



Agitation for Restructuring and Resource Control in Nigeria's Federalism: Issues, Perspectives and the Way Forward

Ali Ibrahim Abbas, Ph.D. & Sani Garba Wakili

Department of Political Science and Administration
Yobe State University, Damaturu - Nigeria
alibrahimabbas2000@gmail.com
garbawakilisani@yahoo.com

Abstract: Nigeria is a federal constitutional republic comprising of 36 states and the Federal Capital Territory, Abuja. The states are further sub-divided into 774 Local Government Areas (LGAs). This paper examines issues concerning agitation for restructuring and resource control in Nigeria. The study through content analysis of documents examined the factors that led to the agitation for re-structuring, salient issues raised and the constitutional basis for re-structuring. It is discovered that in Nigeria the agitation revolves around resource control, review of revenue sharing formula, devolution of power, return to regional federal system of government based on six geo-political zones, return to parliamentary system of government, removal of immunity clause from the constitution, creation of state police, role of traditional rulers, among others. The finding also shows that Nigerians-individually and in groups, across regions and ethnic divides have been advocating for one or more aspect(s) of restructuring Nigeria's federal system. The study therefore recommended restructuring in order to enhance national unity, peaceful co-existence, political stability and balanced national development. Beyond restructuring however, the failure of governance at all levels due to poor leadership, mismanagement, and corruption must be addressed.

Keywords: Restructuring, Resource Control, Federalism, Political Economy, Nigeria

Introduction

Countries in the world over adopt political arrangements that best suit their nature, context and composition. In some cases, for instance, this

arrangement facilitates a substantial amount of co-operation among the various segments and institutions all in a bid to achieve the desired end of the good life for the citizens(Alsamee,

Abdul-Wahab & Yusof, 2016). The federal system is one of such political systems mostly adopted by heterogeneous societies/states (Alsamee et al, 2016; Babalola, 2016; Chukwuemeka & Amobi, 2011; Elekwa, Mathew & Akume, 2011; Ewetan, 2012; Ezeji-Okoye, 2009). Similarly, it is in this regard of heterogeneous nature that Nigeria adopts and practices federalism as a system of government where some certain political, administrative and economic powers/functions are shared between the central government and its component units (Babalola, 2016; Chukwuemeka & Amobi, 2011; Elekwa et al, 2011; Ewetan, 2012; Ezeji-Okoye, 2009). It is in this regard that for instance a classical scholar such as Tamuno (1983) sees Nigeria's federalism as a form of government where the component units of its political organization participate in sharing some powers and functions in a co-operative manner though the combined forces of ethnic pluralism and cultural diversity among others that pull them apart.

Earlier in the 19th century, the British had conquered the different parts of present Nigeria at different times and established control and authority over them (Ezeji-Okoye, 2009). These areas were grouped into Southern and Northern protectorates. For the convenience of administration, the Northern and Southern protectorates were later amalgamated in 1914 by the colonial masters thus resulting into existence the country presently called Nigeria (Ezeji-Okoye, 2009). However, as time went by, the British colonial rule, with its continued alienation and subjugation of the indigenous people, resulted in to agitation for self-government. This further demonstrates

that the political history of Nigeria was dominated by struggles for freedom especially between 1922 and 1959. In fact, it is now a common knowledge that some notable Nigerians: Sir Herbert Macaulay, Sir Abubakar T. Balewa, Dr. Nnamdi Azikwe, Sir Ahmadu Bello, Chief Obafemi Awolowo, and Chief Anthony Enahoro, to mention but a few, are regarded as the founding fathers of Nigeria's nationalism.

Given their struggles as mentioned earlier, the British colonialist gave concessions to Nigerian activists that led to the rise of the series of constitutions that come into existence, to assuage their feelings. The constitutions included the Clifford constitution, 1922, Richards constitutions, 1946, Macpherson constitution, 1951 and Lyttleton's constitution, 1954 that gave birth to Nigeria's federal arrangement. While the constitutions have played significant roles, historical, social, political and cultural factors also made Nigeria's adoption of federalism (Babalola, 2016; Elekwa et al, 2011; Ewetan, 2012; Ezeji-Okoye, 2009). These factors are diversities in nationalities, religions, cultures, resources, and fear of domination among the various entities. In the light of this, federalism is thus seen as a system that grant units considerable freedom and autonomy in the internal governance of their people given its decentralized powers (Alsamee et al, 2016; Elekwa et al, 2011; Ewetan, 2012; Chukwuemeka & Amobi, 2011; Ezeji-Okoye, 2009). As such, in a federal state like Nigeria, the constitution is supreme with shared powers between and among the three tiers of governments (Babalola, 2016; Alsamee et al, 2016; Chukwuemeka &

Amobi, 2011). Hence, in each tier, the government is expected to exercise certain control and function within its scope of authority.

