

## **Federalism And Good Governance In Nigeria**

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### **Abstract**

This paper is set to demonstrate that the full practice of a federal system in Nigeria is the propelling force that can give room for good governance. It aims at conceptualizing the term “federalism” and also the explanation of the concept, “good governance” in Nigerian context. It further x-rays the brand of federalism that is presently being practiced in Nigeria and how the electorate and the Nigerian citizens at large react to it. This paper subsequently provides a critique of the theory of separation of power among the executive, the legislative and the judiciary, observing the malpractices involved in this separation of power. It finally presents the ideal federal system that should be practiced in Nigeria, and good governance will be accessed. To this end, therefore, it suggests that the vestiges of bad governance which are prevalent in Nigerian government can only be removed via the enthronement of a true federal system, which takes care of all the tiers and branches of government, a government that does not allow military incursion, ethnicity, corruption, nepotism and religious intolerance in the polity of the nation.

### **Introduction**

Nigeria as a country was put in place because there was the Sir Frederick Lord Lugard’s Amalgamation of the northern and the southern protectorates. This brought together many independent heterogeneous nations with different ethnic bias and culture, to bear the name Nigeria, which has its etymological derivation from the largest river in the country called river Niger, hence (Niger-Area). The amalgamation of people of different religious origin, cultural background, ethnic identity etc, has brought about the cold feet in the pace of development in the country. The forerunners of this country who were more or less ethnic nationalists, did not all come to terms with what should become of this our nation, the largest black nation, hence, they relinquished their loyalty to their own cultural and ethnic nationalities, like the Igbo, Hausa and Yoruba, The political parties were divided along the ethnic regions. Virtually everybody at one point in time had cried out against marginalisation and bad governance against his or her own tribe of origin. Nigeria was therefore seen as the mother of many children but without a particular child to care for her at old age.

The origin of the federation called Nigeria will be traced back to the pre-colonial policies of Europe; Europe came to Africa for some reasons, which are mainly political, religious, economic, humanitarian and socio-cultural. While the different European countries decided to divide Africa among themselves, Nigeria fell under the British

sovereignty. Other countries like France, Spain Portugal, Italy, Belgium and Germany occupied some other territories in Africa.

At the beginning, Britain categorised their different territories in Africa into colonies, protectorates or dominions, for easy administration. "These categories also helped to determine the type of administration to be used in ruling the people. These included federal systems."<sup>1</sup>

In the year 1849, the British government established a consulate in Fernando PO otherwise called Equatorial Guinea for easy administration of the entire west African region, but as if that was not enough for them, they in 1851 established another one in Lagos for easy monitoring of slave trade, this led to their declaration of Lagos as a crown colony in 1861. Some years later, in 1900, the entire territory was divided into, the colony of Lagos, the southern protectorate and the northern protectorates. It was in 1914 that the popular vocabulary called amalgamation was made a household one in the country by the instrumentality of Lord Frederick Lugard, and the road to federalism started, which was achieved in the year 1954 with the north, the east and the west as the participating regions to the new found federation.

### **What is Federalism?**

The concept of federalism has been defined by many scholars in different ways; Wheare defines federalism as "a system in which two levels of government-federal and regional (state) exist side by side, with each possessing certain assigned powers and functions."<sup>2</sup> Karl Fredrick sees federalism as "a situation where by the federal and regional (state) government are united to their spheres and within those spheres should be independent of the Other"<sup>3</sup> Sower defines it as, "a situation where by geographical distribution of power to govern is shared or has been achieved in a way of giving several governmental units of the system, some degree of security-some guarantee of continued existence as organisation and shareholders of power"<sup>4</sup>.

Ugwu while making a comment on the many definitions of the term, said that,

Federalism can be generally seen as a principle in which there are two or more levels or units of government with federal authority representing the whole and acting on behalf of the whole on certain matters assigned to it by the constitution. Such matters are mainly of common interest exercise legislative and administrative powers and responsibilities on the subjects prescribed for it by the same constitution<sup>5</sup>

In all these definitions of the concept, federalism, there are certain basic issues that must be present in a system for it to be called federal, prominent among which are "that power and authority are shared; power is decentralised in a federal system, there must be a central government called federal, and other regional governments also known as states. Most of the time they both exist side by side. Although, "...the powers are not necessarily mutually exclusive in relation to the spheres or functional areas of government business."<sup>7</sup> in a true federal system, both the federal and the regional (state) governments derive their existence and power from the constitution which must be written and rigid. It has the duty of telling the functions and jurisdiction and power of all the levels of government with the aim of checkmating conflict and overlap among those levels of government. One can therefore say without mincing word, that the role of a written constitution in a federal system is indispensable.

