

Secession, Self-Determination and the Quest for 'True Federalism' in Nigerian Federation

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Abstract

Federalism as a governmental system became popular as a means of nation-building at the end of the Second World War. In the post-Cold War era, there was an increased interest in the federal system, as it was increasingly conceived as a tool of conflict management in war-torn countries. Given its utility in multi-dimensional ways, federalism is adopted for different reasons by different countries, in response to disparate situations. This paper focuses on how the unequal distribution of Nigeria's wealth has contributed to the fear of marginalization, which has resulted in conflicts and ultimately, political instability. In this paper, effort is made to discuss the series of the threat of secession and agitations for self-determination, as well as the actual attempt by the then Eastern Region, populated mainly by the Igbo ethnic group to secede. Discussing the civil war also contributes to our understanding of the part the war economy played in the excessive centralization that presently characterizes the federal system. This paper also focuses on issues related to increasing agitations in the period following the re-establishment of liberal democratic government in 1999 for a more functional federal system that fairly distributes the national wealth. This paper stresses that there seems to be a consensus among political commentators that the practice of federalism in Nigeria does not conform to the fundamental principles of federalism because of the many conflicts within the system. This paper, therefore, examines the mounting debate over 'true federalism' and 'restructuring', which have increasingly taken an ethno-regional dimension. It concludes by demonstrating that the inadequacy that characterizes Nigeria's distributive politics is at the root of the tensions that continue to jeopardize the multinational federation's viability.

Keywords: Federalism, Secession, Self-Determination, Centralization, Marginalization, Restructuring, Ethnic Group.

Introduction

At the end of the Second World War, federalism as a form of government gained popularity as a tool for establishing nations, particularly in the British Commonwealth. In many of its former colonies, including Canada, India, and Nigeria, the British imperial powers supported the federal notion as arguably the best workable solution for a multi-cultural nation. In the same way, the federal system attracted more attention in the post-Cold War era as it was increasingly thought of as a tool for conflict management in nations that were in conflict, based on experiences in Bosnia and Herzegovina (BiH) (1995), Ethiopia (1995), and Iraq (1995) (Birch, 2019: 78). Federalism is used by several nations for a variety of reasons and in reaction to various situations because of its versatility. Particularly large and populous nations like Australia, India, Nigeria, and the United States of America are drawn

to the system. As a way to achieve unification, it is also tempting to nations with a high level of social heterogeneity like Ethiopia, India, and Nigeria.

For instance, in the 1950s, there was a lot of enthusiasm for federalism in Africa because of how well the system suited the diversity of those nations. But as federations like Rhodesia and Nyasaland (1953–1963) and many others fell apart, this hope vanished. For instance, the acknowledgment of variety served as the impetus for the creation of the federations in Nigeria and India, in addition to the British federal instinct and the desires of the individual founding fathers. The federal system was implemented in these two nations to "hold together" the various inhabitants (Osaghae, 2018: 25).

Nigeria, a colonial offspring, was the victim of the problematic merger of two protectorates, which brought together people from various linguistic, historical, religious, and cultural origins. The introduction of federalism in 1954 was a practical choice because the state's plurality made a unitary form of governance appear improbable. Therefore, the creation of a federal political structure was the most important action made by Nigerian leaders in reaction to the nation's ethnic diversity, with the active assistance of the British colonial authority. The Nigerian federation was founded from a previously unitary state, in contrast to the American federation, where minor units sought to "come together" and yield to the federal government some of their authority (Osaghae, 2018).

In Nigeria, the British had advocated for a federal system in the hope that the various economic resources would complement one another. Additionally, they had hoped that their architectural plan would result in a building that could accommodate the nation's many diversities or, to put it another way, that the plan would result in unity in a nation with more than 350 different ethnic groups. The founding founders of the nation had also believed that a federal political system would better safeguard the interests of the various communities. As a result, federalism was pushed as a tool for achieving unity in difference. The diversity of the nation looked to be a burden on the system, in contrast to the optimism voiced by the idea's creators (including the British colonial authority). Nowhere do we claim that diversity itself is the issue; rather, we argue that the way the elites have persistently exploited prejudices related to race, religion, and other factors has contributed to the issue. The federal idea looks fit for Nigeria's sociopolitical condition, but because of the society's underlying structural imbalance, the framework is less suited to handle the hydra-headed pressures that come with a federal system. The challenges of bringing various peoples together continue to spark discussion and controversy. Political conversation is still dominated by claims of unfairness in the federal framework.

In the oil-rich federation, disputes are fueled by the unequal distribution of national resources, particularly cash generated by oil. This is why researchers like Collier see resource richness as a dilemma, a political stumbling block, and a trap (Collier, 2018: 50). Any of these words, or a combination of them, could be used to describe the negative influence of oil rents on Nigerian politics and economy, and in particular the federal system. Regardless matter how it is interpreted, the dread of one group being dominated by

another is an important component of Nigerian politics. It has fueled a series of secession threats and what appears to be an endless movement for self-determination throughout the country.

The paper begins with a study of what secession means, especially in the context of federations, as well as the politics of secession in Nigeria. Scholars have looked into the issue of secession in both federations and unitary states to varying degrees. The relationship between secession and federation, on the other hand, is of interest to us. We also explore the defunct Eastern Region's actual attempt to secede, which was populated primarily by the Igbo ethnic group. In the civil war (1967-1970) that rocked the country just six years after independence, the 'fear element' cannot be ruled out. The civil war is being discussed in order to support the claim that dispersing political and economic resources in Nigeria has always been fraught with rancor and has resulted in political instability.

The paper also examines the many facets of ethnic minority groups' demands for self-determination in the Niger Delta region. The worry of marginalization in the allocation of the country's oil-generated wealth has sparked these protests.

Elites from the Niger Delta's oil-producing states have been vocal in their opposition to the revenue-sharing system for years. They have criticized the near-abolition of the derivation principle, which they feel is harmful to their interests. The Sharia issue, which erupted into a major political dispute between twelve northern state governments and the Federal Government shortly after civilian authority was restored in 1999, was another key development. The adoption of the Islamic legal system might be interpreted as an attempt to gain self-determination as a result of the northern elite's sense of marginalization in the new political order.

Furthermore, this paper focuses on the Nigerian people's aspiration for a truly federal system of governance, or what is known in Nigerian parlance as "true federalism". Despite the fact that Nigeria has a federal government, calls for "restructuring" and "true federalism" continue to dominate political debate. The purpose of this paper is to bring to light the public's perception on the country's federalism practice. In order to reach this goal, an examination of the disputes over real federalism and restructuring is undertaken. The debates are a reflection of the search for a true federal system. Evidently, the campaign is being driven by a growing impression of inequality in tax allocation and marginalization of certain regions of the country, as well as a lack of fiscal autonomy for states.

Because ethno-regional groups in the country have their own ideas of 'restructuring' and 'true federalism', there is no unanimity on what these terms signify. To some, the twin 'concepts' imply the improvement of the present federal structure, while to others, they imply the country's dissolution. However, restructuring, according to Osaghae, can be characterized as "a catchall phrase for the ongoing process of adjustments that federal systems go through in order to make them perform properly and adapt with changing needs" (Osaghae, 2018: 18). According to Osaghae, the necessity for restructuring frequently arises when current federal institutions are unable to cope with changing

political realities. True federalism, on the other hand, is a relatively recent concept in Nigeria, and it has been used to refer to a more efficient federal government. There appears to be a consensus, particularly in the south of the country, where the call for true federalism is louder, that Nigerian federalism does not adhere to the essential principles of federalism. There is still a notion that the northern elite wants the status quo to continue since the current system, which is based on the federal character principle, quotas, and majority representation at the federal level, is in its favour.

Obviously, the campaign for a federal restructuring predates the Fourth Republic, but it became more ferocious after the first civilian administration in the post-military era was inaugurated¹. In 1999, the governors of the oil-producing states declared that they had resolved to assume full control of the resources found in their jurisdictions 'within the framework of true federalism' (Elaigwu, 2007: 285). This declaration is a reference to previous federal governments' perceived failure to transfer the benefits of the oil economy to the people of oil-producing states, or, to put it another way, perceived resource allocation unfairness. Despite the fact that these disputes are championed by ethno-regional elites, they have brought the efficacy of federalism in the oil-rich federation to the forefront of political discourse. The paper goes on to explore how, at various periods throughout the country's history, political leaders have attempted to address the flaws in the federal system by enacting federal instruments such as the federal character principle and state creations. The constitution's enshrinement of the federal character concept is undoubtedly a major distributive device, while the federation's constantly shifting geographical form is a vital structural instrument. Despite these steps, calls for true federalism became louder and louder. As a result, the question at this point is: why haven't these efforts yielded the desired results? As a result, this paper will look at some of the earlier efforts to ensure a successful federal system.