Although, federalism has been practiced in Nigeria over the years, the agitation for restructuring to achieve resource control or what some scholars termed “true federalism” including secession is not a new phenomenon in the country’s political history (Agwanwo, 2014; Anugwam, 2005; Awofeso, 2017; Babalola, 2015; Chijioke, Innocent & Emeh, 2012; Elekwa et al, 2011; Madubuike, 2015; Ojatorotu, 2008). Hence, it is not surprising from recent issues; that there are agitations by certain component units of Nigeria. In fact, it is clear that some parts or indeed all parts of Nigeria are not comfortable and satisfied with the present federal arrangement. Mostly agreed is that the central and the other components of the federation of Nigeria heavily rely on revenue allocation from the federation account with greater percentage coming from the oil revenues (Agwanwo, 2014; Anugwam, 2005; Awofeso, 2017; Chijioke et al, 2012; Elekwa et al, 2011; Madubuike, 2015; Ojatorotu, 2008). Within the context of the political economy of oil in Nigeria’s federation, the question of control as some scholars termed it “resource control” (Babalola, 2016; Chijioke et al, 2012; Dickson & Asua, 2016; Madubuike, 2015) is not totally surprising.

To put it specifically, Agbu (2004) had earlier maintained that agitation in Nigeria’s federal set up has fundamentally manifested itself over the quest for access and control over the political power to federally collect revenue. In addition, the rentier economic character of the Nigerian

state is also a fundamental factor in understanding the dimension and interests of political forces in this struggle. Interestingly, the oil rent revenue constitutes a significant proportion of Nigeria’s national income (Agwanwo, 2014; Anugwam, 2005; Awofeso, 2017; Chijioke et al, 2012; Elekwa et al, 2011; Madubuike, 2015; Ojatorotu, 2008). More disturbingly is that, there has been a failure of governance at all levels of democratic governance structure mostly due to bad leadership and corruption over the years (Abbas, 2013; Anugwam, 2005). In fact, most indicators of under development are still present in the country regardless of its varied geopolitical regions. While the idea of true or fiscal federalism, resource control, and restructuring are aimed at ensuring balanced national development, unity and peaceful co-existence have been debating the big question therefore remains “what is wrong with Nigeria’s federal system in view of its current challenges?” Similarly, “can the current agitation calls through restructuring agenda” as pushed by some interest groups address the contemporary political and economic challenges in the country?”

To answer the questions posed by this paper, there is the need to find out the factors responsible for the current agitation that is posing threat to the corporate existence of Nigeria. Specifically, it aimed to examine:

1. The factors responsible for the consistent call for restructuring in Nigeria.
2. The areas of contention or dissatisfaction that led to agitations, by extension responsible for threatening the political stability of

Nigeria in particular and corporate existence in general.

3. The best ways and strategies to go about restructuring Nigeria's federalism politically and economically.

To achieve these objectives, this paper situated within political economic framework therefore analyzed some specific issues in which primacy is assigned to material conditions (Akindele and Asaolu, 2003) as political economy is a complex interaction between politics and economy in the development of human societies. Through descriptive methods of analysis, this paper is based on secondary data utilised relevant media reports, scholarly works and personal observations of the researchers. Essentially, most of the ideas were generated through political events and previous studies gleaned based on their substance, relevance and comparative quality to give more insight. Furthermore, the effort is made to link segments of the literature based on a review of studies related to the problem of study to the contemporary experience of emerging events. Overall, the essence is to capture and provide the political realities on the ground for a presentation of a balanced argument.

Federalism and the Question of Resource Control in Nigeria

Federalism in Nigeria was entrenched by the British imperialist power. Long before the creation of the political entity called Nigeria through its amalgamation in 1914, the peoples that existed have had an established indigenous system of administration (Elekwaet al, 2011; Ezeji-Okoye, 2009) through some political entities such as the Benin Empire, Kanem Bornu Empire, Sokoto caliphate, Oyo Empire, to mention a

few. While the structure of federalism in Nigeria was laid by the Richards constitution of 1946 which introduced regionalism into the polity, its formal operation started in 1954 with the adoption of the Oliver Lyttleton's constitution that gave substantial autonomy to the regions, as well as specific power and functions to the then central and other regional governments (Elekwaet al, 2011). In addition, the established federal system was further consolidated in 1960 where Nigeria at independence inherited from the British the legacy of federalism built on three regions: the North, East, and West and a parliamentary system of government.

Hence, before 1960, the various constitutional changes from 1922-1960 contributed in setting a firm foundation for Nigerian federal structure even at the present moment. In Nigeria's case, some scholars (Babalola, 2016; Chukwuemeka & Amobi, 2011; Elekwaet al, 2011; Ewetan, 2012; Ezeji-Okoye, 2009) shared that the necessary conditions for its federalism among others include:

- Tribal and religious differences
- Fear of domination and measure of local autonomy
- Fear of inter-ethnic rivalry
- An even development for security reason
- The desire for unity in diversity

Generally, the federal system therefore allows such differences and sharing of power to preserve the strength and unity of the country as the case may be on its constitutional provisions. In most cases, it is argued that states resort to federalism especially when the adoption and practice of a unitary system of government are not achievable (Alsamee et al, 2016). To achieve its practice the constitution therefore

divides powers between the center and the other component units. Burgess (1993) hence viewed federalism as a practice that represents an action that flows from the ideological belief that manifests in the society's varied institutions, characters and structures. Under this form of government, the federation is divided among the units (usually the centre and the peripheries) and each component of the federation has the power of autonomy within its area of jurisdiction. In Nigeria's case, the powers shared among the federated units (Federal, State and Local Governments) are those included on the exclusive, concurrent and residual legislative lists (1999 constitution, as amended; Babalola, 2016; Chukwuemeka & Amobi, 2011; Ewetan, 2012). As each function and responsibility is specified in the constitution in the federal system of government:

- i. The exclusive list means only those matters which the federal government can make laws or polices e.g. external affairs, defense, currency, mines and power, railways, ports and other matters that are regarded to be of national significance.
- ii. The concurrent list contains items which the federal and state governments can make laws or polices related to healthcare, housing, agriculture, water resource, education, etc.
- iii. The residual list contains items not mentioned at the exclusive and concurrent lists left for the local government councils to handle.

