Nigeria. The creed of the Northern Peoples' Congress (NPC) was north for the northerners, east for easterners, and west for westerners and the federation for all.

In each of the three regions at that time was at least one opposition party led and supported by members of minority ethnic groups. Also, the government party was dominated by the majority ethnic group. It was as part of the attempt to control the federal legislature that the three major groups stepped on each other's toes. The position taken by each minority group in the political drama that ensued depended very much on what its leaders considered to be in the best interest of the group. As a rule, candidates for parliament had to be indigenes of the constituency. Other Nigerians who had spent even up to twenty years as residents in a given constituency were still considered to be "aliens" who could not be supported at the poll while politically-minded "aliens" were normally expected to go to their home districts to canvass for votes.

When in 1951 the NCNC won the election over the Yoruba-dominated Western Nigeria House of Assembly, many prominent Yoruba politicians became extremely uncomfortable with the prospect and could hardly tolerate it. The immediate result was the infamous mass "carpet-crossing" by Yoruba NCNC parliamentarians into the Yoruba-led Action Group (AG). Consequently, the AG, which was defeated at the polls, ended up forming the government in Ibadan while the NCNC, which won the election, was forced to form the official opposition.

It is well known that there is the problem of minorities' lack of cohesion, cooperation and management of inter-ethnic relationships both in the past and now as currently exemplified by the escalating incidents of violence in the Niger Delta; but this does not justify policies of injustice, insensitivity and pretension on the part of the majority-dominated governments. It is against this backdrop that one must examine the demands and actions of Nigeria's indigenous minority populations. As they see wealth derived from their local resources used to transform rural villages into modern cities with full amenities in other parts of the country, they should be understood if they are impatient and demand an expeditious development for their areas.

Hitherto, most of the minorities' fears have included the following: First, it concerns the misuse and abuse of law and order against ethnic minorities, particularly in the 1950s and early 1960s by the native authorities which were controlled by the traditional chiefs and district officers. Second, in public appointments the minorities have often been placed at disadvantaged position through discrimination and

exclusion, the effects of which have been increasing. Third, the ruling parties manipulate elections, especially through rigging, in minority areas, usually through the incumbency factor and the manipulation of powerful traditional rulers to support the government. Overall, there has been political domination against the minorities in terms of outright exclusion from, or being allowed minimal participation in, substantive socio-political decision-making organs and processes, as well as non-recognition of minorities' popular mass organ and traditional rulership, and conscious efforts to suppress minority opposition parties. Besides, at different periods in Nigeria's political history, undue taxes have been levied on the minorities essentially to extort them without commensurate socio-economic and political participation. The attendant effect of these developments has been the ever-prevalent inequality and discrimination in the allocation and distribution of scarce resources.

As indicated above, apart from the First Republic, the Second Republic did not in any way improve on the opportunities and benefits which accrued to the minorities in terms of power-sharing arrangement. At the presidency, the Hausa-Fulani as usual that held sway while the Igbo occupied the position of Vice President. At the National Assembly, the southern minorities provided a candidate (Senator Joseph Wayas) as the Senate President while the Igbo ethnic group occupied the position of Speaker at the House of Representatives. On the other hand, the service chiefs and security chiefs were essentially either Hausa/Fulani or Yoruba; the Police, for instance, was Yoruba in the person of the Inspector General of Police (IGP), Sunday Adewusi. Nevertheless, a few of them were from the northern minorities especially the service chiefs.

The long period of military rule was even worse as the share of power and distribution of resources became more lopsided against the minorities. This acquired a notorious trend during the post-Okar coup in 1990 (Ibrahim Babangida's regime) and the Sani Abacha dictatorship. The present 36-state structure in the federation, including the 774 local government areas created by the military can hardly be said to have favoured the minorities in Nigeria. Table 3.4 shows the disproportionate representation of the minority ethnic groups; yet, allocation of resources and sharing of offices are often determined by the number of states and local government areas.

Table 3. 4: Distribution of Constituent Units and Constituencies in Nigeria

S/No.	Zone	LGAs	Status of Dominant Ethnic Group(s)	Population (1996)	Senatorial Districts	Federal Constituencies
	South-East					
1.	Abia	17	Majority	2,195,654	3	8
2.	Anambra	21	Majority	3,227,908	3	11
3.	Ebonyi	13	Majority	1,674,654	3	6
4.	Enugu	17	Majority	2,452,980	3	8
5.	Imo	27	Majority	2,798,274	3	10
	South-South					
6.	Akwa-Ibom	31	Minority	2,746,812	3	10
7.	Bayelsa	08	Minority	1,327,605	3	5
8.	Cross River	18	Minority	2,206,167	3	8
9.	Delta	25	Minority	2,953,001	3	10
10.	Edo	18	Minority	2,475,953	3	9
11.	Rivers	23	Minority	3,772,748	3	6
	South-West					
12.	Ekiti	16	Majority	1,738,151	3	6
13.	Lagos	20	Majority	6,947,191	3	24
14.	Ogun	20	Majority	2,660,305	3	9
15.	Ondo	18	Majority	2,523,301	3	9
16.	Osun	30	Majority	2,406,151	3	9
17.	Oyo	33	Majority	3,985,397	3	14
	North-Central					
18.	Benue	23	Minority	309,354	3	11
19.	Kogi	21	Minority	2,417,897	3	9
20.	Kwara	16	Minority	1,765,095	3	6
21.	Nasarawa	14	Minority	1,433,781	3	5
22.	Niger	25	Minority	2,795,172	3	10
23.	Plateau	17	Minority	2,389,662	3	8
	North -East					
24.	Adamawa	21	Majority	2,366,446	3	8
25.	Bauchi	20	Majority	3,303,470	3	12
26.	Borno	27	Majority	2,927,251	3	10
27.	Taraba	16	Majority	1,723,773	3	6
28.	Gombe	11	Majority	1,718,880	3	6
29.	Yobe	17	Majority	1,575,739	3	6
	North-West					
30.	Jigawa	28	Majority	3,237,204	3	11
31.	Kano	44	Majority	6,876,681	3	24
32.	Katsina	34	Majority	4,225,196	3	15
33.	Kebbi	21	Majority	2,328,661	3	8
34.	Sokoto	23	Majority	3,029,397	3	11
35.	Zamfara	14	Majority	2,130,427	3	7
36.	Kaduna	23	Majority	4,599,937	3	16

The Obasanjo civilian administration (1999-2007) offered the best opportunities to the minorities in terms of a fair access to power. For instance, all the service chiefs between 1999 and 2003 were virtually from minority ethnic groups. For the first time, minority personnel were appointed to head strategic and important parastatals such as the Nigerian National Petroleum Corporation (NNPC), which for years remained the preserve of the Hausa-Fulani hegemony. It is apparent, therefore, that for minorities to be relevant in Nigeria's power-sharing system, important bodies such as the NNPC and NDDC, including the post of Minister for Petroleum Ministry,¹⁷ must be headed by indigenes of oil-producing states just as the Minister for Federal Capital Territory has remained exclusive to northern indigenes.

Also, the Obasanjo Administration improved on the appointment of Federal Cabinet Ministers (16 out of the 49 members came from the minority ethnic groups between 1999 and 2003) in favour of the ethnic minority groups. What is more, the 13 per cent of the Federation Account based on derivation principle was for the first time paid to the oil-producing states comprising mostly minority groups, while the issue of development of the Niger Delta was equally given positive attention, the slow pace notwithstanding. Even at this, much is still required towards minorities' access to power and resource distribution in the country as shown on Tables 3.2 and 3.3. For instance, of the 207 positions (which include ministers, special advisers, special assistants permanent secretaries and ambassadors) created by President Obasanjo during his first term (1999/2003), only about 57 (about 27.5%) were from the core minority states of the federation.

It is against this backdrop that minorities in Nigeria have always shared the view that a genuine attempt to ensure that the multi-ethnic character of Nigerian society informs the structure of the Nigerian federation whenever states are created must reckon with the number of the ethnic groups and their linguistic boundaries. For instance, as far back as 1966, a group of Efik-Ibibio leaders met at Uyo and resolved that "an ideal constitution for Nigeria must seek to create a federation of states in such a way that, so far as may be possible, the separate states in the federation can express their communal loyalties" (cited in Afigbo, 1987:30).

¹⁷ For instance, only three indigenes of oil-producing states were made Minister for Petroleum Ministry between 1993 and 2010 out of over eight ministers the ministry had during the period.

Of course, there is no doubt that the minority ethnic groups have, since the incursion of the military into Nigerian politics, been relatively freed from the stranglehold of the three majority ethnic groups, through series of state creation though there is still room for more freedom and self-autonomy. Also, there is no doubt that the present state structure, on which many of the provisions of the new constitution are predicated, is yet to offer a reasonable proportion of the identifiable ethnic groups of Nigeria the much desired right of internal self-determination. Thus, the present 1999 Constitution does not fully and satisfactorily reflect the “federal character of the Nigerian society”. One can only hope that the flexibility of the presidential system of government and the emergence of enlightened statesmanship in the new democratic dispensation which has for long eluded Nigeria will help to close the gap between the logical demands of the primordial elements which make up Nigeria’s federal society and the actual offerings of the constitution.

At this juncture, it is important to note that from the colonial era a number of efforts have been made, some constitutional, some administrative, to reconcile the multi-ethnic groups which make up Nigeria. By 1958, Nigeria became “a federation of an unusual composition” among other things, because, “in each of the three regions it was possible to distinguish between a majority group of about two-thirds of the population and minority groups amounting to about one-third” (Nigeria, 1958:1). Perhaps the actual problem started with the constitutional arrangement in the country. The initial constitutional arrangement whereby the Northern Region had as many seats in the central legislature as the West and the East put together gave the first spectre of the fear of northern domination; that is, the constitution tended to guarantee the dominance of control of government by a particular region. This is despite the fact that in theory, all the past constitutions made provision for each cultural group’s protection, equality and fair treatment especially in the distribution of political power, economic resources and social amenities (Pongri, 2003:121). In practice, this has not been the case. Some imbalances have existed within regions and between cultural and religious groups, which led to feelings of despair in some sections. One would have thought that by adopting such constitutions, we have accepted the nation’s diversities as given. But instead of seeking to eliminate or narrow differences, the ruling elite decided to sustain them for too long. The trend is also favoured by the fact that politics thrives on

numbers and it is those who have more numbers that win and continue to rule. Since it is a game of numbers, the question of best candidate never arises.

The minority groups constantly demanded their separate states during the series of constitutional conferences in the pre-independence and post-independence periods. In spite of this enduring struggle, the failure to adequately address the problem of minorities persists. Whereas the major ethnic groups get more states and, therefore, more federal patronage, the minorities get a proportionally less number of states and end up as losers. For instance, out of the six new states created in 1996, only two belong to the minority group, while the remaining four belong to the main ethnic-groups. Again, out of the 36 states of the federation, only 12 of them belong to the minority groups (Table 5. 4), which shows the fraction of the nation's resources that goes to them and the limits of power they can equally wield by way of representation at the various governmental levels.

Though the minorities account for as much as 55 per cent of the population, they have only about 35 per cent of the states while the other big three groups possess a disproportionately high 65 per cent of the nation's states and, by extension, resources (*Newswatch* 15/7/96). The injustice of the system takes a frightening dimension as the producers of oil, contributing the greatest proportion of the nation's wealth, are the southern minorities who get less. The gross inequalities have in the past led to the Movement for National Reconciliation and the Ogoni formula calling for federations based on nationalities and historical ties (Benjamin 1999a).

The various minority associations, particularly the minorities in oil-producing communities, have thus called for the restructuring of the country (Roberts, 1994a, 1998; Benjamin, 2010) in a manner that allows resource control and self-determination by the minorities within the federation. So heightened were the pressures that, in some parts of the Niger Delta, they led to local resistance to the continued oil exploitation. It was partly in response to the demands of the oil minorities and to mediate the contradictions spawned by oil that the Babangida junta raised the statutory allocation to mineral-producing areas to three per cent and set up the Oil Mineral Producing Areas Development Commission (OMPADEC) to administer the fund. But the gestures failed to stop the tension. The intensity of the demands for fiscal redress and the fundamental restructuring of the federation portend a crisis of state legitimacy and

the fostering of the unresolved volatile national question (Obi 1998:259). So far, efforts to impose a unitary system on Nigeria have failed, but several leaders have strengthened the power of the Federal Government through the seemingly paradoxical strategy of creating more states.

In contemporary times, the people of the Niger Delta's major demands include an increased share of oil revenue from the government, political self-determination, and ownership of resources in their area. They also want adequate compensation from the oil companies operating in the region for environmental degradation, having suffered enough the poisoning of their soil and rivers via the activities of the oil companies (*Newswatch* 15/7/96). Although a number of projects have been initiated by some oil companies for the region, the argument for continuing the war is that there is a wide chasm between what oil companies are taking away from the region and what they are ploughing back. So what is the crux of the matter? The minorities need more of the petro-dollar for their region. However, it should be acknowledged that, at the moment, the Federal Government has gone beyond rhetorics and military option in responding to the demands of the Niger Delta (southern minorities). In December 1999, the National Assembly unanimously passed the Niger Delta Development Commission (NDDC) bill.

The Federal Government, through the National Assembly recommended 13 per cent based on the N500 billion 2000 budget as the revenue allocation based on derivation, to the Niger Delta. This is a marked increase over the three per cent the Federal Government was disbursing to the region through OMPADEC. Nevertheless, the people remember that their share of the oil revenue was 50 per cent in 1967 and 20 per cent in 1973. Besides, a vocational training institute to train youths in the area has since been established and it is hoped that this would reduce unemployment and, consequently, violence among youths in the minority areas.

The crisis within the minority areas reached its zenith in contemporary times because of decades of insensitive misrule. From the Adaka Isaac Boro episode of the 1960s (the man who proclaimed an autonomous Niger Delta People Republic in February 1966), Ken-Saro-Wiwa in the mid-1990s to the Egbesu at the dawn of this millennium, it has been a sequence of crises in the Niger Delta. The level of poverty and underdevelopment in the area in spite of these resources forced youths in the area

to rise up in arms against the oil companies, the Federal Government and, indeed, the whole country. Until recently, attempts by oil companies and the Federal Government to pacify the youths failed.

This means that the killing of Saro-Wiwa by the Abacha government did not end agitations by the oil-producing minorities. Of recent, the struggle of minorities (especially the oil minorities) against the federal and state governments has intensified. The matter has raised critical questions on their continued membership of the Federal Republic of Nigeria, understandably in the light of their utter neglect even though they currently produce the greatest proportion of Nigeria's wealth. It is against this backdrop that the radicalised struggles of the oil minorities can be understood (Obi 1998).

The arrow head of this campaign were the Ogoni, a minority group in Rivers State with a population of about 500,000. This political struggle is pursued through the formation and activities of the Movement for the Survival of Ogoni People (MOSOP). By this singular Ogoni struggle, other ethnic minorities have been encouraged to assert their individual identities by making a number of economic and political claims on the Nigerian state. Other groups in this struggle include the Ethnic Minority Organisation of Africa (EMIROAF), the Ijaw Ethnic Minority Rights Protection Organisation and the Southern Minorities' Movement. These collective dimensions to Nigeria's political crisis signal a degeneration of the national question, and sustain scepticisms about the appropriateness of the federal arrangement (Naanen, 1995; Roberts, 1996:4, and Obi 1998, 1997).

In retrospect, although a need arose for the dominant groups to seek the support of minority groups during the First and Second Republics, it is apparent that no constitutional provisions existed for the minorities to play a direct leadership role in political party affairs. Yet, the pre-eminence of the dominant groups has been tacitly invoked. For, given the absence of homogeneity, geographical contiguity and ideological cohesion amongst the minorities, the political parties that emerged were bound to be controlled by the dominant groups which enjoyed a high level of economic and ideological cohesion.

As it were, political activity by the minorities was prodded on by the major political parties as a means of generating and increasing their own national following.

In other words, political benefit, rather than principles, accounted for the support of minority demands by the majority parties. To this extent, each party either opposed the creation of new states in its region of control or imposed unrealistic conditions for creating them while urging the creation of states in their rivals' region of dominance (Nnoli 1998:190).

The consequences of the foregoing include gross absence of equity in resource allocation and distribution as well as unequal sharing of power, resulting in abject neglect and poverty of people from whose territory the resources are being tapped. Besides, there is lack of harmony and integration in the socio-communal milieu, which expresses itself in inter-communal ethnic clashes. Examples are Itsekiri/Urhobo/Ijaw, in Delta State, Ife/Modakeke in Osun State; the Ijaw/Yoruba clashes in Ilaje and Lagos; the frequent religious riots in northern Hausa/Fulani states; the Tiv/Jukun and Tiv/Quapan clashes (Benjamin, 2002). These indicate that in contemporary Nigerian political economy, the question of minorities especially in relation to power-sharing and resource distribution has assumed a volatile dimension, and adequate attention has not been given to it.

In spite of this development, it is widely-believed that Nigeria is an exemplar in Africa in the exercise of power sharing. Besides, Nigeria is known to encourage the practice of inter-ethnic inclusiveness while discouraging sectional imbalance and bias in decision-making mechanism (Suberu 1996). This is illustrated by the principle of federal character, the allocation of political party positions among geo-ethnic zones (otherwise known as the *zoning system*). The other channel is the use or creation of inter-party coalition governments, all symbolising the mechanism of power sharing by the Nigerian political elite within the nation's federal framework.

However, these approaches have failed to yield the required result because of the distortive and frustrating manner in which they are employed by the dominating major ethnic groups coupled with the zero-sum politics in practice. Other limitations include the pitfalls and contradictions in the nation's code of law/status on power sharing and the associated abnormalities in the constituent units of the federation. A critical fallout of these limitations is the constant demand by the minorities for their separate state(s).

3.6 Power sharing and the Zoning System

In Nigeria, no single centre of federal power can keep in perspective the vast resources of the country. This makes it imperative for zones to be created in the country. This has informed the need for decentralisation of power and resources to a minimum of six zones to be able to mobilise the creative resources of the country for development. As it is today, most states are unable to respond to the needs of their people because they are small and poor and not economically viable. Thus, it is worthwhile for a number of states within a zone to come together (for them to survive as an entity and able) to deliver services to the people. The thinking is that creating zones out of states that share the same values and land-belt will facilitate strategic infrastructural and service delivery that none of the states can achieve independently.

Also, competition stimulates the growth of ideas and innovations. Competition keeps public officials constantly alert to their responsibilities. States (or zones), without the appropriate or competitive advantage, stand to lose inward investment opportunities to more business-friendly zones. The importance of competition between the states or zones is that it gives freedom of choice to all, therefore reducing to the barest minimum, the waste of funds and the inimical bureaucracy associated with multiplication of states.

During the Obasanjo administration, the Committee on Models and Structure of Government of the National Conference recommended the creation of six new states and sought constitutional recognition for zones. If that had been adopted, the recommendation would have made the country a 42-state structure in addition to the Federal Capital Territory (FCT), Abuja. Also, the Richard Akinjide-led committee recommended constitutional recognition for six zones – North-Central, North-East, North-West, South-East, South-South and South-West. The recommendation expected that the creation of additional states would promote equality of the zones. Although the Committee did not recommend in specific terms the number of new states to be created, the North-west's seven states became the yardstick for its consideration. With this, it was expected that two new states may be created in the South-east, which

currently has five, one each in North-East, South-South, North-Central and South-West.¹⁸

The argument canvassed against the state structure is that the states as they currently exist cannot stand up to the Federal Government. The proponents of a zonal structure feel that it will create a balanced federation and reduce cost of governance. The whole idea of the zonal structure is to dismantle the structure and have a lean government that will focus on delivering basic services to the citizenry. For example, by this arrangement, the number of ministers will be reduced while the states are also expected to reduce the number of commissioners.

Evidently, the subversion of federal democracy in Nigeria has been matched with a notable effort to reestablish it. This effort is reflected in the series of constitutional debates since 1947. Between 1960 and 1999, six different constitutions have evolved. Also, between 1963 republican constitution and the presidential constitution of 1989, the military has tinkered with various models of federal governance.

Prior to 1966, the constitution of the Federal Republic of Nigeria was separate from those of the three regions it inherited from the British colonial administration. Each of the three regions (later four with the creation of Mid-Western Region) had its own constitution the provisions of which reflected the diversity among them. Similarly, Nigeria's fiscal federalism then recognised the ever-existing diversity. Adequate measures were provided to ensure that regions developed in line with their natural resources endowment, level of social development and their perceived interests and priorities of the people of the relevant region. Unfortunately, the 1999 Constitution fails to make provisions for constituent states' constitutions. Rather the

¹⁸ At the 2005 National Political Reform Conference (NPRC), the South-East delegates became the chief advocates for the adoption of the present six geo-political zones structure as the federating units against the constitutionally-recognised federating units of 36 states and 774 local councils. The delegates affirmed the position espoused in the zone's memorandum, which stresses that the recognition of the zones as the federating units will be a positive attestation to true federalism. This, according to the delegates, is critical to the success of the conference as it provides the correct platform for strengthening the foundation of the unity of the country. This position runs counter with that canvassed by northern delegates. While the North opposed the agitation for zones to be made the federating units, other zones tactically stayed away from endorsing the call by the South-East (The Guardian, Monday June 13, 2005, p.8). However, the South-East earned the support of the South-South for the creation of more states in the South-East to bring it at par with the number of states in each zone. The South-East has the least number of states; where some other zones have six and seven states, the zone has five states.

attempt so far has been more in the direction of the personalisation of power, which is given constitutional legitimacy in the strong-executive presidential system. Constitutions can, of course, be changed as the need arises, but once established, they tend to acquire an aura of permanence which can affect people's attitudes.

From this perspective, a federal constitution is a solemn testament in which a people collectively dedicate themselves to the idea of civilised government. The simplicity of its assertions underscores the very mystery it enshrines, that diverse individuals can indeed voluntarily come together to invent a charter by which they shall be governed (*Daily Times* Editorial, 1977:665).

3.7 Power Sharing and Ethno-Religious Conflicts

A federalist structure is generally agreed to be the most efficacious instrument of conflict resolution in a multi-ethnic and multi-religious state. In a sense, federalism has great potential for managing, containing and reducing ethnic and religious conflicts in plural societies. The centrality of power sharing and regional autonomy is obvious in the current ethno-political crisis ravaging Nigeria. It is on record in Nigeria that ethnic and/or regional conflicts once led to a costly but avoidable 30 months civil war. Indeed, Coleman (1963), Sklar (1963), Dudley (1968), Post and Vickers (1973) among others tend to attribute electoral malpractices, political conflicts and instability in Nigeria to rivalry between the various ethnic groups in the country. In fairness to the Nigerian ruling elite and policy makers, attention has always been given to the Nigerian pluralist structure. Indeed, regimes (military and civilian) in the post-independence period, have responded through a number of policy measures in addition to the adoption of a federal constitutional framework as well as liberal attitude of the state to religious growth and diversity.

A fundamental aspect of government response is characterised by political engineering, defined as "fine-tuning constitutional forms and structures through the exercise of a deliberate and well considered constitutional choice in the search for a new, and by implication, more viable and durable structures and institutions that can withstand the stresses of the competitive demands of our national life" (Mohammed, 1990:8; Egwu, 2001: 38). Although this shows a conscious effort to confront the problems associated with the political mobilisation of these identities, political

engineering is grossly inadequate in coming to terms with the structural imperfections of the Nigerian society.

The steps undertaken, in addition to a federal framework, which include the federal character principle and the quota system constitutionalised in 1979 as well as the creation of new states and local governments have created their own problems. The former, which amplifies the importance of ethnic and political considerations in public appointments and allocation of development projects, has partly led to duplication and waste, resulting in minimal consideration for cost and efficiency in the operation of the federal system (Bach, 1989). Furthermore, “indigeneity” clause entrenched in respect of the implementation of the federal character principle (precluding the definition of citizenship rights in terms of residency), has compounded the problem of inter-ethnic and by extension, inter-religious relations in many local areas resulting in varying degrees of violence and deadly confrontations between groups (Egwu, 1999, 2001; Otite and Albert, 1999).

A particular look at the case of religion shows that it (religion) generally supports the societal norms, reassures the people that their ways are right and their cause is just. It has become part and parcel of society besides being the focal point of cultures. It is easy to appreciate the seriousness of the faith and the commitment of most people to their religious beliefs. One cannot equally doubt the richness of cultural heritage which people find in religion and in its significance in their historical heritage or experience. For example, Islam and Christianity contain fundamental moral principles on which aspects of society and culture are built.

Yet, there have been conflicts between Christians and Moslems which recently have assumed a disturbing dimension. Such experiences include the Maitasine uprising and onslaughts which claimed hundreds of lives in Kano in December, 1980 and at Bulumkutu, Maiduguri, Borno State in 1982 (Suberu, 1996; Falola, 1998; Osaghae, 1998). The religious disturbances between Moslems and Christians in Kaduna State in March 1987 which led to the destruction of many churches and the death of many people were yet to leave the memory of Nigerians before the resurgent onslaught in Kaduna on 21 February, 2000 A.D.

Just as the nation was about overcoming the misgivings of the ethnic militia, it suddenly found itself faced with the clamour for the introduction of *sharia* (the Islamic

legal code) in some states in the North. The *sharia* campaign which started in Zamfara State soon spread to neighbouring states such as Sokoto, Niger, Kaduna and Kano. Until the issue took a dramatic and regrettable trend in Kaduna, a good number of Nigerians, including the President of the Federation, had believed that it would naturally fizzle out, but it did not (*Sunday Tribune* 26/3/2000:14).

From the perspective of public opinion, the general belief is that the array of crises that confronted the new civilian administration was indeed sponsored by the main opponents of Obasanjo's government. The principal actors among these suspected opponents were some retired army generals, the old breed politicians who felt slighted in the new scheme of things of government, and some among the elite from the core North, who perhaps strongly felt that the North was losing its influence and stronghold on the nation's political power, with the emergence of Obasanjo as the nation's President. Others felt that problems like Obasanjo's complex character, his undiplomatic approach to issues, his withdrawal from his main helpers/sponsors during the election and the cold attitude he displays to strong personalities, constituted the problem that beclouded his administration.

The entire current issue of religious riots in the new democratic dispensation started when the Governor of Zamfara State, Alhaji Ahmed Sani proclaimed and launched *sharia* on Wednesday October 27, 1999, in Gusau, the capital of Zamfara State. The controversial law took effect from January 27, 2000. The Governor justified his actions with Sections 6 and 28 of Nigeria's 1999 Constitution. During the launching, the Governor remarked that it was a landmark, not only in Zamfara State, but also throughout Nigeria's 36 states and the Federal Capital Territory, Abuja (*Nigerian Tribune*, 12/4/2000:12). The episode raised some critical questions such as the constitutionality of the actions, the fate of non-muslims, its impact on inter-religions and inter-ethnic relations and the emerging democratic dispensation. However, the Governor argued, unconvincingly, that it was constitutional; that Christians would not be adversely affected and that most Zamfarans were Moslems and earnestly asked for *sharia*. He nevertheless avoided the issue of whether it was part of his campaign promises and whether it was proper for the majority to stifle the minority.

As expected, the Christian community across the country, the non-muslims and non-indigenes resident in Zamfara State sharply denounced the action of the governor and his supporters. This was particularly so because the Muslims have to a large extent, been in control of the political and administrative leadership of Nigeria, and by extension its economic policy direction, for a disproportionately longer period since Nigeria attained independence in 1960. The fear of most Nigerians is that if Governor Sani and his likes were not checked, the fragile peace, harmony and religious tolerance that had existed in Nigeria would be in great jeopardy. This is because the *sharia* is not just a legal system, but also a way of life by which muslim fundamentalists seek to regulate and control their entire religious, social, political, economic and cultural actions, interactions and relations even with non-muslim (Aluko, 2000:12).

Comments from all cadres of Nigerians have been reported on the *sharia* debate in the country. President Olusegun Obasanjo, in his comment, opined that if what Zamfara declared was a state religion, it was unconstitutional but added that *sharia* would fizzle out soon and so it is not worth the attention that people accorded it. And on December 3, 1999, the Attorney-General of the Federation, Chief Kanu Agabi, declared *sharia* unconstitutional but with limited application, though the Chief Judge of the Federation, had insisted that *sharia* was constitutional (Igwe, 2000:12).

However, it is pertinent to note why the *sharia* issue generated such national discourse. It is not so much about its constitutionality but the fear of many is the ripple effect of a state declaring *sharia* as a legal system. Sharia involves spiritual, social and legal issues. It is the ripple effect that is causing the controversies surrounding it. Those speaking against *sharia* as a state (religion) legal system are doing so with the concern for the future, progress and prosperity of those states that adopted *sharia* law. In short, the example of Zamfara and its allies in the *sharia* issue tends to be retrogressive and diversionary. Their action no doubt, raised some fundamental gender questions and is a distortion of the peaceful coexistence and harmony in the polity.

The expression of democratic freedom in Nigeria, particularly the proclamation of *sharia* and the initial deliberate silence of the government over the controversial issue, was in part motivated by the delicate position of the leadership, the sensitivity of the needs and the constraints imposed by the principles of the new democracy. The move towards adopting *sharia* - a potentially divisive and emotive issue in Nigerian

politics could be compared to the Cultural Revolution in China, where Mao Tse Tung tried to reassert his authority after a lull. Many believed that the move was political and had the backing of the fading northern oligarchy, which felt sidelined in the power-sharing scheme of things. The government's theory of fizzling out could be a deference to the sentiments in this part of the country, but the carnage that followed in Kaduna, Aba and other towns clearly demonstrated the validity or otherwise of the theory put forward by the Government (*The Comet* Tuesday April 4, 2000:16).

The first major sharia-related crisis took place in Ilorin, where Moslem youths attacked a court, where a *sharia* case was being heard. It was followed with wanton destruction of churches and attack on Christians (*The Comet* Tuesday, April 11, 2000:25). Next to Ilorin was the Kaduna crisis, which episode had repeated itself thrice within a couple of months. To begin, Moslems held pro-sharia protests for days and all went well. On the contrary, when Christians held an anti-sharia protest, it was violently disrupted by some Moslem faithfuls. (*Nigerian Tribune*, 29/3/2000; *The Guardian* (Nigeria) 30/3/2000; *The Comet* 11/4/2000). The crisis led to killing of hundreds of Nigerians most of whom were indigenes of southern states. Consequently, there were some ripple effects in the East but, the pockets of disturbances were quickly put under control by law-enforcing agencies, while potential victims were protected by law enforcement agents. Perhaps to avoid another Odi episode, the President invited the governors to a meeting where consensus to suspend the *sharia* issue was reached.

Tentatively, it is plausible to conclude that it is more of double standard for *sharia* law to be allowed to operate in a country, where common laws reign supreme as it has been in Nigeria. Religious crisis, as we have recently experienced, tends to usher in the culture of carnage and chaos, loss of lives and property as well as an atmosphere of desolation, diseases and poverty.

In spite of the decision reached on the issue of adoption of *sharia* law, by the National Council of State, that the matter be suspended, coupled with the argument by those in authority that the *sharia* law was in breach of some sections of the 1999 Constitution, some of the governors, particularly Governors Sani (Zamfara) and Kure (Niger) insisted on the propriety of the *sharia* law. As a matter of fact, the former went ahead with the implementation of *sharia* law through a subsequent trial and conviction of a cow thief, Mallam Buba Jangebe, whose right hand was amputated.

Even as the crisis was over, attempts were made by government, concerned groups and indigenes to find its root cause. Divergent views were offered in this direction. For instance, the Deputy Governor, of Kaduna State, Engineer Shekari, who held forth for the governor (who was away for medical checkup) while the crisis was raging, attributed it to past military government's failure to take a decision on the legal system. The Governor, on his part, blamed the violence on his political detractors. Yet, a renowned opinion leader and indigene of the state, Reverend Father Mathew Hassan Kukah (2000) blames the Moslem community (the army of *Almajiris* who have constituted themselves into a ready and willing army to be deployed for the cause of Islam) as having engineered the crisis. Others like General Muhammadu Buhari, a former Head of State, and Alhaji Umaru Dikku, a former minister, reasoned otherwise, as they simply blamed the cause on ignorance on the part of those opposing *sharia*. On the other hand, the Chairman of Northern Christian Association of Nigeria (CAN), Archbishop Jafan, blamed it on the refusal of past governments to split the state (Kaduna) into two in consonance with religious and ethnic differences (*Nigerian Tribune* 13/4/2000:12).

Yet, it stands to suggest that the primary cause can be traced to decisions by past and present governments in respect of allocation of amenities, infrastructure, educational institutions and appointments into the state executive council, state government parastatals and in the civil service which are not to be slanted against the interest of the people of Southern Kaduna. The issue can further be attributed to the arrogant and insensitive approach adopted by the members of House of Assembly with the tacit support of the governor, in introducing *sharia* in a state that is multi-ethnic and multi-religious.

3.8 Abacha Regime's Attempts at Power Sharing

The June 12, 1993 presidential election was rated the best among other elections Nigeria ever conducted before then by both domestic and international observers; for it was considered to be free and fair. Chief M.K.O. Abiola of the Social Democratic Party (SDP) was adjudged to have won the election overwhelmingly. However, on June 23, 1993, the head of the military government, Ibrahim Babangida, using several pending lawsuits as pretence, annulled the election, which event led to

severe crisis in the country. The political impasse that greeted the annulment led to killing of over 100 persons in riots, especially in the south-west part of the country. General Babangida had no choice but to agree to step aside and handed power to an Interim National Government (ING) on August 27, 1993 headed by Chief Ernest Shonekan. He was to rule until new elections, scheduled for February 1994. Although he had led Babangida's Transitional Council since early 1993, Shonekan was unable to reverse Nigeria's ever-growing economic problems or to defuse lingering political tensions. Consequently, the police, in defence of the state, clashed with pro-democracy demonstrators across the south-west while banks, major shops, and factories remained closed for one week. The Lagos High Court, headed by Lady Justice Dolapo Akinsanya, declared the ING an illegal government.

On November 18th, 1993, General Abacha announced the reimposition of military rule, thereby scrapping all democratic institutions, and replaced the ING by a Provisional Ruling Council (PRC) and Federal Executive Council (FEC). He was not forthcoming with a timetable for the military's political disengagement, but included in his declared agenda, the establishment of a National Constitutional Conference (NCC) with full constituent powers to determine the future constitutional structure of Nigeria (*Newswatch*, November 29, 1993, p.18). Also, all the existing political parties and the National Electoral Commission, were banned and elected officials at federal, state, and local government levels were replaced by military commanders.

The NCC was adversely criticised because of the manner and unrepresentative nature of its membership. For instance, the election into the National Constitutional Conference, held from May 23-28, 1994, was boycotted especially by the south-west. Less than 400,000 voters participated in the first electoral college while about one-fourth of its membership was appointed by government. A number of opposition figures united to form a new organisation, the National Democratic Coalition (NADECO), which campaigned for an immediate return to civilian rule. The government arrested NADECO members who attempted to reconvene the Senate and other disbanded democratic institutions.

Using the groundwork laid by NADECO, Chief M. K. O. Abiola declared himself president and went into hiding. He re-emerged and was promptly arrested on June 23. With Abiola in prison and tempers rising, Abacha convened the

Constitutional Conference on June 27, but it almost immediately went into recess and did not reconvene until July 11, 1994. The agitation for Chief Abiola's release continued; and on July 4, 1994, the petroleum workers union called a strike demanding that Abacha release Abiola and hand over power to him. Other unions joined the strike, which brought economic life in around the Lagos area and the rest of the southwest to a standstill. After calling off a threatened general strike in July, the Nigeria Labour Congress (NLC) reconsidered a general strike in August, after the government imposed "conditions" on Abiola's release.

On August 17, 1994, the government dismissed the leadership of the NLC and the petroleum unions placed the unions under appointed administrators, and arrested Frank Kokori and other labour leaders. Although striking unions returned to work, the government arrested opponents, closed media houses, and moved strongly to curb dissent.

The Constitutional Conference, headed by Justice Karibi Whyte, convened in June 27, 1994. The Conference came up with far-reaching recommendations in the draft constitution (1995), which formed the bedrock of the Abacha's political transition programme. Akinboye and Anifowose (1999:254) attest that a "fundamental recommendation made by the constitutional conference was the division of the country into six geo-political zones for the purpose of power sharing at the center". The committee, which was headed by the former Vice-President, Dr. Alex Ekwueme, partitioned the country into zones: North-West; North-East; North-Central, South-South; South-West and South-East. Beside the offices of the President, the vice-president and ministers, the committee also called for the creation of the offices of Prime Minister and Deputy Prime Minister. It suggested a "single five-year term for governors and that the offices of governor, deputy governor and Speaker of the House of Assembly should be rotated among the three senatorial districts in the state" (ibid). The committee recommended a five-year term for the President, in addition to the suggestion that the office and those of the Vice-President; the Prime Minister; the Deputy Prime Minister; the President of the Senate; and the Speaker of the House of Representatives should be rotated among the six geo-political zones".