Understanding Secession and Self-Determination in Federal States

In terms of federalism, secession can be described as the expulsion or withdrawal of a territory and its people from an existing sovereign federal state. It is about dismantling a federal state that already exists. A geographically confined minority (or, in some cases, majority) group frequently orchestrates secession. Usually, the goal of secession is to establish an independent territorial unit. Secession is usually premised upon a number of grounds.

First and foremost, the desire for secession is frequently motivated by the denial of basic rights. Secession, according to Buchanan, may be acceptable if a group or territory in the federation suffers grave injustices at the hands of the state or is oppressed by people of other ethnic groups (s) (Buchanan, 2005: 53-63). If the national government has consistently failed to protect the region's inhabitants' rights, the region may have a justification to secede. 'Temporary grievances,' as Birch argues, are insufficient to justify secession; they must have a history and be 'likely to persist indefinitely' (Birch, 2019: 64).

Second, marginalization might be used as a justification. If an ethnic community feels marginalized politically and/or economically, it may consider leaving an existing state, especially if it is physically concentrated in one location. Secessionist movements arose in Biafra (Nigeria), Catalonia (Spain), and Quebec, for example, as a result of ethnic conflicts and tensions (Canada).

Third, secession may be acceptable if the federal bargain has been weakened to the point where it has failed to meet the goals of one or more portions of the federation, or if the federation's essence and functioning have become less federal (Burgess, 2016: 281). This means that if a portion of the federation loses interest in the union, it may consider leaving it. In the run-up to the civil war, this was the claim of the political elite in the former Eastern Region.

Another justification is if a section of the union was coerced into joining, especially if "its people have repeatedly refused to give complete permission to the union" (Birch, 2019: 64). The secession provision was incorporated into the Ethiopian Constitution of 1995, probably because the framers recognized that a part or more of the country might decide to opt out of the imposed unity in the future. Despite the symbolic nature of the clause, it is improbable that any of the federating entities in the multi-ethnic federation would be allowed to secede (Habtu, 2015: 313). This is where the link between a federation's origin and its success or failure comes in handy.

Given the numerous centrifugal pressures that characterize every federation, one would be obliged to agree with Ayoade's assertion that federations are prone to secession (Ayoade, 1973: 63). Some experts, on the other hand, hold opposing viewpoints, claiming that secession is incompatible with federalism. A federation is 'basically a perpetual union because it is unthinkable for a federal constitution to contain measures for its own dissolution', according to Edward Freeman (Burgess, 2016: 271). This implies that once the 'offer' and 'acceptance' for a federal union are completed, the federal bargain or 'contract' is enforceable, and any attempt by any of the parties, whether a constituent unit or the general government, to breach the contract is considered a form of revolt.

K. C. Wheare agreed that the component units in these federations had no authority to secede and that the federal government had no power to expel any unit based on his observations of Australia, Canada, Switzerland, and the United States (1963: 83). He contended, however, that the absence of a secession article in these countries' constitutions does not imply that secession is incompatible with federalism (1963: 86-87). The issue here is that, while secession is compatible with federalism, it is diametrically opposed to good federal governance. This explains why governments use force as a tool to prevent independence. Attempts to secede frequently result in civil war, such as the one that erupted in Nigeria in 1967 when the former state of Biafra seceded.

Similarly, after observing that the British-inspired federations of India, Malaysia, Nigeria, and Pakistan made no provision for secession, Watts advanced the following three arguments against secession in a federation (Watts, 1966: 309-310): (i) fear of

subordination, which jeopardizes the principle of co-ordinate governments; (ii) weakening of the federal system by giving regional governments a weapon of political coercion; and (iii) the possibility of disintegration, which may frustrate nation-building and national development. According to Watts, refusing to allow secession in these federations was a sensible decision because included a secession option in their constitutions would have harmed the nation-building process. In his own contribution to the argument over the relationship between secession and federalism, King claimed that while there is no legal provision prohibiting federating units from seceding, the federal government's constitutional duty to the population of the seceding unit is violated by secession (King, 2018: 104). The federal government's structure, according to King, is significantly stacked against secession (2018: 109).

Dikshit was on the other side of the argument (2017: 64). He stated that when a territorial group finds it hard to coexist with another group inside the union, that group may opt to 'dissolve the political connections which have united them with another...' based on the American Declaration of Independence of 1776 (2017: 69). In other words, if the federation's terms of reference have been infringed in part or entirely, secession may be justifiable.

Let us conclude this discussion by agreeing with Burgess that secession is "theoretically incompatible with federalism, but probably desirable in practice" (Burgess, 2016: 279). It is not prohibited in practice, and it may be desirable, especially in a federation if one of the union's members does not have a sense of belonging. Secession should be compatible with federalism if we assume that a federation is a voluntary union. Even an enforced federation like Ethiopia admits the possibility of separation in the future. But why did they secede in the first place? Self-determination is the purpose of secession.

Self-Determination

Self-determination, unlike secession, does not involve the dismantling of an existing sovereign federal state. Rather, it is about a people's right to determine their own political status. It may result in the formation of a distinct state, but this is rarely the goal. The demand for self-determination could be motivated by a desire for the state to acknowledge a group's culture and language. It essentially entails political autonomy, or the right to exercise legislative, administrative, and adjudicatory rights in certain sectors. Thus, self-determination, or 'territorial political autonomy,' as Lapidoth calls it, is a political arrangement geared at allowing a group the right to express its own identity (Lapidoth, 2020: 33). More frequently than not, the term is used to denote the right of peoples living under colonial rule or foreign dominance to regulate their own affairs, rather than 'internal national minorities' (Kymlicka, 2011: 27).

'All peoples have the right to self-determination,' according to the United Nations Charter. Similarly, the Declaration on the Rights of Indigenous Peoples supports indigenous peoples' right to self-determination. It's worth noting that the definition of 'peoples' appears to be absent from both the Charter and the Declaration. They both demonstrate, however, that

self-determination is preoccupied with redressing historical wrong. Internal autonomy is referred to as self-determination, and it may be crucial for minorities who have historically faced discrimination in the existing federal union. Scholars believe that, similar to secession, national minorities may have a claim to self-determination if their membership in a federal union was forced upon them (Kymlicka, 2011: 27).

In Nigeria, self-determination refers to an ethnic group's or federating unit's right to handle their own political and economic affairs. Self-determination, according to Osaghae, is a political tool used by aggrieved and redress-seeking groups, such as those in the Niger Delta, in their fight for what they believe to be right and equitable political arrangements (2003: 89). Controlling own resources—fiscal autonomy—is a response to political marginalization and majority ethnic dominance for the people of the Niger Delta, where the majority of Nigeria's oil is produced, and a technique of political conciliation in the multi-ethnic Nigerian federal state. As a result, their campaign for self-determination is a fight against ethnic majority dominance, or, to put it another way, political marginalization; it is about political and economic autonomy, as well as institutional integration. Political leaders in this portion of the country are especially concerned about how the resources located within their authority would benefit local residents, clearly demonstrating why they are agents of self-determination rather than agents of secession.

The Politics of Secession and the Fear of Domination

As previously said, the Nigerian federation's diversity makes the clamour for independence all but inevitable. Every ethnic group in Nigeria is afraid of becoming sidelined in the larger scheme of things. The educationally advantaged Yoruba and Igbo ethnic groups, for example, frequently express concern that the educationally disadvantaged but more numerous Hausa-Fulani ethnic group may utilize their numerical advantage to out-compete other ethnic groups in the competition for national resources. Similarly, the Hausa-Fulani ethnic community has long feared that the other two major ethnic groups would exploit their educational advantages to control the rest of the federal union. In 1955, for example, the Northern Region's leaders implemented the famous Northernization strategy in an attempt to alleviate the fear of dominance that loomed over the region. This meant that in the Northern civil service, employing a Northern Nigerian would be favoured, but if no Northern Nigerians with the necessary qualifications were available, a contract appointment of a European would be preferred over permanent recruitment of a Nigerian from the South (Kirk-Greene, 1967: 8). Expectedly, the reception of this policy was bitter in the South. Likewise, the minorities live in perpetual fear of domination. As observed by Kirk-Greene;

in every conflict and strain in Nigerian politics, fear has persisted. Nor the psychological fear of oppression, not the spiritual fear of vengeance, but the psychological fear of physical violence. It is the worry that one may not receive their just dessert (1975: 19).

