

The Crisis of Multi-Ethnic Federations: A Case of Nigeria

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Abstract

This paper compliments extant literature on crisis of multi-ethnic societies that have adopted federal system with special focus on Nigeria. This paper adopts the qualitative method and theoretically hinges on two dominant theories of federalism: the Legalistic postulations of K.C. Wheare and the Sociological perspective of federalism by W.H. Livingston. Federalism has been differently adopted and institutionalized with mixed outcomes across the globe. Nigerian had a viable federal structure prior to military incursion in January 15 1966, however, with that forceful change of regime, the federal structure that were emerging was inverted and ever since post-colonial Nigeria searches elusively for the answer to many national questions threatening its corporate existence, 52 years after the search continues. As a way forward Nigerian people must be made to see reasons to live together, the people of Nigeria should be given the platform to renegotiate their existence and recreate a new united federal nation from the multi-national entities that make up the Nigerian state. This is Paramount to make the citizens see the state as their own institution brought into being through a social contract.

Keywords: Political society; Federalism; Republic

Introduction

The question of how best to organize a political society has caught the intellectual thinking of philosophers and statesmen of all ages from classical antiquity, through the medieval to the modern times. How the political organization of the society (the state) is institutionalized is a desideratum to how it could meet the historic goals of modern state: order, welfare and security of its people [1].

The ideological essence of a federal state formation from pre-existing potential federal societies is "to pair unity with diversity," particularly in societies that are pluralistically divided along ethnic, religion, cultural and territorial heterogeneities. The federalization of pre-political divergent societies is aimed at some intended benefits which in their separate existence will be unattainable: stronger territorial defense, a common and larger market as well as single international personality (in foreign affairs). In the course of entering into a federal bargain, pre-existing potential federal societies delegate some power on matters of common interests: defense, currency, and treaty negotiation to the central government, while reserving powers over un-enumerated matters to their prerogatives. It is those pre-federal spheres which are found in their cultural, ethnic and religious differences that make up the items reserved for federating entities that attracts a federal bargain in a "Coming-together federation" to preserve these differences by pairing them with unity.

KC Wheare, assertively remarked that: "by federal principle I mean the method of dividing power so that general and regional governments are each within a sphere co-ordinate and independent [2]."

WH Livingston offered sociological postulations to the emergence of federalism, by stressing the social, cultural, ethnic and historical

aspects of potential federal societies (as the centripetal forces within the federal/pluralistic society) [3].

These theoretical postulations are instructive to understanding the dynamics of successful and crises-ridden federal states. In societies where federal ideas were properly instituted and operationalized, their experiments have yielded huge successes as exemplified by the United States and Swiss federations. While federal states that poorly adopted and improperly institutionalized the federal form/system, where there were high tendencies towards centralization and assimilation of the federating entities, resistance led to their collapses: the Soviet federation (1920-1991), Yugoslavia (1943-1994), Czechoslovakia (1918-1993) as well as the Federation of Rhodesia and Nyasaland (1953-1963) they all at one time or the other into crisis that culminated in their demise. Among extant federations are those beset with fundamental crisis such Nigeria and Spanish federations. In both federations crises such as: ethnic strife, nationalist and secessionist movements, nationality question, lack of social cohesion among the people and the political leadership threaten their corporate existence.

With specific reference to Nigerian federalism which was first incorporated in 1954 by the Littleton Constitution, consolidated by the 1963, but ran into crisis following the incursion of military in the political process in 1966 and inverted the federal structure in place. Fifty eight years into statehood, Nigeria has not found a new answer to the disaster it courted six years after independence (January 15 1966).

This article is divided into five chapters. Chapter one, the introductory chapter chronicles federalism from its ideological and institutional perspectives in the light of K.C. Wheare and W.H. Livingston postulations and offers an overview of federal experiments and their outcomes unsuccessful federations, failed and collapsed federations as well as those beset with crisis such as Nigeria and Spanish federations.

This paper eclectically contextualized federalism from the ideological, Sociological and legalistic postulations as offered by K.C.

Where and W.H. Livingston, offers an overview of federal experiments and their outcomes with a post-mortem highlights of some failed federations: Soviet Federation, former Yugoslavia, Czechoslovakia, and Nyasaland. The paper spotlights the successful federal experiments of the United States and Swiss Federations while X-raying the daunting challenges of troubled federations that threaten their corporate existence: Nigerian and Spanish federations. The paper paid special focus on the Nigerian federation. Furthermore, the paper interrogates some salient issues that define federal societies drawing from the ideological, sociological and legalistic fundamentals critical to federal state formation.

