Nigerian Political History and the Foundations of Nigerian Federalism

Peter P. Ekeh
State University of New York at Buffalo

Abstract

An informed discussion of Nigerian federalism against the backdrop of Nigeria’s political history characterized by the long years of British imperialism and thirty years of dictatorial ‘native’ military rule, and with emphasis not only on how military rule had emasculated, impoverished and suffocated the proper operation of Nigerian federalism, turning it to an excessively centralized system of governance, but also on what needs to be done to bring Nigeria back to the practice of true federalism. The study believes that “[Reviving the integrity of Nigeria requires a return of maximum federalism... [which recognizes] the authority of the states to have their own Constitutions, police formations...choices of their own capital headquarters...[in addition to the imperative of] redistributing national economic resources in a way that will enable states to develop their natural and human resources”.

Introduction

Forty years after its formal termination, the legacies of colonialism still dominate our lives and public affairs in ways that are insidious and mostly unclear. One main reason for imperialism’s prolonged shadows in our lives is that colonialism’s most potent stepchild in Nigeria is military rule. Together, British colonial rule and native military rule are responsible for the social formations that have conquered our public affairs and that have created awesome political problems that we seem unable to manage.

One of the most unappreciated aspects of colonialism was its ideological and intellectual barrier between us and our past traditions. For instance, there was in the colonial firmament an obstruction between us and our past traditions of governance. Colonialism magnified its own presence and rendered insignificant the epochs, including traditions of governance, that were abroad in the West African region before the Arab and European slave trades devastated our lands, from the sixteenth to the nineteenth century especially,
and before the onset of slave trade’s historic successor, namely, European imperialism.

Today, because of the influence of imperial manners of scholarship, Songhai appears to be historically and spatially distant from us. As a matter of fact, Songhai was our neighbour. Its traditions of politics are important landmarks in any attempt to recapture a sense of past political traditions in Nigeria. Songhai invaded and ruled several Hausa states, beginning in 1513, because, in its view, the Hausa states had become unstable and thus posed a threat to the exercise of peace and justice in the region.

Arab states in the Maghreb of North Africa were troubled by Songhai’s strength and its management of its people’s affairs which allowed it to protect the region from manifest foreign influences. That this is so may be seen from Arab reactions to Songhai’s relations with the Hausa states. Arab immigration into Africa began in 639 C.E., seven years after the death of Prophet Mohammed. Whereas Arab powers were comfortable with Songhai’s predecessors, Ghana and Mali, Arab influence and interests across the Sahara had grown considerably by the sixteenth century when Songhai was at the peak of its authority. Consequently, Arab states of the Maghreb were ill at ease with Songhai’s manners of governance (compare Yahya, 1981).

One clear instance of Arab discomfort with Songhai can be seen in the works of an Arab scholar and traveller of the sixteenth century. Leo Africanus (whose Arab name was Al-Hassan Ibn-Mahanned Al-Wezaz Al-Fasi) was the principal source of information available to Europeans on the affairs of West Africa in the seventeenth century. In his principal work, he expressed Arab displeasure at Songhai’s presence in Hausa lands. Leo Africanus had visited Kano and other Hausa territories in the 1520s, enabling him to comment on Songhai’s behaviour as follows: “Afterward”, he wrote, “[King Askia of Songhai] sent governors hither who mightily oppressed and impoverished the [Hausa] people that were before rich: and most of the inhabitants were carried captive and kept as slaves by him” (Africanus, 1600: 828).

Such a characterization of Songhai’s relations with its southern neighbours appears unduly harsh and probably reflected Arab’s intentions on their powerful Black southern neighbour. Less than seventy years later, Morocco, the most aggressive of the Arab states in the Maghreb, invaded Songhai in 1591, sacking its political system and leaving behind chaos and mayhem. That was the beginning of the fall of the great traditions of politics in our region.