While federalism has its varied necessities and advantages, on the other hand it is considered a divide and rule strategy of the British colonialists

foisted on the country to maintain a neo-colonial state apparatus for the effective control of the country after independence. It has been argued that the unitary system of government worked well before the introduction of federalism and that the colonialists had the opportunity of de-emphasizing the particularistic tendencies of the different ethnic groups in the country but for selfish reasons ended up creating structural imperfections to fuel inter-ethnic relations after independence. This standpoint was emphasised such that, following the coup d'état on January 15, 1966, Nigeria's federal structure underwent a change. It is for this reason that late General Aguiyi Ironsi, Nigeria's first military Head of State, believing that federalism had fostered ethnic disunity in the country (Abbas, 2013) abolished the then regions and by Decree 34, promulgated in May, 1966, established a unitary system of government (Ezeji-Okoye, 2009) thereby concentrating economic and political powers at the centre.

From pre independence to post independence periods, both structures established had gradually metamorphosed into a three regional structure with a weak central government in 1960, four regions in 1963, 19 states in 1969, 23 states in 1987, 30 states in 1991 and, 36 states and Abuja and 774 local government councils in 1996 (Elekwa et al, 2011). However, this enlargement of the federal structural base was mostly effected during the nation's development when it was generating comfortable revenue (Ezeji-Okoye, 2009). Over the years, nature of the federal states in terms of size, economic potential and ethnicity (major ethnic

definition of the respective states), has continued to define the nature and character of Nigerian federalism during these military regimes. The question commentators keep asking is that has the numerical strength of the states qualifies them for statehood? This and similar other question becomes pertinent as the economy of most of the state is poor that its survival has become a major problem in the nation's body polity. In recent times, in most of the states, workers receive their salaries several months in arrears.

Similarly, it is this evident weak economy of the states that has made them significantly depend on the national government for handouts or bail out for their basic functions and responsibilities. Although, there were compelling reasons to the adoption of federalism what remains challenging is the extent to which the practice of federalism has over the years addressed the issues of self-determination, economic prosperity, and desire for unity. The driving force to this debate in Nigeria in recent years has been the "call for restructuring" or "agitation for resource control." Tochukwu (2002:28-29) advanced that "resource control" in Nigeria means "the right of mineral exploration, exploitation and the management of resources by the communities where these resources are; including marketing of the proceeds from their land or water." Chukwuemeka and Amobi (2011) contend that true federalism implies that the federating units in the polity pursue their own developmental programmes/projects at their own pace, utilizing resources within their territory and under their control. Hence, according to Chijioke et al (2012) and Ojatorotu (2008) resource control is about access

of state governments/localities to natural resources located in their boundaries and the freedom to develop as well as utilise them without interference from the central government.

Agitation for Restructuring and Resource Control in Nigeria

Restructuring in the context of Nigeria is regarded as a consistent call and move for the political reorganisation of Nigeria's federal structure, the system of government as well as other aspects desired for a constitutional amendment. Although, the concept seems new in Nigeria's discourse, Nigerians use different terms to identify areas that require reorganisation based on perceived interest. The key argument has always been that Nigeria operates a federal system of government and as such power is constitutionally shared between the central government standing for the whole country, and the states and local government areas serving as a sub-division of the country (1999 constitution of the Federal Republic of Nigeria). Hence, in the Federal Republic of Nigeria, each level of government is assigned executive, legislative as well as judicial power and responsibilities (1999 constitution, as amended; Babalola, 2016; Chukwuemeka & Amobi, 2011; Ewetan, 2012; Mike, 2004). As agreed by these scholars these responsibilities however require finance to carry them out.

Going further, one of the most contentious issues in almost all federal states is the question of fiscal federalism (Babalola, 2016; Chukwuemeka & Amobi, 2011; Ewetan, 2012). As advanced earlier by some scholars fiscal federalism revolves around the constitutional principle for

generating/allocating, sharing and utilization of funds among the constituent parts of a federal state (Babalola, 2016; Chukwuemeka & Amobi, 2011; Ewetan, 2012). To put it clearly, fiscal federalism is thus regarded as an aspect of federalism that deals with the constitutional definition of responsibilities of various tiers of government along with laid down principles and procedures for sourcing revenue among the levels, and for sharing the revenue among the constituent parts in a manner that enables them to fulfill their constitutional responsibilities (Angahar, 2013). This means that fiscal federalism becomes necessary for operating a federal system of government because the functions that the government performs are not performed only by the central government. In essence, fiscal federalism according to Ewetan (2012) will mean decentralising financial decision making at the lower levels of government instead of concentrating the power at the center.