The power-sharing formula proposed by the committee, if adopted, would have probably eliminated the hegemonic tendencies of the majority ethnic groups and

enthroned popular participations in governance, and every group would have had a sense of belonging. Most importantly, the power sharing would have hastened national integration. Nevertheless, some of the ideas especially the six geo-political zones are being used today by some political parties.

The Abacha regime was noted for his high handedness and his hatred for opposition. For instance, in late 1994, the Abacha government inaugurated the Ogoni Civil Disturbances Special Tribunal to try prominent author and Ogoni Environmental Activist, Ken Saro-Wiwa and others for their alleged roles in the killings of four prominent Ogoni politicians in May 1994. Saro-Wiwa and 14 others pleaded not guilty to charges that they procured and counselled others to murder the politicians. On October 31, 1995, the tribunal sentenced Saro-Wiwa and eight others to death by hanging. In early November 1995, Abacha and the PRC confirmed the death sentence. Saro-Wiwa and his eight co-defendants were executed on November 10, 1995 in spite of world-wide appeal not to kill them (New York Times, November 18, 1993, p. A15; Newswatch, November 29, 1993, p. 18).

General Abacha's provisions of the Transition to Civil Rule (Political Programme) Decree, 1995 were explicit and the National Electoral Commission of Nigeria (Establishment) Decree, 1996 and Transition to Civil Rule (Lifting of Ban on Politics) Decree, 1996 were promulgated. In addition to these decrees, other transitional programmes were: Transitional Implementation Committee, 1996, and Local Government Elections Decree of 1996. The Centre for Democratic Studies (CDS) inaugurated by Abacha's military predecessor in office, to build a democratic culture, among other functions, was repealed through the Centre for Democratic Studies (Repeal) Decree of 1996.

The above measures were taken to address the tension and antagonism arising from elite competition for power and privileges and, to that extent, fell short of dealing with the larger issue of the empowerment of the people and the reform of the state. In addition, like his predecessors, General Abacha tried to address the challenges posed by ethnicity and religion by creating six additional states in the federation. However, the creation of new states though largely in response to ethnic agitation for autonomy, resulted in extreme centralisation of power, rather than strengthening the federal principle.

The pervasive crises during General Abacha's years in office were not resolved until the demise of both General Abacha and Chief Abiola, almost simultaneously, in mysterious circumstances in June 1998. Thereafter, General Abdulsalami Abubakar assumed the leadership of the country as military Head of State. He organised a short transition-to-civil-rule programme. The new military regime was so preoccupied with the handing over of power to civilian government that nothing else of fundamental nature could be done during the short period. Consequently, General Abubakar set up the Niki Tobi Constitutional Committee, which simply packaged the 1979 Constitution and promulgated it into 1999 Constitution. General elections were conducted in February 1999, and the two main contestants were Chief Olu Falae and Chief Olusegun Obasanjo both of whom were candidates from the Yoruba ethnic group in south-west of the country. The choice was meant to appease the Yoruba which was the ethnic home of the late M.K.O. Abiola, whose mandate to be the president of Nigeria was annulled. The 1999 Constitution came into effect on 29, May 1999, the day Chief Olusegun Obasanjo was sworn in as the President.

In all, the Abacha regime set the framework for the contemporary structures of power-sharing in Nigeria through the recommendations of the NCC, particularly on the six geopolitical zone structures and the issue of rotation of powers. Although these power-sharing schemes were not implemented during the tenure of the regime as it was then obsessed with the challenges of self-succession; and although the same schemes are yet to be legally canonised, they have become broadly accepted in sharing of political positions both in government and political parties. Nevertheless, the fundamental lesson derived from the above, even to the present day is that nothing short of reforming the Nigerian state in a manner that guarantees inclusion and the simultaneous expression of diversity, the empowerment of the people and the promotion of popular participation, will provide the framework for dealing with all the ramifications of the national question.

3.9 The Obasanjo Administration

President Olusegun Obasanjo came to power in 1999 on the fortune of power shift as a way of resolving the debacle that trailed of the annulment of the June 12, 1993 presidential election result. The power shift sharing formula put in place by the PDP

ruling Party permitted the zoning of certain high political posts to the different six geo-political zones in the country, three each in the north and south. This power-sharing formula notwithstanding, Nigeria's return to democratic governance on May 29, 1999, has witnessed series of ethnic and religious conflicts as well as other forms of political contestations in state and society bordering on the struggle for power.

We have also witnessed an increasing proliferation of "tribal/political terrorist organisations" posing as champions of the cause of the people they claim to represent. In no time, ethnic and other conflagrations erupted in places as far apart as Kafanchan, Agueleri-Umuleri, Kano, Sagamu, Choba, Warri, Odi and Lagos, among others. These developments fuelled political instability, thus negating political order as well as political accommodation, which are preconditions for sustainable democracy.

The ensuing crisis started with a series of complaints and demonstrations on marginalisation by the far North (of Nigeria). The Obasanjo administration was accused of undermining the socio-political interests of the North by the so-called lopsidedness of Federal Government appointments which, in the area, was seen as part of the government's design to side-track the core-north from the mainstream of governance. The cries of marginalisation were further fuelled by the government's sudden decision to relocate the Nigerian Maritime Authority, Nigerian Ports Authority and Nigerian Railways, to Lagos. In addition, the probe of past government activities, the trial of Abacha's men and the recovery of loots stacked away in foreign banks by the Abacha family were some of the major reasons why many believed some elements or a section of the country probably wanted early collapse of the Obasanjo administration (*Sunday Tribune* 26 March, 2000: 14).

The clandestine activities and opposition against the new administration developed into a series of serious blood-letting ethnic crisis between Hausa and Yoruba communities. Since July 1999, when a clash ensued between the Hausa and Yoruba in Shagamu, the nation has been bedevilled by all manners of crises. Subsequently, sporadic ethnic clashes were recorded in Kano, Ajegunle, Mile 2, Bariga and Ketu, all in Lagos. Most of the crises were fuelled by ethnic militia outfits such as the Oodua Peoples Congress (OPC), Ijaw Militant Youths - the Egbesu and the Bakassi Boys in the South-East. The brazen activities of the militia groups obviously compelled the evolution of the northern version known as the Arewa People Congress

(APC). Again, the emergence of some of these groups has been due to some groups of individuals who had scores to settle with the Police or and other security agencies. Many of these crises are clandestine in nature and organised by groups or associations whose real interests are not clearly understood by the public.¹⁹ More than any other group, the Oodua Peoples Congress (OPC) and the Egbesu groups seemed to be much involved in killing and destruction of lives and properties.

The OPC came into existence during the twilight of General Sani Abacha's dictatorial regime. It came as a military think tank of sort to the Yoruba which needed its redemption from the hands of the authoritarian rule of military junta. Its emergence resulted from the sentiments generated by the annulment of June 12 presidential election of 1993. The annulment of that election was interpreted as an ethnic issue which led to the mobilisation of a group against the decision; and for the same group to work for the restructuring of the political system. Its first public outing was when its ferocious anger was demonstrated in Ibadan in May 1998, through a violent riot which shook Abacha's regime to its foundations. During the Obasanjo administration, the OPC became a murderous body that could kill at will, including its own people it was supposed to protect. In particular, it declared war on the police. In February (2000), it attacked a number of police stations at Isolo, Ilasamaja, Atakara, and Bariga, all in Lagos. During the ugly encounter a number of police offices were killed, while detained suspects were freed. Besides, vehicles were burnt and police weapons were looted (*Newswatch* 3/1/2000: 17). These activities of the OPC were condemned by several stakeholders in Nigerian federalism. At a point the Senate set up an *ad-hoc* committee to look into their activities. The committee once invited Dr. Frederick Faseun and Mr. Ganiyu Adams (the two rivalry leaders of the organisation) and informed them on the need to maintain peace.

In another dimension, the Ife-Modakeke intra-ethnic crisis which had been on before the Obasanjo administration proved the most intractable crisis within the Yoruba race. It defied every effort to resolve it by the government and by traditional

¹⁹ The existence of these groups and the effrontery with which they operated have further imperilled the unity of Nigeria, thus prodding the government to be more decisive in the approach at curbing their excesses.

leaders. To this extent, it became a worrisome phenomenon not only for the Yoruba people but to other Nigerians.

Similarly, the violent revolt in the Niger Delta is a phenomenon of the past regimes, which started as a protest against the adverse effect of the exploitation of petroleum resources. To this extent, it was first directed at the oil companies. The dimension of the protest later involved the control of the resources that accrue from oil exploitation which, by extension, meant open campaign against marginalisation and thus was demand for self-determination. With the emergence of the authoritarian regime of Abacha and the subsequent arrest, trial and ultimate hanging of Ken Saro-Wiwa, the leader of one of the most vibrant protest movements in the Niger Delta area, the activities of Ijaw youths mellowed down momentarily, but only to pick up more actively at the inception of the Fourth Republic in 1999.

In Odi community, Kolokuma/Opokuma Local Government Area of Bayelsa State, some restive Ijaw youths abducted twelve police men who were eventually murdered on November 4, 1999. The Federal Government in a retaliatory manner detailed troops into Odi who applied sledge-hammer brutality upon the community, thereby rendering it almost devoid of human habitation (*Newswatch*, 3/1/2000, *Nigerian Tribune*, 9/12/99: 10). Consequently, the Odi community got the attention of not only Nigerians but also the rest of the world which viewed both incidents, the elimination of 12 policemen as well as the attendant government genocide mission of deploying troops to the area, as unwarranted assaults against human dignity. Again, in January 2000, about 20 persons were reported killed as Ijaw youths had another encounter with the police at Yanegoa, the capital of Bayelsa State (*Newswatch*, 3/1/2000).

Although religious and ethnic crises were reported in some parts of the North within the first one year of the Fourth Republic, the Arewa Peoples Congress (APC) were not known to have been involved in any overt conflicts with any persons or community. But the APC had been known to be working on a two-prong military strategy to strike back when it feels provoked by the actions of Oodua Peoples Congress or any other militant group in the South.

In all of the above, it is important to note that the 1999 Constitution of the Federal Republic of Nigeria (as amended) confers on every citizen the right to work in

any location of their choice within the federation without any form of discrimination. Yet, in contemporary times many Nigerians have been discriminated against at work places and public places for not being indigenes of their states of residence. Several crises have arisen such as in Jos, Zagon/Kataf, Agueleri/Umuleri, and Ife/Modakeke because of discrimination on the grounds of indigeneship. The irony in this pervasive discrimination is that many states in the country love to exercise absolute autonomy in the application of their own share of the national cake but they jettison the seemingly cherished autonomy when they go monthly to the centre to share the cake which they hardly participate in baking. In all of this, at stake is the unity of the country and oneness among its citizens. In short, the Jos crisis that has become seemingly intractable has its roots in discrimination between indigenes and the so-called settlers. It is an indicator of lack of accommodation on the part of the perpetrators of the crisis.

3.10 Yar'Adua/Jonathan Administration

Nigeria's politics is such that sectionalism is being contained by developing a broad national consensus. This had been demonstrated by the election of Umaru Musa Yar'Adua, a northern Muslim to succeed to presidency, after eight years of President Obasanjo's leadership- Yar'Adua was reinforced by the emergence of Goodluck Jonathan (an Ijaw from Bayelsa State in the restive Niger Delta) as Yar'Adua's running mate and vice-president; David Mark (from Benue State in the North-Central region) as Senate president; Olubunmi Ette²⁰ (from Osun in the South West) as Speaker of the House of Representatives; and Baba Gana Kingibe (from Borno in the North East) as Secretary to the Government of the Federation (Suberu, 2010: 130). The same arrangements were repeated in the 2011 general elections and the post-election sharing of the spoils of office.

The foregoing tends to cement the power-sharing ethic in Nigeria's federalism. Though this kind of elite-level accommodation is helpful, it is not enough. The fact that a minor group of top persons agrees on how to share offices and the attendant benefits does not necessarily account for the major reforms designed to address

²⁰ In less than six months, Etteh was forced to resign from speakership of the House of Representatives and replaced by Hon. Dimeji Bamkole from Ogun State. Patricia Etteh was later absolved of any act of impropriety by the House.

grassroots socioeconomic grievances, and may perhaps alienate mass constituencies enough to rouse ethno-regional backlashes that separately or together would undercut the very stability that elite pacts are meant to secure.

President Yar'Adua's administration inherited the Niger Delta and Jos crises when he came to power in May 2007. As he assumed office, he promised to give among others urgent attention to the Niger Delta crisis, and he responded to this challenge through his amnesty programme²¹ before he fell sick. Although the president also started the process of resolving the Jos crisis, not much success could be achieved before ill-health incapacitated him. The ill-health created a leadership gap at a point in time and a near constitutional crisis which caused political stalemate. The crisis that arose from the late president's medical trip further highlights the weakness of the 1999 Constitution as exemplified in Sections 143, 144, 145 and 146, which have all been amended in the 2010/2011 First Amendment process. These sections of the Constitution provide for the transfer of power from the president to the vice president; likewise governors and their deputies.

The issue was that the President of the Federal Republic of Nigeria was critically sick and left the country for Saudi Arabia on November 23, 2009 for medical treatment, without transmitting a letter to the National Assembly (NASS) as required by the nation's constitution. Unfortunately, the issue generated a serious controversy because Nigerians were not told the truth about the President's ill-health. So, after few weeks of the President's absence from the country, Nigerians began to ask questions; and when they perceived that they were being deceived by those in government, they became angry. Tension soon enveloped the land while government came to standstill as the ailing president did not formally hand over the reins of governance to the Vice President. This situation created a vacuum in the country's apex leadership, as the Vice President, lacking the constitutional power to function in acting capacity, refused to perform certain sensitive functions meant for the President. One of such was his refusal to sign the 2009 supplementary budget passed by the NASS and the swearing

²¹ The Federal Government of Nigeria on June 25, 2009, proclaimed unconditional amnesty for agitators in Niger Delta region. The terms of the amnesty included the willingness and readiness of the agitators to surrender their arms by October 4, 2009 unconditionally renounce militancy and sign an undertaking to this effect. In return, the government pledged its commitment to institute programmes to assist the disarmament, demobilisation, rehabilitation and reintegration of repentant agitators.

in of a new Chief Justice of Nigeria. Also, several legal actions were commenced seeking a legal solution to the problem posed by the President's absence. It generated some fundamental criticisms across the board to the extent that various groups in the society staged protests over the inability of the Vice President to act as the Acting President (Benjamin, 2010b).

Consequently, the National Assembly passed a resolution, the *doctrine of necessity*, on 9th of February 2010 by which it recognised Vice President Goodluck Jonathan as Acting President. The issue was finally laid to rest after the death of the President, which led to swearing in the former as the substantive President.

The role of the judiciary cannot be ignored as several challenges came up in the country's nascent democracy. For instance, the election of a number of state governors in the 2007 flawed elections were nullified by the courts, while some cases were still pending in court. As late as November 9, 2010, one of the state governorship elections was nullified and a re-run election was to be conducted, though the affected governor had only seven months to the end of his tenure. Again, some of the re-run elections were manipulated in favour of the incumbents; a situation which created a lot of political tensions and bitterness among the losers and the electorate. The overwhelming public outcry caused the removal of the Executive Chairman of the Independent National Electoral Commission (INEC). Conversely, in cases where election of the incumbent governors was nullified, the greater public rejoiced and praised the judiciary for job well done. Such instances, coupled with the appointment of Professor Attahiru Jega as the new Chairman of INEC (2010), renewed hope in the electorate and the opposition parties towards the democratisation process in the country.

3.11 The 1999 Constitution and Power Sharing

Prior to 1999, two major constitution-making efforts had failed under the preceding military administrations: the 1989 Babangida-initiated constitution and the 1995 Abacha draft constitution, which was abandoned in 1998 after the demise of the proponent. The 1999 Constitution which came into operation on 29 May 1999 was the product of a transition process led by the Abdusalami Abubakar military regime, which restored civilian governance. It was fashioned out during the Abdusalami Abubakar

political transition period through the Justice Niki Tobi Constitutional Debate Coordinating Committee. Tobi Committee simply adjusted the contents of the previous 1979 Constitution after due consultations with the relevant segments of the society and recommended its adoption to the Abubakar regime. General Abubakar promulgated the Constitution, with few amendments, in early 1999 and handed power to the newly elected civilian regime of President Obasanjo on 29 May that year.

The 1999 Constitution came into force after the election that brought Chief Olusegun Obasanjo to power in 1999. Citizens were not involved in the writing and ratification of the Constitution. It came into being after a four-year struggle for sovereign national conference to produce a people's constitution and it was without any reference to the people's wishes. The 1999 Constitution, like the General Abubakar transition and election of 1999, became an instrument to scuttle the struggle for restoration of federalism through the process of a sovereign national conference. When Obasanjo could not stop the call for sovereign national conference, he initiated an elaborate constitution review committee, named Political Reforms Conference, during his second term. As it was later observed, Obasanjo's attempt to review the 1999 Constitution was far from an act of patriotism and nationalism; rather, it was an effort to extend his tenure in office, for which he tried hard but failed.

For most scholars and practitioners of federalism, the Constitution retains presidential government and a federal system with three organs of government, and it addresses various political issues that have divided ethnic and cultural groups. Like the 1979 Constitution, the 1999 Constitution grants the Federal Government more powers than any other tiers of government. Ideally, Nigeria's Constitution provides for a cooperative federal system of government, but in functional terms enormous powers are assigned to the federal authority at the expense of the states or sub-national units. For example, the legislative list gives the Federal Government exclusive legislative powers over 68 items and concurrent powers on about 30 items. In effect, the federal authority exercises legislative power over 98 items. In exercising power over these matters, the Federal Government and state authorities often come into conflicts; and several of such conflicts abound across the country from 1999 till date. For instance, conflicts on Federal Government withholding funds meant for states and councils, and

security problem between the governors and the police commissioners in the states have always attracted controversies in most states of the Federal Republic of Nigeria.

Again, the Constitution makes it impossible for state governors to act swiftly in case of conflicts and security matters within their domain because they have no control over the police. The prevailing situation is such that state police commissioners are responsible to the Inspector-General of Police who is at the federal capital. While the state governors are the chief security officers in their respective states, in operational terms, it is the commissioners of police in the states that make decisions. Incidentally, the governor does not have direct control over the police, which is exclusively under the jurisdiction of the Federal Government. It is in this light that some state governors, especially those from the southern zone, advocated for proper devolution of authority to the states to enable them create their own police. Surprisingly, in spite of the fact that insecurity to life and property, especially armed banditry, is one of the greatest challenges in many states of the federation, the clamour for state police is yet to gain currency in most of the states.

For the protagonist of state police, many of the states in the South of the country maintain a lead and Lagos State under Bola Tinubu called for constitutional amendment to make it a reality (Benjamin, 2004b). His contention, like that of many Nigerians, is that the governor who is the chief security officer of the state should be the one to give orders to the police in every state, if he must be able to maintain peace and order. This implies that the police commissioner of state should be accountable to the state governor. Thus, the agitation for state police by some of the governors have always been well articulated; that in the face of the current security problems in the country and the pertinent need to improve security in Nigeria as a basis for making the country attractive to foreign investors, the governors are of the view that constitutional amendment is imperative for states to establish their own police. But there is the other school of thought which feels that states should not have their own police. For this group, the call for state police is considered as an invitation to anarchy. It is feared by this group that politicians might use state police to intimidate opponents, which may undermine the unity of the country (Benjamin, 1999).

There have been some constitutional matters in the area of local government from 1999 till date, chief among which are the tenure of office for local government

chairpersons, local government creation, dissolution and release or withholding of funds from local governments. There are 774 local government areas in the federation (Appendix 2) under a common union, Association of Local Government of Nigeria (ALGON). It has been a prominent player in intergovernmental relations since 1999. ALGON challenged in court the suspension of local government chairmen by state houses of assembly and lobbied the National Assembly (NASS) to extend the tenure of local government from three to four years. Subsequently, NASS passed an Electoral Bill to that effect in December 2001; but the speakers of the state houses of assembly who were opposed to this decision went to court to challenge the constitutionality of this action of the national government. Interestingly, the Supreme Court made a judgment on 28 March 2002 that the National Assembly had no power, under the 1999 Constitution, to legislate on the tenure of local government council officers. The judgment gave the states the needed power to impress their vision on local governments. Thus, on 2 June 2001 when the tenure of the local governments expired, many states set up caretaker committees (an anti-democratic action) to oversee local government affairs.

Also, arising from the constitutional imperfection is the heightened insecurity in the nation's polity, uneasy tension among the tiers of government particularly between the federal and states with regard to local government creation, dissolution, funding and withholding of local government federal allocations. Above all, the polity has been overheated. Social, political insecurity and lack of effective opposition role in virtually all the legislative houses are major challenges in this regard.

With respect to local government, the Lagos State Government filed a suit at the Supreme Court over the Federal Government's withholding of the federal statutory revenue allocations meant for its local government councils, for having to create additional council areas without the approval by the NASS. Again, the Court ruled in favour of Lagos State. The pronouncements by the Supreme Court gave the states a leeway and confidence to assume full control of the local governments, many of which went on to create additional local governments. But the National Assembly refused to recognise these new local governments for the purpose of revenue allocation. Some states redesigned their new local governments as development centres and promptly secured the release of the seized funds. So far, the Supreme Court and other courts

have played active roles in intergovernmental relations in Nigeria's democratising process since 1999 and thus keeping the country's federal system intact. Indeed, the courts have made celebrated decisions on electoral matters, control of local governments, control over natural resources and general management of the Federation Account (Benjamin, 2010b).

The issue of sharing political power among ethnic groups is addressed by the principle of rotation in executive office. The marginalisation of disadvantaged minorities has been ameliorated by the establishment of the Federal Character Commission to enforce equity (i.e., affirmative action or positive discrimination) in public service appointments (Ayua & Dakas, 2005: 256). The distribution of wealth has been improved by entrenchment of a new revenue-sharing formula, which has also been a source of debate since the new democratic dispensation.

The Nigeria's federal system is enveloped with intergovernmental conflicts on issues ranging from authority to prescribe the tenure of local government councils to the authority to enact legislation on corruption (Benjamin, 2004). On the other hand, the Constitution vests the Supreme Court with the original jurisdiction, to the exclusion of any other court, to determine any legal dispute between the federal and a state or between states. However, the Constitution fails to provide express mechanisms for resolving the development of power conflicts between the Federal Government and the states. Importantly, the 1999 Constitution has been operated for longer period (May 1999-2010 before its first partial amendment came into being) more than its post-colonial predecessors.

The procedure for an amendment of the Constitution of the Federal Republic of Nigeria 1999 is expressly provided for in Section 9 of the Constitution. It requires an Act of the National Assembly for the amendment of the constitution to be passed by at least two-thirds of all the members of both houses of the National Assembly and for the proposed amendment to be approved by the resolution of the houses of assembly of at least two-thirds of all the states in the federation. This rigid procedure for the amendment of the 1999 Constitution is not in doubt neither does it raise any controversy. The National Assembly has proposed alterations to the Constitution in line with the recommendations of its joint committee for the review of the 1999 Constitution headed by the Deputy Senate President, Senator Ike Ekweremadu.

Three major areas of the constitutional amendment exercise have scaled the required hurdles. Sections 145 and 190 will become part of the constitution. The two sections relate to when the president or state governors are not on seat for more than two weeks. They are required to hand over to their deputies and, when they do not, the legislature is duty-bound to empower the deputies. The two new sections read in a similar manner. Specifically, Section 145 reads:

(1) whenever the president is proceeding on vacation or is otherwise unable to discharge the functions of his office, he shall transmit a written declaration to the president of the senate and the speaker of the house of representatives to that effect, and until he transmits to them a written declaration to the contrary, the vice president shall perform the functions of the president as Acting President.

(2) In the event that the president is unable or fails to transmit the written declaration mentioned in Subsection(1) of this Section within 21 days, the National Assembly shall by a resolution made by a simple majority of the vote of each House of the National Assembly mandate the Vice-President to perform the functions of the office of the president, as Acting President, until the president transmits a letter to the President of the Senate and Speaker of the House of Representatives, that he is now available to resume his functions as president.

In Section 190, similar provisions were made with respect to governance at the state level. Previously, it was not mandatory for the president or governors to hand over to their deputies. This led to the constitutional crisis in late 2009 when the late President Umaru Yar'Adua flew abroad for treatment without transmitting a letter to the National Assembly.

3.12 The Status of Abuja in Power Sharing

Abuja was chosen as the new federal capital territory (FCT) to avoid locating it within the territories of the three major ethnic groups and to make it acceptable to all Nigerians. Abuja was chosen for every Nigerian to have the assurance of opportunity to live in parity with every other Nigerian, as a symbol of unity and of the nation's greatness (Aguda, 1997:35). Abuja is important as the nation's FCT due to its

centrality and accessibility to majority of Nigerians, its scenery, adequate space for expansion and the opportunity it provides for Nigeria to build a planned, orderly and befitting capital of which all Nigerians will be proud and which will serve as a vehicle for national unity and integration (Abumere, 1989:257).

The foregoing was meant to deal with the problem of northernisation on the issue of federal capital. In 1976, the Aguda Panel recommended a Federal Capital Territory (FCT) that would be a virgin land and a no-man's land, to which all Nigerians can lay claim. Further, Abuja was meant to solve the problem noticed in Lagos, the former capital where a group of people considered themselves indigenes and insisted on an exclusive right to the city despite the presence of various ethnic groups.

Abuja has helped to illuminate the crisis of federalism that has proved a major impediment for the past four decades. The Federal Government is, in practice, a unitary operation. It seeks to centralise its operations, locate everything in a narrow space and, where confusion results, nobody bothers. What is involved is accumulation of power. And federalism requires power being disbursed areally, and advantages similarly shared among unequal parts, in order to ensure even development, convenience and efficient operation. Paradoxically, Abuja does the opposite. It has become the vehicle through which those with vested interests in power and ethnic politics are acquiring advantages for their purposes. For instance, there is no reason why every political party must have its headquarters in Abuja, more so, not all political parties can grow to be national in terms of winning positions in national elections. As a federal state, some political parties may only be popular to specific locations in the country as found in advanced federations such as the United States of America.

In terms of power sharing, Abuja appears to be gaining significance in favour of the indigenes and perhaps the Federal Government. For instance, on national issues such as constitutional conferences, Abuja has always been represented by the so-called natives even in the choice of minister for the Territory. This is because the FCT ministry has remained a preserve for the people from the North. For instance, Abuja has had several ministers since its inception, all of them northerners. Moreover, successive governments of the federation have indeed encouraged the indigenisation of the FCT in the kind of appointments they make. Also, local elections into the Abuja

mayoralty have always been dominated by the Gwaris and the Gwandaras, the two native groups laying ethnic, ancestral, spiritual and political claims to the city. Even more worrisome is the fact that the Federal Capital Development Authority is controlled by northerners.

The Federal Government also treats Abuja as ‘the 37th state of the federation,’ whereas it is not. Abuja is usually allocated a seat in the Senate and two in the House of Representatives. The winning candidates have also been the ruling party members. Abuja then is a problem. The Federal Government is eloquent about quota and federal character as a means of ensuring equal representation and even development; but with respect to the FCT, such principles are scarcely observed. Abuja, it appears, is organised as “revenge project.” There is a University of Abuja, a federal university, but the university operates like a regional contraption for a select group of Nigerians. It is this pro-north thinking that has been responsible for the contempt with which non-indigenes in Abuja, particularly those from Nigeria’s southern axis, are treated.

3.13 Nigerian Federalism and Democracy

The present structure of Nigerian federalism seems to inhibit true democracy because the kind of democracy in existence appears to have taken power from the people. More decisive than the rise of democracy has been the end of military/civilian dictatorship in Nigeria. In Nigeria, organising free-and-fair election has remained a big challenge in the last 11 years. Since 1999, elections have become increasingly regular and frequent (except at the local government level), and almost all elections have been contested in Nigeria. As has been the case, the 2003, 2007, and 2011 general elections have been, to varying degrees, arbitrarily limited, manipulated, or blatantly rigged. But parties and leaders are beginning to lose elections and this new development was more pronounced during the April 2011 general elections.

As it is, people access power not to serve but to trade. Politics in Nigeria is business and the end justifies the means; so long as you get there, how you get there is not the issue. Recently, a famous Nigerian journalist and a former federal minister, Tony Momoh, described the ruling party, the Peoples Democratic Party (PDP) in Nigeria as “the biggest rally in Africa, it is not yet a party” (*The Guardian*, Wednesday, June 16, 2010, p.5). In the present democratic dispensation, the federal

legislature (National Assembly) has about 93 areas where they make laws in the exclusive and concurrent lists. This smacks of unitary government.

Also, the governors of the 36 states of the federation including the 774 local councils depend on the centre for about 90 per cent of their annual revenue. In other words, it is the Federal Government that allocates and distributes resources in the country. More worrisome, the governors do not have security powers and yet they are the chief security officers of their various states. In Nigeria, there is central police without state police; and the entire police force is answerable to the Inspector-General of Police who resides at the Federal Capital, Abuja. Time and time again, this situation has posed a serious controversy in a number of states during and after crises.

It is a truism that Nigeria operates a federal constitution, designed by military, which contains a lot of imperfections, resulting in some lapses for the country's democracy; hence, the issue of constitutional amendment continues to dominate Nigeria's polity. The setting up of several committees by the Presidency and the National Assembly (consists of two chambers) at very huge costs since 2000 is yet to yield positive result, the first few amendments (2010/2011) notwithstanding. In early 2008, the leadership of the National Assembly made a number of promises regarding their readiness to review the 1999 Constitution, including the various anti-investment laws. Paradoxically, not much seriousness has been displayed by the lawmakers even though they have individually expressed their desire to see the 1999 Constitution amended. It has been difficult for them to collectively decide so. Rather, there have been deliberate impediments that make the exercise a mirage. Between 2008 and early 2010, inter-chamber politics in the National Assembly virtually stalled the exercise to the extent that a sour relationship existed between the two chambers in the management of the procedure of the amendment of the Constitution. Thus to watchers of the National Assembly then, the required cordiality between the two offices was lacking and principal officers meetings which should encompass leaders of the two chambers were few and far between. The Joint Constitution Committee Review collapsed early in 2009 on the grounds of procedures and personal ego of the leadership of the two chambers. Yet, annual budgets of about one billion Naira each was allocated to the amendment project for 2008 and 2009, respectively.

Importantly, since the commencement of the current democratic dispensation, the question of constitutional amendment remains dominant in the nation's polity. Yet, no meaningful result has been achieved in this direction, though early in 2008, the leadership of the National Assembly made a number of promises that all outstanding issues before the two houses would be promptly addressed. The National Assembly, however, needed to go beyond mere promises to convince Nigerians that its efforts would not end like those of the past as many public commentators were already weary of the slow pace of action on the matter.

As many Nigerians have argued, the conduct of the present National Assembly has not been remarkably different from the previous ones. For instance, various intrigues dog the release of sensitive committee reports such as the Power Sector Probe reports, while, on the whole, the national legislative body's productivity since its inauguration appears low. Allegations of poor attendance are rife. The lawmakers' unbridled penchant for holidays and breaks poses a major challenge to the National Assembly's credibility ratings (NISER, 2003; Egwu, 2005). On fiscal responsibility, the budget amendment power has sometimes been abused by both the executive and legislature. This has been the cause of conflict between the executive and the legislature, hence the annual delays in passing new budgets into law since the democratic process in Nigeria. In democratic settings, an effective oversight function on the budget by the legislative arm of government is a *sine qua non* for the success of a nation's budget; indeed, it is a constitutional requirement in every democratic setting. However, the NASS appeared to have woken up towards the middle of 2010 when it embarked on the first amendment and came up with some results even though it was received with mixed feelings by most Nigerians.

CHAPTER FOUR

RESOURCE SHARING AND POLITICAL ACCOMMODATION

For many Nigerians, oil wealth is more of a curse than a blessing because it has aggravated regional conflicts, encouraged the centralisation of national revenue, and stimulated widespread and systematic corruption throughout Nigeria's political and socio-economic systems. The availability of oil wealth has accentuated the regular share of federal allocations to the federal and constituent states to the neglect of the development of other sources of revenue especially the agricultural and solid mineral sectors over the years. Consequently, there is a huge gap between the promise of Nigeria's rather well-designed federal constitution and the practice of Nigeria's federal democracy.

It is against this backdrop that this chapter examines the methods and techniques of intergovernmental resources transfer which could be used to foster national integration and political accommodation in Nigeria's federalism. It begins by providing an overview of the *problematique* of resource sharing and the politics associated with it. Also, it presents the profile of statutory revenue allocation and discusses the related issues of resource control. In addition, the chapter attempts to analyse the often-neglected factor of lack of accommodation politics in revenue sharing among tiers of government and, in particular, in relationship between the major and minority ethnic groups in the country. In the analysis, it is noted that the usual controversy that surrounds resource sharing is a phenomenon that is common to both emerging and mature federations.

4.1 Overview of Resource Sharing in Federal Systems

Since the commencement of federalism (1954) in Nigeria, contending political leaders have been confronted with the problem of how to achieve common, but acceptable, formula that would ensure distributive justice for the constituent regions/states. For the most part, leaders of different regions or sections endowed with lucrative resources have favoured a formula known as "derivation", meaning that most

revenues earned from exports would be returned to their origins. This brings up the question of what constitutes resource sharing.

Resource sharing includes allocation of tax powers and the revenue sharing arrangements among the three levels of government. In other words, revenue sharing simply refers to the mechanism for sharing the country's financial resources among the different tiers of government in the federation, with the overall objective of enhancing economic growth and development, minimising intergovernmental tensions and promoting national unity.

As it is well known, resource sharing usually creates a wide range of problems in federal systems. The difficulties often stem from the unique character of federal states, a system whereby the legislative, executive and judicial functions or powers of the state are divided among existing levels of government. It has not always been easy to find a commonly-acceptable formula. The success of federalism depends on the ability to formulate an acceptable distribution of resources and functions among the three levels of government so that efficiency in the use of scarce resources can be maximised, while minimising inequality in the treatment of individuals in different states (Okunroumu, 1996:36).

Usually, in federal systems, the question of fiscal operation(s) revolves round the issues of taxation and expenditure functions among the levels of government. Federalism permits both centralised and decentralised collective choices to be met by each tier of government (Hyman, 1996). Thus, coordination and cooperation are necessary concomitants to the existence of federalism, especially if allocation of resources is to be efficient and the government delivery of public goods and services effective in satisfying social requirements (Hyman, 1996). In other words, intergovernmental fiscal accommodation or understanding is imperative in federalism. It follows, therefore, that both state and federal authorities in a federation must be given the power in the constitution for each to have access to, and control of, its own sufficient financial resources. Each must have power to tax and borrow for the financing of its own services by itself (Wheare, 1968).

However, various considerations - political, administrative and technical - often make it necessary for governments to carry out parts of their functions through the agency or cooperation of other governments, necessitating corresponding inter-

governmental transfers of funds. In addition, the constitutional distribution of powers puts one government in a position to control the access of another government to particular funds or resources. The problem of federal financing is, therefore, not merely of revenue allocation but involves the continuous adjustment of practices to the changing demands of the economy and polity.

The nature and conditions of the financial relations in any federal system of government is of immense importance to the survival of such a system. It is for this reason that virtually all federal states are regularly confronted with the problem of securing adequate financial resources on the part of the lower levels of government to carry out essential obligations and responsibilities. More often than not, there is the problem of how to allocate national or centrally-collected revenue between the federal and state governments on the one hand and among the states on the other. There is, again, the problem of determining the total share of centrally-collected revenue to be allocated to local units of government and how this allocation is to be shared among them. The issues boil down to what formula and what approach to revenue allocation should be adopted to ensure an optimisation of the various interests while achieving maximum rate of national development.

In federations, three basic factors usually account for financial transfer from higher to lower levels of government (Olalokun, 1979). The first is related to the nature of the functions and revenue resources of the three levels of government (federal, state and local). As a matter of practice, an imbalance sometimes occurs between revenues and responsibilities, essentially due to the fact that traditional and constitutional factors either singly, or in alliance, influence the functions and revenues of the known levels of government in federations. At such occurrences, it becomes imperative for the higher government to make good such an imbalance through transfers of financial resources commonly termed deficiency transfers or “balancing” (Graham, 1964:8).