The year 1591 is a crucial demarcation date in our political history. This is so for two sets of reasons. First, what followed Songhai’s fall were smaller states and empires. Second, such states and empires increasingly became dependent on the goodwill of foreign powers. After Songhai, the constant struggle of the states that were already in existence in the West African
region was to stay alive by aligning their practices and principles with Arab, and later, European powers. Those, like the Hausa states and Benin, that stayed close to their indigenous traditions of governance lost out. But many states and empires began their existence in the period after Songhai’s fall. These newer emergent political entities were mostly bereft of the great traditions that informed governance in the West African region before the collapse of Songhai. Most of these owed their allegiances to alien Arab and European powers and to foreign values of governance.

The significance of these contrasts can best be brought home to all of us by examining the disputes between Hausa Kings and immigrant Fulani leaders that led to the jihad revolt of 1804. They are worth re-examination because the themes of the disputes between the Hausa Kings, who stuck to their native traditions, and the revolutionary Fulani cleric Uthman Dan Fodio appears to have resurfaced in our own times, almost two hundred years after their events. The essential accusation by Uthman Dan Fodio and his younger brother, Abdullah! Muhammad, was that the Hausa Kings were not faithful to the principles and tradition of governance established in Islam, despite the fact that most of the Hausa had become Moslems for more than four centuries before 1804.

More concretely, the disputes between the immigrant Fulani leaders and the Hausa Kings surrounded two issues that are still relevant to the matter of governance and the problems of federalism in twenty-first century Nigeria. First, Uthman Dan Fodio and Abdullah! Muhammad accused the Hausa Kings of being weak governors who were unable to impose the structures of Islam in their governance. In effect, contrary to the more liberal standards of Hausa Kings, they argued that the state and its government belonged to its rulers. In Fodio’s (c.1811: 53) famous words, “The government of a country is the government of its king without question. If the king is a Muslim, his land is Muslim; if he is an Unbeliever, his land is a land of Unbelievers”. Or, as he put it in his 1803 jihad memorandum, “the status of a town is the status of its ruler: if he be Muslim, the town belongs to Islam; but if he be heathen, the town is a town of heathendom” (Fodio, c.1803: 240). Fodio quoted with complete approval the warning to the Hausa king of Kano from the Sheikh Abd’Rahman As-Suyuti: “[The King] is the Shade of God ... on the Earth, for verily if he has done righteously, he has the Reward and grateful remembrance, but if he does evil, the Bondage awaits him and his people suffer” (Fodio, c.1811: 57; emphasis added). In Fodio’s view, it would be meaningless to consider a state outside its ruler. In effect, the ruler owns the state. According to this view, the king’s sins shall be visited upon the inhabitants of his realm. Fodio attacked the Hausa kings and their chiefs in part because they disobeyed this law and failed to recognize its merit.
The second strand of accusation by Uthman Dan Fodio and Abdullah Muhammad was that the Hausa kings were unduly permissive and had allowed the practice of immoral behaviour in their realms. The persistent example of this alleged permissiveness was that women had too much freedom in Hausa society. Hausa Kings sponsored traditional events and festivals in which women were featured prominently. It is important to recognize that women played a major role in Hausa history and society, from ancient times to the nineteenth century. Indeed, the most significant figure in Hausa history is the legendary Queen Amina who came to the throne in about 1588 and ruled the kingdom of Zazzau with many accomplishments, including a record of foreign conquests. Nonetheless, Fodio was irritated about the high status of women in Hausa society and said as follows: “One of the ways of their government is the evil things which the slave-girls of the sultan [king] and their servants from among the free-born women do in the towns, and they call this *jandudu,*” [which Hiskett explains as] “a dramatization held yearly in which the women and youth of the royal household elected court officials” (Fodio, c.1805: 568). Fodio also accused the Hausa kings of breaching an Islamic law regulating the appearance of women. He said: “One of the ways of their governments is their forbidding to the worshipers of God part which is legal for them, such as the ‘veiling of women, which is incumbent upon them’” (Fodio, c.1805: 569).

