The Challenges of Political Restructuring in Nigeria’s Fourth Republic: A Prognostic Analysis

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**Abstract**

In recent time there has been an upsurge in agitations by patriotic citizens and radical elements for a redefinition of the Nigerian state. Though clamour by centrifugal elements for the adjustment of the postcolonial Nigerian state along their desired direction is not a novel phenomenon. Bearing in mind that the country is yet to successfully weather an avalanche of other no less critical socio-political agitations like the demand for a sovereign national conference, resource control, true federalism, affirmative action, and sharia question, this paper has set for itself the task of identifying the problems and prospects associated with tinkering with the extant structure of the Nigerian state. Employing mainly documentary methods of data generation and analysis, and the Rawlsian theory of justice, the paper interrogates the rationale for the current agitation; and based on its findings, recommends that rather than push for the matter off the front burner of national political discourse and/or gag the agitators as our leaders are wont to, the issue of political restructuring needs to be dispassionately addressed as therein lies the prospect of accelerated development of the different nationalities that make up the Nigerian state.

**Keywords:** Political Restructuring, Sovereign national conference, true federalism, affirmative action, Nigerian state

1. **Introduction**

It is not in dispute to assert that Nigerian state as it is presently constituted is a product of British colonial administration. That Nigeria is a federal state is not in doubt in spite of different accounts pertaining to whether the country is really one. However, Dabo (2015) clearly confirmed that Nigeria is a federal state when he stated that “a close look at the political history in Nigeria reveals that federalism is a product of British conquest of various societies that is now made up of the federation” (p. 76). He argued that the collectivities of the different ethnic nationalities during the pre-colonial period suggested federalist tendencies. From this position, it becomes very clear that the federal structures which became prominent during the colonial period relied largely from what obtained during the pre-colonial era. In other words, structures of pre-colonial institutions became a platform upon which the British colonial government easily settled for federalism. The practice of federalism predated the 1914 Lord Luggard’s amalgamation of Northern and Southern Protectorates.
Osuntokun (1979) identifies two accounts that explain the evolution of Nigerian federalism (p. 91). One of them explains that Nigerian federalism was a deliberate creation of the British colonial government in order to maintain a neo-colonial control of the country even after Independence. To this end, the British colonial government purposefully created structural imperfections that feathered the nest of inter-ethnic rivalries in the guise of federalism. The other account clearly states that Nigerian federalism was born out of historical and geographical factors. That given the diverse and culturally multifaceted nature of the country, the best bet was to settle for federalism that can effectively manage the differences as opposed to a unitary system. This latter account is further given credence by Nwabueze (2013) who said Nigeria, just like the United States of America, who having been faced with the problem of large territorial size and more confounding ethnic nationalities of inherent diversities, settled for federalism as an antidote to the myriad of historical and geographical problems of the country (p. 246). Although several factors have been identified as responsible for the adoption of federalism the world over but there is no standard formula for determining those factors which make its adoption more or less imperative in any given political system (Ugwu, 1998, p. 12). It is on record that some federal unions, the world over, had been formed “from the bottom up” by pre-existing political structures whereas others had been formed “from the top down” by a federalizing hitherto existing unitary states (Sklar, 2004, p. 3).

It is important to state that Nigeria’s constitutional history which dates back to the British colonial era when the first Nigerian constitution came into being christened the ‘Clifford’s Constitution of 1922’ exacerbated the practice of federalism. One significant contribution of that constitution was the introduction of the ‘elective principles’ which further brought about political consciousness leading to the formation of the first political party – The Nigerian National Democratic Party (NNDP) in 1923. There is no doubt that the need for advancement in constitution-making was the resultant effect of the level of injustices meted out to Nigerians by the instrumentality of some of the provisions of that constitution in particular and others in general, hence another constitution came into effect named after Arthur Richards in 1946, the then new Governor-General at the time. A significant aspect of that constitution was that it provided for the balkanization of the country into three regions: the North, West and East, thereby laying the initial foundations upon which Nigeria’s federalism is said to derive or be standing today. Although the three regions were semi-autonomous as they were merely administrative units, they were significant rallying points for regional politics in view of the multifaceted ethnic groupings in Nigeria. Due largely to the need for further reduction of the level of social injustices which colonial constitutions provided at the time, there was the need for successive constitutional amendments which heralded the Macpherson’s (1951), Lyttleton’s (1954) and the 1953, 1957 including 1958 constitutional conferences held within and outside Nigeria, precisely in London. All these were aimed at addressing some of the lapses or weaknesses experienced in the cause of political experimentation of the various constitutions, giving rise to the 1960 Independence Constitution. Fubara and Okowa, (2013) and Martins (2015) cited in Nna and Pabon (2017) have opined that “brief synopsis of the emergence of Nigeria’s federal system can be traced to Oliver Lyttleton’s Constitution of 1954, which provided large degrees of autonomy to the Federal Government and the three regions namely, North, East and West” (p. 20). Even though the 1954 Constitution gave credence to Nigeria’s federalism, the 1946 Richards Constitution actually provided the initial framework or platform upon which it is existing today with the creation of the three regions. Sklar (2004) argues that a federal system of government, comprising of three regions – the North, Southeast and Southwest, having been established in 1954, was “based on an historic compromise negotiated by British officials and the leaders of three major Nigerian political parties, each in control of a regional government” (p. 3).