The fear factor has also played a role in Nigeria's recent spate of secession threats. Since 1951, secession has been a recurring danger in Nigeria's political lexicon (this was before the adoption of a federal political framework). Fearing southern dominance, the Northern Region wanted fifty percent representation in the national legislature that year, threatening to breakaway if it was not granted (Ayoade, 1973: 65). This threat paid off, and the region's request was granted. Early in 1953, the North threatened to secede because it did not want to be hurried into self-rule. The North's lack of readiness stemmed solely from its fear of southern dominance in a self-governing Nigeria. The Western Region threatened to secede if Lagos was severed from the Region in the same year. According to Ayoade, the Region's sense of self-sufficiency contributed to the threat (1973: 67). Despite the fact that the Yoruba elite failed in their bid to secede in 1953, the question of secession remained on their minds. They attempted to have the right of secession added into the proposed federal constitution during the 1954 constitutional convention in Lagos, but were unsuccessful because the emergent Constitution did not include the right to separate.

The Eastern Region threatened to split from the federation despite the lack of a secession clause in the Federal Constitution, citing the allegedly rigged 1964 general elections as well as the 1964 budgetary system, which guaranteed fifty percent derivation. The fiscal arrangement did not meet the Region's expectations, since it desired 100% derivation. As a result, the Region saw no value in remaining in a federal union in which it contributes a significant amount of money to the national budget but lacks political authority. This further supports the theory that oil played a role in the civil war.

In the aftermath of that year's coup, which claimed the lives of prominent northern political and military leaders, the Northern Region issued a similar threat in mid-1966. Unlike the January coup, which was intended at gaining power, the July counter-coup was aimed at gaining independence. Many Northerners, enraged by the assassinations of their leaders, desired araba (secession) (Ademoyega, 1981: 120-122).

The Nigerian Civil War (1967–1970)

Secession threat used to be seen as a weapon of redress by ethno-regional groups in the country. This changed, however, in May 1967 when the then Eastern Region military governor, Colonel Odumegwu Ojukwu, proclaimed the Republic of Biafra. Consequently, 'negotiable secession' became 'actual secession'. Gowon responded to Ojukwu's pronouncement by reiterating the federal government's resolve to prevent secession, thereby setting the stage for a war.

Scholars and political observers in Nigeria have differed on the reasons of the civil war. When evaluating these viewpoints, caution must be maintained because people have presented different stories of the war depending on whose side they belonged to or sympathize with. Nonetheless, the events leading up to the conflict, including but not limited to the first two military coups d'états in 1966, provided causes for the war. In January 1966, a group of young army officers, mostly from the Eastern Region, deposed Nigeria's

first civilian administration, which had been accused of corruption among other things. At the time of the coup, the civilian government had lost control of the governance of the country. Corruption, nepotism, and unhealthy competition for national resources had become a culture in the country.

The assassination of Nigeria's Prime Minister, Sir Tafawa Balewa (Fulani), the Northern Region Premier, Sir Ahmadu Bello (Fulani), the Premier of the Western Region, Chief Samuel Akintola (Yoruba), and the Federal Commissioner of Finance, Chief Festus Okotie-Eboh (Itsekiri, Mid-Western Region), elicited mixed reactions in a multi-ethnic society like Nigeria. According to the Northern elite, the coup was ethnically motivated in order to remove them from the country's power equation. Their case rested on the fact that the coup was spearheaded by Igbo soldiers, and the majority of those killed were from the north. Although a Yoruba army colonel, Adewale Ademoyega, one of the coup's surviving principal actors, disputes ethnic concerns in the coup's implementation, the northern elite would love to argue differently. The coup was applauded and praised in the Western Region, where it was considered that politicians' thirst for power and unhealthy competition for national resources had thrown the region, and the country, into significant political turmoil. Military rule had been hoped to provide some form of sanity to the polity in this region. It is important to note that this coup helped to cultivate the seeds of a future disaster in the country.

The most senior army officer in the country, Major-General Johnson Aguiyi-Ironsi, an Igbo, dethroned the initial coup plotters and became Nigeria's first military Head of State. Ironsi's actions exacerbated the country's ethnic divisions, as well as the fear of dominance. He issued the Unification Decree No. 34, which destroyed Nigeria's federal government and replaced it with a unitary one. The decision also unified the civil service, putting the Northernization agenda in jeopardy (Anber, 1967: 163). This decision appeared to corroborate the Northern elite's fears that the Igbo ethnic group wished to dominate other ethnic groups and deny them of power in a federal Nigeria. Furthermore, the January coup figures were not lost on the Northern political class, who allegedly gathered their supporters to oppose the new military administration and Decree No. 34 (Panter-Brick, 1970: 24). This resulted in a series of anti-Igbo riots in some major northern cities like Kano and Kaduna in which many Igbos were killed. The July counter-coup too occurred in the middle of this upheaval. It's possible that the goal of making Nigeria a unitary state was to resolve inter-ethnic and other regional disputes. However, the Nigerian military, which had become more ethical, lacked the capacity and integrity to deal with such reorganization. The army's politicization resulted from its Nigerianization, which began in 1958 as a byproduct of the nation-building process. Furthermore, in 1962, a quota system for recruitment and advancement added to the politicization (Gutteridge, 2019: 63-64). The quota system was supposed to ensure that all of the country's geopolitical areas produced equal numbers of persons for recruitment and promotion. However, in practice, the system did not allow for merit-based selection and promotion because politicians encouraged

people from their regions or ethnic groups to join the military. This event signaled the beginning of the military's ethnicization. Nepotism, a hallmark of Nigerian politics, crept into recruitment and promotion procedures now that the Nigerian army is controlled by Nigerian politicians.

The counter-coup in July 1966 was carried out primarily by Northern army officers, with the majority of casualties coming from the East, leading to speculation that the coup was carried out as a form of retaliation by the Northerners. The army's divisiveness along ethnic lines was exacerbated by the counter-coup, especially when Lieutenant-Colonel Yakubu Gowon became the second Head of State. Gowon's first move was to reestablish the federal system of government, which was unpopular with the Eastern Region Governor, Colonel Odumegwu Ojukwu, and the Igbo elite, who worried that the federal government would soon gain power over the states. Not only that, Ojukwu also objected to Gowon's accession to the office of Head of State on the ground that Gowon was not the most senior military officer in the Nigerian army but Brigadier Babafemi Ogundipe, a Yoruba officer and the Chief of Staff, Supreme Headquarters. Ogundipe was Ironsi's de facto deputy, but he departed the nation after several junior military officers from the north refused to acknowledge his authority (Ademoyega, 1981: 125). The civil war erupted as a result of the conflict between these two army officers, as well as other circumstances. Ojukwu declared in May 1967 that the territory and region known as Eastern Nigeria, as well as her continental shelf and territorial water, would be an independent sovereign state known as 'The Republic of Biafra' (Kirk-Greene, 1970: 451-452). Clearly, territorial independence was the solution for Ojukwu to the interethnic enmity that resulted in the mass slaughter of his fellow Igbos in the North in mid-1966.

The battle was an expression of the ethno-regional politics that had become a staple of both the Nigerian army and Nigerian politics in general. That is, it is an expression of a hegemonic conflict between the Northern elite and their Eastern counterparts. The January coup attempted to weaken the Northern elite's political authority in the country, whereas the counter-coup of July 1966 resulted in the Igbo ethnic minority losing political and economic dominance.

Another aspect that contributed to the war was figuring out how to deal with the ambiguities in the existing federal organization. Gowon desired a 'tight federation' with a strong center, which he described to as a 'tight federation'. This was most likely an attempt to avoid the pitfalls of the first federal experiment, in which the federating units became more powerful than the central government. Meanwhile, Ojukwu desired a system akin to confederalism, one that would give member units complete authority over their resources, particularly oil (Panter-Brick, 1970: 29-31). Ojukwu made no attempt to hide his dislike of Nigerian federalism. In a statement in 1969 while the war was still ongoing, he said:

...the Nigerian Federation, as it was established by the British, cannot in any way be regarded as a need in Africa. However, we are being compelled to give up our basic existence as a people in order to preserve the integrity of that shoddy

fabrication, which has no basis in history or in the freely stated preferences of the populace (Ojukwu, 1969: 18-19).

The civil war could also be understood as a struggle for the security of significant economic resources—oil—in light of the basic argument behind this book, which goes beyond the mainstream argument centered on the fear of dominance thesis. Some experts believe that Nigeria's potential as a major oil producer in the not-too-distant future was "one of the crisis's core causes" (Armstrong, 1967: 5). Others have suggested that oil riches was not the main cause of the war, but rather a contributing element, because it offered the hope of a stable economic base, particularly in Nigeria's Eastern Region, where the majority of the country's oil was produced. It is plausible to say that the Igbo elite saw independence as an opportunity to gain control of the oil money, and it is equally plausible to claim that the federal government's drive to prevent secession was motivated by a fear of losing the same oil wealth.

