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Federalism as a Panacea for Cultural Diversity in Nigeria

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I. Introduction

Wheare conceptualizes federalism as a system of government where the general and the regional governments of a country are independent each of the other within its sphere, not subordinate to one another, but coordinate to each other. He goes further to explain that federalism involves the division of powers among levels of government, the existence of a written constitution showing the division, and the coordinate supremacy of the levels of government with regard to their respective functions (Anyebe, 1995). The constitution therefore, provides for a polycentric political system where there are many centres of decision making; each centre being formally independent of the other and bearing responsibility for the basic social services.

However, Friedrich sees federalism as a process rather than a design. It is the process of federalizing as well as the particular pattern or design which the inter-group relations exhibit at a particular time... (Friedrich, 1968).

Livingstone's reformation is basically similar to Wheare's and the process formulations, although he emphasized sociological factors or federal qualities of the society. Reacting against what he considers to be Wheare's juridical approach to the problems of federal government, Livingstone (1956) observes that:

> *The essence of federalism lies not in the institutional or constitutional structure but in the society itself. Federal government is a device by which the federal qualities of the society are articulated and protected.*

Vile and Birch agree with Wheare that some degree of coordinacy and independence is crucial if federalism is not to become a sham.

The process and sociological reformations of federalism are however, problematic. The very notion of a federalizing process is unhelpful if, as Friedrich claims, it is taken to mean that there is degree of federalism in virtually all political systems. Also, Livingston's claims that federalism is a function not of constitutions but of societies is, if broadly interpreted, vacuous because the same is true of every form of government. Even the sociological variables take on meaning and significance within the legal framework provided by a federal constitution. One apparent inference that can be deduced from the various definitions of federalism given above is the lack of a universally acceptable definition of the concept. It appears that the definition of federalism in any particular study is determined by the approach which the student wishes to make to his materials. For purposes of this study therefore, the classical definition of federalism by Wheare is adopted.

This theory is founded on the idea that the existing structure of societal conflict, consensus and resources can be organized into (at least) 'two communities' to which citizens belong- the regional and the national. One of the communities is all-inclusive and the other composed of several mutually exclusive communities. To achieve "unity in diversity" and intrusion of either of the "two communities", each is provided with a government which is assumed to be distinct, independent or autonomous in matters of resources, claims or control of institutions. The defining properties of the theory are that both governmental levels have separate yet coordinate legal status, a self-contained machinery of administration, and a balanced delimitation of activities without overlap. Any amendments of these aspects require the cooperation and the approval of the governments of the "two communities".

It suffices at this stage to ask one pertinent question. Can federalism as viewed in terms of coordinate relationship, be a panacea for cultural diversity?

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II. Research Method

Some basic historical documents were relied upon for purposes of data collection for this study-Federal Government of Nigeria: Federal Constitution of Nigeria, 1954, 1960, 1979 and 1999 with some relevant books and journals.

III. Literature Review

The dominant scholarly view-point tends to equate federalism with democracy. 'True federalism' says Wheare, can exist only where there is democracy; the absence of democracy is ipso facto the absence of 'federalism' even if we can observe the constitution and operation of a political system as being federal. A federal system demands forms of government which have the characteristics usually (associated) with democracy or free government. Dictatorship…. and its denial of free election is incompatible with the working of the federal principle (Wheare, 1946:47). Arguing in the same vein after an excellent study of the varied processes of constitutional change in Canada, USA, Australia and Switzerland, Livingstone declared:

> Federal government presupposes a desire and an ability to secure the component units against encroachment by the central government. If the latter is an authoritarian dictatorship it is difficult to see how the safeguards of the federal structure can be worth much; the states would continue, perhaps to exercise their functions, but only on the sufferance of the central government… and at the mercy of the dictator (Livingstone, 1956).

For Duchacek, democracy and federalism are always found together; federalism is the territorial dimension of democracy; competition between parties is a condition for federalism (Duchacek, 1970).

According to scholars of this intellectual persuasion, where the institutional and procedural indices of democracy-free elections and a party system with its guarantee of responsible opposition and constitutional checks and balances do not exist as in the case of military regime, there can be no true federalism.

