



Federalism, Democracy And The National Question In Nigeria

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ABSTRACT:- Both democracy and federalism promote pluralism and dispersal of power which is good for a multi - ethnic society like Nigeria. But in Nigeria, the practice has generated unending tensions among the different peoples, communities and individuals within it. While viewing the issue from a diachronic perspective, this study examines the contemporary dimensions of the problem of diversity in the Nigerian nation. Using documentary sources of information and descriptive analysis, the study argues that a healthy federalism is not attainable in Nigeria in its present structure, in the immediate or near future. The author therefore suggests that the national question in Nigeria can better be resolved through fiscal decentralisation coupled with a collegial presidency in which the six geopolitical zones have a fairly equal stake in a rotational presidency.

KEYWORDS:- Democracy, Federalism, Fiscal Federalism National question, Rotational presidency.

I. INTRODUCTION

So much work has been written on the concept and theory of federalism, yet the very definition of the concept seems as yet unsettled. Hence, in a seminal work titled, “*How to Define Federalism*”, John Law [1], suggests that this state of affairs has material negative consequences for both academic research and public policy which can no longer be overlooked. He identified two distinct federal structures - the federal state and the federal union of states.

Much of what exists in the literature seem to take root in the work of the classical federalist scholar, K. C. Wheare [2] who defined the federal principle as the method of dividing governmental power so that the central government and the component governments are each within a sphere coordinate and independent. In that work Whear also argued that:

If the governmental authorities in a federation were to be really coordinate with each other, in actual practice as well as in law, it is essential that there should be available to each of them, under its own unfettered control, financial resources sufficient for the performance of the functions assigned to it. It will do no good alloting functions to the federal or to state authorities and devising legal safeguards so that each should be limited strictly to the performance of its respective functions unless at the same time adequate provision has been made so that each authority can afford to do its job without appealing to the other for financial assistance.

Our own classical scholar of constitutionalism and federalism, B.O. Nwabueze[3] also defined federalism as:

an arrangement whereby powers within a multi-national country are shared between a federal or central authority, and a number of regionalized governments in such a way that each unit including the central authority exists as a government separately and independently from the others, operating directly on persons and property within its territorial area, with a will of its own and its own apparatus for the conduct of affairs and with an authority in some matters exclusive of all others. In a federation, each government enjoys autonomy, a separate existence and independent of the control of any other government. Each government exists, not as an appendage of another government (e.g. of the federal or central government) but as an autonomous entity in the sense of being able to exercise its own

will on the conduct of its affairs free from direction by any government. Thus, the Central government on the one hand and the State governments on the other hand are autonomous in their respective spheres.

Going by these definitions, Nigeria can barely be classified as a federation. However, in the light of developments in the 20th century, it became increasingly clear that a distinction needed to be made between two forms of federalism, ie, dual and co - operative federalism. This distinction was based on the fact that a growing overlap and mutual interdependence has been observed between the levels of government of federal systems in a constantly moving equilibrium (co - operative federalism) supplanting the firm separation of the 19th century (dual federalism), thus making the claim of independence unsustainable. Yet Nigeria does not appear to fit into any of these forms since not only the state governments but also all 774 local governments have, over the years, totally depended on the central government for their finances and sustenance. This is not interdependence but total dependence of other levels (state and local) on one particular level (federal). The matter has become even worse in recent times (2015) when many state governments, in addition to their share of the federation account as disbursed by the Federation Account Allocation Committee had required bailout funds to be able to pay part of the salaries of their workers.

Wheare, obviously was writing about the model federation. But, regardless of his reputation, it seems that he was as ethnocentric as any other scholar could have been – as he appeared to be writing strictly about the American federation.

Latter, scholars (such as Riggs [4], Frederick [5], etc.) have learnt to account for factors in particular environments which go into the shaping and modification of their systems. Hence the comparative method which is, by all standards, the laboratory of the social scientist demands that it is only through a cross - national and cross - cultural study of a social phenomenon that we can validly theorise about that phenomenon.