The successful Fulani Revolution ushered into existence the Sokoto Caliphate. It was by far the most important state formation that resulted from the collapse of Songhai. The disputes between its Fulani leaders and the ousted Hausa kings are of very large significance for the political sociology of our region. Despite being Moslem, Hausa kings practiced and plied their indigenous traditions of government that were probably ordained long before the Arabs and Islam arrived in Africa. Such Hausa traditions of government were not far removed from those in existence in indigenous states and empires in Yorubaland, Benin, and other areas of present-day Middle and Southern Nigeria. There are deep-seated principles of government involved in these disputes. They deserve to be restated because they are still unresolved two centuries after the Fulani Revolution in Hausaland in the first decade of the nineteenth century.

The premier indigenous principle of government that was challenged by the Fulani Revolution was about the *ownership of the state.* Who owns the state? According to the *theory-in-use* in pre-Revolution Hausaland and indigenous Nigerian states, the state predates royalty and other forms of rulers. The state therefore belongs to the political community. In pre-Revolution Hausaland - as it was in Oyo, Benin, Nupe and scores of other indigenous political systems - the King was a custodian of the state. It was this principle of government that Uthman Dan Fodio directly challenged. In his own words,
again, “the government of a country is the government of its king without question”.

The second principle of government that was challenged by the Fulani Revolution was that of accountability of rulers. In indigenous states of Nigeria - including the Hausa states, Benin, Yoruba states, etc., - the ruler was ultimately accountable for his conduct to the people. This principle was particularly enshrined in the Oyo institution of royal suicides by which the Alafin was summoned by the people’s representatives to take his own life if he was adjudged to have committed some heinous misdeeds (see Mrpton-Williams 1960). Benin history and mythology are riddled with instances of members of the aristocracy who had to commit suicide because of their failures in public affairs (see Okpewho, 1998 and Ekeh, 2000). By contrast, the ruler in Fodio’s theory of government was accountable to God through the intervention and interpretation of some theologians, sheiks who are learned in God’s ways. Since these theocratic interventions would ultimately lead to Arab authorities, accountability in Fodio’s scheme would invoke an allegiance to foreign powers. This was a principle that Songhai disputed with Morocco (Yahy’a, 1981).

A third major principle at dispute between the Fulani Revolution and indigenous Nigerian principles of government is the status of the individual. To what extent does that state have control over the behavior of the individual? In indigenous Nigeria, groups of kith and kin operate to intervene between the individual and the state. Those who belonged to such king-groups were free men and women. As such, they could hold their own lands and other forms of property. Women’s conduct and behaviour could not be dictated by the state. Indeed, in most indigenous Nigerian states and societies, women were powerful interest groups that could strike fear in the hearts of kings. All these fragments of the status of the individual in traditional Hausaland and other regions of indigenous Nigeria were challenged by the Fulani Revolution. First, land was alienated from the Hausa by reason of conquest in the Sokoto Caliphate. Moreover, women lost their freedom to perform public duties, in contrast to their previous powerful status in pre-Revolution Hausaland.

Underlying these alien principles of government is the historic fact that Uthman Dan Fodio’s understanding and practice of Islam derive from an early version of the religion that was a lot more conservative than those varieties that were in practice in the Maghreb and in several Arab lands in the nineteenth century. Fodio’s version of Islam allows little room for the separation of society from the authority of the state or the separation of State from Church. A primary tenet of Fodio’s confession of Islam was its construction of total state and society - as two entities that cannot and ought not be separated, or differentiated, each from the other, in any shape or form.

These are important differences in principles of government. The Fulani Revolution had imported primordial Arab-style principles of government
for whose lack of practice Songhai was in a sense punished by Arabs at the close of the sixteenth century. While these alien principles of government were enforced in conquered Hausaland, officials of the Sokoto Caliphate were more accommodating in other sectors of the Fulani Empire - in northern Yorubaland, Nupe, and even Adamawa. It is important to recognize that these differences predated the arrival of British colonial rule in Nigeria.