However, Laski, under the psychology of the economic depression of the 1930s, drew attention to the issue which he made the title of an article, "The obsolescence of federalism". For him, epoch of federalism was over. Federalism in its traditional form, with its compartmenting of functions, legalism, rigidity and conservatism was, he suggested unable to keep pace with the tempo of economic and political life that giant capitalism had evolved. Federalism was, he argued based on an outmoded economic philosophy, and was a handicap in an era when positive government action was required. Decentralized unitary government, he concluded, was much more appropriate to the new conditions of the twentieth century (Laski,1939:201). Sir Ivor Jennings, a noted British constitutionalist (who was to be an advisor in the 1940s and 1950s in the creation of several federations within the commonwealth) once wrote that nobody would have a federal constitution if he could possibly avoid it (Watts, 2000).

This skepticism was further generated in the 1950s by the unorthodox constitution of the Indian Federation which, in the light of Indian socio-economic and communal problems, strongly articulated the primacy of the central government, thus creating doubts among some students of Indian federalism whether India is a federation (Oyovbaire, 1985:19-22). Carnell ridiculed the classical federalist precepts by saying that federalism is a particular procedural machinery of western liberalism (Anyebe, 1995).

Professor Oyovbaire appeared so persuaded by the arguments put forth by Laski, Carnell and others of their intellectual lineage that he felt, the classical federalist precepts had been profoundly remoulded following what he termed, the collapse and obsolescence of (the classical scholars) laissez faire foundation in the first four decades of this century. The learned professor concluded with his circumstantial bias that:

> ….(The classical federalist) precepts and their assumptions are unrealistic in the case of post-colonial, ethnically heterogeneous and rapidly developing societies for which an assertive and dominant role by the (central) government is both desirable and necessary for structural transformation of the economy…..He foreclosed the argument that there can be a federalism with authoritarianism (Oyovbaire, 1985:201).

Actually, considerable debate has taken place in literature as to whether or not the classical federalist precepts can be readily applied to the Third World Countries of today, both in terms of their realism and their relevance. As Myint argued some years ago, there is great danger in throwing out the baby with the bath-water (Myint, 1965:477-491). What is needed is really an extension and an adaptation of those federalist precepts to take into account the broader sociological factors that make up federalism in the classical sense. It is therefore necessary for those students who are interested in designing conceptual framework for federalism in the Third World Countries to turn back to re-examine the works of the classicists.

Anyebe (1995) rejected the viewpoint of Oyovbaire and others of his intellectual persuasion because military rule is generally acknowledged the antithesis of democracy. It has no theory or principle and this makes it, at best a government of expediency. The coordinate relationship between national government and the unit governments which is the core of federalism is in conflict with authoritarianism and military rule and consequently, should present problems to development planning. During military rule the constituent units (states) are simply treated as glorified

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local governments or prefectures possessing wide-ranging administrative discretion but no executive bite. According to one official of the cabinet office during Gowon regime, the source of all powers in Nigeria is the Head of the Federal Military Government….the military governors are his mere representatives in the states (Anyebe, 1995:29). Since military rule lacks the institutional indices of democracy like free election and a party system with its guarantee of a responsible opposition and constitutional checks and balances, it is basically incompatible with true federalism. Consequently, because the Nigerian system lacked the institutional indices of democracy between January 1966 and September 1979 as well as between 1984 and 1998, it had no true federal system. Similarly, because it exhibited these in the period before 1966 and between 1999 and 2014, it had a federal system. This is conceptually valid.

Even the unitary (military rule) solution to problems arising from socio-physical diversity (which threaten corporate existence of nations) as proffered by Oyovbaire has not proved successful as shown in many Third World Countries (like the Sudan, Ethiopia, Angola, Somalia, et cetera) with political and economic instability. Although federalism cannot lay claim to having solutions to all problems that cultural diversity and the various forces exert on the inter-governmental relations, however, being dynamic, it has a mechanism for fine tuning to meet the exigencies of the time.

In summary, the salient elements of the classical theory of federalism are the separate yet coordinate legal status of the governmental levels, the self-contained machinery of administration, and the balanced delimitation of activities without overlap. These formal elements are used in this study because of their realism and relevance to the Nigerian situation.

A great deal of comments have been made on the controversies surrounding federalism as an effective system of government that an evaluation of the basic theory of the concept is necessary in order to appreciate its appeal as a system of government, despite these controversies. It is a fact that in a unitary or centralized system of government the society may remain in equilibrium but the units are subordinated to the central government. If factors, other than mere socio-physical diversity, demand autonomy of the unit areas, then the subordination of those areas will set up pathological tensions which may disrupt the society. The members of a confederation or league can severally or collectively render it ineffective since there is no reliable sanction of authority behind the action of confederation or league and the relationship among the parts is not stable.