Accordingly, this work undertakes a diachronic study of Nigerian federalism to identify the weak points of our historical experience and suggest reforms and modifications that can best preserve the unity of the country within the context of its troublous and seemingly intractable diversities. Before that, we need to understand what federalism entails so as to be able to reasonably assess the Nigerian practice in relation to the norm.

II. PRINCIPLES OF FEDERALISM

In a controversial Supreme Court judgement cited in Nigerian Weekly Law Report [6], Niki Tobi (JSC) once stated that:

A federal government will mean what the constitution writers say it means. and this can be procured within the four walls of the constitution and the four walls only. Therefore a general definition of federalism or federal government may not be the answer to the peculiar provisions of a nation's constitution which is the **fons et origo** of its legal system. Ideal federalism or true federalism is different from specific or individual federal constitutions of nations, which may not be able to achieve the utopia of that ideal federalism or true federalism but which in their own sphere are called federal constitutions. I think Nigeria falls into the latter category or group. It will therefore be wrong to propagate theories based on ideal or true federalism in a nation's Constitution which does not admit such utopia.... The point I am struggling to make is that there is no universal agreement as to what is a federalism or a federal government.

Supreme court judgement is supreme court judgement, and it is final. But obviously his lordship erred in this historic interpretation of the concept of federalism. In a quick response, therefore, Nwabueze [7], who incidentally is also a law professor, stated that his Lordship's rationalization simply reduces "federalism" or "federal government" to a concept without a specific meaning: it empties it of all content, for it would mean whatever a particular Constitution, by its provisions, says it is. That would be absurd. "Federalism like any other concept must have some core or basic principle which defines its essence or it does not exist as a constitutional or political concept. "Federalism" cannot mean just what draftsmen or Judges choose it to mean. It has a permanent core meaning.

Federalism may therefore be of different varieties, including the variants that Wheare (1946) characterised as dual and co - operative federalism or, according to Riker [8], centralised and decentralised federalism, or even integrative and disintegrative federalism [9]. However, the essence of federalism lies not in

the constitutional or institutional structure but in the society itself. Hence federal government is simply a device by which the federal qualities of a society are articulated and protected [10]. A federal society is one with a plurality of ethnic groups with different historical, cultural and linguistic backgrounds but in which each ethnic group occupies a marked and distinct geographical location from the others. Federalism therefore becomes a device for compromising unity and diversity (Dare, 1979) or according to Jinadu [11] for maintaining unity while also preserving diversity. That device is possessed of certain inherent qualities which include:

- a) a written constitution,
- b) division of powers between different levels of government,
- c) equality of status for both levels each of which has direct relationship with the people and some activities on which its decisions are final,
- d) a bicameral legislature and absolute majority vote at the centre, and
- e) an independent supreme court.

According to Elazar [12], federal principles are concerned with the combination of self - rule and shared rule. In the broadest sense, federalism involves the linking of individuals, groups and polities in lasting but limited union in such a way as to provide for energetic pursuit of common ends while maintaining the respective integrities of all parties. Hence, Wheare (1946) went further to add that in this form of government, the central and regional governments are co - ordinate in the sense that neither is subordinate to the other in legal authority. Each level should also be limited to its own sphere and, within that sphere, should be independent of the other. This system of government can be contrasted with the unitary system in which the component units are legally subordinate to the central government, and with the confederal system in which the central government is dependent upon the regional governments.

From the foregoing, we can define a federation as a compound polity in which two co - equal supreme levels of government both act directly on the citizen through their own laws under a written constitution. Each unit of government within a federation exists not as an appendage of another but as an autonomous entity capable of conducting its own will free from directive from any other government. It is a form of decentralisation of the financial, political and administrative resources of government.