Also, with agriculture's rapidly dropping revenues, northern and western lawmakers are unlikely to support secession. Elites in both regions were aware of the political and economic benefits that could be derived from oil wealth.

Minority Oil-Producing Groups and the Quest for Self-Determination

The Niger Delta is home to around twenty ethnic groups, including the Anang, Bini, Efik, Ibibio, Igbo, Ijaw, Itsekiri, Ogba, Ogoni, Ukwuani, Urhobo, and Yoruba, with the Ijaw being the largest (Dike, 1956: 25). The Niger Delta is located in the South-South geopolitical zone, in the middle section of Southern Nigeria². The six states of Akwa Ibom, Bayelsa, Cross River, Delta, Edo, and Rivers make up the entire area. These states, along with Abia and Imo in the south-east and Ondo in the south-west, make up Nigeria's major oil-producing regions. As far as the oil-producing minority groups are concerned, their quest for self-determination is based on their economic standing as "producers" of the country's wealth. Their ongoing search for self-determination within the multi-ethnic federation is a political demand that, if fulfilled, they believe would ensure them control over the resources in their area. Using the euphemism of 'resource control', they continue to want their own exclusive political and economic zone. In Nigeria, the term refers to a resource-sharing arrangement that permits states of the federation to control natural resources inside their borders while still contributing to the federal government to pay federal tasks. This demand aims to end the federal government's monopoly on oil resources, as well as to address political marginalization and ethnic dominance.

The Niger Delta people's demand for self-determination has a long history and has taken several forms. This took the shape of a demand for separate constituent units, which the Willinks Commission of 1958 refused to provide, and a desire for an independent state, such as the one announced by Isaac Boro in 1966. The battle then went back to demands for distinct component units, which would improve the agitators' political participation in Nigerian state activities and, eventually, sovereignty over the resources within the

jurisdiction. The events that followed the civil war prompted the shift in focus. The Niger Delta's minority had thought that the state-building effort that preceded the civil war would allow them to participate in politics while also receiving economic benefits from the centre. However, with a shift from the principle of derivation to those of equality and state population, which favoured the larger ethnic groups that had historically marginalized minorities, these dreams were crushed and even became far-fetched (Obi, 1998: 269).

As independence approached, ethnic minorities' demands for self-determination grew louder, prompting the establishment of the Sir Henry Willink Commission in 1958. In particular, the Commission was to look into minority groups' fears that the present political framework would lead to the majority groups dominating the minorities in the federation's three regions at the time. In the case of the Niger Delta's minorities, the Commission refused to cave in to pressure to suggest the creation of distinct constituent units, arguing that creating new constituent units would not solve the minority problem. It had hoped that after independence in 1960, the political gravity would shift from the regions to the centre, encouraging inter-ethnic and inter-regional partnerships that would assuage minority fears (Osaghae, 2003: 93). After seeing that the Niger Delta region was poor, backward, and neglected, the Commission suggested the establishment of a special development agency to address the region's developmental issues, which led to the foundation of the Niger Delta Development Board (NDDDB) in 1960. Despite the fact that the Commission did not suggest the creation of distinct constituent units for minorities, it was the Nigerian government's first attempt to address the issue of minorities.

The late Isaac Jasper Adaka Boro, who had denounced the oil-producing region's governmental neglect, founded the ill-fated Republic of Niger Delta in 1966, continuing the fight for self-determination. Boro, who hailed from Kaiama town in present Bayelsa state left the university to lead an armed struggle against the federal government which was accused of marginalizing the area producing the wealth of the nation. Boro's planned secession was intended to ensure that the Niger Delta area maintained autonomy over its affairs and resources. The 'revolution' lasted twelve days before being ruthlessly suppressed by the Nigerian government, who sentenced Boro and his men to death before subsequently pardoning them. Boro's bid for independence was unsuccessful, but his agitation established a precedent for the oil-rich region's drive for independence.

The Movement for the Survival of the Ogoni People (MOSOP) was another prominent ethnic movement in the Niger Delta in the early 1990s. MOSOP was founded and led by the late Ken Saro Wiwa to express the Ogoni people's demand for self-determination inside the Nigerian federation. The Ogoni people, using the platform of MOSOP, presented the famous *Ogoni Bill of Rights* (OBR) to the Federal Military Government (FMG) of Nigeria and the Nigerian people in 1990, after complaining for decades about environmental degradation caused by oil exploitation in the region, as well as a lack of access to political, economic, and social opportunities in terms of infrastructural development. The Bill specifically demanded that the Ogoni people be granted political autonomy allowing them

the control of the economic resources found in Ogoniland for Ogoni development (Ogoni Bill of Rights, 1990: 11; Obi, 2006: 25). Because it is Nigeria's "poorest and most industrialized enclave", Ogoniland has been dubbed a "socio-economic paradox" (Naanen, 1995: 66). The Ogoni people think that their region is the country's food basket, yet it is also the poorest. However, this claim has been refuted, with Osaghae pointing out that the Ogonis have benefited more than other minorities in terms of appointments to senior government positions, which are typically used to measure access to state power in Nigeria (1995: 328). Nonetheless, the Ogoni claims were based on the idea that the Ogoni people had made a significant contribution to Nigeria's economy and hence deserved better.

According to Osaghae, the Ogoni Bill showed a loss of faith in the ability of the Nigerian state, as governed by the majority ethnic groups, to defend the interests of minorities, by demanding self-determination for Nigerian ethnic communities (Osaghae, 2003: 98). The Ogoni people believed that their plight stemmed from their lack of political and economic power in the multi-ethnic federation. The Bill attempted to turn the highly centralized federation into a non-centralized one in which each constituent entity would own the lion's share of its internally generated revenue, in addition to self-determination (Joseph, 1999: 366). The oil communities want a fair part of the income generated by the oil economy, which is why the Ogoni are fighting for self-determination.

The Nigerian state saw MOSOP's opposition as a separatist trend that needed to be curtailed, leading to the assassination of Ken-Saro-Wiwa and eight other MOSOP members by the Sani Abacha dictatorship in November 1993. The agitation for self-determination, particularly in the Niger Delta, was unaffected by this heinous murder.

The creation of ethnic-based groups identifying themselves with the cry for self-determination has also occurred in the post-1999 period. For example, the Ijaw Youth Council (IYC) has pledged to oppose governmental policies, legislation, and practices that deny their people authority over the resources in their territory. The renowned 'Kaikama Declaration' encapsulated the demands of this organization, which was motivated by the late Isaac Boro's heroics³. The Ijaw people were able to call the world's attention to the region's environmental predicament through this document.

The social-economic nexus of the demand for self-determination, which manifests itself in part in the region's unemployment, cannot be overlooked. Farmers and fishermen have lost their livelihoods as a result of the degradation of farmland and contamination of available rivers. Due to the capital-intensive nature of the oil business, most individuals who have been displaced from their property find it difficult to find work. The Nigerian government, like any other rentier state, has little control over its oil business. The oil giants discourage the acquisition of oil expertise by nationals mostly because they want to maintain control of operations (Turner, 1980: 201; Ukiwo, 2011). This is due to their monopoly on oil production technology. This is due to the assumption that only the oil companies have the technical know-how to conduct oil exploration, while the indigenous population lacks the necessary capabilities. The failure of the federal government to adequately regulate the oil

industry could be linked to the issue of environmental deterioration. In Nigeria, oil corporations pay little or no attention to their corporate social responsibility. Successive governments have failed to ensure that the oil economy provides the desired social and economic advantages to all stakeholders. The Nigerian government would not want to compromise its connection with the oil corporations for obvious reasons. The former is interested in the continuous inflow of oil rents into the Federation Account and the oil companies are equally interested in the unending exploration of the oil, ostensibly, for profit maximization. The IYC also criticized the country's revenue allocation mechanism for relegating the idea of derivation. They also expressed dissatisfaction with numerous federal legislation, like as the Land Use Decree of 1978 and various Petroleum Decrees, which stripped oil-producing states of land ownership⁴. According to the IYC, these laws put them in a disadvantageous position inside the Nigerian federation. It's important to note that, unlike the Boro-led Niger Delta People's Volunteer Force (NDPVF), the IYC not only wanted the Ijaw ethnic group to stay in Nigeria, but also desired sovereignty over its resources. In other words, they wanted a federation that would give each ethnic group in the country power over the resources in their area.

Another organization that arose in the Niger Delta after 1999 is the Movement for the Emancipation of the Niger Delta (MEND). MEND's claims, like those of previous groups, were based on the country's adherence to the idea of federalism, which allows each component entity to have sovereignty over the resources within its jurisdiction. Essentially, the group is advocating for a fiscal system in which a significant portion of oil revenue is used to improve the lives of people in the impoverished region.