However, the 1960 Independence Constitution though assuaged the taste of the Nationalists and the Nigerian people to an extent; it did not provide all that the country wanted, after all the Governor-General was still subservient to the Queen of England. This meant that though, to an extent, the Constitution brought some reliefs of self governance but with the apron of strings between the Nigerian government and her British overlords it became imperative to see urgent need to alter the document
with a view to restoring full independence to the country. It was for this reason that the 1963 Republican Constitution became a product of deep-rooted agitations for better deal for Nigeria as it provided for the complete ceding of the umbilical cord that had held Nigeria and her British imperialists together at the time. The implication, therefore, is that the quest for change or restructuring by way of constitutional amendments to reflect the interests of the federating units or states is not strange to post-colonial Nigeria as it had been there from Nigeria’s colonial inception except that the methodologies leading to each process varied to an extent. And this has been part of the characteristics of Nigeria’s political developments right from inception until the extant Fourth Republic. Awortu and N-ue (2018) rightly confirm this when they observed that:

Interestingly, the persistent and recurring intense struggles and widespread protests by various ethnic nationalities is traceable to the dysfunctional federal system which is manipulated by the three major ethnic groups in the country, namely; Hausa/Fulani, Yoruba and Igbo and the military-imposed 1999 Constitution which enervates principles of federalism. Their inordinate ambition to lord it over the Minorities had manifested in the country’s several spheres of life, leading to non-utilization of the provisions of and benefits of true federal structure. (p. 135)

It is also important to unequivocally state that it was given the level of injustices and agitations by the minorities in the colonial Nigeria that warranted the setting up of Willink Minorities Commission of Inquiry in 1957 and subsequently in 1958 its report was turned in basically to allay the fears of the minorities in the evolving federation. As Nigeria grappled with the enormity of crises at one time or the other before and after Independence, the minorities in Nigeria have continued to fan the embers of agitations for one form of favour or the other. There is no doubt that the creation of midwestern states in1963 and subsequently 12 states in 1967 and the eventual collapse of the First Republic in 1966 were all the aftermath of several agitations in Nigeria. In a bid to addressing some of the enormous challenges of a federation, far-reaching measures had been adopted by successful regimes after Independence. Between 1960 and 1966, Nigeria operated a British model of parliamentary system of government which was quickly cut short by the advent of the first military coup in 1966 which abruptly brought to an end the first Nigeria’s political experimentation – parliamentarianism. The military rule, through the instrumentality of decrees, had taken the larger chunk of the country’s political leadership hence became the masterminds of the kind of federalism that Nigeria has operated popularly christened ‘feeding bottle federalism’, leading to the deep-rooted acrimony, bitterness, rancour and seemingly unending agitations experienced in almost all the parts of the federation. All these have brought about the over-centralization of powers and governance on the federal government thereby relegating the other tiers of government to the background. This can largely explain Nigeria’s checkered constitutional history which has become an albatross in the collective will and aspirations for one indivisible and indissoluble Nigeria which the 1999 constitution clearly expresses. The provisions of the 1979 constitution were a clear departure from the parliamentary democracy of the First Republic and had become replicated in those of the 1999 constitution as they were purely modeled after America’s political system in theory. The product was an aftermath of Constituent Assembly that predated it during the Murtala/Obasanjo regime similar to many others which are usually subjected to popular participation by way of people’s assembly. Central to Nigeria’s constitutional history is the issue of federalism and democracy which the military had been at the centre of the whole episode. Suffice it to say that after the Second Republic’s abrupt end in 1983, the military further supplanted deep-rooted policies that strengthened federal might over the other tiers of government and this has continued to generate agitations and conflicts in the polity begging for restructuring with a view to ensuring the corporate existence of the nation.

It will be of immense benefit here to state that several attempts were made at producing another constitution after that of the 1979 was suspended by the military in 1983 during its long years of
pseudo democratization process. All those were cosmetic devices employed by the military to continue to hold on to power. However, Rtd. Gen. Abdulsalami Abubakar’s administration finally adopted the previous 1979 constitution with some modifications and handed over power to a democratically elected government in 1999 after several attempts by previous military regimes failed to yield the required dividends. That constitution which was hurriedly put together came into effect on May 29, 1999. Ever since, it has had its challenges as many Nigerians have seen it as an instrument foisted on them by military fiat hence have continued to agitate for restructuring of the federation to assuage the ill-feelings of the federating states and ethnic nationalities. One of such several attempts was made during Obasanjo’s civilian administration when the Southern representatives staged a walk-out from the constitutional conference venue due largely to major ethnic group interests against the minority area that produces the bulk of the nation’s wealth. The process could not see light at the end of the tunnel even before that administration exited in May 2007 after its successful second tenure. Several calls had been made for the federal government to convocate a sovereign national conference of all ethnic nationalities in Nigeria to discuss and ascertain their desirability to live together as one country. These calls and agitations are as a result of the level of disenchantment of the different federating units and ethnic nationalities over unfavourable and dysfunctional federal structure. And each phase of these struggles has had its major issues and demands revolving around perceived social injustices by the federal government and other dominant ethnic groups in Nigeria. Nkwede (2015) reiterates the foregoing position when he affirms that:

Over the years, Nigeria has had a history of national dialogue on its constitutional and political matters. In different phases of the 100 years of Nigeria as a nation from the amalgamation of the Northern and Southern Protectorates on January 1, 1914 to the convocation of a National Conference in March 2014, the nature, character and prospects of national conferences have turning points in the history of Nigeria. Each phase has had a defining moment because of the issues, demands, struggles and movements peculiar to it. (p. 221)

Some of the issues that have featured consistently in the quest for political restructuring include but not limited to the following: reviewing the non-justifiability clause contained in Fundamental Objectives and Directive Principles of State Policy of the constitution, the need for independent candidacy, need for rotational presidency among the six geo-political zones, financial autonomy of the State Houses of Assembly, removal of State Joint Local Government Account, removal of ambiguities for state creation, creation of at least 6 more states one each from the six geo-political zones, recognition of the six geo-political zones as administrative units in the constitution, removal of the immunity clause, scrapping of the bicameral legislature, franchise for Nigerians in Diaspora, single tenureship of 6 for the governors, the president and their deputies, uniform tenure of three years for local governments, rotational governorship among senatorial districts, at least 20 percent derivation, 50-100 percent resource control for states, scrapping of presidentialism for parliamentarianism, the inclusion of roles for traditional rulers in the constitution, the need for state police and the abrogation of the obnoxious Land Use Act, etc. All these are important considerations for Nigeria to extricate herself from the quagmire and clutches of centrifugal forces and appendages that have continued to undermine the peaceful co-existence of Nigeria exacerbated by long years of military rule and difficulty in breaking through the ranks of majority ethnic dominated federal government and the National Assembly.

There has also been an argument that borders on the imperativeness of organizing a sovereign national conference where the Nigerian people would adopt and accept the constitution as theirs instead of the pseudo preamble in the constitution. And by so doing, that would reinforce and galvanize the holistic acceptance of the preamble “We the People of the Federal Republic of Nigeria: HAVING firmly and solemnly resolved: TO LIVE in unity… , AND TO PROVIDE for a Constitution…, DO

From the forgoing, it has become very imperative to re-examine the challenges of political restructuring with a view to reconsidering what prospects current demands have in order to avert a possible backlash on Nigeria’s corporate existence. It is the thinking of some Nigerians that restructuring involves a total overhaul of existing structure to make it not only effective but workable and acceptable to the federating states and ethnic nationalities. There is no gainsaying the fact that the Nigerian state is made up of distinct parts which include but not limited to the following: the ethnic nationalities, the regions, the states, the local governments, economy, polity, Ministries, Agencies and Departments, resources both natural and man-made, infrastructure, the people, the Constitution and other enabling laws (Acts of the National Assembly), etc.

There is no doubt that there is overwhelming consensus among Nigerians that the country needs political restructuring. So many indices and statistics clearly show that Nigeria is almost at the brinks of collapse due to non-performance comparatively and given the enormity of resource wastages over the years by those who have been entrusted to manage her common wealth. The nation’s security architecture, economy and infrastructure etc. are in comatose and therefore in dire need to salvage. Recalling that several attempts made in the past to collate the views of various ethnic nationalities towards enhancing the corporate existence of the country had been thrown into the nation’s waste baskets, is quite nauseating. This may have fanned the embers of current agitations for restructuring of the polity evidenced in the preponderance of crises across the country ranging from the southeast secessionist tendencies, the Fulani herders-farmers crises in most parts of the country, the Boko Haram insurgency in the Northeast, the unending South-south agitations for resource control, agitations for state police and so many, to mention but a few. These are the realities before Nigeria and Nigerians since the inception of the extant Fourth Republic. It is on this premise that this paper sets to further interrogate the challenges of political restructuring in Nigeria’s Fourth Republic with a view to averting imminent backlash and eventual collapse of the federation which her founding fathers fought too hard to build and sustain.