In a federal system the general and regional governments of a country are independent each of the other within its sphere, not subordinate one to another but coordinate with each other. The organization ensures freedom of the parts and independence of the central government within limits. The regional governments must affect the policy-making activity of the central government. Federalism, therefore, is a means of establishing national order without sacrificing the freedom of the component parts. It guarantees the particular while protecting the universal. According to Gross, in so far as federalism enables the unit governments to affect national policy-making activity and guarantees freedom within limits to them, it is a technique of representation. In so far as it ensures the component unit self-help, self-development and initiative, it is a philosophy of opportunity. Federalism, for these reasons is a process of democratization in which the implicitness of the unifying principles within the parts (a characteristic of a federation) subsumes the parts within the whole (Awa, 1955: 5).

It is apparent that the coordinate relationship between the national government and the unit governments is the core of federalism. The component units of federalism are thus enabled to have a limited independent existence with freedom to develop their material and human resources. This might partly explain why federalism had received a wide acceptance in the former British Empire and the Commonwealth since the end of the Second World War. Indeed only eight years later, Beloff was able to assert that the federal idea was enjoying a widespread popularity such as it had never known before (Beloff, 1953: 116). One reason of this popularity was the pronounced post-war prosperity of the long-established federations such as the United States, Switzerland, Canada and Australia (Watts, 2000). Before 1945, the general attitude seemed to be one of contempt for federal arrangement. According to Watts (2000:4):

Federation was seen by many, especially in Europe, as incomplete national government, as a transitional mode of political organization, as a not really desirable but necessary concession in exceptional cases to accommodate political divisiveness, and as a product of human prejudices or false consciousness preventing the realization of unity through such compelling ideologies as radical individualism, classless solidarity, or the general will.

The popularity of the federal idea after 1945 emanated even more, however, from the conditions accompanying the break-up of colonial empires at that time. The units of colonial government were often merely the product of historical accident, of the scramble for empire, or of administrative convenience. As a result, the colonial political boundaries rarely coincided with the distribution of the racial, linguistic, ethnic or religious communities, or with the locus of economic, geographic, and historical interests. In these circumstances, the creators of the new states approaching independence found themselves faced with simultaneous conflicting demands for territorial integration and balkanization. They had to reconcile the

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need, on the one hand, for relatively large economic and political units in order to facilitate rapid economic development and sustain genuine political independence, with the desire, on the other hand, to retain the authority of the smaller political units associated with traditional allegiances representing racial, linguistic, ethnic and religious communities. In such situations, where the forces for integration and separation were at odds with each other, political leaders of nationalist independence movements and colonial administrators alike found in the "federal solution", according to Watts (2000), a popular formula, providing a common ground for centralizers and provincialists.

The result was a proliferation of federal experiments in the colonial or formerly colonial areas in Asia, Africa and the Carribean. These included India (1950), Pakistan (1956), Rhodesia and Nyasaland (1953), the West Indies ((1958), Indochina (1945-7), French West Africa (A.O.F.) and its successor the Mali Federation (1959), French Equatorial Africa (A.E.F), Indonesia (1945-9) and Nigeria (1954). In addition, a functional federation, the East Africa High Commission (1947), was devised to administer common services in that region. During the same period, in South America where the federal structure of the United States had often been imitated, at least in form, ostensibly federal constitutions were adopted in Brazil (1946), Venezuela (1947), and the Argentina (1949).

Europe which was used as a war theatre during World War II, has shown the devastation that ultra-nationalism could cause, the federal idea gained salience, and progress in that direction and begun with the creation of the European Communities. At the same time with Europe, West Germany in 1949 adopted for itself a federal constitution.

Therefore, the first decade and half after 1945 proved to be a favourable period for federal system of government. In both developed and developing countries the "federal solution" was seen as a way of reconciling the two powerful and often strongly opposed motives: the desire on the one hand for larger political units required to build an effective and dynamic modern state, and the search on the other hand, for identity through smaller self-governing political units. However, it must be mentioned here that federalism cannot lay claim to having solutions to all the problems that cultural diversity and the various forces exert on the inter-governmental relations.

Beginning from the 1960s, however, it became increasingly clear that federal solution was not the panacea that many had imagined it to be. Most of the post-war federal experiments experienced difficulties, and a number were abandoned or temporarily suspended. Examples were the continued internal tensions and the frequency of resort to emergency rule in India; the secession of Bangladesh from Pakistan; the separation of Singapore from Malaysia; the Nigerian civil war, subsequent prevalence of military regimes and security problems in the country; the early dissolutions of the federation of the West Indies and the federation of Rhodesia and Nyasaland; the disintegration of the federal efforts in the former French colonial areas of Indochina, West Africa and Equatorial Africa; and the eventual demise even of the East African Common Services Organization (Watts, 2000).