While the process is usually problematic, such intergovernmental relation is also seen as a very complex pattern of interactions, cooperation and interdependence between two or more levels of government (Angahar, 2013; Babalola, 2016; Chukwuemeka & Amobi, 2011; Ewetan, 2012). As argued by some scholars, in most cases in Nigeria, the nature of revenue generation and even allocation has therefore continued to reflect a character of certain complexity that is embodied by disagreement among the various segments of the country due to the revenue sharing formula adopted upon (Elekwa et al, 2011). To this end, the earlier views of these scholars are therefore noteworthy:

The introduction of the 1946 constitution altered significantly the formal unitary structure in existence by introducing regionalism to the pattern of colonial administration in Nigeria. Although the constitution was not strictly federal, the creation of the regional level of governments immediately raised the question of allocating revenue to the central government, the new regional centers and the old Native Authority Governments (Adebayo, 1988 as cited in Elekwa, Mathew, and Akume, 2011).

Similarly, it has been previously reported that numerous committees and commissions were set up from pre-colonial to a post-independence era for the purpose of working out an acceptable revenue sharing formula in Nigeria, but yet again agitation for restructuring and resource control continuous till date. Over the years, such bodies included the Chicks Commission, 1946; Hick-Phillipson Commission, 1950; Chicks Commission, 1954; Raisman Commission, 1957; Binns Commission, 1964; Dina Commission, 1969; Aboyade Technical Committee, 1977; Okigbo Commission, 1979 and several military and administrative decrees and changes respectively among others (Elekwa et al, 2011; Ewetan, 2012). Hence, the dynamics of these commissions, committees, decrees and changes have led to the final establishment of the National Revenue Mobilization Allocation and Fiscal Commission (NRMAFC) in 1988. This made some scholars (Babalola, 2016; Chukwuemeka & Amobi, 2011; Dickson & Asua, 2016; Elekwa et al, 2011; Ewetan, 2012; Madubuike, 2017) to argue that from the pre-colonial up to the present time, agitation for resource control has remained the most

contentious issue in Nigeria's fiscal relations.

Specifically, this crisis and conflict of interest usually resonate politics of oil in Nigeria as one scholar posited that:

...Oil is an object of the struggles between classes, factions of classes acting either through State structures or ethnic identity groups. Since oil is power, and power is oil in the context of Nigeria's political economy, the struggle for oil power becomes a primary object of politics, and the inequitable distribution of oil highlights existing inequalities, competing claims, grievances, and even conflicts, which conspire to threaten the Federal foundations of the Nigerian State (Obi as cited in Dickson & Asua, 2016:9).

The dominant argument in Niger-Delta region for resource control is that, the abandonment of true federalism in Nigeria has led to the neglect and marginalization of the region and its people (Anugwam, 2005; Chijioke et al, 2012; Madubuike, 2017; Ojatorotu, 2008; Ottigbe & Ottigbe, 2015). They argued that since the bulk of Nigeria's oil wealth is explored from this region, the rate of unemployment, poverty, environmental degradation and poor infrastructural development is considered unacceptable (Anugwam, 2005; Chijioke et al, 2012; Madubuike, 2017; Ojatorotu, 2008; Ottigbe & Ottigbe, 2015). It is therefore not surprising that the 9 oil producing states of Akwa-Ibom, Cross River, Rivers, Bayelsa, Delta, Edo, Ondo, Abia and Imo have continued to agitate for resource control in Nigeria vehemently (Ottigbe & Ottigbe, 2015). The advancements by the indigenous people of Niger-Delta individually or in groups, who organize peaceful movements or violent struggles, are claimed to have been addressing

fundamental developmental challenges in the region characterized by neglect, poverty, environmental degradation, poor infrastructure among others in the region. However, while this struggle is considered legitimate, the methodology adopted over the years has at various instances taken extreme and violent dimension by militant groups in the region thereby threatening the nation's peace and security.

With regard to call for resource control and true federalism, the people of the Niger Delta region are not alone. For instance, since the return of democratic governance in Nigeria in May 1999, there has been in some instances a coordinated attempt by the Southern Governors to advance the call for resource control and true federalism. To be specific, in one instance, the Southern Governors Forum at a conference had issued a 17-point communiqué, which among others resolved that:

That resource control and derivation should henceforth and be accepted as the basis for revenue generation and allocation; and that Nigerian's federal status as presently constituted be restructured along a legal framework that would grant a reasonable measure of autonomy to the states and component parts of the federation" (Omenma, 2002:1).

Although, the current poor socio-economic situation of all Nigerians across the regions does not show sign of significant improvement in citizens' living standard, it is evident that the Southern part of Nigeria is not the only region in this quagmire. In fact, in most cases, the Northern part of Nigeria is worst off in most development indices when compared with the other regions. The analysis of the developmental crisis in the Niger-Delta or every other region for that matter thus requires an

exposition beyond the question of “true federalism and resource control”. Earlier studies have shown that massive corruption, embezzlement of public fund, poor accountability; high cost of governance and the crisis of legitimacy; recurring ethnic, regional and religious clashes; abuse of constitution and constitutionalism, etc have thwarted Nigeria’s socio-economic and political development of post military era (Abbas, 2013; 2016; Babalola, 2016; Ezeji-Okoye, 2009).

