

An Evaluation of the Origins, Structure and Features of Nigerian Federalism

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Abstract:

The aim of this paper is to examine the origins, structure and features of Nigerian Federalism. The paper traces the origin of Nigerian federalism to colonial insinuations of conquest and divide and rule. Colonialism began with the reorganization and fusion of territories known as amalgamation between 1861 and 1914, an act which was not meant to nurture a federal idea. The finding of this paper reveals that, Nigerian federalism is a child of necessity rather than a colonial intention for the country. The colonial conquest had altered the symbiotic and inter-group relationships that had existed and persisted between the diverse cultures and people. This was replaced by enmity, divisions and hatred with strong sense of sectionalism, ethno-religious, tribal chauvinism and geographical polarizations. Ever since 1914 to date, the structure of Nigerian federalism has dramatically transformed from the level of provinces and regions to the current structure of 36 States and 774 Local Government Areas as well as the Federal Capital Territory, Abuja. The challenges that are facing Nigerian federalism are; revenue sharing formula among the tiers, state creation, resource control and power sharing. The paper utilizes the secondary source of data and analysis of documents as its methodology. The paper concludes that Nigerians have recognized the significance of the federal system of government and opt for its preservation, because it encourages unity in diversity among the 250 ethnic groups that make up the federation.

KEY WORDS: Amalgamation, Domination, Enmity, Federalism, Regions, Sectionalism, States.

Introduction

Before colonialism, the area that is now known as Nigeria comprised of different kingdoms, empires, caliphates and chiefdoms, that evolved complex systems of government independent of contact with Europe. Most of these kingdoms were heterogeneous in culture, traditions, norms and

religions. There were great Kingdoms such as the Kanem-Borno Empire, with known history of more than a thousand years as well as the Sokoto Caliphate which existed for nearly a century before it was conquered by Britain. It had ruled most of the Savannah area of Northern and part of Western Nigeria. There were also kingdoms of Ife

and Benin; the Oyo Empire. The City-States of Niger-Delta and the Igbo of South-East (Crowther, 1976:11 and Ibezute, 1999:10). As part of these empires, caliphates and kingdoms, there existed small City-States or Chiefdoms who agreed to live within the Kingdoms with submissive allegiance. There was also commercial and cross-cultural contact between the diverse groups (Rodney 1972:51). Similarly, a symbolic inter-group relationship also persisted which was hinged on respecting the norms and values of each other as the case may be (Rodney 1972:51).

Colonial Conquest and Amalgamation

Colonial conquest began with the re-organization and fusion of territories known as amalgamation between 1861 and 1914. The conquest altered the pattern of socio-economic and political system that existed in each of the empires, kingdoms and caliphates. Similarly, the inter-group relation was replaced by enmity, divisions and hatred with a sense of sectionalism, ethno-tribal chauvinism and geographical polarizations. Corroboratively, Nnoli is of the view that:-The British colonial administration encouraged communal sentiments

among Nigerians. It seized every available opportunity to spread the myth and propaganda that they were separated from one another by great distance, by differences of history and traditions, and by ethnological, racial, tribal, political, social, and religious barriers (1980:112). Similarly, Osadolor pointed out that “colonial conquest had altered the pattern of inter-group relations that had existed (*between the diverse cultures and people*) in the Nigerian geographical area...” (Quoted in Amuwo, 2003:35). This means that the amalgamation of 1861-1914 cannot be referred to as the beginning of union of inter-group contact and relationship between the territories that later become Nigeria, Tamuno share this view when he said “the “amalgamation” theories of the 1894-1914 type were not necessarily the first to hit the political horizon in the territories that later become Nigeria (Cited in Amuwo, 2003:15). More so, the steps and process taken to implement the amalgamation by the British were not intended to bring or build a sense of unity between the territories. So also, it was not meant for the territories to live as common people with one destiny under a

centralized or federal system. According to Hembe (2005:44) “in their attempt to justify colonial administration the British helped to articulate the so-called “ideology of tribalism” which placed undue emphasis on the things that divided rather than those that were common to the people they had brought together”.

