

**FEDERALISM,  
DEMOCRACY  
AND  
DEVELOPMENT IN NIGERIA**

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## CHAPTER FOUR

### FEDERALISM, DEMOCRACY AND DEVELOPMENT IN NIGERIA: AN ANALYSIS

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#### **Introduction**

In order to deal with the issues raised herein by the title of this research, we would want to interpret the title to mean, is development faster in states that are federal in political structure than in others? We would deal with this much more elaborately during the discourse of the statement of the problem. However, it is important to note the processes of state formation. The processes of state formation fall into the early medieval period and the era of modern state development. In this study we adopted to deal with the later, modern state formation as the point of departure.

Modern state formation could be traced to (i) colonial experience arising from the conquest and the subjugation of the people. This phase of state development occurred between 1870s and 1900, when Africa faced European imperialist aggression, diplomatic pressures, military invasions and eventual conquest and colonization. After all these, the pressure of the Atlantic Charter and the birth of the United Nations Organization in 1945, created the impetus for the creation of new states in the former colonial possessions. This was complemented by (ii) the 1648 Westphalia Treaty (Peace of Westphalia). While the Westphalia Peace Treaty started the development of modern states in Europe, the colonialists laid the foundation of similar phenomenon in Africa. In Nigeria it was in 1914. It is instructive to note that the states were created where none existed before; the people were living in empires, kingdoms and in stateless societies.

States came through these two principal forces with other variables such as the desire for greater welfare, commerce, cultural similarities as well as the Weberian indices of authority as the means to Statism. The various people of diverse culture had to be brought under a centralized government structure (state formation) where none existed before. Thus, bringing diverse people together to continue to enjoy the freedom and human rights they were hitherto appreciated in their stateless societies under a centralized state. This problem

...ed social scientists and particularly political scientists until 'Federalism' was brokered through political ideas of both classical and modern political scientists such as Englebert Von Volkersdof (1577), Jean Bodin (1660), Hugo Grotius (1583-1645), Jean Jacque Rousseau (1712-1778), Hobbes (1588-1679) and John Locke (1632-1704) as well as Johannes Althusius (1557-1638). The modern theorists would include the Federalists, John Jay, Alexander Hamilton and James Madison (85 articles and essays making up the federalists' papers).

The theoretical basis was laid by Althusius in the '**Confederatio non-plena**' that federalism is a system in which the component parts maintain their full sovereignty (Dietz, 1999, p.300), where the desire for peace and security serves as the motive and compelling factor. Chancellor Sully, Henry (IV) of Germany in his contribution posited the following in a federal state, (i) the members of the union remain sovereign states; nevertheless, their sovereignty is no long absolute as it was before the union. (ii) The states can not secede from the union (iii) the union is perpetual (Dietz, 1999:301). This is the foundation of federalism as conceived by its theorists.

However, Frank (2013) in a discourse on the necessity of federalism outlined the following settings as osmotic pressure for it. They include (i) when tribes, races, communities that hitherto did not relate harmoniously are forced together as units in a federation by the forces of state formation. (ii) When it is or would be impossible to accept a uniform pattern of getting things done in the state, which may conflict with the ways of life of the people. (iii) When the people are culturally and religiously heterogenous (iv) In the organization of the government in a federal state, conscious attempts are made to reflect representation of groups and interests, hence, the government is often large. (v) The region, province or state where a resource is located becomes its owner, a percentage is paid to the federal government for the maintenance of federal duties (Frank, 2013). When these conditions are violated with impunity in any federal states, such a state fails to accumulate the advantages derived from the practice of federalism. This is the case in Nigeria.

The first objectives of this study were to examine the processes for the formation of a federal state and the identification of the operational principle of federalism. The second one being to analyze Nigeria federalism against the backdrop of the first goal. The third was to evaluate

how 'democratic' practices serve as the lubricant for the smooth operation of federalism and finally to ascertain whether or not faster development would become the outcome of the entire processes.