2. Conceptual Clarification
2.1. Political Restructuring

The concept of political restructuring means different things to different people. There is hardly a consensus among people on what political restructuring means. This is because the practice of federalism, the world over, has had its challenges. Because federalism goes hand in glove with democracy, there is always the tendency that, in line with democratic principles, there is likely going to be those who are dissatisfied with the existing arrangement, hence would press for changes from the political system for a better deal. This is also given the fact that the political system under a federal structure has a lot to offer to geographical contiguity and ethnic differences, especially in countries where development is far from being achieved like Nigeria. It is not even in dispute that in developed democracies, there are still demands on the political systems to fine-tune or smoothen the rough edges created by federalism. The difference between what obtains in Nigeria is that while federalism was seen to be a British colonial creation and foisted on her, in the other developed climes, federalism was negotiated and accepted as one viable option for their peaceful existence. In comparative terms, what would be prevalent in terms of demands on the political system would be too wide to imagine. In Nigeria, the quest for restructuring usually takes a new twist while in other climes; one would hardly feel the import of such demands and the subsequent changes. No wonder, leading scholars in comparative federalism cited in Amuwo and Harault (2000) were in consensus when they opined that, apart from Nigeria, “several federal states are either engaged in, or about to begin, the process of reviewing their federal systems in order to retain their relevance to their societies” (p. 3).
The implication of this is that even in advanced federal states, political restructuring is still in
sight and not taken as a sign of weakness or something to regret. Federalism offers more of promises
than honouring its promises to the people. This is where the need to constantly engage the political
system to resolve emerging differences for peaceful co-existence. Thus, Linz (1997) cited in Amuwo
and Harault (2000) opined that “federalism can only assure that nobody could be fully unhappy but
certainly not that everybody will be happy with the solution” (p. 5). Federalism in Nigeria has been
able to bring all the different ethnic nationalities together over the years. But unfortunately it has not
been able to keep them happy. All the ethnic nationalities in Nigeria appear to be living together
grudgingly over the years due to perceived social injustices. In an attempt to liberate them from this
menace, the quest for political restructuring becomes expedient.

Political restructuring therefore, in the context of the foregoing, according to Amuwo and
Harault (2000) seeks to restructure the existing federation in such a manner that the powers of the
federal government are drastically reduced with a view to giving the component units or federating
states and by extension ethnic nationalities the opportunities to participate in their own affairs as
obtainable in developed federations (p. 5). This is also in line with the position of Tamuna (2000) when
he said that:

   federalism, as I understand it, is a form of government where the component
   units of a political organization participate in sharing powers and functions in a
   /cooperative manner though the combined forces of ethnic pluralism and cultural
   diversity, among others, tend to pull their people apart”. (p. 13)

Going by the definition of federalism above, it is clear that the persistent clamour for political
restructuring can only come when there is social injustice in where ordinarily there should be justice.
So, when there is injustice in a political system that is structured to achieve not only justice but unity in
diversity, there would then be quest for justice with a view to bringing it back to the original ideals for
which the union was either formed or made to exist.

Therefore, political restructuring, in the context of this paper, connotes sustained clamour for
‘true federalism’ by some federating states and ethnic nationalities in Nigeria. It also entails a radical
attempt by certain ethnic nationalities and federating states in Nigeria to question their continuous
existence in the political configuration and the entity called ‘Nigeria’ in which they were forcefully
lumped to live among a people with perceived irreconcilable differences by the instrumentality of
British imposed federal constitution. In other words, political restructuring, as being canvassed, is a
radical movement by ethic nationalities and states to unbundle the “no-go-areas’ in the Constitution of
the Federal Republic of Nigeria, 1999 (As Amended) with the sole aim of devolving powers to the
component units comparable to other developed federations globally. While these radical attempts or
movements are seen in the light of long years of perceived social injustices, there is hardly any
federation the world over that has no issues bordering on its federal existence. This is why it has often
be said that there is no ‘ideal federalism’ or ‘true federalism’, the world over by some scholars of
comparative federalism. What countries do is to consistently adapt to their own realities in order to
push for a continuous and harmonious existence in obvious political, economic, social, geographical,
ethnic, cultural, religious, racial and gender inequalities.

3. Theoretical Consideration

Rawlsian Theory of Justice was employed in this study. Rawls in his A Theory of Justice (1971)
attempted to articulate a set of principles of justice which, in his view, should underpin the basic
structure of society. He identified the major components of this basic structure of society to include not
only the legal rights and duties of citizens, but their economic and political institutions and indeed the
entire gamut of activities that can arise from their interaction with one another. Having identified the
basic structure of society he went further to ascribe to it the function of distributing the benefits (wealth, food, shelter, power, authority and rights) and burden (duties and obligations) of social cooperation among members of the society. The primary task of justice in any society therefore is to fashion out a set of principles which is general to all, final and adjudicative and which a just basic structure of society must meet or satisfy.

The thrust of Rawl’s theory is that justice must ensure, first, greatest equal liberty for all; and secondly, where social and economic inequalities are perceived to exist, then they must be arranged in such a way as to benefit the least advantaged people in the society (Irele, 1993, pp. 17-18).