Among challenges mentioned above, earlier studies have specifically shown that corruption remains an aspect of Nigeria’s political economy that must be looked in to while analysing its socio-economic development (Babalola, 2016). Indeed, it has been argued that corruption is a serious threat to the economic development of Nigeria (Abbas, 2013; Babalola, 2016; Ezeji-Okoye, 2009). There is evidence that embezzlement of public fund, the high cost of governance as a result of inflation of contracts as well as irresponsible economic management in Nigeria is a hindrance to its development (Babalola, 2016; Lawan, 2014). By this argument, corruption is a serious factor in the stagnation and underdevelopment in Nigeria. More worrisomely, the failure of the Nigerian government at all levels of governance to give the desired attention to the development of the nation in spite of its enormous human and material resources is considered a serious setback. In fact, almost every region but more specifically in the North, is characterized by the absence of basic infrastructure, social services, non-oil industries and petroleum products. While Nigeria remains a Federal republic, every part of the country

whether, North or South, East or West, there is widespread political neglect, social and economic underdevelopment that needs to be addressed.

Agitations for Restructuring in Nigeria: Some Contentious Issues

Nigeria’s experience of federalism over years is characterized by and also dominated by the above intricacies as a solution to one problem leads to another and without a genuine desire to forge ahead. Hence, what are the areas of contentions or dissatisfactions that have over the years led to agitation for restructuring, by extension responsible for threatening the political stability of Nigeria in particular and its corporate existence in general?

Call for Devolution of Power: there is common agreement among scholars and commentators that the exclusive legislative list of the federal government of Nigeria is too heavy (Babalola, 2016; Chukwuemeka & Amobi, 2011; Elekwa et al, 2011; Ewetan, 2012; Ezeji-Okoye, 2009; Ottigbe & Ottigbe, 2015). It is therefore argued that since the constitution grants more power to the Federal Government through the exclusive list such as the control of mineral resources in the country the over centralization and concentration of powers at the centre is considered a dirge for the Nigerian federation (Babalola, 2016; Chukwuemeka & Amobi, 2011; Elekwa et al, 2011; Ewetan, 2012; Ezeji-Okoye, 2009; Ottigbe & Ottigbe, 2015). The simple reason being one of the cardinal principles of federalism which is substantial autonomy is suffocated by this factor. It is interesting to note that majority of the state governments are calling for the reduction of items on the exclusive list and put them under the jurisdiction of the states. In the area of

fiscal practice of federalism, with a more power concentrated at the center by the constitution (Alsamee et al, 2016) the main functions and responsibilities of resources allocation therefore lie with the central government. Hence, the distribution of power remains one of the hottest issues even in Nigeria's federalism.

More interestingly, because access to central political power in Nigeria is a considered a license to be in charge of huge resource allocation (Abbas, 2013; Chukwuemeka & Amobi, 2011), the controlling power continue to allocate a large percentage of such resources to its own advantage. In fact, these among other factors make leadership position at the centre very attractive and a do or die affair (Abbas, 2013; 2016). It should however not be forgotten that the principle of fiscal federalism requires that there must be sufficient resources to support both central and component units without which the federation cannot stand (Babalola, 2016; Chukwuemeka & Amobi, 2011; Elekwa et al, 2011; Ewetan, 2012; Ottigbe & Ottigbe, 2015). It is in this regard that Tochukwu (2002:27) submits that devolution of power with corresponding constitutional functions and responsibilities to all the component units will reduce ethnic tension, unemployment, poverty, environmental degradation, low infrastructural development and the cry of marginalization in Nigeria. As earlier advanced by Alsamee et al(2016), the devolution of power with defined duties and responsibilities to each federating authority will reduce the burden and expenses of the federal government hence allowing component units of the federation to determine the needs of its

people and satisfy them easily through specialisation.

Review of Revenue Sharing Formula:

This is an aspect of intergovernmental fiscal relations that deals with constitutional power for a generation and sharing of revenue by different levels of government. For instance, since early 2000 the vertical formula has been Federal Government(52.68%), State Governments(26.72%) and Local Governments (20.60%). While this has been practiced over the years, the practice of fiscal federalism in Nigeria has not brought about the needed socio-economic development as envisaged by the architects and advocates of the system (Babalola, 2016; Chukwuemeka & Amobi, 2011; Elekwa et al, 2011; Ewetan, 2012; Ottigbe & Ottigbe, 2015). Most of the scholars identified such hindrances to the country's dependence on oil revenue and its over concentration of economic resources at the federal level (Babalola, 2016; Chukwuemeka & Amobi, 2011; Elekwa et al, 2011; Ewetan, 2012; Ottigbe & Ottigbe, 2015). Specifically, Babalola (2016) advanced that if Nigeria's current fiscal arrangement is to advance its constitutional economic objectives, this clear contradiction of over centralizing economic resources at the center must be addressed.

