

State Restructuring and Governance in Nigeria: An Imperative for Effective Public Service Delivery

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Abstract

Abysmal public service delivery has exacerbated poverty, disease and mal-nutrition in Nigeria, despite decades of State –led development interventions. The fragile nature of public service delivery across the federation is made problematic by concentration of power at the national level and bad governance across all levels of government. Poor road networks, non-existent drainages, lack of portable water, electricity and insecurity of life and property continue to undermine Nigeria’s attempt at improving the living standards of the populace. This paper is based on qualitative method, and attempts to interrogate the relationship between the centralized structure of Nigeria State, governance framework and public service delivery in the quasi-federation. State restructuring in the country was theorized within the integrationist mandate encapsulated under the Inclusive Authority Model of Inter-Governmentalism. The paper goes further to explicate issues constraining provision of public services in the absence of devolution of fiscal and administrative autonomy. It recommends that constitutional redefinition of administrative powers be adopted to enable federating units express autonomy and diversity in public services delivery.

Key words – state restructuring, power devolution, public service delivery, governance

Introduction

State centrism in Nigeria ensures the concentration of federal power and intensify prodigious disincentive against provision of socio-economic infrastructure and public services. The centrist structure supports the tremendous assignment of resources to the federal government. Presently, the national power is deployed to project national integration, maintains national power, fosters false sense of national unity, while guaranteeing marginal stability and little developmental progress.

Several decades after Independence, the Nigerian governance framework remains dysfunctional in the delivery of socio-political and economic goods and services to her citizenry. Managers of the Nigerian Project at both federal and state governments seem

detached from the problems of infrastructural deficiency and poor delivery of socio-economic services. The State institutions have become unresponsive to the yearnings of people, unable to meet basic thresholds of good governance contained in the Millennium Development Goals. Governance under the Fourth Republic became characterized by exclusive prosperity, endemic poverty, economic recession, and pervasive insecurity.

The concentration of national power at the centre further degrade the governance structure and make constituent units economically unproductive and uncompetitive in service delivery. Governance under the Fourth Republic became predominated by over-centralization, imbalance in functional responsibilities vis-à-vis assigned revenue sources, and administrative incapacity of federating units to deliver meaningful improvements in living standards of the populace (Ekpo, 2007). Good governance is further traumatized by pervasive corruption, culture of patrimonialism and patronage which reinforce the politicization of public service delivery. The provision of public service amenities, goods and services are characterized by calamitous retrogression in all sphere of human development (Kayode, et-al, 2013). All these governance bottlenecks pose obstacles to effective public service delivery across the federation. Hence, several years after independence, the restructuring debate has gained intensity due to persistent degradation in socio-economic infrastructure and human living conditions.

This paper adopts qualitative method based on secondary data to systematically review relevant literature made up of published and unpublished scholarly articles in public administration to generate descriptive data. The paper is divided into six sections, beginning with the introduction, followed by conceptualization of state restructuring in Nigeria, theoretical framework of the study, review of related literature on governance structure in Nigeria, public service delivery ineffectiveness and governance under the Fourth Republic, conclusion and policy recommendations.

Conceptual Framework of the Study

The authoritarian character of governance in African States is the direct result of their original nature and function as organs of colonial exploitation which was inherited by the nationalist leaders without transplantation (Onyekpe, cited in Akinboye, 2011: 6). Similarly, Akinboye and Quadri (2011) contend that the political context of socio-economic development in the African continent is characterised by over-centralisation of power.

Like most developing countries in Africa, Nigeria has its own internal contradictions and challenges of providing effective public services – health care, access to education, security, portable water, constant electricity, and clean environment, among others. Years of sectarian agitations and resultant State authoritarianism had deprived Nigeria's fragile federation of its pyramidal structure and reposed extreme centralization of political and economic powers on federal authorities. Therefore, concentration of power at the centre, and standardisation of administrative procedures in public service delivery formed part of remedial measures to safeguard national cohesion and integration. These factors precipitated the agitation for greater devolution of powers to the sub-national units through State restructuring.