Apart from the supremacy of the constitution in a federal system, there must be other features in place, such as separation or division of powers among the levels of government. Existence of judicial institutions to interpret the constitution, it has to be an independent body, for there to be sound interpretation and fair settling of disputes and conflict resolution of jurisdiction among governments. Division of legislative powers between levels of government and adequate relevance derived from independent sources at each level of government are also to be in place. It is worthy of note that “the indices of true federalism enumerated above are absent in many so-called federal systems of the world today. Nigeria is not counted out”.<sup>8</sup>

### **Understanding Nigerian brand of federalism**

In Nigeria, we are said to be practicing a federal system of government, but the brand of federalism as practiced here is a far cry from what true federalism is. The relationship between the federal government in Nigeria and the state governments is not representing any true federal system of government. In a true federal system, development is evenly distributed and not concentrated at the centre, people are united together, irrespective of their religious and ethnic inclinations, the federating units or regions are allowed free access to decision making and inputs in the polity of the nation. In a true federal system like that of the United States of America, Switzerland, Australia and Canada there is nothing like military take over of government, corruption is highly minimised all the quarters or regions have their interest highly represented in resource generation and control.

Nigeria though received her federation from the colonial overlords before our independence that came to us in the year 1960. It was properly handled by our frontline nationalists the like of Dr. Nnamdi Azikiwe, Chief Obafemi Awolowo, Alhaji Tafawa Belewa and others; they quite accepted a federalism that was regionalistic in nature. The three regions were the Northern region comprising the Hausa, Fulani, Kanuri and others; the Western region comprising the Yoruba, Edo, and other tribes; and finally, the Eastern region which was made up of the Igbo, Calabari, Efik, Izon, and other tribes. Each region was governed independently without any undue interference from the central government at the top. This propelled our economic development as each region mobilised its human and material resources in revenue generation and control, their frontline politicians and technocrats identified their particular national endowment and harnessed it, ploughed back the proceed towards the development of the region. The Eastern region was producing palm oil (in large quantity, the Western region cocoa, the Northern region pyramids of cereals and groundnuts, and this enabled the people under the founding fathers to experience massive infrastructural facelift. The roads were good, the distribution of social amenities were without prejudice. There was a sense of duty and belonging to every citizen, especially as unemployment was not visible then. At that time our currency was with much value than what is the case today; internationally, the citizens of Nigeria had some respect and dignity, unlike today that every body is a suspect.

One can say without fear or favour that what we practice today is a mockery of true federalism, and so the much expected good governance is still very remote and inaccessible. How can we have good governance in a system where the politics of the nation is not determinable, where democracy is very nascent and we are proud of that, a democracy that has lasted for over forty years, we make bold to say that ours is a nascent democracy; what is the possibility of good governance in a nation where selection takes the place of election,

where we profess democracy, government of the people, but practice oligarchy, government of a few leaving a greater majority of the people to struggle below the poverty line.

In a true federalism, the electoral process must be free and fair, no god-fatherism, political appointments must be purely on merit civil service, purely on merit. There must be judicial autonomy, freedom for the press, a clearly spelt out separation of power among the executive, legislature and the judiciary, the different tiers of government must have their fair share in revenue generation and resource control.

Our own federalism is no doubt far from the ideal which is being practiced elsewhere in the world, the citizens themselves have no interest in grass root development and entrepreneurship and yet there is an immeasurable quest for materialism. People in the civil service do not want to retire at the age when due, rather, they keep changing their age and declaring a new one, ethnicity and tribalism is a factor towards the decline of true federalism which alone can give room to a sustainable development through good governance.