A common misconception in the conceptualisation of federalism is the location of sovereignty. Hence, McDonald [13] suggested that federalism implies a division of sovereignty between two levels of government and that divided sovereignty was generally regarded as impossible until the Americans devised a way of doing it. However, as John Law (2013) rightly cautioned, this is not the right lesson to draw from history. What the Americans achieved was division of powers (the powers flowing from sovereignty) between two levels of government, not division of sovereignty itself, because sovereignty is an indivisible concept. It refers - in its core sense - to the final and absolute source of political authority... sovereignty is not found in the government nor in the constitution lying behind the government, but in the people lying behind the constitution.

III. FEDERALISM AND DEMOCRACY

Some serious scholars have argued variously that federalism is not compatible with democracy [14] or that federalism can be operated effectively under a totalitarian or military regime [15]. However, the implausibility of this line of argument is obvious because, as the Nigerian experience show, when Ironsi attempted to use centralisation of power to placate or diminish the centrifugal problems arising from Nigeria's multi - level diversities the country was plunged into deep political crisis that never abated until the outbreak of the 1967 civil war. Federalism and democracy are implicitly related and mutually complementary and compatible. Indeed it would be difficult, if not impossible, to conceive of the successful practice of federalism under a non - democratic system. As we have noted earlier, both federalism and democracy promote pluralism and dispersal of governmental powers. From Montesque through Madison, up until contemporary times, theorists have consistently suggested that decentralised governance, as exists in federal systems, possess many advantages not only for democratic participation, representation and accountability but also for public policy and governmental effectiveness as well as for the representation of territorially based ethnic, cultural and linguistic differences [16]. This is as federalism affords citizens multiple points of access, thereby enhancing opportunities for public participation, increasing the accountability and responsiveness of elected officials to local citizens and hence providing incentives for more responsive democratic government. Advocates also believe that the proliferation of decision - making units at local and regional levels also strenghtens public policy making through potentially encouraging creative new solutions to tough problems. According to Stuart and Stuart [17], rather than one size fits all, devolved government bodies may tailor public services and regulations more efficiently and flexibly to meet the needs of each particular community.

In a 100 - point index of democracy, Schneider (2003), found that federal constitutions scored 69% points on average, 25 points higher than unitary constitutions, while a 30 - year trend in the Freedom House scale showed that federal states have consistently displayed a better record of democracy than unitary states. Hence Chhibber and Murali [19], suggested that federalism facilitates multi - party competition and the politics of coalition building as smaller parties can gain credibility and expand electoral support within the states.

As federalism facilitates the practice of democracy, so also does democracy facilitate the practice of federalism. The very nature of a federal society with its differentiation of groups conduces to democracy because group competition and the probability of coalition formation is the true essence of democracy.

The dominant viewpoint therefore, tends to equate federalism with democracy. True federalism, says Wheare (1946), can exist only where there is democracy; the absence of democracy is, ipso facto, the absence of federalism even if we can observe the constitution and operation of a political system as being federal, for the regional governments must be able to affect the policy making activity of the central government. So far as this is done, it is a technique of representation. Also, as Awa [20] once observed, in so far as the political arrangement ensures the self - help, self - development and initiative of the component units, it is a philosophy of opportunity. For this reason, federalism is a process of democratisation in which the implicitness of the unifying principle within the parts subsumes the parts within the whole. Federal government presupposes a desire and an ability to secure the component units against encroachment by the central government. If the latter is an authoritarian dictatorship, it is difficult to see how the safeguards of the federal structure can be worth much (Livingston, 1956). Hence, according to Duchacek [21], federalism and democracy are always found together; federalism is the territorial dimension of democracy; competition between parties is a condition of federalism.