These experiences indicated that even with the best of motives, there were limits to the appropriateness of federal solutions (Franck, 1966 & Hicks, 1978). Furthermore, the experience of Latin America where many of the constitutions were federal in form but in practice operated in an essentially unitary manner added further to the skepticism about the utility of federalism as a practical approach in countries lacking a long tradition of respect for constitutional law. In Europe, the slowness of progress towards integration, at least until the mid-1980s, also seemed to make the idea of an eventual federal Europe more remote.

Even in the classical federations of the United States, Switzerland, Canada and Australia, renewed internal tensions and the loss of economic momentum during this period reduced their attractiveness as shining examples for others to follow. In the United States, the centralization of power through federal preemption of state and local governments through unfunded and underfunded mandates had created an apparent trend towards what has been widely described as 'coercive federalism' (Zimmerman, 1993: 1-13). Furthermore, the abdication of the Supreme Court of its role as an umpire within the federal system, exemplified by the *Garcia* case in 1985, raised questions about the judicial protection of federalism within the American system (Gracia, 1985).

While Switzerland has remained relatively stable, the long drawn crisis over the Jura problem prior to its resolution, the need to shift from defensive to affective federalism, and the problems of defining Switzerland's future relationship with the European community raised new questions about the Swiss federation. In Canada the Quiet Revolution in Quebec in the 1960s and the ensuing four rounds of contentious mega-constitutional politics, 1963-71, 1976-82, 1987-90 and 1991-92, have produced three decades of internal tension (Russel, 1993). Aboriginal land claims, the crisis in fiscal arrangements and defining the relative roles of the federal and provincial governments under the free-trade agreements with the United States and later Mexico created additional stresses. Australia experienced in 1975 a constitutional crisis which raised questions about the fundamental compatibility of federal institutions and responsible cabinet government, but several efforts at constitutional review since then have in the end, come to naught. The result was a revival in some quarters within Australia of debate about the value

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of federalism (Patience & Scott, 1983). Through most of the period Germany remained relatively prosperous, but increasing attention has been drawn to the problems of revenue sharing and of the 'joint decision trap' entailed by its unique form of administratively interlocked federation (Scharpf, 1988). More recently, the reunification of Germany, possible *Lander* boundary adjustments, defining the relationship of the *Bund* and the *Lander* to the European Community and relations with Eastern Europe have become a focus of attention.

At the end of this period, the disintegration of the former authoritarian centralized federations, the Union of Soviet Socialist Republics, Yugoslavia and Czechoslovakia, showed the limitations of such federal facades and led in some of those areas to a reluctance to adopt new federal arrangements because of the past association in their experience of federal structures with centralization and authoritarianism (Watts, 2000).

Nevertheless, despite all these developments, there seems in the 1990s to have been a reactivation of interest in federalism (Watts, 1996). Political leaders, leading intellectuals and even some journalists increasingly refer to federalism as a liberating and positive form of organization. Belgium, Spain, South Africa, and perhaps Italy appear to be emerging towards new federal forms, and in a number of other countries some consideration has been given to the efficacy of incorporating some federal features, although not necessarily all the characteristics, of a full-fledged federation. Furthermore, despite some uncertainties, the European Community seems to have regained some of its lost momentum in the evolution to a wider European Union with some federal characteristics (Watts, 2000).

a) Rise of Federalism in Nigeria

One school of thought of the evolution of Nigerian federalism emphasizes the influence of historical and geographical factors. Nigeria being a large and culturally variegated country could not have been governed for long from the centre. However, it must be pointed out that while the factors of history and geography largely determined the constitutional evolution of Nigeria, these factors did not determine the shape and form of the federation that the British helped to create in Nigeria.

The other school of thought was shared by the nationalists who generally believed that the British encouraged the particularistic tendencies of the different ethnic groups by giving each region a large measure of political autonomy. In this way the British might continue to meddle in the internal affairs of their former dependency to their own economic and political advantage after they would have granted the dependency her independence. This school also believed that the departing colonial power made sure that there were enough structural imperfections left behind to bedevil inter-ethnic relations after independence. This feeling must have led Awolowo to describe the British-imposed federal structure as an abominable, disruptive and divisive British heritage (Awa, 1955: 87-88).

b) Amalgamation of Nigeria

Until 1900, the landmass known today as Nigeria existed as a number of independent and sometimes hostile native states with linguistic and cultural differences. This situation must have made the then Governor of Nigeria, Sir Hugh Clifford (1920-31) to describe Nigeria as a collection of independent native states separated from one another….by great distances, by differences of history and traditions and by ethnological, racial, tribal, political, social and religious barriers (Lugard, 1922: 8).