Historical Background

The history of federalism in Nigeria could be traced back to 1914 when the Northern and Southern Protectorates and the Colony of Lagos were amalgamated by the then colonial Governor Lord Frederick Lugard. The Richard Constitution of 1946 further advanced the steps towards the incorporation of federalism by the creation of three regions: Northern Region, Western Region and Eastern Region. It was however not until 1954 that federalism was finally incorporated into Nigeria in Principle by the Littleton Constitution which provided for three legislative lists and shared power between the federal and regional governments. The Freedom Charter of 1960 (the Independence Constitution) granted full self-government to Nigeria on October 1st 1960. With the 1960 Constitution defectively embedded with colonial vestiges: the Governor General Dr. Nnamdi Azikiwe was answerable to her Majesty in London while the Judicial Committee of Privy Council was still the highest court of Appeal to which appeal to the Supreme Court wrests. To eradicate these colonial traces, Nigerian had to draft their first autochthonous statute book, the Republican constitution of 1963.

This federal constitution created the Supreme Court as the final court of appeal with powers of judicial review and strengthened the existing regional autonomies that were put in place by the 1954 Littleton Constitution, created the Office of Presidency in place of Governor General who was now answerable to Nigerians and not the Queen of England. This development sets Nigeria on the path of a viable federal statehood with regional autonomies granted the sub national units over power of the purse (to tax, collect revenues on all minerals in their region) with a 50 per cent derivation as each region reserves 50 per cent of revenue and contributes 20 per cent to the central government and shared the remaining 30 per cent among them. These were the days when regional governments were fiscally viable, with stronger developmental projects, by 1954 Regional Governments were borrowing the central government funds and in the early 1960s Regional scholarships were stronger than federal ones and were tenable in overseas Universities. With the advent of military in the Nigerian body politics, the sub-national governments lost their fiscal autonomies in the aftermath and became appendages to the Central Government which now determine their survival, pattern and pace of their development to the negation of federal principles [1]. It was the beginning of the defeat of Federalism in Nigeria both in its ideological and institutional senses.

In January 1966, Nigerian federalism courted a disaster following the forceful change of government by military Juntas who suspended the Republican Constitution and began to enact series of Decrees that inverted the federal structure in place and began to shift the state towards a centralist arrangement as federalism itself is at odd with military Central Command Paradigm. Decrees and Edicts were

enacted signaling the eclipse of federalism in Nigeria. The controversies that greeted the first coup that forcefully end the first Republic (1960-1966) spurred another counter coup and then pushed the seven year old state to a civil war (1967-70) that almost disintegrated the largest black nation in the world.

It should be noted that the loyalty of the military of post independent Nigeria were put to test by the unfolding events among the ruling political elites and leadership of the First Republic: corruption, greed, avarice, nepotism and ethnic chauvinism were the norms among these first ranks of patriots, to worsen the drift was the ethnicization of the polity and the politicization of the military wing the (Nigerian Army) all of which tested the subservience of the men of the Nigerian army to the democratic institutions in place and the fulfillment of their constitutional role as the last bastion of national defenses [1].

Without any apologetic intent for military intervention in politics, one argument put forward by the military is the custodian theory which holds that: “the military could not have fold their hands or watch as bystanders to history in the mist of the excesses among the political class they may not have fulfilled their own constitutional role by allowing the state to drift into anarchy.”

Ironically, the military institution itself became victim of military incursion into the body-politics of Nigeria. How?, it created two militaries within the Nigerian military: those in the State Houses who now make political, economic, and authoritative decisions in the state; and those in the barracks who are now must subservient to their colleagues in power rather than the state in order to survive their career and profession. Consequently, the military career became professionally bastardized as career success became linked to loyalties to the emergent military politicians in State Houses many of whom were allegedly implicated in conspiracies and counter conspiracies that in turn consumed some of the finest generation of military officers in Nigerian history.

For 29 years while they held sway and in 39 years of post-independent Nigeria, only three officers had reached the rank of Four-Star General: Generals- Domkat Bali, Sani Abacha and Abdulsalam Abubakar. However since the return to Civil rule in 1999, all Chief of Defense staffs had been Four Star Generals: Admiral Ibrahim Ogohi, General Alexander Ogomudia, General Martin Luther Agwai, General Andrew Owoye Azazi, Air Chief Marshall Paul Dike, Air Chief Marshall Oluseyin Petinrin, Admiral Ola Ibrahim, Air Chief Marshal Alex Sabundu Badeh, General Abayomi Gabriel Olonishakin (incumbent-2015 -date). A unique trend in the career path to this league of officers is that unlike when the military held sway when the defense chiefs were traditionally rotating within the army wing of the tri-service of the military exclusively, save for Air Marshal Al-Amin Daggash who emerged from the Air force, all others had been of the army branch of the tri-service. There is now a break with that tradition as defense chief's appointment now rotates among the most senior officers in service among the tri-service defense arms: Navy, Air force and Army, thereby presenting a trend where the Defense Chief (created by the 1979 Constitution) is being rotated among the tri-service with the army holding the position for four times with incumbent being of the army altogether - General Gabriel Olonishakin), the air force held it three times and the navy twice from 1999-to date (as at August 15, 2018) and in each case it is the most senior officer from either of the defense wing that takes the mantle, a practice that upholds the hierarchical structure of the military career and professionalism [1].