Analytical Framework

Various scholars have given credence to the fact that the amalgamation of 1861 and 1914 which gave birth to Nigeria was not meant to nurture a true federal state in Nigeria. Osadolor cited in Amuwo (2003: 35) is of the view that “the act of amalgamation was not a federal idea; Lugard did not conceive the idea of a federal state for Nigeria, even though there were strong integrative factors of inter-group relations and the trend of opinion before 1914 favoured the division of the territory into a number of units of a future federation. Osadolor cited in Amuwo (2003: 35) further observed that “Between 1861 and 1914, the different people had been brought together under British colonial authority as a result of the desire to develop existing linkages of pre-colonial inter-group relations”. Nigerian state therefore, was

initially not designed to be a permanent state with a strong and formidable structure and features that would give birth to a federation it was rather designed to be a temporary state. According to the Colonial Office in London:-Sir, F. Lugard’s proposals (for amalgamation in 1914) contemplate a state which is impossible to classify. It is not a unitary state with local government areas but with one central executive and one legislature. It is not a personal union of separate colonies under the same Governor like the wind-wards; it is not a confederation of states. If adopted his proposals can hardly be a permanent solution and I gather that Sir, F. Lugard only regard them as temporary at any rate in part.....(cited in Amuwo, 2003:36).

Origins and Structure of Nigerian Federalism

When the colonialist came to colonize what later becomes Nigeria, the colonization was by force and suppression of peoples’ rights. According to Osadolor cited in Amuwo (2003:35) “the decision of Lugard to create a unified Nigeria on 1st January, 1914 did not result from the pressure (consent) of local political groups; it derived from considerations of administrative convenience as

interpreted by a colonial power". This suggests that the formation, evolutionary process and unification of Nigerian political and administrative systems did not represent the interest and aspirations of the natives or political groups. The early pre-independence constitutional development is an example of this misrepresentation of the native consent on what type of system Nigeria will run- whether a federation, a confederation, unitary or not. According to Okadigbo (1987:14) "after the amalgamation of the Northern and Southern protectorates of Nigeria in 1914, the country was more or less run as unitary colony with twenty-four provinces (12 in the North and 12 in the South) until the establishment of the federal order vide the Richards constitution of 1946. Thereafter, ethnic politics (otherwise known as tribalism) and regionalism became definitive features of Nigeria federalism". Okadigbo (1987:14) further observed that "to contain regionalism as well as secession, General Gowon created twelve states out of the pre-existing four regions (6 in the North and 6 in the South) and General Murtala Mohammed created seven more (10 in the North and 9 in the

South) in 1976. From 1967 through 1976 till date, regionalism gave way to statism, which in effect engendered a greater sense of loyalty to one's state of origin than to Nigerian nation. Accordingly, statism assumed the form of sub-regionalism and sub-ethnic irredentism or mini-irredentism at the state levels". Finally, Okadigbo (1987:14) observed that:-After the major's coup of January, 1966, which ironically brought General Aguiyi Ironsi to power, there was an attempt to impose a unitary state structure by means of the infamous Decree N0.34 of 30th, May 1966 which purportedly abolished the regions and unified the public services. This fatal decree became the last straw that broke the back of the federal camel. Responses thereto varied from appalling massacre (as revenge) of Nigerians from the Southern regions, especially the Igbos, the repatriation or flight- en masse-of persons to their places of origin in Southern Nigeria and the declaration of independence by Eastern Nigeria in the name of Republic of Biafra, to the return of federalism, this time with a stronger center. Thenceforth, the general agreement of Nigerians seemed to be that Nigeria should remain a federal

Republic. The question has been what type of federal Republic”?

In 1987, General Ibrahim Babangida created nine additional states thereby bringing the total number of states in the country to thirty (Oyediran, 2008:175). Thereafter, in 1996 General Sani Abacha created six new states, and 183 new Local Government areas throughout the country, thereby bringing it to thirty six states and 774 local government areas and Federal Capital Abuja (Ibid). These were all aimed at restructuring and consolidating Nigerian federalism.

However, the earliest colonial constitutions in Nigeria from 1922-1951 namely Clifford, Richards, McPherson all did not voluntarily or involuntarily agreed to give considerable room for a federal –state. They refused to allow Nigerians (natives) to be fully part of the constitutional making process. Their participation was constitutionally limited in scope, until a united struggle and resistance by Nigerian nationalists irrespective of regional and ethnic affiliations from within and outside the country for a new constitution. Sequel to the resistance, the

Lyttleton’s constitution of 1954 was reviewed to allow the emergence of a formal federation. According to Oyeneye (2001:159) “however, it was the Lyttleton constitution which came into effect on 1st October, 1954 that introduced real federalism in Nigeria. The constitution shared powers between the central and regional governments, giving out details on issues which were exclusive to only one level and those on which both could legislate. Regional premiers were also provided for in the constitution”. Other pre-colonial constitutions that were made before Lyttleton, with exception of Richard constitution of 1947 to some extent, all others were repugnant to a purposeful federal constitution.