The building of Nigeria as a multi-national state began with the creation in accordance with the Seborne Committee Report of 1899 of the Protectorates of Northern and Southern Nigeria in1900, along with the Colony of Lagos. The administration of the three Nigerian groups continued until 1906 when the Colony of Lagos and the Protectorate of Southern Nigeria, which had existed separately, were merged to become the Colony and Protectorate of Southern Nigeria. Even then the Northern Administration and the Southern Administration were separate and distinct and each was directly responsible to the colonial office.

By 1910, there were pleas for a better organization of the country for administrative purposes. Morel, one of the most articulate advocates of better organization, railed against the division of the country into north and south. He argued that the division was attended by a duality in administration and inevitable and unprofitable rivalries. He maintained that the division was based on arbitrary boundaries and that the situation generally was incongruous and absurd. Nigeria, in his opinion, is a single geographical unit and the tendency to regard the north and the south as separate units had retarded the development of a general principle of government for the country.

Morel emphasized that the Northern Protectorate had been rendered poor by this division. The North was cut off from the seaboard by the South. Customs duties levied on trade with the North accrued to the South that owned the seaboard. The North was financially poor and depended on the South and the British treasury (Awa, 1955). Besides, the two protectorates had two railway systems which differed in guage and which competed with each other in carrying the produce of the inland areas of the country. He contended that amalgamation would bring the following advantages:

a) Better financial management directed towards meeting present and future needs of the whole country,

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b) Better administration in the upper echelon especially at the level of the chief executive.
c) More reasonable division of the country into provinces, along geographical and ethnic boundaries, and comprehensive public works programme.

The arguments adduced by Morel in favour of amalgamation of the Northern and Southern Protectorates were generally recognized to be cogent when the two groups of Nigerians were finally placed under one man, Sir Fredrick Lugard in 1912 with the aim of uniting them into a single country. Lugard made his recommendations in 1913 and maintained that amalgamation was not merely a political or geographical expression but rather it should serve to even up progress in the various parts of Nigeria. The two protectorates were amalgamated into one country by the British in 1914 for reasons ranging from resolving the absurd differences in the railway policies being followed by the administration of each section of the country to removing artificial barriers between the South and the North.

Morel however, maintained that the highest human attainments are not necessarily reached on pararell lines… that humanity cannot be legislated for as though sections of it were modeled on the same pattern (Awa, 1955: 96). He pleaded that Northern Nigeria should be developed differently along her indigenous ways. The British therefore should not be allowed to destroy the cloth industry of the North nor should the missionary be allowed to invade and destroy the Moslem faith.

In this Dual Mandate, Lord Lugard set forth a philosophy of education for the country. In the south, the missionary organisations established village schools and teacher training institutions, primarily with a view to training the people in the principles of the Christian religion. English was the medium of instruction and the subject matter taught in these schools was almost wholly a British orientation, with emphasis on the history of the British Empire or of Elizabethen England- the history of Nigeria was not taught.

Events in the North were proceeding along different lines. Education in the North was in the hands of the government except in a few places. Instruction in the schools was in Hausa and Arabic mainly, and the subject matter was adapted to the cultural environment of the Moslem.

This educational policy of the country helped to develop a dichotomy in the intellectual and psychological orientation between the North and the South. This in effect, produced two "Nigerias" with intellectual and cultural development along different lines and thus imperiled harmonious growth of the country.

c) Richards' Constitution of 1946

Regional governments began with the Richards' constitution (later Lord Milverton) of 1946 which divided Nigeria into three regions (Northern, Western and Eastern Regions) and established consultative bodies at the level of the three regions.

Northern Region contained about four-fifths of the land area of the country and roughly half the population. The largest ethnic troops in the North were the Hausa-Fulani who were Moslems. Aside from the Hausa-Fulani, other important ethnic groups were the Kanuri, Tiv, Nupe, Ibira, Igala, Idoma etc.