The second factor stems from variations in the revenue-raising capacities of the lower levels of government. Based on the simple fact that it is desirable for every state or locality to attain a given level of services, states or localities whose revenue-raising capacities are low must impose heavier tax burden relative to those with higher revenue-raising capacities. In order to eliminate the heavier tax burden in the former,

the higher level of government makes transfers of resources to them. Transfers of this kind are usually referred to as “equalisation” transfers (Graham, 1964). Both the balancing and equalisation transfers are commonly grouped under a broad classification - the unconditional intergovernmental grants-in-aid, the function of which is to offset or balance any general fiscal deficiencies to which state or local governments may be subject (Break, 1967:108).

Third, there is the factor of “stimulation”, “incentive” or “promotional” transfers designed to encourage a given state or local activity. Such are usually made with specific directions as to their disbursement. By virtue of their functions, they are commonly known as “functional” or “conditional” grants (Maxwell, 1969:67). One valuable characteristic of resource transfers in this category is their use in optimising resource allocation to public spending on activities that generate externalities at lower levels of government (Break, 1967:153).

In view of the foregoing, all resource transfers from higher to lower levels of government appear to fall under two broad typologies, namely “conditional” and “unconditional”. Virtually all federal states necessarily rely, to varying levels, on these two typologies of intergovernmental resource transfers. Each of these has its relative advantages and disadvantages. For instance, the conditional grants have a distorting effect on state or local expenditures, especially when it requires matching either wholly or in part. Conversely, conditional grants by their nature are directed at specific goals, thus it is relatively easier to check expenditure performance. Likewise, it has been argued that the goal of the maximisation of state or local welfare can better be achieved by the use of unconditional grants (Olalokun, 1979).

However, both “conditional” and “unconditional” grants continue to be used to a greater or lesser extent in most federal countries without any consideration of these relative merits or demerits. The choice as to which to depend on more easily, has, by and large, depended upon the traditions of a particular federal state. For instance, the tradition of financial responsibility in the United States favours the greater reliance on “conditional” grants while in Canada and Australia the tradition of heavier financial dependence by the lower levels of government on the national government has prompted a greater use of unconditional grants (Olalokun, 1979:111).

4.2 Resource Sharing in Nigerian Federalism

Nigeria has been faced with this dilemma since it shifted from a unitary to a federal system. Indeed, one of the most persistent problems in Nigerian federalism is that of revenue allocation, with conflict between the poorer ethnic states who strive to have central revenue divided primarily on the basis of need and the richer states which want to retain their wealth for their own development.

Again, Nigeria's past and present constitutions (or decrees) have always placed the control in the area of collection and allocation of public revenue on the central (federal) government. A significant issue here, with specific reference to the principle of "self-determination" characterising federalism, is the erosion of the right to decide on modalities for independent revenue generation and allocation as the states and local governments may desire. Conversely, the posture of the centralised federation accounts intensifies the attractiveness of the centre as the core determinant of the level and speed of economic activities. It is no doubt a clear deviation from the tenets of federalism.

In line with the foregoing, with the advent of oil, the lower tiers of government have virtually lost power over national resources to the Federal Government. The underdevelopment of other revenue sources in spite of shrinking oil revenue have further served to increase the pressure by the other tiers for more funds from the Federal Government, or as in the case of oil-producing states, for the control of their natural resources. Thus, the process of sharing has become more politicised, resulting in imbalances in Nigeria's intergovernmental fiscal relations as well as the intensification of intra-ruling class struggles for access to, and control of, the critical oil resource (Obi, 1998).

The effective practice of fiscal federalism in Nigeria is adversely affected by political instability which has characterised the nation's polity of which military intervention in the political governance has been a major factor. Once the military takes over the reigns of power, the federal constitution is suspended and strict observance of norms of fiscal federalism becomes impossible. The state and local governments, instead of being autonomous and inter-dependent as provided under the constitution, become subordinate to the Federal Government while the suspension of

the constitution leaves the country with a physical federal structure under a centralised administration (CBN, 1997:70).

Further, the Federal Government in its attempts to provide some public services nationwide often assumes more responsibilities than would ordinarily be the case under the federal constitution. The examples of these include provision of accommodation, roads, mass transit, and bore holes for water supply. Inevitably, the functional responsibilities outweigh the available financial resources in line with statutory allocations from the Federation Account under the suspended constitutions. Hence, *ad-hoc* policy measures are adopted by the Federal Government transferring federally-collected revenue to itself and effectively neutralising the statutory allocation formula. These *ad-hoc* measures include the use of Dedication Accounts, Stabilisation Funds, Petroleum Special Trust Fund and AFEM intervention surplus, which substantially reduce the statutory allocations that accrue to the state and local governments.

The other basic problem enveloping revenue allocation in Nigeria centres on the formulae used for inter-state sharing. The criteria of equality, population, social development, landmass, and internal revenue effort have caused serious conceptual, measurement and statistical problems over the years, and have thus been the cause of widespread dissatisfaction with the revenue-sharing scheme. Besides, some states feel that the little weight attached to the derivation principle is unjust and grossly exploitative. In fact, except for the lengthy period of military rule in the country, there would have been serious inter-tier confrontations over the revenue-sharing scheme, as manifested in the protracted court cases in the Second Republic, and the Obasanjo administration as evidenced in the great Supreme Court judgment (2002) and the abrupt shady end of the National Political Conference Reforms (2005).

It will be recalled that before the 1954 Federal Constitution in Nigeria, regional (states) governments were more or less at the mercy of central government under the colonial rule system. Likewise, the regional governments could hardly enjoy any meaningful fiscal autonomy. Although attempts were made to increase the base of regional revenues, (under the 1951 Constitutional revenue allocation, the regions were given some limited powers of taxation of their own), the central government retained jurisdiction over those taxes from which the regions derived their revenues.

What is more, the central government continues to retain a greater proportion of Nigerian revenue for its own use. This, in the past, provoked the regional governments as they were vehemently opposed to the limitations placed on their taxing powers (Mbanefoh, 1986:5). Although the 1954 Constitution introduced federal principles, with specific functions assigned to the Federal Government while the regional governments were assigned residual functions, the fiscal system transferred more financial resources to the region, but substantial tax powers were still left with the central government (Chick Commission Report, 1953). Thus, while the Federal Government was transferring an increasing proportion of its revenue to the regions, the power to tax and vary tax rates strongly remained in its control.

Based on the above, the regional governments were resolute to reduce the financial resources of the Federal Government to a minimum for them to possess a much larger share. Accordingly, the financial strength of the centre was much weaker after 1 October, 1954 than it had hitherto been (Adedeji, 1969:104). In this battle for supremacy, a number of factors worked to the advantage of the regional governments. One of such factors was the unwillingness by the political elite to lose their power base in their respective regions. This resulted in a situation whereby the Federal Government was remotely controlled by the regional governments.

Moreover, regional financial power was enhanced through the regionalisation of the various marketing boards and the attendant sharing of their reserves among the regions. The distribution of the reserves of the marketing boards greatly boosted the fiscal autonomy of the regions. Coupled with this was the new system of revenue allocation which gave the regions financial predominance over the Federal Government (Adedeji, 1969:109). Besides, the regionalisation of personal income tax, whereby jurisdiction over the tax was transferred to the regions on the eve of independence, also served as a source of financial boost to the region. In short, over the period, the share of the regions in total government revenues rose from 23.8 per cent in the 1948/49 fiscal year to 50.4 per cent in the 1959/60 fiscal year. This trend was maintained up to the time of the first military regime in 1966, when the country began to operate a unitary system, thereby introducing centralisation of revenue allocation system. The immediate implication of this kind of policy was the

dependence of regional governments on the central government for financial resources, which was a reverse of the previous trend.

Two main factors accounted for the increasing reliance on federal sources of financing by the state governments during the first military regime (1966-1979). There was the erosion of tax power of the state governments by the Federal Military Government. Given that personal income tax constitutes a major part of state governments' independent revenue sources, the imposition of uniform tax provisions throughout the country in 1975, reduced the freedom of state governments in respect of their independent revenue sources, in response to their varying revenue needs. It would be recalled that the regionalisation of jurisdiction over personal income tax was cited as one of the factors that contributed immensely to state fiscal autonomy (Mbanefoh, 1986:12). Hitherto, most export taxes, including sales tax on export crops and pools-betting over which state governments had jurisdiction, were abolished by the Federal Military Government. These actions, among others, worked together to undermine the financial autonomy of the state governments.

Yet, the more elastic sources of revenue during the period, such as petroleum profit tax, mining rents and royalties, and company income tax, fell outside the jurisdiction of the state governments. Their only access to revenue from such sources was through some revenue-sharing arrangement. Unfortunately for the states, the Federal Government was in a unique position to manipulate the revenue sharing formula to its advantage. For instance, the Federal Military Government Promulgated Decree No. 13 of 1970 which shifted the bulk of federally-collected revenue to the Federal Government. Also Decree No. 9 of 1971 gave the Federal Government the exclusive right to offshore mining rents and royalties, an emerging and very promising source of oil revenue at that time.

During 1960 to 1965, almost 100 per cent of all allocations to the former regional governments were statutorily defined, while the Federal Military Government greatly improved on the grant aspects of its total allocations to the states beginning from 1966 when the military came to occupy the seat of power, and particularly since the end of the civil war. Between 1975 and 1979, the share of non-statutory allocation in the total allocations to the state governments nearly doubled from 13.9 per cent in 1975 to 26.2 per cent in 1979. But the grant allocations, commonly referred to as non-

statutory allocations, operated entirely at the discretion of the Federal Government. Also, as a means of usurping state government autonomy in expenditure decision-making, the federal grants have been conditional, that is, they were paid to the state governments to develop particular services. Such grants include those for the universal primary education, secondary schools, training of nurses, urban roads, and the grants for the construction of shopping centres.

Before the military came to power in 1966, the regions had fought for, and obtained, a considerable measure of regional autonomy. Thus, while regionalism represented the aspirations of the regional units to be more independent of the centre, state proliferation, originated by the military, witnessed a reversal of the process, as states had to depend heavily on the Federal Government. As a matter of fact, one of the primary reasons for the fragmentation of Nigeria into several constituent states is the distributive factor. As it is well-known in Nigerian contemporary politics, the states serve as avenues of equitable diffusion of federal revenues, as against being instruments of ethnic minority autonomy or security. This factor of distributive rationale requires the regular fragmentation of the heterogeneous minority communities and the homogeneous majority groups in Nigeria (Suberu, 1996:22).

Thus the changes in the system of revenue sharing, even more than the prejudiced reorganisations of the state structure, typifies the pervasive subordination of minority to majority ethnic interests during the first phase of military rule in Nigeria. The significant feature of intergovernmental financial relations during this period was the alteration of the legal basis for intergovernmental revenue sharing in order to enforce and legitimise both the concentration of financial resources under federal agencies, and the massive transfer of wealth from the oil-rich southern minority states to other parts of the country. As it were, whereas 50 per cent of all mining rents and royalties were allocated to the state of derivation in March 1969, by March 1979 only 20 per cent of onshore mining rents and royalties was allocated on the basis of derivation. Moreover, the military government stopped the derivation principle for sharing the Distributable Pool Account (DPA), which came into being in 1958 for allocating specified federally-collected revenues to the regions or states. On the contrary, the two common principles of population and inter-unit equality were invoked by the military to divide the DPA. Given the distribution of states between

majority and minority communities, and the larger population of the former, the two revenue-sharing principles tended to favour ethnic majority interests (Suberu, 1996:23).

In retrospect, the military before its final disengagement in 1979, abolished the principle of derivation for fiscal federalism and initiated the implementation of the Ojetunji Abovade Revenue sharing formula. The formula was put into full operation by the military (Oyovbaire, 1985:193).²² Importantly, the formula involved the consolidation of all federally-collected revenues, including mineral royalties and profits, into a Federation Account to be shared between the centre, the states, the localities and a federally-administered special grants account in the order of 57, 30, 10, and three per cent, respectively. Although the special grants account was intended to be administered for the benefit of mineral-producing areas and other areas in need of special attention, no mention was made of the derivation principle in Abovade's proposals for interstate revenue sharing. In short, bold attempt was only made after the commencement of the Second Republic in 1979, to reintroduce the derivation principle into the system of revenue allocation in Nigeria.

During the Second Republic, the nation witnessed a mixed impact on ethnic minority fortunes. First, opportunities for the advancement of ethnic minority interests were realised by the introduction of the presidential system of government, which requires the president to obtain nation-wide support through the application of the "federal character" principle that demands wide ethnic representation in the composition of key country-wide bodies; and by the important role played by ethnic minority constituencies in the electoral victories of the ruling National Party of Nigeria (NPN).

Second, all the progressive efforts to promote ethnic minority interests were aborted in the Second Republic by a number of factors, namely, the ethnic or regional zoning policy of the NPN, the Okigbo Commission which provided for centrist revenue-sharing policy, the ethnic fragmentation and political fractionalisation of the

²² The Obasanjo regime (1977-79) scrapped the derivation principle, approving instead a paltry one per cent of oil revenues for oil and mineral-producing states. This was improved upon marginally when the government of President Shehu Shagari took over in 1979; he increased the share of the area from the oil revenues to 1.5 per cent, which was also paltry. This was after the old Bendel State (now Edo and Delta States) secured victory in the Supreme Court over revenues accruing to oil-producing states of the country.

minority groups, the abrupt termination of the life of the Second Republic in December 1983, and the controversial legal conflicts between the Federal Government and the oil-producing minority state of (the then) Bendel State (currently, Delta and Edo).

For instance, the NPN's controversial ethno-regional zoning formula ultimately operated to re-establish "the well-known triangular pattern of Hausa/Fulani, Yoruba and Ibo predominance" (Joseph, 1978:84). Thus, although the minorities occupied significant positions in the Senate and the federal cabinet under NPN rule, the party's three most important national positions - presidential and vice-presidential candidates, and party chairman - remained within the firm grip of ethnic majority elements.

The experience of the Second Republic indicated that popular reaction against excessive centralisation of political and spending power was still a factor to reckon with in the Nigerian body politic, in spite of the centralising influences of the erstwhile military regime. Indeed, the revenue-allocation system that emerged following the much-heated revenue allocation debates of 1980 drastically reduced the Federal Government's share of centrally-collected revenue from over 70 per cent during the first military regime to 55 per cent. This gain in the fiscal strength of the state governments was reflected in the rise in the share of the state governments in total government spending from 33.4 per cent in 1980 to 47.9 per cent in 1983. Over the same period, the Federal Government's share fell from 66.6 per cent to 52.1 per cent.

The programmes adopted by the Second Republic administration were only marginally different from the Okigbo proposals. During that period, it assigned two per cent of the Federation Account to the mineral-producing states on the basis of derivation, and also made provision for the allocation of 1.5 per cent of the Account into a special fund to be administered by the Federal Government for the development and rehabilitation of mineral producing areas. Even so, the Shagari Administration in the Second Republic rejected the Okigbo Commission's recommendation that federally-collected mineral rents should be returned in entirety to the affected state governments. Moreover, the prolonged legal conflicts between the Federal Government and the government of the former Bendel State not only prevented the implementation of a Senate-initiated Revenue Act that was relatively more favourable to the oil-producing minorities, but also prevented the disbursement of 1.5 per cent of the Federation Account approved for the rehabilitation of mineral-producing areas

(Suberu, 1992). Attempts to administer the fund only came into being after the overthrow of the Shagari Administration in December 1983.

In retrospect, the military (under the Obasanjo regime) scrapped the derivation (1977-79) formula, approving instead a paltry one per cent of oil revenues for oil and mineral-producing states. However, under the Babangida regime (from 1985), allocation to oil-producing areas was increased to three per cent. The same regime established the defunct Oil Mineral Producing Areas Development Commission (OMPADEC) to cater for the development and special interests of the oil-producing states in the federation.

Thus, it has been observed that the nature of revenue allocation over the years has been surrounded by great controversy. However, some areas of agreement as well as disagreement exist. In case of the former, it is agreed that equity and efficiency are the primary objectives of revenue allocation. Also, it has been agreed that revenue allocation should be used to redress regional imbalance in development; and that federal presence should be a factor in correcting existing imbalances or in maintaining existing balances (Onimode, 1997). Apart from the equality of states, the other factors have not only been controversial but also subjective.

Conversely, the relative shares of the three tiers of government, the principles for allocating revenue to the states and local governments; the relative weight to assign to the different principles of allocation; the distribution of taxation powers among the three tiers of government, the treatment of special funds; and the process or mechanism for making fiscal adjustments have essentially been the areas of disagreement over the matter of revenue allocation (Onimode, 1997). These non-agreeable areas have featured in debates over revenue allocation and they have reflected in the reports of different fiscal commissions over time.

Again, there have been hot debates over two other basic issues, that is, fiscal federalism versus fiscal centralism; and the treatment of the oil-producing areas, whose interests and aspirations seem to exceed what the system is able (or willing) to offer. With reference to the former, the persistence of military rule and the unified command structure of the military have encouraged fiscal centralism in the Federal Government with the corresponding excessive fiscal dependence of the states. Likewise, the oil-producing communities have been complaining of horrendous environmental damage to their land, water system and fisheries as well as their relative

lack of development. This necessitated the establishment of OMPADEC in the first instance, and its subsequent replacement with the Niger Delta Development Commission (NDDC), which unfortunately seems to have failed to live up to expectation since its establishment in 1999.

The country's desire for equitable revenue-allocation formula in line with the functional roles to be executed by the governments predates Nigerian political independence. It was in 1946, that the first commission (Phillipson), initiated by the colonial government came into being. Between 1946 and 1979, there were eight such commissions namely: Phillipson (1946), Hicks-Phillipson (1951), Chick (1953), Raisman (1958), Binns (1964), Dina (1968), Aboyade (1977), and Okigbo (1980). The Phillipson Commission recommended the derivation principle during the colonial era (Phillips, 1991). As previously noted, derivation simply implies the principle by which revenues emanating from within a region were allocated to it. The notion of progress, however, demands that in the interest of even development of the country, a relatively poor region should receive a relatively high and disproportionate share of federal revenues. The implementation of Phillipson formula, therefore, created a problem in itself. As it were, the North argued that the money due to it had gone to the East, while the East and West on the other hand, believed that the North received an unduly-large allocation (Nnoli, 1995:95).

The overriding conflict was not resolved during the 1950 Ibadan Constitutional Conference. The northern elements demanded the distribution of central revenues to regions on a per capita basis. On the other hand, the westerners called for the adoption of the principle of derivation - the Western Region was at that period the richest source of federal revenue. The price of cocoa grown in the region was high and brought in good money. The East, however, bargained for the principle of need which was advantageous to its relatively-poor region (Nnoli, 1995:97). In short, the leaders of the East, who gained least from the exercise, accepted the principle believing that the imminent discovery of petroleum in their region would turn things to their advantage. In spite of this, the eastern leaders attacked the idea as discriminating against the region at a time when earnings from its primary source of revenue, palm products, drastically declined.

Consequently, while intergovernmental relationships came to a sore state, inter-regional conflicts and the accompanying rivalry heightened. This development

invariably distorted the development of national unity, thereby hindering the emergence of common citizenship in the country (Adedeji, 1969:254). Also, conflicts emerged over the measurement of certain imports and the instability in the receipts from export duty. Fundamentally, inter-regional disparities deepened during this period compelling the regional governments to call for a change in the framework of revenue allocation. The fact remains that the West believed that the use of the derivation principle had not gone far enough; the North was against its method of application; the East regretted its having been used at all (Phillips, 1971:399; 1991; 1999). The North suffered most from the use of the derivation principle possibly because of its size and needs. To this extent the North became very critical of the formula. In short, the fall in the cocoa trade of the West and the columbite trade of the North erased the earlier advantage of both regions.

Whereas the above was the pattern adopted by both the colonial and post-colonial governments (1960-1966), the military did not strictly adopt this approach. Instead, the military changed the hitherto formula four times between 1966 and 1979 without a prior commission on revenue allocation. Even as the military rejected the Dina Report in 1968, it only set up another commission in 1977 when the machinery for handing over to civilian government was enunciated. Also, in 1988 the Federal Government, under the military, established a permanent National Revenue Mobilisation, Allocation, and Fiscal Commission (NRMAFC) to advise government continuously on fiscal federalism (Phillips 1995; 1998).

As part of the preparation for the return to civil rule in 1979, the Aboyade Technical Committee was set up in 1977. It recommended the following principles for revenue sharing among states and local governments: equality and access to development opportunities (25 per cent), national minimum standards for national integration (22 per cent) absorptive capacity (20 per cent), independent revenue effort (18 per cent) and fiscal efficiency (15 per cent). It also recommended fixed proportional share out of the Federation Account among the federal (57 per cent), states (30 per cent) and local governments (10 per cent), with three per cent as a special fund for grants to mineral-producing areas and ecological problems.

The recommendations of both the Dina Interim Revenue Allocation Review Committee and the Aboyade Technical Committee on Revenue Allocation Report were rejected by the Federal Military Government and the Constituent Assembly that

set them up in 1968 and 1977, respectively. The latter was rejected because the statistical definition of inter-state sharing principles led to similar perverse and invidious results. This was probably one of the reasons why the Constituent Assembly disregarded the Aboyade report (Phillips, 1980:176). On the other hand, the Dina Committee report was rejected on the basis of the reform proposals which were too far-reaching for the prevalent mood in the federation at the point in time (Phillips, 1980). Although the two reports were rejected, it should be noted that they were essentially headed by Nigerians and consisted of Nigerian citizens, the only exception among other commissions that based their suggestions purely on economic development concerns.

A further development in the 1980s was the inclusion of the Federal Capital Territory in the vertical sharing scheme, Federal Government's control of the special fund, and the proportion of the special fund earmarked for mineral-producing areas, and on the relative share of the Federal Government from the Federation Account, *vis-à-vis* the other layers of government. Another fundamental factor for the frequency of turnover experienced in the revenue allocation principle has to do with the relative share of each level of government in the Federation Account.

The overall consequence of the overbearing lopsidedness in the sharing formula was the empowering position of the Federal Government in relation to states and local governments. In the end, the other tiers of government became massively-dependent on the Federal Government through patronage, thus constituting a menace to their independence, fiscal and otherwise, as envisaged by the federal principle and the constitution (Anyanwu, 1995; Adesina, 1998:238). Little wonder, therefore, the Okigbo Commission Report, which the Federal Government adopted as the Revenue Allocation Act of 1981, was declared null and void by the Supreme Court as a result of the suit which challenged its validity in 1981.

However, the 1999 Constitution, to a large extent, has made adequate provisions for intergovernmental relations in terms of responsibilities to each level of government with an elastic but elaborate procedure for the allocation of necessary funds to support the assigned responsibilities. For example, the Constitution has provided for the Federal Government items in the Exclusive Legislative List on which it can exercise control to the exclusion of the other two tiers of government. These are in the areas of defence, internal security, and external relations among others. These

are exclusive to the Federal Government. On the other hand, there is provision for another list called Concurrent Legislative List over which both the federal and state governments can exercise control. These areas include archives, collection of taxes, electric power, industrial, commercial and agricultural development etc.

It should be appreciated that the past and present revenue allocation systems have contributed to the continued uneasy intergovernmental relationships in the Nigerian federal structure. They have done little to mitigate the latent mutual distrust, suspicion and rivalry among the different socio-political entities in the country. The whole concept of Nigeria's fiscal federalism revolves around the provisions of Section 162 of the Constitution. While the legislature is involved in Section 162(3), (5) and (7) is the National Assembly, the parallel Section 162(8) is the responsibility of the House of Assembly of the state. The central problem with these subsections lies within the operation of the State Joint Local Government Account. This procedure of transfer of revenue to the local governments has been operating so far to their disadvantage as states arbitrarily tampered with such funds (Iliyasu, 2011).

The foregoing demonstrates that in an emerging democracy, the planning and management of the fiscal relations between the Federal Government and the states will invariably have to depend on the prevailing concept of federalism at a particular period in the society as it is the Federal Constitution that expressly distributes revenue resources and taxing power.

4.3 Vertical and Horizontal Revenue Allocation Issues

Public finance in a federal system usually involves the sharing of fiscal resources between different layers of government, that is, federal, state and local. This is what is referred to as vertical allocation. The problem of vertical allocation lies in determining the appropriate ratio to be used for the relative shares of the levels of government (Table 4.1). Ideally, each tier of government should be given adequate financial resources to enable it perform the duties and responsibilities assigned to it. This is important for the preservation of the autonomy of the constituent units (Anyanwu, 1995:9). However, the fact remains that it is almost impossible in a federal system to adequately adjust the responsibilities assigned to the constituent units to their financial resources. This is because some may possess more financial resources than

they really need while others have less. Sometimes, there is need for divergence between the sources of revenue and functional expenditure obligations in the various governments of a federation.

Also, some governments may find it easier than others to meet their expenditure responsibilities from their own revenue sources. When this situation occurs in the form of vertical imbalance of revenues and expenditures between levels of government, it is referred to as the problem of non-correspondence or vertical fiscal imbalance (Herber, 1979). In Nigeria, the vertical revenue allocation among tiers of government, including the local government, has been a major source of controversy and conflict in the operationalisation of fiscal federalism in the country. Under the military administration (though the civilian administration, including the present one behaves likewise, with little modifications), the trend has been towards fiscal concentration with a high proportion of the federally-collected revenue being allocated to the Federal Government (Fadahunsi, 2000:118; Onimode, 2003:161), (Table 4:2).

On the other hand, horizontal allocation deals with allocation to different states at the same level of government and raises the question of the criteria or principles of allocation, for example, derivation, responsibility, and population. In view of this, the need arises for the development of a somewhat theoretical framework for the analysis of fiscal problems in a federation. The main concern of public finance experts in this connection has been the examination of the level to which the important principles of horizontal equity and efficient allocation of resources are met within the framework of fiscal federalism.

Table 4.1 Changes and Recommendations in the Vertical Allocation Formula from 1992 to 2010

	*1 1992 Revenue Allocation Formula	* 2 REVENUE ALLOCATION OF (FEDERATION ACCOUNT, ETC) (MODIFICATION) ORDER 2002 COMMENCING 29TH MAY, 1999	* 3 RMAFC RECOMMENDATIO N (AUGUST 2001)	*4 REVENUE ALLOCATION (FEDERATION ACCOUNT) ETC) MODIFICATI ON) ORDER (JULY 2002)	* 5 RMAFC RECOMMENDA TION (DECEMBER 2002)	* 6 MINISTRY OF FINANCE ALLOCATION FORMULA JANUARY 2004	*7 Addendum 2004
I.FEDERAL GOVERNMENT	(i) 48.50%	** I) 56.00%	FG 41.3	** I) 54.68%	I) 46.63%	** I) 52.68%	** (i) 53.69%
FEDERAL GOVERNMENT GENERAL ECOLOGY FEDERAL CAPITAL TERRITORY STABILISATION ACCOUNT DEVELOPMENT OF NATURAL RESOURCES DERIVATION/ECO LOGY		48.5% 2.0% 1.0% 1.5% 3.0% -	Special Funds: FCT Dev. Fund 1.2% Ecological Fund 1.0% Nat. Reserve Fund 1.0% Science and Technology, Agriculture and Solid Minerals Dev. 1.5% Fund Basic Education and Skill Acquisition (BESA) Fund 7.0% States 31.0 LG 16.0	48.50% - 1.00% 0.725% 3.00% 1.46% II) 24.72% III) 20.60%		48.50% 1.0% 1.0% 0.5% 1.68% II) 33.00% III) 20.37% II) 26.72% III) 20.60%	General Ecological Fund - 1.50% Minerals Development Fund 1.75% National Reserve Fund - 1.50% National Agricultural Development Fund -1.75% (ii) 31.11% (iii) 15.20%
II) STATE GOVERNMENTS	(II) 24.00%	II) 24.00%					
III) LOCAL GOVERNMENTS SPECIAL FUND	(III) 20.00% 7.50%	III) 20.00%					
TOTAL	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%

Source: Iliyasu, Alhaji Ahmed (2011), Member, Revenue Mobilisation Allocation and Fiscal Commission: "Revenue Allocation Formula in Nigeria: Issues and Challenges", Being a Paper Presented at the Retreat Organised for Members of the Revenue Mobilisation Allocation and Fiscal Commission at *Le Meridien*, Ibom Hotel and Golf Resort, Uyo, Akwa Ibom State, Monday 14th – Friday, 18th February.

Table 4.2: Summary of Federal Government Finances (N' Million)

SOURCE	2000	2001	2002	2003	2004	2005	2006	2007
Total Federally Collected Revenue	1,906,159.70	2,231,532.90	1,731,837.50	2,575,095.90	3,920,500.00	5,547,500.00	5,965,101.90	5,715,500.00
Oil Revenue	1,591,675.80	1,707,562.80	1,230,851.20	2,074,280.60	3,354,800.00	4,762,400.00	5,287,566.90	4,462,950.00
Non-Oil Revenue	314,483.90	523,970.10	500,986.30	500,815.30	565,700.00	785,100.00	677,535.00	1,252,550.00
Federation Account	1,262,468.30	1,427,432.40	1,606,119.70	2,011,585.60	2,657,200.00	3,033,900.00	3,219,099.10	3,878,500.00
Fed. Govt. Retained Revenue	597,282.10	796,976.70	716,754.20	1,023,241.20	1,253,600.00	1,660,700.00	1,836,605.00	2,333,659.60
Total Expenditure	701,059.40	1,018,025.60	1,018,155.80	1,225,965.90	1,426,201.30	1,822,100.00	1,938,002.50	2,450,896.70
Recurrent Expenditure	461,608.50	579,329.10	696,777.70	984,277.60	1,032,800.00	1,223,700.00	1,290,201.90	1,589,273.70
Capital Expenditure	239,450.90	438,696.50	321,378.10	241,688.30	351,300.00	519,500.00	552,385.80	759,323.00

Source: Central Bank of Nigeria Statistical Bulletin, 2009.

4.4 Basic Principles of Revenue Allocation in Nigeria

In support of the functional responsibilities assigned to each tier of government, a Federation Account is established into which the major tax revenues and other receipts are paid. The revenue collection is delegated to the Federal Government while the revenues are shared among the tiers of government under explicitly-stated statutory allocation formula. In addition to revenues that are paid into the Federation Account, there are independent revenues of the Federal Government as well as internally-generated revenue of the states and local governments which are retained by each tier of government. Over the years, no less than 16 sharing formulae have been recommended by the various commissions that have been established in the country under two broad categories as indicated below.

Equity Principles

Derivation
Population
Equality
Need
Even Development
Continuity in Government Services
Minimum Responsibility
Equality of Access to Development
Minimum National Standard
Financial Comparability
National Interest
Land Mass

Efficiency Principles

Independent Revenues
Absorptive Capacity
Tax Effort
Fiscal Efficiency

Of these principles, only derivation, population and equality have featured prominently. The emphasis on these three principles underscores the points made about politics being the overriding determinant of revenue allocation system (Phillips, 1991:105).

4.4.1 The Derivation Principle

The derivation principle, which has been in use for ages, is based on the argument that a state from which revenue is derived deserves to be compensated

reasonably according to its contribution. When Nigerian politics was dominated by the powerful three regions in the 1950s and early part of 1960s, each wanted to maximise benefits from the natural resources located in the geographic area it controlled. The regions argued for the derivation formula. However, for economics and politics, the principle of derivation is at the moment no longer given a prominent place.

4.4.2 Population, Landmass, and Equality Principles

The main principles of revenue sharing amongst the states and local governments are equality, population, social development, land mass/terrain and internal revenue effort. Over time, each of these principles has had the following weights 40, 30, 10, 10, and 10 per cent, respectively. This took effect from January 1990.

Equality refers to the equality of states, regardless of variations in population. Land mass is expected to take into account the differences in the geographic areas covered by each state. Population refers to sharing of revenue among states and local governments in proportion to population size (Phillips, 1991:104). Many arguments are presented against, and in favour of, the weight which should be assigned to population in the horizontal revenue allocation. The use of population often leads to inflation of census figures by the various regions/states; and this phenomenon necessitated the removal of information on ethnicity from the 2006 census exercise in Nigeria. The centralising of the federal system in Nigeria enabled the control of the increasing oil revenues; and the associated reorganisation of the federation into 36 states made the principles of equality (among states) and population attractive. With reference to population, the main argument for its use in revenue allocation has to do with the fact that government is about people, just like development itself is about people and the end result of a federation is to satisfy people's aspirations as best as possible. However, the use of this principle has remained controversial, partly due to lack of acceptable census figures. Thus, the widespread consciousness of the link between population and revenue allocation has resulted in the politicisation of census in Nigeria and the escalation of demand for more states (Anyanwu, 1995, 1999; Benjamin, 1999; Fadahunsi, 2000). Apart from scholars (e.g., Phillips), the Abovade Committee has argued that population should be applied indirectly through other principles.

Minimum responsibility, minimum national standard, equality of access to development, even development, need and national interest are all interpreted in practice to mean allocations that would help to promote socio-economic development in the different states. The imperative of competition over sharing national wealth in the context of plural society has prevented any meaningful operational definitions. The result has been either equal allocations or occasional arbitrary allocations in response to some specific pressures (Phillips, 1991; Okunronmu, 1999).

4.5 Statutory Allocation of Revenue among States and Local Governments

Table 4.3 shows changes that have taken place in the revenue allocation formulae vertically among the federal, state and local governments since after the Okigbo Fiscal Commission in 1979. The statutory share of the Federal Government declined from 55 per cent in 1980 to 50 per cent in 1990 and 48.5 per cent in 1993 till the present day (2010). The share of state governments from the Federation Account declined from 34.5 per cent in 1980 to 30.5 per cent in 1982. In 1987, it rose to 32.5 per cent but declined to 30 per cent and 24 per cent in 1990 and 1992, respectively (Okunrounmu, 1996). This formula has remained till date, while the new proposal is expected to increase. Prior to 1990, local government's statutory share of the Federation Account was received through the state governments under the state ministry for local governments. The statutory share of local governments increased gradually from eight per cent in 1980 to 10 per cent in 1982, 15 per cent in 1990 and further to 20 per cent in 1992, which has remained till date.

Table 4.3: Statutory Allocation Formulae % (Federation Account)

	1993	1995 – 2010
1. Federal Government	48.5	48.5
2. State Government	24.0	24.0
3. Local Government	20.0	20.0
4. Special Funds	7.5	7.5
i) FCT	1.0	1.0
ii) Derivation	1.0	1.0
iii) Dev. of Min. Prod. Areas	3.0	3.0
iv) General Ecological	2.0	2.0
v) Statutory Stabilisation	0.5	0.5
Total	100.0	100.0

Source: Approved Budgets of the Government of Federal Republic of Nigeria.

In addition, the practice of dedicating some of the proceeds of crude oil lifting for priority projects denied the Federation Account much of the revenue that accrued to

it which should have been distributed among the three tiers of government. In short, the 1992 revision entailed a further reduction of the states' share of the Federation Account from 25 per cent to 24 per cent and the doubling of the general ecological fund and the development of mineral-producing areas fund from one per cent to two per cent and 1.5 per cent to three per cent, respectively (Table 4.1 above).