The federal government under the centralizing Fourth Republic Constitution, 1999 maintain absolute control over 68 items on the Exclusive List and predominate in policy issues over the Concurrent items shared with the state governments. Accordingly, the fiscal, political and administrative powers/authority conferred on the federal government is unwieldy and has proven to be inimical to effective delivery of socio-economic services to the citizens. The federal bureaucracy which is charged with the provision of public services have long become dysfunctional, whittled down by the adoption of unscientific principles in recruitment, training and promotion of personnel. The public service is corrupt and compromised in service delivery, grossly hampered by out-dated techniques, poorly trained personnel, and gross insensitivity to the needs of the population. Consequently, Nigeria has continued to score low in Human Development Index, maternal and child mortality, insecurity of lives and property, violence, militancy, growing number of children out of school, poor living conditions, inadequate provision of health care facilities, bad roads, and absence of socio-economic infrastructure, among others. Generally, the standard of living of Nigerians have continued to plummet and the basic necessities of life provided by the State have either been mortgaged to private capital or become luxury items beyond the reach of common man. Consequently, most Nigerians provide for themselves what government should do as part of the social contract with the people. This has eroded the sense of citizenship, patriotism, and loyalty to the state and facilitated proliferation of centrifugal forces in society.

State formation whether amalgamated or socially contracted desire to attain cooperative ventures in order to achieve collective goals (Odubajo, 2011). The need to achieve this objective require political systems overtime to transform, reinvent and adapt to ecological variables. In Nigeria, adoption of federalism in 1954 was supported by evolution of political institutions that reflected corresponding necessity for maintaining unity and preservation of diversity under a power sharing agreement. However, there is no doubt that Nigeria's lopsided federal arrangement is overdue for reconstruction and structural modification, though the methodology and acceptable parameters for its attainment has not been scientifically and holistically defined.

According to Abubakar (2017):

'It is a myth to say we do not need restructuring, but good leadership. While leadership is critical, leaders also operate within structural and institutional constraints, which may impede or enhance their performance. Thus if you have a federal structure that encourages dependency while discouraging hard work, innovation, productivity and competition, your development as a nation will be less than optimal'.

State restructuring is concomitant to political, economic and constitutional reconstruction. It primarily hinges on best practices of effective, representative and pro-public character of governance; thereby renewing and regenerating ownership of the State (Bhatta, 2006). Restructuring involves variation to the allocation of powers, responsibilities and resources among and between states, zones and federal government. State restructuring is a continuous process in nation-building and democratic growth as internal shape and

institutions of governance is attuned to ecological variables and exigencies of time. It essentially impinge on responsiveness to public demands for better living conditions and opportunities for development. The discussion on State restructuring pose greater challenges in plural societies divided along ethno-religious fault lines.

Hence, the debate on State restructuring in Nigeria has continued to cause anxiety and apprehension among the different geo-political zones, as it posit more questions and challenges than answers. Issues beyond the capacity of Nigeria States surface with less attachment to participatory democratisation process and devolution of power to federating units but more with identity politics. The simultaneous emergence of ethnic nationalities and vague political agenda of proponents of state restructuring tilt the narrative towards communal politics. Subsequently, concerns of economic dependency, fear of marginalisation and mistrust of ethnic aspirations present severe resistance to restructuring of Nigeria federation. In particular, the dependency of all segments of the country on oil revenues, anxiety over loss of revenues by non-oil producing states or regions and, mistrust of the motives of pro-restructuring agitators has constrained meaningful dialogue. Groups like the Northern Elders Forum and Arewa Consultative Forum remain persistent that attempt at restructuring of Nigeria federation is a call for balkanization and dismemberment of the State.

This is because the North as a region ‘constitute the highest of the nation’s population, but lacked the necessary indices of progress and will be the poorest if the country is broken or restructured’ (Sanusi, 2017). Against this background, the northern part of the country maintain a strong opposition to state restructuring and perceive the demand for greater autonomy as threat to national unity and integration; which they maintain is non-negotiable. There is therefore strong preference for further centralization of power and concentration of resources at the federal level.

Conversely, advocates of State restructuring championed mainly by groups from southern Nigeria maintain that the present patronage-client arrangement dis-incentivises productivity as governments perpetually depend on revenue allocation from the Federation Account. The call for resource control and rejig of the revenue allocation sharing formula in favour of mineral and natural resource producing states was the initial agitation for State restructuring. Also, commercialised states with considerable industrial and manufacturing presence sought greater claim to the lucrative tax incomes internally generated in their domain but usurped by the federal government. Consequently, dialogue on state restructuring is problematized by demand for increased revenue allocation from oil exploration rather than on how to produce and diversify economic activities.