The Western and Eastern Regions contained 12% and 8% respectively of the territory. In the west there were no large groups other than the Yoruba. The important ethnic groups in the East were the Ibo, Ibibio, Efik and Ijaws. The philosophy of the constitution as noted by the white paper was that the problem of Nigeria was to create a political system which was itself a present advance and which contained the possibility of further orderly advance. The white paper noted further that sociologically, the peoples of Nigeria fall into three broad divisions which may in turn be related to physical and climatic differences in the north, west and east which affected early tribal movements within these areas (Awa, 1955). The problem, it continued, was to create a system of government within which the diverse elements might progress at varying speeds, amicably and smoothly towards a more closely integrated economic, social and political unit without sacrificing the principles and ideals inherent in their divergent ways of life. The broad objectives of the new constitution, therefore was to plan and carry out the development of Nigeria to responsible government along practical lines. More specifically the objectives were to promote unity in the country, to make adequate provision within the unity for the country's diverse elements and to secure greater participation of Nigerians in government activity.

The nationalists of every political complexion kicked against the Richards constitution because it was imposed from above without any consultation whatever. For example, Awolowo railed at British short-sightedness in foisting a unitary government on Nigeria, in spite of the diverse cultures of the peoples. He argued that the decentralization provided by the Richard's constitution could not sufficiently accommodate these differences. He maintained that: the Yoruba in particular, have suffered feelings of frustration for years. Under a system which aims at getting all the peoples in the country to the goal of autonomy at the same hour and minute, the Yorubas have been compelled to mark time on their higher level while the other sections hasten to catch up with them… (Awolowo, 1947: 49)

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d) Emergence of Regional Political Parties

The period following Richards's constitution was dominated by factionalisation of nationalism and regionalism of politics. The National Council of Nigeria and the Cameroons (NCNC) formed in 1944 and led by Azikiwe ceased to enjoy country-wide support because of the rise to political power of Awolowo and Ahmadu. The membership of NCNC was not open to individuals but to professional associations, trade unions and tribal or organisations and so the party was built on a shaky foundation. In fact, the Action Group (AG) which developed from a tribal union, called Egbe Omo Oduduwa (founded in 1948) and led by Awolowo successfully checked the influence of Azikiwe in the West whom the Yorubas had begun to regard as an intruder in the affairs of their region. Awolowo became the unchallenged master of the Western Region. Consequently, Azikiwe fell back on the Eastern Region, the original source of power. The local patriotism that paved way for Awolowo's success in the Western Region, however, operated against him in the other regions. When the southern leaders had time to refer to Northern Nigeria, it was to point out of contemptuously that it was the seat of reaction and conservatism. The Northern People's Congress (NPC) which developed from the JamiyyarMutanenArewa (founded in Kano in 1949) and led by Ahmadu was a kind of protest party. As the name implies its out-look was limited, in fact regional, and its root was ethnic affinity. Given the secure position NPC had in the North, it was under no compulsion to become a National party (Anyebe, 1995). Ahmadu was left a virtual proconsul of Northern Region. The Richards Constitution provided him with legal right of holding the North together, while the arrogance of the southern leaders gave him the impetus to seize and use this right.

With the emergence of these regional parties the question of what type of federalism to adopt, became the subject of negotiation between these parties. Nigerian unity was still not on secure ground and whenever a party felt sufficiently aggrieved over issues, the natural thing for it to do was to threaten to secede from the country. Secessionist threat was issued by the Northern delegates to the Central Legislature when they were booed and rough handled in Lagos, following their modification to Enahoro's motion of 1953 that the House should demand independence for Nigeria in 1956. Ahmadu wanted the motion to be amended to read in part, self-government as soon as practicable (Tamuno, 1972: 218). The British government was still trying to put an end to all these fissiparous tendencies when Awolowo, in 1953 openly threatened that the Western Region would secede unless Lagos was given back to the West (Anyebe, 1995). This open threat was openly rebuffed by the then secretary for the Colonies, Oliver Lyttelton (later Lord Chandos), who told Awolowo that the British government would use force to bring any region that rebelled against the Nigerian government back into the union (Tamuno, 1972). From this time onwards, latent forces of disunity remained, but did not become active until after independence.

Nationalism and party politics were rooted basically in tribal social organisations and both were splintered into regional pattern set by Richards' Constitution. The regional parties derived their importance not from their programmes but from their association with functional social structures.

Indeed, this constitution was a significant turning point in the evolution of federalism in Nigeria.