However, certain measures were put in place to curb resistance and struggle by the nationalists against colonialism. For instance, as a mechanism to curb African nationalism, the National Congress of British West Africa in 1920, organized and demanded reforms in the British West African colonies, Sir, Hugh Clifford, the then Governor of Nigeria, immediately sought to divide the nationalist and frustrate their course by arguing that “*The people of West Africa do not*

belong to same stock and are not common descent” (Cited in Nnoli, 1980:24). Sir, Hugh Clifford further made it clear that his administration will seek “to secure and separate people the right to maintain its identity, its individuality and its nationality, its chosen form of government, and peculiar political and social institutions which have been evolved for it by the wisdom and the accumulated experiences of generations of its forebears” (Cited in Okorie, 2003:15). This was in line with the provision of the Clifford constitution. The Clifford constitution sought to divide the country along communal line (Nnoli, 1980:112). It was purely a colonial policy to encourage regionalism. This further the division of the country into three regions; Eastern; Northern; and Western; along ethnic and communal line dominated by the three major ethnic groups; Igbo, Hausa-Fulani and Yoruba respectively. According to Okorie:-The three regions created in 1930’s were to toe ethnic line, as a result, there was distrust, lack of co-operation and rivalry among the three dominant ethnic groups that dominated the political scene. The Igbo, Hausa-Fulani, and Yoruba led its

geographical area as a basis for political support and nationalistic activism (2003:16).

This division was made by Bernard Bourdillon, the then Governor of Nigeria, and the division was made precisely in 1939. The constitutional arrangement which came into effect in 1947 was the first time the North and the South were brought into the same legislative authority to discuss some issues of common interest (Anifowose and Enomou, 1999:241). This represented the first step towards federalism in Nigeria. This happened as a result of the struggle, resistance, yearning and agitations of the nationalists as earlier mentioned, irrespective of region and ethnic affiliation (Anifowose and Enomou, 1999:240).

Nationalism, therefore, as Rodney (1972:242) defined is “a certain form of unity which grows out of historical experience. It is a sense of oneness that emerges from social groups trying to control their environment and to defend their groups”. Nevertheless, the amalgamation of 1914 of the Northern and Southern protectorates generated a sense of inward – looking and

antagonistic tendencies within the union. This is because the British colonialist failed to first of all create a common forum to bring the two differing entities together to understand each other (Takaya in Elaigwu and Akindele 1996:73). The differences at the micro and macro levels created social, political, administrative and economic imbalance. According to Nnoli(1980:119)“these differences in the systems of education not only created an educational imbalance between the North and the South, but as far as the emergence of ethnicity was concerned, it widened the social distance between the peoples of the two parts of the country”.So also, at the political and administrative levels, as Nnoli further observed:-
The various parts of the country did not share a common experience for a long time. The North was excluded from the area of the legislative competence of the council set up by the 1922 constitution. In fact, from the time of the amalgamation of the South and North in 1914 to 1946 the two parts of the country maintained only a tenuous linkage in law through the person of the Governor. They retained their distinctive political

identities and maintained separate administration (1980:119).

The contention brought by this colonial arrangement created a situation where the southern protectorate became qualitatively developed by man-power (educated) and (physical) infrastructure as well as economically; while the Northern protectorate was quantitatively developed by geographical might and large population. This distinctive variation generated tension between the Northern and Southern nationalists who earlier on were united in the struggle for the liberation of Nigeria. For instance, on 31st March, 1953, Anthony Enahoro moved a motion in the House of Representatives for Nigeria’s independence in 1956, a move which the Northern representatives resisted. The excuse given by the Northern representatives was that the North was far behind the South in development “that it would be a junior partner to it in an independent Nigeria” (Nnoli, 1980:236).The extent to which as Ayoade (1996:51) noted “the Northern delegates advocated a confederal arrangement to guarantee separate development which had then become conventional

wisdom”.The Western delegates, who ever before are advocates of confederation, advocated a confederal arrangement too. The Eastern Region remained neutral. Hence, the “general trend of thought was that of bias for a federal system which become an interesting theme of debate” (Amuwo, 2003:37). Sir, Abubakar Tafawa Balewa in his words maintained that “I am beginning to think that Nigeria’s political future may only lie in a federation, because so far as the rate of regional progress is concerned, some of the regions appear to be more developed than others” (Cited Amuwo, 2003:37).

