

**MILITARY LEGACIES AND THE CHALLENGE OF MANAGING
DIVERSITIES IN NIGERIA'S FEDERATION**

By

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Executive Summary

The objective of this paper is to explore and discuss the legacy of military rule in the Nigeria's federal system. After tracing the convoluted origin of the Nigeria's federalism, the paper examines it under the military tutelage, which spans over 30 years of its 48 years as an independent state. The paper reveals that military centrist nature and excessive use of violence are antithetical to federal principles of accommodation, devolution of powers and tolerance. Thus, the paper argues that the contradictions in the Nigeria's federalism, to a large extent, are connected to past military rule, which suppressed and repressed people's participation in public affairs. Consequently, the militarist bias of the nation's federal bargain only exacerbated ethno-religious conflicts rather than forge multicultural harmony among the different ethnic groups in the new democratic order. The paper concludes by advocating popular participation in re-inventing and transforming the nation's federal structures as a strategy of legitimacy, in order to achieve a smooth democratic federal order in Nigeria.

Much of the contemporary discourse on Nigerian federalism is largely dominated by the struggle to come to terms with, and overcome, these multiple debilitating legacies of military rule
Onwudiwe E. & Rotimi Suberu 2005: 3

1. Introduction

For most part of the seventies and eighties, Nigeria federal system was widely acknowledged for its dynamism, resilience and innovative features, particularly with the regard to the entrenchment of federal character principles, state creation and local government reforms, which guaranteed the adoption of the 3-tier system. Indeed, while cases of many African states- Sudan, Tanzanian, Congo Ethiopia, Cameroon, Senegambia, Ghana and Mali have become failed federations, (Nwolise, 2005, Olowu, 1990, Oklobia,1994) Nigeria's federal genius had set a shining model for other African states to copy. However, recent political developments in Nigeria indicate that all is not well with the federation. In fact since civil rule returned to the country in May 1999, the nation's federal compact has witnessed crises of unimaginable proportion. The immediate post military regimes precipitated a number of internal conflagrations- the Sharia crises in the northern part of the country (Kaduna), communal mayhems in Ife and Modakeke, Aguleri and Umuleri, Tiv and Jukun, Ijaw and Ishekiri, youths' militancy in Bayelsa for self-determination and resource control, and political struggles over the control of local government councils (Bassey, 2005:38), which threatened the very foundation of the federal state. These crises have assumed protests against the alleged imperfections of the federal structure, arising from perceived relative deprivations, inequitable access to

power and resources, exclusionary politics, marginalization of the minorities, demand for local autonomy, among others (Osaghae, 2005: V).

Any attempt to seriously engage the galloping federal practice in Nigeria must cogently revisit the nation's past military regimes. The reason for this is not far fetched. The military are the chief architects of the Nigeria's modern federalism. Most of the federal structures upon which democracy is built today are traceable to the political engineering of the past military regimes. More so, since the nation attained independence in 1960, the military have had a longer stay in power than their civilian counterpart. These facts pose plethora problems for the new democratic state in Nigeria, because federalism in its classical understanding has a zero tolerance for centralization of political power for which the military is well known. This, puts to question the capacity of the military class to champion the course of federalism in Nigeria.

2. Conceptual Clarification

Defining the term 'federalism' could be very problematic. This development is traceable to the contrasting conceptualization attending to it. An attempt to conceptualise the term renders it speculative and offers varied understanding of the term in use. According to Daniel Elazar (Cited in Akinyemi et al (eds.) 1975:15), the problem of conceptualization stems from the varieties of political arrangement to which the concept is being subjected to. Said Adejumobi (2005: 266) also opined that there is no ideal type of federalism but a mere function or reflection of local peculiarities and context. The classic definition offered by K.C. Wheare (1940: 187), a pioneer of federal studies, says federalism is a 'method of dividing powers so that the general and regional governments are each within sphere of coordinate and competence'. For Daniel Elazar (cited in Narang, 1995), federalism involves the 'contractual non-centralization, the structural dispersion of powers among centers whose authority is constitutional guarantee. It is designed to link the constituent units more closely with common general government whose constitution is supreme law of the land and that maintains direct contact with its individual citizens'. Federal practice in this sense 'becomes a device for articulating and protecting the federal qualities of multicultural societies of the world (Sam Eqwu 2005:101). Although many leading federal states like the United States, Canada, Switzerland and Australia have developed different breeds of institutional mechanisms to reinforce the federal states, its defining element include; a written constitution, an independent judiciary, bicameral legislature, allocation of revenue sources between central government and the constituent units and processes that guarantee intergovernmental relations among tiers of governments. (Watts, 2001:28)