Moreover, it is as result of this dominance of the federal government with regards to the proportion of revenue allocation to the center that agitation for a review of revenue sharing formula had continued unabated. Although Nigeria's revenue allocation formula has over the years recorded changes but what seems unchanged is the allocation of lion share of centrally generated revenue to the federal government (Babalola,

2016; Chukwuemeka & Amobi, 2011; Ewetan, 2012). As explained earlier, the vertical allocation formula since 2000 has been in the favour of the federal government thereby ensuring what some scholars referred to as “federal dominance in fiscal matters” (Babalola, 2016). For horizontal allocation, the 1999 constitution of Nigeria provides the principles of “population, derivation, equality of states, internal revenue generation, land mass, needs and even development, etc” (Babalola, 2016; Chukwuemeka & Amobi, 2011; Ewetan, 2012). While there is common ground among the state governors that the higher proportion of revenue shall be allocated to the state government, there are concerns in the principle of derivation.

Beyond the general principle of allocation, the Nigerian constitution provides no less than 13% of revenues generated from natural resource be allocated based on the principle of derivation. This means that since Nigeria’s revenue majorly depends on oil, the “oil producing states” are thus entitled to 13% derivation from the oil sales in addition to the statutory allocation from the federal government. While the derivation principle is captured in the constitution, its application has always raised eye brows and controversies among the elites of each region with a geo-political dimension (Anugwam, 2005; Babalola, 2015; Chijioke et al, 2012; Elekwa et al, 2011; Madubuike, 2015; Ojatorotu, 2008). While the oil producing states continue to demand an increase in derivation from 13% to 50% (Madubuike, 2015; Ojatorotu, 2008; Ottigbe & Ottigbe, 2015, Several National Political Reform Conference), other regions argue in favour of the

advancement of the principle equality and population. The main argument has been that since oil like other natural resources is a gift of nature, it therefore belongs to all Nigerians irrespective of tribe or region (Babalola, 2016) that must not be exclusively allocated to a certain region or people.

Creation of More States: since independence, Nigeria has witnessed numerous movements for state creation from all angles or regions in the polity. Generally, the main rationales behind the creation of states in Nigeria were to address various economic, political and socio-cultural issues in the country (Ezeji-Okoye, 2009). In fact, it is based on this continues quest that, some groups are still calling for the creation of more states. It has been advanced that fiscal decentralisation of public spending responsibilities in federal states brings about economic development (Alsamee et al, 2016; Babalola, 2016). At a variance with the federal government where the states are dependent on the all-powerful federal government, this has triggered a lot of robust agitation for the creation for more states in order to achieve massive devolution of powers to sub national levels. Scholars argued that true fiscal federalism has never been practiced in Nigeria in its real sense (Babalola, 2016; Chukwuemeka & Amobi, 2011; Elekwa et al, 2011; Ewetan, 2012). Therefore, in Nigeria “true federalism” was only practiced between 1954 and 1966, a period characterized by massive devolution of powers to the regions.

It is on record that the period of military rule witnessed a reduction of power of the regions and subsequently more states and local government areas were over the years created as reflected in the constitutions (Ezeji-Okoye, 2009).

However, in spite of the series of structural changes that took place under the military regimes occasioned by agitations by several interest groups, the current number of states in Nigeria is considered by some interest groups as imbalanced. In terms of geo-political zones, North-West has (7 states), North-East (6 states), North-Central (6 states), South-West (6 states), South-South (6 states) and South East (5 states). Not minding the population, land size and other consideration for such number of states in each geo political zones, what is regarded as imbalance have provoked serious agitations especially by the South-East and the Igbo communities in the country (Ezeji-Okoye, 2009). Their argument has been that since every geo political region in Nigeria has at least 6 states, except the South East; there should be at least an equal proportion of such states. Such call for an equal proportion of states however does not consider other determinants for state creation especially population, land mass, etc.

Return to Regional Federalism and Parliamentary System of Government: over the years, there have been calls to the return to federal structure based on the 6 geo-political zones of the country as witnessed in the 1960s. Although Nigeria federalism and presidential system which started since 1979 has been operating, it has not been satisfactory to most of the stakeholders. While the changing forms and structures of the federation from 3 regional structure in 1960, 4 regions in 1963, 19 states in 1969, 23 states in 1987, 30 states in 1991 and, 36 states and Abuja (the FCT) and 774 local government councils in 1996 (Elekwa et al, 2011; Ezeji-Okoye, 2009), the fact still remains that most of them (states

and local governments) were created along macro or micro-ethnic lines. Their consequence is that, the intra and interethnic discord which largely resulted from inequality of ethnic representation even in the 1960s is resurfacing at the state and local levels. In essence, current Nigeria's federalism has only rotated between the factor of extreme regionalism that characterized the pre-independence and first republic era as well as the centrality of the military and to some extent the post military era. The wider implication is an enlargement of the federal government's power even at the state and local levels. Hence, the call for what was "better days" in the 1960's that is the return to the former regional federalism and parliamentary system of government.