Another consequence of military incursion is that national security became skewed, reduced to regime protection for almost three decades while they held sway, worst of all is that they inverted the structure of the federalism they met in 1966 by Decrees that were antithetical to federalism. Fifty two years after they struck (January 15, 1966) Nigeria federalism faces myriads of contradictions of a dysfunctional federal process, institutionalized with an overbearing center to the detriments of sub national units again by a military fiat through Decree 25 of 1999. Therefore, the 1999 Constitution they bequeathed is an elitist not a popular constitution, one of the maladies of the Nigerian federalism in the 21st Century.

Theoretical Perspectives

This paper anchors on two dominant Theories of Federalism eclectically, in other appreciate the roots of the crises of multi-ethnic federations. To this end, the classical, legal and juridical framework offered by K.C. Wheare and the sociological postulations by W.H. Livingston will be contextualized as a framework of analysis in this study as they both offer the theoretical underpinning for understanding and analyzing the root causes of the conflicts of the multi-ethnic federations.

Professor KC Wheare took up a pioneering work on modern federalism; this is so because both Plato and Aristotle before him wrote on Federalism. Wheare's work was inspired by the archetypical case of the United States federation with its constitution of 1789 as the first written federal constitution and the degree to which the principles of federalism had been properly incorporated by the framers and federalists in its statehood.

KC Wheare declared that only states that meet the following thresholds can be described as federations:

- Where there is at least two or more levels of government with a constitutional division of power among the levels of government;
- Each of these levels of government must be coordinative and not dependent (they must be fiscally autonomous so that they perform their roles independently);
- There must exist a supreme court and an independent judiciary to serve as an arbiter in the wake of disputes among sub-national units and between the federating units and the central government;
- In terms of constitutional amendments, no level of government should have undue power over the amendment processes thereby making it contingent upon the concurrence of sub-national units via majoritarian rule.

KC Wheare asserts: by the federal principle I mean, the method of dividing power so that general and regional governments are each within a sphere, coordinate and independent [2].

WH Livingston in a divergent but closely interrelated postulation described Wheare's formulations as legalistic, institutional and juridical. Livingston's postulations offered a sociological view factors that necessitate a federal form of political society [3].

Livingston conceives federalism as an organizing principle through which what he described as 'federalizing qualities' of societies are articulated and protected. Livingston observes that the essence of federalism lies not in the institutional or the constitutional framework but in the society itself for federalism grows out of the desire for a union among pre-existing potential federal societies.

In the Light of Livingston postulations, it is the sociological dynamics found in the cultural, ethnic and religious heterogeneities among pluralistic societies that influence the centripetal and centrifugal forces which make or pull federations apart [1].

In sum, while the centrality of the legalistic postulations of federalism offered by KC Wheare cannot be debunked, as it set the tone for the fundamental of the legal rules that defines the relations between the federating units as well as with the state-society, with the supreme court serving as the bastion of federal principles, the sociological framework by Livingston is also central in that it gave rise to the legal, juridical and institutional constructs that Wheare argues for. How? The legal structure of federalism stems from the sociological environment, they are thrown up to protect those sociological characteristics of pre-federal societies: the culture, ethnic and religious interests are articulated, legislated against and protected.

The sociological dynamics influence the constitutional enactment of a federal state as its ecological concomitants [1].

It is against this backdrop that the adoption of a federal solution to the need for a political organizations of pre-political societies can be assessed and analyzed across federations both in successful federations such as: the United States and Swiss federations, the failed and collapsed ones :Czechoslovakia, Yugoslavia, the federation of Nyasaland and Soviet Federations, as well as, in existing but troubled multi-national and multi ethnic federations such as Nigeria and Spanish federations that are beset with fundamental crisis.

Both KC Wheare's and WH Livingston's frameworks are particularly central to the workings and understanding of a federal state formation in that they separately underscored the legalistic, institutional as well as the sociological concomitants of federalism espousing the dynamics between federal constitutions and the societies they serve society.

Definitional Perspectives on Federalism

This parties looks at some definitional conceptualizations of federalism offered by theorists and scholars:

Dacey AV identifies federalism as an idea bound up with the goal of finding equilibrium between forces of centralization and decentralization reflecting the societal desire for union but not unity [4].

For Neumann, federalism is an organizing principle and federation is a form state which corresponds to these principles [5]. Federalism according to him grew out of the insistence simultaneously in keeping unity and preserving differences.

King describes federalism as an institutional arrangement that takes the form of a sovereign state and distinguished from such state only by the fact that its central government incorporates regional units in its decision making procedures on some constitutionally entrenched basis [6].

Okolie identifies federalism as an arrangement adopted to address the difficult tasks of managing the various and divergent interests of peoples who constitute themselves into a political party but at the same time desire to preserve their cultural identities [7].