By diversities, I mean the deep divisions inherent in the Nigerian state. There are over 400 ethno-cultural groups in Nigeria. These groups are divided along ethnic, regional and religious lines. Thus ethno-religious tensions have become common features in the Nigerian federation and have constituted what is commonly referred as the national question in Nigeria. The major challenge the nation faces is how to galvanize the various ethno-religious groups into a nationhood with the instrumentalities of federalism.

3. Theoretical Framework

We consider in this section the theoretical foundations of federalism and examine the extent to which it can be institutionalized by autocratic regimes. Firstly, federalism is a form of governmental structures that celebrate unity in diversities. In other words, its hallmarks include; flexibility, accommodation, dialogue, respect for diverse cultures and norms. This simple fact perhaps makes federal practice attractive to multi-divided societies of the world. However, to breed federal instrumentalities under military or autocratic regimes is a different issue entirely because the military organisations have defining characteristics or features that are incompatible to federalist options. Suffice to say here that Wheare (1947:37-38) has argued that federalism is a form of constitutional government which set limits on the centre and regional government. Thus, it is therefore incompatible with autocracy or military regimes. For him, democracy is the condition for federalism. According to Wheare;

Dictatorship, with its one party government and its denial of free election, is incompatible with the working of the federal principle.

Federalism demands forms of government which have the characteristics usually associated with democracy or free government (Wheare 1948: 37)

It is obvious from the foregoing that military rule, the institution that monopolises state's instrument of coercion exhibits characteristics that are antithetical to federalism. That is to say no matter how pragmatic an authoritarian regime strive to establish an egalitarian federal system, it will always trigger a backlash.

4. Nigeria and the Wisdom of Federal Option

Nigeria is perhaps one of the most deeply divided states in the world. Kirk-Green (1969) affirms that, there exist over 400 ethnic groups in Nigeria. These groups are divided along ethnic, class and religious lines, making the Nigerian case a very unique and complex one. Nigeria has three major ethnic groups, namely Hausa/Fulani, Ibo and Yoruba. There are other smaller groups, often referred to as the minority groups, such as Ijaw, Edo, Ibira, Tiv, Nupe, Ishan, and the Itsekiris, among several others. These ethnic groups are biologically, culturally and linguistically distinct from each other, and often view their relations in actual or potentially antagonistic terms. The uniqueness of Nigerian case, Onwuejeowu (1995) reasoned 'creates unique problems unknown to the experience of other people in the world' In other words, no nation in the world 'has ever evolved a political system that can cope with this gigantic problem of hyper-ethnic instability syndrome'. It was an attempt to wield together these disparate ethno-linguistic entities that the Richards constitution introduced federalism in 1946 but took effect in 1954. Since then, Nigeria has become a major testing ground for the efficacy of federal practice in Africa. Nigeria's ethnic configuration remains what Furnival (1948) described as mixing people but not combining.

5. Federalism in the pre-military era (1954-1966)

The colonial amalgamation of Nigerian northern and southern protectorates in 1914 culminated into series of constitutional reforms that eventually paved way for the adoption of 3-region federal system in 1954. The arrangement witnessed the splitting of the southern province into western and eastern regions, while the formerly northern province retained its territorial status as the northern region. The regional system was a response to the ethnographic and cultural divisions of the country. Each regional block was formed around the three major ethnic groups- the Hausa/Fulanis were concentrated in the northern region, the Yorubas in the west, and the Igbos in the eastern region. Thus, each of the regions had minority groups, who would later demand autonomy from the major ethnic groups. For this reason, the Mid-western region was carved out of the western region in 1963 to protect the minorities in the middle belt.

The regional arrangement also saw the concentration of Muslims in the north, equal measure of Christianity and Muslim in the west and predominantly Christians in the east. Before independence in 1960, the British granted the east and west internal self government in 1958 and to the north in 1959. The reason for this disparity was that the northern leaders were opposed to self rule because they were not prepared for such political task. The 4 regions system was operated till 1966 when the first military coup took place. What is remarkable about the regional system was that the central government was weak compared to the regions that were strong both politically and economically.