Table 4.4: Summary of Local Governments' Finances (State-by-State, 2010 1/)
(Naira Billion)

S/N	States	Revenue and Other Receipts									
		Gross Statutory allocation	Exchange Gain	Share of Excess Oil Revenue	FGN Refunds to LGs	Augmentation	VAT	(IGR)			State Allocation
								Tax	Non-Tax	Subtotal	
1	Abia	14.93	0.15	3.31	2.24	1.64	3.31	0.50	0.27	0.8	0.21
2	Adamawa	19.21	0.19	4.26	3.36	2.11	4.00	0.23	0.60	0.8	0.02
3	Akwa Ibom	25.34	0.25	5.62	4.31	2.78	6.34	0.07	0.29	0.4	0.34
4	Anambra	19.05	0.19	4.23	3.24	2.09	4.43	0.10	0.18	0.3	-
5	Bauchi	22.03	0.22	4.89	3.74	2.42	4.41	0.15	0.36	0.5	0.20
6	Bayelsa	8.10	0.08	1.80	1.38	0.89	1.82	0.02	0.39	0.4	0.04
7	Benue	22.40	0.22	4.97	3.81	2.46	4.60	0.03	0.33	0.4	0.01
8	Borno	25.74	0.26	5.71	4.37	2.83	5.11	0.11	0.22	0.3	0.00
9	Cross river	16.00	0.16	3.55	2.72	1.76	3.48	0.09	0.27	0.4	0.12
10	Delta	21.14	0.21	4.69	3.59	2.32	5.42	0.00	0.42	0.4	2.69
11	Ebonyi	11.40	0.11	2.53	1.94	1.25	2.60	0.06	0.71	0.8	0.04
12	Edo	16.01	0.16	3.55	2.72	1.76	3.85	0.00	0.59	0.6	-
13	Ekiti	13.02	0.13	2.89	2.21	1.43	3.02	0.05	0.32	0.4	0.04
14	Enugu	15.43	0.15	3.42	2.62	1.70	3.52	0.07	0.45	0.5	-
15	Gombe	11.26	0.11	2.50	1.91	1.24	2.42	0.01	0.44	0.5	0.16
16	Imo	22.34	0.22	4.96	3.80	2.46	4.99	0.05	0.32	0.4	0.01
17	Jigawa	23.44	0.23	5.20	3.98	2.58	5.20	0.06	0.29	0.4	0.04
18	Kaduna	25.14	0.25	5.58	4.27	2.76	5.48	0.01	1.63	1.6	0.45
19	Kano	41.26	0.41	9.16	7.01	4.53	10.0	0.02	0.84	0.9	0.68
20	Katsina	30.17	0.30	6.69	5.13	3.31	6.62	0.03	0.91	0.9	0.21
21	Kebbi	18.74	0.19	4.16	3.18	2.06	4.02	0.05	0.51	0.6	0.12
22	Kogi	19.42	0.19	4.31	3.30	2.13	4.32	0.02	0.81	0.8	0.06
23	Kwara	14.92	0.15	3.31	2.53	1.64	3.06	0.03	0.19	0.2	1.03
24	Lagos	25.06	0.25	5.56	4.26	2.75	28.8	1.40	4.65	6.0	0.49
25	Nassarawa	11.94	0.12	2.65	2.03	1.31	2.44	0.02	0.17	0.2	0.20
26	Niger	24.19	0.24	5.37	4.11	2.66	4.77	0.14	0.75	0.9	0.06
27	Ogun	17.90	0.18	3.97	3.04	1.97	4.10	0.00	0.67	0.7	-
28	Ondo	16.52	0.16	3.67	2.81	1.82	3.77	0.02	0.35	0.4	-
29	Osun	22.52	0.22	5.00	3.83	2.47	5.20	0.01	0.26	0.3	0.80
30	Oyo	28.79	0.29	6.39	4.89	3.16	6.67	0.24	0.44	0.7	1.61
31	Plateau	16.48	0.16	3.66	2.80	1.81	3.51	0.09	0.26	0.4	0.04
32	Rivers	21.58	0.22	4.79	3.67	2.37	7.19	0.42	0.99	1.4	0.24
33	Sokoto	20.69	0.21	4.59	3.51	2.27	4.44	0.10	0.25	0.3	0.01
34	Taraba	16.47	0.16	3.65	2.80	1.81	2.97	0.12	0.37	0.5	0.25
35	Yobe	15.97	0.16	3.54	2.71	1.75	3.13	0.14	0.65	0.8	0.09
36	Zamfara	14.99	0.15	3.33	2.55	1.65	3.09	0.06	0.16	0.2	0.96
37	FCT	6.38	0.06	1.42	1.08	0.70	6.96	0.01	0.30	0.3	1.48
	TOTAL	716.0	7.1	158.9	121.6	78.7	189.1	4.6	21.6	26.2	12.7

Source: Central Bank of Nigeria Statistical Bulletin, 2009.

Nevertheless, the Federal Government occupies a position of superiority while the states and local governments are in an inferior position (a negation of Wheare's definition of federalism). This implies that the Federal Government enjoys a greater ability to raise revenues to meet its functional expenditure obligations than state and local governments. The combination of civil war, a prolonged military rule, and an arrangement whereby all the proceeds from oil go to the Federal Government effectively reversed the experience of the early 1960s. During that period, there was substantial decentralisation of revenue and expenditure. This contrasts with the contemporary times when all fiscal resources are centralised at the federal level and are transferred to the states and local governments through the Federation Account and the Local Government Joint Account, respectively. This situation was compounded by shifts in fiscal responsibilities from the federal to other levels of government, especially the local governments' primary education and primary health care (Anyanwu, 1995, 1999).

Perhaps, we need to observe some of the changes in the scheme of statutory allocation that affected the local government level. Beginning from the 1990s, change was made to reflect the military government's objective of significantly enhancing the status, jurisdiction, autonomy, and financial capability of the third tier of government. For the same purpose, another change was made to terminate the practice of channelling local government share of the Federation Account through their respective state governments (Phillips, 1991:106). They subsequently received their shares directly from the Federal Government until the inauguration of the 1999 Constitution which restored the joint account. This, to some extent, helped to reduce the phenomenon of diversion and expropriation of local governments' funds by their respective state governments.

Equally important was the establishment of a permanent body, in 1988 to monitor, review, and advise the government on revenue allocation matters. This body called the National Revenue Mobilisation, Allocation, and Fiscal Commission (NRMAFC), attempts to eschew from *ad-hoc* approaches to effecting changes in the revenue allocation principle. This body which has since been entrenched in the 1999 Constitution ensures, to some extent, stability in the revenue allocation system as it minimises frequent alterations. NRMAFC has perhaps been more tolerant of the revenue allocation system provisions of the constitution, probably due to the highly-

sensitive nature of revenue allocation matters in Nigeria. It could well be because of the great improvement in revenue allocation matters over the previous years.

Since 1979, only centrally-collected revenues are put on the revenue-sharing scheme. While the states and local governments keep whatever internal revenues they are able to mobilise, they all share from centrally-collected revenues. The rationale for this is that almost all the basic taxes are federal taxes, while all the accruing revenues annually make up over 90 per cent of the overall revenues of the three tiers of government in the country (Phillips, 1998).

The irony of the situation is that against the constitutional provision, the Federal Government has consistently failed to pay all federally-collected revenues into the Federation Account. This was the rule rather than the exception prior to the new democratic dispensation, particularly during the Abacha administration. During the 1996-1998 period, the Federal Government, for example, made upfront deductions (through federal fiat) from federally-collected revenues before paying the balance into the Federation Account. These upfront deductions were made for Joint Oil Venture Cash Calls, National Priority Projects, External Debt Service, Petroleum Trust Fund, Reserve Account, and Value Added Tax (VAT). These upfront deductions invariably reduced the legitimate flow into the Federation Account by an average of about 53 per cent annually in those years. More than half of the funds meant for the Federation Account were, thus, regularly governments continually received just about one-half of their legitimate shares of the Federation Account annually (Phillips, 1998:71). Similar practice has been extended to the local governments since the inception of the civilian administration in 1999; for some time, it granted “zero allocation” to some units at this tier of government. This was a reference to deductions from the statutory allocations to the local governments from the Federation Account. The foregoing discussions, including fiscal disbursements and allocations across the board in recent years are reflected in tables 4.4 - 4.6.

Table 4.5: Federation Account Operations (Naira Billion)

SOURCE	2006	2007	2008	2009	2010
Total Revenue (Gross) 1/	6,069.8	5,727.5	7,866.6	4,844.6	7,303.7
Oil Revenue (Gross)	5,287.6	4,462.9	6,530.6	3,191.9	5,396.1
Crude Oil/Gas Exports	2,074.2	1,851.0	2,251.4	897.8	1,696.2
PPT and Royalties etc.	2,038.3	1,500.6	2,812.3	1,256.5	1,944.7
Domestic Crude Oil Sales	1,171.8	1,094.6	1,462.5	953.0	1,746.3
Other Oil Revenue	3.2	16.8	4.4	84.5	8.8
Less:					
Deductions 2/	2,723.3	1,807.0	3,261.2	1,174.8	2,393.7
Oil Revenue (Net)	2,564.3	2,655.9	3,269.5	2,017.2	3,002.4
Non-Oil Revenue	782.2	1,264.6	1,336.0	1,652.7	1,907.6
Companies Income Tax	244.9	327.0	416.8	568.1	657.3
Customs & Excise Duties	177.7	241.4	281.3	297.5	309.2
Privatization/GSM Proceeds	-	-	-	-	-
Value-Added Tax (VAT)	230.4	301.7	404.5	468.4	562.9
Independent Revenue Of Fed. Govt. (Incl. GSM)	33.3	268.7	114.0	73.2	153.6
Education Tax	28.4	51.8	47.2	139.5	114.5
Custom Levies	67.5	74.1	72.2	98.5	103.4
National Information Technology Development Fund (NITDF)	-	-	-	7.5	6.8
Less:					
Deductions 2/	32.0	42.2	52.6	69.8	125.5
Non-Oil Revenue (Net)	750.3	1,222.5	128.3.4	1,582.9	1,782.0
Federally-collected revenue + Transfers	3,314.6	3,878.4	4,552.8	3,600.1	4,784.5
Less:	350.3	684.2	621.7	768.4	918.6
Transfer to Federal Govt. Ind. Revenue	33.3	268.7	114.0	73.2	153.6
Transfer to VAT Pool Account	221.1	289.6	388.3	449.7	540.3
Other Transfers 3/	95.9	125.9	119.4	245.6	224.7
Federally Collected Revenue (Net)	2,964.2	3,194.2	3,931.1	2,831.7	3,865.9
Memorandum Items:					
Deductions:	2,755.2	1,849.1	3,313.8	1,244.5	2,519.2
Oil Revenue	2,723.3	1,807.0	3,261.2	1,174.8	2,393.7
JVC Cash Calls	527.8	550.0	579.1	809.6	962.9
Excess Crude Proceeds	1,422.1	1,168.5	1,728.5	60.4	615.8
Excess PPT & Royalty	773.4	88.5	953.6	218.0	179.3
Others	-	-	-	86.7	635.7
Non- Oil Revenue	32.0	42.2	52.6	69.8	125.5
4% FIRS Collection cost	9.8	13.1	16.7	22.7	26.3
7% NCS collection cost	12.7	16.9	19.7	20.8	21.6
Cost of Collection for VAT	9.2	12.1	16.2	18.7	22.5
Others	0.2	0.1	0.0	7.5	55.1

1/ Provisional; 2/As contained in memorandum items; and 3/ Includes Education Tax and Customs Levies.

Source: Federal Ministry of Finance.

Table 4.6: Federally-collected Revenue Distributions (Naira Billion)

SOURCE	2006	2007	2008	2009	2010
Federally-collected Revenue (Net)	2,964.2	3,194.2	3,931.1	2,831.7	3,865.9
Add					
Other Revenue	700.0	797.0	1,637.0	1,706.1	1,365.3
Excess Crude	637.0	499.6	1,106.9	812.4	886.5
Share Budgetary Difference	63.1	49.1	67.8	119.1	339.6
Revenue Augmentation	0.0	248.33	462.2	615.9	99.3
Exchange Rate Gain	0.0	0.0	0.0	158.7	39.9
Total Revenue	3,664.3	3,991.2	5,568.2	4,537.8	5,231.2
Distributed as Follows					
Statutory Allocation	2,964.3	3,194.2	3,931.1	2,831.7	3,865.9
Federal Government	1,385.9	1,500.8	1,847.0	1,353.6	1,830.9
State Government	703.0	761.2	936.8	686.6	928.7
Local Government	542.0	586.9	722.3	529.3	716.0
13% Derivation	333.4	345.3	425.0	262.24	390.3
Excess Crude	637.0	499.6	1,106.9	812.4	886.5
Federal Government (Gross)	291.9	229.0	249.3	296.8	406.3
Less: Refund to Local Government	0.0	0.0	0.0	0.0	121.6
Federal Government (Net)	291.9	229.0	249.3	296.8	284.6
State Government (Gross)	148.1	116.1	395.7	265.0	206.1
Less: Refund to Local Governments	0.0	0.0	0.0	0.0	4.3
State Government (Net)	148.1	116.1	395.7	265.0	201.8
Local Governments	114.2	89.5	391.2	145.0	158.9
Add: Refund from Federal Government	0.0	0.0	0.0	0.0	121.6
Add: Refund from State Government	0.0	0.0	0.0	0.0	4.3
Local Governments (Net)	114.2	89.5	391.2	145.0	284.8
13% Derivation	82.8	64.9	70.7	105.6	115.2
Share of Diff Between Provisional Distribution and Actual Budget	63.1	49.1	67.8	119.1	339.6
Federal Government	28.9	22.5	31.1	54.6	155.7
State Government	14.7	11.4	15.8	27.7	79.0
Local Government	11.3	8.8	12.2	21.3	60.9
13% Derivation	8.2	6.4	8.8	15.5	44.2
Federation Revenue Augmentation	0.0	248.3	462.2	615.9	99.3
Federal Government	0.0	113.8	211.86	282.3	45.5
State Government	0.0	57.7	107.5	143.2	23.1
Local Government	0.0	44.5	82.8	110.4	17.8
13% Derivation	0.0	32.3	60.1	80.1	12.9
Exchange Rate Gain	0.0	0.0	0.0	158.7	39.9
Federal Government	0.0	0.0	0.0	72.7	18.3
State Government	0.0	0.0	0.0	36.9	9.3
Local Government	0.0	0.0	0.0	28.4	7.1
13% Derivation	0.0	0.0	0.0	20.6	5.2
VAT POOL	221.1	289.6	388.4	449.6	540.3
Federal Government	33.2	43.4	58.2	67.4	81.1
State Government	110.6	144.8	194.2	224.8	270.2
Local Government	77.4	101.4	135.9	157.4	189.1
Total Statutory Revenue and VAT Distribution	3,885.4	4,280.9	5,956.5	4,987.5	5,771.5
Federal Government	1,739.9	1,909.5	2,397.5	2,127.5	2,537.7
State Government	976.3	1,091.3	1,649.9	1,384.1	1,516.2
Local Government	744.9	831.1	1,344.4	991.8	1,149.8
13% Derivation	434.4	448.9	564.7	484.0	567.8

1/Provisional.

Source: Federal Ministry of Finance.

The deductions were used to pay the salaries of primary school teachers and yet primary education is the responsibility of the state government. The Federal Government took this decision because of the experience in the past where the salaries of primary school teachers were unpaid for many months. As a result, primary education almost collapsed. However, the deductions left most local governments with very little amount of revenue to the extent that service delivery in other spheres became an arduous task. The poor financial position of this level of government gave rise to the label, “zero allocation”. The practice virtually crippled the local governments between 1999 and 2003. Lagos State was most affected by the negative overbearing influence of the Federal Government. Both state and local governments expressed that the persistence of zero allocation is incompatible with development at the grassroots. It was the view of the state governors that the deductions not only violated the relevant provisions of the 1999 Constitution of the Federal Republic of Nigeria, but against the principle of revenue sharing in true fiscal federalism as it did not promote accommodation politics among the tiers of government.

4.6 The Politics of Revenue Sharing in Nigeria

As discussed earlier, in Nigeria, revenue sharing involves the sharing of national revenue and other resources, first, vertically among the federal, state and local governments; and second, horizontally among the states, and among the local governments. In this sense, revenue allocation belongs to the watershed between politics and economics and falls squarely within the area of political economy. Thus, the issue of revenue allocation is partly economic but largely a matter of political accommodation (compromise).

As a rule, the military under which Nigeria was enthralled for a long time, operates a unified command structure with power centralised at the top, giving little or no room for local initiatives. Under a military government, therefore, what obtains is a unitary government where states and local governments lose their relative autonomy and important sources of revenue (Onimode, 1999). The unitary government operates unified fiscal system which permits centralisation of national resources. National revenues are collected by the central government which allocates a larger portion to itself and shares the rest between the states and local governments. Under this system, none of the dependent states and local governments is able to question the revenue-allocation system. In fact, under this type of government, budgetary matters are not

openly discussed (Oyeyinka and Akinbinu, 1999). This singular factor is critical in explaining why Nigeria's fiscal federalism has remained centrally controlled. Yet, fiscal federalism implies the existence of more than one level of government, each with different expenditure responsibilities and taxing powers.

In short, revenue sharing as a political issue is a permanent feature in most federations. In Nigeria, the military by the nature of its command structure, attempted to depoliticise the issue. Even in its transition to the Second Republic (before October 1979), the military made serious attempts to put in place for a new civilian government a revenue allocation system devoid of strong political factors (Oyediran and Olagunju, 1979). That attempt failed to date because the sharing of revenue, like budgeting, is inextricably linked to the political system.

As it is, revenue allocation in Nigeria is perhaps one area in which political control has been used adversely. It constitutes a particular source of grievances among the oil-producing minorities. This is an issue as old as the country itself. For instance, in 1914, a major factor for the amalgamation of northern and southern Nigeria was the need to supplement the revenues of the North with the customs duties of the South. The indications are that federal finance has always favoured one or all of the majority ethnic groups at any point in time.

However, the impact of oil and gas has been pervasive and critical. Since the 1970s, oil revenue has dominated government revenue and the nation's foreign exchange earnings. With this development, the Federal Government soon became the most powerful actor in the economy and was able to embark on a wide range of economic activities throughout the country. Oil revenue has also significantly affected the distribution of revenue among state and local governments, to the advantage of oil-producing areas which have always had some proportion of the total oil revenue allocated to them on the basis of derivation, although this proportion has been variable and nothing to be compared with the use of derivation formula operated at the time of groundnut/cotton, and cocoa in the 1950s and 1960s.

A fundamental problem emanating from the foregoing has been how the country can best administer federal finance to the satisfaction of each level of government. It is for this reason that no less than 10 commissions/committees came into being in Nigeria between 1946 and 2006. While the reports of these commissions sought to prescribe the factors that should determine revenue sharing and assign relative weights to the different criteria, the 1979 Constitutional provision on the

subject simply assigned responsibility for it to the national and state houses of assembly. This implies that the determination of allocation formula and the weight to be assigned to them are put in the realm of political bargaining among the representatives of the people (Ademolekun, 1989:57). This orientation of the constitution on revenue sharing is contrary to the recommendations of the 1977 Abovade Committee which sought to de-emphasise political horse-trading through statistical quantification. However, the problems of revenue allocation in a federation often defy one-time solution because of the ever-shifting factors of politics, economics, leadership personalities, and other invisible factors in the affairs of a nation. It might well be stated that there is no, and can be no, final solution to the allocation of financial resources in federal systems (Wheare, 1968:117).

Paradoxically, one of the many negative implications of military rule in Nigeria is that fiscal resources have, over the years, been shifted significantly from the lower tiers of government to the federal (central) level. The massive increase in revenue accruing to the Federal Government and the “unilateral decreeing” on how revenue would be shared between Federal Government and the states erodes the financial autonomy of states and enables the Federal Government to venture into areas exclusive to, or shared concurrently with, the states. Indeed, the Federal Government has at different occasions reversed the sharing formula in its own favour.

Consequently, this trend has considerably reduced the capacity of state governments to provide infrastructure and services needed by business or private sector to operate successfully. In effect, with their much-reduced resources, most state governments now spend an average of 90 per cent of their annual revenue to pay the salaries of civil servants with little resources left for other governmental services. Moreover, the structure of inter-tier revenue-allocation announced in the 1995 federal budget marked the step towards draconian shift of social resources to the federal level from the lower tiers. Whereas under the statutory revenue allocation system the Federal Government is entitled to 48.5 per cent of all federally-collected revenue, the actual federal share during 1995 amounted to about 80 per cent (Phillips, 1995:9). Thus, the massive shift of fiscal resources to the federal level not only breeds profligacy and, especially under a military regime, means that the management of the bulk of fiscal resources is far removed from the purview of households and businesses.

Finally, a revenue-allocation formula which will ensure that a constituent unit's share of central government revenue is dependent on its ability to collect personal taxes

which will eventually become the main source of revenue for all governments in a polity is of paramount importance in Nigeria's attempt to integrate and possess good political accommodation. The solution, this study believes, lies in the adoption of "resource control" as the official principle in the country's fiscal federalism, and this forms the focus of discussion in the next section.

4.7 The Politics of Resource Control

In federal systems, sharing equitably and fairly is difficult to put into practice. Consequently, as the apparently higher tier of government (which is usually the Federal Government at the centre) takes the lion's share of everything and leaves only the crumbs for the state and local governments, they (these lower tiers) find it extremely difficult to discharge their respective constitutional responsibilities effectively. A function of this development is that peace and stability within the nation-state are frequently threatened as evident in the present day Niger Delta region of Nigeria. In this regard, the craze for resource control by the oil-producing states in the country viz., Abia, Akwa Ibom, Bayelsa, Cross River, Delta, Edo, Imo, Ondo and Rivers states, has become a strong point of disagreement between the Central/Federal Government and the sub-national entities in the country.

The central thesis of their representation is that deriving from experience in older and more mature federations, resource control is usually the acceptable formula for sharing the nations' resources. But since the discovery of oil in the Niger Delta in 1956, revenue from oil has gone to line the pockets of Nigeria's elite – military dictators as well as corrupt federal and local government officials. Very little has gone to help the impoverished communities in the delta, which remain among the poorest in the world. Environment degradation, caused by oil slicks and gas flares, has gone untreated. And travelling through the delta region, it is difficult to comprehend that this is actually an area wealthy in natural resources. Despite generating hundreds of billions of dollars in revenue since oil was discovered, the Niger Delta is one of the poorest and least developed parts of the country. It is against this backdrop that agitations for resource control have come to occupy a prominent place at the moment in Nigerian politics.

Unfortunately, there appears to be a general misconception regarding the agitation for an increase in derivation percentage and subsequently total resource control for the benefit of all the states in the federation. Resource control and the principle of derivation are different concepts with different meanings. Derivation is the

recognition of a prior beneficial right that is subsequently expropriated (Odje, 2005:71). Thus, the principle of derivation is a form of compensation and/or reparation for an expropriated interest. That is why the proviso to Section 162(2) of the 1999 Constitution directs that no less than 13 per cent of the revenue accruing to the Federation Account directly from any natural resources located in the state should be paid to same.

On the other hand, resource control is the desire of the state to control natural resources found within its boundaries. Thus, it is not being recompensed for anything even though it will be paying tax to the centre for its common protection and administration of the federation (Odje, *ibid*). Resource control is substantially a political matter rather than a legal question. It is a demonstration of the freedom of expression enshrined in Section 39 of the 1999 Constitution.

From the above, the issue of resource control in Nigeria is not a recent one. It dates back to the pre-colonial era; only recently has it become a major national issue. In a more systematic sense, the struggle for resource control could be traced to the pre-colonial times, when in the North the empires of Songhai, Kanem-Borno, and the Hausa states competed for the space and resources of the Sahelian belt, and European merchants emerged along the coast (Obi, 2002). The impetus at the coast was stronger and this set the stage, first for the integration of the region into the world market, and through the logic of the expansion of merchant capital, the colonial conquest and creation of Nigeria. The creation of Nigeria also led to the creation of ethnic majorities and minorities.

Under colonial rule, Nigeria's resources were exclusively controlled by the state. As the country adopted federalism as the political framework for managing its unity in diversity, the three regions that made up Nigeria began to mobilise for the control of the resources found or produced inside their territory. Against this backdrop, it can be argued that a key feature of nationalism or the quest for self-determination is resource control.

In 1946, the principle of derivation was used for the allocation of revenue in Nigeria. From that time, derivation became a point of contention between the various factions of the Nigerian elite for the control of the federation's resources. After the initial protests, the derivation principle that recommends the allocation of resources in proportion to the contribution of particular regions or units of the federation was revisited. It was argued that the Western Region on the basis of the cocoa boom of the

1950s was unduly favoured. Thus, in 1957 the Raisman-Tress Commission was established to look at the principles of allocation of revenue. It reduced the use of the principle and established the Distributive Pool Account (DPA) for taxes that were not declared regional or federal (Adebayo, 1993:174). According to Adebayo (ibid:175) the DPA consists of 30 per cent of mining royalties and rents and 30 per cent of general import revenue, allocated to the regional government in the proportion of North, 40 per cent; West, 24 per cent; East, 31 per cent; and Southern Cameroon, 5 per cent.

Importantly, the collapse of the federation's initial cash crop resource base had far-reaching implications for Nigeria's distributive politics. The rise of oil and the centralising logic of post-civil war Nigerian federalism meant that the Federal Military Government exercised power over resource (oil) control. Indeed, through Decrees 15 of 1967, 13 of 1970, 9 of 1971 and 6 of 1975, the balance of control and access to revenue tilted towards fiscal centralisation at the federal level. This process was put in place through progressive reduction of the principle of derivation and the strengthening of the principles of distributable pool account (Obi, 1998:265).

In this regard, the Federal Government became a competitor in the struggle for the control of national resources, particularly oil. Oil, thus became the ultimate prize in Nigerian politics. Unfortunately, the obsession with the control of oil spawned in politics that focused excessively on distribution and control, but not as much on production, social justice, and sustainable development. Apart from an excessive dependence on oil, other sources of revenue and natural resources were neglected, as oil production exacted a heavy toll on the environment.

The trend since independence shows that meaningful restructuring is required to accommodate the various interests in the federation. As observed, the issues of resource allocation, management and control have naturally assumed the foremost position. In the light of the foregoing, not only did the politics of oil intermingle with the struggle for resource control, but also the oil minorities of the Niger Delta were cut off from any access to the oil produced in their territory. This led to the underdevelopment of their region in relation to other parts of the federation. To their surprise, oil revenue flowed into the federal coffers from their land and was appropriated by the few who controlled the state apparatus. Also, the placing of all land in Nigeria in the trust of state governments, who under the military regimes were appointees of the federal government, created a big problem for the oil-producing

states. It has, thus, been argued that the Land Use Decree of 1978, which placed all land in the hands of the state governor, was particularly hard on the oil minorities of the Niger Delta region.

Thus, alongside the whittling down of the principle of derivation to 1.5 per cent that placed the control of oil beyond the oil-producing states, and federal retention of the lion's share of all oil revenue, was the indirect state control of land. The implication for state control of land has been particularly oppressive in the Niger Delta, where all oil concessions are owned by the Federal Government, jointly operated with, or leased to oil companies. The oil communities have lost all claims to such land (Obi, 2001:26). They could not claim royalties on their land and, in seeking compensation for oil pollution, only claim surface rights. In the same vein, the oil communities are often not in any position to ask the Federal Government for restitution, while the oil companies largely ignored them, insisting that it is not the duty of the companies to develop the Niger Delta.

In view of this, the struggle for resource control has become protracted between the oil minorities and the Federal Government, the various factions of the Nigerian ruling trans-ethnic coalition, and between oil-producing and non-oil producing states. The oil minorities of the Niger Delta have been at the fore of seeking oil-based fiscal redress in the context of Nigeria's federalism. Isaac Adaka Boro's uprising in the 1960s was caused by the problem of resource control. In essence, the issue has been around for long. In recent years, the battle has been fought through several organisations such as the Movement for the Survival of Ogoni People (MOSOP), Ijaw National Congress (INC), Southern Minorities Movement (SMM), and other groups in the Niger Delta. In all, pressure has been brought to bear on the Federal Government (Douglas and Ola, 1999; Obi, 2000, 2001, 2002c). Applying the carrot-and-stick policy, the Federal Government has on different occasions made effort to respond to the demands of the oil minorities especially in the last two decades. The derivation principle was raised to three per cent and OMPADEC was set up on 10 July 1992 to administer the three per cent derivation for the development of the Niger Delta.

Apart from the Federal Government (instead of the oil-producing states), establishing and controlling the OMPADEC, the Federal Government also established a security network, which later evolved as the Rivers State Internal Security Task Force and similar outfits in other oil-producing states. This was done to repress the social movement of the oil minorities of the Niger Delta who enlisted local and

international campaigns against the state and the oil multinationals exploiting and polluting the Niger Delta. State repression of the oil minorities, against the background of the marginalisation and underdevelopment of the Niger Delta, merely deepened the resentment against the Federal Government and the oil multinationals. Conversely, it reinforced the Federal Government's determination to protect the multinationals from protests and demand for restitution, and to show the oil-producing communities that those who had wielded exclusive power over oil would not tolerate protest against their control of oil.

With the return to civil rule, there was a strong push for resource control and the abrogation of the onshore-offshore dichotomy in the application of the derivation principle to oil revenue. The oil-producing states generally argued that the insistence on the onshore-offshore dichotomy amounted to politics of hatred. It is reasoned that there is double standard in the use of the derivation principle since it was applied to the fullest degree possible in respect of agricultural export crops between the late 1940s and the mid-1960s.

Akwa Ibom State governor, Victor Attah, based his argument for resource control, a higher scale of application of the derivation principle, on the need for compensation for damaged environment (Dunmoye, 2002). Again, several arguments in support of derivation principle have been posited by southern minority scholars. For instance, Ejobowah (2000) argues that the federal political framework adopted by Nigeria that recognises national and sub-national units contradicts the centralisation of control of resources. To him, the state or sub-national unit ought to enjoy substantial share of control or ownership of resources (oil resources). Also, Naanen (1995) argues that internal colonialism, the essence of which is expropriation of oil resources of the southern minorities by the major groups to benefit themselves, justifies the struggle of the former for the restructuring of the Nigerian federation. In many of his literary works, Saro-Wiwa (1993, 1993a, 1994) argues for the restoration of derivation principle in the sharing of revenue from the belief that the existing revenue allocation system is exploitative to the southern minorities.

Since 1999, the demands for resource control by the people of the Niger Delta have continued to grow. They have also gained the support of other minorities and ethnic groups opposed to the continued centralisation of the collection and distribution of oil revenues (Ola, 2000). This has served as a platform to demand the political restructuring of the Nigerian federation to grant autonomy to ethnic units and give

them control over their resources and development. In 2000, the demand for resource control was given a fresh impetus at the meeting of the 17 southern governors. It was their view that those three principles: national interest, derivation, and need must be explored in the allocation of revenue to the states. Undoubtedly, this called for a review of the existing horizontal revenue allocation principles and possibly the weights attached to them.

Part of strategies adopted by South-South governors at the 2005 National Political Reforms Conference (NPRC) was targeting and lobbying delegates from the Middle Belt and some liberal northern states to support their renewed demand for resource control. Delegates from the South-East and South-West were not part of their target in this game since the two zones were known to be canvassing for true federalism which will invariably favour resource control. In this regard, every effort was made, including using money, to mobilise their new allies to lend a voice to their demand for 50 per cent derivation. Thus, the clamour was to reinstate the constitutional arrangement in place at the time of the nation's independence. However, hardcore opponents of resource control were not swayed by the strategy of the Niger Delta governors.

Northern leaders did not support the demand for resource control because it was considered a source of chaos and political instability. It was argued that when the state governments became financially-buoyant and independent, they would be too strong and want to be independent of the federation. It was reasoned that resource control is consistent with confederation and the eventual break-up of Nigeria. On these grounds, as in the past, northern leaders favoured a strong central government. In fact, some northern leaders, who belong to the Northern Leaders Forum, advised the Federal Government to reduce the 13 per cent derivation fund. Senator Idris Kuta actually heralded the move to slash the current derivation principle from 13 to 10 per cent (*Newswatch*, May 2, 2005:13). Also, during the National Political Reforms Conference (July, 2005), this position of the northern elite did not change, which phenomenon partly made the South-South delegates to walk out from the conference.

The agitations for resource control overheated the polity and the Federal Government sought a solution. Consequently, the Attorney-General of the Federation and the Minister of Justice, Chief Bola Ige filed a suit on behalf of the Federal Government, at the Supreme Court in respect of the matter of resource control in 2001. The suit, according to the Office of the Attorney General and Minister of Justice, was

in response to the claims of littoral states namely, Akwa Ibom, Bayelsa, Cross River, Delta, Edo, Ogun, Ondo, and Rivers that the natural resources located offshore ought to be treated or regarded as located within their respective states.

The Supreme Court was specifically implored to interpret the Constitution of the Federal Republic of Nigeria and determine the seaward boundary of the littoral states. This was to clarify whether the littoral states are entitled to the 13 per cent derivation applicable to the revenue from natural sources of Nigeria's territorial waters, continental shelf and exclusive economic zone. The Supreme Court, which ruled in favour of the Federal Government, also passed judgments on several other issues on revenue allocation. The bulk of the oil from Akwa Ibom State is offshore, making it the biggest casualty of the Supreme Court judgment on the seaward boundary of the littoral states. The other states – Bayelsa, Cross River, Delta, Ondo and Rivers – also lost to varying degrees. A political solution was sought by the oil-producing states as a result of their dissatisfaction with the judgment. But the Supreme Court's decision also threw the federal budget for the fiscal year into disarray; and for this and other reasons, the judgment propelled the Federal Government to a *cul de sac*. Ironically, the Nigerian experience has shown that as a result of the Federal Government's hegemonic position in the resource control struggle, the states benefit only to the extent to which the Federal Government allows them. Even after the Supreme Court case, the oil-producing states are still at the mercy of the Federal Government on this issue (Tell Magazine: "Anger in the Niger Delta", No.20, Lagos, Nigeria, May 20, 2002, pp.40-42).

This development raised a fundamental question in the area of equity and fairplay in fiscal federalism. Owing to this, the people of the Niger Delta demonstrated their anger against the Federal Government on the issue by walking out (due to wrong handling of the matter) of the Federal Government organised National Political Reforms Conference in April 2005.

Indeed, the Fourth Republic has so far witnessed fierce opposition to the Nigerian Government by the various sections of the country including the lower tiers of government, particularly those from the minority groups, where the wealth of the nation comes from. The Nigerian state is immersed in crisis of accumulation and the growing militancy of the ethnic minorities in the oil-producing regions who are responding to severe economic hardships caused by structural adjustment, environmental stress arising

from ruthless oil exploitation and pollution, and growing state repression against a background of historically-determined marginalisation and inequity (Benjamin, 2002).

In view of the failure of the Nigerian state to solve the development question, the problem of the minorities is one of the factors currently threatening the hegemony of the “national” ruling class. The fusion of oil, the main source of Nigerian revenue, with minority rights has become explosive, pitching the minorities’ growing ethnic, class and environmental consciousness against an authoritarian crisis-ridden state that has historically been dominated by elite from the large nationalities. The struggle by the minorities from the oil-states against the state and the oil companies for access to power and oil revenue, which is articulated in the language of resource control and self-determination within a reconfigured federalism based on true ethnic and regional equity, rather than fiscal fiat, links the struggle to the national democratic project (Benjamin, 2002:140).

Again, the emergence of ethnic militia since the emergence of the new democratic dispensation, the agitation of the oil minorities alongside other groups protesting their exclusion from power, such as the ethnic and religious minorities of Northern Nigeria, clearly illustrate the accommodation problem in Nigerian federalism. Also, it tends to challenge the bond of unity that binds the Nigerian federation as well as its overall security. This is because they have manifested separatist tendencies which threaten Nigeria’s unity (Obi, 2005). The redefinition of the basis of unity, with the emergence of oil alongside the centralisation of federal power by the military (for about three decades), clearly implies that the challenge of sustaining the Nigerian federation cannot be resolved outside of the oil question, which of course has heightened the question of resource control in recent times.

The struggle for control of Nigeria’s natural resources promises to be beneficial not only to the Niger Delta but also to the entire Nigeria. Every state of the federation stands to be enriched by new discoveries and removal of barriers in wealth creation. Resource control is not limited to oil, but includes nearly all natural resources on earth including agriculture. Whether it is solid minerals or agricultural products, the important point is that the federating units should be allowed to control, develop and export these resources. The federation will be entitled to a percentage of the export proceeds as tax for the common administration of the entity.

Resolution 1803 of the United Nations on Permanent Sovereignty over Natural Resources (1962) supports the struggle for resource control by providing thus: “the

rights of people and nations to permanent sovereignty over their natural wealth and resources must be exercised in the interest of their national development and of the well being of the people of the state concerned.” The call for resource control, therefore, is merely invoking and affirming Resolution 1803 as well as the right to self-determination. What the people of the Niger Delta in South-South want is exercise of permanent sovereignty over their natural resources and wealth.

From the foregoing, it is perceivable that there might have been a general misconception of resource control which may be deliberate or out of ignorance. A good perception of the concept implies that 100 per cent of resource control will be beneficial not only to the Niger Delta people but to all Nigerians as a whole. The issue of resource control has been contentious because of the psychology of most Nigerians, who erroneously talk about resource control only in terms of sharing oil wealth. A true understanding of the concept is that it is meant to encourage every area of the country to develop its resources instead of the present arrangement whereby all Nigerians depend on oil for sustenance. As a matter of fact, adopting the principle of resource control totally will make every section of the country to look inward and consequently bring about rapid development.

Further, the issue of resource control if adopted, will deemphasise the focus on oil resources, as other parts of the country would be encouraged to harness their own resources instead of allowing them to waste or remain unexploited. If adopted, Ogun State would be able to tap and explore in fullness its bitumen; Osun and Sokoto states, their gold at Ilesha and Sokoto respectively; and Ebonyi and Ogun states, their limestones at Nkalagu and Ewekoro for cement factories, respectively. Likewise, Plateau State will have to reactivate its tin and columbite mines in Jos in addition to developing the plateau landscape for tourism. Of course, the adoption of resource control will inevitably enhance the development of agriculture which has long been neglected. The ultimate effect of resource control would be the overall development of the country.