It is worth noting that these ethnic-based organizations have succeeded in bringing international attention to the region's sorry status. The UNDP, for example, described the region as 'suffering from administrative neglect, failing social infrastructure and services, high unemployment, social deprivation, abject poverty, filth and degradation, and endemic conflict' in one of its reports (UNDP, 2006: 9). The Niger Delta elite has long complained about the oil-rich region's political and economic marginalization. Not only that, but they frequently accuse their counterparts from the predominant ethnic groups that wield political power at the federal level of exploiting oil revenue to develop their own areas at the expense of the oil-producing region (Osaghae, 1995: 325). The point they are making here is that a people whose land produces the wealth that sustains the entire country should not be made to dwell in poverty. Majority ethnic elites are noted for their use of state power to appropriate state resources for themselves and their ethnic groups. By implication, therefore, those who lack access to power also lack access to resources, as the state is the main conduit of appropriation. The inhabitants of the Niger Delta are a minority in Nigeria's federation, and they, like other minorities in the country, believe they are denied political and economic opportunity. Internal colonialism was used by Ben Naanen, a political science professor and Ogoni activist, to define the relationship between the central Nigerian state and its oil-producing periphery⁵. According to him, Nigeria's dominant groups and

international oil companies divert resources from numerically weaker groups (minorities) to develop the dominating areas (majorities), resulting in an economically powerful core and a poor and weak periphery (1995: 49-50).

Nigeria's oil-producing minority have long complained that the country's fiscal federalism treats them unfairly. As a result, they have maintained a series of demands aimed at freeing themselves from majority hegemony and gaining a fair portion of the country's oil-generated wealth. They have contended, in particular, that the continuous weakening of the derivation principle is a form of internal persecution of the federation's minorities. More importantly, they believe that the majority ethnic groups are economically marginalizing them.

Northern Nigeria and the Struggle for Self-Determination

Political leaders in the North had consistently supported the status quo until 1999, when they lost control of the Federal Government to the South, decreasing their chances of controlling the nation's riches. The northern elite was more concerned that the advent of Olusegun Obasanjo would result in a substantial disturbance in their control of the country's oil resources, in terms of re-allocating oil blocs and other corporate interests. The indicators were becoming evident for them when the government abruptly transformed the military's control structure, with the majority of the newly appointed Service Chiefs of the Armed Forces hailing from the Middle Belt rather than the North. As a strategy to counter the post-military government, the northern elites began to complain of marginalization in appointments into federal positions and sought self-determination using religion as some states in the north introduced Sharia in 1999⁶. Sharia law was not unfamiliar to Northerners, particularly Muslims, but its implementation soon after the country's return to democratic rule sparked fears of religious dominance and prejudice in the states where it was enforced. As one might expect in a deeply divided society like Nigeria, the reintroduction of Sharia in the country's core northern states was widely condemned by non-Muslims, particularly those living in the affected states, who claimed that the Islamic law was an affront to their human rights and an attempt by these states to adopt Islam as the state religion, in violation of the constitution. They cited Section 10 of the 1999 Constitution, which provides that "the Government of the Federation or of a State shall not adopt any religion as its state religion". Some even said it was a politically driven attempt by Northern Muslims to oppress non-Muslims in the country, while others claimed it was an isolated incident. For example, Adamolekun stated that the decision went against the country's established tradition of only allowing customary or Sharia courts to deal with civil matters (2005: 385). Overall, Sharia detractors contended that its implementation would lead to religious strife in the country.

As a result, the move was a declaration of regional religious autonomy inside a democratic federal Nigeria. Sharia-practicing governments have not attempted to establish Sharia as a state religion; rather, they have sought self-determination, though not in the sense of

secession. It would be naive to believe that northern states would embrace independence, especially because the country's most valuable natural resource (oil) is located in the south. They would not want to compromise the national oil money, which is their only source of income. Nigeria's federating units rely largely on the country's oil money, which is collected centrally. This reliance is enough of a burden for any state, particularly those that do not produce oil.

Formation of States in Nigerian Federation

Nigeria was founded in 1954 as a federation with three significant constituent units: the Northern, Western, and Eastern Regions. The Northern Region was larger in both size and population than the other two combined⁷. Although it is possible to argue that the country's three-region federal system was influenced by its internal natural limits, Agbu claims that the design was an intentional attempt by the British colonial authority to give the Northern Region power over the central government (2004: 32). In any case, the Northern Region's sheer size was a source of stress in the immediate post-independence period. Because of the North's numerical dominance in the central government, the other two regions saw themselves as being at a competitive disadvantage in the struggle for national resources. The disagreements over the 1962/1963 national census, in which it was claimed that the Hausa-Fulani elite inflated the population of the Northern Region, reflected this worry.

Unquestionably, any arrangement in which one of the constituent units is larger than the others is doomed to fail. This issue was emphasized by Osaghae, who said concisely that the disproportionate size of Baganda in the previous Ugandan federation and Jamaica in the defunct West Indian federation contributed to their demise (2018: 25). We are not implying that there is a federation in the world with units of equal size and population, but establishing a federal union in which one unit is larger than the other two combined is a violation of federalism's ideal. Wheare has already emphasized this point, claiming that the powerful unit has a tendency to overpower the others and even 'bend the will of the federal government to themselves' (1963: 50).

When the Mid-Western Region was established out of the previous Western Region in 1963, the number of constituent entities inherited from the British colonial authority was raised to four. It might be claimed that the Region was formed in response to the agitation of the area's minorities as an emergent component unit made up of the area's minority ethnic groups. Leaders from the region, including the Oba of Benin, Akenzua II, and Dennis Osadebay, who eventually became the Region's first premier, were at the forefront of the call for its establishment. It's also worth noting that 89 percent of registered voters in the Mid-West voted in favour of the new Region when the plebiscite was held (Post and Vickers, 1973: 89). Some scholars have argued, however, that the creation of the Region was not a genuine attempt by the country's political leaders to assuage the fears of the country's minorities, but rather an apparent attempt by the ruling federal coalition of the Northern People's Congress (NPC) and the National Council of Nigerian Citizens (NCNC) to weaken

the political strength of its opposition in the Western region, the Action Group (AG) (Osaghae, 1998: 36; Suberu, 2001: 82-85). They contended that it was a gang up of the North and East against the West. They also use the Attorney General's adamant opposition to the plan to support their case. Given Nigerian politics' zero-sum nature, it is reasonable to suggest the national coalition administration took advantage of regional calls for a separate constituent body. Regardless of the politics behind its creation, adding the unit to the existing ones did not solve the federation's structural flaw because the Northern Region remained the federation's numerical strength. The Mid-West was the only constituent unit established through constitutional means; the others, as we'll see later, were established under military decree.

The Yakubu Gowon dictatorship further divided the country into 12 states at the start of the civil war in 1967⁸. The change was intended to eliminate the power of huge federating units, as no unit would be large enough or affluent enough to intimidate the center. It was also a strategic effort to keep Eastern minority from sympathizing with the separatist Eastern Region. The majority ethnic group's (Igbo) leaders hoped that the eastern minorities would back the breakaway. This, however, proved to be a grave error, as the oil minorities joined the Nigerian side, thinking that with the destruction of Biafra and the establishment of their own states, they would obtain control of the oil resources in their territory. Minorities' hopes were shattered, however, when the federal government repeated its claim to Nigeria's oil ownership shortly after the war ended. Nonetheless, the exercise offered the minority groups some prospects for autonomy. The effort, as Bienen indicated, was designed to gain support from minority groups that had long complained about the dominance of the major ethnic groups (Bienen, 2008: 11).

Furthermore, the Northern Region's influence was weakened by the emergence of new states. It also dismantled previously existing ethno-regional blocs. The states, on the other hand, lacked political and fiscal autonomy, contradicting the federal ideal that component entities of a federation should be autonomous within their area of influence.

The Murtala Mohammed dictatorship, which overthrew the Gowon's regime in 1975, weakened the federal perimeter even more by creating new states out of the existing twelve, bringing the total number of states in the federation to nineteen⁹. Furthermore, the Babangida military dictatorship (1985–1993) formed Kastina and Akwa Ibom states in 1987, and nine more in 1991, bringing the total number of states to thirty (15 in the north and 15 in the south)¹⁰. Given Babangida's apparent insincerity, particularly with regard to the transition process, it's possible that those states were created by his dictatorship in an attempt to increase his political support or minimize resistance to his regime. However, as Suberu pointed out, one advantage of the proposal is that the 30-state system has the potential to save Nigerians a repeat of the 1979 presidential election, which was contested by two-thirds of the then-19 states of the federation (1998: 284). Under the Abacha military government (1993–1998), the country's re-division continued, resulting in the country's

current 36-state configuration. Abacha may have formed more nations to appease ethnic groups demanding their own governments, as well as to legitimize his dictatorship.