The different ethnic groups in the country are always in the business of elevating their ethnic groups over and above the national interest. The public servants are not interested in their own local areas, for instance the local government chairman, leave their lodges in the local government area and rent houses in state capital cities.

In a true federal system, the need for total education of the citizens cannot be over emphasised, creation of jobs should substitute job seeking.

### **Reasons for the Absence of True Federalism in Nigeria**

The idea of a true federalism in a nation like Nigeria presupposes good governance. It leaves no one in doubt that what we are concerned with is no less a thing than the ideal system of government that would be beneficial to all and sundry, a reminiscent of democracy. In a true federal system, it is obvious that state policies are not theory but practice, not subjective but objective, not just ideological but pragmatic. The primary aim of governance is that of stewardship and faithfulness, it is said that in a democratic system, that power resides with the electorate, but that is very germane in our own Nigerian experience of governance; suffice it to say categorically here that as long as the system in Nigeria is proliferated with men and women who do not represent the interest of the masses and all the regions in governance, the much coveted good governance will continue to be remote and inaccessible. In a system where military incursion in governance forms a formidable interlude which punctuates the different republics, true federalism is not near, where the constitution is neglected by almost all that should uphold it democracy dividend are not concrete, but only seen on television. Campaign promises are not fulfilled.

We shall here attempt to identify some reasons for the claim that true federalism is an imperative for good governance in Nigeria, a state that has adopted the federal system of government.

Prior to the colonial era and the subsequent amalgamation of Lord F. Lugard, the different nation states were independently doing their business and they were not complaining of any marginalisation nor oppression. "...the respective ethnic groups are divided along lines of religion, history, customs, languages, beliefs, etc. the ethnicity still underlies the long term issue of politics and subsequently party politics has become increasingly polarised along ethnic/tribal lines as the general elections have shown".<sup>9</sup> The leaders who took over governance from the colonial masters had little political knowledge,

they defended and represented their ethnic groups and tribes more or less. There by encouraging ethnic accentuations, hence the first coupe in the country, all these, including the Nigerian Biafrian civil war, had their origin in ethnicity and tribalism. There is no gain saying, that we do not experience true federalism in the country today, owing to ethnic affinities of both the past and present leaders.

Our past leaders did not all go out for a Nigerian nation that we can truly call our own. While some were for an indissoluble Nigeria, others were for their ethnic groups. After the formation of Nigeria on first January 1914 by Lord Luggard, using the name suggested by his would be wife, Miss Flora Shaw, some of our nationalists did not believe that there is anything like Nigeria anywhere, Chief Obafemi Awolowo for instance, placed national interest secondary to ethnic group interest, He saw Nigeria as a mere geographical expression distinct and antonymous ethnic groups that are not related to one another. In his own words;

Nigeria is not a nation. It is a mere geographical expression. There are no "Nigerians" in the same sense as there are "English", "Welsh" or French". The word "Nigeria" is merely a distinctive appellation to distinguish those who live within the boundaries of Nigeria from those who do not.<sup>10</sup>

He stood for the recognition of the different ethnic groups as independent nations, just as the English, Russians and all, arguing that having a common overlord does not break their barriers and idiosyncrasies, according to him,

it is a mistake to designate them (ethnic groups) "tribes". Each of them is a nation by itself with many ethnic groups and classes. There is as much difference between them as there is between Germans, English, Russians and Turks, for instance. The fact that they have a common overlord does not destroy this fundamental difference<sup>11</sup>.

Malam Abubakar Imam a one time secretary general of the (NPC) the Northern, people's congress declared that the northerners do not trust the southerners, in the same country, he said, "to tell you the plain truth, the common people of the north put more confidence in the white man than in either black southern brothers or the educated northerner"<sup>12</sup> Malam Abubakar Tafawa Balewa also said that:

Many (Nigerians) deceive themselves by thinking that Nigeria is one... particularly some of the press people... this is wrong. I am sorry to say that this presence of unity is artificial... the southern tribes who are now pouring into the north in ever increasing numbers, and are more or less domiciled here do not mix with the northern people... and we in the north look upon them as invaders.<sup>13</sup>

Religion is another factor towards the poor implementation of true federalism in Nigeria. The two major religions in the country, which are originally foreign are creating more troubles for the soul of the country they are in an unending conflict, a battle of supremacy,