Professor KC Wheare, a leading authority in federalism literature, conceives of federalism as a method of dividing power so that general and regional governments are each within a sphere co-ordinate and independent.

As a concept, Akindele conceives of federalism as a constitutional invention to solve the political problem of unity in 'diversity' [8].

Acheoah AO defines federalism as an organizing principle for a political society (the state) forged out of a constitutional and sociological compromises which pre-existing societies entered into by granting jurisdictions over some specific matters to a central government while holding autonomies over others spheres driven by the desires to attain intended benefits in a federal bargain.

This aspect interrogates some salient issues on federal as follows

- Under what conditions can a state be said to be practicing federalism? Are all states that takes the appellation "federal republic" practicing federalism in its true sense?
- Why have some federations successful, some failed and collapsed and others beset with fundamental crisis?
- What are the roles of the political leadership in the emergence, development and survival of federations?

Under what condition can a state be said to be practicing federalism? Are all states that takes the appellation "federal republic" practicing federalism in its true sense?

Responding to the above questions brings KC Wheare's pre-conditions for a federal state formation:

- There must be at least two or more levels of government with powers constitutionally divided among them;
- Each of these levels must be coordinate and independent (they must be fiscally autonomous);
- There must be a supreme court and independent judiciary that will in times of conflicts among federating units intervened to make a pronouncement in accordance with the spirit of the letters of the constitution;
- Constitutional amendments should be predicated upon the concurrence of sub national units.

In a similar vein, the emergence of federation cannot be considered outside the sociological forces as found in societies: culture, ethnicity, linguistic, tribal, historical diversities which make up the centripetal and centrifugal forces that hold or pull federations apart. Seventy years after, the non-Russian Soviet Republics began to re-examine their existence in the Soviet Union to realize they had been russified in the scheme. In other words the resulting federation should be the offshoot of the society which the legal and institutional frameworks are instituted to protect particularly in multi-homeland and multi-ethnic federations where these dynamics influence the social cohesion.

In this light, a state becomes a federation by fulfilling the above explained fundamentals and not just by taking the appellation federal "republic" as seen in Nigeria that is far from the thresholds. Just as the same way some states take the appellation "Democratic Republic" to heighten their national standing on the international plain as democracy has come to imply good attributes of statehood, piously invoked by all manners of governments and state system alike.

The tenets of democracy: freedom, accountability to the people, transparency and respects for human rights are the attractive attributes. Examples, in the Democratic Republic of Congo and Democratic people's Republic of North Korea where rights violation, lack of freedom and a near pariah status and a questionable

international personality with no regards for multilateral conventions, international rules and statutes still comes to pride itself as democratic people's Republic antithetically (i.e., North Korea). In Democratic Republic of Congo anti-Kabila's protests and demonstration due to non-observance of democratic ethos, whose second term in office had ended since December 2016 but held tenaciously to power against the wishes of "the people" "the heart of democratic ideology". Kabila has extended his tenure by shifting poll to December 23, 2018. The most recent call has been from the UN secretary-General Antonio Guterres, for Kabila to respect the December 31, 2016 succession Agreement.

Against this back drop, it could be understood that only states that have properly adopted and institutionalized federalism in its ideological, institutional and sociological constructs can be said to be federations: the United States and Swiss federations offer classical examples of modern states where federalism have served its purposes.

However, states such as the defunct Soviet Federation, Czechoslovakia, and Yugoslavia were quasi-federations while they existed and theoretically unitary states, a factor that led among other things to their break up.

Meanwhile, states like Nigeria and Spain that are beset with fundamental national problems due to weak institutionalization of federal principle in their statecraft which consequentially are still searching for answers to myriad of national questions, suffers such fate as they are yet to show commitments to federal principles and leverage on the ideological potential of federalism in pairing unity with diversity, hence their national crises [1].

Why some federations are successful, some failed and collapsed while others are beset with fundamental crises?

Federalism has been variedly adopted and experimented in modern history since it was first adopted in the United States becoming the first modern federation with its constitution drafted in 1787 and came into effect in 1788 becoming also the first "written and federal" constitution archetypically in the world. Since then numerous federations had been established with different outcomes. While in some federations, federal principles were properly institutionalized and operationalized such as the Swiss and the U.S. federations, others experimented with federalism with a skewed arrangement antithetical to federal ideology by tending towards centralization and assimilation thereby defeating the ideological essence of preserving the pre-federal differences while pairing them with unity [1].

Examples of failed federations where federal principles were poorly institutionalized are:

- The Soviet federation (1922-1991) where the authoritarian and centralized tradition of the Russian empire, the lack of federal culture meted out to the non-Russian republics. A federal state that emerged out of the compromise between the Russian dominated communist and their non-Russian allies with a provision of administrative autonomies to the ethno-region in exchange for their national sovereignty lost its foundational terms as Moscow moved toward centralization and assimilative style form of policies under Joseph Stalin that came to be regarded as russification of the non-Russian people in the defunct federation. Smith describes the relationship between Moscow and its ethno-regional sub units as one of federal colonialism [9-11].