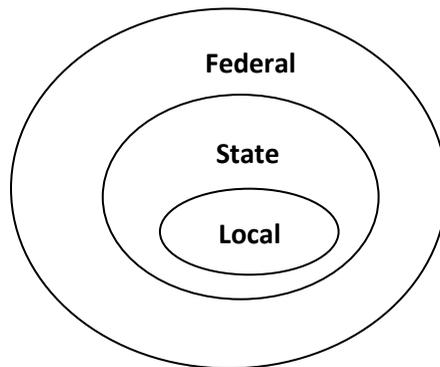
Lately, the agitation for restructuring has gained wider agitation following the persistent cries of marginalization and neglect by some ethnic groups in Nigeria federation. All these agitations for greater restructuring and devolution of powers has been inspired by the abysmal level of public service delivery and development of socio-economic infrastructure across the nation. The federal government has proved to be incapable to

provide adequate socio-economic infrastructure and public services for the wellbeing and improvement in living standards of the generality of the population.

Theoretical Analysis

The governance narrative in Nigeria's development trajectory of state power, domination and control is interrogated using Wright Deil 'Inclusive Authority Model'.

Inclusive Authority Model



Source: Ugoh, S (2011) *Understanding Inter-Governmental Relations*, Lagos: Sam Iroanusi

The inclusive authority model developed by Wright Deilin 1978 explicate governmental relationship typical of centrism and symbolised by three concentric circles of political, economic and administrative emasculation of state and local governments. The model exemplifies authoritarianism, unitarism, administrative delegation and deconcentration of legal and political authority (Aghayere, 1997). Governance relationship is defined not in structural and institutional decentralisation but in the values of economic integration, uniformity and adherence to administrative guidelines, monopoly of mineral resources, control of public sector and national economic management. Under the inclusive authority framework, subnational governments are closely supervised and controlled through lopsided constitutional division of powers and assignment of delegated functions; performed with approval of the federal government.

The federal government exercise predominance in public policy limits the developmental role of constituent units; that are fashioned at the discretion of federal government. Hence, Nigeria federalism is politically and economically dominated by the federal government with strong unitary elements reinforced by constitutional distribution of powers. The inclusive authority framework present consistent symmetry with the thesis that lower tier of government is an appendage of central government operated as mere

administrative outposts. The model creates development imbalance, disarticulate policy coordination, enhance compulsive attitudes, and sustain environment of compromise, confusion and conflict.

Nigeria federation present strong resemblance to the Inclusive Authority Model, as the central government through the instrumentality of the 1999 Constitution as amended 2004 has monopolised all lucrative sources of revenue accruable in the polity, especially mining rents and company taxes. The central government also play significant policy domination over concurrent responsibilities. The situation is worsened by the imposition of national standard in the provision and delivery of essential services. Most critical socio-economic infrastructure facilities that support human development are captured under various government ministries, departments and agencies that exercise domination in policy formulation and implementation. For example, the provision of critical amenities like electricity generation, inter-state road network, agricultural services, water and environmental sanitation still retain substantial central government control.

Good Governance Structure and Service Delivery in Nigeria

The greatest inspiration for unitarism in Nigeria's experience toward devolution of power and responsibilities emanated from the military regimes. The overthrow of constitutional democracy of the First Republic by the military ushered in Decree No. 1, 1966 which amended the 1963 Constitution and bestowed on the Federal Military Government...

'powers to make laws for the peace, order and good government of Nigeria or any part thereof, with respect to any matter whatsoever'.

Compatible with the above, the military administrators of the region were directed...

'not to make laws with respect to any federal matter included in the Executive Legislative List, nor make laws in matters included in the Concurrent Legislative List, except with prior consent of the Federal Military Government.' (Decree No. 1, 1966).