The Fulani Revolution of 1804 occurred at the beginning of a wild and troubled century in African history. The nineteenth century is forever cursed in our history. It was marked by an unusual amount of violence. It was the century in which the consequences of Songhai’s fall finally matured into a horrendous, amount of suffering on the part of the ordinary person in savannah countries of Northern Nigeria. The violence and perfidy of the slave trade had eaten into the souls of indigenous African states. The principles of government that informed indigenous states in our region were everywhere in danger. Power and violence had replaced authority and legitimacy in many societies of the region. I invite you to read Abubakar Tafawa Balewa’s Shaibu Umar. This painful book by the first Prime Minister reveals in a wrenching manner the corruption and violence that besieged state institutions in the Sokoto Caliphate, as its functionaries engaged in officially sanctioned slave raids and the slave trade. It offers an avenue for examining the Arab slave trade across the Sahara and the roles that various government officials and even clerics played in the management of the trans-Saharan slave trade. It was all in that cursed century called the nineteenth.

British imperialists arrived in our lands in these distressed times. Although they had through their role in the slave trade contributed to the growth of the evil and violence that were abroad in our region in the nineteenth century, they quickly claimed the moral ground. Initially, there was little possibility of conflict between indigenous principles of government and the alien principles of government of the Fulani Revolution. This was so for two reasons. First, Southern Nigeria and Northern Nigeria were separate British colony of Northern Nigeria, the areas that it pleased British colonial rulers to call ‘pagan’ Northern Nigeria were largely separated from what was termed Emirate Northern Nigeria - which was made up of the old Sokoto Caliphate and Bornu. In Northern Nigeria, particularly in the Emirates, the principles of government advocated and practiced by the Fulani Revolution were largely adopted. Thus, lands were assumed to be owned by the new British rulers who had usurped the authority of Fulani rulers. However, by mutual agreement between the new conquerors and the old conquerors, a thesis of dual conquest was devised whereby the old Fulani conquerors ruled directly while the new British conquerors assumed the role of indirect rulers. This was the beginning of the famous doctrine of Indirect Rule that was rationalized as a prime policy of British colonialism in much of Africa in the middle decades of the 20th
century. This device allowed the old Fulani conquerors to preserve a large portion of the alien tradition of government that was practiced in the Sokoto Caliphate.

In Southern Nigeria, indigenous principles of government were largely respected, although Southern Nigeria traditional chieftains were now accountable to the colonial rulers rather than to their own people. British imperial agents leased lands from communities that owned them in binding legal agreements that were often tested in law courts. Government was far less intrusive in colonial Southern Nigeria than in the British colony of Northern Nigeria. On the other hand, the new colonial arrangements encouraged competition leading to the rapid growth of the economy of Southern Nigeria. This was in contrast to the poor performance of the economy in Emirate Northern Nigeria.

It was on economic grounds that British colonial policy makers based their decisions to amalgamate the two colonies of Northern Nigeria and Southern Nigeria. The man chosen to accomplish amalgamation was the conservative British officer Frederick Lugard who conquered Northern Nigeria and devised the theory of dual conquest and its doctrine of Indirect Rule. In effecting amalgamation, Lugard sought to import into Southern Nigeria two key principles of colonial rule in Northern Nigeria. First, he brought with amalgamation the doctrine of Indirect Rule that was crafted in Northern Nigeria. This was largely accepted and was successful in Southern Nigeria. Second, Lugard fought hard to import into Southern Nigeria the land policy that was inherited from the Fulani Revolution and that was adopted by British colonial rule in Northern Nigeria, namely alienation of land from individuals and their communities. Unexpectedly, this attempt was fiercely resisted everywhere in the South, leading Lugard to abandon his efforts in this respect.