Even more recently, some prominent leaders of the Yoruba nation (in a summit at Ibadan on 9/9/2017) have advocated for the return to regional government based on the 1960 and or 1963 constitution (TVC news, 2017). In fact, some proponents of restructuring have argued that the current presidential system of government being practiced in Nigeria over the years is too costly and expensive to run in terms of financial management. Hence, the recent calls for the return to a parliamentary system of government in order to reduce the cost of governance in the country are considered justifiable. The main argument is that under a parliamentary system, members of the parliament are members of the executive hence a possible reduction in the cost of governance. In furtherance of the saving cost argument, some proponents are even advocating for part time legislators instead of the

permanent who in some cases are either idle or attending to unnecessary issues.

Reorganization of the Nigerian Police: due to the upsurge in violent and non-violent cases of crimes and the inability of highly centralised police to prove it worth across Nigeria (Agwanwo, 2014; Egunjobi, 2016) there are calls from some quotas that the current Nigerian Police Force (NPF) be reorganised to face the current realities. These calls are not farfetched from the fact that there is a wave of recurring conflicts/insecurity such as insurgency, armed robbery, kidnapping, herdsmen/farmers clashes, among other insecurity challenges across the country that the NPF fails to address. Moreover, the failure of the current NPF to efficiently perform its constitutional duties, among others factors, is now blamed on the over-centralization of the force (Agwanwo, 2014; Egunjobi, 2016). To address this problem, two options remain the most common views. While some are calling for the decentralisation of the current NPF through the establishment of state police, others are emphasising the need for reform or reorganisation of the force to serve Nigerians better.

For the proponents of the establishment of state police, they argue that it will help in curbing the current high rates of recurring criminal acts in the polity as it is expected to comprise officers who understand the language, geography and the peculiar security challenge of the people they would be policing (Agwanwo, 2014). To advance this particular argument, this view is worth sharing:

One argument for the establishment of state police is based on the need to reduce crime to its barest. Crime occurs in every “community” and is

perpetrated by those who in most cases, come from that community or locality. To deal with crime therefore, there is an urgent need to ensure that “locals are absorbed and posted to their various localities to fish out the criminals (Agwanwo, 2014:170).

Beyond the argument for absorbing locals in addressing local security challenges, the call for state police will unravel the current “nominal role state governor’s play as the Chief Security Officer of their states” (Agwanwo, 2014:170). The argument has been that while the constitution stipulates that state governors are the Chief Security Officers of their respective states, in reality they lack such power to function. Instead, the Commissioners of Police who are appointed by the Inspector General of Police does such function. Furthermore, since Nigeria operates a federal system of government, it is argued that the roles and responsibilities of the protection of lives and properties of the citizens shall be decentralised like in other federal democracies such as in the USA (Agwanwo, 2014). It is advanced that such calls are for the “constitutional devolution of power to establish, organise, maintain and control the police by sub-national units making up the Nigerian federation” (Egunjobi, 2016:1). Similarly, such creation of state police will reduce the current youth unemployment that in itself is considered a security threat to most communities and the nation in general.

While the call for state police is considered advantageous by some quotas, these calls have also received criticisms championed by eminent Nigerians such the former President of Nigeria, Dr. Goodluck Jonathan, current President Muhammadu Buhari, former

Inspectors General of Police, Sunday Ehindero and Mohammed Abubakar, and the Northern Governors Forum, among other stakeholders (Agwanwo, 2014). Their fears may not be divorced from the experiences Nigerians have had during the era of Native Authority Police that operated under the then local government in the Western and Northern regions in the 1960s (Egunjobi, 2016). As reported by the scholars, while the idea of state police may be theoretically good, in this political environment in Nigeria, the fear is that the system may be abused by some sitting governments as was the case in the 1960s (Agwanwo, 2014; Egunjobi, 2016). The best option therefore according to this group is the advancement of the effective reformation of the current NPF to serve all Nigerian better. They further argued the multiplicity of state police formations with different state laws can be very difficult to manage especially in a complex country like Nigeria. Even more worrisome is that with many states of federation unable to pay their salaries for months, the funding of state police is unlikely.

Removal of Immunity Clause, Appropriate Role of Tradition Rulers and Recognition of Indigenous People: section 308 (1-3) of the 1999 constitution of the Federal Republic of Nigeria (as amended) provides that no criminal or civil proceedings shall be instituted or continued against a person holding the office of the President or Vice-President, Governor or Deputy Governor while in office. Some advocates of restructuring are calling for the removal or review of this section because it gives room for the abuse of entrusted power. The argument is that, this immunity clause had been abused

by the holders of the key executive offices without due recourse to rule of law of the land and accountability to the people. While this position remains valid, there are fears that if this objective is attained most elected executive officials will be distracted from delivering their basic duties and responsibilities to the citizens. This means that, while the idea is considered a good one it should however be treated with caution especially by considering the current political environment in Nigeria characterised by lack of genuine opposition.

In another case, the roles of traditional rulers in Nigeria are not constitutionally recognised with clearly defined roles or responsibilities. Hence, some individuals and groups are advocating for constitutional recognition of traditional rulers in Nigeria with clearly defined responsibilities not the current advisory roles in local decision making through Emirates and kingdoms. Their main argument is that during pre-colonial, colonial and early post-independence era traditional rulers were key players in the area of governance in various regions and capacities in the country. This was until 1976, when the then military government introduced a uniform local government administration system in the country. Consequent upon this, traditional rulers were insulated from politics and formally assigned advisory roles which are not binding on the elected local government authority (Fatile and Adejuwon, 2009). This therefore means the return to status quo to pre 1976 where most traditional rulers in the country had constitutionally assigned roles and responsibilities.