It was characterized by four major features:

- The denial of the ethno-regions the right to self-determination but only allowed the republic leadership in a circumscribed autonomy over their republic and emasculated the constitutional provisions under article 72 that provided right to secession from the union by article 73 clauses 2 and 4 which vested supremacy over all matters of importance in the federation to the highest authority in the state the Communist Party;
- Poor distribution of resources for equitable development among the ethno-regions;
- The Russians were given preferential access to federal appointments than the other non-Russian Republics;
- There was high consciousness against linguistic and cultural assimilation into the state-dominated Russian Language (a development that heightened the fears against russification of the non-Russians.
- By the 1980s the anti-Russian sentiments had become rife among the non-Russian republics that began to re-examine their existence in the Soviet federation. By the time Gorbachev introduced landmark reforms: perestroika, glasnost and demokratizatsiia the country was on the verge of collapse. A last minute referendum to save the Soviet Union was boycotted in 1991.
- Yeltsin argued that the only way Russia could democratize is by restructuring the country from the in which the ethno -regions could have what they wished so as to take the center out of the causes of regional affairs , their frustrations and animosities [12].
- The non-Russian republics criticized Moscow for its authoritarian, centralized dictatorship from the center and they declared themselves independent states in 1991.

In the defunct Czechoslovakia, the story is not different: federalism was inversely institutionalized and operationalized until its break up; it was established in 1918 out of the ruins of Austro-Hungarian Empire through several agreements and compromises between the bi-national groups Czechs and Slovak people. The Czech-Slovak union was spurned by historical affinities and territorial contiguities among the two. The Czech had sought to promote assimilative policy towards assimilating the Slovaks into Czech's nationality by way of Czechization under the rubric Czechoslovakism. The Czechs conceived of the Slovaks as ancestrally part of the Czech but a lesser part of Czech nation. Barnes stated that: "I am of the conviction that the Slovaks are Czechs and Slovak language is only one of the dialects of the Czech language...I shall cannot stop anybody from calling himself a Slovak but I shall not agree with a declaration that a Slovak nation exists [13]. In their national name, the Slovak nationalists had preferred the name of the state (Czechoslovakia) hyphenated as Czecho-Slovakia as was used in earlier document. These assimilationist dispositions of the Czechs political elites became one of the major sources of national questions of the Slovaks who see their people as part of the larger Czechoslovak nation but consider Czechoslovakia as the Czechisation of the Slovak people. Until its break up on January 1st 1993, the diametrical struggle between the two , for greater autonomies (by the Slovak nationals) on one hand , and the resistance to the yearnings and pressure for autonomies for the Slovaks by the Czechs became a key feature of the bi-national federal relations between the two [1]. The sociological concomitants of federal state formation were not concretely articulated and protected thereby putting its centrifugal and centripetal forces at play while it lasts until its demise. Federalism cannot according to WH Livingston worked out without given concrete attention to the societal dynamics hence there will be crisis

and this is more rife in multi-ethnic federations like Nigeria and Spanish federation.

In former Yugoslavia and the federation of Rhodesia and Nyasaland similar anti-federal tendencies and lack of federal semblance and culture are at the roots of their collapses. Not until the Eight Congress of the SKJ in 1964 that the national question came on the official agenda.

In March 1994 the states break up as a way out of conflicts spurned by ethno-religious cleavages [1].

In some extant federations the adoption and experimentation of federalism has been inverted by centralizing laws thereby making them prone to crisis: Spanish and Nigerian federation for instance, federal idea has not yielded the intended benefits of pairing unity with diversity. In Nigeria be specific, this has both sociological and constitutional aspects:

Sociologically, Nigeria was not the creation of Nigerians but a colonial contrivance of the British government in 1914 when previously separate kingdoms, emirates, empires with no prior power relations were brought together under one rule and government by a British consul Lord Frederick Lugard. Ever since this event little or no success has been made to create a common national identity. Against this backdrop that Awolowo O argued that: "Nigeria in not a nation but a geographical expression there are no Nigerians in the same sense as there are English, Welsh or French [14]. He added that Nigeria is a distinctive appellation to distinguish those who live within the boundaries of Nigeria from those who do not.

Corroborating Awolowo, Balewa T lamented thus: "since the amalgamation of the Southern and Northern provinces in 1914, Nigeria has existed as one country only on paper... it is still far from being united. Nigerian unity is only a British intention for the country [14].

The Sardauna of Sokoto and the premier of the Northern region Sir Ahmadu Bello is not left in the disappointing remarks of some of the leading lights of the nationalist struggles in Nigeria. Ahmadu Bello reacting to the response of the southern MPs in the House of Representative over the motion for self-government by the Action Group which the Northern People's Congress countered with a phrase "as soon as practicable", regrettably remarked that "the mistake of 1914 (Nigerian amalgamation) has come to light".