These provisions escalated federal government's authority at the detriment of sub-national governments. Consecutive military and pseudo-democratic regimes that transverse Nigeria's governance environment retained the debilitating provisions. Federal power was further consolidated through Decree No. 14, 1967 which decimated the traditional power blocs dominant in the regions and created states to inherit their powers. Decree No. 27, 1967 was enacted which limited legislative and executive powers of the new states to residual matters while performance of functions in the concurrent legislative list require specific consent of the Federal Military government.

The 1979 Constitution consolidated and extended the process of centralization through reinforcement of provisions investing the federal government with emergency powers to take over state government functions when required. The centrist agenda was afterward incorporated into the 1999 Constitution through manipulation of federal powers over sixty-eight items in the exclusive legislative list and provision of policy domination in thirty-five items held under concurrent powers with states (Second Schedule, Part 1).

Ominously, by virtue of provisions of Section 4(5), 1999 Constitution, federal law is paramount to state law.

The 1999 Constitution projected significant imbalance in revenue and expenditure profiles, support illegal deductions from statutory allocations, exclusive control of police force and other para-military agencies and exercise of emergency powers by central government. These factors made untenable the provision of basic socio-economic infrastructure indispensable for provision of sanitation, security of life and property, and construction and rehabilitation of road, public works, educational and health facilities. Most prominent has been the absence of electric power supply and poor macroeconomic management which reinforce endemic poverty levels, reduced productivity and competitiveness of industries, induce hyper-inflation and exacerbate mass retrenchment of labor.

This paper goes further to attempt the identification of emasculating provisions in 1999 Constitution that reinforce State centrism and constrain public service delivery, viz;

- i. Section 4(5) of the Constitution provides that, “if any law enacted by the House of Assembly of a State is inconsistent with law validly made by the National Assembly; the law made by National Assembly shall prevail, and that other law shall to the extent of inconsistency be void.”
- ii. Section 8(3) of the Constitution provide elaborate processes for creation of new local governments, but contravened by articles contained under the First Schedule, Section 3: Part 1 which require National Assembly to approve such councils so created.
- iii. Section 9(2) and 9(3) of the Constitution provide avenues for altering or amending the Constitution. However, constitutional review of powers to resolve development contradictions that permeate deplorable public service delivery is limited by dearth of collective action by sub-national governments and the National Assembly.
- iv. Section 14(3) of the Constitution creates the Federal Character Commission to monitor implementation of the Federal Character Clause in the formation of national political parties and appointments to the public service of federal, state, and local governments, to ensure uniformity and representativeness.
- v. Section 162(1) provides that all revenues of the federation shall go into the Federation Account except for salaries of personnel of the Armed Forces of the Federation, Nigeria Police Force, staff of the Ministry of Foreign Affairs, and the FCT Abuja. The Federation Account is exclusively managed by the federal government.
- vi. Section 162(2) provides that the Revenue Mobilization, Allocation and Fiscal Commission shall present a revenue formula to the president to be placed before the National Assembly for purposes of distributing resources in the Federation Account. The existing revenue sharing formula adopts unscientific principles like equality of states, population, population density, land mass/terrain and internal revenue generation which marginalize resource producing states and

- sustain a symmetrical federation in which some states made marginal or no contribution at all.
- vii. Presidential Order and Directive in July 2002, set new revenue formula: federal government 54.68 percent, states 24.72 percent, and local council 20.60 percent.
 - viii. Section 305 and 306 of the Constitution also provides for exceptional powers to the president to intervene in the governance of sub-national governments by declaration of a state of emergency when there is threat to national security, or breakdown of law and order in the federation or any part thereof.
 - ix. Chapter 2 of the 1999 Constitution grants the federal government wide powers to legislate on matters incidental or supplementary to the exclusive legislative list and to establish and regulate authorities to promote the comprehensive list of “Fundamental Objectives and Directive Principles of States Policy” as enumerated.
 - x. Second Schedule, Part I, Item 7 provides that borrowing of “moneys within or outside Nigeria for purpose of the federation or any part” is an exclusive matter of the federal government. Hence, states must get approval of the federal government in order to borrow money from within or outside Nigeria to execute socio-economic programs.
 - xi. Federal government is authorized to deduct state debts at source, thus leaving some state governments with zero statutory allocation from the Federation Account.
 - xii. The logic of distribution of powers and responsibilities under the Second Schedule is to strengthen the federal government sufficiently to intervene in essential policy areas of governance and provide an overarching umbrella under which all heterogeneous groups can be accommodated under one entity.