In another respect, the indigenous people of Federal Capital Territory

(Abuja) under the banner of Original Inhabitants Development Association (OIDA) are calling for the amendment of the 1999 constitution of the Federal Republic of Nigeria to reflect the cosmopolitan nature of Abuja. The indigenes are calling for the establishment of an elected office of the governor just like other states of the federation. The current appointment of a minister by the President they insist is not justifiable as there would be more accountability and development if a governor were to be elected by the citizens of the area. Hence, the OIDA proposes a restructuring based on the devolution of power from the federal authorities to Federal Capital Territory Authority (Daily Trust, 2017). The Abuja locals are not the only ones in this quest. There are calls from Lagos (former capital of Nigeria) due to its cosmopolitan nature, as well as its strategic importance to the nation's development, that there shall be an established office of the mayor as in the case of other big cities in the world.

Constitutional Basis for Restructuring Nigeria's Federalism.

While most of the issues raised earlier are considered valid, the shoddy practice of federalism in Nigeria has resulted in the emergence of ethnic, regional or religious based groups most of which are militant in nature championing one agitation or another for the internal autonomy of their people as captured below:

In current Nigeria's case, its realities reflect this thinking, with over 250 tribes and ethnic groupings mostly guided or misguided by different religions and regions in the country. The relevance of Afenifere, Ohaneze N'digbo, Arewa Consultative Forum, Southern Leaders Forum, and Ijaw National Congress etc- each

representing sectoral cleavages said it all (Abbas, 2016:221).

With some of these other groups in this bracket such as the Odua People Congress (OPC) in the West, Movement for the Survival of Ogoni People (MOSOP) in the South-South, Movement for the Actualization of Sovereign State of Biafra (MASSOB) in the South-East, Arewa Consultative Forum (ACF) in the North among others (Abbas, 2013; 2016; Ezeji-Okoye, 2009), they remain nothing but arrow heads of their different social and political cleavages. Over the years, other issues that have been presented and defended by the socio-political groups include the rotational presidency, claims and counter claims of marginalization, local government financial autonomy, sovereign national conference, adopting unicameral legislature in place of the bicameral legislature at the national level, among several others. While these issues among several key others as indicated above have been in discussion over the years, fiscal restructuring could be achieved through the rebuilding of the economic landscape through good governance, transparency and accountability.

It should however be noted that in some cases, most aspects highlighted require reorganisation or constitutional amendment. This is due to the fact agitations for restructuring are affected by one constitutional section or the other. Therefore, for a meaningful restructuring in Nigeria to take place, a total overhauling if not amendment of the entire 1999 constitution of the Federal Republic of Nigeria (as amended) is considered an alternative. This means that going by section 9 (2) of 1999 constitution of Nigeria (as amended), an Act of the National

Assembly for the alteration of this constitution, shall not be passed in either House of the National Assembly unless the proposal is supported by the votes of no less than two-third majority of all members of that House and approved by resolution of the Houses of Assemblies of not less than two-thirds of all the states.

However, depending on area or aspect that requires restructuring, it has been advanced that; one reason for restructuring is to improve national unity and peace for peaceful co-existence, political stability and balanced national development. With regards to implication for the restructuring, Nigeria's constitution provides a legal basis for the general operation of government (levels and organs) as well as the procedure for amendment through a joint resolution of the National Assembly and States Houses of Assemblies. It means that amending Nigeria's constitution for the purpose of restructuring requires an approval of the two-third majority of the 36 State Houses of Assemblies (SHOAs) across the country, particularly with regard to fiscal restructuring and true federalism to scale through. This is also to take into consideration the number of states across geographical regions of the country and their economic positions.

Conclusion and the Way Forward

Basically there is no doubt that the federal system of Nigeria is in serious crisis due to agitation for restructuring and resource control. However, in spite of the shortcomings of federalism being practiced in Nigeria, federalism is still the only suitable system of government that can be used to govern a

heterogeneous multi-cultural and religious society like Nigeria. As the political system continues to evolve, and change forms and structure, it is expected that an acceptable federal system that will take care of agitations from the every component units may emerge. This however requires that all Nigerians resolve to love and appreciate one another and respects each other's desire and feeling towards achieving one united, and prosperous Nigeria through selfless determination, commitment, sacrifice and patriotism.

In order to address the ongoing agitation for restructuring and resource control, the paper hence suggests the following:

1. Where it is considered necessary, and for the purpose of promoting national unity and political stability, relevant constitutional sections being sought for change should be amended with national interest as the main guiding post.
2. The government at all levels of governance structure should address corruption in order to achieve meaningful development across regions of the country.
3. A number of issues raised for restructuring, cannot be addressed in isolation of the effective and efficient implementation of government's socio-economic policies and programmes through strict adherence to the constitution.
4. It is a reality that every region in Nigeria is in a serious developmental crisis that requires people centered utilization of the federal, state and local government's allocation meant for the welfare of the citizenry

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