One key benefit of the country's partition into smaller states is that no state, in its current configuration, has the political and financial resources to oppose the federal government's power to the point of seceding. Furthermore, subsequent state formations aided in the liberation of minorities from majoritarian dominance and provided them with limited access to the country's distributive system, both at the national level and in the states (Osaghae, 1991: 243). Ethnic minority groups have a sense of having their own autonomous political space as a result of the development of governments. State formations can occasionally aid in the reduction of 'incompatibilities' inside states, as Hicks put it (2018: 112). Tensions arise as a result of incompatibilities, which have an impact on state service delivery. The separation of Bayelsa state from the previous River state is an excellent example of this, as the former is dominated by the Ijaw ethnic community.

It may, however, be argued that by allowing some minorities to have their own state, Nigerian leaders have perpetuated the differences that characterized the federal society. Despite having states of their own, which it was hoped would deliver them from majority domination, the minority groups remained marginalized, as the three major ethnic groups still hold sway. This is a vindication of the view held by the Willinks Commission that the solution to the minorities' problems does not lie in state creation. Another disadvantage of state creation is that, contrary to the federal principle that enjoins constituent units of a federation to be financially viable, states so created by successive governments lacked financial viability and hence their absolute dependence on federal transfers. This, in turn, increases the burden of the federal government because the greater the number of less viable states, the more the cost of administering the country as a whole.

The Federal Character Principle: Pros and Cons

The principle of Federal Character aims to ensure that the composition of federal institutions reflects the federal character, that is, the country's diversity, and in a similar vein, the composition of institutions at the state and local government levels must reflect the diversity of that state and local government. In other words, the principle strives to foster citizens' "feeling of belonging" as well as national unity. The notion was first included in the 1979 Constitution as a state policy, and was later reiterated in Section 14(3) of the 1999 Constitution. The fear of one ethnic group ruling the federal government was one of the key causes of the civil war, which the constitution authors were well aware of. If national unity is to be established, the fear of dominance or exclusion, which has become a characteristic of Nigerian politics, must be addressed in their minds. This is when the notion of federal character comes into play.

Since the fundamental purpose of the idea was to build a balanced federation, it presumes equality of states and promotes equal state representation in the federal government. In practice, every state in the union is given a share of federal power in some way. As a result,

the principle functions as a stimulant for national unification. 'No sustainable unity can be expected from a situation in which one half of the country... possesses a big, disproportionate part of the country's multiple bureaucracies and the social authority derivable from them,' says Mustapha (1986: 89). Adejumo's premise is a "consociational formula to encourage inclusion" as well as fair access to the country's resources (2004: 218). The principle, like many other policies in the multinational federation, has its detractors. One major critique is that it transfers the focus of rivalry away from ethnic groups and toward states, as if nations are ethnic groupings themselves. According to Osaghae, the approach favored ethnic majorities by using states rather than ethnic groupings as the units to be represented because ethnic majority have more states than ethnic minorities (1998: 1-24). The heart of this argument is that the policy favors some ethnic groups over others, which is incompatible with the policy's stated goal of national unity. Ayoade echoed this sentiment, claiming that the principle's adoption has resulted in the fossilization of ethnic differences (1998: 115). Another criticism of the principle is that it contradicts meritocracy. For example, Oyovbaire attacked the idea for fostering mediocrity in positions of power by promoting bureaucratic and technocratic mediocrity (1983: 19). Similarly, Chief Richard Akinjide, a former Attorney General and Minister of Justice of the Federation and one of the principle's founders, stated that the policy allows untrained persons to hold positions of authority¹¹. According to him, the policy was established in good faith in the Constitution, but it has been exploited.

The 'Restructuring' and 'True Federalism' Clamour in Nigeria

Despite the fact that discussions over what defines true federalism have taken on a geopolitical tone, they remain pertinent to the country's federalism. So, let's start with the south-west, which is dominated by the Yoruba ethnic group. Following the annulment of the 1993 presidential elections, believed to have been won by a Yoruba man, the late M. K. O. Abiola, agitation for true federalism began in the south-west. *Afenifere* and the O'dua People's Congress (OPC), two significant Yoruba organizations based in the south-west, were at the forefront of this conflict¹². The Yoruba elite claimed that the elections were canceled because their Hausa-Fulani (northern) counterparts refused to give the south political control. It was a source of frustration for the Yoruba elite, who were denied federal political power that they deserved. They began calling for a sovereign national convention to tackle the question of political power allocation among the country's many ethnic groups with this thinking. Later, this proposal evolved into a request for a "power transfer" to the south. The Hausa-stronghold Fulani's on political and economic dominance came to an end as a result of the power shift. The OPC took it a step further, calling for the formation of the Oduduwa Republic, a campaign to break away from the federal union. The OPC's secessionist rhetoric was less appealing, especially among the Yoruba elite, and by the late 1990s, it had completely faded, signaling a shift in emphasis. In response to the call for a

power transfer, the northern elite worked with their counterparts in the south-west to allow a Yoruba candidate to run in the 1999 presidential elections.

With a Yoruba man, Olusegun Obasanjo, emerging as the president in 1999, the clamour for power shift became moribund and was replaced with that of 'true federalism'. This is not suggesting that the south-west elite had jettisoned their ill-feeling for their northern counterparts who, in their perception, control the federal centre. By true federalism, the Yoruba elite mean a federal system with a weak centre. That is, a system in which the constituent units are independent of the centre; a federal system that allows for autonomy of the states, especially in the fiscal sphere whereby a substantial part of the proceeds accruable from every state is returned to that state and an agreed percentage contributed to the centre by the states for the responsibility of the federal government; a system in which each state is allowed to manage its affairs as it deems fit; a system that allows the states to have their separate constitution; a system that allows each state to have an independent police if desired; and the right to self-determination, as well as the right to secede¹³.

It is important to point out at this juncture that the idea of having strong federating units with a weak centre together with absolute resource control is not entirely in consonance with federalism. What the elite are rather advocating, without their knowledge is confederacy. A confederation, by definition, is a governmental system where substantial powers remain with the confederal states, and the general government is dependent upon the regional governments, whereas, in a federation, the central government incorporates regional units into its decision-making procedure on some constitutionally entrenched basis (King, 2018: 77). Given this clarification, therefore, it may be argued that the elite's idea of federalism shows some misconception of federalism.

Nigeria's federal system, particularly in the allocation of national resources, is unbalanced for the Igbo ethnic community in the south-east. They have consistently criticized the Hausa-Fulani monopoly on the federal center. The point they are making is that the Igbo are being left out of the federal power equation, especially since the war in 1970. Since the end of the civil war, the Igbo have criticized what they call non-integration into the mainstream of Nigerian politics, citing under-representation in post-war federal administrations and the armed forces as examples. Furthermore, the Igbo have complained of discrimination in the provision of federal services. Some ethnic-based secessionist groups, such as the Movement for the Actualization of the Sovereign State of Biafra (MASSOB) and the Indigenous People of Biafra (IPOB), believe that the Igbo people are no longer interested in being a part of the union and should be allowed to secede and form the Sovereign State of Biafra¹⁴. It's worth noting that the drive for Biafra's revival is unpopular among the Igbo elite, whose political and business interests span the country. This supports the theory that the Igbo are using secession as a bargaining chip in exchange for political concessions from the multinational federation. True federalism, however, is defined by the Igbo elite as a federal practice that accommodates all ethnic groups in the country.

The demand for restructuring in the Niger Delta is also motivated by a sense of deprivation and marginalization. The elite's demands are based on the claim that the region's oil wealth has been a scourge rather than a blessing. The story goes that Nigeria's centralized federal government is to blame for their marginalization, hence they demanded a fair distribution of oil income generated centrally. The ownership and control of Nigeria's oil resources appears to be crucial to the agitation in this region for a restructured federal Nigeria. True federalism, according to the Niger Delta elite, is a federal system that permits each state in the federation to manage the revenue-generating resources contained inside their borders. Simply put, the discontent revolves around the country's highly centralized federal system being restructured. These requirements are very comparable to those of their counterparts in the southwest and south-east.