Though Rawls has been roundly criticized for believing that equal opportunities for those with unequal socio-economic status will lead to an improvement in the existential condition of the latter (as they insist it will further widen the gap between the group and their fortunate colleagues in society), (Irele, 1993, pp.20-21), yet the theory offers us a linchpin to understand that a society without justice will never offer its citizens socio-political freedom nor will it be fair to all groups especially that segment of the society that is disadvantaged by reason of ethnic origin, sex, geographical terrain, educational, imbalance, or religious belief. This is the case with the Nigerian state. At present various groups are making demands on the state based on their feelings and /or convictions that the latter has not been fair to them. The situation is even exacerbated by the fact that all attempts by the state to provide equal opportunities for all her citizens has ended up not only feathering the corporate nest of those in government and the interest they represent, but has also, as a corollary, further widened the existing gap between the contending social groups in society thereby warranting a call for a sovereign national conference or the rave of the moment, the agitation for restructuring of the country, to determine our collective future.

4. Restructuring Nigeria: A Prelude

Since the enthronement of civil democratic rule in Nigeria in May 1999, there has been an upsurge in the activities of rights activists agitating for remediation of issues which they feel are of grave concern to them. This unprecedented increase in violent demands on the Nigerian state at the threshold of the Fourth Republic has been attributed to the fact that the military rulers who were in power before were literally gagged the civil society and placed a lid on the freedom of individuals to associate with one another and openly express themselves (Epelle, 2015, p. 1; Idahosa, 2012, p. 56). Hence with their exit from the political scene coupled with the libertarian air of civil democracy it was not surprising that hitherto bottled up emotions and sentiments among the populace began to simmer up. Currently, the topical issue almost threatening the corporate existence of the country is the call for a restructuring of the polity. This call which is coming on the heels of the hackneyed demand for a sovereign national conference, though seemingly national conference, though seemingly innocuous in impact has caught the citizens divided on several fronts depending on which side of the fence one finds himself.

Sequel to this period, one must concede that there have been other demands for justice from aggrieved groups in society. Indeed the Fourth Republic opened with a renewed agitation by environmental rights activists in the Niger Delta for a control of the resources they produce (Epelle & Isike, 2005, pp. 120-122). Having received fillip from the activities and subsequent martyrdom of Ken Saro-Wiwa; the sympathetic ear of the international community to the resource control struggle; and the modest success recorded even if it is only in drawing global attention to the environmental injustice of the diabolical duo of the Nigerian state and the oil multinationals, youths and other concerned groups in the Niger Delta region renewed their call for a fair deal from the Nigerian state.

Looking perceptively at the rationale for resource control agitation by activists in the Niger Delta region one is likely to make a hunch that it may have been given impetus by the failure, again, of the Nigerian state to address squarely the contentious issue of an acceptable revenue formula for all states/regions that make up the country. The problem of how best to share the revenue from the national till to all tiers of government has remained intractable from the period of political
independence in October 1960 till date as each succeeding administration has always devised a formula(e) that reflects and/or furthers its interest (Ebohon & Emuedo, 2009, p. 49ff; Offiong, 2012, pp. 94-99). Expectedly, this political maneuverings and manipulations of an issue bordering on the economic security of a people must certainly draw the ire of the section of the country whose economic future is being threatened. The standard practice in developed federal systems like United States of America, Canada and Germany is for a region/state to exploit the natural resource(s) embedded in its territory and pay tax or royalty to the central government. The advantage of this type of federalism, circumspsectively called “fiscal federalism”, is that it boosts the revenue profile of the resource-producing region, allowing it enough funds to make up for any environmental hazard suffered in course of the resources exploration/exploitation; and at the other extreme of the continuum it encourages healthy competition and/or rivalry among the federating units as each of them will be proactive in searching for new revenue-yielding resources to add to its kitty. Incidentally, this is not the case in Nigeria. Here the Land Use Act (1978) vests “ownership and control of all lands and resources therein in the federal government” (Epelle 2004, p. 16), thereby making all revenues accruing from the exploitation of these resources the exclusive preserve of the federal government. This Act, along with an earlier promulgated Oil Mineral Rights Decree No. 51 of 1969 officially ensured that regions/states which lay the golden egg hands over the chicks when hatched, while conversely states which produce no resource get, sometime, each more revenue relative to the resource-bearing states from the monthly federal allocation. This bizarre fiscal order is bolstered by the fact that, in Nigeria, what is used in distributing revenue is not what is derived from your region/state, but such nebulous variables as “equality of states” (40%), “population” (30%), “social development sector” (10%), “land mass/terrain” (10%) with “internal revenue effort” getting a paltry 10%. This anomalous situation undoubtedly is the reason behind the feeling of resentment, dissenions and agitations for remediation from persons in the resource-producing region/states. At the end, the best the Nigerian state could offer in return was a marginal increase in the derivation principle from 3% to 13% and the establishment of a more or less placebo interventionist agency for the region, the Niger Delta Development Commission (NDDC). Ironically, before the ascendancy of petroleum to the commanding height of the Nigerian economy, the derivation principle was left at 100% and only in 1964 was it reduced to 50%. According to Epelle and Isike (2005): “This period also coincided with the era when the regions had a fair spread of tradable agricultural produce: groundnut in the North, cocoa in the West and palm-oil in the East” (p. 123). In other words, at that time the three regional governments retained the lion share of revenue from resources gotten from their regions and bequeathed only a little fraction of it to the federal government. However, all these, as we can see, changed with the discovery of crude oil in the Niger Delta region. The latter being a minority region in the South-South part of the country, made up of multifarious ethnic groups and lacking political big weights of the type found in the major ethnic groups in the North, East and Western parts of the country, she has to acquiesce with whatever crumb that fell from the master’s (three major ethnic groups) table. Beside the minority elements in the Niger Delta (South-South) region of the country whose agitations have centered more on a regional resource control and/or fiscal federalism, other minority groups especially in the North-central part of the country has also been vociferous in asking for a redefinition of the Nigerian project. Though what constitutes an ethnic or regional minority is a very subjective term as a minority ethnic group in one instance can constitute a majority group in another instance and do to the new hapless minority the very injustice they have been fighting against at the national level, yet it must be acknowledged that the situation of the minorities in Nigeria is a very unfortunate one. The dilemma of the country’s ethnic minorities is underscored by the fact that “…of the estimated 450 ethnic groups only three- the Hausa, Ibo and Yoruba- are defined as the ethnic majorities” (Egwu, 2014, p. 4). The above scenario, no doubt conveys a frightening inequality in
access to power and other resources between the minority and majority ethnic groups in the Nigerian state, which in itself can be a source of conflict.