These remarks from the pre-independent leaders of Nigeria underscore the primacy of unity in the asymmetrically pluralistic Nigerian society on the one hand, and the task of the political leadership to leverage on the ideological potential found in federal solution" to pair unity with diversity", an aspect that reflects one of the failures of statecraft and political leadership in post-colonial Nigeria [1].

Today like ever before, Nigerians are more united abroad than in their home country, back home they see themselves as: Hausa-Fulanis, Yorubas, Ibos, Edos, Urobhos, Ijaws, Tivs, Jukuns, Kanuris, Igala and so on before as Nigerians, a cleavage which strongly suggests that the Nigerian identity is yet to be created, the patriotism of the people existed strongly in the ethnic formations than the political state. The task of creating a nation out of the many nations that make up post-colonial Nigerian state is one of the failures of its political leadership [1].

Diversity as found in ethnic, religious, cultural, historical cleavages in plural societies are not problems in themselves, they constitute the federal qualities of the pre-political societies. The problem however is the inability of the political leadership to forge unity in diversity, rather the political class play on the ethnic, religious differences. Ethnicity is not a problem since they do not impair other people's effort to success. What problematizes ethnicity in Nigeria is the act of manipulating ones ethnic grouping to take undue advantage over other citizens or groups or section within a political territory. This can take either the form of politicization of ethnicity, thereby creating identity issues in the social, economic and political milieu with the ensuing conflict symptomatic of mismanaged ethnic cleavages [1]. This is one aspect where federal essence has not been realized as a unifying ideology in the Nigerian Statecraft, the other being the fiscal autonomies of the federating units which are hounded by Section 162 Subsections (1,2,3 and 4) of the 1999 Constitution of Nigeria [1].

While diversity has been a source of strength in the United States, while paradoxically it has proved to be been a source of conflicts, animosities and mistrust among the ethnic groupings in Nigeria.

What are the roles of the political leadership in the emergence, development and survival of federation?

In all political systems, the role of the political leadership is central to the nature of the political society that will emerge, the growth, development and survivability of the state be it federal, unitary, monarchical or representative democracies. It is from the political leadership that the vision, idiosyncrasies, direction and national aspirations of every society springs [1].

The way the political leadership rationalizes their Values, worldviews and preferences through their policies and programs is a function of the pattern and pace of political development the society at large will witness.

In the United States, the role of the founding fathers cannot be overemphasized. They were inspired by the search for new beginning, fleeing from the English monarchy and catholic hegemony, marching on the horseback to Philadelphia to convene Continental congresses where they struck the first federal bargain in modern history. George Washington, Alexander Hamilton, Thomas Jefferson, John Adams, John Jay, James Madison were some of the statesmen who laid the foundation for the American that has become the beacon of global alliance and an archetypical case for nations across the world to emulate. Federalists John Jay, Alexander Hamilton and James Madison wrote 85 "federalist papers" a collection of articles and essays to sway support for the ratification of the United States constitution.

Federalist Alexander Hamilton in paper 13 titled "Advantage of the union in respect to Economy in Government", he argues that the union will be economically sound than if they remain as separate states as they will have only one government to support.

Other group of founding fathers who were skeptical of the establishment of a strong federal government led by Patrick Henry of Virginia, they were worried about a centralized government. Among them were James Monroe and Thomas Jefferson. The federalist had their way and the constitution was ratified in 1787 and came into effect in 1789 with George Washington as first president in 1789. This statement proved federalism was in-born in them in the way and manner they laid the foundation for modern America.

While Africa has suffered from the dearth of political leadership with strategic vision to set a national path for their society to prosperity and development, Nelson Mandela must be singled out for posthumous encomium. Dr. Nelson Mandela, a pacifist per excellence whose profile became a moderating factor during the delicate transition to post-apartheid South Africa. As he single hegemon Mandela left a better society than the one he was born in. what distinguished Mandela from other African political leaders has been a single value" Principle". He ones noted: 'a man who changes his principles depending on whom he is dealing with is unfit to govern a people'. African leaders lack principles, this has been a major personality crisis befalling its leaders crisis from Mobutu's Zaire to Kabila's D.R. Congo both leaders commanded sinister reputations as statesmen. Barrack Obama once remarked that "Africa reward greed and recklessness". This assertion is true about Nigeria where those who traduce the state have all been awarded one national honor or the other while Pa Taiwo Mikael Akinkunmi, a septuagenarian who designed the Nigerian national flag in 1959 as a 23 year old student of electrical engineering at Norwich Technical College England, that was hoisted as the union Jack was lowered on October 1st 1960 at Independence was only been given national honor by the last administration of Dr. Good luck Jonathan 50 years after during the 50th Anniversary of Nigerian Independence, the First of such recognition from Nigeria to him and later in 2014 granted him another national honor of OFR Officer of the Order of the Federal Republic and went a latitude ordering the septuagenarian be placed on a life pension salary scale equal to that of a special assistant to the president N800.000 per month.