Islam from the north seeks to dominate the country till the Atlantic while Christianity from the south also seeks to Christianise every body till the Sahara desert and even beyond. The attempt to dominate each other had often lead to conflicts and wars, more often than not silent warfare. The adherents to these religions do not believe that there is anything good in the other while emphasising the fact that religious differences form a great obstacle to national unity, “the sultan added that those southerners who desire a united Nigeria should embrace the religion of the prophet.”<sup>14</sup> the possibility of a true federal system in a nation that does not believe in oneness of the citizenry is not there, this submission of the constitution drafting committee in 1976. Which was set up by the then military head of state, General Obasanjo is that;

The distinctive desire of the people of Nigeria to promote national unity, foster Nigeria a sense of belonging to the nation (not withstanding the diversities of ethnics origin culture, language or religion, which may exist and which is their desire to nourish and harness to the enrichment of the federal Republic of Nigeria.<sup>15</sup>

### **Good governance.**

By way of definition, good governance is the type of governance in which there is effective leadership, where the leaders are pro the masses, what is meant for the people gets to the people, it is divested of oppression and high handedness, colonialism or neo-colonialism, it is purely democratic and people oriented, not dictatorial. The business of the leaders’ is to carry all the people along, and deliver the Democracy dividends to the people, no sentiments in governance. The benefits, of good governance include development, national interaction and unity, economic social and mental empowerment of the masses is basic. For there to be good governance, the constitution must be respected by all both the leaders and the lead. The realization of this is one of the greatest problems facing Nigeria as leaders do not want to vacate office for another person to occupy where the military takes over the government at will and the citizens are loyal to their military dictatorship. Where tribalism/ethnicity and religious intolerance have continued to interrupt the smooth administration of the state. Good governance is characterized by a number of issues, of which we will mention but a few here; the process of election must be free and fair, there should be no corruption, nepotism, tribalism, bribery etc. In political Appointments all the zones must be considered and it must be on merit and not on party alliance. And not for sale, that is giving political offices to the highest bidder or the highest sycophant or praise singer. There must be respect for humanity, both the traditional rulers, religious leaders, and elder statesmen. Needless to reiterate the inevitability of the supremacy of the constitution and the principle of separation of power. The leaders must, not travel abroad more often that the foreigners come to our own Country, they must spend within the approved budget, and the electoral commission must be independent. The press must be free the opposition must not be seen as enemies that must be erased or silenced permanently. Above all, there must be accountability by all and sundry. The idea of thugery and sharp practices are inimical to good governance. Unemployment is not a character of good governance. Separation of powers is another quality of good governance, where each arm of government must be concerned with her constitutional roles and nothing more or less. The executive should not interfere with the affairs of the judiciary nor the law makers, the law makers should not take the place of the judiciary in the

interpretation of the law, they must all understand their roles as complementary towards the realization of good governance. A cursory look at the administrative pattern in Nigeria will certainly reveal that this is lacking in Nigeria. Our own separation of power is in principle and not in practice. The executive arm of government, controls the budget of the state, the law makers would always approve the budget where their interest is protected. The executive determines the social status of the legislatures. Builds social status for the Judiciary, builds their courts and libraries and offices, gives them cars and all other emoluments. How can they totally be free from the executive influence, and enthrone checks and balances in the system? The major reasons for any federalism are among others, socio-economic, political and security. The federating tribes or ethnic groups, accept the federal system on the ground that it will bring up their military prowess and ensure their security of life and property, like the case of Nigeria, which is the largest and the most populous black nation on earth.

### **The irony of Nigerian Federalism**

We have highlighted above that separation of power is an integral aspect of any true federalism, where the sovereignty of the nation is partly owned by the central government and the federating regions (states). Nigeria only experienced true federalism for about six years after independence, which is between the years 1960 and 1966. Federalism in Nigeria died in 1966, when the military coup took over the government of Abubakar Tafawa Balewa as the prime minister, this coup snuffed the lives of the prime minister, the federal finance minister, Chief Sam Okotie Eboh, the Northern premier, Alhaji Ahmed Belo and his western contemporary Chief Samuel Akintola.