To mitigate these conflicts and assuage the feelings of minority elements in the country the ruling elites have over time doled out policy instruments and programmes which, in their opinion, equilibrates the process of social mobility for all concerned while serving as affirmative action for minority elements and other less-advantaged groups in the country. Some of these policies include state creation, quota system and, its corollary, federal character principle.

Though it is not the intention of this paper to discuss the pros and cons of these policies, yet a word or two may be instructive here at least to justify our theoretical argument that equal opportunity for those with unequal background will only lead to an exacerbation of the existential condition of the latter. The issue of state creation, for instance, featured prominently in the 1957/1958 Constitutional Conferences in London sequel to which the Sir Henry Willink Commission was set up by the colonial masters to look into the fears of ethnic minorities in the country and suggest means of allaying them. Though the Commission came out with the resolution that state creation is not the answer to the problem as it (state creation) will only delay political independence (the primordial interest of the compradoral elites at that time), yet it is on record that between that period and now a total of thirty-six (36) states have been created from the original three regions of 1946; this is in addition to a Federal Capital Territory and seven hundred and seventy-four (774) local government areas. This is in spite of the fact that a more populous country like India, itself a federation, has a relatively fewer number of states. Consequently, how far the instrument of state creation has provided social justice to minority elements in the country remains a moot point. For if it did, and then one expects that calls for creation of more states should have been consigned to the dustbin of history, but this is not the case. Indeed, as our experience has shown, the creation of more states has led on the one hand, to benign demands for creation of even more states or at the other extreme the inordinate demand for a break-up of the country by separatist groups like Movement for the Actualization of the Sovereign State of Biafra (MASSOB) and Movement for Emancipation of the Niger Delta (MEND) (Osakwe & Habib, 2014, p. 568).

The other affirmative action, the federal character principle, intended to ensure that public offices in the federation are spread in a manner that all qualified elements from all sections of the country are adequately represented as provided for in Section 7 of the Third Schedule of the 1999 Constitution of the Federal Republic of Nigeria is also aimed at addressing the fears of domination by minority sections of the country. Nevertheless, beyond the political undertone which it pursues on the one hand for the governing elites who exploit it, on the other hand it has also served to dampen the entrepreneurial spirit in some persons or sections of the country who apparently see no need to strive for high socio-economic achievements. In fact according to Epelle and Omoruyi (2003), the net effect of the policy of quota system and federal character principle has “been to demoralize those from sections of the country where there is high achievement orientation while promoting mediocrity and encouraging those involved in indolence to see it as a virtue” (pp. 208-209).

In conclusion, the obvious fact which can be gleaned from all these demands by ethnic minorities and the concomitant public policies aimed at addressing them is that they (ethnic minorities) do not feel secure in the Nigerian federation as presently constituted, hence their call for a restructuring of the polity. Some of these calls have come in the form of peaceful protects, advocacies, lobbying of state and federal legislators and even outright violence - the last method of which became a more effective tool beginning with the erstwhile military regimes of General Ibrahim Badamosi Babangida and late General Sani Abacha notorious for marginalization of specific ethnic groups and social deprivation (Agara, 2014, p. 181).