Factors That Necessitated the Adoption of Federalism in Nigeria.

Oyediran (2008) and Oneyeye (2001) summarized the factors that necessitated the adoption of federalism in Nigeria as follows:-

Heterogeneity/cultural differences: Nigeria is made up of diverse ethnic groups, religions, customs, traditions and languages. These diversities are a problem to the operation of a unitary system. The peoples therefore opted for federalism to retain as much as possible their identity.

Size and Population: The country is too large both territorially (size) and in population for a unitary system of government, and federalism became inevitable for administrative convenience.

Historical /Colonial factor:The different ethnic groups in Nigeria had developed different administrative structures. The colonial principle of indirect rule allowed each region to preserve its cultural and traditional practices different from those of other regions.

Economic factor: In Nigeria, natural resources are scattered, therefore component units must unite as a federation to harness the resources for their overall benefit in addition to even and rapid economic development.

Fear of Domination: There has been suspicion among the various ethnic groups, particularly the major ones like the Yoruba, the Igbo, and the Hausa-Fulani. There was also fear by the minority groups that they would be dominated by the majority ones. Federalism therefore offers opportunity for self-preservation by different groups.

Divide and Rule Policy of the British Colonial

Administration: The British policy of divide and rule was a deliberate attempt to keep Nigeria weak and decentralized. The British considered unity among the various ethnic groups as a threat to their imperialistic interest.

The Concept of Federalism

The concept federalism has numerous and multifaceted definitions. According to Tamuno (2003:13) “Federalism is that form of government where the component units of a political organization participate in sharing powers and functions in a co-operative manner through the combined forces of ethnic pluralism and cultural diversity, among others”. In the words of A.V. Dicey “Federalism is a political invention which is intended to reconcile national unity and power, with the maintenance of the rights of the separate member states” (Cited in Elaigwu and Akindele, 1996:38). Jega in his own view said federalism is “essentially about the distribution of political and economic decision-making power among constituent units or levels of governments” (Cited in Elaigwu and Akindele, 1996: 38). According to Elaigwu (1996:166).

“Federalism is essentially a mechanism for managing conflicts in a multicultural state between two types of self determination and natural self determination which guarantee security for all in the nation state, on the one hand, and the self determination of component groups to retain their identities on the other hand”. According to Appadorai:-A federal state is the one in which there is a central authority that represents the whole and acts on behalf of the whole in external affairs and on such internal affairs as are held to be of common interest and in which there are also provincial or state authorities with powers of legislation and administration within the sphere allotted to them by the constitution (1982:495).

Afigbo divided the evolution of Nigerian federalism into three epochs “the period of “informal federation” (1900-1946); the first phase of formal federation” (1946-1966); and the second phase of “formal federation” (1967-date)” (Cited in Amuwo, 2003:50).

The Features of Nigerian Federalism

Oyediran, Nwosu, Takaya, Anifowose, Badejo, Ogboghodo and Abgaje (2008) gave the general features of Nigerian federalism in summary as follows:-

- (1) Division and sharing of governmental powers between the federal and the regional or state governments;
- (2) The derivation of the powers of the different levels of government from the constitution.
- (3) Adoption of a written and rigid constitution.
- (4) The supremacy of the federal government.
- (5) The existence of a supreme court for judicial interpretation and review.
- (6) Unified police force
- (7) Decentralization of the public service and the judiciary.
- (8) The existence of a bicameral legislature at the federal level.
- (9) The principle of the federal character; and
- (10) A three tier system of government.

Conclusion

In conclusion, colonialism began with the re-organization and fusion of territories known as amalgamation between 1861 and 1914, under the system of indirect and direct rule. The territories were regrouped into native authorities and provinces and from provinces to regions; from regions to states (after independence). This is the status to date. This transformation was aimed at bringing about a federal system of government in which every component part would be a player based on principles enshrined in the constitution. Even though, there are certain challenges facing Nigerian federalism such as revenue sharing formula among the tiers, state and local government creation, resource control and power sharing. Efforts have been made over the years to overcome them by successive administrations in order to preserve the nation's federal system among which are creation of more states and local governments, increase in revenue for oil producing states and rotational presidency.

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