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FEDERALISM AND ITS CONTRADICTIONS IN NIGERIA IN THE 21ST CENTURY

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Abstract
This paper examined Nigeria's federation and its contradictions. The contradictions debate on how Nigeria should be restructured is a reminder that the country is not running and operating a true Federal system of government but "a hydra headed unitary system disguised as federalism". The paper argued that there must be immediate devolution of power to reduce the power of the federal government, and that more powers should be given to the governors because when this is done, it makes the federating units to develop faster, as states should be allowed to develop at their own pace and it would reduce corruption because the bulk of billions of money that is being stolen is not going to be easy at the state level. The federal government has no business with state education, health, agriculture, state police and even power. If all the billions of dollars we have spent on power since 1999 were shared to states, at least over 30 states today would have been completely reliant on electricity for 24 hours to enhance development and employment opportunities. The study adopted the descriptive design. It drew upon primary and secondary sources. Primary sources include oral information and testimonies. Newspapers and magazines reports were also used in conjunction with official records in government publications. Secondary sources include relevant books. The researchers made use of direct observation method. All the pieces of information so gathered were subjected to critical historical analysis.

Keywords: Nigeria, Federalism, Contradictions, Restructuring, Development.

Introduction

Federalism in Nigeria has a long history since the country was divided into three regions in 1946. Regionalism was introduced to Nigeria by the Richard Constitution. Federalism is a political system of government in which government powers in a country are shared between the central government and the federating units. As Nigeria won her Independence on October 1st, 1960, power over the country was given to Nigerian born nationalists, like Dr. Nnamdi Azikiwe, Sir. Abubakar Tafawa Balewa, Sir. Ahmadu Bello, Chief Obafemi Awolowo, Chief Anthony Enahoro and Dr. Alvan Ikoku, among others. The founding fathers of Nigeria, as a matter of fact, founded a country where federalism and democracy will be practiced; a country where there will be justice, equity and fairness. The country started on three regions; these regions agreed to be federated. And by 1963 Republican Constitution, they agreed that the resources of the various regions should be managed and controlled by the regions. At that time there was no crude oil, it was groundnut for the North; palm produce for the East and coca for the West. Things were going on well under the 1963 constitution (Mbazulike, 2018:7)

Six year into independence, the military struck and took over the parliamentary government of Dr. Nnamdi Azikiwe and Tafawa Balewa, the Ironsi Military regime introduced the unitary system of government disguised as federalism that was also maintained by his successors for 38 years and so true federalism and democracy was destroyed. The military introduced dictatorship, and massive stealing, which they developed into massive looting for their ethnic groups and cronies. By then crude oil had come and there was so much wealth in the country; there was so much to loot into foreign accounts abroad while the masses were impoverished. In 1979, the military changed the constitution of the country into an extensive and high cost presidential system where the whole wealth of the country is being looted away by dubious politicians who were elected or appointed into offices through Godfathers. This unpatriotic and contradictory

false federal system has continued till today: the worse situation is that there is no more democracy, true federalism and resource control in the country; there is no more justice, equity and fair play in the Nigerian project. For example, because the Eastern region was defeated in a civil war, it is still being regarded as a slave of the country. More so, the corrupt military class during the civil rule dispensation has changed their "khaki uniform to agbada" to come and pretend to be democrat. This has made the task of restoration of true federalism and democracy in the country contradictory and difficult. The urgent task before Nigerians now is how to restructure the country along the path of true federalism and devolution of power, so that resource control fronts would be open up in the federating units. Nigerians need to seat in a round table and re-negotiate the basis of their unity. Otherwise, the country might explode and disintegrate. Nigeria leaders rule as if they are ruling a section of the country. This breeds hatred and hate speech among the different ethnic nationalities.

Meanwhile, the Littleton constitution of 1954 that gave Nigeria something close to true federalism was destroyed by the unitary system. After the military enthroned the unitary system in 1966 what followed were coups and counter military coups to grab power at the centre to embezzle public fund and promote ethnic politics and marginalization of the minorities and the weak. Today, the challenges facing Nigerian's federalism are rooted in colonialism, false elite and the unitary system enthroned by the corrupt military class disguise as true federalism. It is important to note that as true federalism elude our grasp is part of the reality of instability that is affecting negatively the overall wellbeing of the federating units.

The search for true federalism and resource control has brought conflict and crisis in contemporary Nigeria. For example, in 1966, Emeka Ojukwu, leader of Biafra Republic declared and fought a civil war with Gowon, the leader of Nigeria, simple because Gowon failed to adhere to the Aburi Accord that call for a confederal system of government for Nigeria. Likewise in 1965, Isaac Adaka Boro of the Nigeria Delta declares a Niger Delta Republic, an attempt to secede from Nigeria; reasons he gave was under development of the oil rich region and the call for resource control. The problem with Nigeria's federalism is the domination of the federal government over states. The call for true from the centre to the federating units is very important to enhance development in Nigeria.