IV. NIGERIAN FEDERALISM

The Nigerian state is a product of war and commerce, which effectively came into existence through the sacking of King Kosoko of Lagos and the extraction of treaties from his successor, King Dosunmu to cede the Lagos territory to the British crown in 1861. Subsequently, several other military expeditions by the Royal Niger Company firmly established British presence in all of Nigeria, and the entire country was concessioned to the British at the 1885 Berlin conference. However, it was the amalgamation of 1914 that actually brought the state of Nigeria into being [22]. It has thus become popular among students of Nigerian Politics and Government to refer to the Nigerian state as a colonial creation which was imposed on its people against their wishes. Hence, the leader of the Northern people during the colonial days, Sir Ahmadu Bello, is noted to have referred to the amalgamation as “the mistake of 1914” (Awofeso, 2014) whereas Chief Obafemi Awolowo described it as an abominable, disruptive and divisive British heritage (Awa, 1964). Yet the choice of federalism as its form of government can be said to be a product of deliberation and care - having roots in the colonial experience of separate administrations for the various protectorates, indirect rule, regionalism and the various constitutional conferences, involving the Nigerian political elite, that culminated in the making of the 1954 federal constitution under Oliver Lyttleton.

At the first general constitutional conference held in 1950 at Ibadan, only three Europeans - the governor, the attorney - general and the chief secretary were in attendance. It therefore had an overwhelming Nigerian majority - the Nigerians from the various regions having earlier held regional conferences to articulate the positions they would bring to the bargain [23].

Another perspective to the origins of Nigerian federalism however makes a case for British imposition of the system. Lord Lugard’s policy of dual mandate had elevated the problem of diversity to the centerstage of Nigerian politics. All subsequent constitutional developments emphasised the differences among the peoples of Nigeria until the structure of regionalism was entrenched in the 1946 constitution of Sir Arthur Richards. Regionalism as a structure of government was followed immediately by the growth of regional political parties.

From the unification of Nigerian nationalists within the Nigerian Youth Movement (NYM), and latter, the Nigerian National Democratic Party (NNDP) and the National Council of Nigeria and Cameroun (NCNC), political participation in Nigeria was soon regionalised with the formation of Action Group (AG) in 1947 and the Northern Peoples Congress (NPC) in 1949, and Nnamdi Azikiwe was subsequently forced from Lagos back to the East, “whence he came” (Awa, 1978). When federalism was therefore finally agreed upon at the 1953 London constitutional conference that created the 1954 constitution, it was a federalism with very strong component units - thus building strong political bases for the three foremost leaders of the time – Nnamdi Azikiwe (East), Obafemi Awolowo (West) and Ahmadu Bello (North).

The divisive tendencies among Nigerian leaders continued to be encouraged by the British colonial establishment. Hence in the build - up to the 1953 constitutional conference at London, Anyebe [24] noted that; in the House of Commons, the colonial secretary, Oliver Lyttleton **announced** that the Nigerian constitution would have to be redrawn in order to provide for greater regional autonomy and he invited representatives of the

regions to London to decide how best to do this. In effect, he had unilaterally decided to advance the type of constitution that was to be evolved, limiting the Nigerian leaders to a discussion of method.

At the conference therefore, the delegates strived hard and agreed to create a federation with very strong regions in order to ensure the political survival and stability of their regional leaders. Anyebe went on to conclude that the negative forces of differences in culture, separate development, British influence and bad Nigerian leadership was the foundation upon which the Nigerian federalism and the constitution that ushered in independence were built. The rivalry among the Nigerian leaders and between them and the British substantially determined the peculiarities of the federal government. Regional nationalism rather than Nigerian nationalism formed the basis of Nigerian federalism.

Even before this first federal constitution became operational, the minorities were already demanding for creation of their own separate regions, that is, separation from the major ethnics. That the separation was not granted was not because they were not genuine but because the foremost regional leaders were opposed to it, coupled with the fact that it would extend the date of independence, as the new regions would be allowed time to consolidate. Thus the aspirations of the Calabar - Ogoja Rivers State Movement, the Benin - Delta State Movement and the Middle Belt Movement were suppressed. Even the major ethnics had their own reservations. Hence Western leaders of the Action Group threatened secession if Lagos was not made part of the Western Region while the move at the Federal House of Representatives by Anthony Enahoro of the AG in 1953 for independence by 1956 was resisted vehemently (at the federal house) and violently (in the Kano riots) by the north. In reaction to that move, the northern leaders issued an 8 - point agenda which, if granted, would have amounted to secession (Awofeso, 2014). The 8 points included:

1. Each region should have complete legislative and executive autonomy with respect to all matters except the following: defense, external affairs, custom and West African research institutions.
2. There should be no Central legislative body and no Central executive or policy making body for the whole of Nigeria.
3. There should be a Central agency for all Regions which will be responsible for the matters mentioned in paragraph one and other matters delegated to it by a Region.
4. The Central Agency should be at a neutral place, preferably Lagos.
5. The composition and responsibility of the central agency should be defined by the order-in-council establishing the constitutional arrangement. The agency should be a non-political body.
6. Railways, air services, posts and telegraphs, electricity and coal mining should be organized on an inter-Regional basis and should be administered by public corporations.
7. All revenue except custom duties should be levied and collected by the Regional government; the administration of the customs should be so organized that goods consigned to the regions are separately cleared and charged to duty.
8. Each Region should have a separate public service.

The differences among the peoples of Nigeria therefore naturally generate centrifugal forces and tendencies which if not skillfully managed in a true federalism could lead to the balkanisation of any multi-national state. That is why such states are called federal societies and, by the way, any of the component units of Nigeria could comfortably exist as a viable country in the modern sense of the word, comparable or even more viable than many countries of the world. Herein lies the emphatic need for skillful design of Nigerian federalism if we really need to remain one country. Hence, the design of the Independence (1960) and Republican (1963) constitutions of the country, following the constitutional conferences at London in 1957 and 1958, produced a true federalism with strong regions capable of pursuing the diverse aspirations of their people while the central government provides common and unifying services. Those two constitutions contained basically the same provision. The only differences were the provisions for ceremonial President (1963) in place of the Queen of England (1960) and the judicial appeals system which terminated with the Supreme Court, (1963) rather than the judicial Committee of the British Privy Council (1960).

The division of powers between the two levels was in three categories. Matters in the exclusive list were the exclusive preserve of the federal government while both the federal and state governments had concurrent jurisdiction over issues in the concurrent list. Matters not expressly assigned to any level were regarded to be residual, on which the states had exclusive jurisdiction. To underline the extent of power and autonomy given to the component units, it is necessary to give more details about this mode of power division. The exclusive list of legislation contained 45 items including: aviation, borrowing of moneys outside Nigeria, control of capital issues, copyright, deportation, external affairs, extraction, immigration, maritime shipping,

mines and minerals, military affairs, posts and telegraphs, railways, etc. All other important items were in the concurrent list, thus permitting the regions equal rights to legislate and operate in those areas although in the event of discrepancies the laws of the federation predominates.

Series of events sparked series of political crises, particularly in the western region in the early days of independence. The Action Group crisis was essentially a personality clash between its leader, Chief Awolowo and his deputy, Chief Akintola. This was followed by allegations and counter - allegations of manipulation of the 1962/1963 census between the north on one hand and the east and west on the other. Then came the 1964 general election crisis which was preceded by widespread violence in several places. The NCNC boycotted that election and there were allegations of massive rigging and other irregularities in the west with the two parties, AG and NNDP declaring themselves winners of the election. The contest was decided in favour of NNDP by the NNDP government - appointed electoral umpire. The 1965 Western regional election thus became a litmus test of popularity for the Awolowo - led AG and the Akintola - led NNDP. The situation degenerated into total chaos while the NPC led federal government looked on with indifference.

The situation naturally imploded after that election and the military struck to sack the politicians from office. The outcome of the 15 January 1966 coup in which prominent members of the Nigeria National Alliance (NNA) were killed, including the Sardauna of Sokoto, Ahmadu Bello and the Prime Minister, Sir Abubakar Tafawa Balewa while the President escaped unhurt made the North view the coup as an Igbo coup. A counter - coup was therefore quickly staged in July of the same year which resulted in the killing of the Military Head of State, General Ironsi (an Igbo Easterner) who was then succeeded by Lt. Col. (Later General) Gowon (a Northerner). One of the reasons aduced for this counter - coup was Ironsi's issuance of Decree 34 to suspend the federal structure of the country and centralise all political, administrative and fiscal authority of government in the Federal Military Government.