Optimism apart, some important obstacles have stood against the phenomenon of resource control. One is the Nigerian law. Some of these laws which the people of the Niger Delta and other broad-minded Nigerians have opposed over the years and demanded to be removed from the statute books are: Petroleum Act (51) 1969 and 1991. This vests control and ownership of all petroleum resources in the Federal Government (enacted in the heat of the civil war by the then military regime); Offshore

Oil Revenue Act (No.9) of 1971 which vests in the Federal Government exclusive rights over the continental shelf of the coastal areas; the Land Use Act (No.6) of 1978, which was included in the 1979 Constitution by the military government transferred ownership of all land from individuals and communities to the state.

Other laws, which tended to rob the people of the Niger Delta the right to own and control their resources, include but are not limited to: Exclusive Economic Zone Act (Decree) No.28 of 1978; Territorial Waters Act (cap. 16), 1990; Associated Gas Re-Injection Act (Decree) of 1978; Lands (title vesting etc) Decree No.52 of 1993 (this retroactive legislation also known in popular parlance as the Osborne Land Grab decree was enacted under the regime of General Ibrahim Babangida and designed to take effect from 1975); National Inland Waterways Authority Decree No 13 of 1979; Petroleum Control (Amendment) Act (Decree) No.15 of 1988; Constitution Distributable Pool Account Act (Decree) No. 13 of 1970 and the Petroleum Control Act (Decree) No. 28 of 1967. In matters of resource control and ownership, the oil-producing communities of the Niger Delta were never really part of the process leading to the making of the laws governing resource exploration, exploitation and distribution. It has been a game of the military and ethnic majority groups' imposition from colonial period till date.

Apart from the aforementioned laws, the behaviour and the attitude of political leaders from the Niger Delta have equally contributed to the problem of the region. Part of the reasons the struggle for resource control has not been fully successful is that many of the so-called political leaders of the Niger Delta develop cold feet in the struggle because of their political ambition and interests (Douglas 2003:53). As Burkhead and Miner (1971) observe, federalism is characterised by the interplay of political power struggles between the various interest groups that make up the constituent units. Among the contending forces are those that are favourably disposed to fiscal centralisation or decentralisation because it serves their economic and political interests.

To summarise, the demand for state control of resources and the derivation debate has become an issue with far-reaching implications for political accommodation in Nigerian federalism. Conversely, the problem of accommodation has remained critical over the years in the area of fiscal federalism. This is because the major ethnic groups in the country over the years have been unfair to the minority ethnic groups, especially the oil-producing states, in the application of revenue principle. The

application of revenue principle has been very inconsistent and biased against the minority ethnic groups in the country. Again, this is not too surprising because at the core of the problem of federalism are the issues of revenue allocation and the formal division of fiscal powers between the various levels and layers of government.

The controversy generated by both vertical and horizontal revenue allocations is not limited to emergent federations; “mature” federal polities such as the United States, Canada and Switzerland continue to face challenges with the task of assigning fiscal powers and sources of revenue for various levels of government in ways that enhance their capacity to fulfill their constitutional expectations (Gana and Egwu, 2003: xix). In no other federation is the thorny nature of fiscal federalism dramatised as in Nigeria. Unlike the early days of Nigerian nationhood when the constitution allowed each region to control up to 50 per cent, the practice since the emergence of oil-controlled economy is the central control of resources, the consequence of which has been violent crisis in the Niger Delta region. Even the 13 per cent that has been allocated for the onshore/offshore dichotomy has not been implemented to the letter. A strong evidence of the furore generated by the politics of revenue allocation is the resurgence of ethnic nationalism among the oil-producing communities in the Niger Delta and the accompanying clamour for resource control. In finding an enduring solution, therefore, the major challenge is how to chart a bold course to true fiscal federalism.

CHAPTER FIVE

POLITICAL RESTRUCTURING

The focus of this chapter is political restructuring. It discusses the creation of states and local governments, which the political class has put in place, for addressing the problem of political accommodation in Nigerian federalism. This is discussed along with the twin issues of boundary adjustment and the geo-political zoning system in the country.

In federal systems, a basic assumption is that the federating units must arrive at a mutual understanding to come together and articulate the conditions to govern the union. In the Nigerian context, it is not certain if these conditions were ever considered at the beginning. The Nigerian federation was established perhaps on a wrong premise (Ayoade 1997:6) in the sense that the North and the South are culturally, temperamentally, and in hope, different. But for about five decades to date, the federation has come to be. In contemporary times, Nigeria and Ethiopia are the only countries in Africa that have established and maintained, to some degree, a federal system of government. With respect to Ethiopia, adoption of federalism was a recent phenomenon (1990/91). It may well be for this reason that the question of political restructuring, distribution of resources, power sharing and resource control have remained issues of critical debate at the moment in the country's political process and development. It is against this background that this chapter examines, in some detail, the question of political restructuring in relation to state creation in Nigeria.

5.1 An Overview of State Creation as Political Restructuring

The history of instability that characterised Nigeria's past political experiments is enough reason for concerned citizens to continue to give thoughts to how to avoid the past experience in the country's future political dispensation. Nigeria tried the parliamentary (British) system in the First Republic and failed. In the Second Republic, the country embraced the current presidential (American) system, which also ended up in failure. Of course, the failures were blamed, not on the system, but the operators. While that may partly be true, the political arrangements, being the imposition of foreign system without due regard to Nigeria's peculiar cultural values and the level of political development of the people, in themselves, induced the failure.

Thus, the concern of many Nigerians had been how to achieve a stable political system without jeopardising the economic prosperity of the people. Perhaps a new political arrangement, which seeks to decentralise political power, is imperative while ensuring equity, good governance and economic prosperity in the nation. Therefore, the need to release Nigeria's limited resources for meaningful development has made it even more urgent to carry out routine restructuring of the federation through the instrumentality of creation of states.

Nigerian federalism is a product of bargains struck by members of the dominant political class. Its restructuring had been determined largely by their personal/class interests based on the fierce and militarised intra-class competitions and struggles. Thus, federal restructuring as a solution to the national question has resulted to a precarious and delicate balance between the centripetal and centrifugal forces in the past 51 years since Nigeria emerged as a nation-state. Effective persuasions and manipulations of its equilibrating tendencies have so far helped to maintain a delicate balance. As a process, it seeks for dialogue, bargains and compromises among the members of the dominant class. Subsequent upon this, federalism as a framework, is subject to restructuring and democratisation to meet exigencies and the peculiarities for the political context.

Agitation for political restructuring is not new to Nigeria. Even in the relatively facile politics of the First Republic, a democratically-constituted administration of Tafawa Balewa had to yield to restructuring pressure and undertook the process that eventually led to the creation of the fourth region, the Mid-West Region, out of Western Nigeria. Before the military struck in 1966, similar demands for restructuring came from the minorities of the Eastern and Northern Regions, spearheaded by Isaac Adaka Boro of the Niger Delta and Attah of the former Middle Belt (Edeogu, 2008; Okowa, 2008; Aaron, 2008). Ethnocentric politics and regionalism that pervaded the First Republic were some of the reasons proffered by the January 1966 coup plotters for their bloody intervention and takeover of government. To deal with this perceived ill of the society at that time, the military rose to the challenge and left an indelible mark in Nigeria's political landscape for having radically transformed and restructured the political geography of the country.

5.2 States and Local Government Creation by the Abacha Regime

In view of the periodisation of this study, we shall only be concerned in our analysis with the period of the Abacha regime upward regarding states creation. Like his predecessors, at the wake of his administration, General Sani Abacha personally provoked the creation of more states which degenerated into uncontrollable debate, in consequence of which a number of schools emerged (Benjamin, 1999). All the same, the thrust of their argument was the quest for a balanced federation.

The creation of additional states and many new local government areas has greatly altered the relationship between the federal and the existing states; the states having been weakened and most of them incapable of generating internal revenue. To this extent, they are highly dependent on the centre for their sustenance. In 1996, the Abacha administration created six new states, taking the country from a 30-state structure to 36.

The 1996 state creation was an outcome of both the National Constitutional Conference (NCC) Committee and the Arthur Mbanefo's Committee.²³ The number of new states and local government areas created were limited to six and 183 respectively, as against the 85 states and 2,085 local government areas (LGAs) requested by Nigerians (Mbanefo Report, 1996 and also see *The Guardian* (Lagos), 22/8/96). The inevitability of creating more states and local government areas by the Abacha administration became apparent as it would have been politically suicidal for it to ignore the declared wishes of the elected representatives of the people at the National Constitutional Conference (NCC), which it established. Details of some of the new states demanded are presented in Table 5.1.

With specific reference to the 1996 states and local government creations, the Abacha administration claimed to have been guided by such factors as "national interest, fairness, a high sense of history and equity in creating more states." In what appeared as warning to the state agitators, Abacha further said that:

²³ The Mbanefo Committee submitted a 23-volume report to the Federal Government after some months of delay. The Provisional Ruling Council (PRC), the highest ruling body in the Abacha military regime, deliberated over the report and decided to return the country to a regional structure of six regions (Tell, 15/9/96). The move was revolutionary as it was a sharp departure from the Mbanefo Panel's recommendation of a state-structured federal system. This original idea was, however, discarded in view of the comments made by a member of the PRC, who pointed out the grave dangers ahead, should regional system be imbibed. That decision would have left the Yoruba of the West a suitable opportunity of acquiring nation-state status, in view of their ethnic homogeneity and development, coupled with the fact that the Yoruba have Lagos both as a sea port and international airport. It is against this backdrop the PRC had to retreat to the Mbanefo Committee's recommendation of creation of additional states, which also fell in line with the Head of State's earlier promise of creating new states.

Without prejudice to the recommendations of the committee the hard realities of the national economy cannot accommodate all the demands, it is against this background that state agitators must come to terms with the reality that not all requests, however legitimate they may seem, can be met...State creation per se should not be seen as panacea to all political problems. It is sheer wishful thinking to expect that by one stroke of executive fiat of state creation, all the problems of the society would disappear instantly. We must all learn to cultivate the attitude and desire to live in harmony with other sub-national groupings (cited in *NewsWatch*, July 15, 1996:22).

Although a geographic entity called Nigeria exists, it is yet to mould her constituent units into Nigerians. Primordial identities have continued to take precedence over national ones (Gwanle-Tyoden, 1994). Thus, within a space of 36 years (1960-1996), Nigeria evolved a process of internal fragmentation rather than of outward expansion, from a federation of three regions to a polity of 36 constituent states. Similarly, local governments have metamorphosed from 229 in 1970 to 301 (1979) and to 781 (1981) before they were reverted to 301 (1984) and increased, first to 449 (1987), 500 (1991), 589 (1991) and 774 in 1996 (Table 5.2 and Appendix 1). The new states created were: Bayelsa from the erstwhile Rivers State; Ebonyi from both Abia and Enugu states; and Ekiti State from Ondo State. Others were Gombe, Nasarawa and Zamfara States from Bauchi, Plateau and Sokoto states, respectively. With this arrangement the six geopolitical structure of Nigeria came into being as shown in Table 5. 2.

Table 5.1: The Demand for New States (1991-1996)

S/N	New States Being Demanded	States to be Carved Out From	S/N	New States Being Demanded	States to be Carved Out From
1	Aba	Abia	24	Oduduwa	Osun
2	Itai	Akwa-Ibom	25	Oya	Kwara
3	Atlantic	Akwa-Ibom	26	Yoruba/Ekiti	Kwara
4	Ezo	Anambra	27	Okura	Kogi
5	Ogoja	Cross River	28	Okun	Kogi
6	Ebonyi	Enugu/Abia	29	Kainji	Niger/Kebbi
7	Njaba	Imo	30	Jupe/Ndaduma or	Niger/Kebbi
8	Bayelsa	Rivers	31	Ngbaba	Plateau
9	Orashi	Rivers East	32	Nasarawa	Benue
10	Port-Harcourt	Rivers	33	Apa	Benue
11	New Rivers	Rivers	34	Katsina Ala	Kaduna
12	Oloibiri	Rivers	35	Gurara	Katsina
13	Anioma	Delta	36	Karadua	Kano
14	Toru-Ebe	Delta	37	Jigu	Kano
15	New Delta	Delta	38	Gari	Kano
16	Ndokwa	Delta	39	Tigan	Jigawa
17	Afenesa	Edo	40	Hadeja	Jigawa
18	Ekiti	Ondo	41	Lantai	Jigawa
19	Ijebu	Ogun	42	Bayada	Sokoto
20	Ijebu/Remo	Ogun	43	New Sokoto	Sokoto
21	Ibadan	Oyo	44	Zamfara	Taraba
22	New Oyo	Oyo	45	Mambilla	Bauchi
23	Oke-Ogun	Oyo	46	Gombe	Bauchi
			47	Katagun	Adamawa
				Sardauna	

Source: S.A. Benjamin, The 1996 State and Local Government Reorganisations in Nigeria, NISER Monograph Series No. 21, 1999, Ibadan, p. 29.

Table 5. 2: Metamorphosis of the Nigerian Federal Political Economy (1994-2010): Units of Government

Date	Federal Government	Northern Nigeria	Southern Nigeria	Total Regions/ States for the Federation	Total Local Government
1991	1	16	14	30	500
1991	1	16	14	30	589
1996	1	20	16	36	774

Source: Compiled by the author.

It is imperative to note that whatever economic realities may oppose state reorganisation in the country, military regimes invariably used the creation of more states to popularise themselves and at the same time legitimise their regimes. Thus, the various reorganisations of the federal system, beginning from the administration of General Yakubu Gowon to that of General Sani Abacha, convey a trajectory of protracted search for an acceptable and stable structure of constituent units in Nigeria

(Suberu, 1994a and Benjamin, 1999a, 1999b). The pressure for further balkanisation of the federation continues.

Notably, the issue of state creation in Nigeria has been the exclusive preserve of the several military regimes between 1967 and 1996. The worst area of political manipulation by the military regimes has been perhaps in state creation whereby ethnic minority nationalities have been dismembered and located in several states that further confound their minority status. In no other state has this phenomenon been ably demonstrated than Delta State. The result of this arrangement is such that where the major ethnic groups are entitled to one representative, they end up with three-four as against the number of minority nationalities who obviously have been short-changed. Local councils become subjects of “donations” such that some in the North cannot be located in terms of population and territory as literally, almost every hamlet, has become a local government area. Where they are in a hopeless minority that cannot bear the distortion, they ensure that the state capital is situated in a Muslim enclave, as in Lafia in Nasarawa State and Jalingo in Taraba State. The South-East zone has the least number of five states, while the North-West zone has the highest number of seven states. The remaining zones have six states each.

The 36 states (and Abuja with six area councils) have 774 local government areas, (see Appendix 1). Bayelsa and Kano states have the minimum (8 LGAs) and maximum (44 LGAs) numbers, respectively (Table 5. 3). To reach the 774 LGAs, the Abacha regime created a total of 183 LGAs. Out of the 183 LGAs, 99 were created in the North, while the rest 84 LGAs came from the South. Of the figure, the North-West had 42 new local governments, followed by the South-West with 33; the South-South Zone had 28 local governments while both the North-Central and North East had 27 each. The South-East had the least of 22 LGAs. Also embedded in the new structure was the allocation of three senatorial districts to each of the 36 states, except FCT with one seat, thus totalling 109 senatorial districts. The federal and state structures accommodate 360 and 989 constituencies, respectively (Table 5. 4). The Senate and House of Representatives, until the constitution is amended, would always constitute 109 and 360 members accordingly, while the entire 36 state houses of assembly would remain at 989 members.

A thorough examination of the establishment of federal and state constituencies shows that no objective or scientific principle is employed in the distribution of both the federal and state constituencies, except perhaps a little bearing with the population

of the respective states. Even at this, it is doubtful if population is actually a critical factor, bearing in mind that Lagos which is more populous than Kano has fewer numbers of state constituencies than Kano. However, with the 2006 census provisional result, the position has changed, as Kano is now claimed to have the highest population among the 36 states of the federation. With the 36-state structure, the initial constitutional hurdle (i.e. the difficulty of determining two-thirds of the overall number of states in the federation), has been eliminated. The new states were indeed a response to age-old grievances especially as demands for some degree of political autonomy for some of the areas dates back to the era of the Willink Minorities Commission of 1957/1958 (Benjamin, 1996; 1999b).

Table 5. 3: The Six Geopolitical Zones and their LGAs

South-East Zone		South-South Zone		South-West Zone	
1. Abia	17	6. Akwa-Ibom	31	12. Ekiti	16
2. Anambra	21	7. Bayelsa	8	13. Lagos	20
3. Ebonyi	13	8. Cross River	18	14. Ogun	20
4. Enugu	17	9. Delta	25	15. Ondo	18
5. Imo	27	10. Edo	18	16. Osun	30
	95	11. Rivers	23	17. Oyo	33
			123		137
North-Central Zone		North-East Zone		North-West Zone	
18. Benue	23	24. Adamawa	21	30. Jigawa	28
19. Kogi	21	25. Bauchi	20	31. Kano	44
20. Kwara	16	26. Borno	27	32. Katsina	34
21. Nassarawa	14	27. Taraba	16	33. Kebbi	21
22. Niger	25	28. Gombe	11	34. Sokoto	23
23. Plateau	17	29. Yobe	17	35. Zamfara	14
	115		112	36. Kaduna	23
					187

Source: S.A. Benjamin, The 1996 State and Local Government Reorganisations in Nigeria, NISER Monograph Series, No. 21, 1999, Ibadan.

Table 5.4: Delimitation of Senatorial Districts, Federal and States Constituencies

S/N	State	No. of LGAs	Senatorial Districts	Federal Constituencies	States Constituencie
1.	Abia	17	3	8	24
2.	Adamawa	21	3	8	25
3.	Akwa-Ibom	31	3	10	26
4.	Anambra	21	3	11	30
5.	Bauchi	20	3	12	31
6.	Beyelsa	8	3	5	24
7.	Benue	23	3	11	29
8.	Borno	27	3	10	28
9.	Cross River	18	3	8	25
10.	Delta	25	3	10	29
11.	Ebonyi	13	3	6	24
12.	Edo	18	3	9	24
13.	Ekiti	16	3	6	26
14.	Enugu	17	3	8	24
15.	Gombe	11	3	6	24
16.	Imo	27	3	10	27
17.	Jigawa	28	3	11	30
18.	Kaduna	23	3	16	24
19.	Kano	44	3	24	40
20.	Katsina	34	3	15	33
21.	Kebbi	21	3	8	24
22.	Kogi	21	3	9	25
23.	Kwara	16	3	6	24
24.	Lagos	20	3	24	40
25.	Nassarawa	14	3	5	24
26.	Niger	25	3	10	27
27.	Ogun	20	3	9	26
28.	Ondo	18	3	9	26
29.	Osun	30	3	9	26
30.	Oyo	33	3	14	32
31.	Plateau	17	3	8	24
32.	Rivers	23	3	13	32
33.	Sokoto	23	3	11	30
34.	Taraba	16	3	6	24
35.	Yobe	17	3	6	24
36.	Zamfara	14	3	7	24
	Abuja	6	1	2	NA
	Total	776	109	360	989

Source: S.A. Benjamin, The 1996 State and Local Government Reorganisations in Nigeria, NISER Monograph Series No. 21, 1999, Ibadan, p. 33.

More importantly, the creation of the six new states in 1996 was a major step towards operationalising the six geopolitical zones, which was first made public during the 1995 independence anniversary by the Abacha administration. At the decision-making level, the only opposition to the creation of new states cited economic reasons for the position. The Head of State acknowledged this, saying that the rapid expansion in the administrative restructuring of the country had adverse effects on the economy. This reinforced the scepticism that creation of new states at the slightest opportunity

might have come to an end. This appears to be a fact transferred from the Abdusalami Abubakar administration to the dispensation of Olusegun Obasanjo. In fact, what was contentious in the 1996 reorganisation was the debate on the creation of new local government areas. The contentious nature of the issue was possibly responsible for the non-release of the details of new LGAs, during the October 1, 1996 speech of the Head of State, the implication of which was the postponement of local government election that year (1996), to March 16, the following year (1997).

However, the 1996 state and local government creation raised some worries on its genuineness in the minds of many Nigerians for a number of reasons. For one thing, it was widely perceived as one item on the hidden agenda designed to retain General Abacha in power beyond 1998. This fear was anchored on a number of factors. For instance, the names of the new local governments that were created along with the six new states were for about three months not known to the public. It took a long time for the names of the local governments and their respective headquarters to be released. When the list was made public, the new areas of the new administrative units were not immediately defined. The failure to make known to the public the names of the local governments on October 1, 1996 (the date of creation), gave room for intensive lobbying by top government functionaries, military officers and politicians who wanted their respective areas carved into new administrative units (Benjamin, 1999b: 34). This consequently resulted in changes in the names of some local governments and location of their headquarters the aftermath of which was an eruption of violent crises.

The foregoing notwithstanding, some political observers and analysts viewed the 1996 state and local government reorganisations as a welcome development, as it satisfied some people's age-long desire. For others, there were suggestions in the realm of boundary adjustments and, at best, creation of new local governments to bring government nearer to the people. On the contrary, many others saw the exercise as an ego trip and unnecessary diversion for General Sani Abacha. This is based on the argument that nearly all, if not the entire resource allocation of a newly-created state, would be utilised in supporting the public sector by way of payment of wage bills of civil servants and overhead costs of running the government, leaving little or nothing for development which the exercise is meant to address. However, on the basis of economic viability all the six new states, except perhaps Bayelsa, one of the oil-producing states had very little to recommend them.

5.3 Post-1996 Developments: The Status of State and Local Government

Creation

The period of the Abdulsalami Abubakar's administration was not only too short but it was also preoccupied with the fundamental problem of how to disengage the military from politics and restore civilians to power. Hence, the issue of state and local government creation was never considered during its tenure. Besides, agitation for state and local government creation did not come up as overt debate by the citizenry; rather, the issue at stake was the shift of power at the centre from the North to South of the country which eventually came to be on May 29, 1999.

However, with the inception of the Olusegun Obasanjo civilian administration, there emerged series of agitations for more local government areas and states. In Delta State, the issue of separate local government for the Urhobo community in Warri has been loud especially between 1999 and 2005. Indeed, several agitations for local government creation cropped up across the country to the extent that states like Lagos, Jigawa, Niger, Katsina and Ebonyi went ahead to create a number of new local government areas, ranging between 20 and 50. To say the least, such LGAs were created in an arbitrary manner, like a similar case in the Second Republic. Agitations for states only became overt during the 2005 National Political Reform Conference, more specifically from the South-East, South-South, North-Central and South-West zones of the country. The Obasanjo administration, like every other civilian rule before it, was not able to muster the courage to create new states. With regards to the LGAs, a number of states attempted to create more local government areas without success in view of the constitutional hurdles posed by Sections 7 and 8 of the 1999 Constitution, coupled with the politics that often associates with such exercise in civilian regimes.

It is important to observe that prior to the present civilian regime, it has been the habit of many Nigerians, to stage protests in demand for new states and the attendant local councils. This was particularly so during the military era. Surprisingly, this has not been the case since the inception of the Fourth Republic. The question of state creation was laid to rest until the deliberations of the National Political Reforms Conference (NPRC) in February – March, 2005. During the deliberations at the conference, the focus was on regionalism and the zoning system. At the end of the conference an average of eight states was proposed for consideration. A committee to consider the outcome of the NPRC recommended the creation of one state from the South-East as a way of rectifying the structural imbalance apparent in the zone having

only five states as against the minimum of six states in the remaining five zones. The South-East had fought to remove the inequality by trying to get the conference approve the six zones as the federating units of the country, rather than the states. This proposal was defeated. The conference, in conscience, could not ignore the structural marginalisation of the zone, which has only five states to others' six or seven in addition to having the least number of local governments. With only 95 local governments, the South-East receives the lowest allocation from the Federation Account.

Since the Obasanjo administration, emphasis has shifted from state creation to local government creation not because Nigerians are satisfied with the existing state structure but because it has been found more beneficial (to the politicians, the chief architect of state and local government creation); and it has been easier to create the latter than the former during the civilian administration. This is because experience has so far shown that civilians can hardly create states (with the exception of Midwest region in 1963 as already acknowledged). Coupled with the foregoing, politicians do not usually want to lose ground to opponents especially at the federal level and, therefore, to maintain the *status quo*, politicians preferred to play down the issue of state creation. Perhaps the third term agenda during the Obasanjo period may have also contributed to the failure of attempts at state creation at that period – an issue which came up more vigorously during the President Yar'Adua/Jonathan 2008/2009 Constitution Review by the National Assembly.

Indeed, it has been observed that the more local governments a state has the more the resources that accrue to it. So, one of the channels by which politicians have craftily drained the national purse is local governments revenue allocation funds (by virtue of constitutional provision). Since the inception of the Obasanjo civilian administration, it has been an open secret that what most local government chairmen and their deputies do as soon as they receive their share of revenue allocation is simply to appropriate it for their personal uses as against using it for developmental purposes.

Thus, the more LGAs a state has, the more opportunity for its citizens to acquire positions (such as local government chairmen, councillors and secretaries). Besides, an election into the House of Representatives is based on the number of LGAs and population. This means political exigency more often than not weighs more as determining factor for creating more LGAs than developmental purpose. Again, whereas it is much easier to create LGAs (as Lagos and many other states have done in

the current dispensation), it is constitutionally more cumbersome to create states. Even at this, no state in the federation has been able to create local governments essentially because of the constitutional obstacles (as pointed out earlier) and the political intrigues associated with it. For instance, between 1999 and 2004, local government became mired in intergovernmental power struggles between the national and state governments (Aiyede, 2004). The battle between the state houses of assembly and the National Assembly was fuelled by the failure of the Independent National Electoral Commission (INEC) to prepare the ground for election into local government councils before the expiration of the three-year term of elected local government officials in 2002.²⁴ The implication of the Supreme Court decision in favour of the states has been the creation of numerous new local councils especially between 2002 and 2003 (Benjamin, 2004:71). In other words, the Supreme Court judgement gave the states a leeway to assume full control of the local governments.

Again, history repeated itself in the area of local government creation as many states in the federation (including Lagos State) went ahead, like their counterparts during the Second Republic, to create local government councils. In most cases, such creations were arbitrary in terms of the number of councils created. In the Second Republic, the number of local government councils was increased from 301 to about 1,000, while in the present dispensation the number has risen to over 2,000 as compared to the constitutional number of 774. The state governments undermined and weakened the integrity and capacity of the local government system by the manner in which local governments were created. For instance, Ogun State created 32, Imo, 32, Lagos, 37 and Kogi, 27; all in addition to the existing ones, respectively. The time and manner of creation of the councils in both republics took the same pattern as they were created towards the expiration of the first tenure of the incumbent administration. Thus, it was planned on the eve of elections, when most governors were seeking re-election for a second term, which means that it was politically motivated. The National

²⁴ The association of local governments of Nigeria which comprises all the 774LGAs in Nigeria, was formed in 1999 to promote and protect the interests, rights, privileges and autonomy of the local governments. The association lobbied the National Assembly to extend the tenure of local government chairmen from three years to four years. This was going to be effected through the 2001 Electoral Act before the Supreme Court, in a landmark judgement on March 28, 2002, declared that the National Assembly had no power to legislate on the tenure of local government council officials. The judgement gave the states needed power to impress their vision on local governments. Thus, on June 2 when the tenure of the local governments expired, many states set up caretaker committees to oversee local government affairs. Elections into local government council were only conducted in 2004.

Assembly refused to recognise these new local governments for the purpose of revenue allocation. Similarly, the executive branch of the Federal Government rejected and refused to recognise the new councils and declared them illegal and unconstitutional.

The reaction of the Federal Government to the creation of the new councils was initially lukewarm (having considered the action of the states as engaging in futility) until the 27 March 2004 local government elections, when five states disregarded the order of the central government that states should not conduct elections into such new councils. After offices in the local governments were filled through the local government elections in early 2004, the Federal Government withheld their allocations on grounds that they had engaged in an unconstitutional act. While the Ebonyi State government redesignated the new local governments as development centres and promptly secured the release of the seized funds, the Lagos State government sued the Federal Government, challenging its right to withhold its allocation. Governor Tinubu argued that in creating local councils, his administration had followed the due process as required by the Constitution, which include conducting a referendum, delineating the boundaries and consequential approval by the state lawmakers before submission to the National Assembly. Based on this conviction, many Lagos State citizens staged a peaceful protest to Government House, Alausa, Ikeja, on 16 March 2004 demanding that elections go ahead as scheduled in the new local councils (*Nigerian Tribune*, Wednesday, 17 March 2004; *The Punch*, Wednesday, 17 March 2004).

Consequently, the Federal Government directed the Federal Ministry of Finance not to disburse funds to Lagos and any other state (Jigawa, Niger, Katsina and Ebonyi) that conducted elections into their newly-created local government councils. In reaction, the Lagos State Government challenged the Federal Government's decision at the Supreme Court. But, because the other states belonged to the Peoples Democratic Party (ruling party), they did not have the political courage to confront the Federal Government; they, therefore, withdrew from the legal battle. They annulled their new councils and converted them to development areas. However, the Supreme Court ruled in favour of Lagos State government, declaring that the Federal Government had no right to withhold the Lagos State Local Council funds.

However, on the democratic and representative content of the local government system, it has been poor as the federal and state governments have preferred caretaker and transition committees to elected officials. Most of these committees that were in place in most states between June 2002 and April 2004 were subjected to greater

control and manipulation. It was so because the composition was mostly party men and lackeys appointed for patronage rather than competence.

Similarly, the state governments have been accused by the Revenue Mobilisation and Allocation Fiscal Commission (RMAFC) of misappropriating allocations to the LGs from the Federation Account and value-added tax (VAT). The state governments are said to divert LG funds to other uses and to make all kinds of deductions (Ogbu and Onuwa, 2003). As a consequence, actual funds released to the LGs are much less. The state governments have particularly siphoned LG funds through the caretaker and transition committees, thus failing to provide good political accommodation.

Another area the state has failed to promote good accommodation is in the issue of joint state/local government accounts. The fund is controlled by the states with little input and actual consent from the LGs. There are numerous deductions and, consequently, meagre remittance to the local governments. The list of items and projects for which funds have been deducted include internal connectivity and fertilisers in Kaduna State, community reorientation committee and cofunding of provision of lunch to primary school pupils in Kano and agricultural loan, distribution of Thuraya phones, computerisation of salaries, printing of almanacs, fertilisers, rural electrification and stabilisation fund in Borno (Adagbabiri, 2003:16-17). These events have been prevalent all through the states of the federation as mass deductions and consequent underfunding of local governments have been pervasive in all the 36 states including the Federal Capital Territory. Also, states have been interfering with the collection of local governments' taxes. There are encroachments on the taxation jurisdiction of LGs.

5.4 The Clamour for Regional or Zonal Units in Nigerian Federalism

The Obasanjo administration (1999-2007) witnessed a serious clamour for the reintroduction of regionalism with the current six geopolitical zones as the federating units. During the 2005 National Political Reform Conference (NPRC), both the ethnic majorities of South-East and the South-West embraced the position which advocated that states should remain the federating units for the purpose of revenue allocations, while the zones are made the basis for federal appointments and infrastructural developments. The proposed states are: Anioma in the current Delta State, Ijebu State

from the South-West and a new state for the ethnic minorities in southern Kaduna State and two states from the South-East.

However, the campaign for regionalism *vis-à-vis* the revert to parliamentary system of government did not start with the current civilian administration, but dates back to 1992 when Chief Anthony Enahoro and his Movement for National Reformation (MNR) began to campaign for it. According to Enahoro, regional federalism is proposed to aggregate all states in the federation into a few (between six and ten) regions or units. This is meant to respond to:

the need to resolve the “nationalities” question in Nigeria... (and) restore genuine federalism as envisaged by the country’s founding fathers, by the creation of units large enough to perform the functions originally reserved to the regions but which have been progressively eroded by the federal government, by reason ... of the diminutiveness and impecuniosity of the present states (Movement for National Reformation, 1992:12).

A number of other bodies and individuals have been involved in the crusade for the establishment of regional federating units in the country and these include the principal pan-Yoruba and pan-Igbo associations (Afenifere and Ohaneze Ndi Igbo), the Union of the Niger Delta, the Ijaw National Congress, the Patriots, and quite a number of personalities.

As Suberu (2001:138) aptly observes, there have been several mutually incompatible, ethno-regionalist, loose federalist or even confederalist variants of this proposal. The most systematic and representative collective formulations were articulated by the Movement of National Reformation (MNR) and the Patriots. In 1992, the MNR called for the reconstitution of Nigeria into a “Union Government” of eight “federations”. The eight new units to be constituted include three federations that are ethnically homogeneous, (Western-Yoruba; East Central-Igbo; and Northern-Hausa-Fulani). The remaining five federations would compose of ethnically mixed groups or states as follows: South-Central (Edo and Delta), South-Eastern (Akwa Ibom, Bayelsa, Cross River, and Rivers), North Central (Bauchi, Benue, Kaduna, Plateau, and Nasarawa), West-Central (Kwara, Kogi, Niger) and North-Eastern (Adamawa, Borno, Taraba, and Yobe).

The aforementioned federations were expected to ensure the rights of their ethnic or sub-ethnic components to internal self-government, decentralise as many

functions and responsibilities as possible to their constituent states, enjoy substantial powers) and resources (including full control of onshore mines and substantial powers and resources (including full control of onshore mines and minerals) *vis-à-vis* the union, and participate equally in the affairs of the union government. As envisaged by the MNR, the proposed new Nigerian Union would be negotiated and instituted at a national conference. This was expected to consist of representatives of all the Nigerian nationalities and special interest groups.

In January 2000, the Patriots released a draft bill to amend the 1999 Nigerian Constitution. The proposed amendment would reconstitute Nigeria into a six-region federation. The six regions, which coincide exactly with the country's current more or less informal geopolitical zones, were identified as follows: "North-Central, North East, North-West, South-East, South-South, and South-West with headquarters in Jos, Maiduguri, Kaduna, Enugu, Port-Harcourt and Ibadan, respectively" (The Patriots 2000:27). These regions would have their own constitutions, and would have the powers to establish their own constituent states. Like the MNR, the Patriots proposed the equal representation of the federating units²⁵ in the federal or "union" government. The above raises a fundamental question, that is, what should be the optimum structure for Nigerian federalism? Our response to this question will be provided in the concluding chapter.

5.5 The Political Economy of State Creation in Nigeria

Over the years, creation of states in the country has undoubtedly assumed a very contentious status in the nation's politics. It has been tied to revenue allocation and, the very latest in the debate, resource control. Hitherto, state creation was generally seen as a minority affair, as the dominant ethnic groups were less concerned with splitting up their own region/state having provided them with their political power base. Also the military regimes have more or less played a more successful role in the question of state creation, having achieved relative success at it over their civilian counterparts (Benjamin, 1999a, and 1999b). Over the years, state creation in Nigeria, has tended to undermine the question of national unity as the latter has always assumed a secondary role (Nnoli, 1978; Awa, 1983). As it came to be, political expediency and perhaps the

²⁵ At the NPRC, the North opposed the agitation for zones to be made federating units, while other zones tactically stayed away from endorsing the call by the South-East.

factor of even development later took the prime place rather than national unity in the issue of state creation in the country.

The various ethnic groups, particularly the major ones, aspire to gain more states than others when the new ones are created while the minority groups are fighting the battle for states of their own for fear of ethnic domination and discrimination. Sometimes, this results in fierce conflicts between different ethnic groups within a state. In essence, the issue of state creation in Nigeria has not been so much into a development strategy, as it is officially and popularly portrayed, but a distributive policy that enhances access to federal resources for some of the nation's cultural territorial segments. The desire of some Nigerian political elite to enhance the corporate bargaining power of their ethnic group or gain from a further share in the national resources helps to explain the attempt at state proliferation (Ayoade 1988:24).

In the first place, states and local government councils derive a disproportionate amount of their revenues from the oil revenues collected by the Federal Government. Hence, despite the federal system in operation, the central government has often unilaterally restricted, appropriated or even abolished the independent revenue jurisdiction of states. The heavy financial dependency on the centre by the states has, over the years, encouraged financial irresponsibility and the attendant regular strong agitation for new states (Forrest, 1986). This phenomenon has become worrisome to most public analysts because any little shock at the federal source of revenue destabilises the resource base of the states, thereby causing delay in the implementation of the development programmes. The dependency of states on the Federal Government for funds degenerated soon after the 19-state structure was attained. As more and more states were created, the level of dependency increased, with less and less internally-generated revenue base for these states (Aikoye 1992:5). The situation became worse with the introduction of the structural adjustment programme in 1986.