IV. Discussion

In the House of Commons, the Colonial Secretary, Oliver Littleton, announced that the Nigerian constitution would have to be redrawn in order to provide for greater regional autonomy and he invited representatives of the regions to London to decide how best to do this. In effect, he had unilaterally decided to advance the type of constitution that was to be evolved, limiting the Nigerian Leaders to a discussion of method. The Nigerian leaders balked at the invitation, maintaining that the problem of self-government should be included in the agenda. Sir John Macpherson, the then Governor of Nigeria, modified the position by explaining that there would be a full exchange of views and that if a sufficient consensus among the delegates were reached during the exchanges, nothing would prevent their conclusion from being recorded for use as the basis for settlement of constitutional difficulties. The following were ultimately accepted as the terms of reference of the Conference.

i. The defects in the present constitution (that is Richards' Constitution)
ii. The change required to remedy these defects
iii. What steps should be taken to put these changes into effect; and
iv. The question of self-government in 1956

The colonial secretary however, made it clear that the inclusion of the item in respect of self-government should not be construed as a committal on the part of Her Majesty's government to the propositions. Apparently, the Nigerian Leaders were satisfied with these conditions and they accepted the invitation (Anyebe, 1995).

Each region was required to send six delegates while one delegate representing the Cameroons was required. One major and one important minor party from each region was to share the number in the proportion of five to one in the Northern and Western Region and four to two in the Eastern Region. Each regional delegation could be accompanied by advisers. The major parties were led by Azikiwe, Awolowo, and Ahmadu. In all, nineteen delegates and forty advisers

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comprised the Nigerian delegation. Many of these people were not particularly well-informed on the problem of Federal constitutionalism and they had to confront a United Kingdom delegation that consisted of the colonial office bureaucracy and a coterie of other political and legal advisers. Then Governor of Nigeria was in attendance. The conference was started in London on July 30, 1953.

During the London Conference in 1953, discussion centered on the structure of the federal government. The Northern People's Congress and the National Independent Party (a splinter party from NCNC) had reached an understanding beforehand and agreed to ask for a federal government with a strong centre:

At the plenary sessions, the Northern People's Congress and the National Independence Party, put forward those progressive proposals previously agreed upon by them. To the utter surprise of everyone, it was Awolowo and Azikiwe who vehemently opposed them… In vain was it argued that in the present circumstances of Nigeria with its multiplicity and diversity of cultural and ethnic grouping, it was necessary to have a strong and independent central government whose authority and prestige could give confidence and guarantee security to minority groups within the federation and at the same time command international respect (The Nigerian Daily Times, August 26, 1953).

The two parties argued further that increased regional power would mean virtual division of Nigeria into three different countries. In the meantime NPC abandoned the view that it had developed in concert with the National Independent Party probably under the influence of NCNC and AG. The delegates, however discussed an reached agreements on a number of things including the division of functions between the national government and the regions.

The boundaries of the units of the federation were not discussed. The utter silence on the problem of the territorial units was perhaps, indicative of the fact that none of the three men (Azikiwe, Awolowo and Ahmadu) was in position to seriously make a dent on the stronghold of the others at the time of the London Conference. The situation in the country and in their ranks was in stable equilibrium. Any shift of the main sources from which they drew their powers, might result in equilibrium of the forces at a different level and in the process one or two or all of them might suffer reverses. For example, if the Middle Belt provinces were added to the Western Region, then Awolowo would gain at the expense of Ahmadu, and would to that extent of the gain, tower higher than Azikiwe. If the main ethnic groups were used as the territorial units of the federation there would be the danger that such a situation would lead to the emergence of new and more leaders since Nigerian nationalism had tended to develop along ethnic patterns. In such circumstances, the source of power of these titans of Nigerian politics would be splintered to their possible disadvantage. In view of this power configuration in Nigeria, the three men did not advocate any change in the boundaries of the regional units of the federation (Awa, 1955).

Nigeria was at last designated a federation (after Lyttelton's Constitution) in 1954, comprising the Northern, Western and Eastern Regions and the Federal Territory of Lagos. The boundaries of the regions remained the same except that Lagos was excluded from the western Region.

All the political leaders who had strong bases in the regions fought hard for maximum powers for the regions which weakened the centre. Instead of regionalism ensuring and preserving national unity, it became its bane. There was diffusion instead of fusion of the three units. The units of the federation were too powerful and Nigerian Federation poised on a precarious territorial basis. The political scene was dominated by Nigerians who took over the British created North-South struggle for separate development and paradoxically for the control of the centre. This period witnessed intense political competition not only among the major ethnic groups but also between them and the minorities who had begun to manifest resentment against the lack of development in their areas (Tamuno, 1972).