In any case, his successor, Gen. Gowon continued to run the country along that unitarised line. In fact, he went ahead to intensify the centralisation of all authority in the FMG by balkanising the 4 region structure into a 12 state structure to substantially weaken the influence of the regional political leaders. The 13 years of the first military rule and the subsequent 15 years after the demise of the 1st Republic which witnessed tighter and tighter centralisation of power in the Federal Military Government and Supreme Military Council (SMC) effectively destroyed the Nigerian federal structure. Hence more and more states were created as the military hierarchy wished. More and more Decrees were also issued to transfer the ownership and control of all economic resources of the country, including land (Land Use Decree, 1978) to the federal government, thereby effectively emasculating the states and making them totally subordinate to the federal government. Even the constitutions prepared through constitutional conferences under the military in 1978 and 1998 to usher in civilian democratic rule in the 2nd Republic (1979) and 4th Republic (1999) also bear the wishes and practices of the military to increase the powers of the federal government at the expence of the states. Hence from 45 items in the exclusive list of legislations in the 1963 constitution, the legislative jurisdiction of the federal government was enlarged to 66 items in the 1979 constitution and 68 in the 1999 constitution.

The structure of Nigerian federalism under the current democratic dispensation as determined by the 1999 constitution therefore supports the continued over - centralisation of power and subordination of the states to the federal government. Thus the federal government has continued to control inter - governmental fiscal relations at all levels through its agencies such as the Revenue Mobilisation and Fiscal Commission. Hence, the Federal Government under the Obasanjo administration was able to unilaterally determine the revenue allocation formula and even went ahead at various times to withhold the allocation to some states (eg. Lagos, Edo) without good reason. But for court pronouncements that nullified its actions, the federal government also attempted to extend its powers to control state - local fiscal relations through the 2005 Act.

Beyond controlling inter - governmental fiscal relations, the federal government was also able to sack state governors through manipulation of its anti - graft agency, the Economic and Financial Crimes Commission (EFCC) and the justice system (as was the case of Bayelsa, Delta and Plateau states) and declare state of emergency in some states without good reason or following due process (as was the case of Plateau, Adamawa, Borno and Yobe).

The persistent call for resource control, for modification of the revenue allocation formula, for convening of Sovereign National Conference and for restructuring of the Nigerian federation by Nigerians have been largely ignored by government. Even the widely shared opinions expressed in public discussions organised by the federal government in 1987 (political bureau), 1995 (constitutional conference) and 2014 (constitutional conference) have also been ignored as the reports of these confabs are yet to see the light of day.

V. CONTEMPORARY DIMENSIONS OF THE NATIONAL QUESTION

Ethnic tensions in Nigeria are the resultant effect of improper distribution of resources [25]. In the early days, Awolowo [26] cautioned that:

in any country where there are divergences of language and of nationality - particularly of language - a unitary constitution is always a source of bitterness and hostility on the part of linguistic or national minority groups. On the other hand, as soon as a federal constitution is introduced in which each linguistic or national group is recognized and accorded regional autonomy, any bitterness and hostility against the constitutional arrangements as such disappear. If the linguistic or national groups concerned are backward or too weak vis-à-vis the majority group or groups, their bitterness or hostility may be dormant or suppressed. But as soon as they become enlightened and politically conscious, and/or courageous leadership emerges amongst them, the bitterness and hostility come into the open, and remain sustained with all possible venom and rancour until home rule is achieved.

Federalism and decentralisation was therefore advocated as a peace agreement as well as constitutional solution which would reduce conflict, build peace and protect the interest of minority communities. As Borneo [27] concluded in a study, armed rebellions are three times more common among groups living in unitary than in federal states while these groups also experience lower levels of discrimination and grievance. Hence Gurr [28] advocated that power sharing arrangements and group autonomy can be a solution to deep - rooted ethnic conflicts and civil wars, while Hetcher [29] also suggested that plural states such as India and Nigeria would probably have not survived without some form of decentralised governance.