Conceptual Clarification

Federalism is derived from the Latin word "foedus" meaning covenant. It is a political idea or concept in which a group of members are bound together by covenant with a governing representative head. Federalism also explains a political system whereby sovereignty is constitutionally divided between a central governing authority and states. Federalism is also a system in which the power to govern is shared between national and state governments, creating what is known as federation. Powers in true federalism is constitutionally shared between the central government and the federating units. In the Nigeria context, power was supposed to be shared between the federal, state and local governments. (Ozekhome, 2018:2)

In a true federal system, each state supposed to develop at its own pace and then pay royalty to the central government, not the central government controlling and dictating to the state governments. In a true federal system, there should be plain division of powers and autonomy between the central government and state government. The central government does not interfere with the affairs of states. The federal government should focus on matters of foreign relations, defence, immigration, citizenship, customs and monetary policies under the exclusive list. Whereas states should focus on matters of education, revenue (including Value Added Tax), agriculture, health, housing, local government, lands and town planning under the concurrent list. Both the states and federal government can share powers in other matters not mentioned in this list, the judiciary. The states should in turn give due autonomy to local governments, this should be entrenched in the constitution. Federalism in Nigeria was adopted by our founding fathers after series of constitutional debates by the nationalists of various regions. (Ozekhome, 2018:2)

Nigerian needs to be restructured along the path of true federalism. The problem of Nigeria is our inability to put the unitary system disguised as federalism into the correct context of true federalism. The aspirations of honest Nigerians calling for restructuring should be respected. There should be accountability and responsibility in governance. We must let go of the false federal system and corruption as they are the bane of development. The need for the North and South to embrace true federalism in our mentality and orientation towards leadership is of great importance to opens up resource control front in the 36 states of

the federation. The over centralization of power in Abuja is a threat to state existence and development. The best form of government for Nigeria is true federalism with its basic tenets properly and carefully administered. Nigerians across the six-geopolitical zones need to have a mindset of restructuring and change in order to take this nation to the next level. Our leaders need to usher in true federalism that consist of division of powers, fiscal autonomy of federating units, a corrupt free system and interethnic dialogue.

Looking at Nigeria closely, the main reason Nigeria remains under developed in its current state lies majorly on false federalism it practiced. The unitary system was contradictory to what true federalism means. The system has kept the country divided along ethic fault lines as a result of cultural plurality and ethnic diversity among the Hausa/Fulani, Yoruba, Igbo, Middle Belt and the Minority Niger Delta people, mistrust and mutual suspicion breeds hatred and unhealthy competition. Thus, the very seed of federalism that was sown by the founding fathers to enhance groups was a charade of what could have been serious relationship.

Nigeria's federalism and its contradictions

The present structure cannot solve Nigeria's problems, Abuja is over burdened, good governance comes with good structure, since 1966 when the military over throw the parliamentary regime of Dr Nnamdi Azikwe and Tafawa Balewa, the military discard true federalism then enthroned the unitary system under the disguise of false federalism, since then, Nigeria's federal structure has come under the radar of contradictions. It's now obvious to note that with too much concentration of powers at the centre and then creating weak states and local Government hinders development and growth in Nigeria. That was the reason Atiku (2018) argued that restructuring of Nigeria is a necessity, not an option. It was also important to note that, since the 1995 Abacha constitutional conference restructuring have been in the fore front of the conference discourse. Delegates that argued for the restructuring of Nigeria along the path of true restructuring were clear, unambiguous and unequivocal. Delegates that argue that the problem with Nigeria is not a matter of restructuring were disagreed with and so do many Nigerians.

Today in Nigeria, national views that contain elements of restructuring Nigeria are what the country need. Many Nigerians are advocating deepening of fiscal federalism and power devolution, among others. For the fundamental and true meaning of federalism is the coming together of a group of people agreeing to form a bigger state or nation, donating a faction of each of their respective powers or authorities to the common union, and retaining the residual powers for themselves.

The contradictory debate on how Nigeria should be restructured is a reminder that the country is not running a true federal system of government but "a hydra headed unitary system disguised as federalism". For example, according to Wole Olanipekun (2018:2) former President of the Nigerian Bar Association "It's only in such a warped federalism that federal government could pounced on and confiscate Lagos State council funds on the lame ground that the state, through its legislature, established area councils for the ease of administration. Likewise, "it is only under such a strange and contradictory federalism that the Lagos state would queue for years to seek approval from Abuja powers before constructing a connecting bridge between Ikoyi and Lekki for ease of transportation. Ditto for the marina rail as well" (Olanipekun, 2018:2). The Nigeria's federal system as presently constituted vested too much power to the centre that retards progress of the federalism that cannot provide a meaningful and better tomorrow for the next generation.