### **Context of Federalism**

One of the major attractions of federalism as a political idea is its ability to be used as a conflict mitigating or reducing device. This is contingent on its ability to allow diverse people to be free to practice their ways of life within its assigned region in which its power is coordinate to that of the central government. Federalism allows different groups within a central state to legislate at sub-national level and enjoy relative autonomy within the state without creating 'proto-states'. Ziblatt (2008), on the other hand, averred that there are four (4) theoretical constructs for the adoption of Federalism viz;

(i) Ideational theories – which hold that a greater degree of ideological commitment to decentralist ideas in the society makes federalism more likely to be adopted.

(ii) Cultural -Historical idea has it that federal institutions are more likely to be adopted in societies with culturally or ethnically fragmented population. (This is where Nigeria belongs and the reason for its adoption of federalism).

(iii) Social Contract -The fear of conceding power to the provinces is that they may eventually secede or lead to the dissolution of the nation.

(iv) Infrastructure Power- Federalism is likely to be adopted when the subunits of a political federation already have highly developed infrastructure such as economic power.

Drawn from the above theses, the modern view of federalism was drawn to be; (a) democratic rules and institutions in which the power to govern is shared between the national or federal and provincial or states governments. (b) It is best suited for nation-states, ethnic groups or combatant parties all of whom may have the fear of control by overly powerful center. The central principle of federalism is that it's a bargain between a center and the periphery, whereby the central authority is in no way powerful enough to dominate the periphery and the periphery not powerful enough to secede from the center.

### **Statement of the Problem**

All states which operate federal system of governance, garnished by democracy in both advanced and developing societies, have had rapid socio-economic development. This development includes to a large extent, minimal degree of internal conflicts (insurrections

by non-state actors) which is yet a dimension of societal wellbeing (we shall exclude the level of technology in the calculus). Some of these states include among others; Canada, Brazil, Belgium, Germany, Australia, Argentina, Switzerland and the USA. One thing that is common among these states is democracy, federalism and the possession of degree of development. This explains why countries such as the United Kingdom, Spain, China, Philippines and many others have decided or are edging to embrace Federal structure and democracy as means of governance. Though this structure and governance system are applicable in Nigeria, yet she is highly underdeveloped. The position of this study is that the higher socio-economic level of the state listed above is significantly related to their adoption and operation of federalism and democracy, which generate development in these states. Nigeria also operates similar principles yet has not been able to reach the socio-economic levels of its counterparts.

Federalism and democracy have inhibited development in the Nigerian State because the origin of Nigeria's federalism is a reverse of the American system in both concept and intent. The American federalism is a coming together, by the free choice of small strong units under one umbrella. The original purpose was confederation, and then graduating to federalism with each small but strong unit yielding some of their power and structure to the federation. The Nigerian federation started the other way round, characteristic of all its affairs; first as protectorates with provinces, then as regions and subsequently quasi-states or unified states. As regions, each was autonomous with the North both, as a geographical and political block, constituting by a questionable design, 50 per cent of the constituent regions of Nigeria, with successive systems compounding these structural incongruities... The Nigerian federal system is a colossal deception of the highest order, a colonial, political construction inherited by the elite in 1960. If a political system pretends to be a federation, more so, a democratic federation, but it is not its collapse is inevitable, as... the discarding of the 1963 constitution was indeed the destruction of the Nigerian federalism Alli (2001:152). These indeed are the causal variables why the adoption of federalism and democracy has started to be apparent in the study. It is a substantial aspect of the problem that the political elite do not understand the operations of the concepts of federalism and democracy, hence, why development eludes Nigeria constantly. This assertion and many others would be validated in subsequent sections of this study.

### **The Approach of the Study**

This <sup>Descriptive</sup> approach was adopted in order to obtain information concerning the current status of federalism and the practices of democracy in a federal state and how these led to development in any state. It sought to know what the nature of the phenomenon is, its principles at the time of the study wherever the concepts were being applied. The intention was to describe what existed and identify the conditions necessary for its sustainability. It further sought to generate data to guide how to use federalism and democracy to generate socio-economic development as obtained elsewhere. In the application of the study orientation, enormous secondary documentary sources were consulted which generated subordinate data. The study then attempted to correlate the data to federalism, democracy and development (Ndiyo, 2005).