Democracy in plural societies also provide vent for frustration if negotiated agreements are not ignored. In his contribution to the development of the Relative Deprivation; Frustration - Agression theory, Gurr reasoned that frustrations arising from expectations and denials predispose men to rebellion. The contemporary dimensions of the national question in Nigeria are indicative of the plausibility of Gurr's conjecture. The Kano riots of 1953, the 1962 - 1965 Western Regional crisis, even the Nigeria civil war and the Maitatsine uprising of 1981 and the "Ogoni 9" disaster of 1995 are now history. But the fundamental underlying forces are similar to those that throw up such groups as Movement for the Emancipation of Niger Delta (MEND), Movement for the Actualisation of the Sovereign State of Biafra (MASSOB), Odua People's Congress (OPC) and Boko Haram, to mention a few. These violent groups represent the current dimensions of the national question in Nigeria.

Boko Haram is based on the philosophy that modernity is evil. The extreme violence of the group is well known, as it pursues the objective of preventing people from going to school, from paying allegiance to the Nigerian nation and its government, and of taking control of territories in Nigeria to hold under the rule of a caliphate.

Similarly, the OPC's advertised mission is to mobilise the Yoruba - the dominant group in Lagos and the western part of the country "by any means necessary" to break away from Nigeria and establish a new state named after Oduduwa, the mythical progenitor of the ethnic group [30]. MASSOB's stated goal on the other hand is the peaceful dissolution of Nigeria and a re - emergence of a new sovereign state in the eastern part of the country to be known as the United States of Biafra [31]. The modus operandi of MASSOB however is not in tandem with this stated strategy of non - violence as it is evident that any time MASSOB expresses an opinion or engages in direct action against government, it leaves violence and destruction in its trail. Armed struggle in the Niger Delta is constantly in a state of flux. But the Movement for the Emancipation of the Niger Delta has come, of recent to symbolise its essence. The group hopes to compel government to allow the Niger Delta states to control the oil wealth generated from their area, and if this is not possible to ultimately break away from the country and establish their own nation.

The violence of these separatist groups has become worrisome because nomalcy and common law and order which many of us take for granted is simply not available to the people living under their influence. They have made the country extremely difficult to govern. People live under tension, government is under tension, there is tension in the land and the continued long - term existence of Nigeria is tentative, to say the least. This state of affairs calls for a "final solution". That final solution consists in the determination of the Nigerian government and people to accept that people of the diverse ethnic, cultural, linguistic and religious groups in Nigeria desperately need a breath of fresh air and that the panacea is the restructuring of Nigeria along the lines of true federalism governed under a true democracy.

VI. CONCLUDING ANALYSIS

Going by the definition of federalism, Nigeria is a federation. It has a written constitution that defines the powers and jurisdictions of the central government and its component units – states and local governments. It also has a Supreme Court to determine jurisdictional disputes between the various levels of government and it has a bi - cameral legislature at the center which takes decisions by means of absolute majority. However, the evidence on ground points to the fact that Nigeria is progressively tending towards a unitary state. This is especially so in the area of sharing of functions and resources available in the country between the central government and the component units on the one hand and between the government and the citizens on the other [32].

The three basic components of power sharing in a federation are political, administrative and fiscal. Administrative decentralisation of Nigeria seem to be settled and not contentious. What seem to be in contention are political and fiscal decentralisation. From the foregoing discussion of this paper, we find that this is as a result of the long years of military rule and the re - centralisation of political authority after the collapse of the first republic.