Operationalization of 1999 Constitution therefore, is indicative of widespread discontent with the distribution of powers and responsibilities among tiers of government.

Ineffective Public Service Delivery and Governance under the Fourth Republic

As a mandatory institution of the State, public service comprise public servants recruited on basis of qualification, competence and expertise; whose actions are regulated by Revised Public Service Rules (2006). Responsible for managing the resources of a nation, it is established under Sections 169, 171, 172, 206, 208 and 318 and Section 10 (Third Schedule) of 1999 Constitution of Federal Republic of Nigeria (as amended) and administered by elected and appointed officials under Section 318 (1). Thus, bureaucracy is the realm where government operates for the benefit of the citizenry (Marshall and Murtala, 2015), constitute the major service provider at all levels to implement policies, programs and projects (Egberi, 2015), and major pillar that determine rate of development and stability in the period of change.

Governance in Nigeria is problematized by overconcentration of power and responsibilities at the centre to the detriment of federating units. The inadequacy of economic powers allocated to sub-national governments in relation to their assigned functions make them incompetent to deliver essential public services. Against the principle of subsidiarity, such responsibilities as primary and secondary education,

housing, agriculture, sanitation, power and water supply are superintended by the federal government agencies. Hence, contents of the Fourth Republic Constitution is not robust enough to devolve real powers to constituent units, provide public services, promote long term stability, and reduce socio-economic discontent.

Ideological adoption of national planning and command economy concept to nation-building bequeathed federal government control over acquisition and distribution of resources, and monopoly over location of critical economic infrastructure required for public service delivery. The federal authority in the formulation and implementation of development programmes and policies become disconnected with intended recipients at the grassroots. Government control of the commanding heights of national economic management was driven by state-owned enterprises and public sector participation using representative bureaucracy.

Adoption of national integration and federal character policy in public bureaucracy relegated merit and competence as determinant factors for recruitment and promotion in the public service. Government bureaucracy rather than being an efficient state machinery, nurtured balanced representativeness and primordial considerations that engross waste, inefficiency, nepotism, corruption and prebendalism. Nigeria bureaucracy therefore lost its sense of professional responsibility and exist solely to carry out executive orders and in many ways suppress and oppress the citizenry.

Public infrastructure and facilities for provision of essential services became deteriorated, decrepit, neglected, and dysfunctional. Obasanjo (1999) cited in Oyelede (2015) had identified inherited problems before the Fourth Republic administration as inefficiency in public service delivery of social services; insensitivity to general welfare; indifference to norms guiding conduct of public officials and rampant corruption. Accordingly, he stated that;

'Nigerians have for too long been feeling short-changed by the quality of public service, government officials became progressively indifferent to propriety of conduct and showed little commitment to promoting the general welfare of the people and public good. Government and all its agencies became thoroughly corrupt and reckless. Members of the public had to bribe their way through in Ministries and Parastatals to get attention...'

Hence the ineffectiveness of public service bureaucracy informed adoption of neo-liberal public sector and governance reforms under the fourth republic aimed to improve organisation efficiency. The need to revitalise dysfunctional public institutions led to the adoption of neo-liberal economic policies such as privatisation of state enterprises and boost of Foreign Direct Investment. The significance include removal of subsidy from social welfare responsibilities like education, health and agriculture, as well as

retrenchment and downsizing of the labor force. Available record reveal that Foreign Direct Investment inflow into Nigeria has diminished in the past three years from \$4.69bn in 2014; to \$3.06bn in 2015 and \$1.56bn in 2016 (News Express, 2017). Effort to move the economy from import dependency to productive and self-sustaining enterprise has been crippled by lack of political will and partial implementation of macro-economic policies.

Economic liberalization is further compromised by political patronage and corruption which flourish on destructive scale across major sectors of the national economy. The privatised businesses notorious for asset stripping; obtain State protection, benefit from government subventions, and attract scandalous public contracts that are partially or never executed.

However, several years after their adoption, the reform measures have not yielded desired improvement in public service delivery as socio-cultural influences and structural defects continue to undermine the public administration system. Hence, public service reforms and other attempts to re-jig the administrative framework for higher productivity are merely symptomatic and unable to uproot the malaise of representative bureaucracy. The paralysis of governance structures at all levels illuminate further the mockery and failure of centrist federal structure to ensure provision of basic developmental necessities of life.