Religion is another issue that has negatively challenged the process of nation-building in Nigeria; this is in spite of the fact that the 1999 Constitution of the Federal Republic of Nigeria precludes the state from adopting any religion as a state religion. Unfortunately, though a secular state, the country has faced more religious violence than countries like Saudi Arabia and Pakistan that are
predominantly Muslim States. Hardly a day passes without one fundamentalist group striking in the northern part of the country in pursuit of sometimes very flimsy doctrines. As some observers have sarcastically noted, if there is any perceived negative remark about the Islamic religion, the first country that will boil over with hundreds of humans lives lost in the process will not be Saudi Arabia (the world headquarters of the Islamic faith), but Nigeria. Though a secular state, the country was smuggled into the Organization of Islamic Conference (OIC) during the General Ibrahim Badamosi Babangida regime; still a secular state, official license was granted for the operation of Islamic banking in the country; though a secular state, Sharia law operates in many states in the northern part of the country with the 1999 Constitution literally giving official legitimacy to it by making provision for Sharia courts there in place of the customary courts prevailing in the Southern part of the country. Through the nihilist activities of Boko Haram, a militant Islamic group based in the northern part of the country, over 13,000 lives have been lost as at 2015. The group has also burnt over three hundred villages, destroyed over two hundred churches, and kidnapped over two thousand young boys and girls (Epelle, 2017, p. 610). In the face of all of these miasmas, the question any rational mind will ask is: is Nigeria still a secular state? If yes, how? If no, then what is the way forward? These questions and other ancillary ones are the raison d’être for the renewed demands for a restructuring of the country.

It is necessary at this juncture to re-iterate that the agitations by concerned Nigerians for a restructuring of the polity have had a fairly long history. It started under the euphemistic demands for a “Sovereign National Conference” which the protagonists believed will logically lead to a restructuring of the country. According to Olorode (2003), the need for a sovereign national conference was unwittingly ignited through the Major Gideon Orkar ill-fated coup d’état of April 21, 1990 where he (Major Orkar) averred in the radio broadcast announcing the putsch that some states have been excised from the federation for being too powerful (p. X). Though the coup failed with the coup plotters rounded up and executed by the General Ibrahim Badamosi Babangida administration, yet by the time the dust settled, other patriotic elements took a cue from it, formed the National Consultative Forum (led by late attorney, Alao Aka-Bashorun) and attempted to hold a sovereign national conference on 6th September, 1990, which was again thwarted by the Babangida regime (Osakwe & Habib, 2014, p. 565). However, by 5th December, 1992 when late Chief Anthony Enahoro launched his Movement for National Reformation and went ahead to re-ignite the call for a sovereign national conference in which the main agenda will be on how to “restructure the Nigerian federation” the imperative for restructuring had become quite glaring.

5. Restructuring Nigeria: A Prognosis

As earlier stated in this work, the call for restructuring of the polity was berthed through the precursory sovereign national conference, hence most of our analysis in this section will borrow from either of the two “Siamese twins” to explain the point at issue.

According to Okpeh (2003), the call for restructuring of Nigeria has several advocates with differing viewpoints (p. 2). First, there are those who, like late sage Obafemi Awolowo in his Path to Nigeria Freedom (1947), feel that Nigeria as presently constituted is not a nation in the sense of the English, Scots or Welsh. For this group, the multiplicity of ethnic cum cultural groups in the federation has created a structural imbalance in the polity which “can only be resolved through a convention of all the various nationalities that make up the country to discuss what they want the structure of the country to look like…” (Okpeh, 2003, p. 2). For this group of advocates, the more the delay in restructuring the country, the more there will be mutual suspicion among the ethnic groups in the country; the more minority elements will feel cheated by the system; and the more crises the federation will experience. It must however be explicitly stated here, that for this group, restructuring should allow the people the right to self determination and the right to go their separate ways if they wish.

Interestingly, though the call for restructuring appears to be gaining momentum among radical elements in the country, there are those who argue against it. According to this group, neither a
sovereign national conference nor a restructuring of the polity will be the magic wand to our problem. For this latter group: “Those who are advocating the restructuring of the Nigerian federation into a federation of nationalities and ethnic groups have failed to grasp the substance of the historical process which has produced our ethnic groups and the Nigerian polity” (as cited in Okpeh, 2003, p. 5). These opponents of restructuring, some of who surprisingly come from minority ethnic groups in Nigeria, believe that restructuring the country may lead to an eventual breakup of the federation into smaller ethnicity based polities and that this may create border wars between hither-to blood-related groups in the former entity.

There are also those who feel that the call for a sovereign national conference is genuine and its conveners should be allowed to exercise their constitutional right to a free assembly and propagation of ideas. For this group, ignoring this agitation or stifling the call will not only be undemocratic, but will also prove more problematic for the system on the long run. This is because, they believe that through a national conference, well thought out answers will be provided to several issues on the national question and in that way a genuine restructuring of the country can take place in a way that its corporate existence is not threatened. In summary, for these advocates, restructuring implies addressing the centrifugal issues militating against the corporeality of the Nigerian state, and not dismembering of the country into several geo-political entities. Expectedly, just like the first group of advocates, this viewpoint has also been challenged as elitist and dismissed as untenable. In the first instance a critical look at some of those behind this watered-down version of restructuring shows that they are mainly members of the elite class whose corporate interest seems well protected in the current scheme of things and conversely will stand to lose greatly if the status quo is rocked. Second, of what use will a restructuring be if it is to take place within the existing framework of ethnic domination, environmental injustice, religious intolerance and skewed revenue allocation?