The land issue was the closest opportunity under colonialism for testing the coexistence of indigenous principles of government in Southern Nigeria and those of the Fulani Revolution and Emirate Northern Nigeria. But any such tests were quashed by a major machinery of British imperialism in Africa. British colonial rulers banned politics. They substituted public administration as the preferred way of conducting the colony’s public affairs. Public administration was a hierarchical mode of operating the colonized without gaining their consent. But colonialism in Nigeria was public administration on the cheap in which traditional rulers were sanitized by the colonizers and effectively employed as agents of colonial administration. Because politics were banned and criminalized in colonial Nigeria until the 1950s, the traditional rulers who empowered colonial administration had limited political input in policies guiding public administration. This common attribute of colonialism informed the conduct of public affairs in all segments of colonial Nigeria.
The consequence was that Nigerians’ political attitudes were frozen and hidden from the knowledge of their fellow Nigerians for more than half a century. Southerners knew very little of the political situation of the Emirate North; nor did the Fulani and other leaders in Emirate Northern Nigeria know much about the Southern neighbours. As Kirk-Green (1968) has well intimated, the first meeting at the Ibadan Conference of 1950 between Southern and Northern leaders was painful because of their ignorance of the political ways of the other Regions. But the 1950 Ibadan Conference was the first thaw in the frozen politics of colonial Nigeria. As it turned out, the entire decade of the 1950s was devoted to decolonization in which Nigeria political leaders for the first time framed the national question and attempted to provide a solution to its mandate. What was the national question as seen by pioneers of Nigerian politics in the decade of decolonization? Ahmadu Bello, great grandson of Uthman Dan Fodio, Nnamdi Azikiwe, the American-educated Igbo intellectual, and Obafemi Awolowo, the accomplished Yoruba leader, were all knowledgeable men who understood that there were daunting differences in political values and traditions among the various segments of colonial Nigeria. They deserve to bear the title of Founding Fathers of the Nigerian Federation. Above all, they and their followers understood that there were major political differences between Emirate Northern Nigeria and indigenous Southern Nigerian. The national question for them was as follows: Given these profound differences and yet given the exigencies of their common existence and experiences under British colonialism, should Nigerians stay together or should they annul Frederick Lugard’s Amalgamation, as Ahmadu Bello once threatened?

The contents of this national question were complicated by new developments following the expansion of politics as the decade of the 1950s matured. If there were only three solid groups, of Yoruba, Igbo, and Emirate Northern Nigeria in existence, the national question would have been transparent. But British colonial Nigeria was ruled in three regions in which there were ethnic minorities that were culturally sophisticated. Their political oppression by the Igbo in Eastern Nigeria, by the Yoruba in Western Nigeria, and by the Fulani aristocracy in Northern Nigeria complicated the national question in ways that confounded differences in political traditions and principles of government (see Colonial Office, 1958).

Such differences between the South and the North and between majority and minority ethnic groups quickly led to the choice of federalism by 1954 as an avenue of allowing the different regions of Nigeria to rule themselves in their own unique ways (see Arikpo, 1967). The choice of federalism arose from domestic circumstances of differences in the histories of pre-colonial and colonial times. Federalism is rare in Africa. Of the various other attempts to create federal states in British colonial history of Africa – in
East, Central, and Southern Africa, none was successful. Nigerian federalism was thus unique. It was at once a testament to the success of Amalgamation of the North and South and to the unwillingness of the Regions of Colonial Nigeria to go their separate ways. But it was also remarkable that differences among these groups were big enough to disallow a unitary form of government.

The form of federalism that emerged in the 1950s was bottom-heavy. In effect, the Regions ceded some amount of authority to the Federal Government, while retaining major economic means and political authority in the Regions. For instance, Nnamdi Azikiwe did not need binding permission from the Federal Government to found the University of Nigeria, Nsukka, in the late 1950s. Nor did Obafemi Awolowo and Ahmadu Bello need such permission before founding the University of Ile-Ife (now Obafemi Awolowo University) and Ahmadu Bello University at Zaria respectively. Importantly, each of the three constituent Regions, as well as the Midwest Region when it was created in 1963, had its own Constitution, apart from the common Federal Constitution. Such arrangements allowed the three Regions to employ principles of government that are acceptable to their people. For instance, women voted in Southern elections but were disfranchised in the Northern Nigeria.