It is important to note that before 1966, the three regions in Nigeria had operated their governments at their respective pace, independent of federal government hindrances and inhibitions. The western region, for example, established radio and television stations before the federal government ever thought of establishing its own. This will sound as a moonlight tale to many. Then there was healthy competition among the tree regions in Nigeria, without dependence on the federal government at the centre. In fact, the restructuring Nigeria need today encompasses geographical, fiscal, structural, institutional and government, a restructuring that would usher in a workable and functional federalism for Nigeria. It must take an honest and holistic assessment of the previous constitutions and republics, both horizontally and vertically, and also bring out the beauty for critical consideration and application, the recommendations of the 2014 National conference instituted by the Jonathan administration should be considered.

It is unfortunate and contradictory to note that since 1999, when Obasanjo was sworn in as the President of Nigeria till the Buhari era. The executive armed of government have been personalizing key

national institutions, treating and using the judiciary and the legislative as personal estates of transient powers. This is very undemocratic and dictatorial.

It is unfortunate to note that all other vital institutions of good government and governance are substantially in the hands and pockets of the various executives. Separation of powers and checks and balances are vital machinery of governance. If restructure in the right direction would help produce good governance and development in Nigeria. History won't be kind to this generation of Nigerian elite; if they fail to face the reality and inevitability of restructuring, which they can conveniently do now, across the nation. Nigeria's federal system is contradictory, the present leaders and people should not pass the difficult buck to the other generations to come; as by then, the knots might not be that easy to loosen. They will then look back and condemn their leader's indecision and aimless sophistry. History will be harsh to Nigerian leaders and people who failed to restructured the country along the path of true – federalism that would ensure healthy regional competition, development and growth.

As Olanipekun (2018) apathy pointed out, "For the restructuring Nigeria to be meaningful, the Nigerian people need to do away with the current presidential system which has proved most unsuitable for the country. It breeds dictatorship such that governors have become despots who can do as they wish to the detriment of the society. Most governors now crave to install their successors without any regard for parity structure or seniority in the party, which is not possible in a parliamentary system. The presidential system in Nigeria is affecting governance very negatively with attendant huge costs and arbitrariness unknown in the history of Nigeria. It is important to note that the parliamentary system promotes moderate and inclusive leadership with great checks and balances such that no leader can think of planting his in-law as a successor. It will also remove the humongous cost of election with its attendant negative consequences on governance. We will just be having only parliamentary elections; no governorship or presidential elections any longer. Whether in its modified or original form, the parliamentary system holds a better and greater prospect for Nigeria (Raji, 2018:42)

There is an urgent need to restructure Nigeria's political system now more than ever before. The present presidential system in operation is fast heading for a doom and a total collapse. The Nigerian nation as it is today is standing on not only a false and contradictory foundation but a fundamentally faulty one. It is in the interest of all the regions and federating units that this geographical entity called Nigeria is quickly and urgent subjected to a very radical political surgery. There must be honest and truthful devolution of power to the federating units and each unit must be allowed to develop at its own pace and resources. It is contradictory that too much power and absolute power indeed is concentrated at the centre in Abuja where they produce nothing, do nothing but just share our common patrimony. It is also negatively argued that Nigerians do not need the National Assembly as it is today, as most of the senators and rep-members have to a very large extent become economic and political parasites that this country cannot sustain their insatiable appetite for greed and lust. They spend more time on vacations and holidays than making laws. The presidential system must be restructured to the parliamentary system.

As Ojuokwu (2018) pointed out "We must go back to what we have before the unfortunate incursion of the military into politics. If this is done, each federating unit would be better for it." Beyond restructuring, we need to imbibe in our "leaders" the right democratic norms that can properly elevate them from being rulers to leaders. The polity needs both good governance and restructuring to overcome the challenges bedeviling it to make the federation stronger and reliable. Nigeria needs deeper federalism whereby regions should have enough control over their resources and enough power to operate as federating units. Today in Nigeria, states are not solvent as they are. But if states are in a bigger unit, they would be better off. This calls for the restructuring of the exclusive, residual and concurrent lists, so that states should have more functions and control over their resources.

Nigeria needs to be restructured to achieve the needed development and equitable distribution of the wealth and power among the generating zones. But unfortunately our politician's lacks the political will to do so, as most of them often speak from both sides of their mouths at is important to note that because the structure of governance is faulty, it affects the level of government performance and development. Nigeria needs leaders that can restructure the false federal system into a true federal system right away. There are whole lots of powers that the Federal Government are carrying which are supposed to have nothing to do with it;

including things that are supposed to go to the local government which it is arrogating to itself. But they use it to play politics of resource control at the detriment of true federalism and grassroot development.