A critical look at all the issues thrown up by our discussion above shows in clear relief that the issue of restructuring of the Nigerian state has more to do with elite world view and interest behind it than with the problem(s) that it is intended to solve. This is because the motive of the protagonists or antagonists is the ultimate determinant of the prospects of the agitations. In other words, the agitations for a restructuring of the Nigerian state, though desirable as it will give justice to the least advantaged people in the federation, may not be teleological because any attempt to really tinker with the extant structure of the country is dependent on what the objective interest of the ruling elite is.

6. Conclusion and Recommendations

Political restructuring of Nigeria has been in the political spectrum of national discourse right from colonial period. The British colonial government surreptitiously institutionalized federalism for their political and economic interests. They settled for federalism mainly because it soothed their purpose. And they were able to achieve that feat because the pre-colonial political institutions and structures provided a suitable platform upon which their choice for federalism smoothly sailed through. Even with the nationalist agitations, they were able to manipulate the political processes to continue the exploration and exploitation of the vast resources the country was endowed with. To say the least, federalism actually worked effectively for the colonial government. The balkanization of Nigeria along the three major ethnic groups which heralded the beginning of federalism and further divided the country along ethnic lines was given credence by the 1946 Richards Constitution. And with the coming on board of the 1954 Littleton Constitution, the full weight of federalism was launched on Nigeria with a preponderance of divisive tendencies along ethnic lines.

Unfortunately, with the sustained efforts of Nationalists to drive home their demands of better conditions for Nigerians, the high expectations inherited by the post-colonial Nigeria geared towards a more robust federal practice that would address the seemingly insurmountable ethnic chauvinism reigned supreme. There is no doubt that this was largely responsible for the collapse of the First Republic in 1966. The post-colonial constitution and government enshrined a federal system of
government that institutionalized a preponderance of regional powers in line with federal practice all over the world. But given the breakdown of the parliamentary democracy of the First Republic, successive military regimes adopted different approaches and strategies by way of decrees to make the centre more powerful than the regions after further balkanizing the polity with the creation of additional mid-western region and subsequently 12 states structure and more. Successful administrations in Nigeria whether military or democratic usually introduced some modifications as a way of addressing the age-long ethnic agitations, yet such would always throw up new challenges that may impugn on the country’s realization of her political and socio-economic potentialities through federalism. Each phase of Nigeria’s federalism throws up new developments, realities and challenges that rather than resolve the issues compound them. The worst hit had been the instrumentality of myriad of decrees that the military promulgated to strengthen the powers of the federal government and transferred same to the 1999 Constitution of the Federal Republic of Nigeria and made it a people’s constitution. This appears to be one sin too many for the military that handed the document as purportedly made by the people themselves including the obnoxious Land Use Decree which later became an Act of the National Assembly. All the issues that have sparked off further agitations for political restructuring in the extant Fourth Republic have all bordered on constitutional road-blocks which are a creation of the military. Some of these impediments are usually christened ‘no-go-areas’. This was also the case before the National Constitutional Conference under former President Jonathan, who despite the huge resources committed to the all-important national discourse, gave the Committee ‘no-go-areas’ – bordering on national unity (whether Nigeria would remain one or not). In spite of the enormity of funds and time spent in putting that event together by the then federal government, proposals submitted were not implemented. Surprisingly, former President Jonathan was said to have withheld his assent to the amended constitution in which a few of the recommendations of the Conference found their way into the National Assembly by way of Constitutional amendment. It is important to state that if the efforts of the 7th National Assembly in pushing through a few of those recommendations from the Conference were complimented by the former President Jonathan by assenting to the amended constitution, it would have gone a long way to reducing some of the challenges of political restructuring currently on the front burner of national discourse. Successive administrations have failed to demonstrate strong commitment towards addressing the recurring challenges of political restructuring. What each did was merely to adopt palliative measures that amounted to window-dressing after which new issues are thrown up again. Addressing head-long, once and for all, the challenges of political restructuring in Nigeria rests squarely on the federal government including the majority ethnic-group controlled National Assembly and the State Governors and their State Houses of Assembly in whose responsibilities it is to unblock all constitutional impediments to achieving a Nigeria where powers are fully devolved to the federating states with a view to ensuring the development of all states and ethnic nationalities according to their abilities. We recommend, therefore, for the unbundling of all bottlenecks in the constitution of the country that appear to have become an albatross on the advancement of Nigeria’s federalism. We acknowledge, inter alia, that though restructuring Nigeria, as it is presently canvassed, is quite herculean under the prevailing circumstances, it is however desirable and should not be glossed over. It is our conclusion that until this is done, Nigeria’s age-long clamour for ‘true or ideal federalism’ will remain an illusion.

References