At the end of the study, the adopted approach provided an analytical picture of how federalism came to other places and how in the Nigerian federalism, the reverse is the case. It also revealed that while there is a balancing act in federalism between the center and the periphery to the extent that none can hold the order to ransom, the Nigerian regions, states and local governments have not been able to achieve a balance between the North and the South, hence vitiating one of the cardinal principles of federalism. To this extend, it is increasingly becoming apparent why the Nigeria's brand of federalism and democracy would not generate development as experienced in other federal democracies.

### **Framework of Analysis**

The Temple of Democracy consists of a temple with a roof (democracy), supported by three pillars, pillar one (the strength of popular sovereignty), pillar two (rights and liberties) and pillar three (economic well-being of the citizenry). These three pillars are resting on a base deep down into the ground exuding 'democratic values' and the top layer of the base made up of 'the rule of law'. This is the components of the temple of democracy.

Base (i) the framework provides that the base of the temple forming the foundation contain values such as freedom, inclusion, equality, equity, respect, tolerance, compromise and trust. When the nations brought together are imbued with these values and they are internalized, then this is a fertile soil for the germination of the seed of federalism and democracy.

Base (ii) the contents of this second layer of the foundation is simply that the power of the state and its officials must be limited by the law and that no one is above the law. This would drive the balance between the center and the periphery. This is to operate a system of laws and not of powerful men.

Supporting Pillar (a) Popular Sovereignty this is governed by the consent of the governed with participation in the processes and accountability by the state and its agents to the people. Pillar (b) Rights and liberties -the rights and liberties of the people brought into the federal state and manage through democracy would not be removed or mitigated.

Pillar (c) Economic well- being- welfare is a democratic value and the economy must be made to add value always to the citizens. It consists of enhancing economic growth, widening economic opportunity, alleviating poverty and generous welfare of the people (Sodaro, 2008). These are conducive to development in a federal -democratic state.

It is instructive to note that the variables expounded in the theoretical framework which lubricated federalism and democracy elsewhere, are all in short supply in Nigeria. It is now clear why both federalism and democracy are not functioning at optimum levels. Federalism started in the reverse order in Nigeria; hence the rules of engagement which were amended in the 1963 constitution were lost. Since then federalism has become unitary federalism. It removed the spirit of healthy competition among the component states in the use of their resource endowment for development. It created a lazy social group who depends on the resources of others unjustly appropriated. It then placed a very high premium on politics as the means to the unjust expropriation of the resources of others; hence politics become a do-or-die affair. The economic well-being of the generality of the people was displaced by the economic well-being of a tiny few and their family, hence social development became subverted. Thus, while in other climes where federalism and democracy are practised have succeeded in their developmental efforts, Nigeria's development indicators are in the negative slope.

### **Data Presentation**

The following data was drawn from the application of the approach to the study viz:

- I) While the 1999 Constitution (as Amended) placed 68 items in the exclusive list, that of 1979, 1989 and 1995 all had 66 items in the same list, unlike the 1960 and 1963

Constitutions which contained 45 items thereof.. These items include the resources which ought to belong to the States, regions, provinces or precincts. This violates the expositions of Althusius (1638), Ziblat (2008), Frank (2013), thereby hindering the protestant ethics and competitive spirit of capitalism among the states.

- ii) For many Nigerians, federalism is an important mechanism for allaying their fear of political and economic domination (Elaigwu, 1982). However, the fears are more heightened in post 2015 than ever before. The composition of the Government at the federal level in all its facets is in flagrant violation of the principles of federalism. An inquest into the composition of the security apparatus of the government accounts for the proscriptions of the Indigenous Peoples of Biafra, IPOB, without proscribing Herdsmen militia, Operation Python dance I, II & III without 'operation cattle dance', appointment into NNPC and the fiscal sleaze thereof.
  