It is important to note that for the proponents of state police, the concept is long overdue as it is one of the tenets of true federalism. The believe that the centralized structure of the police was causing setbacks in the service response to distressed calls, it is believe that state police will take policing closer to the people thereby rebuilding trust in the justice system and the rule of law. A large and expensive country like Nigeria even need far more than federal and state police as Nigeria is turning to a killing field. Cities like Lagos, Abuja, Port Harcourt, Maiduguri, Ibadan, Kano, Kaduna, Jos, Warri, Enugu, Aba, Onitsha, Benin, among others and companies and institutions like banks, Dangote Group need their respective police formations to fight crimes. The current federal police system in Nigeria is over burden and contradictory. When it comes to the issues of security, there is nothing like duplicity of security outfit. Check and cross-check from other countries. For example, in London alone, you have several police outfits and formation, several universities in America have their well kitted police outfits, how much more of states and cities. Because of this contradiction of the nation's security apparatus, our federalism is warped, distorted, deformed, and biased. It is also backward looking. This federalism is enslaving the states as well as subjugating Nigerians in bondage as things are not going the right direction. We have now cultivated the unenviable culture in the false federal system of politicizing everything at our peril. The National Assembly should go back to the drawing board and re-adjust the bill to address the realities on ground and peep far beyond state police, which in any event the regions in the first republic used to have before the military adventure into our politics. (Olanipekun, 2018:32). The federal centralized police structure has failed in meeting the primary objective of government, which is to secure the lives and property of the people. Therefore, the creation of state police is a necessity, given the present security challenges in Nigeria and it is also consistent into what is obtainable in true federalism; like in the USA where we have various state police and the federal police forces. The state polices, in a true federal system, operate within the state to secure lives and property and enforce state laws, while the federal police enforces federal laws, control cross-border crimes and also support the states when invited.

It is contradictory that the governors of states are termed as Chief Security Officers of their respective states but cannot direct the police to act swiftly in given situations simply because the present police is controlled by the centre and would prefer to receive directives from the office of the Inspector General of Police (IGP) in order to respond. Centralized policing structure is antithetical to true federalism and good governance; a governor as Chief security officer must be able to guarantee security in his state. State police is one of the fundamental ingredients of true federalism. Nigeria cannot continue to pretend to be a federal republic and yet continue to run away from those basic fundamentals. The principle of state and community policing units should be included in our constitution. The assumption that we are not ripe enough as a country to adopt state policing sounds too unrealistic and often denial of the reality of our security challenges. If states police are created along the path of true federalism at would make law enforcement and criminal justice system more efficient, reduce cost of running law enforcement, increase professionalism and make the federal police concentrate on national issues. It is also important to note that if state police are created no governor, in his opinion would sit quiet while his people were being killed by criminals from outside the state.

Conclusion

Restructuring of Nigeria along the path of true federalism is the solution to the problem of marginalization and the contradictory debate of the unitary system disguised as federal system. Restructuring would make states or regions to be creative and tap the resource in their area without waiting for crude oil money. With restructuring, states would be allowed to create local government as they can manage based on the resources available. Restructuring of Nigeria into true federalism will offer the nation brighter future for as it will take away power from the false elite to Nigerians. Restructuring will guarantee equity and justice in the control and management of peoples resources. The practice of true federalism will enable state to create state police that will be grass rooted. Sharing of oil money in Nigeria had made the country's leaders not to give diversification of the economy the require attention it deserved and this has contradict the federal system in

Nigeria as evil. Restructuring would enable people to negotiate on how to live as Nigerians. Restructuring will make the federating units to be creative and manage their area judiciously.

Recommendations

This paper has come forth with the following recommendations to overcome the contradictions debate of Nigeria's federalism.

1. In Nigeria, the powers in true federalism should be constitutionally shared between the federal government and the federating units.
2. Each state or region in Nigeria supposes to develop at its own pace and then pay royalties or taxes to the central government.
3. The central government should not dictate the pace of development of the federating units or the central government should not interfere in the affair of states dictatorially, the federal government should focus on matters on exclusive list, such as, foreign relations, defence, immigration, citizenship, customs and monitory policies, whereas states should focus on matters of education, revenue (including Value Added Tax), agriculture, mining, healthcare, housing, local government, land and town planning under the concurrent list.
4. States should give due autonomy to local government.
5. The political system in Nigeria should be restructured along the path of true federalism; so that resource control front should be open along the 36 states of the federation for states to effectively explore their natural resources and endowment at their own pace.
6. State should be less dependence on the centre, so that states can become imaginative, innovative, creative, and development oriented; which is what everybody have been saying all along.
7. The issue of restructuring also calls for the federal government to devolve power from the centre and give more responsibilities to states and of course, more of the revenue
8. The government and National Assembly should sum up the political will to embark on true federalism. The 2014 National Conference is a good working document that can be used to restructure Nigeria for good.

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