This coup brought about the invitation of General Aguiyi Ironsi to head the military government and the demise of the Nigeria federalism started. The Ironsi Administration was sincere to have declared that the military government can at best operate a unitary system and not a federal system, this is because they command and dictate for all to obey. The Gowon administration that took over after his death, restored the federal system, but till date, it has not been what it used to be, we claim to have a federal system but we run a unitary system, which is practically not possible in a multi ethnic society like ours. Even the civilian administrations in the country are not free from military, interference. Some of the past military leaders remove their military uniform and come back to governance as civilians, but it is a known fact that once a soldier is a soldier till death, we are not having good governance largely because the military has not totally gone back to the barracks, Kudos to the Yaradua' lead government, where he is a total civilian, the vice president also a civilian and the past military leaders have not interfered much in the affairs of the nation, yet we cannot be said to have heralded the ideal brand of federalism. This I say because in a true federal system, there is equitable distribution of income via revenue allocation, resource control is also the order of the day. "The sharing of revenue among the different levels of government in the federal system has generated a lot of controversy"<sup>16</sup> the constitution of the federal republic of Nigeria provides the "allocation from the federation account, and in determining the formula the national assembly shall take into account, the allocation principles especially those of population, equality of states, internal revenue generation, land mass, terrain as well as population density"<sup>17</sup> the ideals of the federal system in Nigeria are not observed as enshrined in the constitution. Even the introductory speech to the constitution itself holds that the essence is for us to be united and in harmony.

To live in unity and harmony as one indivisible and indissoluble sovereign nation under God dedicated to the promotion of inter-African solidarity, world peace international co-operation and understanding. And to provide for a constitution for the purpose of promoting

The good government and welfare of all persons in our country on the principles of freedom equality and justice, and for the purpose of consolidating the unity of our people<sup>18</sup>

The irony here is that we profess to be desiring unity and harmony irrespective of our creed, language and culture, we are one nation bound in freedom. But are we really free? Are we truly advocating this unity and harmony? Some unwarranted speeches of our leaders to a very large extent stultifies this claim of oneness in Nigeria. Some of the comments are as follows: the former head of state, Muhamed Buhari, said, "I will continue to show openly and inside me the total commitment to the Sharia movement that is sweeping all over Nigeria. God willing, we will not stop the agitation for the total implementation of the Sharia legal system in the country"<sup>19</sup>

Frederick fasehun said that;

The Yoruba are quite ready now to defend themselves. We have a ready-made organisation, the OPC, if people are working for the unity of this nation; the Yoruba have always worked for the unity. If people want to dismember this nation, the Yoruba cannot constitute Nigeria alone, so if others say there is no Nigeria, so be it<sup>20</sup>

Chukwemeka Odimegwu Ojukwu said;

What I am saying is that we are tired of being threatened. No religion has a monopoly of violence, if, for instance, you tell me about the jihad, know that we had our crusades too, and you did not fare better<sup>21</sup>

Ibrahim Datti on his own said that, "if they (the Igbo and the Yoruba) do not want his to live together, let them go their way and we go our way, let everybody go his own way and let us see who will cry first."<sup>22</sup> These comments among others are not complimentary at all, they do not speak well of a nation that sustains a federal system, they are best described as sounds of disintegration which according to John Okwoeze are emanating from the sharia flames started by Sani Yerima of Zamfara state.

Abubakar Umar advised that;

We must be cognizant of the fact that this country is fully changed. All it needs now to blow up is a spark which can be provided by the slightest political miscalculation. Current religious and ethnic sentiments that are being brought to bear are ominous signs of



social disintegration....sooner than later, if things continue the way they are, the country will disintegrate.<sup>23</sup>

F. R. A. Williams holds that,

“Nigeria is like a ship. And we are now passing through turbulence of storms and waves. We must sit down and consider how to continue our journey so that the ship does not sink. If the ship sinks, everybody will take a life boat and we will go our different ways. That, we do not want to happen”<sup>24</sup>