- iii) According to Sklar (1970), after the January 1966 coup, 'political power shifted from the Northern rulers and their allies to a more progressive section of the population. The concentration of political and economic power in the hands of Southern leaders tilted the delicate Nigerian balance. In order to address the delicate divisive tendencies in the country, General Ironsi promulgated the unification decree which fused the Northern, Eastern and Western civil and public services into one entity .On January 17th, 1966, Ironsi issued his decrees (Nos. 33 and 34, the abolition of federalism as a system of government in Nigeria, the abolition of the former regions, henceforth to be known as 'groups of provinces, proscription of political parties and ethnic associations, establishment of National Military Government, appointment of military prefects and the introduction of new Economic Plan) suspending all the legislative bodies in the federation; abrogating the sections of the constitution which referred to these and vesting in himself ... all functions and powers previously exercised by the civilian government...the first Republic had collapse (Dudley,1973 :106). The country was changed from the Federal to a unitary Republic with regions. This heightened fear of the northerners that the civil service positions were going to be taken over by the easterners. The counter coup that followed restored the revoked Decree 34, thereby returning the country to a federal system of government. However, the unitary governance-spirit prevailed because of certain developments



which eventually led to the civil war. This is the source of Nigeria's brand of unitary federalism. We shall identify some of these events.

- iv) **Political Elite's Rascality**- It is well documented that from 1960-67, both the Western and Eastern regions had external trade and diplomatic relations out-posts in both England and Washington respectively different from the federal government embassy in both locations. This was certainly against the ethics of federalism both in theory and practice.
- v) Another attitude of the political elite that ran counter to the operations of federalism was evidenced in the First National Development Plan released in 1962. It showed that a good proportion of federal sponsored projects were to be located in the North (Dudley, 1973:66).
- vi) The inability of the political elite to go for rational decisions in governance challenges federalism and democracy. The issue of revenue sharing demonstrated this much succinctly. On this issue, the North wanted revenue allocated on a per capita basis which would have favored the North (NPC) with its largerst population. The East (NCNC) being fiscally worse off, wanted revenue allocated on the basis of need in 1957. In 1964 when the prospects of oil had made the East the most favorably placed government in the federation, it no longer needed the federal structure but a loose federation it had championed but required 'derivation as a formula (Dudley 1973, p.70).
- vii) It is instructive to note that inclusiveness generates sense of belonging in a federal system. The minorities in the Eastern region were not considered as part owners of the regions, hence soon after the January 15 coup d'état, Isaac Adaka Boro felt the minorities in the delta region were going to be excluded and marginalized in the new government of Ironsi. He then staged the 12 Day revolution by taking up arms and proclaiming the independence of the zone.  
These are combined facts pointing to the failure of the operation of both federalism and democracy in Nigeria then and now. Federalism essentially is a mechanism for conflict mitigation. However, its operations in Nigeria then and now illustrate the contrary.

### **Expediencies of federalism**

A realistic practice of federalism in Nigeria like elsewhere ought to have generated the following recompenses;

- i) Loyalties to the states of regions-by individuals who benefit more from it than the center. Many people ought to have closer ties to the state government, but this is doubtful in Nigeria because the states that do not pay workers salary regularly can hardly expect loyalty. Unfortunately, these states that do not pay salaries yet receive monthly allocation do not get punished. The protection of the individual against tyranny of a strong central government is not applicable in Nigeria.
- ii) The state and local government serve as practical school for statesmen. The power to participate in governance at both the local and state levels ought to provide the practical lessons and experiences for the federal levels. This is a guarantee of federalism.
- iii) State serves as a laboratory of democracy-whatever is done classically well by the state could be adopted by the federal government for application. In the USA, Tommy Thompson of the state of Wisconsin, had experimented with welfare programme, the experiment influenced the federal welfare reforms many years ago.
- iv) Federalism does allow for state stability by removing contentious issues, and allowing the regions or state to deal with such locally. However, this is not to be in Nigeria because the brand of unitary federalism being practised in Nigeria.
- v) Federalism encourages pluralism by expanding government to three levels, thereby giving people the spectrum to operate.

However, the federalism does not allow the effective use of national policy on any issue, the policies are as many as the states or regions. In most cases the states or regions would sabotage the federal policy especially if they are of different political party. In Nigeria, states that were not controlled by NPN 1979, had Presidential Liaison Officers (PLOs) who assumed the role of the governors in the state. The overlapping functions and boundaries made it difficult to apportion blame to any one in the event of policy failures in programmes.