As far as the political parties are concerned, the issue of state creation is a means of securing greater electoral support particularly in areas where new states are demanded. Also, due to the need to checkmate political dominance by one particular group, proliferation of states becomes imperative. For this purpose, political parties from the South, in the 1950s and 1960s actually involved political gerrymandering, which encouraged the creation of more states in order to dislodge northern domination (Osaghae 1983, 1988; Dudley, 1973). The concern was how to win more votes and

with less emphasis on balancing the federation or enhancing political stability. This argument cannot be stretched too far as it appears to be a double-edged sword. With the creation of more states, states have indeed become weakened and peripheral to the central (federal) government. To this extent, the creation of more states has had far-reaching political and economic implications for Nigerian federalism. Under civilian rule, political parties endeavour to make political gains through the creation of more states; under the military, states were created partly for legitimacy purpose.

In contemporary times, there has been the problem of narrow conception of statism, making many states of the federation to embark on summary dismissal or termination of appointments of so-called non-indigenes from some state civil services. Unfortunately, the government in many respects encourages it by demanding information on state of origin in almost all important documents. The enormity of this problem has been summarised by Ayoade:

The present day Nigeria has remained a disaggregative federation. It is propelled by an adversarial relationship of near incompatibility. As time went on, the creation of states assumed the proportion of a selfish entrepreneurship of the elite. They saw state creation as a revenue-sharing formula and a ladder for the attainment of political prominence in Nigeria. State creation, therefore, legitimised mutual communal hatred and became an expensive job-creation exercise. The enormity of this problem is illustrated by the joke where friends from the old Oyo State who later found themselves in Oyo and Osun States referred to themselves as former brothers (Ayoade, 1997: 6).

Politically, it is sometimes worse as most Nigerians can hardly contest for any elective post and win, let alone getting state appointments to public offices in states outside their own state of origin. The problem is much more pronounced in urban centres than rural communities as non-indigenes are alienated socially and politically in their own country. Moreover, the issue has become a weapon used by the elite to pursue their personal interest particularly during elections. The Nigerian federal structure tends to be perceived as a device for the elite to take advantage of state resources (Graf, 1988). Thus, beyond a certain degree, creation of more states becomes counterproductive to both the states and the federation itself. This trend invariably makes the constituent units to depend on the Federal Government, which further deepens the centralisation phenomenon.

Importantly, state creation exercise in Nigeria has undoubtedly accentuated ethnic minority consciousness in several significant respects. For instance, some groups such as the Tiv and the Urhobo who are minorities in the larger national contexts constitute ethnic majorities in their respective states. The same charges of domination and marginalisation which such groups level against the dominant groups at the centre are hurled at them when they constitute ethnic majorities at the state level. The Idoma of Benue State, for instance, accuse the Tiv of using their numerical superiority to marginalise them in the allocation of resources in the state. Moreover, the state creation exercise is frequently interpreted by ethnic minorities as a political device to increase economic and political prerogatives of the majorities. This accusation derives from the practice of sharing federal resources on state basis. From this perspective, the Yoruba with six states and the Igbo with five states get six and five shares respectively instead of one share each that would have accrued to them if states were created on ethnic basis.

Indeed, Nigeria's ethnic minorities have been consistently dissatisfied with the distribution of power and resources in the country. This has remained so because the majority ethnic groups have often used their numerical superiority to exploit, oppress and dominate the minorities. Thus, the minority agitations over power, representation and control over resources pose fundamental challenges to the nature and processes of federalism in Nigeria. Besides, the potency of minority agitations is the unsettled issue over the appropriate basis for the constituent units of the Nigerian federation (Agbese, 2003:238).

From the foregoing, state creation has become a creative response to the problem of the national question. By 1976, the increasing demand for more states had found different justifications. The biggest reason for more states was no longer that of rescuing minorities from domination but that of achieving more balanced development or promoting more development by bringing it closer to the people. At this point, both the majority and minority groups want more states created. Justice Irikefe Panel on state creation in Nigeria was clear on this: "The basic motivation for more states is rapid economic development. All other reasons adduced by state agitators are in the view of the panel, to a large extent more rationalization to achieve the basic purpose of development (Irikefe Panel, 1976:10)".

The merit of the post-1967 state creation as one package of policy solutions to the problem of accommodation is the manifestation of its ambiguous character. Once

states are created as avenues for promoting development, the states begin to see themselves as primary units for participating and sharing in the development of the system. Permitting “non-indigenes” of a state to share equally in the services of the state means depriving the “indigenes” of the state some of their “due” national share. If states have become the primary units for participating in the development of the nation-state, then states also begin to become primary units of loyalty and emotional attachment in the system. This is the basis of the dual citizenship phenomenon in Nigeria. A person is a citizen of a state and a citizen of Nigeria, but the state (home state) comes first for him because he gains more from it: he is an indigene of a state from which he gets his full entitlements but from which “non-indigenes” are excluded or discriminated against. Neither the first nor the second helps in achieving meaningful accommodation in the federation.

Now, Nigeria has 36 states with 774 local government areas and the demand for more states continues unabated. This means that the use of state creation as a policy instrument for addressing the national question has not stopped. The pertinent question to ask therefore is: has state creation solved the problem it set out to address? Perhaps the state creation exercise of 1967 helped to contain the Biafran secession as the first major challenge to the integrity of the Nigerian federation. Again, by reducing the size and resources of the subunits of the federation thereby reducing the mobilisational capacity of the units to challenge the centre, the policy of state creation has enhanced the structural stability of the Nigerian nation-state. In stimulating the demand for more states, the policy has fostered more sub-national competition against the nationalism of the nation state. Panter-Brick (1970) supports this while commenting on the Federal Military Government’s policy on revenue allocation and distribution amongst the various states which:

immediately put a premium of further devolution, especially in those parts of the country where the demand for services of one kind or another was more intense. A greater share of the federally distributed revenues could be obtained simply by multiplying the number of units of government, each of which would then claim its equal share of the national cake (Panter-Brick, 1970).

Since state creation has produced more minorities, it means the policy has failed as an antidote to fear of ethnic domination. Although development has become its new rationale, it has failed to bring about balanced development. Meanwhile, the

increased number of states and their increased dependence on federal support seem to have increased the intensity of the scramble for the “national cake” (Ekeh and Osaghae, 1989). This persistent phenomenon has indeed moved Nigerian federalism towards centralisation. The development started in 1976 when the central government demonstrated an increased capacity to alter unilaterally and, in its own favour, the existing distribution of power between it and the regional governments and, indeed, among the various levels of government. Second, an increasing accretion to the Federal Government of functions previously allocated to the regional (or state) governments continues. Third, the resources coercive, bureaucratic, ideological and financial directly available to the component units (regions or states) for carrying out their constitutional functions, have steadily diminished in range and quantum while those at the disposal of the Federal Government are on the increase (Asobie, 1998:18). With the above, states have become weak to the extent that they can no longer challenge the overbearing attitude of the central government which is becoming too powerful and domineering, thereby making the states and local governments less significant to the central government. This means that the Nigerian federation no longer provides sufficient guarantees for equity, territorial justice, and mutual security.

Thus, the question of state creation may be rightly attributed to a number of other factors such as grievances, injustice, marginalisation and unfairness particularly in the treatment of the minorities in the country. Without fear of contradiction, it is apt to argue that state creation in Nigeria, with specific reference to 1996, has failed to consider economic viability, while the desire to conquer the centre and satisfy class interests remains the basic yardstick (for state creation). Consequently, state creation is anchored on manipulation of ethnicity and exploitation of the innocence of the people. For this reason, the various exercises have hardly achieved their desired objectives, as they have merely encouraged ethnic consciousness or hostile attitudes towards non-members of a given state by evoking the notion of non-indigeneship to deny many fellow citizens their privileges, rights and opportunities. This is what Otwin Marenin (1988:21) describes as an “over-powering statism which inextricably intertwines political and economic power.”

Another factor that has influenced the creation of states in Nigeria is the enunciation of federal character. This is because many Nigerians, particularly the elite and politicians, believe that one of the surest ways to improve their ethnic group’s share of the national cake is to split the group into a number of states. To reach this

end, the Nigerian elite which operates through ethnic factions, seeks privileges and opportunities especially at the emergence of every new regime, be it military or civilian, though state creation has virtually remained a military affair.

The provisions of 1979, 1989 and 1999 constitutions relating to state creation maintain the status of rigidity. It is against this backdrop of rigidity in constitutional provisions that state creation in Nigeria remains virtually a military affair. It has been relatively easy for the military to create new states because, in all military regimes, the nation's constitution is always under suspension, while daily governance is carried out through promulgation of decrees and edicts.

Further, the self-serving elitist agitation for the creation of their own state was made more legitimate by the fact that all newly-created states were given special treatment by the Federal Government through the diversion of resources to the new states. Thus, as soon as a new state was carved out of an existing one, the two states together would get almost double what the former unit used to get. Apart from the special allocations to make it possible to duplicate all the administrative structures of the carved-out state, the Federal Government readily makes available special funds to provide state-symbol projects such as a television station, a radio station, an ultra-modern secretariat, two-lane double-carriage way lighted streets, and modern markets. For instance, prior to the creation of nine new states in 1991, the Federal Government approved expenditures of N70 million each for the construction of governor's office complex and executive council chambers in the new secretariat, N17.5 million for each new state high court complex, N10 million for township roads in every new state capital, N5 million for each new state police headquarters and another N5 million for the headquarters of the Federal Ministry of works in every state capital. A similar approach was adopted by the Abacha regime for the six new states it created in October 1996 by granting them funds, to enable them establish their state houses of assembly, high courts and secretariats.

Against this background, it can be argued that one of the achievements of state creation in Nigeria is the entrenchment of class formation and intra-class struggles within the locally-dominant class (Ekekwe, 1986:1). Therefore, having access to, and/or control of, state apparatuses or institutions are vital for this class in consolidating its dominance and as its members seek opportunities for personal wealth or accumulation of capital. Also, the evolving distributive approach to federalism and territorial reforms in the country have invariably promoted the establishment of

constituent governments into a veritable source of socio-economic opportunities and political patronage for sectional elite and communities (Suberu, 1994b).

Perhaps we need to appreciate one significant fact that although citizens' demand states have been geared towards promoting even development within their respective states and allay the fears of minorities through fairness and justice in all government matters, it has not in any way stopped the agitation for the creation of new states. Although the minorities' fear of domination by the major ethnic groups has been at the heart of the demand for the creation of new states, other more overriding economic justifications have downgraded all the initial reasons for them. Remarkably, if assuaging minorities' fear was the only reason, there would have been no need to carve six states out of the former Western State, nor would there be any need to break the former East-Central State into Anambra, Imo, Enugu, Abia and Ebonyi States. The ethnic groups in the former Western and East Central states are as internally homogeneous as the people of Kano State, for which reason Kano demanded for more states which it got in 1991.

The reality, of course, is that state creation in Nigeria has been a matter of *Realpolitik* of elite accommodation in the accumulation process, depending, among other things, on the political clout of state agitators and their access to military regimes. Therefore, to finally resolve the question of state creation, there may be need to recognise the fact that it is an inherent part of Nigeria's efforts at resolving the national question. Be that as it may, it entails a consideration of the ethnic regional and other sectional or sub-national identities and interests. The problem of nation-building is not about eliminating sub-national identities but how to make them compatible with national identity and loyalty, to the end that, whenever there is a conflict, the latter prevails (Osaghae, 1990:116). Thus, the Ogoni people in the present Rivers State and the issue of Ijaws being scattered among a number of states in the southern part of the country are a difficult issue to finalise. They require political will on the part of the government and patriotism on the part of the Ijaw people. However, the issue of creating a new Delta State with its capital located at Warri while creating Aniom State with its capital at Asaba is imperative. Likewise, the creation of a separate state for Southern Kaduna minorities needs to be looked into if the issue of state creation must be resolved once and for all.

Finally, it is imperative to point out that the issue of state creation has become relevant in the Fourth Republic only in specific situations such as campaign periods

and when national debates/conferences (for example, the National Political Reform Conference) are held. At the moment, in terms of North/South balance, the North has an edge over the South (19 states to 17 states). If the clamour by the North to get Abuja treated like a state is granted, it would further increase the number of states in the North to 20, which would invariably widen the gap between the North and South.

5.6 States Proliferation: Its Implications for Nigerian Federalism

The significance of state creation in Nigeria can be gleaned from the functioning of the federal system in the country in the following perspectives. Foremost in this regard is the ability of the present structure to obviate the fear and potentiality of anyone state dominating the federation. The creation of new states which granted autonomy to minorities in the former Western, Eastern and Northern regions from the domination of the Yorubas, Igbos and Hausa-Fulani groups, respectively, provided the needed legitimacy of the new arrangement in the eyes of those minorities thereby increasing their support at the political system level. Moreover, state proliferation has helped in breaking up of the old large regions into smaller states thereby reducing the size of the resources that could be mobilised by anyone unit to challenge the centre. This has also increased the visibility of the centre and the latter's capacity to act in defence of Nigeria's corporate whole (Onyeoziri, 2002).

Today, no single state is large enough to threaten the stability of the country or become the source of fear of domination to other states (Gboyega, 1987). Nigeria's multi-state federal system enhances some measure of political and policy autonomy for territorial communities at the sub-federal level. Again, the existing structure in the federation, unlike the former regions, cannot effectively restrain the centre from regulating the conduct of local government affairs, and must operate within a centralised federal constitutional framework in which the Federal Government can legitimately intervene in practically every matter of public importance (Suberu, 2004:8). However, in spite of the weaknesses of the existing structure, the states enjoy some degree of authority to spend the federally-devolved revenues, to promote local languages and cultures, and develop local laws and courts.

In the Fourth Republic, the constitutional accommodation of *sharia* legal system has been put to test by a number of northern Muslim-dominated states, probably to extend the scope of Islamic law from mainly personal and civil cases all

the way to criminal issues, including the enforcement or codification of strict Islamic sanctions. The multi-state structure obviously has functioned to diffuse and decentralise the *sharia* crisis partly because of the fragmentation of the predominantly-Muslim Hausa-Fulani North into several states. Indeed, a major achievement of multi-state federalism in Nigeria has involved the use of the federal structure to fragment, crosscut and sublimate the identities of each of the major ethnic formations of Hausa-Fulani, Yoruba and Igbo, thus reducing the level of political hegemony the major ethnic groups could exercise over the minority ethnic groups.

Unlike the old regional structure, which had more or less consolidated each major group into a single constituent unit, the current 36-state structure distributes the major ethnic groups into approximately 22 states, including about 10 Hausa-Fulani states, seven Yoruba states, and five Igbo states. This distribution has helped to expose and reinforce historic sub-ethnic cleavages within each major group, as evidenced in the conflicts between otherwise ethnically-homogeneous major ethnic states over the sharing of assets of subdivided regional or state units, revenue allocation, and the employment in state-level bureaucracies of so-called non-indigenes.

The proliferation of each of the major ethnic groups into several states has functioned both to relegate each group into smaller states that cannot individually threaten the authority of the Federal Government, and to generally dilute and moderate the aggressive Hausa-Fulani, Yoruba and Igbo chauvinism that had found expression through the old regional system, generated bitter inter-ethnic and secessionist conflict, and brought the country to the brink of disintegration. To be sure, the major ethnic groups have continued to demonstrate considerable internal cohesion as they compete with each other in bidding for supremacy in national politics. But such major inter-group conflicts now take place in a more ethnically-fluid, decentralised and crosscutting context than the defunct regional framework.

Again, state proliferation in Nigeria has no doubt helped to empower the ethnic minorities in the federation. Whereas the old ethno-regional federal structure had corralled the minorities into majority-controlled regions, the present 36-state structure includes some 14 ethnic minority-controlled states. To be sure, it has not been possible to endow each of Nigeria's over 200 minority communities with a state of its own, and these communities have often condemned the creation of states for sub-ethnic communities within the major ethnic groups at the expense of the "real" ethnic minorities (Suberu, 2004: 12). Yet, with approximately one-third of the state in the

federation under their direct control, the minorities now constitute a substantive, although heterogeneous and fractious, political bloc in the federation.

Also, it is imperative to note that political restructuring through states creation should ideally lead to the establishment of a national identity (even as the range of inter-group relations are enlarged) that would progressively lead to the emergence of national character in spite of the plural nature of Nigeria. It is expected to enhance ethnic preferences or what can be referred to as local captures, to enhance effective management of crisis of national integration. But in the post-independence Nigerian politics, imbalance in the federal structure has been allowed to generate and aggravate crises, while proffered solutions have tended to be of an *ad-hoc* nature, leading often to debates on the national question. To this extent, state creation in Nigeria has not fully attained its purposes and objectives.

For instance, the threat to Nigerian unity, fanned by ‘indigene’ and ‘non-indigene’ issue is apparently not about to abate, and thus constitutes a serious challenge to the much-touted national unity. The actions of many state governments since the current democratic dispensation tend to negate the notion of “One Nigeria”, and the fact that state creation has robbed the nation of its bond of unity by assuming a potent divisive factor, contrary to the nationalist spirit prevalent at independence in 1960. In short, state creation has inadvertently divided Nigeria into 36 semi-autonomous and antagonistic states, thereby moving the country from ethnic nationalities to sub-ethnic components. Currently, the only persons that perhaps profess national unity are political leaders at the federal level, and that is probably because of their personal benefits.

Nigeria needs to redefine non-indigenship, as the present perception is fraught with danger, being at the root of the crisis in Jos and many other flash points in the country, where “indigenes” and “settlers” are pitched in bloody confrontation. Yet, Section 15(2) of the 1999 Constitution provides that “national integration shall be actively encouraged, while discrimination on the grounds of place of origin, sex, religion, status, ethnic or linguistic association or ties shall be prohibited”. In promoting national integration, subsection 3 further enjoins the state, including state governments to “secure full residence rights for all citizens in all parts of the federation.”

Again, the present 36 administrative political structure of Nigeria is deficient and economically unviable. It is not an overstatement to declare that the creation of

more states has given rise to increasing misappropriation, a massive bureaucracy, corruption and embezzlement of public funds on a scale that was hardly seen when Nigeria had regional governments. This is not by any means suggesting a return to the old regional system nor does it imply that creation of more states is totally evil. The position is that with so many states in existence, the assets and resources of the nation are being frittered away by the numerous federal and state establishments. And some of the states are so poor that they can hardly afford basic amenities for their citizens (cf. *West Africa*, 31 January/February, 1994:156). Consequently, the dependency syndrome and the commonality of inadequate economic resources have created an atmosphere conducive to grabbing and scrambling for economic advantage.

The balkanisation of the country into numerous states and local government areas has equally meant the ultimate death of the erstwhile competitive spirit in the days of four regions. The regions were powerful engines for economic and social development. All the same, state creation has, to some extent, strengthened the federal spirit and its principles, in particular, by meeting the yearnings and aspirations of some citizenry in the country. Also, it has contributed to the government's objectives of increasing mass participation both at the state and local government levels through the decision-making process as well as participation in national and local politics. This refers to expansion in the number of Nigerians involved in domestic politics and decision-making process at the moment.

However, failure to adequately address the problem of minorities still persists. Whereas the major ethnic groups get more states and, therefore, more federal patronage and largesse, the minorities get a proportionally less number of states and end up with less benefits. For instance, out of the 36-state structure in the federation only 14 are minorities as against 22 for major ethnic groups. Yet it is known that Nigerian ethnic minorities account for as much as 45 per cent of the population (Benjamin, 1999; 2000:51). The injustice of the system assumes a frightening dimension as the producers of oil, the nation's major source of revenue, are the southern minorities who are highly marginalised. The gross inequalities once warranted the Movement for National Reconciliation and Ogoni formula to call for federations based on nationalities and historical ties (cf. Naanen, 1995).

5.7 Issues Arising From State Creation: Create Warri as a Federal Territory

The unprecedented growth (or multiplication) in states and local governments (1987-1996) has obviously constituted a big problem in Nigeria. As mentioned earlier, most of the constituent units depend considerably on the federation account for financial survival. Internally-generated revenue is virtually completely neglected, in particular by most local governments. This problem becomes more weighty when viewed against the fact that the Nigerian society is such that citizens are quick to demand their rights and privileges while always unwilling to reciprocate in the area of duties and responsibilities. The problem is again compounded by the pervasive corrupt attitude by those who rule, in their misguided equation of the public purse with their private possession.

One of the paradoxical experiences of state/local government creation is that people who were hitherto members of the same family suddenly became antagonistic to one another soon after new states/local governments were created. Perhaps, the failure to sort out details about the boundaries, component parts and location of headquarters of newly-created local government areas created problems as well as gave the impression of possible horse-trading in some cases and power tussles at some levels. The experience of 1996 was a unique one. In particular, the change in local government headquarters in Delta and Osun States (Ogbe Ijaw/Ogidigben in Warri and Ife-Modakeke, respectively) were ill-advised in view of the violent protests and loss of lives that accompanied the change.

Notably, a lot of losses were incurred in all the conflict-ridden communities, especially regarding lives, properties, traditional ties, man-hour labour cost, and even, in physical and psychological predisposition. Many of these losses could hardly be quantified in terms of monetary value; it dampened prospects for intra-state trading activities, foreign investment as it constrained foreign investors to regard Nigeria as an unstable polity. Also, the crises affected oil production and other business-related activities as well as government functions in all governmental offices, particularly in Warri, Nembe, Ife and their environs in Delta, Bayelsa and Osun states, respectively.

In Warri, for example, Shell Petroleum Development Company (SPDC) shut down all its flow stations in the Ogidigben oil field following protests by the community²⁶. The conflict that ensued in Nembe/Bassambiri communities was just a

²⁶ The crisis at different occasions since the March 1997 incident assumed a national dimension as a combination of military, police and soldiers was used to put the crisis to an end. Nigeria lost about N3

little less in dimension compared with those of Warri and Modakeke. In addition, the nation lost about 800 barrels worth of oil revenue per day during the period (Benjamin, 1999a). More worrisome was the fact that since the ugly incident of March 1997, Warri and its environ, for a long time, had no peace. Ethnic conflicts and oil-pipe vandalism through youths' restiveness became the order of the day. The new dimension to the pervasive conflicts was the twin problems of hostage-taking and kidnapping of foreign oil workers, which were associated with ransome taking.

The issue of state creation had gone beyond the dimension of the minority problem – a socio-economic and political problem; it involves issues of family ties. For instance, there is ample evidence that some states (e.g. Delta State with its headquarters at Asaba) were created for no other reasons than to satisfy the cravings of a First Lady and her political family (Soyinka, 1998:28). It is so because, many Nigerians do not only want the development of their areas, but also want their share from the national cake and exploit every political opportunity that comes their way. Hence, from all indications, the issue of asset-sharing between newly-created states have often constituted a serious problem; even states known to have possessed some cultural and traditional homogeneity among the people, a factor which ought to have enhanced amicable resolution of the issue, have had difficulties in reaching agreement.

Another problem relates to the poor handling of staff movement from the old state to the new. In most cases, the practice has tended to mar all existing relationships between the states; it has created frustration and despair among workers of the states concerned, in many instances leading to unwarranted resignation of workers from service. This abnormality contradicts the essence of state creation, one of which is the accommodation of various interests and promotion of even development for the benefit of all groups. However, it should be noted that in every human society there is bound to be conflict but how it is resolved depends on the attitude of the people concerned. But in contemporary Nigeria, we have witnessed the deliberate fomenting of battles between communities, as a result of the redrawing of local government boundaries and the siting of headquarters based on arbitrary directives from Abuja (the nation's seat of central government). Warri has been worse off in this regard and, because of this and its peculiarity, it demands special attention in this study.

billion in oil revenue to the Warri crisis when exploration activities were disrupted at a number of flow stations.

The fundamental point to be noted is that state creation has acquired the image of social phenomenon that has failed to move beyond being a weapon in the hands of communal or ethnic champions for eliciting political support by exploiting the demand for additional states, which invariably raises the problem of ethnic tension in Nigeria. In most cases, ethnic preferences are hardly taken into consideration. Hence, the question of minority does not only recur at every point new states are created but it is also magnified. The implication is such that the creation of additional states has become a recurring problem in the country to the extent that, in places like Warri, ethnic fractionalisation has contributed considerably to the existing regular ethnic militia uprising. The old known culture of intermarriage among the various ethnic groups in Warri and its environs has given way to bitterness and hatred and frequent inter-ethnic conflicts of various magnitudes. Even the setting up of Ministry for Inter-Ethnic Conflicts Resolution²⁷ has not succeeded in wiping out the differences that have arisen among the Ijaws, Itsekiris and Urhobos on one hand, and the other numerous smaller ethnic groups as well as any of these major ones in the Warri territory. It is against this backdrop that the Warri crisis can better be resolved by making it a federal territory to attract more Federal Government attention in terms of provision of infrastructure and other socio-economic development.

5.8 Theoretical Significance of Local Government in Relation to Politics of Accommodation

In the view of the Nigerian Government, local government can be defined as:

Government at the local level exercised through representative councils established by law to exercise specific powers within defined areas. These powers should give the council substantial control over local affairs as well as the staff and institutional and financial powers to initiate and direct the provision of services and to determine and implement projects so as to complement the activities of the state and federal governments (FRN, 1976:1).

Based on the above conceptualisation, there is a consensus that local government is a government that exists within a small area, charged with the

²⁷ The ministry has been created for the recognition of peculiarity of Warri in Delta State. Warri is a small territory inhabited by numerous ethnic groups which has made it impracticable to create the required local government areas for all concerned. Therefore, to resolve such issues, the ministry had to be created.

responsibility of executing public policies within given powers. It must involve local inhabitants of the area in decision making through their elected representatives, an indispensable feature of any genuine democratic system. Indeed, in Nigeria, they constitute a critical focus of the quest for viable socio-political arrangement.

At the theoretical level, the increase in the number of local government areas in Nigeria has expanded the political space at the grassroots, which consequently broadens the number of participants at the national level particularly at the House of Representatives. In view of this political expansion at the grassroots, some communities which hitherto were excluded from national politics are accommodated both at the national (House of Representatives) and the state (State House of Assembly) levels. It has equally afforded decentralisation of powers and government administrative systems with the constitutional recognition of a third-tier of government, the non-granting of actual local autonomy notwithstanding.

While local government in Nigeria has made it possible to have a federal arrangement which recognises a three tier government, namely the federal, state and local government, the manifestation of these three layers of government cannot be said to be full in practice, until a minimum level of autonomy is granted to both the state and local governments in their sphere of operation. According to Ylvisaker (1959), liberty may be achieved through local government as it provides the individual access to power, points of pressure and control. It enables minorities to avail themselves of governmental position and power, and keeps power close to the people thereby facilitating control of government officials by the people. As a level of government, it is a countervailing power to other governmental levels, and as a power-sharing device it helps to localise and confine problems that may arise from the governmental process. Precisely, local government enables services of local importance only to be locally administered, provides education in citizenship, provides training in political leadership, makes available to the central government information about localities which is essential for adequately meeting their needs efficiently, and minimises concentration of political power by diffusing it (Gboyega, 1987:3). These values do not only promote democracy; they also contribute to the development of a democratic climate as well as promoting political accommodation at the communal level.

Also, local government creation has been a mechanism through which political autonomy, economic development, and cultural self-determination are enhanced. To this extent, most military regimes in Nigeria, especially the Babangida and Abacha

regimes, came to sympathise with the yearnings and aspirations of communities that demanded more states and local governments. But the regular federal interference in the affairs of both the state and local governments has indeed hindered the realisation of this theoretical value in Nigeria. Hence, not much has been achieved at the second and third tiers in terms of political accommodation.

The above notwithstanding, it should be noted that since 1979 when local government was formally entrenched in the nation's constitution, it has acquired an enhanced position in the country's political engineering. Having been made federal constituencies for the election of members of House of Representatives and other federal *ad-hoc* committees, such as the national constitutional conference in June 1994, which produced a draft constitution that forms the bedrock of the aborted 1995 draft constitution, initially meant to go into operation (after due amendment) in the Fourth Republic, local governments have become very relevant in Nigerian federalism.

Usually, it is believed that local government plays an important role in the transition to democratic government in post-authoritarian systems. As Resler and Kanet (1993) have argued, autonomous local governments are particularly significant in establishing the link between participation, legitimacy and democratic governance. Local government capacity or quality of governance is particularly important when local units are expected to accomplish national purposes, including the development of stable political institutions and processes, which have been the bane of establishing local government in Nigeria as well as its subsequent entrenchment and recognition as the third tier of government in the nation's constitution since 1979.

Today, local government is one of the most enduring legacies of military rule in Nigeria. It is largely to the credit of the military that the local government system has experienced a radical transformation, from being an ordinary agent of regional/state administration to an important autonomous third tier of government (Oyelakin, 1995). Consequently, it has provided genuine opportunity for people to participate in the management of their own affairs. It has also served as an effective training ground for breeding political leaders both at the state and national levels. In fact, studies done on the 1987-1988 local government elections point to the fact that councillors who contested the elections were also interested in running for state and federal political posts (Jinadu and Edoh, 1990). Moreover, the primary importance of local government to the success of the final military transition to civil rule in 1999 cannot be overemphasised.

Also, the substantial increase of local government's share of the Federation Account from 10 per cent to 15 per cent in 1990 and to 20 per cent in 1992 till date and the implementation of the federal presidential system of government at the local government level were designed to hasten the development of the democratic culture in Nigerian federalism as well as create an enabling environment for political participation at all levels of government. Again, the local government institution plays a crucial role as agent of grassroots representative democracy especially from the perspective of transition to civil rule. These goals show that local government institution is of immense importance to building the Nigerian nation-state at the grassroots level. For instance, the December 1998 local government election served as the acid test for the erstwhile nine political associations as their final registration was predicated on their performance in the election. This means that local governments have been made a testing ground for recognising the Fourth Republic political parties.

In spite of short comings in the local government system, it has moved from the parochial confines of the traditional elite to that of mass concern. It touches the lives of the masses more than any other level of government. Thus in Nigeria, the role of local government as a provider of service to the local community and instrument of democratic self-government is being accorded its due recognition though slowly. Indeed, local government constitutes the level at which the impetus to sustain national development can be established. It is obviously the closest level of government to the people. In Nigeria, it constitutes an effective instrument for initiating, promoting and executing rural development policies, projects and programmes and has also been involved in the broader issue of nation-building. The strength of these facts in enhancing grassroots democracy can be viewed from the dynamic nature of the international community, coupled with the principle of the interdependence of the various units in the global world systems.

Finally, it is important to remark that the various reforms in Nigerian local government systems are yet to prove effective because local governments have not been allowed sufficient autonomy to enable them execute their statutorily assigned functions. Unfortunately, there has always been a tendency to exert undue control over local government by the central government essentially for political reasons; or as in the case of military government, for mere love of authority and command. In view of this, the posture created by the erstwhile military administrations, which favours the elevation of local government into the third tier of government in the Nigerian federal

structure should be appreciated and encouraged. This is because with that status, local government would enjoy a greater degree of autonomy which will put it in a good stand to perform its role in enhancing progress in the Nigerian federal structure.

The 1999 Constitution has made adequate provisions for responsible local governments, however, the internal contradictions in the document have not allowed for viable local governments. The operators of this constitution for the past eleven years (1999-2010) have demonstrated the shortcomings in the constitution especially in the area of state-local government relationship. Not only have the states expressed their dissatisfaction with some of the provisions of the constitution, albeit some questionable areas exist, they have also passed state laws to give them stronger clout in their control and management of local governments (Odoh, 2003). Such areas of control over staffing, finances and functions do not augur well for effective devolution. Worse still, there has been evidence of excesses in invoking some of these constitutional provisions. These have been in the areas of creation of local governments, funding, and appointment of caretaker committees, removal of local government executives, and the use of the State Electoral Commission. Such excesses in these areas have affected the autonomy and viability of these councils. Their third-tier status has subsequently been eroded. Local governments are becoming more of appendages of the state government, a phenomenon that does not vary in any way from what obtained under the Second Republic.

While the 1999 Constitution may have provided for a democratically-elected council capable of enlisting popular participation and mobilisation, the political orientation of the political elite that sees local governments as electoral and patronage institutions rather than service-oriented institutions have thwarted the prospect of these institutions as devolution. With the intense competition for its resources by government and party, both workers and the communities have little or no hope in the workability of this constitution. The future is indeed predictedly bleak.

CHAPTER SIX

6.0 SUMMARY, RECOMMENDATIONS AND CONCLUSION

6.1 Summary

This thesis discusses the problem of political accommodation in Nigerian federalism. The study critically examined the issues and problems pertaining to politics of accommodation within Nigeria's federal system focusing especially on the problems of state creation, revenue sharing and power sharing. It further examined issues like the fundamental and more enduring collective interests relating to group rights to language, culture, local political autonomy, equality (with other groups), and development. Other problems relate to the intra-group contestations and negotiations that go into building agendas and leadership, which sometimes produce violent and protracted intra-group conflicts and the materialist basis of accommodation, which is often underplayed by analysts.

It is established that the Nigerian federation has a colonial origin from Sir Lord Lugard, through the 1914 amalgamation of the North and South of the country. The adoption of federalism in Nigeria became a necessity in order to bring about the needed accommodation of the diverse ethnic nationalities. The absence of these factors greatly accounted for the disaggregative character of Nigerian federalism, which meant an imposition by the out-going imperial power. Thus, the study attempted to distinguish between aggregative and disaggregative federalism. Aggregative federalism, as we noted, reflects the classical method of federation-building, to bring together previously-sovereign entities in a new federation. The Nigerian federal system falls into the disaggregative type, which means that the diverse ethnicities and nationalities were forcibly and arbitrarily incorporated into a unitary colonial state under British imperialism. This is quite unlike the aggregative federations where the constituent units were already established before coming together. In case of the disaggregative federalism, the delineation of the sub-national units is done on the grounds of administrative convenience, viability and political balancing, among others, in neglect of historical and political relations as well as ethno-linguistic and cultural relationships. Hence, Nigeria's continuous search for an appropriate framework to rule the ethnically-heterogeneous territories of the federation. This singular character has

greatly contributed to the instability in the Nigerian federal system, and thus, underlines the contemporary problems of political accommodation in the country.

The critical factors constituting politics of accommodation include bargaining, consensus, persuasion and compromise, both at the domestic and international scene. Most of these factors were neglected at the formative stage of the Nigerian polity. The matter is worsened by the interplay of ethno-regional imbalances and conflicts of uneven economic development, the heavy dependence on the governmental machinery for individual and group advancement, a weak attachment among the political elite to civic and consensual values as well as a fragile bond of nationhood. For this reason, Nigeria, like most other African states, has only been able to make minimal progress in consolidating the multifarious ethnic groups within its borders into stable national communities. This is evident in the dominant primordial loyalties of the various groups in the country over national patriotism. This again has implications for national integration and inter-ethnic accommodation. It is within this context that forging a sense of national accommodation and common citizenship among the various groups within Nigeria has been a difficult task to accomplish.

Apart from the colonial factors, the legacies of the country's successive post-independence military regimes also greatly influenced the shape of Nigerian federation and its attendant contradictions. Military intervention in Nigerian politics has changed the nature of public affairs and the practice of federal system in the country. It was a period of backward movement to the pattern and restrictions of British colonial rule in a vicious manner. This is so because the anti-federalist policies and practices in place today were designed and put in place by the various military regimes, even while retaining the nomenclature, Federal Military Government of Nigeria. For instance, the banning and criminalisation of politics became ever more entrenched under military rule (Ekeh, 1975; 2000:19). Even in the present era of democratic rule, such military influences pervade Nigerian politics.

The study noted that the entrenchment of federal character principle in the 1979 and 1999 constitutions did not enhance political accommodation and national integration; to this extent the country is still in search of models of democratic participation and accommodation that could ameliorate instability in Nigeria. In this regard, the principles of power shift, rotation of some executive offices and the use of zones in the distribution and allocation of top resources and political positions have been informally put in place from 1999 till date.

Also, the convergence of political economy of Nigeria and ethnic interests necessitated the adoption of a federal framework in organising the Nigerian state. The study notes that the failure to put in place some fundamental principles in the practice of Nigeria's federalism makes national cohesion an illusion in many respects. For instance, mindless bloodletting along ethnic and regional lines is a common occurrence in the country especially in some parts of Northern Nigeria. Even where partisan politics is the trigger, as witnessed in the aftermath of the April 2011 Presidential Election; as it were, the underlying ethnic animosities and sectarian differences immediately fuel the crisis. In the same vein the current activities of *Boko Haram* appears to be towing the same line, which continues to make a nuisance of national unity and nudge the country towards disintegration.