Under the principle of separation of power, executive, legislative and judicial arms of government are required to enhance public service delivery coordination and implementation. These arms of government have become inarticulate giants subjected to abuse and confused in their responses to national issues, while other institutions of checks and balances are compromised and rendered ineffective. The legislature under Nigeria's fourth republic has failed in their oversight, law making, investigative and budgetary functions. Described as 'rubber-stamp' of executive requests, they are preoccupied with making laws to feather their nest, while protecting the ruling elites from criminal prosecution. Similarly, the judiciary once the last hope of the common man, is battered and debased; derivative of the executive rather than an independent institution. Inducement, monetary bargain and sale of judicial decision supersede logic and wise counsel in the temple of justice.

Generally, State institutions have grown weak, disarticulated and lack innovative human capital and infrastructure to deliver 'dividends of democracy' to Nigerians. Hence, the fourth republic democracy through manipulated elections, glide toward autocracy, economic and political coercion, devoid of constitutionalism, rights and independent institutions critical to functional democratic system. Encumbered by dysfunctional governance institutions and incapable of responding to demands for public services across all governmental levels; State restructuring in Nigeria become indisputable.

Recommendations

Any attempt at state restructuring for greater devolution of powers to federating units in Nigeria must recognise the imperative of ensuring public service delivery effectiveness. The study proffers the following suggestions to refocus the narrative on State restructuring in Nigeria:

- i. Constitutional redistribution of administrative and functional responsibilities to enable constituent units express diversity in public service delivery.
- ii. Powers of central government be significantly restrained through redefinition of National Interest and comprehensive amendment of emasculating provisions in 1999 Constitution specially Section 7 (Legislative List). The purpose is to restrict the functions of federal government to few delegated responsibilities of general nature and promote the principle of subsidiarity in public service delivery.
- iii. Ensure the devolution of substantial powers to sub-national governments to guarantee adequate administrative authority to formulate and implement public service delivery of socio-economic amenities and facilities.
- iv. The redistribution of the contents of the Legislative List to enable governments concentrate on their areas of competence and competitive advantage in the provision of public services to the population.
- v. Improved public service delivery can engender greater sense of citizenship, national unity and cohesion.
- vi. The full expression of diversity and self-rule in Nigeria's plural society will accelerate productivity and competitiveness among governments for improved service delivery.

Improvement in public service delivery will significantly enhance the living standards of the population and nullify agitations by centrifugal forces for disintegration of the polity.

Conclusion

The paper examined state restructuring within the context of governance and argued that ineffective public service delivery was a direct consequence of the lopsided allocation of responsibilities under the 1999 constitution. Significant provisions of the constitution has continued to antagonise the constituent units of the federation, by institutionalizing economic dependency, patronage network and rentier disposition. Most especially, the inability of the federal bureaucracy to provide socio-economic services and amenities has negatively affected the wellbeing of the citizenry.

Every society has public service delivery challenges which is rectified collectively within the requisite governance framework necessary for cohesion, tolerance and harmonious existence. The persistent conflicts that exist between tiers and arms of government in Nigeria has become detrimental to effective provision of public services and correspondingly, achievement of national development. Governance under Nigeria's fourth republic is dominated by an all-powerful centralist ideology that delimit institutional capacity for effective public service delivery. Hence, agitation for

meaningful devolution of powers through state restructuring of intergovernmental relationship cannot be detached from the agitation for improvement in service delivery and socio-economic infrastructural facilities.

Amelioration of the seemingly unresolved predicament traumatising Nigeria can be resolved through a decentralised federal arrangement predicated on constitutional devolution of powers. However, for this to happen, not only is internal political restructuring of the State necessary, but an autonomous political culture must exist that recognise diversity of constituent governments for autonomous implementation of public service delivery of social amenities. This will help to reconstruct a ‘commonwealth of nations’ founded on economic productivity, bureaucratic efficiency and institutional autonomy rather than the prevalent Hobbesian state. Consequently, diversification of governance models according to ecological demands become an imperative for attaining innovation in public service delivery.

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