At independence in 1960, three political parties emerged- the Northern Peoples Congress, (NPC), the Action Group (AG) and the National Council of Nigeria and Cameroon, (NCNC). The NPC became the dominant party in the northern region, the AG was most popular among the Yoruba speaking western region and NCNC gained prominence among the Igbos in the eastern block. This development ensured that each of the political parties took control of their respective regions. The NPC and the NCNC coalition formed the national government, while the AG remained the opposition party. This two coalition parties that formed the federal government exercised undue influence over the third, precipitating a number of political tensions in the polity. The intra-party crises that rocked the western region in 1963, led to an emergency declaration by the central government on the region. While the region was in political turmoil, the mid-west region was carved out of the region for the non-Yoruba minorities. The disagreement of the 1962/63 census ruptured the alliance between the NPC and the NCNC, because both parties were desperate to have numerical advantage over their respective region. The census debate further worsen the crises in the western region and eventually led to the first military coup in 1966.

6. Military Legacies in the Nigeria's Federalism (1966-1999)

The first military coup, January 15 1966 was the beginning of a journey into a 30-year military rule in Nigeria, with a brief interregnum between 1979 and 1983. A reprisal military take over that occurred six months later after the first, led to the wanton killings of easterners in the northern part of the country. This informed the secession attempt by the eastern region, who had declared the sovereign state of Biafra. The result was a 30-month Nigerian civil war (1967-70). At the outset of the war, the military set a major legacy that altered significantly the pre-existing federal structure in Nigeria.

(a) Introduction of the State System.

The creation of 12 states out of the pre-existing four regions in 1967 was a landmark in political restructuring of the Nigeria's federal system. Seven additional states were created in 1976, nine in 1991 by Babangida administration, and six in 1996, by General Abacha, raising the current number to 36 states. The military believed that it was a suitable option to reduce the over bearing influence of the regional governments. This would grant autonomy to the minorities, who were at the mercy of the larger ethnic groups. However, the rationale for state creation is questionable because the states so created were economically weak, as they have no independent financial or resource base, and lack of manpower for effective self-governance (Nwolise 2005, 119).

(b) Constitution Reforms

It is also interesting to note that the military had reviewed the federal constitution three times since independence. These include; the 1979, 1989 and the current 1999 federal constitutions. This is a major fundamental error of the military claims to federal governance in Nigeria. An imposed federal constitution that disregarded the inputs of the people could neither be democratic nor federal. What is most disturbing in those constitutions is the fact that they concentrated excessive powers to the central government at the expense of the component units. The benchmark for measuring the degree of federalism in any polity is how powers are allocated among various tiers of government since Riker (1975, 101) says federal governance is political arrangement that allows component units have final decision on certain matters. It can be argued that none of the constitutions allows state or local government to exercise competence on any matter, 'as a matter of fact, there's no specific schedule listing powers of the states' (Carl , 2005:209) The military whittled down the autonomous powers of the states by appointing senior military officers and members of the Supreme Military Council as governors of the states. Constitutional making in federal system is so critical that 'it is within the legal framework.....that federal instrumentalities take on relevance and significance' (Jinadu, 1979:18) and should not be left in the hands of idle political minds like the military.

c) Revenue Allocation Formula

The military also centralized the fiscal system by altering the regional fiscal policy that conceded enormous financial base to the components. Prior to military intervention in 1966, principle of derivation retained 50% rent, royalties and mineral resources to the regions of origin, 30% to the distributive pool and 20% to the federal government. Under

the guise of protecting minorities and raising resources to fight the civil war, the military transferred tax resources previously vested in the regions to the central government. The 50% derivation to the regions of origin was subsequently reduced to 10%, giving rise to a new revenue formula, which was generously in favour of the federal government, whereby 75% went to the federal government, 22% to the states and 3% to the local governments. This period also coincided with the discovery of oil in the littoral states, which made Nigeria one of the leading producers of oil in the world. Had this not been the case, 50% of oil revenue would have been divested to the Niger Delta areas. Although by 1999, the revenue formula had become 48% to the central government, 30% to the states and 10% to the local governments, this is still far cry from making the component units function effectively.