In Nigeria, the political leadership is yet to have a convergence on the need to put Nigerian federalism on the right footing so as to deliver the intended benefits of federalism to the Nigerian people. Rather than uniting the people, this crop of political elites played on the ethnic cleavages inherent in the Nigerian state, a political culture that further deepened the mistrust and inter-ethnic suspicions among the heterogeneous entities in Nigeria. The political leaders have fanned embers of disunity, issued secessionist threats at the slightest excuse; politicize the military wings as evident in the characters of coups and counter-coups that almost disintegrate the state in the late 1960s.

For General Ironsi, federalism was the cause of the Nigerian crisis as seen in the activities of first republic politician who were not magnanimous in victory nor were they philosophical in defeat, so he decreed a unitary system via Decree 34 of 1966 and Nigeria took a new name from Federal Republic of Nigeria to Republic of Nigeria. When General Gowon came to power following a July 29th 1966 counter coup he restored the federal system back but not without losing its essence as the state tilted towards centralization that persisted till 1999 when the military handed power to their retired colleague General Olusegun Obasanjo. The federal structure lay down by the 1963 guaranteed autonomies for the federating units were inverted by the military. Till date, Nigeria searches elusively for a path out of the way out of the quagmire it courted by that forceful change of regime. Fifty one years after they struck (1966), General Yakubu Gowon one of the earliest military states men in post-colonial Nigeria noted in his Keynote address delivered on December 21, 2017 belatedly threw his support behind the call for restructuring. He called on the federal Government to pay heed to the calls for restructuring, he berated the over centralization of powers at the federal level to the negation of fiscal federalism. In his remarks he noted "there are important reason to look at fiscal federalism, who gets what, it is becoming a conscientious issue that we cannot wish away. We need to take

decisions in the interest of all Nigerians. It took principle for the former head of state to take this stand which many want it glossed over or delay the needed reforms until it became last measure, the Soviet, Yugoslavia and Czechoslovakia failed cases are instructive that you cannot sustain a union (federation) by force but through negotiation, bargain and reforms were needed, the people must be made to see reasons why they need to live together, that is the political psychology behind a federal bargain [1].

A divergent view was made by another statesman of high national standing with unblemished profile and indefatigable stance against corruption and profligacy, who warned Nigerians against gluttonous spending that the oil boom was over in 1977 as a commissioner for petroleum the incumbent president, Muhammadu Buhari in his New Year's Address to the nation January 1 2018. He stated:

"In respect of the political development, I have kept a close watch on the ongoing debate about 'Restructuring'. No human law or edifice is perfect...whatever structure we develop must periodically be perfected according to the changing circumstances and the country's socio-economic development. When all aggregates of nationwide opinions are considered, my firm view is that our problems are more to do with process than structure."

President Buhari's New Year's 2018 remark theoretically brought to bear the 'twin bane' to the Nigerian statehood: the structure and the process. However, there is need to state that there is a concomitant relations between the both, as the process is predicated upon the structure. How? It is the Structure of the state, whether federal or unitary that determines the type of constitution the state will enact which in turn set the rules that guide the political process. The extant constitution of Nigeria is purportedly federal by, mere appellation and geographical de-concentration but institutionalizes a unitary provision under section 162 subsection (1,2,3 and 4), that made the federating units subordinate and dependent rather than independent with full fiscal autonomies. This is at the heart of the inverted process of federal state formation in Nigeria; devolution of power is only significant in the context of power of the purse.

A renowned professor of law and the Chairman of the Presidential Advisory Committee on Anti-Corruption, Prof. I.E.A Sagay in a remark on August 10 2017, described the 1999 constitution as a mistake, drafted and foisted on Nigerians by a military fiat [15]. Professor Sagay noted that the 1963 constitution empowers the regions to develop at their own pace ...He notes:

"you will recall that with the 1960 and 63 constitutions, the region kept 50 percent of its resources and contribute 20 per cent to the federal and shared the remaining 30 per cent on themselves [16]."

This structure was in spirit with federal principle until 1966 when the military took over the government and suspended the constitution. Sagay, still in a corrective remark over the president's view on restructuring noted on the January 2 2018 that, Nigeria needed both restructuring and the processing. The view of Sagay sums up diametrically the positions of the president, one of the root causes of the crisis of the Nigerian federalism and attests to the fact that the 1999 constitution is emblematic of a unitary state, an anathema to federalism [17].