It is vital to note that the political needs of the region have not been completely ignored over time. Since the country's independence in 1960, successive central administrations have put in place policies aimed at addressing the underdevelopment that has been a feature of the region. The Niger Delta Development Board (NDDDB) was established in 1960, the Niger Delta Basin Development Authority (NDBDA) was established in 1976, the Oil Minerals Producing Areas Development Commission (OMPADEC) was established in 1992, the Niger Delta Development Commission (NDDC) was established in 2000, and the Ministry of Niger Delta Affairs was established in 2008 (Omotola, 2007: 73-89; Babalola, 2008: 120-123). However, these measures proved incapable of dousing the tension created by the disenchantment with what has been perceived as an inequitable federal system. Interestingly, when Goodluck Jonathan, an Ijaw from the Niger Delta, was elected President in 2010, violent agitation for resource control decreased. However, when Muhammadu Buhari, a northern Fulani, was elected President in 2015, the region experienced another wave of petro-violence, this time led by the Niger Delta Avengers (NDA).

As previously stated, the annulment of the 1993 presidential election paved the way for a request for a meeting of the country's ethnic groups to find answers to the federal system's difficulties. Sani Abacha, the late military leader of state, replied to this appeal by convening the National Constitutional Conference in 1994, but the exercise was a sham because the proposals were never enacted. Former President Olusegun Obasanjo, in what appeared to be a response to the never-ending push for a conference, organized the National Political Reform Conference in 2005, but it, like the one before it, proved to be a waste of time. President Goodluck Jonathan convened a new conference in 2014, dubbed the National Conference. This was also seen to be in response to repeated calls for a meeting to tackle such thorny problems as Nigeria's federalism practice. The Conference was tasked with looking on issues that threatened national unity and progress¹⁵. The Conference offered some far-reaching proposals on income allocation, resource control, state establishment, state police, state constitutions, the local government system, and many other national concerns at the conclusion of the participants' deliberations. Despite the fact that the

meeting was a waste of time because the recommendations were not followed, the recommendations are worth considering.

In terms of vertical revenue allocation, the Conference recommended the following formula: 42.5 percent for the federal government, 35 percent for state governments, and 22.5 percent for local governments, as opposed to the current practice of 52.68 percent for the federal government, 26.72 percent for state governments, and 20.60 percent for local governments¹⁶. The federal government's part of the Federation Account has been reduced, while the states' share has increased. A fiscal system like this will undoubtedly weaken the federal government's financial position, but it does not necessarily imply that the states will be powerful enough to overpower the central government. It also has a proclivity towards improving service delivery at the subnational level.

In terms of the principles guiding horizontal revenue allocation, the Conference decided that the percentages given to population and equality of states in the existing sharing formula should be reduced, while the percentage assigned to the social development factor should be increased, in order to ensure that all parts of the country develop more quickly.

On the sensitive issue of resource control, it should be remembered that the 2005 Conference suggested a 17 percent derivation rate, up from the current 13 percent. Despite the fact that the 2014 Conference recognized the necessity to evaluate the derivation formula, it did not do so. Instead, it suggested that the federal government form a technical committee to identify the right derivation percentages (Akin, 2020: 155). The delegates' inability to reach a consensus on an issue that is plainly at the heart of the country's fiscal federalism explains the controversy that always surrounds the topic. However, it may be argued that a 13 percent budget is woefully inadequate to solve the Niger Delta's obvious underdevelopment. As a result, an upward review is an excellent option. An absolute derivation, on the other hand, is uncommon in federal governments, possibly because it puts the federal government and non-oil-producing states at the mercy of oil-producing states. For example, in Russia, oil-producing areas receive a 5% share of oil money, whereas in India, the federal government controls oil earnings but distributes a portion to the states, and in Malaysia, the central government divides both on-shore and off-shore resources with the states (Anderson, 2010: 46). This means that oil, as a natural gift—a resource that no one has really created in the economic sense—belongs to the federal government in these countries.

At the Conference, the topic of state formation came up again. This has remained a major political problem in the country, with nearly every ethnic group desiring their own independent state. The 1994 Conference advocated the construction of 20 more states, but the 2005 Conference recommended none since the 36-state structure was too costly to sustain. After reviewing the previous conferences' reports, the 2014 Conference advocated the construction of 18 new states (three for each geopolitical zone) and an additional state for the south-east to bring the zone up to par with the other zones, with the exception of the north-west, which has seven. According to the Report, the creation of a new state for

the south-east zone was done in the spirit of equity (Akin, 2020: 158). In addition, the Conference proposed that states that wish to combine be allowed to do so if they so choose, and that states be considered as federating units with the right to self-determination and the ability to write their own constitutions (Akin, 2020: 175).

Nigeria will become a 54-state federation if the proposal is adopted. When compared to India, a 25-state federation with a population of around 1.3 billion people, and the United States, which has 50 states and a population of 325 million people, 54 states for Nigeria, with a population of roughly 185 million people, may not be justified. Furthermore, despite the country's oil wealth, the existing 36-state structure is costly to run because the states, with the exception of Lagos, are funded from national revenue. As a result, adding more states will place more strain on national finances. It is also worth noting that the formation of new elites, whose primary goal is the plunder of the state's limited resources, will occur as a result of the creation of new states. Creating more states will almost certainly result in a new set of demands. However, it should be recognized that the creation of a new state in the south-east would achieve geopolitical balance, which would reduce tensions linked with the Igbo ethnic group's perception of marginalization.

The Conference also proposed that every state that desired it establish state police (Akin, 2020: 178). As previously stated, some governors are finding it increasingly difficult to maintain peace and order in their states, partly due to a lack of the essential apparatus. These governors appear to be part of a group of Nigerians who support state police. Governors, as chief security officials of their states, would be able to respond to security concerns more effectively if state police were in place. Another group opposes the idea, claiming that state police are not financially viable to keep. There is also a real worry that, based on current governors' actions, including their treatment of the opposition and full dominance of the political sphere, the country will most likely create a collection of autocratic state governors with state police.

Those who say that Nigeria is not ready for state police because of the country's harsh politics may have a point. However, it may be argued that the advantages exceed the disadvantages. It should be remembered that federalism emphasizes the territoriality of the federating units as well as the division of power between the federal government and the constituent governments. As a result, each unit should have its own governing institutions to ensure efficient service delivery at the component level, and the police service is one of them. For example, each state in Australia, Canada, and India has its own police force, which is responsible for maintaining law and order at the state and local levels. These countries have a two-tier policing system, with national (federal) and state (local) police forces. As a result, Nigeria may implement a two-tier policing system. Nigerian policing could be shifted from the exclusive to the concurrent list, and states with the financial means could create their own police force. This would exemplify the federal principle of true shared rule, not just self-government. Those without appropriate resources, on the other hand, may turn to the federal police. In Canada, for example,

Ontario and Quebec have their own police forces, while provinces without their own are served by the Royal Canadian Mounted Police (RCMP).

Allowing each state of the federation to have its own constitution to the degree that it does not contradict the federal constitution is consistent with what has been achieved in other federations. It's worth noting that federalism emphasizes the concept of dual sovereignty. Both the central and constituent administrations are credited with sovereignty. As a result, under an ideal federal setup, each state retains some control over its own style of government. In the United States, for example, each state has its own constitution, which outlines the state government's structure, powers, and operations. State constitutions are typically written in accordance with the will of the people of that state, and they frequently address concerns that are specific to that state. Because a state has a direct relationship with its residents and derives authority from them, citizens should have the right to choose the type of government they want in their state. Allowing each state to write its own constitution will undoubtedly encourage self-government, which is a source of strength for the state. Another fundamental element of federalism is the separation of powers.

The problem of local government was also discussed at the meeting, as previously stated. The three tiers of government, consisting of federal, state, and municipal administrations, were recommended to be kept at both the 1994 and 2005 conferences. The 2014 Conference, however, proposed that the current structure of 774 local governments be scrapped due to suspected abuse of the local government system by state governors. Instead, it was suggested that states that wished to construct local governments do so, and that these local governments be overseen by the state government (Akin, 2020: 211). The local government will no longer be the third tier of government, and the country will become a two-tier federation as a result of this recommendation. The fact that the same Conference that criticized state governors' exploitation of the system now recommends that states construct local governments if they are deemed essential is an obvious contradiction in this statement. Despite this inconsistency, local government management should be left to the discretion of the state, and the three-tier system should be preserved. However, some safeguards should be put in place to rein in the governors' excesses.

While receiving the Report, the President expressed his joy at the Conference's successful conclusion and pledged to put the recommendations into action (Akin, 2020: 222). The recommendations were not followed through on despite the promises. It is possible that the failure to implement the recommendations was due to a lack of political will. The President was unwilling to endanger his political connection with northern political figures, who were critical of the conference and its outcome in the eyes of their southern counterparts. Another explanation could be that if re-elected in 2015, he wanted to work on the recommendations. Unfortunately, he failed to secure a second term. There is a segment of Nigerians that embrace the Conference's outcome, claiming that the proposals are a solution for the country's problems, particularly those relating to federalism's operation. This group has been pressuring President Muhammadu Buhari's administration to

implement the proposals, which they regard as a way to achieve a reformed federation. Another group finds the advice to be unappealing. President Buhari and the ruling party (the All-Progressives Congress, or APC) were never committed to the Conference in the first place. In fact, when in opposition, the APC distanced itself from the Conference, believing it was a ruse to drum up support for President Jonathan's 2015 re-election quest. Furthermore, the Conference's composition was viewed as less democratic, as some participants were hand-picked by the President and state governors.