The only point on which Nigerian political leaders spoke with one voice was the granting by the British, of political independence and even then they did not agree on the timing. The desire to win independence (which had been scheduled for 1960) was so strong that Nigerians accepted the imperfections of their federal constitution instead of waiting for another two years (in case new states were created). It was only in 1963 that Mid-Western region was carved out of the then Western. Even then the structural imperfections remained because the Northern Region which contained about four-fifths of the land area and about 50% of the country's population was left intact.

These imperfections, among other factors, made Nigeria go through the painful experience of a civil war between 1967 and 1970 when the Eastern Region attempted to secede from the Federation. At the instance of the demand for self-determination by this Region, the country was for political expediency, split into 12 states in 1967 by the Federal Military Government.

On four other occasions more states were created by decrees to make up the present 36 states. This seeming irrationality was among other reasons aimed at establishing the Nigerian federation since one condition for establishing a stable federation is to ensure that no single units is so big it terms of populations and land areas to insist on dominating the deliberations of the central legislature. The various educational and economic establishments were built along regional patterns. The coming of states out of these regions did

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not in any way disturb the continued existence of some of these institutions. The governors of the share-holding states were holding regular meeting which could not but have political undertones for the advancements of the cause of the region in the scheme of things within the Federation. Appointments and admission into these institutions were virtually restricted to the indigenes of the share-holding states. There was no doubt in the minds of those with nationalist aspirations that these institutions were suffocating and stultifying the growth of federation in Nigeria (AigImoukhude, New Nigerian, January 21, 1993). They turned out to be political instruments pointing attention in the direction of region and hindering the building of a true Nigerian nation. The decision of the Federal Military government in 1991 to disband all these associations and institutions which were based on regional patterns was therefore a right step in the right direction. Such institutions should not be allowed to exist again since their existence constitutes a hindrance to the harmonious growth of Nigeria Federation.

It is worth mentioning here that the issue of reforming the Nigeria federation has eventually received some attention as a result of the fall-out from the annulment of the June 12 presidential election in 1993 and 2011 general election. Thus, sentiments such as marginalization from power and national affairs began to be voiced by Nigerians. The National Constitutional Conference of 1994/95 and the National Conference of 2014 became the battle grounds where Nigerians fought over such demands as the modification of the federal arrangement, power sharing including rotational presidency and the division of the country into zones, devolution of power from the centre to the states, the sharing of major offices among various zones, and the allocation of resources based on derivation.

The forces that have exerted a unifying influence on the Nigerians scene were the need for independence, transportation system and geography. The negative forces were the differences in culture, separate development, British influence and bad Nigerian leadership. The rivalry among the Nigerians leaders and between them and the British substantially determined the peculiarities of the federal government. Regional nationalism rather than Nigerian nationalism formed the basis of Nigerian Federalism.

The exclusive list of the Nigerian Federal Government includes foreign affairs, defense, external borrowing, customs and excise, controls of exchange rate, shipping, railways, post and telecommunications system, trunk roads, aviation, currency, coinage and legal tender, mines and mineral, weights and measures, census, and federal public relations. The residual list for regions consists of primary education, public health et cetera. Higher education, industrial development and public order, labour conditions and relations, water, power et cetera are on concurrent list that is, both federal and regional legislative bodies could make laws regarding these matters (though in the event of inconsistency, federal law was to prevail).

V. Conclusion

What has emerged from the discussion so far is that federalism calls for a number of previously independent states to come together to form a larger and stronger union while the federating units relinquish part of their authority for the formation of federal government and benefit from economies of scale. The units still retain autonomy in those matters that have restricted geographical and cultural impacts. On other occasions, a massive unitary state decentralizes creating units and vesting them with authority over matters whose importance and implications transcend regional boundaries. The smaller units make possible the creation of sufficient centres of deliberation and enterprise eliciting the best in men in the spheres of public service and private economic activity. This is to say that federalism seeks to stimulate thought at every point along the line, thus making political consent active and meaningful, not merely passive. The early life of the federal government is fraught with difficulties arising from the socio-national groups which the federation was formed to accommodate. With passage of time there develops a myth of the federation which may command the allegiance of most of the citizens.

Federal system is not a panacea, but in many situations they may be necessary as the only way of combining, through representative institutions, the benefits of both unity and diversity. Experience has shown that federations, both old and new, have been difficult countries to govern. But then, it is usually because they were difficult countries to govern in the first place that they have adopted federal political arrangement because federalism has a mechanism for fine-tuning to meet the exigencies of the time. The federal solution is still relevant in Nigeria. However, the arrangement should be made more equitable.

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