The politics of accommodation connotes the management of diverse interests in heterogeneous states. It includes the state or process of social adjustment to conflict. Accommodation is always differentiated from confrontation, aggression, and conciliation. It is more or less a settlement of divisive issues and conflicts especially in societies where only a minimal consensus prevails. Indeed, for effectiveness and sustainability in federal systems, political accommodation is imperative. Likewise, the study examines the concept of federalism from two perspectives. First, federalism as a means of uniting a people already linked by bonds of nationality through distribution of political power among the nation's constituent units. Second, federalism as a means of uniting diverse peoples for important but limited purposes, without disrupting their primary ties to the individual unions that constitute the federal system. It is in view of this that Federal Government is sometimes limited in its scope and exercise of powers.

The study focused on how power can be shared beyond the familiar central/states relations, and use of the federal character; citizenship and the minority question; the question of imbalance in the political structure; and the appropriate formula to be adopted in resource allocation. Again, to address the challenges from the politics of accommodation, certain important principles and decisions have been adopted. For instance, the decision of the Federal Government to establish various bodies on a number of issues such as revenue allocation, power sharing and devolution of power as well as states and local governments' creation and boundary adjustment, including the 2005 National Political Reforms Conference, further underscores the emphasis on accommodation and coexistence in the Nigerian federation.

Most of the formulae, that have been adopted to resolve some of the critical issues relating to accommodation among the multifarious ethnic groupings in the country, have often been distorted or frustrated by the hegemonic ambitions of the elite, the pervasiveness of the winner-takes-all syndrome in the Nigerian political landscape, the imperfections and contradictions in the constitutional provisions on power-sharing, and the underlying anomalies in the territorial configuration of the federation (Suberu, 1996). As a matter of fact, Nigeria's political history has witnessed a number of adjustments in the attempt to strike a compromise between centrifugal and centripetal forces. But they have all failed to yield acceptable solution. Rather, what has been witnessed includes the use of naked power and centralisation of power by the Federal Government. To this extent, institutions, structures and mechanisms for pluralist governance have not only remained weak and deceptive, but also proved incapable of sustaining federal practice in the form in which the advanced federal societies have come to know it. Thus, the Nigerian political process has become less accommodative, thereby making the attainment of true federalism more elusive.

In the recent years, the issue of power-sharing has been fiercely debated especially at the centre and among the tiers of government, with particular reference to federal - state relationships. The ethnic minority groups and elite, especially in the South, have remained the major actors campaigning to restructure the presidential system in a manner that would make for more equitable access to national political power in the federation. The expansion of the powers, functions and bureaucracy of the Federal Government in the last three decades remains a big problem to the peace and stability of the federal system in Nigeria. Indeed, efforts to impose a unitary system on Nigeria failed, but several leaders have strengthened the power of the Federal Government, in part through the seemingly paradoxical strategy of creating more states. Thus, the geometric increase in the number of federating units between 1967 and 1996 has reduced the ability of the states to function independently, operating largely as agents of, and appendages to, the Federal Government. Worse still, most of the states actually depend on federally-allocated revenue for the bulk of their expenditure. This is inimical to the operation of federalism.

The phenomenon of frequent agitations for autonomy through state creation has, on its own, resulted in the emergence of many unviable states; and states have invariably lost their own resources, powers and functions formerly within their domain

to the Federal Government. At best, most of the states have remained glorified local governments, while the latter have continued to be mere appendages to states, which can be dissolved and recreated at will both by the state and federal governments. Moreover, it has so far failed to meet its desired results such as the structural balance in the country, the satisfaction of the aspirations of minority groups for self determination, the allaying of fear of domination by one group over others, access to political leadership by all sections of the country and the enhancement of even development.

The shortcomings in the restructuring of the Nigerian state notwithstanding, state creation has served as a channel for the direct expression of intense regional or minority concerns and as a more effective means of realising the goals of political and economic development among a disparate people. State creation has become one of the means of accommodating the views of both the minority and the majority in the country. Indeed, with the present fragmented structure, it will be more difficult and onerous for a component unit or group of states to secede, especially when the component units rely on the mineral resources and wealth of the seceding state(s) to balance the Federation Account. It has also served other purposes such as being used by the political and traditional elite to settle scores, avenue for self-serving agitation, avenue for more opportunities, better prospects for influence and influential positions; for easier and more lucrative contracts for the rich elite merchants, and better prospects for the restoration of glamour and high esteem for the traditional ruling elite.

The study also provides a critical overview of the issue of resource allocation in Nigerian federalism and remarks that fiscal revenue allocation is about the most controversial and persistent national issue in Nigeria's political development. To this extent, several commissions have been devoted to the issue of revenue or resource allocation ever since its evolution in Nigeria's federalism. The problem of fiscal relations among the constituent units of the federation which remains mostly unresolved includes the divergence between assigned functions and tax powers, principle of horizontal and vertical revenue allocation, dependence of states and local governments on federal sources of funding, and tendency towards concentration and federal presence in some states.

A major factor that appears to influence Federal Government's uncompromising attitude towards adopting unitary approach in the country's fiscal federalism, as noted in the study, is the inability of Nigerian constitution makers to

consider imposition of constitutional limitations on the spending power of the Federal Government. This obviously encourages the Federal Government to use its wider and more elastic power to tax and to borrow, as support for its spending power in order to influence the performance of functions constitutionally allocated to the state governments. Moreover, determination of an appropriate revenue allocation formula, vertically among federal, state and local governments; and horizontally between states and local governments remains a problem in the country. Some of the used criteria, such as equality of states, even development, financial needs, minimum national standards are difficult to quantify and raise questions of justice and fairness in revenue allocation. Consequently, fiscal federalism in Nigeria has largely failed to contribute optimally to social and economic development.

In the discourse on ethnic minorities, a number of related issues come to play such as ethnic marginalisation, ethnic domination and ethnic deprivation. The truth is that many Nigerians are not free outside their ethnic communities. There are lots of rivalries, which in most cases are unhealthy. Societal forces interfere with the functioning of the state. What is more, many primordial associations in Nigeria are exclusively concerned with the welfare of their group and have failed to imbibe values that transcend ethnic boundaries. In most cases, patriotism and nationalism are placed in the rear while primordial loyalties are always on the front burner. At the moment the problem is becoming much more complex and cannot be handled in isolation; it is obvious that the greatest minority problems are in the Niger Delta, and which can be attributed to the fact that it is the major oil-producing area of the federation. Unfortunately, what seems to be unfolding is that the minorities from the Niger Delta region in particular are demanding the application of the principle of derivation - that is, the lion's share of revenues should be allocated to the areas where resources are located. This is what the struggle for "resource control" is all about.

Also, the study notes increasing evidence of ethno-religious conflicts cum political assassinations across the country in the last 12 years. For instance, the recent dynamics of the campaign to entrench and expand *sharia* law in northern Nigeria is an issue that borders on the hitherto existing ethno-religious accommodation in the country. Thus, the move since 1999 to extend the *sharia* from personal/civil cases to the entirety of penal legislation and the ongoing Boko Haram terrorist mission are not only largely politically motivated, but also deviate from the more tolerant, accommodative and pluralistic religious perspectives embraced by the northern

political leadership during the pre-colonial through the early post-colonial period of Nigeria's political development.

6.2 Recommendations

Power sharing in a federal system is a very complex issue because of the constitutional recognition of more than one unit of power centre. Therefore, conscious efforts must be made through patriotic consideration to reach a consensus. This, however, does not in any way obliterate the fact that there are two levels of government. The other point is that although federalism has often been thought of in terms of the federal and state governments, local governments have become an assertive level of government in many federations. In view of this, the emerging structure should be the one that would devolve some local autonomy to this arm of government in Nigeria's federal arrangement, which the ongoing nation-wide constitution review must recognise and consider.

Power sharing, which enables leaders of major defeated parties to have some representation in a coalition government, needs to be institutionalised, even beyond the consociational arrangements illustrated by the experience of small plural societies in parts of Europe. Recent attempts in South Africa to share power between leaders of white and black groups, and the contemporary arrangement in Ethiopia's ethnic federalism have been functioning reasonably well and, therefore, contain lessons for Nigeria. The idea of a power shift, power sharing and rotational presidency in Nigeria permits the federal principle of equity, and are realistic solutions to the problem of integration facing the country. The dismissal of the idea by some Nigerians on the grounds that such a system is untested appears to be untenable. Nigerians must be prepared to innovate as borrowed foreign political systems have proved inadequate to Nigeria's heterogeneity. Indeed, the 1999 power shift in the presidency to the South (which after eight years momentarily went back to the North) is a case in point that the reality on ground must be appreciated and allowed to prevail. This of course calls for the ruling party's review (including the opposition parties) of its wobbling power shift and zoning principles which currently seem to be under serious controversy.

In federal states, there are shared powers of the federal and state governments with regard to socio-economic and development plans, social services, civil service, and civil laws. Ordinarily, institutions are created to foster intergovernmental cooperation and coordination. Today, both vertical and horizontal aspects of

intergovernmental relations in Nigeria are weak. Intergovernmental relations are characterised by policy formulation and consensus between the federal and state governments in which the former sets the framework. Thus, Nigeria's cooperative federalism should evolve intergovernmental relations that are practised through executive institutions, party channels, and the process of policy-making that is consistent with global practice. This is a situation whereby intergovernmental relations are shaped more powerfully by the political-party system, by political leaders and administrators themselves, and by the attitudes they bring to the intergovernmental arena.

Federalism, to be meaningful and successful, must be based on the ability to bargain and compromise over the disbursement of spoils. The federal cabinet, for instance, needs to be broad-based and representative of the constituent units, irrespective of which party is in power. High offices in the state, like membership of the Supreme Court, Senate President, and the Speaker of the House of Representatives could be rotated. This is important because of the nation's weak national consciousness on account of the strength of ethnic and regional diversities.

One of the main consequences of political restructuring in Nigeria is that the numerous state creation exercises have failed to resolve the challenges of the minority groups as well as the problem of citizenship. In practice, subsequent states created tended to increase the number of minority groups in the country. Perhaps what should be the primary concern of Nigerian political leaders is to be more sensitive to the possible consequences of frequent violent conflicts by the dissatisfied ethnic minorities by evolving an institutionalised system of decision-making that would involve minorities at all stages. The goal would be to minimise crises due to ethnic differences by preventing the growth of pronounced minority dissatisfaction. Nigerian political leaders can, through deliberate effort, create minority influence on the government (at the three levels of government) either through appointment of citizens to government offices or in the distribution of social amenities as well as in the overall development of the country.

The concern about minority influence must of necessity extend to all major areas of governmental power. For instance, the ethnic composition of legislative houses in the country should closely approximate the country's ethnic composition as much as possible. This attention to minorities extends to the bureaucracy and to the all important extra-legislative expert commissions. What is decisive is not only that the

minorities be free to express themselves but also that their opinions are integrated, whenever possible, into the decision-making process. Minorities must be accommodated to avoid the growth of political dissatisfaction.

Again, the protection of the rights of minorities in Nigeria is a problem which needs to be addressed. Perhaps the protection of minority rights should be integrated into the quest for the restructuring of the country. It should be integrated to the redefinition of citizenship rights which may have to be defended and protected in all parts of the country. In this regard, definition of citizenship should not be tied to the place of origin of Nigerians but more closely to their place of residence. Nigerians who live in any state of the federation for a maximum of 10 years must be entitled to all the rights, privileges and opportunities including the right to vote and be voted for in any political office without any encumbrances. The question of indigeneity and non-settlers must be resolved once and for all through constitutional means in the ongoing constitutional review process.

Revenue allocation formula during pre-independence period was generally more satisfactory compared with the post-civil war period because it accorded more with the principles of federalism. For some reasons, oil-producing areas should be given special consideration in revenue allocation especially because of the associated ecological damage. This implies that the current 13 per cent special fund for the oil-producing areas should be increased to about 50 per cent in the interim, until the application of resource control mechanism is nationally adopted. In a true federal state, federating units are empowered to keep their resources while contributing an agreed percentage to the central government. In this way, Federal Government's share of revenue should be minimal in order to strengthen federalism and reduce the desire and struggle to control the centre. In view of that, this study recommends that resource control as a federal principle of sharing resources in relation to all resources should be adopted without delay as this is one way Nigeria can rapidly achieve meaningful development in all sections of the country. This arrangement of permitting states to generate resources and remit part to the central government takes into consideration the peculiarities and characteristics of the constituent states.

A return to a more even spread of responsibilities among the three tiers of government is desirable and would be more compatible with the philosophy of genuine federalism. True federalism demands that the non-centralisation of power must be distinctly outlined, respected and practised. Until the principles of federalism are well-

enshrined in the country's constitution and practised, arguments about power-sharing or power shift will amount to nothing. This is not to say that mere entrenchment of federal principles in the nation's constitution would produce a miracle; among other things, it would require the political will of the political actors, coupled with the understanding of the patriotic elements of the military to be able to resist the temptation to come back to power having handed over the mantle of political leadership to elected civilians over a decade ago.

Additionally, this study posits a structure that would put in place the six-geopolitical zones. As well, making each of them to have equal number of states would be most appropriate. The zone with the highest number of states should be used as the standard for creating additional states, since it might not be politically expedient to dissolve existing states. This would mean minus the North-West which is already seven states, the other zones should have at least one additional state, while the South-East should have two. By this formula, Nigeria would be a federation of 42 or 48 states if the six zones must have at least additional one state. The benefit to be derived from this kind of structure would be equal representation, at least in the Senate; on North-South divides as well as across the zones. It is only at the House of Representatives that there will be minor differences between the North and South and among the zones.

6.3 Conclusion

In spite of the definitional and conceptual difficulties highlighted in this study, the fact remains that federalism is supremely important in genuinely achieving political accommodation, particularly in democratically-oriented civil societies. It promises that federal institutions may be designed to meet the particular needs of the communities establishing them. Besides, a federalist structure is generally agreed to be the most efficacious instrument of conflict resolution in a multi-ethnic state; it has enormous strength in managing, containing and reducing ethnic conflicts. Thus, the federal framework is an important mechanism for managing crises and effecting necessary accommodation in 21st century Nigeria. However, the mere adoption of a federal system does not necessarily assure the successful management of inter-group conflict; a federal system can generate more problems than it resolves. In view of this, Nigeria has experienced difficulties in working out a suitable and broadly-acceptable division of power between the centre and the states.

While the need for a strong centre in a divided society which lacks a unifying set of goals or ideology is self-evident, overcentralisation, as military federalism entails, has the danger of raising the stakes of contestation among groups for control of central power, thereby negating the dispersal of conflicts - an advantage inherent in the federal system. The essence of the federal system for the character of the state is that it provides a relatively peaceful context for preserving the plurality of the society and managing the conflicts within it.

Based on the foregoing, this study submits that while there is need to maintain a centre that is strong enough to maintain the unity of the component units and give the federation a sense of national direction, the essential pluralism of the Nigerian nation-state must be acknowledged and appreciated. A system whereby excess political power and financial resources are invested in one level of government, as to encourage arrogance and prodigality on its part cannot make for a workable federal system. Rather, what is paramount is the pursuit of a workable fiscal system, the outcome of which is anchored on bargaining and compromise that can bring about accommodation principle in Nigerian fiscal federalism.

Also, there is high level of political intolerance especially among the opposition groups, excessive greed by the political elite and politicians (which implication has been high level of monetisation of party politics in all spheres) and open display of “godfatherism” (in a negative sense of it) in the nation’s body politic. Indeed, it has stalled meaningful development in states where it has been more pronounced. It is also threatening the political stability of the federation and it has promoted corruption, lack of accountability and transparency in government, as well as political assassination which rampant in the Fourth Republic (Benjamin, 2000).

The contemporary happenings in Nigeria brings up the point that a mere adoption of a federal system does not necessarily assure the successful management of inter-group conflicts; as a matter of fact, a federal system can generate more conflicts than it can resolve. This explains why Nigeria has been experiencing difficulties in working out a suitable and broadly-acceptable division of power between the centre and the states. Moreover, the granting of some autonomy to ethnically-defined states does not substantially mitigate ethnic competition for political control of the centre. The issue is being worsened by the enormous concentration of power at the centre just the same way the hegemony of the central government is visible everywhere.

The foregoing implies that the noble goal of federalism can be achieved in Nigeria if only political leaders can learn to be more sensitive, in particular, to the possible consequences of dissatisfied ethnic minorities and evolve institutionalised system of decision-making that would involve minorities at all stages. The goal of such model would be to minimise the importance of ethnic differences by preventing the growth of pronounced minority dissatisfaction. Nigerian political leaders can, through deliberate efforts, create minority influence at the three levels of government either through appointment of citizens to government office or in the distribution of socio-political, economic and industrial infrastructure as the case may be.

This concern with minority influence must of necessity extend to all major areas of governmental power. For instance, the ethnic composition of legislative houses in the country should closely approximate the country's ethnic composition as much as possible. This attention to minorities extends to the bureaucracy and to the all important extra-legislative expert commissions. What is decisive is not only that the minorities are free to express themselves but that effort should be made to integrate some of their useful opinions into the decision-making process. Minorities must be accommodated in critical national issues to avoid the growth of political dissatisfaction.

A major challenge confronting Nigerian federalism is in strengthening the capacity for good governance and resource mobilisation at the states and local governments to make them more efficient agencies of social and economic development. The question of the oil-producing areas has to be satisfactorily addressed. Suffice it to state that the regional struggle over the derivation principle in Nigeria has remained an endless battle in Nigeria's fiscal federalism. As it is, Nigeria's resource allocation policy, especially the downgrading and inconsistent implementation of the derivation principle, is a hegemonic project that reflects the preferences and interests of the country's dominant non-oil-producing ethnic groups. It is a demonstration of how much the major ethnic groups can accommodate the interests of the ethnic minorities.

In contemporary times, there has been a strong demand for a return to what is regarded as "true federalism," or "genuine federalism" as the fundamental solution to the highly-needed political restructuring. Against this background, it has become necessary to raise questions on what should be the prospects for Nigerian federalism in the new democratic practice. This underscores the fact that broad opportunity for

political participation is highly desirable in a democracy. It is not as if Nigerians are unaware of the aforementioned constraints or absolutely lack solution to them. Instead, it is required that federalism in Nigeria should prove useful in accommodating diversity. To this end, an attempt to associate 'all significant segments of the society' with the country's management can be found in parties' formation, the election of the president, the composition of his cabinet, the zoning of the country into six political units, and the protection of vital minority interests, and related matters.

It needs to be stressed that although efforts have been made by both civilian and military regimes to address the problematic of the national question in the Nigerian federation through policies of state and local government creation, federal character principle, "zoning", "quota system" and, more recently, "rotational power sharing" among the six geo-political groups, and power shift between the North and the South, the endemic problems of ethno-regional, religious and sectarian bigotry persist in Nigeria. These problems constitute serious threats to the survival of the Nigerian federation, retards the march to nationhood and the enthronement of a stable democratic socio-political order.

On a positive note, the power-sharing formula adopted during the general elections particularly by the ruling party, the PDP, since 1999 has to some extent helped to insulate Nigeria's combustible internal divisions. The containment of divisiveness was the result of an informal power-sharing bargain among the elite from each of the federation's six quasi-official geopolitical zones, three each in the North and South. This is indicative that the restructuring of the Nigerian state along consociationalist model of governance will enhance political stability which is necessary for economic transformation in the 21st century. In short, until there is a basic attempt at accommodation and acceptance of one another by the political class and, indeed, Nigeria's diverse ethnic groups, democratic stability can hardly flourish in the country.

Finally, the political and constitutional crisis that visited the presidency during the sick period and after the death of Yar'Adua (2010-2011), the elections of April 2011 and violent aftermath, as well as increasing cases of bomb blasts and assassinations have placed Nigeria at a crossroads for sometime now. Indeed, militancy in the Niger Delta, kidnappings, Boko Haram insurgency and the regular spate of bomb blasts fuelled by youth unemployment, worsening economic conditions and ethnic and religious divisions across the country point towards a failed state, which

the nation can only overcome through genuine demonstration of strong political will by those placed in position of authority to ensure that political accommodation reigns. For now, Nigeria's politics of accommodation festers in anything but a positive manner.

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APPENDIX 1

Table 1.1: ETHNIC GROUPS IN AKWA IBOM STATE²⁸

Serial No.	Name of Ethnic Group	Language Spoken	Home Territory or Town	Other States where located
1.	Anang	Anang	Abak, Ikot Ekpene, Ukanafun	
2.	Andoni	Andoni	Ikot Abasi	Rivers
3.	Eket	Eket	Eket	
4.	Ibeno	Ibeno	Ibeno	
5.	Ibibio	Ibibio	Ikot Abasi, Itu, Uyo Eket, Etinam	
6.	Okobo (Okkober)	Okobo	Okobo Oron	
7.	Oron	Oron	Oron	

Table 1. 2: ETHNIC GROUPS IN ANAMBRA STATE

Serial No.	Name of Ethnic Group	Language Spoken	Home Territory or Town	Other States where located
1.	Igbo	Igbo and dialects: Effium (Ufiom) Izi, Ikwo, Ezaa Mgbo, Mtezi & Okpoto	Throughout the state including Ishielu and Abakaliki	Bendel, Imo and Benue
2.	Mbembe	Embembe	Izi	Cross River

²⁸ Tables 1.1-1.22 have the same source; Onigu Otite, *Ethnic Pluralism and Ethnicity in Nigeria*, Shaneson C.I.Limited, Ibadan, 1990, pp44-57.

Table 1. 3: ETHNIC GROUPS IN BAUCHI STATE

Serial No.	Name of Ethnic Group	Language Spoken	Home Territory or Town	Other States where located
1.	Angas	Angas	Tafawa Balewa	Kano, Plateau
2.	Bambara (Bambarawa)	Bambara	Bauchi Lame	
3.	Bankal (Bankalawa)	Bankal	Dass, Zungur, Alkaleri	
4.	Bara (Barawa Badara)	Bara	Bauchi, Dass Lare Lukshi Toro	
5.	Barke	Barke	Bauchi, Ganjuwa	
6.	Bele (Buli, Belewa)	Bele (Abeelee)	Bauchi, Zungur	
7.	Bole (Bolewa)	Bole (Bolanci)	Akko, Kwami Nafade Kirfi Darazo, Gombe	Borno
8.	Boma (Burmano Bomawa)	Boma	Bauchi	
9.	Bomboro	Bomboro	Lame	
10.	Buli	Buli	Birshi, Bauchi	
11.	Burak	Burak	Kaltungo	
12.	Buta (Butawa)	Buta (Butanci)	Gombe, Kaltungo Ningi	
13.	Cham(Chamawa Fitolai)	Chama	Cham, Gombe, Tangalewaja	
14.	Chamo	Chamo	Ningi	
15.	Dadiya	Dadiya	Gombe, Yamei, Dadiya, Tangale waja	
16.	Daza (Dere, Derewa)	Dere	Bauchi	
17.	Deno (Denawa)	Deno	Ganjuwa	
18.	Duguri	Duguri (Duguranci)	Bauchi	
19.	Duma (Dumawa)	Duma	Bauchi	
20.	Fulani (Fulbe)	Fulfude)	Throughout State	
21.	Galambi	Galambi	Galambi Bauchi Yankari	
22.	Geji	Geji	Jama'a	
23.	Gera (Gerawa, Gere)	Gera (Gere)	Zungur, Ganjuwa, Bauchi Galembi	
24.	Geruma (Gerumawa)	Geruma (Gerumanci)	Toro, Jama'a, Bauchi Ganjuma, Zungur	
25.	Gingwak	Gwak	Bauchi	
26.	Gubi (Gubawa)	Gubi (Gubawanci)	Zungur	
27.	Gurumtum	Gurumtum	Duguri, Yankari	
28.	Gwa (Gurawa)	Gwa Guranci)	Lame, Toro	
29.	Gyem	Gyem	Lame, Toro	
30.	Hausa	Hausa	Other northern States	
31.	Jaar (Jarawa, Jarawa-Dutse)	Jaar	Dass, Toro Damshi, Tafawa Balewa	Borno Plateau
32.	Jaku	Jaku (Jakanci)	Yankari, Duguri Galembi, Pah	
33.	Jere (Jare, Jera)	Jere	Lame	Plateau
34.	Jimbin (Jimbinawa)	Jimbin	Ganjuwa	
35.	Jukun	Jukun	Tangale-Waja, Gombe, Pindiga Gwana	Benue, Gongola, Plateau
36.	Kamo	Kamo	Kamo, Kaltungo Billari	
37.	Karekare (Karaikarai)	Karaikarai	Katagun Misau Dambam Gamawa	Borno
38.	Kariya	Kariya	Ganjuwa, Darazo	
39.	Kirfi (Kirfawa)	Kirifi	Kirifi, Bauchi Alkaleri	

40.	Kubi (Kubawa)	Kubi	Bauchi, Ganjuwa	
41.	Kudachano (Kudawa)	Kuda	Ari, Ningi	
42.	Kushi	Kushi	Bauchi, Gombe, Kaltungo	
43.	Kwami (Kwom)	Kwami	Gombe, Kwami	
44.	Kwanka (Kwankwa)	Kwanka	Bauchi, Lere Tafawa Balewa	Plateau
45.	Limoro (Limaro)	Emoro	Bauchi, Lame	Plateau
46.	Longuda (Lunguda)	Lunguda	Bauchi, Dass, Waja, Yamei	Gongola
47.	Miya (Miyawa)	Miya	Bauchi, Ganjuwa	
48.	Ngamo	Ngamo	Darazo, Nafada, Dukku	Borno
49.	Ningi (Ningawa)	Ningi	Ningi Bauchi Ganjuwa	
50.	Pa'a (Pa'awa; Afawa)	Pa'a	Ari Ningi Gajuwa	
51.	Pero	Pero	Gombe, Kaltungo	
52.	Polchi Habe	Polchi Habe	Dass, Barawa	
53.	Rebina (Ribinawa)	Rebina	Bauchi Lame	
54.	Sanga	Sanga	Lame Toro	
55.	Saya (Sayawa; Za'ar)	Saya, Sayanci	Alkaleri, Tafawa Balewa, Bauchi, Lere, Bogoro	
56.	Segidi (Sigidawa)	Sigidi	Bauchi Lere	
57.	Siri (Sirawa)	Siri	Darazo Ningi Ganjuwa	
58.	Tangale	Tangale	Billiri, Tangale-Waja Bauchi, Gombe, Akko	
59.	Tere (Terawa)	Tera (Teranci)	Akko, Dukku, Kowa, Bauchi, Gombe, Yamaltu	Borno
60.	Tula	Tula	Gombe Kaltungo	
61.	Waja	Waja	Gombe Tangale-Waja	Gongola
62.	Warji (Warjawa)	Warji	Warji Bauchi, Ganjuma	
63.	Zaranda	Zaranda	Jama'a Toro	
64.	Zayam (Zeem)	Zayam	Jama'a Toro	
65.	Zul (Zulawa)	Zul	Bauchi Jama'a	

Table 1. 4: ETHNIC GROUPS IN EDO AND DELTA STATES (BENDEL STATE)

Serial No.	Name of Ethnic Group	Language Spoken	Home Territory or Town	Other States where located
1.	Bini	Bini/Edo	Benin, Oredo, Ovia Orhionmwon	
2.	Ebu	Ebu (Igalla)	Ebu	Benue
3.	Esan (Ishan)	Esan	Agbazilo Okpebho	
4.	Etsako	Yekhee Ivbie	Etsako	
5.	Etuno	Etuno (Ebirra)	Akoko Edo	Kwara, Ondo
6.	Igbo	Igbo	Aniocha, Ika, Oshimili	Anambra, Imo, Benue
7.	Isekiri (Itsekiri)	Isekiri	Ode-Isekiri, Warri	Rivers
8.	Isoko	Isoko, Erohwa	Isoko	
9.	Izon (Ijo)	Izon	Boimadi, Burutu, Warri	Rivers, Ondo
10.	Okpamheri	Okpamheri Dialects	Akoko Edo	
11.	Owan (Ivbiosakon)	Ghotuo, Ihievbe, Ora Emai, Iuleha	Owan	
12.	Ukwani (Kwale)	Ukwani	Ndokwa	
13.	Uneme (Ineme)	Uneme	Agbazilo	
14.	Urhobo	Urhobo	Ethiope, Ughelli, Sapele Warri, Okpe Delta	

Table 1. 5: ETHNIC GROUPS IN BENUE STATE

Serial No.	Name of Ethnic Group	Language Spoken	Home Territory or Town	Other States where located
1.	Akweya-Yachi	Iyace	Otukpo	
2.	Bassa	Bassa Komo, BassanGe	Dekina, Bassa	FCT Kwara, Plateau, Niger, Kaduna
3.	Egede (Igedde)	Igede	Otukpo, Ado	
4.	Etolu (Etilo)	Etolu, Eturo	Ambighir, Katsina-Ala	
5.	Hausa	Hausa	Idah, Makurdi, Ankpa	All Northern States
6.	Idoma	Idoma	Otukpo	Gongola
7.	Igala	Igala	Ankpa, Idah	Kwara
8.	Igbo	Igbo	Southern borders	Anambra, Bendel, Imo
9.	Jukun	Jukun	Makurdi	Plateau, Bauchi, Gongola
10.	Tiv	Tiv	Markudi, Gboko	Gongola, Plateau
11.	Ufia	Ufia	Otukpo	
12.	Utonkong	Utonkon	Otukpo	
13.	Yalla	Yala	Otukpo	

Table 1. 6: ETHNIC GROUPS IN BORNO STATE

Serial No.	Name of Ethnic Group	Language Spoken	Home Territory or Town	Other States where located
1.	Affade	Afade	Ngala Afade Sigal	
2.	Babur	Babur	Biu Babur	Gongola
3.	Bade	Bade Gidgid	Bedde	Kano
4.	Bole (Bolewa)	Bole (Bolanci)	Fika Potiskun	Bauchi
5.	Buduma	Buduma	Lake Chad Border	Niger
6.	Buru	Buru	Biu Babur Gujba	Gongola
7.	Chibok (Chibbak)	Chibok, Kyibabu	Margi, Chibok, Damboa	
8.	Chinine	Cena	Gwoza	
9.	Dghwede	Dghwede	Gwoza	
10.	Fulani	Fula (Fulfulde)	Mangere, Sawa, Fune, Gwoza, Damaturu	Northern States
11.	Gamergu-Mulgwa	Mulgwa	Dikwa	
12.	Gavoko	Gevoko	Ndaghang	
13.	Gwoza (Waha)	Waha (Gwoza Dialects)	Gwoza, Uba	
14.	Higi (Higgi)	Higi	Uba	Gongola
15.	Jara	Jara	Biu, Tera	Bauchi, Plateau
16.	Kanakuru (Dera)	Kanakuru	Biu, Shani	Gongola
17.	Kanembu	Kalembu	Maiduguri	
18.	Kanuri	Kanuri (Beriberi)	Ngala, Fune, Bama Damaturu, Maiduguri etc.	Gongola, Kano Niger, Plateau
19.	Kare Kare	Kare Kare	Gadaka Fune Fika	Bauchi
20.	Mandara (Wandala)	Mandara	Kirawa Gwoza	
21.	Manga (Managawa)	Manga (Manganci)	Nguru	
22.	Margi (Marghi)	Margi	Bamba Uba Lassa Askira, Margi	Gongola
23.	Mobber	Mobber	Maiduguri	
24.	Ngamo	Ngamo	Fika	Bauchi
25.	Ngizim	Ngizim	Fika, Fune Potiskun	
26.	Ngweshe (Ndhang Ngoshe-Ndhang)	Ngweshe	Gwoza	Gongola
27.	Shuwa	Shuwa	Bama, Marte, Dikwa	Gongola
28.	Tera (Terawa)	Tera	Biu	Bauchi
29.	Wula-Matakam	Dialects	Gwoza	

Table 1. 7: ETHNIC GROUPS IN CROSS RIVER STATE

Serial No.	Name of Ethnic Group	Language Spoken	Home Territory or Town	Other States where located
1.	Abanyom	Abanyom	Ikom, Ogoja	
2.	Adim	Odim	Akamkpa	
3.	Adun	Edom	Obubra	
4.	Agbo	Agbo	Abi, Itigidi, Obubra	
5.	Akaju-Ndem (Akajuk)	Ekajuk	Ikom, Ogoja	
6.	Anyima	Lenyima	Obubra	
7.	Bacheve	Icheve	Obudu	
8.	Bahumono	Kohumono	Obubra	
9.	Bekwarra	Ebekwara	Ogoja	
10.	Bette	Bette	Obudu	
11.	Boki (Nki)	Oki	Ikom, Obudu, Ogoja	
12.	Efik	Efik	Akamkpa, Calabar, Odukpani	
13.	Ejagham	Ejagham	Akamkpa, Ikom	
14.	Ekajuk	Ekajuk	Ogoja	
15.	Ekoi	Ekoi	Diose, Ikom, Yalla	
16.	Etung	Etung	Ikom	
17.	Ikom	Ikom	Ogoja	
18.	Iyala (Iyalla)	Yala	Ikom, Ogoja	
19.	Mbembe	Embembe	Ikom, Obubra	Anambra
20.	Mbube	Mbe	Obudu, Ogoja	
21.	Nkim	Nkim	Ikom	
22.	Nkum	Nkum	Ikom	
23.	Ododop	Ododop	Akamkpa, Calabar	
24.	Olulumo	Olulumo	Ikom	
25.	Qua	Qua	Calabar	
26.	Ukelle	Ukelle	Ogoja	
27.	Uyanga	Uyanga	Akamkpa	
28.	Yache	Yache	Ogoja	
29.	Yakurr (Yako)	Yako	Obubra	

Table 1. 8: ETHNIC GROUPS IN GONGOLA STATE

Serial No.	Name of Ethnic Group	Language Spoken	Home Territory or Town	Other States where located
1.	Babur	Babur	Mubi	Borno
2.	Bachama	Bachama	Mubi	
3.	Bakulung	Kulung	Muri	
4.	Bali	Bali	Numan, Fufore	
5.	Bambuka	Bambuka	Karim-Lamido	
6.	Banda (Bandawa)	Bandanci	Karim-Lamido	
7.	Banso (Panso)	Nso	Sarduana	
8.	Batta	Batanci	Yola, Mubi, Fufore	
9.	Baya	Baya	Mubi	
10.	Betso (Bete)	Betso	Wukari	
11.	Bilei	Bilei	Fufore	
12.	Bille	Billanci	Numan, Mayo-Belwa	
13.	Bobua	Bobua Fulfulde	Ganye	
14.	Bollere	Bollere	Numan	
15.	Bura	Bura	Gombi, Guyuk	Borno
16.	Bwatiye	Bwatiye	Numan	
17.	Bwazza	Bwazza	Numan	
18.	Chamba	Chamba	Fufore, Mubi, Mayo-Belwa	
19.	Chukkol	Chukkol	Mayo-Belwa	
20.	Daba	Daba	Mubi	
21.	Daka	Daka	Sarduana	
22.	Dangsa	Dangsa	Ganye, Mayo-Belwa	
23.	Diba	Dibanci	Ganye, Mayo-Belwa	
24.	Falli	Falli	Mubi	
25.	Fulani (Fulbe)	Fula (Fulfulde)	Ganye, Michika, Yola	Northern States
26.	Ga'anda	Ga'anda	Songi, Gombi	
27.	Gengle	Gengle	Mayo-Belwa	
28.	Gira	Giora	Mubi	
29.	Gizigz	Giziga	Mubi	
30.	Gombi	Gombi	Gombi	
31.	Gomun (Gumun)	Gomun	Karim-Lamido	
32.	Gongla	Gongla	Ganye, Fufore, Mayo-Belwa	
33.	Gude	Gude	Mubi	
34.	Gudu	Gudu	Song, Mubi	
35.	Gwamba	Gwamba	Numan	
36.	Gwom	Gwom	Karim-Lamido	
37.	Hausa	Hausa	Zing, Michika, Yola	Northern State
38.	Higgi	Higgi	Michika, Mubi	Borno
39.	Holma	Holma Fulfulde	Mubi	
40.	Hona	Hona	Song, Gombi	
41.	Ichen	Ichen	Takum, Sarduana	
42.	Idoma	Idoma	Mubi	Benue
43.	Jahuna (Jahunawa)	Jahuna	Takum	
44.	Jero	Jero	Takum	
45.	Jibu	Jibu	Sarduana, Wukari	Plateau
46.	Jirai	Jirai	Mubi	
47.	Jonjo (Jenjo)	Jonjo	Karim-Lamido, Zing, Bali, Jalingo	
48.	Jukun	Jukun	Wukari, Bari, Jalingo	Bauchi, Benue, Plateau
49.	Kaba (Kabawa)	Kaba	Takum	
50.	Kaka	Kaka	Sardauna	
51.	Kambu	Kambu	Sardauna	
52.	Kanakuru	Kanakuru	Guyuk	Borno
53.	Kanuri	Kanuri	Michika, Song, Zing, Jalingo	Borno, Kano,