### **The Renewal of Nigerian Federalism**

It is obvious that in a heterogeneous nation like Nigeria, the option of federalism is the best system of government, but federalism must not be short of what federalism should be, the sovereignty should be co-owned by both the federal and state governments, when the power is divided, the mad rush for the occupation of the (Aso Rock) presidential villa, will be greatly reduced like when we had three regions of the East, West and North, each government was contented with her people at the helm of the affairs. The amount of power that would be given to the federal government will be decided by the federating units resource control should be observed in the nation, for that will reduce our over emphasis and over dependence on the oil in the Niger delta, and face agriculture, mines and industry, with which God has blessed this nation. The federal government should control the defence, foreign policy, international trade, currency, monetary and fiscal policies, citizenship etc, while the states should be allowed to see to the running of the education, natural resources, agriculture, and the creation of local governments. The states houses of Assembly should control the law of the state in its entirety, and the situation where the federal government declares a state of emergency on an elected state government would not arise. There should be legislative and judicial independence among the federating units in the country.

### **Conclusion**

Since federalism worked for the first republic in Nigeria, it can still work again for us if properly implemented. When the federalism is thoroughly rehabilitated, the clamour for more state creation will be reduced, the much expected good governance in the country, will be within reach if the ideals of federalism are respected in Nigeria which includes the quasi autonomy of the states, quasi I said, because we will need one another in areas of security and defence, international trade etc. for a manageable scope in the administration of the country, true federalism is the answer, for there to be a control to religious riots and civil unrest in the country, true federalism is the answer, because when the government in the North decides to implement fully the sharia law codes, the people in the North will adopt it as a law for the people in the North, if the Southerners want to adopt Christianity, as a legal code, it will be for them and there by controlling the different religious conflicts and ethnic tribal disagreements. We shall conclude by considering the position of the encyclopaedia America on the matter of finance within a federal system.

If the governments are to be independent of each other, each must have not only its own powers but also sufficient financial resources to sustain itself and support its assigned functions. Every federation has, in consequence, produced a fundamental disequilibrium of

dimension resources. In every case, the national government has emerged with greater resources than it needs to perform its functions, while regional governments have been left with more functions that they can pay for out of their limited resources<sup>25</sup>

There is therefore, no gain saying that the full practice of true federalism in Nigeria will make for good governance, the nation will be governed by many people at a time independently, the state governors will have much concentration on their work with their cabinet members, other than what obtains today, they are in office but do not work, even those who work are not committed to their work as they know that the federal government will bring allocation at the end of the month. If actually every state sources for money, generates it and controls it for the good of the state, there will be some healthy competition and hard work among the different states, this no doubt will make room for sustainable development and good governance in the country.

#### End Notes

- 1) Obiora Anichebe (ed.); Issues in Nigerian peoples and culture, 9<sup>th</sup> ed (Nsukka: Afro-Orbis publication limited 2009) p.3.
- 2) Sam Ugwu; Federal system, the Nigerian experience; Enugu, marydan publishers 1998 p.1.
- 3) Ibid.
- 4) Ibid.
- 5) Ibid. p.2.
- 6) Austin favour Ogbuishi; Fundamentals of inter-governmental Relations Enugu; Academic publishing company 2007, p. 51.
- 7) Ibid., pp. 53 – 54.
- 8) Ibid., p. 59.
- 9) Idama O. Supreme and Ogbogu A.S. National integration as a Panacea to cleavages in the Nigerian federation; in Journal of social policy and society, vol. 3, 2008; Esekumenu V. Clark ed. P.62.
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- 11) Awolowo 1947 p. 48.

- 12) James S. Coleman, *Nigeria: Background to nationalism* (Los Angeles; University of California press, 1958) p. 360.
- 13) Ibid. p. 361.
- 14) Ibid.
- 15) Idama and Ogbogu 2008, p. 61.
- 16) Sam Ugwu, 1998, p. 45.
- 17) Constitution of the Federal Republic of Nigeria 1999 Section 162 Subsection 2.
- 18) Constitution of the Federal Republic of Nigeria 1999 P. 1 Introduction.
- 19) John Okwoeze Odey, *Demofascism And The Flames Of Religion* (Enugu, snaap press Ltd. 2003) the back cover page.
- 20) Ibid.
- 21) Ibid.
- 22) Ibid.
- 23) Ibid.
- 24) Ibid.
- 25) Austin Favour Ogbulshi 2007, p.26.