In the wake of every military coup, the first task that the coupists set for themselves is to suspend the constitution. Thus the people's constitution of 1963 was jettisoned, and in 1979, the military produced the constitution that ushered in the second republic. In doing that, the military rulers accepted the reports of the Constitution Drafting Committee which they wanted to accept and rejected those they wanted to reject. The 1999 constitution is, essentially, a second edition of that 1979 constitution and, interestingly, it was also prepared by the military. These constitutions are products of coercion and, in essence, Nigeria today is still under the rule of force. Nigerian democracy and the periodic elections can therefore be said to be a legitimization of the hegemony of the center and the self aggrandisement of public officials. The repeated calls for Sovereign National Conference have fallen on deaf ears, and the convocation of one by the Jonathan administration in 2014, for all it cost, seems to have been a waste of time as the report has not been implemented. Thus the Nigerian government has, up until now not responded to the will of the people to engage in the most fundamental democratic question of instituting a people's constitution. Nigerians can not be said to be free and to freely choose the government under which they wish to be ruled unless they are, first of all, free to choose the constitution that will determine the structure, content and process of that government.

In the operation of the democracy which we have, the people's representatives have been so elitist that they do not effectively connect with their constituents. The people's role in the process has always ended at the polls and the ballot, the outcome of which have always been subverted against their wishes as a result of electoral malpractices and irregularities. However, the current reform being inputted in the system is a step in the right direction. The introduction of the use of technology in the electoral process by the Attahiru Jega - led Independent National Electoral Commission (INEC) has the potential of sanitising the system. But that potential cannot be fully realised until the application of technology is legalised through the Electoral Act, and also until the use of technology runs through the entire process from registration of voters through accreditation at the polls up to the electronic transmission and collation of results.

It is also encouraging that the eighth National Assembly appears to be responding to the yearnings of the people especially at this time that the dwindling oil earnings has pushed the country close to another economic recession. The close scrutiny of the 2016 budget and the rejection of the hike in electricity tariffs by the senate are indicators of this new spirit. However, it appears that the National Assembly is only adjusting to the anti - corruption philosophy and people - centeredness of the executive. Afterall, majority of the members of the 8th assembly were also members of the 7th and 6th assemblies which were decidedly anti - people.

The 8th assembly should do more in this direction by, for instance, giving up some of their bogus earnings and perquisites which do not reflect the economic realities of the time. They should also drop the idea of "constituency projects" which permits the parliamentarian to identify projects to be executed in his constituency and also nominate the contractor to execute such projects. This is absurd to the extent that under a federalism and in any decentralised political system for that matter, in addition to the implementation machinery at the federal level, local political and executive bodies also exist at the state and local government levels which can articulate the needs of the people and execute projects contained in the annual budget as it affects their local communities.

Moreover, we need to restate that there is an emphatic need for effective and efficient fiscal decentralisation of the Nigerian government. By definition, fiscal decentralisation transfers some form of resource allocation powers to subnational units, usually in form of authority over local taxes and spending. The prime emphasis is to locate decisions about resources (revenue and expenditure) closest to the equivalent level of government [33]. Hence expenditure decentralisation may communicate very little about the locus of authority. An important consideration is whether expenditure decentralisation is funded by intergovernmental grants, revenue that is shared with the center according to a fixed formula or the mobilisation of own - source revenue through independent taxes, user - fees and borrowing. Recent OECD data [34] suggest that fiscal

decentralisation has expanded among most industrialised countries during the last three decades, notably with growing regional autonomy to control taxation revenue and public expenditure. We hope that before long, the government will respond to the popular wish of Nigerians for restructuring the country along the line of true federalism with resource mobilisation and control going to the component units of the federation. In the interim, the nations taxation policy should be reformed to give more authority to the states, especially over personal income tax, company income tax, capital gains tax and value added tax of all forms available within their territorial boundaries to enhance their financial independence from the federal government. This will enable the states to get beyond the level of needing bailout funds to pay salaries, to the level of being able to execute more local projects as will address the needs of their people and assuage their inanitions.

Finally, the idea of rotational presidency between the six geopolitical zones of the country which was initiated by the PDP and which has somehow been adopted by all the other major political parties is also good. But it needs to be extended to include a constitutional provision for up to two Vice Presidents or a Vice President and a Prime Minister so as to create enough executive positions to include much of the diversities of Nigeria in governance.

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