But Nigeria federalism was bedeviled right from its beginning by lack of experience in the give and take of politics. Traditions of national politics are acquired from continuous practices and usage. In the political history of colonial Nigeria, such practices were lacking because British colonial rulers banned politics and even criminalized them. The small window of the 1950s for practicing politics was clearly inadequate for establishing a tradition of national politics. Instead, at independence in 1960, the dominant tradition of politics was expressed in notions of conquest of the opponent’s powers. Threats and violence replaced discussions and compromises. Respect for the people’s vote was scanty in every corner of the country. All of these might well have been remedied and domesticated through repetitive practices of politics in the post-Independence era if they were accompanied with further discussions and mutual compromises. But the military intervention of 1966 changed the nature of Nigerian public affairs and our practice of federalism. Forcible military rule also changed the character of the national question completely. In a sense, native military rule pushed us backwards to the mode and restrictions of alien colonial rule in a vicious manner.

Nigeria’s military rule was a stepchild of colonial rule. The military’s physical formation and modes of operation were consciously modelled on those of the British. But its origins were different from the history of the British military. The Nigerian military had no tradition of protecting the state and its people from external enemies. Nor was there any well-developed norm of subordination to civil authorities that had emerged from English history. The
Nigerian military was, on the contrary, primarily formed to protect the colonial state from internal native enemies. Like most pristine colonial institutions, it had a latent loyalty to British manners of action and tended to despise Nigerian traditions of organization.

When the military seized power in 1966, it immediately took two steps that showed its colonial credentials. First, it banned and criminalized politics, in ways that were more direct and more punitive than British colonial rule ever attempted. Apart from killing leading politicians, it hounded and humiliated others. All elected legislative assemblies, including those in local councils, were dissolved and banned. Once more, Nigerian public affairs were reduced to administrative fiat. Traditional rulers were once more agents for carrying out the administrative mandate of military rule. These measures were continued throughout the course of military rule. Indeed, they became more thoroughgoing as military rule advanced in Nigeria’s political history.

The second immediate action of the military on driving civilians from power in 1966 was to abolish Nigerian federalism, replacing regional powers with a single unitary government which ruled from one single capital, as it was during vintage colonial times before the decolonization experiments of the 1950s. As matters turned out, this action abolishing Nigerian federalism proved to be the Achilles’ heel of the new military rulers. The theory and notion of Nigerian federalism had apparently been implanted in Nigerian minds. Within the military, a counter-coup drove those who urged unitary rule from power. Thereafter, military rulers, covering more than three decades of post-colonial Nigerian history, respected the label and symbol ‘Federal’ even while they dismantled the substance of federalism.

A main price which military rulers paid for waging and winning Nigeria’s civil war against secessionist Biafra (1967-70) was the promise that they would uphold and expand Nigerian federalism. While the war lasted, and in the five years following it, federalism flourished in certain administrative matters, as military chieftains exercised considerable powers in their regions. But there was heavy resentment within the military against he permissiveness that this form of administrative federalism entailed. In 1975, Nigeria’s wartime military ruler, Yakubu Gowon, who tolerated these diversities (Ekeh, 1992), was overthrown by a military team led by Murtala Muhammed and Olusegun Obasanjo.

The thoroughgoing anti-federalist policies and practices of the Nigerian military were designed and put in place by the new team, even while retaining the label ‘Federal Military Government of Nigeria’. First, the banning and criminalization of politics became ever more entrenched. Second, all vestiges of uniqueness on the part of the constituent units of military rule were virtually forbidden. Nigeria Police became ever more militarized while any vestiges of local control of the Nigerian Police disappeared. Local government practices
were made uniform and they became directly dependent on the Central Government for their funding. All regional universities as of the mid-1970s were taken over by the Federal Military Government, while elementary and secondary educational systems were streamlined for all of the country. States were created by military fiat in large numbers, turning the states into provinces that could not be autonomous in policy matters. Ironically, this ‘dynamic’ military rule was designed to return Nigeria to civilian rule while undermining the foundations of Nigerian federalism.