Summary

The foundation of the Nigerian federalism that was laid down by the 1954 Littleton Constitution, the 1960 Independence Constitution and

1963 Republican Constitution courted a disaster on January 1 1966 when the military struck and inverted the federal structure they met and began to enact Decrees and Edicts that were antithetical to federalism thereby tilting the nation towards a more centralist and authoritarian state structure and political process. The 1963 constitution is the first autochthonous constitution in Nigeria, a constitution that takes cognizance of the ethnic and regional cleavages, by granting fiscal autonomies to regions so as to enable them grow according to their strength and pace. That foundation was truncated in 1966 and by 1999 the military fiat imposed an "elitist constitution" on Nigerians (an unpopular constitution) that robbed the sub-national units of their autonomies, thereby, allowing Abuja to determine the pace of their development. In nowhere is this usurpation of state powers more visible than in Section 162 Subsection 123 and 4) of the 1999 Constitution. Today, there are about 63 items on the Federal Exclusive Legislative List, thus, granting the federal government jurisdictions over 60 percent of national responsibilities to be discharged at the Centre leaving tying the developmental pace of the sub national units to be centrally determined [18,19]. The crisis of the Nigerian federalism Sprang from the failure to properly institutionalize federalism in spirit with its ideological and institutional presuppositions, as well as the failure of the political leadership to initiate reforms that will affect the needed changes to enable the country realize the intended benefits sought in federal union. Federalism from the Nigerian experience has been giving new meaning and definition that are antithetical to its ideological and institutional construct with deep fundamental crisis for the state's legitimacy and survival.

Conclusion

This paper concludes that the crisis of the Nigerian federalism cannot be explained outside the contradictions that characterize the incursion of the military in the political process in 1966, a political misadventure that inverted the federal structure and institutionalized centralist, quasi-federal state, thereby undermining the sociological forces of the Nigerian society. The crises that characterize the Nigerian state are symptomatic of the contradictions that are consequential to an inverted federal nation building experiments under the military that began in 1966. The existing cleavages of Nigerian state cannot be forgotten or smothered, that is not the ideological essence of federalism but to "pair unity with unity diversity," the structure of the federation and the policies of the government either narrow or deepen these cleavages.

The solution to the myriad of problems besetting the Nigerian state is to give the Nigerian People the platform to renegotiate their existence, so as to save the state from crisis of legitimacy and survival. Nigerians must be giving the free will to see the country as their own institution. Only by this a true social contract may have been entered into between the people and only this can give birth to a strong Nigerian identity. The sociological, anthropological aspects of the Nigerian societies cannot be Isolated from the Constitutional development, the constitution and institutions of Nigeria must reflect the wishes and aspirations of the pluralistic entities that make up the state and the compromises the resolved to accept for the sake of the union. The institutional dynamics of a federal Nigeria must keep pace with the sociological forces inherent in the society. There is no doubt that the Nigerian federalism has been structurally inverted and flawed since military incursion of 1966. This has impeded development across the sub national units, engendered disunity and inhibits national

integration. The civil strife currently looming in Nigeria is not only symptomatic of a disconnected federal bond but a consequence of a dysfunctional federal system.

Recommendations

The recommendations of this article are threefold:

- The Nigerian people should be given opportunity to renegotiate their existence democratically through their popular representatives (National Assembly) so as to break with the authoritative structure institutionalized by the 1999 constitution which was never popularly enacted by the Nigerian people. So that they can re-write themselves into their national statute book (the constitution). Government must respect the legitimate popular grievances of its citizens, this is fundamental to give legitimacy to the state;
- A new constitutional document proposed must grant fiscal autonomies to the federating units to make them independent and viable sub-national entities. This will restore developmental drives in the regions according to their needs and aspirations not on the basis of national schemes.
- The political leadership must change their orientations, they must show selfless service to their fatherland altruistically, they must shorn ostentatious lifestyle and status symbols, they should see their positions as a call to service and not a means for primitive accumulation, rent seeking. This is the only way to close the gap between the people, the society and the political leadership. The leadership must champion politics of ideas and development philosophically, and not politics of belly, partisan and sectional politics that divides the people, they should lead by example and put their names in good history books as Mandela, Mahatma Gandhi, and Abraham Lincoln all did. The idea of democracy came into the fore in ancient Greek city-state of Athens (Athenian democracy), with the 'thought' to bring the people into the agenda of the political life of the state. However, in Nigeria democracy has since been redefined in all ramifications by the political elites to mean: "a government of the people, for the party and for the ruling elites" as the people loss significance in the scheme of things after elections. When elections season draws near they will come back with populist policies to hunt for votes. I strongly disagree that Nigeria is a poor country but are victims of politically induced inequality. What pulls Nigerians back as a people is the lack of principled, visionary and altruistic leadership from among the political elites who see their rise to power as opportunity for primitive accumulation as indicative in the level of fiscal indiscipline and rent seeking seen in public life in recent times. The unparalleled stance of President Muhammad Buhari against graft

deserved commendation, but the war against corruption in Nigeria that has become endemic, systemic and episodic demands that explanations and solutions be sought in cultural, religious, social aspects that affect the dynamics of the value system and not solely reduced to the political sphere. If corruption has become endemic in the Nigerian state, then we all must support the war against graft.

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