				Niger, Plateau
54.	Karimjo	Karimjo	Karim-Lamido	
55.	Kenton	Kenton	Bali	
56.	Kilba	Kilba	Gombi	
57.	Koma	Koma	Ganye, Fufore	
58.	Kona	Kona	Mayo-Belwa	
59.	Kugama	Kugama	Mayo-Belwa	
60.	Kunini	Kunini	Karim-Lamido	
61.	Kuteb	Kuteb	Takum	
62.	Kutin	Kutin-Fulfulde	Ganye	
63.	Kurdul	Kurdul-Fulfulde	Mubi	
64.	Kwanchi	Kwanchi	Karim-Lamido	
65.	Lakka	Lakka	Mubi	
66.	Lala	Lala	Gombi, Guyuk	
67.	Lama	Lama	Mayo-Belwa, Fufore	
68.	Lamja	Lamja	Ganye, Mayo-Belwa	
69.	Lau	Lau	Karim-Lamido	
70.	Libbo	Libbo	Guyuk	
71.	Longunda	Longunda	Guyuk	Bauchi
72.	Mambilla	Mambila	Sardauna	
73.	Margi	Marghi	Mubi, Michika, Gombi	Borno
74.	Matakam	Matakam	Michika	
75.	Mbol	Mbol	Song	
76.	Mbula	Mbula	Numan	
77.	Mbum	Mbum-Fulfulde	Ganye	
78.	Muchalla	Muchalla	Mubi, Muchala	
79.	Mumuye	Mumuye	Ganye, Zing, Fulfore	
80.	Mundang	Mundang	Ganye, Mubi	
81.	Munga	Munga	Karim-Lamido	
82.	Ndoro	Ndoro	Takum, Genye, Bali	
83.	Ngweshe (Ngeshe-Ndhang)	Ngweshe	Madagali	Borno
84.	Njayi	Njayi	Mubi	
85.	Nyandang	Nyandang	Ganye, Bali	
86.	Panyam	Panyam	Karim-Lamido	
87.	Pire	Pire	Numan	
88.	Pkanzom	Pkanzom	Takum	
89.	Poli	Poli	Mayo-Belwa	
90.	Potopo	Potopo	Ganye	
91.	Sakbe	Sakbe	Ganye, Mayo-Belwa	
92.	Sate	Sate	Mayo-Belwa	
93.	Shomo	Shomo	Karim-Lamido	
94.	Shuwa	Shuwa	Mubi	Borno
95.	Sukur	Sukur	Michika	
96.	Tarok	Tarok	Mayo-Belwa	Plateau
97.	Teme	Teme	Michika	
98.	Tigon	Tigon	Sardauna	
99.	Tikar	Tikar	Ganye	
100.	Tiv	Tiv	Sardauna, Takum, Bali	Benue, Plateau
101.	Tur	Tur	Michika	
102.	Vemgo	Vemgo	Michika	
103.	Verre	Vere	Yola, Ganye, Fufore	
104.	Vomni	Vomnire	Ganye	
105.	Wagga	Wagga	Michika	
106.	Waja	Waja	Guyuk, Numan	Bauchi
107.	Waka	Waka	Mayo-Belwa	
108.	Wula	Wula	Michika	
109.	Wurbo	Wurbo	Wurbo	

110.	Wurkun	Wurkun	Wukari, Bali, Karim-Lamido	
111.	Yandang	Yandang	Zing, Mayo-Belwa, Fufore	
112.	Yotti	Yotti	Mayo-Belwa	
113.	Yungur	Yungur	Song, Mubi	

Table 1. 9: ETHNIC GROUPS IN IMO STATE

Serial No.	Name of Ethnic Group	Language Spoken	Home Territory or Town	Other States where located
1.	Igbo	Igbo, Erei	Throughout the State	Anambra, Bendel and Benue

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Table 1. 10: ETHNIC GROUPS IN KADUNA STATE

Serial No.	Name of Ethnic Group	Language Spoken	Home Territory or Town	Other States where located
1.	Attakar (Ataka)	Attakar	Jema'a	
2.	Ayu	Ayu	Jema'a	
3.	Bassa	Bassa	Kaduna	Benue, Plateau, Kwara, Niger
4.	Bina (Binawa)	Bina, Bogana	Saminaka	
5.	Fulani (Fulbe)	Fula (Fulfulde)	Throughout State	Northern States
6.	Gure	Gure	Saminaka	
7.	Gwandara	Gwandara	Kagarko	Niger, Plateau
8.	Gwari (Gbari)	Gwari	Gwari, Chikum	Niger, Plateau
9.	Hausa	Hausa	Throughout State	Northern States
10.	Jaba	Dialects (Hausa)	Jema'a	
11.	Kadara	Kadara	Kadara	Niger
12.	Kafanchan	Kafanchan	Jema'a	
13.	Kagoro	Kagoro	Jema'a	
14.	Kaje (Kache)	Kaje	Kachia, Jema'a	
15.	Kajuru (Kajurawa)	Kajuru	Kachia	
16.	Kamaku (Kamukawa)	Kamuku	Gwari	Niger, Sokoto
17.	Kanikon	Kanikon	Jema'a	
18.	Kanufi	Kanufi	Jema'a	
19.	Katab (Kataf)	Katab	Katab	
20.	Kiballo (Kiwollo)	Kiballo	Saminaka	
21.	Koro (Kwaro)	Koro	Kachia, Jema'a	Niger
22.	Kurama	Kurama	Saminaka	Kano
23.	Mada	Mada	Jema'a	Plateau
24.	Manchok	Manchok	Manchok, Southern Zaria	
25.	Moruwa (Moro'a; Morwa)	Moruwa	Jema'a	
26.	Ninzam (Ninzo)	Ninzam	Jema'a	Plateau
27.	Nunku	Nunku	Nunku	Plateau
28.	Rishuwa	Kuzamani	Saminaka	
29.	Rumada	Rumada	Zaria	
30.	Rumaya	Rumaya	Saminaka	
31.	Srubu (Surubu)	Surubu	Saminaka, Kaura	
32.	Uncinda	Uncinda	Birnin, Gwari	Niger, Sokoto

Table 1. 11: ETHNIC GROUPS IN KANO STATE

Serial No.	Name of Ethnic Group	Language Spoken	Home Territory or Town	Other States where located
1.	Angas	Angas	Southern borders	Bauchi, Plateau
2.	Auyoka (Auyokawa)	Auyoka-wanci	Hadeija, Auyok	
3.	Fulani (Fulbe)	Fula (Fulfulde)	Throughout State	Northern States
4.	Hausa	Hausa	Throughout State	Northern States
5.	Kanuri	Kanuri	Hadeija, Birniwa	Borno, Gongola, Plateau, Niger
6.	Kurama	Kurama	Southern borders	Kaduna, Plateau
7.	Shira (Shirawa)	Shira	Katagun, Jemaari	
8.	Teshena (Teshenawa)	Teshena	Katagun	
9.	Warja (Warijawa)	Warja	Gwaran	

Table 1. 12: ETHNIC GROUPS IN KATSINA STATE

Serial No.	Name of Ethnic Group	Language Spoken	Home Territory or Town	Other States where located
1.	Fulani (Fulbe)	Fulani, Fulfulde	Throughout State	Northern States
2.	Hausa	Hausa	Throughout State	Northern States

Table 1. 13: ETHNIC GROUPS IN KWARA STATE

Serial No.	Name of Ethnic Group	Language Spoken	Home Territory or Town	Other States where located
1.	Baruba (Barba)	Barba	Borgu	
2.	Bassa	Bassa	Kogi, Borgu, Tawar	Benue, FTC, Kaduna, Niger, Plateau
3.	Boko (Bussawa) (Borgawa)	Boko, Busa	Northern parts, Borgu	
4.	Bunu	Abinu	Oyi	
5.	Ebirra (Igbirra)	Ebira	Kabba, Lokoja, Okene	Bendel, Ondo Plateau
6.	Fulani (Fulbe)	Fula (Fulfulde)	Ilorin	Northern States
7.	Gbedde	Gbedde	Igbira, Igbomina	
8.	Hausa	Hausa	Kogi, Ilorin	Northern States
9.	Igala	Igala	Okene, Pategi	Benue
10.	Ijumu	Ijumu	Oyi	
11.	Kambari	Kamberinci	Borgu	Niger, Sokoto
12.	Laaru (Larawa)	Lauru	Borgu, Bussa	
13.	Lopa (Lupa; Lopawa)	Lopa	Borgu	
14.	Nupe	Nupe	Lokoja, Lafiagi, Borgu	Niger
15.	Ogori	Ogori	Igbira, Ogori	
16.	Owe	Owe	Kabba, Okedayo, Otu, Gbeleko	
17.	Oworo	Oworo	Kogi	
18.	Reshe	Reshe	Borgu	Sokoto
19.	Yagba	Yagba	Egbe, Jege, Oyi	
20.	Yoruba	Yoruba Dialects	Oyun, Irepodun, Ifelodun	Ogun, Ondo, Oyo, Lagos
21.	Yumu	Yumu	Borgu	
22.	Zabarma	Zabarmanci	Northern borders	

Table 1. 14: ETHNIC GROUPS IN LAGOS STATE

Serial No.	Name of Ethnic Group	Language Spoken	Home Territory or Town	Other States where located
1.	Awori	Awori	Throughout the State	
2.	Egun (Gu)	Egun	Badagry	
3.	Yoruba	Yoruba	Northern borders	Western States and Kwara

Table 1.15: ETHNIC GROUPS IN NIGER STATE

Serial No.	Name of Ethnic Group	Language Spoken	Home Territory or Town	Other States where located
1.	Bassa	Bassa Komo	Minna	Benue, Kaduna, Kwara, Plateau
2.	Baushi	Kushi	Tegina, Minna	
3.	Buduma	Buduma Dialects	Niger	Borno
4.	Dakarkari	Dakarkari	Kontagora	Sokoto
5.	Fulani (Fulbe)	Fula	Niger	Northern States
6.	Gade	Gade	Minna, Bidda	Plateau
7.	Gurmana	Gurmana	Minna	
8.	Gwari (Gbari)	Gwari	Minna	Kaduna, Plateau
9.	Gwandara	Gwandara	Abuja	Kaduna, Plateau
10.	Hausa	Hausa	Niger	Northern States
11.	Kadara	Kadara	Minna	Kaduna
12.	Kamaku (Kamukawa)	Dialects	Minna, Kontagora Tegina	Kaduna, Sokoto
13.	Kambari	Kambercii	Kontagora	Kwara, Sokoto
14.	Kanuri	Kanuri	Niger	Borno, Gongola, Kano, Plateau
15.	Koro	Koro	Minna	Kaduna
16.	Nupe	Nupe	Bidda, Minna Kontagora	Kwara
17.	Pongo (Pongu)	Pongo	Minna, Tegina	
18.	Rubu	Rubu	Abuja	
19.	Uncinda	Uncinda	Minna	Kaduna, Sokoto
20.	Ura (Ula)	Ura	Minna	

Table 1.16: ETHNIC GROUP IN OGUN STATE

Serial No.	Name of Ethnic Group	Language Spoken	Home Territory or Town	Other States where located
1.	Yoruba	Yoruba	Egba, Ijebu	Western States Kwara and Lagos

Table 1.17: ETHNIC GROUPS IN ONDO STATE

Serial No.	Name of Ethnic Group	Language Spoken	Home Territory or Town	Other States where located
1.	Ebirra	Ebira	Northern borders	Bendel, Kwara, Plateau
2.	Izon (Ijo)	Izon (Ijo)	Arogbo, Apoi	Bendel, Rivers
3.	Yoruba	Yoruba	Akoko, Ekiti, Ikale, Ilaje	Kwara, Lagos Ogun, Oyo

Table 1.18: ETHNIC GROUP IN OYO STATE

Serial No.	Name of Ethnic Group	Language Spoken	Home Territory or Town	Other States where located
1.	Yoruba	Yoruba	Ife, Oyo, Ijesha	Ogun, Ondo, Lagos, Kwara

Table 1.19: ETHNIC GROUPS IN PLATEAU STATE

Serial No.	Name of Ethnic Group	Language Spoken	Home Territory or Town	Other States where located
1.	Afizere	Izere	Jos, Fidere	
2.	Afo	Afo	Keffi, Nassrawa, Lafia	
3.	Alago (Arago)	Alago	Lafia, Obi, Keffi, Awe	
4.	Amo	Amawa	Bassa, Jos	
5.	Anaguta	Guta	Jos	
6.	Angas	Angas	Pankshin, Mangu etc.	Bauchi, Kano
7.	Ankwei	Ankwei	Shendam, Langtang, Wukari	
8.	Bada	Badanci	Langtang	
9.	Bashiri (Basharawa)	Bashiri	Langtang	
10.	Bassa	Bassa	Umaisha, Nassarawa, Toto, Loko, Gadabuke	Kwara, Benue Kaduna, Niger
11.	Biom	Biom	Jos, B/Ladi, Riyom	
12.	Bokkos	Bokkos	Pankshin	
13.	Buji	Buji	Bassa, Jos	
14.	Burma (Burmawa)	Burma	Shendam, Pankshin	
15.	Bwall	Bwall	Pan	
16.	Challa	Challa	Mangu	
17.	Chip	Chip	Jing	
18.	Chokobo	Chokobo	Jos, Jere	
19.	Doemak (Dumuk)	Doemak	Pan, Shendam	
20.	Ebirra (Igbirra)	Ebirra	Toto	Bendel, Kwara, Ondo
21.	Eggon	Eggon	Akwanga, Akum, Lafia	
22.	Fulani (Fulbe)	Fula (Fulfulde)	Wase, Lafia, Jos, Keffi	Northern States
23.	Fyam (Fyem)	Fyem	Mangu, Pankshin	
24.	Fyer (Fer)	Fyer	Mangu, Pankshin	
25.	Gade	Gade	Nassarawa, Keffi	Niger
26.	Ganawuri	Ganawuri	Riyom, Jos, Jal	
27.	Gerka (Gurkawa)	Gerka	Langtang, Shendam	
28.	Goemai	Goemai	Shendam	
29.	Gusu (Gusawa)	Gusu	Bassa, Jos, Jere	
30.	Gwandara	Gwandara	Nassarawa, Keffi, Uke	Kaduna, Niger
31.	Gwari (Gbari)	Gwari	Nassarawa, Toto Kefi, Uke	Kaduna, Niger
32.	Hausa	Hausa	Kefi, Jos, Awe Nassarawa	Northern States
33.	Irigwe	Irigwe	Jos, Bass	
34.	Jara (Jarawa Jarawa Dutse)	Jara	Jos, Gwong, Bass	Bauchi, Borno
35.	Jere (Jerawa)	Jere	Jos, Bassa	Bauchi
36.	Jidda- Abu	Jidda-Abu	Akwanga	
37.	Jukun	Jukun	Langtang, Wase	Benue, Bauchi, Gongola
38.	Kantana	Kantana	Akwanga	
39.	Kanuri	Kanuri	Lafia, Nasarawa, Keffi	Borno, Gongola, Niger, Kano
40.	Kenem (Koenom)	Kenem	Shendam, Pankshin	
41.	Kulere (Kalere)	Kulere	Bokkos, Tof, Pankshin	
42.	Kurama	Kurama	Bassa	Kaduna, Kano
43.	Kwalla	Kwalla	Pan, Akun	
44.	Kwanka (Kwankawa)	Kwanka	Mangu, Pankshin	Bauchi
45.	Kwaro	Kwaro	Lafia	
46.	Kwato	Kwato	Nasarawa	
47.	Limoro	Emoro	Jos, Jere	Bauchi
48.	Mabo	Mabo	Pankshin, Richa	
49.	Mada	Mada	Keffi, Akwanga	Kaduna
50.	Mama	Mama	Wamba, Akwanga	
51.	Mernyang (Meryan)	Mernyang	Shendam, Pan	
52.	Miango	Miango	Jos, Bassa	
53.	Miligili (Migili)	Miligli	Lafia, Obi	
54.	Montol	Montol	Shendam	
55.	Mupun (Mupung)	Mupun	Jing, Diss, Mangu	
56.	Mushere	Mushere	Bokkos, Wamba	

57.	Mwahavul (Mwaghavul)	Mwaghavul	Mangu	
58.	Ninzam (Ninzo)	Ninzam	Akwanga	Kaduna
59.	Nokere (Nakere)	Nokere	Akwanga	
60.	Nunku	Nunku	Akwanga	Kaduna
61.	Pai	Pai	Pankshin, Pai	
62.	Pyapun (Piapung)	Piapung	Shendam	
63.	Rindire (Rendre)	Rindire	Wamba, Keffi, Akwanga	
64.	Ron	Ron	Lafia, Bokkos, Pankshin	
65.	Rukuba	Rukuba, Kuche	Jos, Bassa, Rukuba	
66.	Shagawu (Shagau)	Shagawa	Pankshin	
67.	Shan-Shan	Shan-Shan	Pankshin	
68.	Sikdi	Sikdi	Mangu	
69.	Sura	Sura	Mangu, Pankshin	
70.	Tarok	Tarok	Langtang, Shendam etc.	Gongola
71.	Tiv	Tiv	Awe, Obi, Laffia	Benue, Gongola
72.	Yergam (Yergum)	Yergam	Langtang, Shendam	
73.	Yuom	Yuom	Shendam	

Table 1.20: ETHNIC GROUPS IN RIVERS STATE

Serial No.	Name of Ethnic Group	Language Spoken	Home Territory or Town	Other States where located
1.	Abua (Odual)	Abua	Abua, *Ahoada, Ogbogolo	
2.	Andoni	Andoni	Andoni	Akwa Ibom
3.	Degema	Degema	Kalabari	
4.	Ebana (Ebani)	Igbani	Riverine areas	
5.	Egbema	Egbema	Riverine areas	
6.	Engenni (Ngene)	Egene	Ahoada, Yenagoa	
7.	Epie	Epie (Edo Language)	Riverine areas	
8.	Etche	Etchie	Riverine areas	
9.	Gokana (Kana)	Kana	Bori, Ogoni, Eleme	
10.	Igbo	Igbo, Ikwere	Northern borders	Anambra Bendel, Benue, Imo
11.	Izon (Ijo)	Izon (Ijo)	Kalabari, Okrika, Nembe, Kirike, Kolokuma	Bendel, Ondo

*The Ekpeye people, made up of over 75 towns and villages including Ahoada, are missing from this list. So too are the Ogba people.

Table 1.21: ETHNIC GROUPS IN SOKOTO STATE

Serial No.	Name of Ethnic Group	Language Spoken	Home Territory or Town	Other States where located
1.	Achipa (Achipawa)	Achipa	Zuru	
2.	Dakarkari	Dakarkari, Cela	Zuru, Bangawa	Niger
3.	Danda (Dandawa)	Dendi	Argungu	
4.	Duka (Dukawa)	Duka (Dukawanci)	Yauri, Zuru	
5.	Fulani (Fulbe)	Fula (Fulfulde)	Throughout State	Northern States
6.	Hausa	Hausa	Throughout State	Northern States
7.	Kamaku	Kamaku	Sokoto, Zuru	Niger
8.	Kambari	Kambari	Zuru, Yauri	Kwara, Niger
9.	Kyenga (Kyengawa)	Kenga	Sokoto, Gwandu	
10.	Reshe	Reshe	Yauri	Kwara
11.	Shanga (Shangawa)	Shanga	Gwandu, Illo, Yauri	
12.	Uncinda	Uncinda	Sokoto	Niger, Kaduna
13.	Zarma (Zarmawa)	Zarma	Argungu, Gwandu	

Source: Onigu Otite, *Ethnic Pluralism*²⁹ and *Ethnicity in Nigeria*, Shaneson C.I.Limited, Ibadan, 1990.

APPENDIX 2:
States and Local Government Areas of the Federal Republic of Nigeria

State	Capital City	LGAs
Abia	Umuahia	Aba North, Aba South, Arochukwu, Bendel, Ikwuano, Isiala Ngwa North, Isiala-Ngwa South, Isuikwuto, Obi Ngwa, Ohafia, Osisioma Ngwa, Ugwungbo, Ukwa East, Ukwu West, Umuahia North, Umuahia South, Umu-Nneochi.
Adamawa	Yola	Demsa, Fufore, Ganye, Girei, Gombi, Guyuk, Hong, Jada, Lamurde, Madagali, Maiha, Mayo-Belwa, Michika, Mubi North, Mubi South Numa, Shelleng, Song, Tounto, Yola North, Yola South.
Akwa-Ibom	Uyo	Abak, Eastern Obolo, Eket, Esit Eket, Essien Udim, Etim Ekpo, Etinan, Ibeno, Ibesiko Asutan, Ibiono Ibom, IKA, Ikono, Ikot Abasi, Ikot Ekpene, Ini, Itu, Mbo, Mkpato Enin, Nsit Atai, Nsit Ibom, Nsit Ubium, Obot Akara, Okobo, Onna, Oron, Oruk Anam, Udung Uko, Ukanafun, Uruan, Urue-Offong/Oruko, Uyo.
Anambra	Awka	Aguata, Anambra East, Anambra West, Anaocha, Awka North, Awka South, Ayamelum, Dunukofia, Ekwusigo, Idemili North, Idemili South, Ihiala, Ngikoka, Nnewi North, Nnewi South, Ogbaru, Onitsha North, Onitsha South, Orumba North, Orumba South, Oyi.
Bauchi	Bauchi	Alkaleri, Bauchi, Bogoro, Damban, Darazo, Dass, Gamawa, Ganjuwa, Giade, Itas/Gadau, Jama'are, Katagum, Kirfi, Misau, Ningi, Shira, Tafawa-Balewa, Toro, Warji, Zaki.
Bayelsa	Yenegoa	Brass, Ekeremor, Kolokuma/Opokuma Nembe, Ogbia, Sagbama, Southern Ijaw, Yenegoa.
Benue	Makurdi	Ado, Agatu, Apa, Buruku, Gboko, Guma, Gwer East, Gwer West, Katsina-Ala, Konshisha, Kwande, Logo, Makurdi, Obi, Ogbadibo, Oju, Okpokwu, Ohimini, Oturkpo/Tarka, Ukum, Ushongo, Vandeikya.
Borno	Maiduguri	Abadam, Askira/Uba, Bama, Bayo, Biu, Chibok, Damboa, Dikwa, Gubio, Guzamala, Gwoza, Hawul, Jere, Kaga, Kala/Balge, Konduga, Kukawa, Kwaya, Kusar, Mafa, Magumeri, Maiduguri, Marte, Mobbar, Monguno, Ngala, Nganzai, Shani.
Cross River	Calabar	Abi, Akampa, Akpabuyo, Bakassi, Bekwara, Biase, Boki, Calabar-Municipal, Calabar South, Etung, Ikom, Obanliku, Obubra, Obudu, Odukpani, Ogoja, Yakurr, Yala.
Delta	Asaba	Aniocha North, Aniocha South, Bomadi, Burutu, Ethiope East, Ethiope West, Ika North East, Ika South, Isoko North, Isoko South, Ndokwa East, Ndokwa West, Okpe, Shimili North, Oshimili South, Patani, Sapele, Udu, Ughelli North, Ughelli South, Ukwuani, Uvwie, Warri North, Warri South, Warri South West.
Ebonyi	Abakaliki	Abakaliki, Afikpo, North, Afikpo South, Ebonyi, Ezza North, Ezza South, Ikwo, Ishielu, Ivo, Izzi, Ohaozara, Ohaukwu, Onicha.
Edo	Benin City	Akoko-Edo, Egor, Esan Central, Esan North East, Esan South West, Esan West, Etsako Central, Etsako East, Etsako West, Igueben, Ibopoba-Okha, Oredo, Orhinmwon, Ovia North East, Ovia South West, Owan East, Owan West, Umunwonde.

Ekiti	Ado	Ado-Ekiti, Aiyekire, Efon, Ekiti EAST, Ekiti South West, Ekiti West, Emure, Ido-Osi, Ijero, Ikere, Ikole, Ilejemeje, Irepodun, Ifelodun, Ise, Orun, Moba, Oye.
Enugu	Enugu	Aninri, Awgu, Enugu East, Isi-Uzo, Nkanu East, Nkanu West, Nsukka, Oji-River, Udenu, Udi, Uzo-Uwani.
Gombe	Gombe	Akko, Balanga, Billiri, Dukku, Funakaye, Gombe, Kaltungo, Kwami, Nafada, Shomgom, Yamaltu/Deba.
Imo	Owerri	Aboh-Mbaise, Ahiazu-Mbaise, Ehime-Mbano, Ezinihitte, Ideato North, Ideato South, Ihitte/Uboma, Isiala Mbano, Isu, Mbaitoli, Ngor-Okpala, Njaba, Nwangele, Nkwerre, Obowo, Oguta, Ohaji/Egbema, Okigwe, Orlu, Orsu, Oru East, Oru West, Owerri-Municipal Owerri West, Unuimo.
Jigawa	Dutse	Auyo, Babura, Birnin Kudu, Biriniwa, Buji, Dutse, Gagarawa, Garki, Dumel, Guru, Gwaram, Gwiwa, Hadejia, Jahun, Kafia Hausa, Kaugama, Kazaure, Kiri Kasamma, Kiyawa, Maigatari, Malam Madori, Ringim, Roni, Sule-Tankarkar, Taura Yankwashi.
Kano	Kano	Ajingi, Albasu, Bagwai, Bebeji, Bichi, Bunkure, Dala, Dambatta, Dawakin Kudu, Dawakin Tofa, Doguwa, Fagge, Gabasawa, Garko, Garum Mallam, Gaya, Gezawa, Gwale, Gwarzo, Kabo, Kano Municipal, Karaye, Kibiya, Kiru, Kumbotso, Kunchi, Kura, Madobi, Makoda, Minjibir, Nasarawa, Rano, Rinmi Gado, Rogo, Shanono, Sumaila, Takai, Tarauni, Tofa, Tsanyawa, Tudun, Wada, Ungogo, Warawa, Wudil.
Katsina	Katsina	Charanchi, Dandume, Danja, Dan Musa, Daura, Dutsi, Dutai-Ma, Faskari, Funtua, Ingawa, Jibia, Kafur, Kaita, Kankara, Kankia, Katsina, Kurfi, Kusada, Mai'Adua, Bakori, Batagarawa, Batsari, Baure, Bindawa, Malumfashi, Mani, Mashi, Matazu, Musawa, Rimi, Sabuwa, Safana, Sandamu, Zango.
Kaduna	Kaduna	Birnin-Gwari, Chikun, Giwa, Igabi, Ikara, Jaba, Jema'a, Kachia, Kaduna North, Kaduna South, Kagarko, Kajuru, Kaura, Kauru, Kubau, Kudan, Lere, Makarfi, Sabon-Gari, Sanga, Soba, Zangon-Kataf, Zaria Kebbi Birnin Kebbi Aleiro, Arewa-Dandi, Argungu, Augie, Bagudo, Birnin Kebbi, Bunza, Koko/Besse, Maiyama, Ngaski, Sakaba, Shanga, Suru, Wasagu/Danko, Yauri, Zuru,
Kogi	Lokoja	Adavi, Ajaokuta, Ankpa, Bassa, Dekina, Ibaji, Idah, Igalamela-Muro, Ofu, Ogori/Magongo, Okehi, Okene, Olamabolo, Omala, Yagba East, Yagba West.
Kwara	Ilorin	Asa, Baruten, Edu, Ekiti, Ifelodun, Ilorin east, Ilorin South, Ilorin West, Irepodun, Isin, Kaiama, Moro, Offa, Oke-Ero, Oyun, Pategi
Lagos	Ikeja	Agege, Ajeromi-Ifelodun, Alimosho, Amuwo-Odofin, Apapa, Badagry, Epe, Eti-Osa, Ibeju \ Lekki, Ifako- Ijaye, Ikeja, Ikorodu, Kosofe, Lagos Island, Lagos Mainland, Mushin, Ojo, Oshodi-Isolo, Shomolu, Surulere.
Nasarawa	Lafia	Akwanga, Awe, Doma, Karu, Keana, Keffi, Kokona, Lafia, Nasarawa, Nasarawa-Eggon, Obi, Toto, Wamba

Niger	Minna	Agaie, Agwara, Bida, Borgu, Bosso, Chanchaga, Edati, Gbako, Gurara, Katcha, Kontagora, Lapai, Lavun, Magama, Mariga, Mashegu, Mokwa, Muya, Paikoro, Rafi, Rijau, Shiroro, Suleja, Tafa, Wushishi.
Ogun	Abeokuta	Abeokuta North, Abeokuta South, Ado\Ota, Egbado North, Egbado South, Ewekoro, Ifo, Ijebu East, Ijebu North, Ijebu North East, Ijebu Ode, Ikenne, Imeko- Afon, Ipokia, Obafemi-Owode, Ogun-Waterside, Odeda, Odogbolu, Remo North, Shagamu.
Ondo	Akure	Akoko North East, Akoko North South, Akoko South East, Akoko South West, Akure North, Akure South, Ese-Odo, Idanre, Ifedore, Ilaje, Ile-Oluji-Okeigbo, Irele, Odigbo, Okitipupa, OndoEast, OndoWest, Ose, Owo
Osun	Osogbo	Aiyedade, Aiyedire, Atakumosa East, Atakumosa West, Boluwaduro, Boripe, Ede North, Ede South, Egbedore, Ejigbo, Ifelodun, Ife-Central, Ife East, Ife North, Ife South, Ifedayo, Ila, Ilesha East, Ilesha West, Irepodun, Irewole, Isokan, Iwo, Obokun, Odo-Otin, Ola-Oluwa, Olorunda, Oriade, Orolu, Osogbo.
Oyo	Ibadan	Afijio, Akinyele, Atiba, Atigbo, Egbeda, Ibadan Central, Ibadan North, Ibadan North West, Ibadan South East, Ibadan South West, Ibarapa Central, Ibarapa East, Ibarapa North, Ido, Irepo, Iseyin, Itesiwaju, Iwajowa, Kajola, Lagelu, Ogbomosho North, Ogbomosho South, Ogo-Oluwa, Olorunsogo, Oluyole, Ona-Ara, Orellope, Ori Ire, Oyo East, Oyo West, Saki-East, Saki-West, Surulere.
Plateau	Jos	Barikin Ladi, Bassa, Bokkos, Jos East, Jos North, Jos South, Kanam, Kanke, Langtang North, Langtang South, Mangu, Mikang, Pakinshin, Qua'an Pan, Riyom, Shendam, Wase.
Rivers	Port Harcourt	Abua/Odual, Ahoada East, Ahoada West, Akuku Toru, Andoni, Asari-Toru, Bonny, Degema, Emohua, Eleme, Etche, Gokana, Ikwerre, Khana, Obia/Akpor, Ogha/Eghema/Ndoni, Ogu/Bolo, Okrika, Omumma, Opobo/Nkoro, Oyogbo, Port Harcourt, Tai.
Sokoto	Sokoto	Binji, Bodinga, Dange Shuni, Gada, Goronyo, Gudu, Gwadabawa, Illela, Isa, Kware, Kebbe, Rabah, Sabon Birni, Shagari, Silame, Sokoto North, Sokoto South, Tambuwa, Tangaza, Tureta, Wamakko, Wurno, Yabo.
Taraba	Jalingo	Ardo-Kola, Bali, Donga, Gashaka, Cassol, Ibi, Jalingo, Karim-Lamido, Kurmi, Lau, Sardauna, Takum, Ussa, Wukari, Yorro, Zing.
Yobe	Damaturu	Bade, Bursari, Damaturu, Fika, Fune, Geidam, Gujba, Gulani, Jakusko, Karasuwa, Machina, Nangere, Nguru, Potiskum, Tarmua, Yunusari, Yusufari.
Zamfara	Gusau	Anka, Bakura, Birnin Magaji, Bukkuyum, Bungudu, Gummi, Gusau, Kaura Namoda, Maradun, Maru, Shinkafi, Talata Mafara, Tsafe, Zurmi

Appendix 3:

Nigeria-Judgment of the Supreme Court on Resource Control Issue Judgment Probable effect

Issue	Judgment	Probable effect
Revenues collected from natural resources in Nigeria's territorial waters, continental shelf and exclusive economic zone belong to the littoral states. Therefore, derivation principle must be applied.	The supreme Court ruled that the littoral states could not lay claim to the revenue collected from natural resources in Nigeria's territorial waters, continental shelf and exclusive economic zone. This means that the revenue from this source should be paid into the Federation Account and derivation cannot be applied to such revenue.	Derivation cannot apply to oil revenue from offshore. Oil-producing states that have been benefiting from this have lost. More revenue will now be available in the Federation Account for vertical sharing. Favourable to non-oil producing states.
Claims in respect of natural resources. That natural gas is a resource and the revenue collected there from should be paid into the Federation account and derivation is applicable (contained in s.162 (2) of the 1999 Constitution. This has to do with the interpretation of natural resources in the 1999 Constitution.	That natural gas is a resource. As a result, the revenue collected from it qualifies for the application of derivation for the benefit of any state from which it is obtained. However, wharves and seaports were not considered as natural resource.	The application of derivation principle to natural gas will increase the revenue of the states producing gas. The Federation Account will fall by an amount equivalent to the derivation revenue from natural gas. This is unfavourable to non-oil producing states.
First line charge created by the federal government on the sums in the Federation Account for the payment of external debt, NNPC priority projects, national priority projects and others.	This practice of the federal government is unconstitutional. On any debt, for example, the Supreme Court made reference to s.314 of the 1999 Constitution. It is for each government, federal or state, to pay its debt (interest charges and capital repayment).	This makes more money available in the Federation Account for vertical sharing among the federal, states and local governments. The federal government is expected to lose some revenue as a result, while states and local governments will record substantial revenue gain.
Deductions from the revenue allocated to the local governments from the Federation Account in respect of primary education by the Federal Government.	The Supreme Court noted that the functions of a local government are spelt out clearly and in the fourth schedule of the 1999 Constitution. Primary education is the responsibility of the state governments. The local governments only participate. It is not appropriate for the federal government to make deductions without the authorisation of the state governments.	The local governments are to receive the full amount allocated to them. Perhaps, this may bring to an end the problem of "zero allocation". This will reduce the revenue under the control of the Federal Government.

The allocation of 1.0 per cent of the revenue in the Federation Account to the Federal Capital Territory (FCT)	The relevant provisions of the 1999 Constitution of the Federal Republic of Nigeria do not support this. The beneficiaries of the Federation Account are the federal, state and local governments.	The 1.0 percent to the FCT is still part of the special funds controlled by the Federal Government
	In addition to this, 7.5 percent is set aside as Special Fund. The FCT is not a state and the Area Councils of the FCT are not local governments. Therefore, the revenue in the Federation Account cannot be shared to the FCT and its Area Councils.	
The use of 13 per cent as the minimum figure for calculating the derivation principle in respect of the revenue in the Federation Account.	The Supreme Court declared that the use of 13 percent has no legal basis in the 1999 Constitution. The Constitution provides for a minimum of 13 per cent and this use of this minimum figure is not prescribed by the federal lawmakers and approved by the President. Accordingly, the minimum 13 per cent derivation that is in use is discretionary.	
Transparency and accountability in the operation of the Federation Account by the Federal Government, the trustee in this matter.	Whenever the beneficiaries of the Federation Account ask the Federal Government to give account, it must do so.	Federal lawmakers should prescribe the percentage figure to use. A percentage greater than 13 percent will reduce the revenue in the Federation Account to be shared among the three levels of government.
		This judgment reinforces probity accountability in the conduct of public affairs, in particular, emphasised by the present civilian administration. Consequently, this is expected to reduce suspicion and lessen inter-governmental fiscal conflict.
Non-payment of the shares of the Delta State government in respect of the revenues collected from capital gains taxation and stamp duties.	This practice is unconstitutional. The state affected should be paid its legitimate shares of the proceeds from capital gains taxation and stamp duties.	The revenue centralisation of the Federal Government is expected to wane by this decision. This is likely to pave the way for other states to resist any attempt to violate the fiscal rights enshrined in the Constitution.

Source: Festus O. Egwaikhide, Intergovernmental Relations in Nigeria, PEFS, 2004, Ibadan.