More dramatically, the new invigorated military rulers succeeded where Fredrick Lugard failed. Through the Lands Use Decree of 1978, military rule imposed on the South and practices that had been in the North but that were resisted and absent from the South. In many ways, this extension of Northern land usage to the whole of Nigeria was the highest index of the relationship between native military rule and British colonial rule. One has been the extension of the other. More directly, Obasanjo finally did Lugard a favour by ensuring that his policy of land reforms, resisted and rejected in the South, would finally be enthroned by means of a military fiat. That policy also delivered a major blow to the spirit of Nigerian federalism. If the military could attack this age-old difference between the South and North, no other area of difference appears safe.

One other zone of military policy and practice of government that has affected both the spirit and letter of federalism is its sponsorship of violence as a valid principle of rulership. Despite ruling Nigeria for some thirty years, the Nigerian military has not invented any theories of legitimation other than its control of the implements and instruments of violence. Violence has replaced dialogue as a means of discussing public affairs, under its infamous dictum that dissenters would be ‘dealt with immediately’. Outward obedience has replace inner-directed discipline as the expected way of responding to government dictation. Nigerian public life is now imbued with this vice of violence, even as a principle of governance. Remarkably, the centralized Nigerian Police, the only civil policing unit which military rule has allowed in Nigeria, has no other method of operation other than violence against civilians, turning this once-proud agency into a distrusted governmental institution. Sadly, the notion that governance entailed physical power and violence of rulers over the ruled -rather than authority and legitimacy binding rulers to the ruled in a system of accountability and legitimacy - is a legacy of military rule that has become pervasive. It is a political disease that Nigerians will have to overcome. More than any other system of government, the operation of federalism requires dialogue and compromises, both of which are in short supply in political usage under military rule (Ekeh, 1997).

All these developments have led to a recasting of the national question in the image of the military. By the time the military handed power over to a
civilian regime in 1999, the character of Nigerian federalism and the character of Nigerian public affairs had changed dramatically from what they were when the military came to power in 1966. Nigerian federalism is now top-heavy. Power now resides at the center, almost exclusively. Whereas each of the constituent units of the federation had its own constitution at the end of the negotiations for independence in the 1950s, in addition to a federal Constitution, the central Government of Nigeria now permits only one Constitution, a Constitution that was imposed by military fiat. Policing functions are restricted to Federal responsibilities. Education has virtually been taken over by the Federal Government, with the huge absorption of state universities in 1976-79 causing a diminution of standards at this crucial level of education. The Federal Government is so laden with responsibilities that it is overburdened. At best, Nigeria for a long time remained a dysfunctional federation.

Participation in politics has a way of opening up new vistas of discussion and engagement. The entire hundred years of the twentieth century have been the full extent of Nigeria’s existence as a national entity. Out of these hundred years, British colonial rule and native military rule banned politics for a total of some eighty years. Nigerians have had the freedom to practice and engage in politics in the decade of the 1950s; for five years in the first half of the 1960s; for some five years in the Second Republic; and now for some two years in the new millennium. It is remarkable that reactions to the new opportunities of politics have clearly indicated that the principles of government that were disputed between Hausa kings and Fulani immigrant leaders two hundred years ago have not been resolved. Once again, the status of women is at play. Clearly, military fiat has not resolved any disputes. Clearly, a top-heavy military form of federalism is not the appropriate response to these political stirrings. In order to address the national question in its new appearance, we need to reform Nigerian federalism.