(d) *Presidential System of Government*

Democratic federal governance in Nigeria also inherited presidential system of government from military rule. It was during the 1979 constitution that the presidential system of government modeled after the United States of America, was adopted. Prior to this period, the parliamentary system of government was in place. The military opted for presidential system because it was reasoned that it would provide a leeway to accommodating the various ethnic groups, including minorities in the federal cadre. However, discussion is ongoing in Nigeria to revert to parliamentary system government, because presidential system is generally believed to be too expensive and also encourage corruption in the federal service.

(e) *Quota System*

The Quota system otherwise known as the Federal Character principle was also introduced into the 1979 constitution by the military. The essence was to satisfy claims of diverse ethnic groups and balance the composition of federal concerns in education, health, armed forces, police, aviation etc. nevertheless, the lopsidedness of the quota system created a feeling of Northern domination of the federal government during the military era. In fact, the federal character principle has become a tool in the hand of the chief executive to pave way for his cronies to have robust place in the federal civil service.

(f) *Local Government Reforms*

In 1976, the military established a system of election in the local governments and in the process elevated the local governments to the 3rd tier of government. Although this is inconsistent with the logic of military rule, the military believed that it would provide a more legitimate and viable means of administering the local areas. The military created 300 local governments in 1976 and today there are over 774 local governments spread across the federation. This implies that there are over 800 federating units in the Nigeria's federation.

(g) *Institutionalization of Large Scale Corruption*

Following the above point, the federal government became an over-bloated bureaucratic system due to the concentration of too much resource to the centre. This development gave room for what Richard Joseph described as ‘prebendal politic’, that is, using public positions for primitive accumulation of wealth and personal aggrandizement. Under various regimes, there was profligate spending of national resources. Corruption was not only institutionalized but also glamourised. Babangida regime for instance introduced the concept of ‘settlement’ in public sphere, whereby public officials tacitly demand a ransom in order to get official work done. This development quickly has spilled-over effects on the states and local governments. This is a major problem in the Nigeria federal system today. In most of the component units, key government functionaries collaborated with some traditional rulers to routinely share monthly allocations accruing to the states and local areas.

7. Challenges of the new Civilian Administration

The Economist, 15 September 2001 and 19 April 2003 reported that within the short period the fourth republic began, more than 10,000 lives have been lost to sudden and horrifying outburst of communal violence. These convulsions are traceable to deep and unresolved contradiction and tensions in the structures of the Nigerian federalism (Suberu, 2005:7). Some of the instances of ethno-religious conflagrations in the 4th republic deserve mention. The explosive sharia war in some northern states of the federation was the manifestation outburst of people whose human rights had been suppressed by military dictatorships for several decades. The sharia violence had led to killing several thousands of innocent people in both Kaduna and Kano states. The war in the Niger Delta Nigeria region also surged with more dangerous consequences. The armed militias in the region have multiplied in quick succession, disrupting oil installations and kidnapping foreign oil workers in the regions. News filter on daily basis about indiscriminate killings that is going on in the region. The Ife/Modakeke communities of the south-western Nigeria have not recovered from homicidal war that engulfed the area in 1999. Also the Aguleri/Umuleri (east), Tiv/Jukun (middle belt), and Zango/Kataf (North) are few of the communal conflicts that took their toll on the 4th republic.

8. Conclusion

The attainment of democratic rule in May 1999 has raised a number of fundamental issues about the legitimacy of the federal structures mounted by the past military regimes. What were the bases of protests and civil unrest that heralded the coming of democratic rule in 1999? Was it that the people were not ready for democratic rule? What was the explanation for the resurgence of minority problems and religious wars in the South-south and northern Nigeria respectively in the post military era? The answer to these complex questions lies in the contradictory federal structures bequeathed

to the civilian administration by the military, which are alien to the people. The military monopolized political power for about 30 years, which undermined the culture of pluralism and also curtailed the autonomy of the various component units, leading to outburst of violence in the post military era. ‘Unless the full contents of the pathogens introduced into Nigeria’s federalism by military rule (1966-1999) are sucked out, and their impact studied in detail for exorcism, the Nigerian federation no doubt will with time not so distant from today join the list of world’s failed states. O. B. C. Nwolise (2005: 116)

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