**Impact on Development**

On the evaluation of the power of federalism and democracy on development, let us use Table 1 as a case-study by dividing the city of Nogales in Mexico into two with one in Santa Cruz -California, Nogales Arizona, and the other half, Nogales Sonora in Mexico.

**Table 1: The Case of Nogales Arizona and Sonora on Federalism and Democracy**

Nogales Arizona (USA)	Nogales Sonora (Mexico)
*The average income of a household is about \$30,000 a year	*The average income is about one-third that of Nogales Arizona
*Most teenagers are in school & of adult are high school graduates	*Most adults here do not have a high school degree & many teenager are not in school
*The population is relatively healthy with high life expectancy.	*There is high rate of infant mortality and low adult life expectancy.
*There are available and accessible, telephone, sewage system, road network.	*Public utilities are bad, roads, electricity, telephone, road network.
*Accessible & affordable public health.	*Poor Public Health availability & accessible

**Source:** Frank, 2018.

The general explanation is simply that they can vote to replace their mayor, congressman and senators, they vote in the presidential elections that determine who will lead their country. Democracy is second nature. Unlike their northern neighbors, democracy is a very recent experience (Acemoglu, 2012:8). Furthermore, Nogales Arizona has experienced federalism and democracy through which they access political institutions which allow them to take part in the democratic processes. Nogales Sonora on the other hand, lived under difficult institutions that were not democratic for along while. Their experience of democracy is most recent. It is the submission of this study that a correlation exists between development on the one hand and federalism and democracy on the other.

### **Impact in Nigeria**

- i) Nigeria power output is embarrassingly low. Every aspect of development is tied to power generation and transmission. Nigeria's current electric power generation capacity is hovering in 4,500 megawatts space. Nigeria ought to be in 40,000 megawatts. That is what we should be talking about (Adeshina, 2018). This is accounted for by the form in which federalism and democracy is practiced. No state can generate power and transmit but must be offloaded to the national grid and shared all through the country, and in the final analysis the ration is so low that it cannot power anything.
- ii) In terms of welfare, 62 percent of Nigeria's 170 million people live in extreme poverty and just recently, Nigeria became the world poverty capital amidst abundance of human and material endowment.
- iii) Infant mortality in Nigeria stands at 70 in every 1000 births (70/1000). About seventy children would die before the first birthday among one thousand births. This is as a result of lack of accessibility, affordability and availability of medical services by the parents of these children. This is tied to the low Human Development Indices (HDI, a composite of life expectancy, knowledge level and standard of living).

The question to ask is, if federalism and democracy have positive impact on development, why have they been slow in the Nigerian context. The persuasive answer is that Nigeria's brand of federalism is 'unitary federalism', while democratic politics is 'prebendal' in nature. Thus, the only period that federalism and democracy generated development in Nigeria, was in the first Republic before January 15, 1966.

### **Conclusion**

The practice of federalism is somewhere in-between confederation and unitarism. We must drive governance there, while the exercise of democracy must be moved away from 'comprador and conquistador governance system' as seen today in Nigeria. If a political system pretends to be a federation, more so, a democratic federation, but is not generating the advantages expected to the citizens as shown in the case of Nogales Arizona, then, its collapse is inevitable. Time is now to restructure and get the state working again. There is

really no alternative to the constitutional re-arrangement of the Nigerian federalism for stability. It may be called 'restructuring', 'reconfiguration', 'redesign' or whatever, federalism should be made to work and Nigeria would reap from democracy.

It is instructive to note however, that in order for federalism and democracy to deliver development as in other climes, certain minimum standards are expected from the political elites for it to flourish. These include; trust, tolerance, compromise, and leadership which uphold justice objectively complimented by judicial reviews. The growth of democracy on the other hand requires elites' commitment to it, strong state institutions operated by skilled personnel, commitment to the unity of the country and transparency in the operations of the state as well as continuous nation building and the utilization of the resources where it is found (Frank 2018). These conditions would improve federalism and democracy and translate to development. When this becomes the situation in Nigeria, the negative development indices being witness today would fizzle out when actual federalism and modern democracy take place in Nigeria.

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