We must take seriously the meaning of federalism. In a federal system, the Federal Constitution is ratified by a specified proportion of the constituent states. In a genuine federal system, each constituent unit has its own Constitution in which it decides how many legislative chambers it desires and in which it decides where its capital should be located. Each unit of a proper federal system should be allowed to select and fly its own flag, in addition to the Nigerian flag. If the Boys Scout of Nigeria, the Nigeria Police Force, and the Nigerian Army have their distinct flags, what prevents states from having their own flags? Federalism requires that each level of government exercise appropriate authority in judicial matters, along with a civilian police formation. It is a disgrace that Nigeria has one police establishment. Does anybody really believe that the Nigeria Police can handle land cases in local communities, settle marital problems between husbands and wives, arrest petty thieves in
remote villages, patrol the highway, catch armed robbers and still be efficient? Where else in the world is such concentration of policing powers practiced? Is it not wiser to confine the Nigeria Police to Federal responsibilities of law and order, leaving state matters to the states, and local matters of law and order to local police? Let no one ridicule our communities by saying they cannot raise police units. Before British colonial rule, our communities had indigenous police formations. At any rate let those that care and can raise their police be so permitted by Federal and State Constitutions.

Above all else, federalism enjoins a notion of justice in which each constituent unit gives to the whole and receives from the whole in some proportion. In the decade of decolonization, the Founding Fathers of the Nigerian Federation agreed that each constituent unit of the federation shall develop its economic resources. The military subverted this formulation because of easy access to wealth from petroleum products. The national question must now embody a notion of justice that does not punish states that produce wealth simply because they are so-called minorities. No political system built on such premises of injustice will survive for long.

In conclusion, let me phrase the matter national question as follows. First, we must recognize that there are differences in principles of government between indigenous Nigeria and Emirate Northern Nigeria that have historically been contested. Along with this deep-seated historic difference, differences between minority ethnic groups and the three large ethnic groups should be recognized and accommodated in resolving the national question. There is no reason why those who promote Sharia should not be given an opportunity to outline the political basis for its existence in any states of the Federation. But there is no reason why those who seek to protect individuals’ and women’s rights from Sharia’s domain cannot outline the grounds for their fears that Sharia resurrects the disputes between immigrant Fulani leaders and Hausa Kings in the jihad revolt of 1804. Nor is there any valid reason for not permitting those in the Niger Delta who argue that their resources are being unfairly nationalized to propose the economic basis for the type of federalism that will accommodate their advocacy. But we must discuss such differences in civil forums. Hiding them form discussions will not resolve them. And such discussion forums need not be confined to Abuja in one fiesta of Sovereign National Conference. Let discussions be carried out in first instances in villages and communities and states of the Federation in a responsible and directed programme of debating the national question.

Second, the national question must embody a reformulation of Nigerian federalism. Federalism was never a luxury in Nigeria. It was a necessity. Military rule has dangerously turned federalism into a disposable luxury. In doing so, it has attacked the very premises on which the survival of Nigeria rests. It has also changed fundamentally the theories of government that
animated political discourse in the 1950s. In these ways, the legacies of military rule threaten the very survival of Nigeria. Reviving the integrity of Nigeria requires a return to maximum federalism, retaining the current states as its constituent units. Maximum federalism includes the authority of the states to have their own Constitutions, police formations, and choices of their own capital headquarters. It also includes redistributing national economic resources in ways that will enable states to develop their natural and human resources. To those who argue that the present states are too weak for such tasks, I would point out that no state in Nigeria is smaller in population nor in land area nor in human endowments than Gambia. Many of our states are much better endowed than Liberia or Sierra Leone.

Third, and finally, the national question requires that we recognize the pervasive and baneful influences of military rule in our history. We urgently need to demilitarize our national institutions and public affairs. For instance, it is unnecessary and unhelpful to place the National Youth Service Corps under military conduct. More broadly, the centralized methodology of development that military rule has enjoined must be turned around in such a manner as to free communities and states to develop according to their endowments and according to their desires and capabilities. The notion that development can only be achieved and directed from a central point in Abuja is unwise. It is a bad legacy of military rule that reverses the wisdom of the Founding Fathers of the Nigerian Federation.

References