Concluding Remarks

This paper demonstrates that the inadequacy that characterizes Nigeria's distributive politics is at the root of the tensions that continue to jeopardize the multinational federation's viability. Real or perceived marginalization in resource allocation has resulted in the fear element that has come to characterize politics. More often than not, movements for secession and self-determination have been led by ethno-regional groups and federating units with a sense of injustice. These two clichés are used to show dissatisfaction with the country's central government as well as other ethnic groups. The claim of marginalization is not restricted to minority groups, as proven in the paper. The agitation for equitable distribution is especially severe among the oil-producing minorities, who believe they have made a significant contribution to the country's economic survival. It is reasonable to claim that the oil-producing states' demand for self-determination is not only a response to the region's environmental devastation, but also a protest against the scenario of "want in the midst of plenty." The call for secession and self-determination is a manifestation of discontent among the federal union's disgruntled members, who want a more equitable sharing of Nigeria's oil revenue, or, to put it another way, a reform of Nigeria's fiscal federalism. Clearly, unhealthy rivalry for national resources, particularly oil-generated cash, is a driving force behind the ongoing call for secession and self-determination. The over-centralization of resources, which is the country's distinguishing attribute, is undoubtedly the basis of this brutal rivalry.

The agitations for true federalism, as presented in this paper, appear to indicate that prior federal instruments aimed at maintaining an efficient federal system are insufficient to correct the system's defects. As previously stated, the federal character principle was created to address issues of marginalization, but it is evident that its application has raised more challenges than answers. Some have applauded it for encouraging equity, while others have labeled it as institutionalized favoritism. The principle, regardless of how it is seen, is an antidote against nepotism. It is a step towards national unification and unity. Similarly, one would anticipate the country's division into smaller parts to result in greater autonomy for the units, yet this is not the case. The growth of states has resulted in weak and less viable states, as well as a dominant center, emphasizing the federal system's political and economic centralization. The centre becomes the exclusive distributor of national resources after the states lose their fiscal sovereignty. Under military

administration, federating units' autonomy was severely curtailed since they were forced to obey directives from the center. In addition, the federal government assumed responsibility for certain programs previously funded by the states. States in Nigeria are currently so emasculated that no single state, with the possible exception of Lagos, can survive without federal assistance.

The above investigations show that each ethno-regional group has its own vision of restructuring and true federalism. In Nigeria, restructuring can thus be defined as the political mechanism that allows for the establishment of a desirable federal structure. The Yoruba elite, for example, has campaigned for a return to the previous regional system, or 'regionalism,' in which the regions were more independent and powerful against the centre. They propose that one method to achieve this is to form a federation with a central government and regional administrations representing ethnic groups, which may be modeled on the current six geopolitical zones (Akin, 2020: 286). Their idea is that such a system would lessen the undue draw to the centre, and that any unit lacking natural resources would be more inventive in their search for new internal revenue sources. The Niger Delta elite is calling for a reorganization that will result in a new revenue sharing formula based on complete derivation, rather than the present thirteen percent set out in the 1999 Constitution. The Igbo elite is pushing for a reorganization that ensures that all geopolitical zones have the same number of states. Every zone now contains six states, with the exception of the north-west, which has seven, and the south-east, which has five.

Notes

1. In Nigeria, 'Republic' connotes the period of civilian administration. The Fourth Republic is, therefore, the period of civilian rule that began with the termination of military rule in 1999. The First Republic was the period of the first civilian administration which began from independence in 1960 and came to an end in 1966 when the military sacked the civilian government and installed the first military rule which terminated in 1979. The Second Republic was between 1979 and 1983. The Third Republic was aborted through the annulment of the 1993 presidential election.
2. During the Sani Abacha military era (1993–1998), Nigeria was divided into six geopolitical zones, namely, North Central (Benue, Kogi, Kwara, Nasarawa, Niger and Plateau states), North-East (Adamawa, Bauchi, Borno, Gombe, Taraba and Yobe states), North-West (Jigawa, Kaduna, Kano, Katsina, Kebbi, Sokoto and Zamfara states), South-West (Ekiti, Lagos, Ogun, Ondo, Osun and Oyo states), South-East (Abia, Anambra, Ebonyi, Enugu, and Imo states) and South-South (Akwa Ibom, Bayelsa, Cross River, Delta, Edo and Rivers).
3. Kaiama is the hometown of the late Isaac Boro and the IYC meeting that culminated in the release of the 'Kaiama Declaration' took place in Kaiama.
4. The Land Use Decree of 1978 was aimed at ensuring that the Federal Government has ownership and effective control over land and natural resources across the country.

5. This concept was originally formulated by Michael Hechter in his *Internal Colonialism: The Celtic Fringe in British National Development, 1536–1966* first published in 1975. The work centres on the salience of ethnic identity in which Hechter examines the relationship between England, which he describes as the core and the Celtic fringe, also described as its periphery, in the context of core-periphery relations in the industrial setting. In his conclusion, Hechter predicts that the rise of ethnic solidarity among groups which are disadvantaged by being relegated to inferior positions in a cultural division of labour is inevitable.
6. In October 1999, the Northern State of Zamfara extended Sharia to cover both civil and criminal matters, and eleven other Northern States followed suit. These other states included Bauchi, Borno, Gombe, Jigawa, Kaduna, Kano, Katsina, Kebbi, Niger, Sokoto, and Yobe.
7. According to the 1952/1953 census, the North's population was 16.8 million, East, 7.2 million, West, 6.1 million, and the capital city, Lagos, 267,000. Similarly, the 1963 census figures also painted a similar picture as follows: North—29,758,875; East—12,394,462; West—10,265,846, Mid-West—2,535,839; and Lagos- 665,246.
8. The states created included North-Western, North-Eastern, Kano, North-Central, Benue-Plateau, Kwara, Western, Lagos, Mid-Western, Rivers, East-Central and East-Central states.
9. The states were: Anambra; Bauchi; Bendel; Benue; Borno; Cross River; Gongola; Imo; Kaduna; Kano; Kwara; Lagos; Niger; Ogun; Ondo; Oyo; Plateau; Rivers; and Sokoto.
10. The states were: Abia; Adamawa; Akwa Ibom; Anambra; Bauchi; Benue; Borno; Cross River; Delta; Edo; Enugu; Imo; Jigawa; Kaduna; Kano; Katsina; Kebbi; Kogi; Kwara; Lagos; Niger; Ogun; Ondo; Osun; Oyo; Plateau; Rivers; Sokoto; Taraba; and Yobe.
11. Chief Richard Akinjide was a member of the Constitution Drafting Committee (CDC) that drafted the 1979 Constitution. He made this claim in a newspaper interview (*Sunday Tribune*, 18 July 2010).
12. Oduduwa, sometimes called O'odua, is the ancestor of the Yoruba people. *Afenifere* is a pan Yoruba socio-political organisation formed by the late Obafemi Awolowo in 1951 to protect the interests of the Yoruba ethnic group within the Nigerian state. Likewise, the OPC, which was formed in 1994 as a self-determination movement following the annulment of the 1993 election, has as its objective the safeguarding of Yoruba ethno-nationalist interests vis-à-vis the Nigerian state).
13. The Yoruba idea of federalism is well articulated in the position paper of Yoruba coalition groups titled, *Regional Autonomy or Nothing*, published in May 2014, and presented at the 2014 national conference organized by the Jonathan-led federal government. Page 5 of the 90-page document summarizes their demands.
14. MASSOB was, at inception, a secessionist movement, which aimed to resurrect the defunct state of Biafra but the movement prides itself as a 'non-violent movement with the main goal of achieving self-determination'. For more on the creation, aim

and activities of MASSOB, see www.massob.org. IPOB was particularly created as a secessionist movement and it remained so until its proscription in 2017.

15. *Report of the Constitutional Conference* (2014), published by Premium Times (Online), p. 44. This is hereinafter referred to as Conference Report (2014).
16. *Daily Trust*. Jonathan Receives Resolutions, Says...Confab Report to Go to N/Assembly, Council of State (August 22, 2014), p. 153. <https://www.dailytrust.com.ng/daily/top-stories/32470-jonathan-receives-resolutions-says-confabreport-to-go-to-n-assembly-council-of-state>.

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